

APPENDIX 1
COMPLAINTS / CLAIMS

The Industrial Magistrate, during the six months ending **June 30, 2019**, dealt with the under mentioned complaints/claims for breaches of Awards or Industrial Agreements or breach of the *Industrial Relations Act 1979, Fair Work Act 2009, Minimum Conditions of Employment Act 1993, Workplace Relations Act 1996, Long Service Leave Act 1958, Construction Industry Portable Paid Long Service Leave Act 1985* and the *Children and Community Service Act 2004* or the Regulations made there under. The decision of the Magistrate is briefly noted, but those cases involving points of particular interest or importance are more fully reported.

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 2/2019	Construction Industry Long Service Leave Payments Board	Focal Point Plastering Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 3/2019	Construction Industry Long Service Leave Payments Board	T.I.E.C. Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 4/2019	Construction Industry Long Service Leave Payments Board	MBE Mechanical Electrical Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 5/2019	Construction Industry Long Service Leave Payments Board	Starnet (WA) Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 6/2019	Construction Industry Long Service Leave Payments Board	R & M Electrics Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 7/2019	Construction Industry Long Service Leave Payments Board	Redbax Scaffolding and Rigging Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 8/2019	Construction Industry Long Service Leave Payments Board	Royal Asphalt Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 9/2019	Construction Industry Long Service Leave Payments Board	Lincoln Troy Matthews	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 10/2019	Construction Industry Long Service Leave Payments Board	Paco Construction Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 11/2019	Construction Industry Long Service Leave Payments Board	Prompt Enterprises Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 12/2019	Construction Industry Long Service Leave Payments Board	Constructen Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 13/2019	Construction Industry Long Service Leave Payments Board	Graphite Plumbing Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 14/2019	Construction Industry Long Service Leave Payments Board	Kaefer Maicon Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 15/2019	Construction Industry Long Service Leave Payments Board	RAC Facades Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 16/2019	Construction Industry Long Service Leave Payments Board	Westoz Roofing Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 17/2019	Construction Industry Long Service Leave Payments Board	Trades & Labour Company Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 18/2019	Construction Industry Long Service Leave Payments Board	Neesh Construction Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 19/2019	Construction Industry Long Service Leave Payments Board	Michael W Bloomfield	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 20/2019	Construction Industry Long Service Leave Payments Board	Cortez Stonemasonry Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 21/2019	Construction Industry Long Service Leave Payments Board	Primed Projects Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 21/2018	Tony Davidson	Health Support Services	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 22/2019	Construction Industry Long Service Leave Payments Board	Jugiter Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 23/2019	Construction Industry Long Service Leave Payments Board	Capital Lifts Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 25/2019	Lindsay Alsop	Tashmatsuma Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 29/2019	Cory Gill	Mark Oberman Viperline Holdings Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument			\$55	\$2,722.41
M 30/2019	Glenn Mill	Strongbond Holdings Pty Ltd Australian Contract Mining Pty Ltd Trading as Westgold Resources	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 30/2018	Fendy Sidanta	BMZ Manhattan Pty Ltd ACN : 104 601 998 ABN : 95 104 601 998	Fair Work Act 2009 - Small Claim; Long Service Leave Act 1958 - Alleged breach of Act	Orders issued by Consent			
M 31/2018	Memet Demiroski	Beaufort Nominees Pty Ltd t/a Michael Johnson & Co Real Estate	Fair Work Act 2009 - Small Claim; Industrial Relations Act 1979; Long Service Leave Act 1958 - Alleged breach of Act	Orders issued by Consent			
M 32/2018	The Civil Services Association of Western Australia Incorporated	The Director General of the Department of Justice in his capacity of the employing authority of the Department of Justice	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 33/2018	Craig Ivan Botica	Top Cut TMS Holdings Pty Ltd (ACN 134 606 661)	Fair Work Act 2009 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 35/2019	Guillaume Tanfin	MMCE Holdings Pty Ltd trading under the name Blacksmith Perth	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Judgment by Default		\$50.00	\$786.34
M 36/2019	James Neil McMurtrie	Trinity Meats Co Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$6,693.75
M 37/2019	Jeffry Catle	Eat Street Enterprises Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Judgment by Default		\$50	\$18,806.39

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No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 38/2018	Leilei Lin	SQ Jacks Pty Ltd (ACN 120 190 516)	Fair Work Act 2009 - Alleged breach of Instrument	Judgment for Claimant	\$10,000		\$77,554.78
M 39/2019	Daniel Jayne	Boyke Abdullah Muhammad Programmed Industrial Maintenance Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 41/2018	David Hunter	MMC Electrical Engineering Pty Ltd trading as E.J. Electrical Engineering Contractors	Fair Work Act 2009 - Small Claim	Orders issued by Consent			
M 42/2019	Margaret Tarry	D365.Group Pty Ltd	Fair Work Act 2009 - Small Claim	Judgment by Default			\$8,795.31
M 45/2018	Junfeng You	Prime Enterprise Holdings Pty Ltd t/a Sushi Master & DancinWok	Fair Work Act 2009 - Alleged breach of Instrument; Industrial Relations Act 1979 - Alleged breach of Act; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Discontinued			
M 45/2018	Tracey Lloyd	JC Holdings (Aust) Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Judgment by Default	\$50		\$5,634
M 46/2018	Sheryl Reardon	Gaetano Anthony Lagana (ABN 85 867 757 829) T/A Stratton Park Pharmacy	Industrial Relations Act 1979 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Claim Proven in Part			\$2,720.67
M 47/2018	Kevin Brown	Albany Racing Club Inc.	Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by Consent			
M 50/2019	Jonathan Mc Cann	David Polak, Davlyn Enterprises (WA) Pty Ltd	Industrial Relations Act 1979 - Enforcement of Commission Order	Judgement by Admission			
M 53/2019	Construction Industry Long Service Leave Payments Board	Red Desert Cooling Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 54/2019	Construction Industry Long Service Leave Payments Board	Macchina Operations Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 55/2019	Construction Industry Long Service Leave Payments Board	ANGSA Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 56/2019	Construction Industry Long Service Leave Payments Board	Safe Integrated Systems Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 57/2019	Construction Industry Long Service Leave Payments Board	ATJ Enterprises Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 58/2019	Construction Industry Long Service Leave Payments Board	Marble Tiling Work Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 59/2019	Construction Industry Long Service Leave Payments Board	Flexi Staff Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 60/2019	Construction Industry Long Service Leave Payments Board	Macrie Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 61/2019	Construction Industry Long Service Leave Payments Board	RAC Facades Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			

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No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 62/2019	Construction Industry Long Service Leave Payments Board	Stork Technical Services Holding Australia Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 65/2019	Peter Bracegirdle	Shire of Wyndham - East Kimberley	Fair Work Act 2009 - Alleged Breach of Instrument	Orders issued by Consent			
M 68/2019	Ferdinando Pugliese	Global Power Services Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 69/2018	Australian Rail, Tram and Bus Industry Union	Australia Western Railroad Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Struck Out			
M 71/2018	Australian Rail, Tram and Bus Industry Union	Australian Rail Track Corporation Limited	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 82/2018	Gary Michael Roache	Zeljko Sunjich	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 90/2017	Amrit Kumar Ghimire	Karriview Management Pty Ltd (ABN 46063633572)	Fair Work Act 2009 - Small Claim	Claim Proven in Part			\$6,583.74
M 92/2017	Fulmaya Sharma	Karriview Management Pty Ltd (ABN 46063633572)	Fair Work Act 2009 - Small Claim	Orders issued by Consent			\$2,953.37
M 94/2018	Transport Workers' Union of Australia	Network Turbine Solutions Pty Ltd T/A Network Aviation Australia	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 111/2016	Antonino Stagnitta	Bechtel Construction (Australia) Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed			
M 114/2018	Elenita Fermin	Mohidien Khan as trustee for West Investment Trust trading as Healthlink Pharmacy Nollamara	Industrial Relations Act 1979 - Alleged breach of Instrument	Orders issued by Consent			
M 114/2017	David Andrew Forbes	Commissioner of Police, Western Australia Police	Industrial Relations Act 1979 - Alleged Breach of Instrument	Discontinued			
M 115/2018	Plumbers and Gasfitters Employees' Union of Australia, West Australian Branch, Industrial Union of Workers	Ryan Darr	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 118/2018	Amrit Kumar Ghimire	Karriview Management Pty. Ltd.	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 120/2018	Navdeep Kaur Gill	Dalche Enterprises Pty Ltd (ACN: 618909041)	Fair Work Act 2009 - Small Claim	Claim Proven			\$16,563.81
M 120/2017	Jacinta Narina Steers	The Commissioner of Police	Industrial Relations Act 1979 - Alleged Breach of Instrument	Discontinued			
M 121/2018	Santveer Singh Thind	Dalche Enterprises Pty Ltd (ACN: 618909041)	Fair Work Act 2009 - Small Claim	Orders issued by Consent			
M 122/2017	Deborah Amelia Freegard	The Commissioner of Police	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 127/2018	The Australian Workers' Union	Alcoa of Australia Limited	Fair Work Act 2009 - Small Claim	Discontinued			
M 131/2018	Rachel Palmer	Stbaus Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 133/2018	Ms Sharon Jay	G4S Custodial Service Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 136/2018	Jacqueline Stockton	Global Care Group (Inc)	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			

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No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 137/2018	Robert Hunt	OzShut Pty Ltd t/as OzShut Roller Shutters	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 158/2018	Rita Pahl	OzShut Pty Ltd t/as OzShut Roller Shutters	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 159/2018	Christopher James Redfurn	Komatsu Australia Pty Ltd (ABN 711 434 766 26)	Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by Consent			
M 160/2018	Nancy Loraine Randall	Ben Trager Homes Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Minimum Conditions of Employment Act 1993 - Alleged breach of Act; Fair Work Act 2009 - Small Claim	Discontinued			
M 161/2018	Mr Maninder Singh	MGT AUST Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Discontinued			
M 162/2018	Palak Arora	Richard Trainer	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Judgment by Default			\$5,479.53
M 163/2016	William Wright	Bechtel Construction (Australia) Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Proven	\$7,650		\$29,058.81
M 164/2018	John Stevens	Abramoff Holdings Pty Ltd (ACN 008 770 456)	Fair Work Act 2009; Long Service Leave Act 1958 - Alleged breach of Act	Orders issued by Consent			
M 170/2018	Reece Aaron Foster	CT Group Solutions Pty Ltd (ABN 15 605 756 367)	Fair Work Act 2009 - Small Claim	Discontinued			
M 176/2018	Jennifer Lawrence	Nannup Hotel ABN 70 910 119 760	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 181/2018	Gemma Baxter	The Trustee for the Leete Family Trust	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 186/2018	Construction Industry Long Service Leave Payments Board	Jag Traffic Pty. Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 194/2018	Construction Industry Long Service Leave Payments Board	Indian Ocean Air Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Judgment by Default	\$600		
M 199/2018	Construction Industry Long Service Leave Payments Board	BB Rigging (WA) Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Judgment by Default	\$600		
M 202/2018	Jacobus Adriaan Malherbe	Hazer Group Limited	Fair Work Act 2009 - Small Claim	Discontinued			
M 202/2016	The Australian Rail, Tram and Bus Industry Union of Employees, West Australian Branch	Public Transport Authority of Western Australia	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 203/2018	James Okeny	Claydon Brothers Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 205/2017	Joshua Dane Jensen	Cape Australia Onshore Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Claim Dismissed			
M 207/2018	Nigel Glyn Palmer	Cape Australia Onshore Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 209/2017	William John Tyson	Komatsu Australia Pty Ltd (ABN 711 434 766 26)	Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by Consent			
M 210/2018	Jo Anne Stones	The Horologist Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 211/2018	Pawal Kuterba	Commissioner of Police, Western Australia Police	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			

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No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 212/2018	Dana Kenworthy	Department of Education	Industrial Relations Act 1979 - Alleged breach of Instrument; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 214/2018	Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union	MACA Mining Pty Ltd (ACN 102 886 064) Leon Taylor	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 215/2018	Cheyene Che Ninyette Sarah Jane Nolan	The Trustee for Newlight WA Trust Trading As Redz Innaloo	Fair Work Act 2009 - Small Claim	Judgment by Admission			\$2,049.83
M 216/2018	Tony De Coppi	Duratec Australia Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Dismissed			
M 217/2018	Susan Jennings	PTE Group Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Orders issued by Consent			
M 221/2018	Leonie Cantatore	Commissioner of Police, Western Australia Police	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 223/2018	Jo-Ann Grainger	Oxford Dermatology Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 224/2018	Erica Jane Bremner	Oxford Dermatology Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 225/2018	Morag Blunden	Oxford Dermatology Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 226/2018	Pamela Christine Halse	Oxford Dermatology Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 227/2018	Kim Margaret Perry	Oxford Dermatology Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 228/2018	Daniel Horne	Dan Hamilton Hamilton Maintenance Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Judgment by Default			\$4,625
M 229/2018	Kirsten Thomson	Total AMS Pty Ltd (ACN 091 839 619)	Fair Work Act 2009 - Alleged breach of Instrument; Alleged breach of Act	Discontinued			
M 230/2018	Tina Pugh	Mick Hannam Ritzline Pty Ltd As Trustee for The John Callaway Family Trust and Sparks N Security Pty Ltd As Trustee for The Comporeale Family Trust	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 233/2018	Matthew Bell, Department of Mines, Industry Regulation and Safety	Kamran Beykpour	Industrial Relations Act 1979 - Alleged breach of Act	Discontinued			