

APPENDIX 1

COMPLAINTS / CLAIMS

The Industrial Magistrate, during the six months ending **December 31, 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 1/2019	Brian Coogan	Curtin University (ABN 99 143 842 569)	Industrial Relations Act 1979; Minimum Conditions of Employment Act 1993; Long Service Leave Act 1958 - Alleged breach of Act; Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 28/2019	Rajan	ISS Facility Services Australia Ltd.	Fair Work Act 2009; Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 31/2019	Ian Gregory Sampson	Paul Lothar Ralf Meyer c/o Thames Legal Office	Industrial Relations Act 1979 - Enforcement of Commission Order	Default judgment for the Claimant		\$50.00	\$356.96
M 41/2019	Rachel Swanson	Agency Fish Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Dismissed			
M 44/2019	Australian Municipal, Administrative, Clerical and Services Union	Community Living Association Incorporated and others	Fair Work Act 2009 - Alleged breach of Act; Alleged breach of Instrument	Discontinued			
M 45/2019	Tracey Lloyd	JC Holdings (Aust) Pty Ltd	Fair Work Act 2009 - Small Claim; Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 47/2019	Daljit Singh	Dipak Sukale	Fair Work Act 2009 - Small Claim	Discontinued			
M 48/2019	Melanie Edwards	Retta Holdings Pty Ltd.	Fair Work Act 2009 - Small Claim	Discontinued			
M 49/2019	Mark Anthony Hawkes	Public Transport Authority of Western Australia	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 51/2019	Fernando Bonomo	Ability Centre Australasia Ltd and another	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 52/2019	Ms Sarah Lenhard	Ability Centre Australasia Ltd and another	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 60/2015	Simon Gilbert	Picton Press Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 63/2019	Isabella Morisco	Mazzola Mead Pty Ltd	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Discontinued			
M 66/2019	Paige Richards	Robertson Glen Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 67/2019	Matthew Bell, Department of Mines, Industry Regulation and Safety	Stephen Derek Allen	Industrial Relations Act 1979 - Alleged breach of Instrument; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Discontinued			
M 73/2019	Ms Bridie Conroy	Mr Desmond Rous, Trading as Rous and Gamble Accountants	Minimum Conditions of Employment Act 1993; Long Service Leave Act 1958 - Alleged breach of Act	Default Judgment for the Claimant		\$50.00	\$34, 824.24
M 74/2019	Fraser Whitelaw	Western Work Force Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 75/2019	Warren Medcraft	Beeson HR Services Pty Ltd T/As Beeson HR Consulting and another	Fair Work Act 2009 - Alleged breach of Act	Claim dismissed by consent			
M 77/2019	Kevin Timps	TR Construction Services Pty Ltd	Fair Work Act 2009 - Small Claim	Default Judgment for the Claimant		\$50.00	\$16, 936.47

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COMPLAINTS / CLAIMS—*continued*

No. of Claim	Claimant	Respondent	Nature of Breach	Decision	Penalty	Costs	Wages
M 78/2019	Elizabeth Sidwell	Air-Quip Sheet Metal Pty Ltd (ACN 138 130 953) and others	Fair Work Act 2009 - Alleged breach of Act; Alleged breach of Instrument	Discontinued			
M 80/2019	Arlene Breslin	Pearl Radiology Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 83/2019	Nigel Andrew Loly	Anergy Australia Pty Ltd (ABN 88 009 301 731)	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 84/2018	Quoc Minh Tran	Hoang Trang Family Trust and Phi and Mai Family Trust Trading as Lido Restaurant	Industrial Relations Act 1979 - Alleged breach of Instrument	Claim proven			\$15, 634.15
M 85/2018	Alastair Enkel	We R Finance Pty Ltd (ACN 137 850 714) & another	Fair Work Act 2009 - Alleged breach of Instrument	Claim Proven	\$20,500.00		\$ 15,863.91
M 85/2019	Adam Lowry	3D at Depth Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			\$9,210.45
M 87/2019	Sharon Chew	Trident Property Partners Pty Ltd	Fair Work Act 2009 - Small Claim	Claim dismissed by consent			
M 88/2019	Mr Joseph Stephen Green	T&L Global Foods Supply Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 89/2017	Deborah Ambrosini	Grandbridge Limited and Another	Fair Work Act 2009 - Alleged Breach of Act	Contravention Proven	\$8,100.00		
M 89/2019	David Prior	Greenworx Commercial Maintenance Pty Ltd	Fair Work Act 2009 - Small Claim; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Default Judgment for the Claimant		\$50.00	\$5,345.69
M 90/2019	Brian Ravenscroft, Department of Mines, Industry Regulation and Safety	Kamran Beykpour	Industrial Relations Act 1979 - Alleged breach of Act	Default Judgment for the Claimant	\$1,500.00	\$1,000.00	
M 97/2019	Construction Industry Long Service Leave Payments Board	Elite Scaffolding and Rigging Labour Hire Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 98/2017	Frederick Posthumus	Electricity Networks Corporation	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 98/2019	Construction Industry Long Service Leave Payments Board	Beauval Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 99/2019	Construction Industry Long Service Leave Payments Board	Blaize Holdings Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 101/2019	Construction Industry Long Service Leave Payments Board	Aston Corporation Australia Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 102/2019	Construction Industry Long Service Leave Payments Board	Pilbara Resource Group Pty.Ltd.	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 103/2019	Construction Industry Long Service Leave Payments Board	Newreef Nominees Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 104/2019	Construction Industry Long Service Leave Payments Board	Gullect Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 105/2019	Construction Industry Long Service Leave Payments Board	Riding Electrical Services 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 106/2019	Construction Industry Long Service Leave Payments Board	Hiscocks Electrical Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 107/2019	Construction Industry Long Service Leave Payments Board	M & M Trade Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$600.00		
M 108/2019	Construction Industry Long Service Leave Payments Board	Daniel Anthony Thorne	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 109/2019	Construction Industry Long Service Leave Payments Board	Christopher Couanon	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 110/2019	Construction Industry Long Service Leave Payments Board	Perth Stone Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 111/2019	Construction Industry Long Service Leave Payments Board	Macforce Australia Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 112/2019	Construction Industry Long Service Leave Payments Board	Capital Lifts Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$900.00		
M 113/2018	Sandra Bell	Silver Chain Group Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 113/2019	Construction Industry Long Service Leave Payments Board	Australian Control & Electrical Services Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 114/2019	Construction Industry Long Service Leave Payments Board	Holly Owen	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 115/2019	Construction Industry Long Service Leave Payments Board	MLJ Residential Construction Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$1,500.00		
M 116/2019	Construction Industry Long Service Leave Payments Board	Ben Hall	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 117/2019	Construction Industry Long Service Leave Payments Board	Wilkinson Brothers Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Contravention Proven	\$2,500.00		
M 118/2019	Dillon Jonkov	Cousins Electrics Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument; Alleged breach of Act	Discontinued			
M 119/2019	Dean Byung Yong Moore	Smooth Sailing Ventures Pty.Ltd. T/A Fushi Modern Sushi and others	Fair Work Act 2009 - Small Claim	Discontinued			
M 120/2019	FWC Pty Ltd	Belinda Maunder	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 121/2017	Monika Sabine Lechner	The Commissioner of Police	Industrial Relations Act 1979 - Alleged Breach of Instrument	Discontinued			
M 121/2019	Andrew Rigg	YMCA WA (Inc.)	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 123/2019	Blaire Psaila-Cremasco	Pro-Flo Services Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven			\$9,019.00
M 124/2019	Matthew Justin Fahie	Bella Vista Investments (1997) Pty Ltd	Fair Work Act 2009 - Small Claim	Claim Proven		\$50.00	\$998.49
M 126/2018	Bernard Chipadza	Freo Group Pty Ltd	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 126/2019	Mark Harby	Western Australian Shed Commercial PTY LTD	Fair Work Act 2009 - Alleged breach of Instrument	Default judgment for the Claimant		\$50.00	\$42,680.36
M 131/2019	Vladimir Kleshnev	Sage Publishing Group Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 134/2019	Stephen Chapple	Blueprint Homes Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 135/2018	Australian Municipal, Administrative, Clerical and Services Union	Community Living Association Incorporated and others	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 135/2019	Ms Aileen Brownlie	Sorrento Medical Centre Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 137/2019	Musyani Sichalwe	Academy Photography (Aust) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 138/2019	Michael Davidson	SNDC (WA) Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 142/2019	Sunit Belbase	Simbiotic Pty Ltd	Industrial Relations Act 1979 - Enforcement of Commission Order	Default Judgment for the Claimant			\$11,000.00
M 144/2019	FWC Pty Ltd	Belinda Maunder	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 151/2019	Michael Munforti	Johnson Asset Pty Ltd ATF Johnson Family Trust, trading as Gunn Pumping	Fair Work Act 2009 - Small Claim	Discontinued			
M 152/2019	Construction Industry Long Service Leave Payments Board	Raw Construction Group Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 153/2019	Construction Industry Long Service Leave Payments Board	Matthew John Fullam	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 154/2019	Construction Industry Long Service Leave Payments Board	Skylink Nominees Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 155/2019	Construction Industry Long Service Leave Payments Board	Dawn Contracting Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 156/2019	Construction Industry Long Service Leave Payments Board	Grant Adamson	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 157/2019	Construction Industry Long Service Leave Payments Board	Phillip John Saunders	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 158/2019	Construction Industry Long Service Leave Payments Board	Michael Bloomfield	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 159/2019	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 160/2019	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 161/2019	Construction Industry Long Service Leave Payments Board	Perform Plumbing & Gas Fitting Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 162/2019	Construction Industry Long Service Leave Payments Board	Armani Plumbing and Gas 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 163/2019	Construction Industry Long Service Leave Payments Board	Eco Plumbing and Gas Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 164/2019	Construction Industry Long Service Leave Payments Board	Elijah Forrest	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 165/2019	Construction Industry Long Service Leave Payments Board	Infiniti WA Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 168/2019	Jeremy Ronald Earle	Buick Holdings Pty Ltd	Fair Work Act 2009 - Small Claim	Discontinued			
M 172/2018	Leonard Sloan	North Metropolitan Health Service	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 172/2019	Fred Paul	Erjan Yasharoski	Fair Work Act 2009 - Small Claim	Discontinued			
M 173/2019	Irene Fedec	Midland Pest Control Pty Ltd and Others	Fair Work Act 2009 - Small Claim	Discontinued			
M 176/2019	Ciaran Shields	Synaco Resources Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 179/2018	Kevin Soulsby	City Of Swan	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 180/2018	Raul Aducal	Builders Steel WA Pty Ltd	Fair Work Act 2009 - Small Claim	Claim dismissed			
M 180/2019	Bradley Wallace	Oil & Gas Solutions Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 180/2019	Bradley Wallace	Oil & Gas Solutions Pty Ltd	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 181/2019	Iain Dunlop	Arcus Australia Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 194/2019	James Foster-Reed	Tyrant Holdings Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 199/2019	Roque Labastida	Steelblast Australia Pty Ltd	Fair Work Act 2009 - Small Claim	Default judgment for the Claimant		\$6,220.00	
M 205/2019	Sam William Newbon	Melville Motors	Fair Work Act 2009 - Alleged breach of Act	Discontinued			
M 206/2018	The Civil Service Association of Western Australia Inc.	Director General, Department Primary Industries and Regional Development	Industrial Relations Act 1979 - Alleged breach of Instrument; Minimum Conditions of Employment Act 1993 - Alleged breach of Act	Claim dismissed by consent			
M 206/2019	Construction Industry Long Service Leave Payments Board	Robert Comito	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 208/2018	Helen Woon-Chung Tang	Mrs Evelyn Adeleye and others	Fair Work Act 2009 - Small Claim; Alleged breach of Instrument	Discontinued			
M 208/2019	Construction Industry Long Service Leave Payments Board	3B Build Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 209/2018	The Civil Service Association of Western Australia Inc.	Director General, Department of Local Government, Sport and Cultural Industries	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 209/2019	Construction Industry Long Service Leave Payments Board	Weststyle Enterprises Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 211/2019	Construction Industry Long Service Leave Payments Board	K&M Kitchens 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 212/2019	Construction Industry Long Service Leave Payments Board	JFM Electrical Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 213/2019	Construction Industry Long Service Leave Payments Board	Christopher Brook	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 214/2019	Construction Industry Long Service Leave Payments Board	Draco Air Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 215/2019	Construction Industry Long Service Leave Payments Board	Silver J Construction Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 216/2017	Lucy Elizabeth McManus	L. Ryan and M. A. Ryan operating Cafe Yasou	Industrial Relations Act 1979 - Alleged breach of Instrument	Discontinued			
M 216/2019	Construction Industry Long Service Leave Payments Board	KH Signature Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 218/2018	Aaron Todhunter	MAS Australiasia Pty Ltd	Fair Work Act 2009 - Alleged breach of Instrument	Discontinued			
M 219/2018	Adrian Haldane	Supercrane Service Parts and Training Pty Ltd	Long Service Leave Act 1958 - Alleged breach of Act	Discontinued			
M 219/2019	Construction Industry Long Service Leave Payments Board	Electrotech Cabling Solutions Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 220/2019	Construction Industry Long Service Leave Payments Board	NLR (WA) Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 221/2019	Construction Industry Long Service Leave Payments Board	Dizza Group Pty Ltd	Alleged breach of Construction Industry Portable Paid Long Service Leave Act 1985	Discontinued			
M 222/2018	Christina Leonard	JAG Traffic Pty Ltd (ACN 131 902 719) and others	Fair Work Act 2009 - Alleged breach of Instrument	Claim dismissed by consent			
M 235/2018	Wooi Sing Chong	Keisha Robertson as executor of the Estate of Mary Eleanor Robertson	Industrial Relations Act 1979; Minimum Conditions of Employment Act 1993; Long Service Leave Act 1958 - Alleged breach of Act	Claim Proven		\$40.00	\$12, 330.29