

## 2017 - 2018 litigation outcomes

This section provides information on our litigation outcomes for the 2017 - 2018 financial year.

We use legal activities as one way to achieve compliance with Australian workplace laws. These activities are part of a broader compliance system that makes sure employers and employees comply with these laws.


### July 2017 - June 2018

#### **House of Polish Central Pty Ltd (t/as House of Polish Nails & Beauty) & Mr Minh Gia Le**

Date: 29 June 2018

Nature of Proceedings: Underpayments, false and misleading records, making use of false and misleading records, pay slips

Penalty: \$130,000.00 (\$100,000.00 against House of Polish Central Pty Ltd, \$30,000.00 against Mr Minh Gia Le)


Decision: [Fair Work Ombudsman v Le & Anor \[2018\] FCCA 1578 \(https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1578.html?context=1;query=%5b2018%5d%20FCCA%201578;mask\\_path=\)](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1578.html?context=1;query=%5b2018%5d%20FCCA%201578;mask_path=) 

#### **Fair Work Ombudsman v Construction, Forestry, Maritime, Mining and Energy Union (Hutchison Ports Australia)**

Date: 21 June 2018

Nature of Proceedings: Industrial action

Penalty: \$38,000.00 against the Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU)


Decision: [Fair Work Ombudsman v Construction, Forestry, Maritime, Mining and Energy Union \[2018\] FCA 934 \(http://classic.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2018/934.html?stem=0&synonyms=0&query=title\(%222018%20FCA%20934%22\)\)](http://classic.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2018/934.html?stem=0&synonyms=0&query=title(%222018%20FCA%20934%22))) 

#### **Skyter Trade Pty Ltd and Mr Dong Zhao**

Date: 8 June 2018

Nature of Proceedings: Sham contracting, failure to comply with enterprise agreement, underpayments, pay slips, false and misleading records, failure to comply with NTP

Penalty: \$216,700.00 (\$180,000.00 against Skyter Trade Pty Ltd, \$36,700.00 against Mr Dong Zhao)


Decision: [Fair Work Ombudsman v Skyter Trade Pty Ltd and Dong Zhao \[2018\] FCCA 1483 \(https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1483.html?context=1;query=%5b2018%5d%20FCCA%201483;mask\\_path=\)](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1483.html?context=1;query=%5b2018%5d%20FCCA%201483;mask_path=) 

#### **Photoplus Australia Pty Ltd t/as Photoplus and Mr Seung-Geun (Stephen) Choi**

Date: 6 June 2018

Nature of Proceedings: Underpayments, record-keeping and pay slips

Penalty: \$73,908.00 (\$68,520.00 against Photoplus Australia Pty Ltd, \$5,388.00 against Mr Seung-Geun (Stephen) Choi)

Decision: [Fair Work Ombudsman v Photoplus Australia Pty Ltd & Anor \[2018\] FCCA 1154 \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1154.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Photoplus%20Australia%20Pty;mask\\_path=\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1154.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Photoplus%20Australia%20Pty;mask_path=) 

#### **Choi Brothers Pty Ltd t/as Bread Kingdom and Mr Seung-Geun (Stephen) Choi**

Date: 6 June 2018

Nature of Proceedings: Underpayments, record-keeping and pay slips

Penalty: \$60,912.00 (\$55,404.00 against Choi Brothers Pty Ltd, \$5,508.00 against Mr Seung-Geun (Stephen) Choi)

Decision: [Fair Work Ombudsman v Choi Brothers Pty Ltd & Anor \[2018\] FCCA 1155](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1155.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Choi%20Brothers%20Pty%20Ltd%20;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1155.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Choi%20Brothers%20Pty%20Ltd%20;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1155.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Choi%20Brothers%20Pty%20Ltd%20;mask_path=))

## **Yenida Pty Ltd t/as Scamander Beach Hotel Resort and Mr Yen Chang**

Date: 24 May 2018

Nature of Proceedings: Discrimination, adverse action, injury in employment, record-keeping and pay slips

Penalty: \$211,104.00 (\$176,005.00 against Yenida Pty Ltd, \$35,099.00 against Mr Yen Chang)

Decision: [Fair Work Ombudsman v Yenida Pty Ltd & Anor \[2018\] FCCA 1342](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1342.html?context=1;query=%22Yenida%22;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1342.html?context=1;query=%22Yenida%22;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1342.html?context=1;query=%22Yenida%22;mask_path=))

## **First Group of Companies Pty Ltd t/as First Placement Consultants and ISS Facility Services Limited, Sharad Patel, Sidarth Luthra and ISS Facility Services Australia Ltd**

Date: 23 May 2018

Nature of Proceedings: Sham contracting, underpayments, pay slips

Penalty: \$168,070.50 (\$17,926.50 against Sharad Patel, \$17,926.50 against Sidarth Luthra, \$132,217.50 against ISS Facility Services Australia Ltd)

Decision: [Fair Work Ombudsman v First Group of Companies Pty Ltd \(Deregistered\) & Ors \[2018\] FCCA 1228](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1228.html?context=1;query=%5b2018%5d%20FCCA%201228;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1228.html?context=1;query=%5b2018%5d%20FCCA%201228;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1228.html?context=1;query=%5b2018%5d%20FCCA%201228;mask_path=))

## **Noorpreet Pty Ltd and Kulpreet Singh**

Date: 18 May 2018

Nature of Proceedings: Underpayments, record-keeping, pay slips, false and misleading records

Penalty: \$118,440.00 (\$98,700.00 against Noorpreet Pty Ltd, \$19,740.00 against Kulpreet Singh)

Decision: [Fair Work Ombudsman v Noorpreet Pty Ltd & Anor \[2018\] FCCA 1246](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1246.html?context=1;query=*noorpreet*;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1246.html?context=1;query=\\*noorpreet\\*;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1246.html?context=1;query=*noorpreet*;mask_path=))

## **Rum Runner Trading Pty Ltd (No 2) t/as Brunswick Burger Buzz and Todd Buzza (MLG1334 of 2016)**

Date: 9 May 2018

Nature of Proceedings: Failure to comply with compliance notices, failure to comply with NTP, pay slips

Penalty: \$223,668.00 (\$186,390.00 against Rum Runner Trading Pty Ltd, \$37,278.00 against Todd Buzza)

Decision: [Fair Work Ombudsman v Rum Runner Trading Pty Ltd & Anor \[2018\] FCCA 1129](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask_path=))

## **Rum Runner Trading Pty Ltd t/as Brunswick Burger Buzz and Todd Buzza (MLG 2753 of 2016)**

Date: 9 May 2018

Nature of Proceedings: Underpayments, Failure to comply with NTP, pay slips, false and misleading records

Penalty: \$86,562.00 (\$72,105.00 against Rum Runner Trading Pty Ltd, \$14,457.00 against Todd Buzza)

Decision: [Fair Work Ombudsman v Rum Runner Trading Pty Ltd & Anor \[2018\] FCCA 1129](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask_path=) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/1129.html?context=1;query=%22fair%20work%20ombudsman%22;mask_path=))

## **JPA Manchester Pty Ltd and Jia Ping Ou**

Date: 20 April 2018

Nature of Proceedings: Underpayments, record-keeping, pay slips.

Penalty: \$161,838.00 (\$153,333.00 against JPA Manchester Pty Ltd, \$8,505.00 against Jia Ping Ou)

Decision: [Fair Work Ombudsman v JPA Manchester Pty Ltd & Anor \[2018\] FCCA 845](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/845.html?context=1;query=%5b2018%5d%20FCCA%20845;mask_path=) <sup>☞</sup> ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/845.html?context=1;query=%5b2018%5d%20FCCA%20845;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/845.html?context=1;query=%5b2018%5d%20FCCA%20845;mask_path=))

## **Viplus Pty Ltd trading as 7-Eleven located in 174 Adelaide Street, Brisbane, Queensland and Jason Yuan; Vipper Pty Ltd trading as 7-Eleven located at 231 George St, Brisbane, Queensland and Jason Yuan**

Date: 29 March 2018

Nature of Proceedings: Underpayments, record-keepings, pay slips

Penalty: \$192,961.00 (\$88,140.00 against Viplus, \$68,262.00 against Vipper, \$36,559.00 against Jason Yuan)

Decision: [Fair Work Ombudsman v Viplus Pty Ltd & Anor \[2018\] FCCA 741](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/741.html?context=1;query=%5b2018%5d%20FCCA%20741;mask_path=) <sup>☞</sup> ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/741.html?context=1;query=%5b2018%5d%20FCCA%20741;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/741.html?context=1;query=%5b2018%5d%20FCCA%20741;mask_path=))

## **Joban's Trolley Collections Pty Ltd and Jobanjeet Singh**

Date: 29 March 2018

Nature of Proceedings: Underpayments, record-keeping, pay slips, false and misleading records

Penalty: \$230,638.00 (\$190,128 against Joban's Trolley Collections Pty Ltd, \$40,510.00 against Jobanjeet Singh)

Decision: [Fair Work Ombudsman v Joban's Trolley Collection Pty Limited & Anor \[2018\] FCCA 743](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/743.html?context=1;query=%5b2018%5d%20FCCA%20743;mask_path=) <sup>☞</sup> ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/743.html?context=1;query=%5b2018%5d%20FCCA%20743;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/743.html?context=1;query=%5b2018%5d%20FCCA%20743;mask_path=))

## **Raying Holding Pty Ltd and Zu Neng Shi**

Date: 21 March 2018

Nature of Proceedings: Sham contracting, underpayments, record-keepings, pay slips

Penalty: \$43,000.00 (\$43,000.00 against Zu Neng Shi)

Decision: [Fair Work Ombudsman v Raying Holding Pty Ltd & Anor \(No.3\) \[2018\] FCCA 668](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/668.html?context=1;query=%5b2018%5d%20FCCA%20668;mask_path=) <sup>☞</sup> ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/668.html?context=1;query=%5b2018%5d%20FCCA%20668;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/668.html?context=1;query=%5b2018%5d%20FCCA%20668;mask_path=))

## **Acute Health Pty Ltd t/as Acute Health and Mr Paul Tempany**

Date: 19 March 2018 (ex tempore)

Nature of Proceedings: Underpayments, failure to comply with NTPs, record-keeping, pay slips, unauthorised deductions, false and misleading records

Penalty: \$300,000.00 (\$250,000 against Acute Health Pty Ltd, \$50,000 against Paul Tempany)

Decision: [Fair Work Ombudsman v Acute Health Pty Ltd & Anor \[2018\] FCCA 707](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/707.html?context=1;query=fair%20work%20ombudsman%20v%20acute%20health%20%20;mask_path=) (last updated 28 March 2018) <sup>☞</sup> ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/707.html?context=1;query=fair%20work%20ombudsman%20v%20acute%20health%20%20;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/707.html?context=1;query=fair%20work%20ombudsman%20v%20acute%20health%20%20;mask_path=))

## **W.X.Z Enterprises Pty Ltd, Xin Tai Xu and Xin Chun Xu**

Date: 16 March 2018

Nature of Proceedings: Underpayments, record-keeping, pay slips

Outcome: W.X.Z Enterprises Pty Ltd found to have contravened the Fair Work Act 2009 (Cth). Xin Tai Xu found to be involved in the contraventions pursuant to section 550 of the FW Act. Xin Chun Xu found to be involved in pay slips contraventions.

Decision: [Fair Work Ombudsman v WXZ Enterprises Pty Ltd & Ors \[2018\] FCCA 616](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/616.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/616.html>) <sup>☞</sup>

## **Siner Enterprises Pty Ltd and Simon Mackenzie**

Date: 15 March 2018

Nature of Proceedings: Underpayments, adverse action, failure to comply with NTP, record-keeping

Penalty: \$208,890.00 (\$174,075.00 against Siner Enterprises Pty Ltd, \$34,815.00 against Simon Mackenzie)

Decision: [Fair Work Ombudsman v Siner Enterprises Pty Ltd & Anor \(No.2\) \[2018\] FCCA 589](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/589.html?context=1;query=siner%20enterprises;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/589.html?context=1;query=siner%20enterprises;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/589.html?context=1;query=siner%20enterprises;mask_path=)) [↗](#)

## **Nobrace Centre Pty Ltd, Ari Masters and Christine Masters**

Date: 22 February 2018

Nature of Proceedings: Underpayments, unauthorised deductions, record-keeping, pay slips, failure to comply with NTP

Outcome: NoBrace Centre Pty Ltd found to have contravened the Fair Work Act 2009 (FW Act). Ari Masters and Christine Masters found to be involved in the contraventions pursuant to section 550 of the FW Act.

Decision: [Fairwork Ombudsman v Nobrace Centre Pty Ltd & Ors](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/378.html?context=1;query=Nobrace;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/378.html?context=1;query=Nobrace;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/378.html?context=1;query=Nobrace;mask_path=)) [↗](#)

## **Phua and Foo Pty Ltd, t/as Hans Café Armadale**

Date: 22 February 2018

Nature of Proceedings: Underpayments

Penalty: \$35,000.00 against Phua and Foo Pty Ltd

Decision: [Fair Work Ombudsman v Phua & Foo Pty Ltd](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/137.html?context=1;query=Phua%20and%20Foo%20Pty%20Ltd;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/137.html?context=1;query=Phua%20and%20Foo%20Pty%20Ltd;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/137.html?context=1;query=Phua%20and%20Foo%20Pty%20Ltd;mask_path=)) [↗](#)

## **David Mayne Pty Ltd and Andrew Mayne**

Date: 20 February 2018 (ex tempore)

Nature of Proceedings: Underpayments

Penalty: \$56,766.00 (\$45,320.00 against David Mayne Pty Ltd, \$8,446.00.00 against Andrew Mayne)

Decision: [Fair Work Ombudsman v David Mayne Pty Ltd & Anor \[2018\] FCCA 856](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/856.html?context=1;query=fair%20work%20ombudsman%20v%20david%20mayne%20;mask_path=) (last updated 11 April 2018) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/856.html?context=1;query=fair%20work%20ombudsman%20v%20david%20mayne%20;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/856.html?context=1;query=fair%20work%20ombudsman%20v%20david%20mayne%20;mask_path=)) [↗](#)

## **Tac Pham Pty Ltd t/as Hans Cafe Rockingham and Thi Thu Cuc Pham**

Date: 20 February 2018

Nature of Proceedings: Underpayments, pay slips

Penalty: \$45,000.00 (\$37,500.00 against Tac Pham Pty Ltd, \$7,500.00 against Thi Thu Cuc Pham)

Decision: [Fair Work Ombudsman v Tac Pham Pty Ltd](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/120.html?context=1;query=%22tac%20Pham%22;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/120.html?context=1;query=%22tac%20Pham%22;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2018/120.html?context=1;query=%22tac%20Pham%22;mask_path=)) [↗](#)

## **N.H Bastawrose, A Samaan & A Youssef t/as Save and Deliver Pharmacy**

Date: 9 February 2018

Nature of Proceedings: Underpayments, record-keeping, pay slips

Penalty: \$45,000.00 (\$15,000.00 against Nader Bastawrose, \$15,000.00 against Amgad Samaan, \$15,000.00 against Ashraf Youssef)

Decision: [Fair Work Ombudsman v Bastawrose & Ors](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/257.html?context=1;query=Bastawrose;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/257.html?context=1;query=Bastawrose;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/257.html?context=1;query=Bastawrose;mask_path=)) [↗](#)

## **Bishnu Laxmi Ganesha Trading Pty Ltd t/as Brisbane City Thai Massage, Sean Pinnell, Sajana Paudel and Binaya Sapkota**

Date: 7 February 2018 (ex tempore)

Nature of Proceedings: Failure to comply with compliance notice, record-keeping, pay slips, false and misleading records

Penalty: \$120,225.00 (\$97,000.00 against Bishnu Laxmi Ganesha Trading Pty Ltd, \$4,625.00 against Sean Pinnell, \$10,600.00 against Sajana Paudel, \$8,000.00 against Binaya Sapkota)

Decision: [Fair Work Ombudsman v Bishnu Laxmi Ganesha Trading Pty Ltd & Ors \[2018\] FCCA 487](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/487.html?context=1;query=%22bishnu%22;mask_path=) (last updated 15 May 2018) ([http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/487.html?context=1;query=%22bishnu%22;mask\\_path=](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/487.html?context=1;query=%22bishnu%22;mask_path=)) [↗](#)

## **Wuyu Pty Ltd, 9th Sky Pty Ltd and Ming Yuan Hu**

Date: 2 February 2018

Nature of Proceedings: Record-keeping, pay slips

Penalty: \$43,200 (\$18,000.00 against Wuyu Pty Ltd, \$18,000.00 against 9<sup>th</sup> Sky Pty Ltd, \$7,200.00 against Ming Yuan Hu)

Decision: [Fair Work Ombudsman v Wuyu Pty Ltd & Ors](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SAET/2018/15.html?context=1;query=wuyu;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SAET/2018/15.html?context=1;query=wuyu;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SAET/2018/15.html?context=1;query=wuyu;mask_path=)) [↗](#)

## **Finn Fish Pty Ltd (trading as Red Salmon Restaurant) and Abdul Bilwani**

Date: 31 January 2018

Nature of Proceedings: Underpayments, record-keepings, failure to comply with NTP

Penalty: \$192,500.00 (\$163,000.00 against Finn Fish Pty Ltd, \$29,500.00 against Abdul Bilwani)

Decision: [Fair Work Ombudsman v Finn Fish Pty Ltd & Anor](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/203.html?context=1;query=fair%20work%20ombudsman%20v%20finn%20fish;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/203.html?context=1;query=fair%20work%20ombudsman%20v%20finn%20fish;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2018/203.html?context=1;query=fair%20work%20ombudsman%20v%20finn%20fish;mask_path=)) [↗](#)

## **Sureguard Security Pty Ltd**

Date: 22 December 2017

Nature of Proceedings: Underpayments

Penalty: \$81,270.00 (\$81,270.00 against Sureguard Security Pty Ltd)

Decision: [Fair Work Ombudsman v Sureguard Security Pty Ltd](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1566.html?context=1;query=Sureguard%20Security;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1566.html?context=1;query=Sureguard%20Security;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1566.html?context=1;query=Sureguard%20Security;mask_path=)) [↗](#)

## **Kjoo Pty Ltd t/as Masaki, Hyo Jun Kwon and Ok Gyu Lim**

Date: 20 December 2017

Nature of Proceedings: Underpayments, record keeping

Penalty: \$198,720.00 (\$161,760.00 against Kjoo Pty Ltd, \$32,352.00 against Hyo Jun Kwon, \$4,608.00 against Ok Gyu Lim)

Decision: [Fair Work Ombudsman v Kjoo Pty Ltd and Ors](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3160.html?context=1;query=fair%20work%20ombudsman%20v%20Kjoo%20Pty%20Ltd%20and%20Ors;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3160.html?context=1;query=fair%20work%20ombudsman%20v%20Kjoo%20Pty%20Ltd%20and%20Ors;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3160.html?context=1;query=fair%20work%20ombudsman%20v%20Kjoo%20Pty%20Ltd%20and%20Ors;mask_path=)) [↗](#)

## **Pioneer Personnel Pty Ltd and Aaron Dickinson**

Date: 19 December 2017

Nature of Proceedings: Underpayments

Penalty: \$16,000.00 (\$16,000.00 against Pioneer Personnel Pty Ltd)

Decision: [Fair Work Ombudsman v Pioneer Personnel Pty Ltd](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3223.html?context=1;query=pioneer%20personnel;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3223.html?context=1;query=pioneer%20personnel;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3223.html?context=1;query=pioneer%20personnel;mask_path=)) [↗](#)

## **Vivien Mahomet t/as Academy for Kids**

Date: 15 December 2017

Nature of Proceedings: Underpayments

Penalty: \$85,000.00 (\$85,000.00 against Vivien Mahomet)

Decision: [Fair Work Ombudsman v Mahomet \(Trading as Academy for Kids\)](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3000.html?context=1;query=vivien%20mahomet;mask_path=) [↗](#) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3000.html?context=1;query=vivien%20mahomet;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3000.html?context=1;query=vivien%20mahomet;mask_path=)) [↗](#)

## **S & A Enterprises (Qld) Pty Ltd and Avinash Singh (7-Eleven Vulture St, East Brisbane)**

Date: 11 December 2017 (ex tempore)

Nature of Proceedings: Underpayments, failure to comply with NTP, record-keeping, false and misleading records

Penalty: \$192,780.00 (\$160,650.00 against S & A Enterprises Pty Ltd, \$32,130.00 against Avinash Singh)

Decision: Fair Work Ombudsman v S & A Enterprises Pty Ltd (QLD) & Anor [2017] FCCA 3332 (last updated 15 May 2018)  
([http://classic.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCCA/2017/3332.html?stem=0&synonyms=0&query=title\(%222017%20FCCA%203332%22\)\)](http://classic.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCCA/2017/3332.html?stem=0&synonyms=0&query=title(%222017%20FCCA%203332%22)))

## **Pulis Plumbing Pty Ltd and Michael Pulis**

Date: 8 December 2017

Nature of Proceedings: Underpayments, failure to comply with NTP, record keeping, pay slips

Penalty: \$121,500.00 (\$100,000.00 against Pulis Plumbing Pty Ltd and \$21,500.00 against Michael Pulis)

Decision: Fair Work Ombudsman v Pulis Plumbing Pty Ltd & Anor [☞](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3013.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20Pulis%22;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3013.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20Pulis%22;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3013.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20Pulis%22;mask_path=))

## **No Land Tax Campaign Incorporated and Peter Jones**

Date: 6 December 2017

Nature of Proceedings: Underpayments, record keeping, failure to comply with NTP

Penalty: \$80,890.00 (\$67,575.00 against No Land Tax Campaign Incorporated and \$13,315.00 against Peter Jones)

Decision: Fair Work Ombudsman v No Land Tax Incorporated & Anor [☞](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2471.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20No%20Land%20Tax%22;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2471.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20No%20Land%20Tax%22;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2471.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20No%20Land%20Tax%22;mask_path=))

## **Vinai Chaipom and Andrea Claudia Marie Pauline Delafonteyne t/as The Mango Shop**

Date: 5 December 2017

Nature of Proceedings: Sham contracting, underpayments, pay slips

Penalty: \$25,412 (\$25,412 against Vinai Chaipom)

Decision: Fair Work Ombudsman v Chaipom & Anor [☞](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3211.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Chaipom;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3211.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Chaipom;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3211.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Chaipom;mask_path=))

## **Oliver Brown Soul Pty Ltd (in liq) & Steven Chung**

Date: 4 December 2017

Nature of Proceedings: Underpayments, pay slips

Penalty: \$32,000.00 (\$5000.00 against Oliver Brown Soul Pty Ltd and \$27,000.00 against Steven Chung)

Decision: Fair Work Ombudsman v Oliver Brown Soul Pty Ltd & Anor [☞](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3061.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Oliver%20Brown%20Soul%20;mask_path=) ([https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3061.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Oliver%20Brown%20Soul%20;mask\\_path=](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/3061.html?context=1;query=Fair%20Work%20Ombudsman%20v%20Oliver%20Brown%20Soul%20;mask_path=))

## **Commercial and Residential Cleaning Group Pty Ltd, Catherine Paino-Povey and Mark Povey**

Date: 22 November 2017

Nature of Proceedings: Underpayments, record keeping, pay slips

Penalty: \$361,200.00 (\$72,240.00 against Mark Povey, \$77,400.00 against Catherine Paino-Povey)

Decision: Fair Work Ombudsman v Commercial and Residential Cleaning Group Pty Ltd & Ors (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2838.html>) [☞](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2838.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2838.html>)

## **Blue Impression Pty Ltd (T/A Hanaichi QV), Ezy Accounting 123 Pty Ltd, Sze Teng (Alice) Wong**

Date: 16 November 2017

Nature of Proceedings: Underpayments, record keeping, pay slips



Penalty: \$169,586.25 (\$115,706.25 against Blue Impression Pty Ltd, \$53,880.00 against Ezy Accounting 123 Pty Ltd)

Decision: Fair Work Ombudsman v Blue Impression Pty Ltd & Ors (No.2) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2797.html>) [↗](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2797.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2797.html>)

## **NSH North Pty Ltd t/as New Shanghai Charlestown, Mr Zhong Yuan (John) Chen, Ms Ting (Sarah) Zhu and Ms Jin (Jenna) Xu**

Date: 10 November 2017

Nature of Proceedings: Underpayments, record keeping

Penalty: \$396,848.00 (\$301,920.00 against New Shanghai Charlestown, \$54,672.00 against Yuan Chen, \$21,760.00 against Sarah Zhu, \$18,496.00 against Jenna Xu)

Decision: Fair Work Ombudsman v NSH North Pty Ltd trading as New Shanghai Charlestown (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1301.html>) [↗](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1301.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/1301.html>)

## **Z Transport Group Pty Ltd, Vincent Smits**

Date: 31 October 2017

Nature of Proceedings: Sham contracting, failure to comply with NTP, wages, payslips

Penalty: \$36,000.00 (\$36,000.00 against Z Transport Group Pty Ltd and Boxbay (ACN 100 450 299))

Decision: Fair Work Ombudsman v Z Transport Group Pty Ltd & Ors (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2660.html>) [↗](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2660.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2660.html>)

## **Koojedda Carpentry Pty Ltd, Mark Gumley and Gemma Gumley**

Date: 26 October 2017

Nature of Proceedings: Wages, payslips, failure to comply with NTP

Penalty: \$154,995.00 (\$139,995.00 against Kodjedda Carpentry Pty Ltd, \$3,000.00 against Mark Gumley, \$12,000.00 against Gemma Gumley)

Decision: Fair Work Ombudsman v Koojedda Carpentry Pty Ltd ACN 111 218 476 ATF The Gumley Trust & Ors (No.2) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2577.html>) [↗](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2577.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2577.html>)

## **Siner Enterprises Pty Ltd and Simon Mackenzie**

Date: 26 October 2017

Nature of Proceedings: Wages, record keeping, adverse action, failure to comply with NTP

Outcome: Siner Pty Ltd found to have contravened the FW Act. Simon Mackenzie found to be involved in each of the contraventions pursuant to section 550 of the FW Act.

Decision: Fair Work Ombudsman v Siner Enterprises Pty Ltd & Anor (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2583.html>) [↗](https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2583.html) (<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2583.html>)

## **Corioliss Pty Ltd (in liq) & Ors**

Date: 13 October 2017

Nature of Proceedings: Underpayments, record keeping, pay slips

Penalty: \$70,600.00 (\$30,600.00 against Haim Toner Diamond, \$40,000.00 against Rina Diamond)

Decision: Fair Work Ombudsman v Corioliss Pty Ltd & Ors (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html>)

## **Samurais Paradise Pty Ltd t/as Samurais Paradise and Japanese Curry House Kawaii Restaurant and Shigeo Ishiyama**

Date: 12 October 2017

Nature of Proceedings: Underpayments, record keeping, pay slips

Penalty: \$284,400.00 (\$246,400.00 against Samurai's Paradise Pty Ltd, \$38,000.00 against Shigeo Ishiyama)

Decision: Fair Work Ombudsman v Samurais Paradise Pty Ltd & Anor (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2013.html?context=1;query=%5b2017%5d%20FCCA%202013>) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html?context=1;query=%5b2017%5d%20FCCA%202479>)

## **Goldfinger Facility Management Pty Ltd and Blagojce Djoneski**

Date: 11 October 2017

Nature of Proceedings: Underpayments, pay slips

Penalty: \$306,000.00 (\$255,000.00 against Goldfinger Facility Management Pty Ltd, \$ 51,000.00 against Blagojce Djoneski)

Decision: Fair Work Ombudsman v Goldfinger Facility Management Pty Ltd & Anor (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2374.html?context=1;query=%5b2017%5d%20FCCA%202374>) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html?context=1;query=%5b2017%5d%20FCCA%202479>)

## **Yenida Pty Ltd t/as Scamander Beach Hotel Resort and Yen Chang**

Date: 26 September 2017

Nature of Proceedings: Underpayments, adverse action, discrimination, record keeping

Outcome: Yenida Pty Ltd found to have contravened the FW Act. Yen Chang found to be involved in each of the contraventions pursuant to section 550 of the FW Act.

Decision: Fair Work Ombudsman v Yenida Pty Ltd & Anor (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2299.html?context=1;query=%5b2017%5d%20FCCA%202299>) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2479.html?context=1;query=%5b2017%5d%20FCCA%202479>)

## **Raying Holding Pty Ltd & Zu Neng Shi**

Date: 12 September 2017

Nature of Proceedings: Sham contracting, underpayments, record-keeping, pay slips

Outcome: Zu Neng Shi found to be involved in each of the contraventions pursuant to section 550 of the FW Act.

Decision: Fair Work Ombudsman v Raying Holding Pty Ltd & Anor (No. 2) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2148.html?context=1;query=%5b2017%5d%20FCCA%202148>)

## **Leonard Greenan (No 2)**

Date: 30 August 2017

Nature of Proceedings: Failure to comply with compliance notice, record-keeping

Penalty: \$10,800.00 against Leonard Greenan

Decision: Fair Work Ombudsman v Greenan [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/2059.html?context=1;query=%22leonard%20greenan%22>)

## **Mhoney Pty Ltd & Anor**

Date: 31 July 2017

Nature of Proceedings: Underpayments, record-keeping, pay slips, failure to comply with NTP

Penalty: \$660,020.00 (\$644,000.00 against Mhoney Pty Ltd, \$16,020.00 against Abudrahman Taleb)

Decision: Fair Work Ombudsman v Mhoney Pty Ltd & Anor [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2959.html?context=0;query=%22mhoney%22>)

## **Vipper Pty Ltd and Jason Yuan**

Date: 21 July 2017

Nature of proceedings: Underpayments, record-keeping and pay slips

Outcome: Vipper Pty Ltd found to have contravened the FW Act. Jason Yuan found to be involved in each of the contraventions pursuant to section 550 of the FW Act.



Decision: Fair Work Ombudsman v Vipper Pty Ltd & Anor <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1669.html?context=1;query=%5b2017%5d%20FCCA%201669>)

## Viplus Pty Ltd and Jason Yuan

Date: 21 July 2017

Nature of Proceedings: Underpayments, record-keeping and pay slips

Penalty: Viplus Pty Ltd found to have contravened the FW Act. Jason Yuan found to be involved in each of the contraventions pursuant to section 550 of the FW Act.

Decision: Fair Work Ombudsman v Viplus Pty Ltd & Anor <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1669.html?context=1;query=%5b2017%5d%20FCCA%201669>)

## HTA Farmings Pty Ltd & Anor

Date: 21 July 2017

Nature of Proceedings: Underpayments, record-keeping, pay slips, failure to pay in full, in money and at least monthly

Penalty: \$84,660.00 (\$70,550.00 against HTA Farmings Pty Ltd, \$14,110.00 against Tuan Anh Le)

Decision: Fair Work Ombudsman v HTA Farmings Pty Ltd & Anor <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1847.html?context=1;query=%5b2017%5d%20FCCA%201847>)

## JS Top Pty Ltd and Jim Chien Ching Chang

Date: 21 July 2017

Nature of Proceedings: Underpayments, record-keeping, false and misleading records

Penalty: \$168,000.00 (\$140,000.00 against JS Top Pty Ltd, \$28,000.00 against Jim Chien Ching Chang)

Decision: Fair Work Ombudsman v JS Top Pty Ltd & Anor <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1689.html?context=1;query=%5b2017%5d%20FCCA%201689>)

## Grouped Property Services (No 3)

Date: 20 July 2017

Nature of Proceedings: Underpayments, record-keeping, pay slips and sham contracting

Outcome: Grouped Property Services Pty Ltd ordered to pay 95% of the Fair Work Ombudsman's costs of the first hearing, excluding costs of preparing affidavits, and 75% of the Fair Work Ombudsman's costs incurred preparing for and appearing at the second hearing.

Decision: Fair Work Ombudsman v Grouped Property Services Pty Ltd (No 3) <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/810.html?context=0;query=%22fair%20work%20ombudsman%20v%20grouped%20property%20services%22>)

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