

2016 - 2017 litigation outcomes

This section provides information on our litigation outcomes for the 2016 - 2017 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 2016 – June 2017

Gaura Nitai Pty Ltd & Anor

Date: 13 June 2017

Nature of Proceedings: Cash-back, underpayments and record keeping

Penalty: \$180,900.00 (\$150,900.00 against company, \$30,000.00 against Director (Saandeep Chokhani))

Decision: [Fair Work Ombudsman v Gaura Nitai Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Quest South Perth Holdings Pty Ltd & Ors

Date: 7 June 2017

Nature of Proceedings: Sham contracting

Penalty: \$58,740.00 (\$54,450.00 against Quest South Perth Holdings Pty Ltd, \$4,290.00 against Ashvin Luchmaya)

Decision: [Fair Work Ombudsman v Quest South Perth Holdings Pty Ltd \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/580.html?context=0;query=%22fair%20work%20ombudsman%20v%20quest%22\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/580.html?context=0;query=%22fair%20work%20ombudsman%20v%20quest%22) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

RS & JS Pty Ltd (in Liq) & Anor

Date: 7 June 2017

Nature of Proceedings: Failure to comply with compliance notice

Penalty: \$500.00 against Hari Pal

Decision: [Fair Work Ombudsman v RS & JS Pty Ltd \(in Liq\) & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1210.html?context=0;query=%22fair%20work%20ombudsman%20v%20RS%22\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1210.html?context=0;query=%22fair%20work%20ombudsman%20v%20RS%22) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Han's Cafe Pty Ltd & Anor, Han's Cafe Management Pty Ltd (in liq) & Anor, Han Investments Pty Ltd & Anor

Date: 31 May 2017

Nature of Proceedings: Record keeping

Penalty: \$17,500.00 (\$7,500.00 against Han Investments Pty Ltd, \$7,500.00 against Han's Café Pty Ltd, \$2,500.00 against Tram Hoang Han in each of the three proceedings)

Decision: [Fair Work Ombudsman v Han Investments Pty Ltd \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/623.html?context=1;query=%5b2017%5d%20FCA%20623\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/623.html?context=1;query=%5b2017%5d%20FCA%20623) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Grouped Property Services Pty Ltd & Ors (No 2)

Date: 24 May 2017

Nature of Proceedings: record keeping, underpayments and sham contracting

Penalty: \$447,300.00 (\$370,000.00 against Grouped Property Services Pty Ltd, \$74,300.00 against Rosario Pucci, \$3,000.00 against Enrico Pucci)

Decision: [Fair Work Ombudsman v Grouped Property Services Pty Ltd \(No 2\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/557.html?context=1;query=%5b2017%5d%20FCA%20557) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2017/557.html?context=1;query=%5b2017%5d%20FCA%20557>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

Dai Il Kang (Ballina One Sushi Pty Ltd t/as Sushi Kuni (in liq))

Date: 18 May 2017

Nature of Proceedings: underpayments and record keeping

Penalty: \$20,000.00 against Dai Il Kang

Decision: [Fair Work Ombudsman v Kang](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1010.html?context=1;query=%5b2017%5d%20FCCA%201010) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1010.html?context=1;query=%5b2017%5d%20FCCA%201010>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

EJ Group International Pty Ltd and Danny Kang

Date: 16 May 2017

Nature of Proceedings: underpayments and record keeping

Penalty: \$116,250.00 (\$100,000.00 against EJ Group International Pty Ltd, \$16,250.00 against Mr Il Kang)

Decision: [Fair Work Ombudsman v EJ Group International Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/997.html?context=1;query=%5b2017%5d%20FCCA%20997) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/997.html?context=1;query=%5b2017%5d%20FCCA%20997>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

Complete Windscreens (SA) Pty Ltd - Federal Court Appeal

Date: 10 May 2017

Nature of Proceedings: Appeal of liability and penalty decisions

Outcome: Court ordered the appellant to appoint legal representation before the appeal proceeds.

Decision: [Fair Work Ombudsman v Complete Windscreens \(SA\) Pty Ltd](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2014/2217.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20Complete%20Windscreens%22) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2014/2217.html?context=1;query=%22Fair%20Work%20Ombudsman%20v%20Complete%20Windscreens%22>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

Civic National Pty Ltd & Anor

Date: 9 May 2017

Nature of Proceedings: False or misleading records

Penalty: \$29,500.00 (\$25,000.00 against Civil National Pty Ltd, \$4,500.00 against Said Sabbagh)

Decision: [Fair Work Ombudsman v Civic National Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2459.html?context=1;query=%5b2016%5d%20FCCA%202459) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2459.html?context=1;query=%5b2016%5d%20FCCA%202459>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

Seasonal Farm Services Pty Ltd & Anor

Date: 5 May 2017

Nature of Proceedings: underpayments and record keeping

Penalty: \$102,000.00 (\$85,000.00 against Seasonal Farm Services Pty Ltd, \$17,000.00 against Ram Kumar)

Decision: [Fair Work Ombudsman v Seasonal Farm Services & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1020.html?context=0;query=%22seasonal%20farm%20services%22) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1020.html?context=0;query=%22seasonal%20farm%20services%22>) [↗](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242>)

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

Wong

Date: 28 April 2017

Nature of Proceedings: underpayments and record keeping

Outcome: Blue Impression Pty Ltd found to have contravened section 45 of the Fair Work Act 2009 (FW Act). Third Respondent found to be involved in each of the contraventions pursuant to section 550 of the FW Act.

Decision: [Fair Work Ombudsman v Blue Impression Pty Ltd & Ors \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/810.html?context=1;query=%5b2017%5d%20FCCA%20810\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/810.html?context=1;query=%5b2017%5d%20FCCA%20810) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Waterfall Feedlot Pty Ltd & Anor

Date: 21 April 2017

Nature of Proceedings: underpayments

Penalty: \$130,000.00 (\$110,000.00 against Waterfall Feedlot Pty Ltd, \$20,000.00 against Robert Maudsley)

Decision: [Fair Work Ombudsman v Waterfall Feedlot & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/879.html?context=0;query=%22waterfall%20feedlot%22\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/879.html?context=0;query=%22waterfall%20feedlot%22) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Maroochy Sunshine Pty Ltd & Anor

Date: 24 March 2017

Nature of Proceedings: underpayments and record keeping

Penalty: \$227,300.00 (\$186,000.00 against Maroochy Sunshine Pty Ltd, \$41,300.00 against Emmanuel Bani)

Decision: [Fair Work Ombudsman v Maroochy Sunshine Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/559.html?context=1;query=%5b2017%5d%20FCCA%20559\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/559.html?context=1;query=%5b2017%5d%20FCCA%20559) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Monochromatic Engineering Pty Ltd and Zoran Crenkovic

Date: 27 March 2017

Nature of Proceedings: failure to comply with a Fair Work Commission order

Penalty: \$25,920.00 (\$21,600.00 against Monochromatic Engineering Pty Ltd, \$4,320.00 against Zoran Crenkovic)

Decision: [Fair Work Ombudsman v Monochromatic Engineering Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/533.html?context=1;query=%5b2017%5d%20FCCA%20533\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/533.html?context=1;query=%5b2017%5d%20FCCA%20533) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Golden Vision Food and Beverage Services Pty Ltd and Jianing Wang (Zoe Hollinger)

Date: 21 March 2017

Nature of Proceedings: adverse action and underpayments

Penalty: \$72,196.00 (\$51,830.00 against Golden Vision Food and Beverage Services Pty Ltd, \$20,366.00 against Jia Ning Wang)

Decision: [Fair Work Ombudsman v Golden Vision food and Beverage Services Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/534.html?context=1;query=%5b2017%5d%20FCCA%20534\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/534.html?context=1;query=%5b2017%5d%20FCCA%20534) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

ACC Services (Aust) Pty Ltd t/as Rapid Pak and Ingrid His

Date: 22 March 2017

Nature of Proceedings: underpayments

Penalty: \$221,760.00 (\$184,800.00 against ACC Services (Aust) Pty Ltd T/AS Rapid Pak, \$36,900.00 against Ingrid His)

Decision: [Fair Work Ombudsman v ACC Services \(Aust\) Pty Ltd T/AS Rapid Pak & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/516.html?context=1;query=%5b2017%5d%20FCCA%20516\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/516.html?context=1;query=%5b2017%5d%20FCCA%20516) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

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Little Vienna Pty Ltd and Jae Kwang Kim

Date: 17 March 2017

Nature of Proceedings: underpayments and false or misleading records

Penalty: \$87,040.00 (\$76,160.00 against Little Vienna Pty Ltd, \$10,880.00 against Jae Kwang Kim)

Decision: [Fair Work Ombudsman v Little Vienna Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/916.html?context=1;query=%5b2017%5d%20FCCA%20916\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/916.html?context=1;query=%5b2017%5d%20FCCA%20916) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Hindu Society of Victoria (Australia) Inc v Fair Work Ombudsman

Date: 10 March 2017

Nature of Proceedings: review of compliance notice

Outcome: Application for judicial review of a compliance notice dismissed

Decision: [Hindu Society of Victoria \(Australia\) Inc v Fair Work Ombudsman \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/423.html?context=1;query=%5b2017%5d%20FCCA%20423%5d\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/423.html?context=1;query=%5b2017%5d%20FCCA%20423%5d) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

NSW Motel Management Services Pty Ltd, Michael Parkes and Rowena Parkes

Date: 10 March 2017

Nature of Proceedings: adverse action, underpayments and record keeping

Outcome: Costs application dismissed

Decision: [Fair Work Ombudsman v NSW Motel Management Services Pty Ltd & Ors \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/416.html?context=1;query=%5b2017%5d%20FCCA%20416\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/416.html?context=1;query=%5b2017%5d%20FCCA%20416) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Safecorp Security Group Pty Ltd and John Lohr

Date: 28 February 2017

Nature of Proceedings: underpayments and record keeping

Penalty: \$8,300.00 awarded against John Lohr

Decision: [Fair Work Ombudsman v Safecorp Security Group Pty Ltd & Anor \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/348.html?context=1;query=%5b2017%5d%20FCCA%20348\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/348.html?context=1;query=%5b2017%5d%20FCCA%20348) [☞ \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2017/1242.html?context=1;query=%5b2017%5d%20FCCA%201242)

Eastern Colour Pty Ltd & Ors - Federal Court Appeal

Date: 22 December 2016

Nature of Proceedings: appeal on liability and penalties

Outcome: Liability and penalty orders of primary Judge set aside. New trial ordered.

Decision: [Fair Work Ombudsman v Eastern Colour Pty Ltd \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2016/187.html?context=1;query=%5b2016%5d%20FCAFC%20187\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2016/187.html?context=1;query=%5b2016%5d%20FCAFC%20187) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2016/1563.html?context=0;query=%22complete%20windscreens%22)

Complete Windscreens (SA) Pty Ltd and Mr Lindsay Dean (No 2)

Date: 22 December 2016

Nature of Proceedings: underpayments, pay slips

Penalty: \$84,645.00 (\$73,425.00 against Complete Windscreens (SA) Pty Ltd, \$11,200.00 against Lindsay Dean)

Decision: [Fair Work Ombudsman v Complete Windscreens \(SA\) Pty Ltd \(No 2\) \(http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1563.html?context=0;query=%22complete%20windscreens%22\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1563.html?context=0;query=%22complete%20windscreens%22) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1563.html?context=0;query=%22complete%20windscreens%22)

HW Carpentry Solutions Pty Ltd and Heath Wright

Date: 21 December 2016

Nature of Proceedings: failure to comply with a Fair Work Commission Order

Penalty: \$38,562.00 (\$32,136.00 against HW Carpentry Solutions Pty Ltd, \$6,426.00 against Heath Wright)

Decision: [Fair Work Ombudsman v HW Carpentry Solutions Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3283.html?context=1;query=%5b2016%5d%20FCCA%203283) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3283.html?context=1;query=%5b2016%5d%20FCCA%203283) ☞

WY Pty Ltd t/a Hanaichi Japanese Fine Food, Chong Yew Chua and Ning Yuan Fu

Date: 8 December 2016

Nature of Proceedings: underpayments

Penalty: \$143,250.00 (\$116,250.00 against WY Pty Ltd, \$20,000.00 against Chong Yew Chua, \$7,000.00 against Ning Yuan Fu)

Decision: [Fair Work Ombudsman v WY Pty Ltd & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3432.html?context=1;query=%5b2016%5d%20FCCA%203432) ☞ (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3432.html?context=1;query=%5b2016%5d%20FCCA%203432)

Chia Tung Development Corp., Ltd & Michael Lin

Date: 2 December 2016

Nature of Proceedings: failure to comply with compliance notice

Penalty: \$29,160.00 (\$24,300.00 against Chia Tung Development Corp. Ltd, \$4,860.00 against Michael Lin)

Decision: [Fair Work Ombudsman v Chia Tung Development Corp. Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3457.html?context=0;query=%22chia%20tung%22) ☞ (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3457.html?context=0;query=%22chia%20tung%22)

Mhoney Pty Ltd and Addulrahman Taleb

Date: 24 November 2016

Nature of Proceedings: underpayments, pay slips

Outcome: Mhoney Pty Ltd and Addulrahman Taleb liable for contraventions of the FW Act.

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=1;query=%5b2016%5d%20FCCA%202959) ☞ (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2959.html?context=1;query=%5b2016%5d%20FCCA%202959)

Sharna Harvey

Date: 23 November 2016

Nature of Proceedings: underpayments, record keeping, pay slips, failure to comply with compliance notice

Penalty: \$1,400.00 awarded against Sharna Harvey

Decision: [Fair Work Ombudsman v Harvey](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3013.html?context=1;query=%5b2016%5d%20FCCA%203013) ☞ (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3013.html?context=1;query=%5b2016%5d%20FCCA%203013)

Glasshouse Mountains Tavern Pty Ltd and Tami Maree Pointon

Date: 9 November 2016

Nature of proceedings: Underpayments

Penalty: \$19,500.00 (\$16,500.00 against Glasshouse Mountains Tavern Pty Ltd, \$3,000.00 against Tami Maree Pointon)

Decision: [Fair Work Ombudsman v Glasshouse Mountains Tavern Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2796.html?context=1;query=%5b2016%5d%20FCCA%202796) ☞ (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2796.html?context=1;query=%5b2016%5d%20FCCA%202796)

Phone Collection Pty Ltd and Kam Man Yau

Date: 15 November 2016

Nature of proceedings: underpayments, record keeping, pay slips

Penalty: \$23,000.00 (\$20,000.00 against Phone Collection Pty Ltd, \$3,000.00 against Kam Man Yau)

Decision: [Fair Work Ombudsman v Phone Collection Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2886.html?context=1;query=%5b2016%5d%20FCCA%202886) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2886.html?context=1;query=%5b2016%5d%20FCCA%202886) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2886.html?context=1;query=%5b2016%5d%20FCCA%202886)

Bijal Girish Sheth & Anor

Date: 10 November 2016

Nature of Proceedings: sham contracting, underpayments, record keeping, pay slips, failure to comply with notice to produce

Penalty: \$126,540.00 awarded against Bijal Girish Sheth

Decision: [Fair Work Ombudsman v Sheth & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3433.html?context=0;query=%22bijal%20girish%20sheth%22) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3433.html?context=0;query=%22bijal%20girish%20sheth%22) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/3433.html?context=0;query=%22bijal%20girish%20sheth%22)

Australian Sales and Promotions Pty Ltd and Paul Ainsworth

Date: 10 November 2016

Nature of Proceedings: underpayments, record keeping, sham contracting

Penalty: \$124,000.00 (\$100,000.00 against Australian Sales and Promotions Pty Ltd, \$24,000.00 against Paul Ainsworth)

Decision: [Fair Work Ombudsman v Australian Sales & Promotions Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2804.html?context=1;query=%5b2016%5d%20FCCA%202804) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2804.html?context=1;query=%5b2016%5d%20FCCA%202804) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2804.html?context=1;query=%5b2016%5d%20FCCA%202804)

Yogurberry World Square Pty Ltd, YBF Australia Pty Ltd, CL Group Pty Ltd & Soon Ok Oh

Date: 2 November 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$146,000.00 (\$75,000.00 against Yogurberry World Square Pty Ltd, \$25,000.00 against YBF Australia Pty Ltd, \$35,000.00 against CL Group Pty Ltd, \$11,000.00 against Soon Ok Oh)

Decision: [Fair Work Ombudsman v Yogurberry World Square Pty Ltd](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1290.html) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1290.html) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1290.html)

Green Clean (Aust) Pty Ltd & Michael Girowal

Date: 28 October 2016

Nature of Proceedings: failure to comply with compliance notice

Penalty: \$11,340.00 (\$9,450.00 against Green Clean (Aust) Pty Ltd, \$1,890.00 against Michael Girowal)

Decision: [Fair Work Ombudsman v Green Clean \(Aust\) Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2676.html?context=0;query=%22michael%20girowal%22) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2676.html?context=0;query=%22michael%20girowal%22) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2676.html?context=0;query=%22michael%20girowal%22)

Mpowa Pty Ltd t/as Netpage and Kia Silverbrook, Superlattice Solar Pty Ltd & Kia Silverbrook, Priority Matters Pty Ltd & Kia Silverbrook

Date: 21 October 2016

Nature of Proceedings: underpayments

Penalty: \$65,000.00 against Mpowa Pty Ltd t/as Netpage, \$5,000.00 against Superlattice Solar Pty Ltd, \$45,000.00 against Priority Matters Pty Ltd

Decision: [Fair Work Ombudsman v Priority Matters Pty Ltd & Anor etc \(No.3\)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2744.html?context=0;query=%22mpowa%22) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2744.html?context=0;query=%22mpowa%22) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2744.html?context=0;query=%22mpowa%22)

lee Wei Song, Siew Lay Yeoh, Tsuyosetsu Pty Ltd & Taikuken Pty Ltd

Date: 20 October 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$201,150.00 (\$40,500.00 against lee Wie Song, \$32,400.00 against Siew Lay Yeoh, \$99,000.00 against Tsuyosetsu Pty Ltd, \$29,250.00 against Taikuken Pty Ltd)

Decision: [Fair Work Ombudsman v Song & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2827.html?context=1;query=%5b2016%5d%20FCCA%202827) [☞](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2827.html?context=1;query=%5b2016%5d%20FCCA%202827) (http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2827.html?context=1;query=%5b2016%5d%20FCCA%202827)

Oz Staff Career Services Pty Ltd (in liquidation), Travice Blom and Alessandro Linossi (No 2)

Date: 18 October 2016

Nature of Proceedings: underpayments, false or misleading records

Penalty: \$24,880.00 (\$14,960.00 against Travice Blom, \$9,920.00 against Alex Linossi)

Decision: [Fair Work Ombudsman v Oz Staff Career Services Pty Ltd & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2594.html?context=1;query=%5b2016%5d%20FCCA%202594) [☞] (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2594.html?context=1;query=%5b2016%5d%20FCCA%202594>)

Australian Wild Tuna Pty Ltd and Angelo Manousaridis

Date: 12 October 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$48,320.00 (\$43,200.00 against Australian Wild Tuna Pty Ltd, \$5,120.00 against Angelo Manousaridis)

Decision: [Fair Work Ombudsman v Australian Wild Tuna Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2626.html?context=1;query=%5b2016%5d%20FCCA%202626) [☞] (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2626.html?context=1;query=%5b2016%5d%20FCCA%202626>)

Global Express Consultancy Pty Ltd & Yan Hu

Date: 11 October 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$105,340.50 (\$87,783.75 against Global Express Consultancy Pty Ltd, \$17,556.75 against Yan Hu)

Decision: [Fair Work Ombudsman v Global Express Consultancy Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2446.html?context=1;query=%5b2016%5d%20FCCA%202446) [☞] (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2446.html?context=1;query=%5b2016%5d%20FCCA%202446>)

Windaroo Medical Surgery Pty Ltd, Sheila Pathmanathan and Tan Thi Thanh Tran

Date: 28 September 2016

Nature of Proceedings: adverse action, coercion

Penalty: \$51,480.00 (\$39,600.00 against Windaroo Medical Surgery Pty Ltd, \$7,920.00 against Sheila Pathmanathan, \$3,960.00 against Tan Thi Thanh Tran)

Decision: [Fair Work Ombudsman v Windaroo Medical Surgery Pty Ltd & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2505.html?context=1;query=%5b2016%5d%20FCCA%202505) [☞] (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2505.html?context=1;query=%5b2016%5d%20FCCA%202505>)

I Luv Pty Ltd, Tay-Duc Nguyen & Hour Him

Date: 22 September 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$68,800.00 (\$56,000.00 against I Luv Pty Ltd, \$6,400.00 against Tay-Duc Nguyen, \$6,400.00 against Hour Him)

Decision: Decision not available

Chia Tung Development Corp. and Michael Lin

Date: 19 September 2016

Nature of Proceedings: failure to comply with compliance notice

Outcome: default judgment ordered

Decision: [Fair Work Ombudsman v Chia Tung Development Corp Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2777.html?context=1;query=%5b2016%5d%20FCCA%202777) [☞] (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2777.html?context=1;query=%5b2016%5d%20FCCA%202777>)

Farok Shaik

Date: 08 September 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$50,872.50 against Farok Shaik

Decision: [Fair Work Ombudsman v Shaik](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2345.html?context=1;query=%5b2016%5d%20FCCA%202345) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2345.html?context=1;query=%5b2016%5d%20FCCA%202345>)

Sonisolar Pty Ltd and Wei Wang

Date: 29 August 2016

Nature of Proceedings: underpayments, record keeping, pay slips, failure to comply with a notice to produce

Penalty: \$112,000.00 (\$100,000.00 against Sonisolar Pty Ltd, \$12,000.00 against Wei Wang)

Decision: [Fair Work Ombudsman v Sonisolar Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2027.html?context=1;query=%5b2016%5d%20FCCA%202027) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2027.html?context=1;query=%5b2016%5d%20FCCA%202027>)

Grouped Property Services Pty Ltd, National Contractors Pty Ltd, Rosario Pucci and Enrico Pucci

Date: 26 August 2016

Nature of Proceedings: underpayments, record keeping, pay slips, sham contracting

Outcome: Grouped Property Services Pty Ltd, Rosario Pucci and Enrico Pucci liable for contraventions of the FW Act

Decision: [Fair Work Ombudsman v Grouped Property Services Pty Ltd](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1034.html?context=0;query=%22pucci%22) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/1034.html?context=0;query=%22pucci%22>)

Mamak Pty Ltd, Joon Hoe Lee, Julian Lee & Alan Wing-Keung Au

Date: 19 August 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$294,848.00 (\$184,960.00 against Mamak Pty Ltd, \$36,992.00 against Joon Hoe Lee, \$36,448.00 against Julian Lee, \$36,448.00 against Alan Au)

Decision: [Fair Work Ombudsman v Mamak Pty Ltd & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2104.html?context=0;query=%22mamak%22) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2104.html?context=0;query=%22mamak%22>)

Maritime Union of Australia – Full Federal Court of Australia

Date: 11 August 2016

Nature of Proceedings: adverse action (appeal)

Outcome: appeal dismissed

Decision: [Maritime Union of Australia v Fair Work Ombudsman](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2016/102.html?context=1;query=%5b2016%5d%20FCAFC%20102) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCAFC/2016/102.html?context=1;query=%5b2016%5d%20FCAFC%20102>)

Sakuraya Warrigal Pty Ltd, Chang Ming Liu and A-Hsuea Lai

Date: 1 August 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$196,000.00 (\$140,000.00 against Sakuraya Warrigal Pty Ltd, \$28,000.00 against Chang Ming Liu, \$28,000.00 against A-Hsuea Lai)

Decision: [Fair Work Ombudsman v Sakuraya Warrigal Pty Ltd & Ors](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2033.html?context=0;query=%22sakuraya%22) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/2033.html?context=0;query=%22sakuraya%22>)

AJSJ Pty Ltd (Deregistered) & Jasbir Kaur Ghag

Date: 26 July 2016

Nature of Proceedings: underpayments

Penalty: \$2,640.00 against Jasbir Kaur Ghag

Decision: [Fair Work Ombudsman v AJSJ Pty Ltd & Anor](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1902.html?context=1;query=%5b2016%5d%20FCCA%201902) [↗](#) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1902.html?context=1;query=%5b2016%5d%20FCCA%201902>)

South Jin Pty Ltd, Ki Bok Jin, Coastal Trolley Services Pty Ltd and Mr Stroop

Date: 22 July 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$90,850.00 (\$38,000.00 Coastal Trolley Services Pty Ltd, \$44,350.00 against Ki Bok Jin, \$8,500.00 against Mr Stroop)

Decision: [Fair Work Ombudsman v South Jin Pty Ltd \(No 2\) [☞]](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/832.html?context=1;query=%5b2016%5d%20FCA%20832) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCA/2016/832.html?context=1;query=%5b2016%5d%20FCA%20832>)

Golden Vision Food and Beverage Services Pty Ltd and Jia Ning Wang

Date: 8 July 2016

Nature of Proceedings: underpayments, record keeping, pay slips, sham contracting, failure to comply with notice to produce

Penalty: \$21,000.00 (\$17,500.00 against Golden Vision Food and Beverage Services Pty Ltd, \$3,500.00 against Jia Ning Wang)

Decision: [Fair Work Ombudsman v Golden Vision Food and Beverage Services Pty Ltd & Anor \(No.2\) [☞]](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1721.html?context=1;query=%5b2016%5d%20FCCA%201721) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1721.html?context=1;query=%5b2016%5d%20FCCA%201721>)

Hiyi Pty Ltd, Yiran Gu & Haiyao Xu

Date: 1 July 2016

Nature of Proceedings: underpayments, record keeping, pay slips

Penalty: \$150,000.00 (\$110,000.00 against Hiyi Pty Ltd, \$20,000.00 against Yiran Gu, \$20,000.00 against Haiyao Xu)

Decision: [Fair Work Ombudsman v Hiyi Pty Ltd & Ors [☞]](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1634.html?context=1;query=%5b2016%5d%20FCCA%201634) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2016/1634.html?context=1;query=%5b2016%5d%20FCCA%201634>)

Atkins Freight Services Pty Ltd

Date: 1 July 2016

Nature of Proceedings: underpayments

Penalty: \$57,000.00

Decision: [Fair Work Ombudsman, Kearns & Schmidt v Atkins Freight Services Pty Ltd [☞]](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SAIRC/2016/19.html?context=1;query=%5b2016%5d%20SAIRC%2019) (<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SAIRC/2016/19.html?context=1;query=%5b2016%5d%20SAIRC%2019>)

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