

2010 - 2011 litigation outcomes

April 2011 - June 2011

Employer: Centennial Financial Services Pty Ltd & Ors

Date of judgement: 21 June 2011

Court: Federal Magistrates' Court Sydney

Judge: Federal Magistrate Cameron

Nature of Proceedings: Sham Contracting, Underpayments, annual leave

Penalty: \$13 200 (Mr Mertes) and \$3 750 (Mr Chorazy)

Decision: [Fair Work Ombudsman v Centennial Financial Services Pty Ltd & Ors \(PDF 871.1KB\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Centennial-Financial-Services-Ors.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Centennial-Financial-Services-Ors.pdf.aspx)

[Fair Work Ombudsman v Centennial Financial Services Pty Ltd & Ors - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/863.html?stem=0&synonyms=0&query=centennial) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/863.html?stem=0&synonyms=0&query=centennial) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/863.html?stem=0&synonyms=0&query=centennial>)

Employer: Mr Dennis Richter

Date of judgement: 31 May 2011

Court: Federal Magistrates Court, Canberra

Judge: Federal Magistrate Neville

Nature of Proceedings: Underpayment and FOA

Penalty: \$72 000 (Mr Richter)

Decision: [Fair Work Ombudsman v Aussie Junk Pty Ltd \(in liquidation\) & Anor \(PDF 387.3KB\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Aussie-Junk-Pty-Ltd-and-Anor.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Aussie-Junk-Pty-Ltd-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Aussie Junk Pty Ltd \(in liquidation\) & Anor - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/391.html?stem=0&synonyms=0&query=DENNIS%20richter) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/391.html?stem=0&synonyms=0&query=DENNIS%20richter) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/391.html?stem=0&synonyms=0&query=DENNIS%20richter>)

Employer: Kentwood Industries Pty Ltd and Jian Yang Zhang

Date of judgement: 31 May 2011

Court: Federal Court, Perth

Judge: Justice McKerracher

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$242 605

Penalty: \$123 000 (Kentwood Industries Pty Ltd) and \$24 600 (Mr Zhang)

Decision: [Fair Work Ombudsman v Kentwood Industries Pty Ltd \(PDF 136.9KB\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Kentwood-Industries-Pty-Ltd.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Kentwood-Industries-Pty-Ltd.pdf.aspx)

[Fair Work Ombudsman v Kentwood Industries Pty Ltd - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2010/1156.html?stem=0&synonyms=0&query=KENTWOOD) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2010/1156.html?stem=0&synonyms=0&query=KENTWOOD) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2010/1156.html?stem=0&synonyms=0&query=KENTWOOD>)

Employer: Macquarie Business Services Pty Ltd & Mr Joseph Krawczynski

Date of judgement: 28 April 2011

Court: Federal Magistrates' Court, SA

Judge: Federal Magistrate Simpson

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$19 842.52

Penalty: \$17 750 (Macquarie Business Services Pty Ltd) and \$4000 (Mr Krawczynski)

Decision: [Fair Work Ombudsman v Macquarie Business Services P/L & Anor \(PDF 926.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Macquarie-Business-Services-PL-and-Anor.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Macquarie-Business-Services-PL-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Macquarie Business Services P/L & Anor - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/287.html?stem=0&synonyms=0&query=title()) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/287.html?stem=0&synonyms=0&query=title()) ([http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/287.html?stem=0&synonyms=0&query=title\(\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/287.html?stem=0&synonyms=0&query=title()))

Employer: Bosen Pty Ltd, Hao Chen and Xue Jing

Date of judgement: 21 April 2011

Court: Magistrates' Court of Victoria

Judge: Magistrate Hawkins

Nature of Proceedings: Wages and Conditions

Amount of Underpayment: \$89 256.92

Penalty: \$120 000 (Bosen Pty Ltd) \$20 000 (Mr Chen) and \$10 000 (Ms Jing)

Decision: [Fair Work Ombudsman v Bosen Pty Ltd, Hao Chen and Xue Jing \(PDF 897.7KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Bosen-Pty-Ltd-ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Bosen-Pty-Ltd-ors.pdf.aspx)

[Fair Work Ombudsman v Bosen Pty Ltd, Hao Chen and Xue Jing - AUSTLII](http://www.austlii.edu.au/au/cases/vic/VMC/2011/81.pdf) [☞](http://www.austlii.edu.au/au/cases/vic/VMC/2011/81.pdf) (<http://www.austlii.edu.au/au/cases/vic/VMC/2011/81.pdf>)

Employer: Lufra Investments Pty Ltd & John Shepley

Date of judgement: 21 April 2011

Court: Federal Magistrates Court of Australia, Melbourne

Judge: Federal Magistrate Burchardt

Nature of Proceedings: Underpayment of wages

Amount of Underpayment: \$8 592.04

Penalty: \$40 000 (Lufra Investments Pty Ltd) and \$7 920 (Mr Shepley)

Decision: [Fair Work Ombudsman v Lufra Investments Pty Ltd & Anor \(PDF 562.1KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Lufra-Investments-Pty-Ltd-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Lufra-Investments-Pty-Ltd-Anor.pdf.aspx)

[Fair Work Ombudsman v Lufra Investments Pty Ltd & Anor - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/955.html?stem=0&synonyms=0&query=lufra) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/955.html?stem=0&synonyms=0&query=lufra) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/955.html?stem=0&synonyms=0&query=lufra>)

Employer: Wi-Man Pty Ltd, Macquarie Technology Group International Pty Ltd and Paul Wallace

Date of judgement: 12 April 2011

Court: Federal Magistrates' Court, Brisbane

Judge: Federal Magistrate Burnett

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$5946

Penalty: \$5280 (Macquarie Technology Group International Pty Ltd) and \$1100 (Paul Desmond Wallace)

Decision: [Fair Work Ombudsman v Wi-Man & Ors - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/322.html?stem=0&synonyms=0&query=wi-man) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/322.html?stem=0&synonyms=0&query=wi-man) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/322.html?stem=0&synonyms=0&query=wi-man>)

Employer: Hungry Jack's Pty Ltd

Date of judgement: 12 April 2011

Court: Federal Magistrates' Court, Melbourne

Judge: Federal Magistrate Burchardt

Nature of Proceedings: Underpayment of wages

Amount of Underpayment: \$665 695.51

Penalty: \$100 500

Decision: [Fair Work Ombudsman v Hungry Jack's Pty Ltd \(PDF 533.3KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Hungry-Jacks-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Hungry-Jacks-Pty-Ltd.pdf.aspx)

[Fair Work Ombudsman v Hungry Jack's Pty Ltd - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/233.html?stem=0&synonyms=0&query=title()) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/233.html?stem=0&synonyms=0&query=title()) ([http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/233.html?stem=0&synonyms=0&query=title\(\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/233.html?stem=0&synonyms=0&query=title()))

Employer: Glenn Anthony Crisp, Mechanical Engineering Corporation Pty Ltd ("MEC"), Mechanical Engineering Services Pty Ltd ("MES") & Anthony Gordon Elliott

Date of judgement: 1 April 2011

Court: Federal Court, Victoria

Judge: Justice North

Nature of Proceedings: Duress and Freedom of Association

Amount of Underpayment: n/a

Penalty: \$3 300 (Mr Crisp); \$20 000 (MEC); \$30 000 (MES) and \$5000 (Mr Elliott)

Decision: [Mastwyk v Crisp \(PDF 501.7KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Mastwyk-v-Crisp.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Mastwyk-v-Crisp.pdf.aspx)

[Mastwyk v Crisp - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2011/349.html?stem=0&synonyms=0&query=title()) [☞](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2011/349.html?stem=0&synonyms=0&query=title()) ([http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2011/349.html?stem=0&synonyms=0&query=title\(\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2011/349.html?stem=0&synonyms=0&query=title()))

January 2011 - March 2011

Employer: Queensland Marine and General Insurance Management Pty Ltd and Peter Ralph Martinuzzi and Qld Marine and General Insurance Brokers Pty Ltd

Date: 15 March 2011

Court: Federal Magistrates Court, Brisbane

Judge: Federal Magistrate Burnett

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$21 479.46 (plus interest)

Penalty: \$22 000 (Queensland Marine and General Insurance Management Pty Ltd) \$10 560 (Peter Ralph Martinuzzi) \$22 000 (Qld Marine and General Insurance Brokers Pty Ltd)

Decision: [Martinuzzi v Fair Work Ombudsman \(PDF 591.3KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Martinuzzi-v-Fair-Work-Ombudsman.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Martinuzzi-v-Fair-Work-Ombudsman.pdf.aspx)

[Martinuzzi v Fair Work Ombudsman ☞ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2012/636.html\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2012/636.html)

Note: The Federal Magistrates Court's decision in this case was overturned on appeal. All of the Fair Work Ombudsman's allegations have been dismissed and all fines and back-payment Orders issued by the Court have been set aside.

Employer: Contracting Plus Pty Ltd and Randall David Rowe

Date: 10 March 2011

Court: Federal Magistrates' Court, Brisbane

Judge: Federal Magistrate Burnett

Nature of Proceedings: Sham contracting and Wages and conditions

Amount of Underpayment: \$45 988.86

Penalty: \$178 750 (Contracting Plus Pty Ltd) \$35 750 (Randall David Rowe). Of the total penalties \$45 998.86 is to be paid to the 116 employees and the balance to be paid to the Commonwealth.

Decision: [Fair Work Ombudsman v Contracting Plus Pty Ltd & Anor - AUSTRALIAN \(http://www.austlii.edu.au/au/cases/cth/FMCA/2011/191.html\)](http://www.austlii.edu.au/au/cases/cth/FMCA/2011/191.html)

Employer: Specialised Security Service Pty Ltd and Peter Conroy

Date : 17 February 2011

Court: Federal Magistrates' Court, Brisbane

Judge: Federal Magistrate Michael Burnett

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$46 205.21

Penalty: \$16 912.50 (Specialised Security Service Pty Ltd) and \$3382.50 (Peter Conroy)

Decision: [Fair Work Ombudsman v Specialised Security Service Pty Ltd & Anor \(PDF 615.3KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Specialised-Security-Service-Pty-Ltd-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Specialised-Security-Service-Pty-Ltd-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Specialised Security Service Pty Ltd & Anor - AUSTRALIAN \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/170.html?stem=0&synonyms=0&query=BRG%20371/2010\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/170.html?stem=0&synonyms=0&query=BRG%20371/2010)

Employer: No.1 Riverside Quay Pty Ltd

Date: 28 January 2011

Court: Federal Magistrates' Court, SA

Judge: Federal Magistrate Simpson

Nature of Proceedings: Agreement Making

Amount of Underpayment: n/a

Penalty: \$25 000

Decision: [Fair Work Ombudsman v No.1 Riverside Quay Pty Ltd \(PDF 379.3KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-No1-Riverside-Quay-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-No1-Riverside-Quay-Pty-Ltd.pdf.aspx)

[Fair Work Ombudsman v No.1 Riverside Quay Pty Ltd - AUSTRALIAN \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/31.html?stem=0&synonyms=0&query=NO.%201%20RIVERSIDE\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2011/31.html?stem=0&synonyms=0&query=NO.%201%20RIVERSIDE)

Employer: Farey Transport & Trading Pty Ltd

Date: 10 January 2011

Court: Chief Industrial Magistrate's Court, Sydney

Judge: Chief Industrial Magistrate Hart

Nature of Proceedings: Underpayment of entitlements

Amount of Underpayment: \$80 000

Penalty: \$30 000 plus over \$800 costs to FWO

Decision: [Fair Work Ombudsman v Farey Transport and Trading Pty Ltd \(PDF 397.8KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Farey-Transport-and-Trading-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Farey-Transport-and-Trading-Pty-Ltd.pdf.aspx)

[Fair Work Ombudsman v Farey Transport and Trading Pty Ltd ☞ \(http://www.fairwork.gov.au/litigation201011/Fair-Work-Ombudsman-v-Farey-Transport-and-Trading-Pty-Ltd.pdf\)](http://www.fairwork.gov.au/litigation201011/Fair-Work-Ombudsman-v-Farey-Transport-and-Trading-Pty-Ltd.pdf)

October 2010 - December 2010

Employer: A.M Retail Solutions Pty Ltd (in liquidation) and Adil Magar

Date: 23 December 2010

Judge: Federal Magistrate Smith

Court: Federal Magistrates' Court, Sydney

Nature of Proceedings: Wages and Conditions

Amount of Underpayment: approximately \$500 000

Penalty: \$82 100 (Mr Magar)

Decision: [Fair Work Ombudsman v AM Retail Solutions Pty Ltd & Anor \(PDF 866.8KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-AM-Retail-Solutions-Pty-Ltd-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-AM-Retail-Solutions-Pty-Ltd-and-Anor.pdf.aspx)

[Fair Work Ombudsman v AM Retail Solutions Pty Ltd & Anor - AUSTLII ☐ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/525.html?stem=0&synonyms=0&query=AM%20RETAIL\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/525.html?stem=0&synonyms=0&query=AM%20RETAIL)

Employer: Gisela Bottcher & Wolfgang Bottcher

Date: 9 December 2010

Court: Federal Magistrates' Court, VIC

Judge: Federal Magistrate O'Sullivan

Nature of Proceedings: Wages and conditions, Freedom of association

Amount of Underpayment: \$46 163.45

Penalty: \$18 480

Decision: [Fair Work Ombudsman v Gisela Bottcher & Anor \(PDF 2.2MB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Gisela-Bottcher-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Gisela-Bottcher-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Gisela Bottcher & Anor - AUSTLII ☐ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/956.html?stem=0&synonyms=0&query=bottcher\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/956.html?stem=0&synonyms=0&query=bottcher)

Employer: Stewarts Transport & Logistics Pty Ltd, Mr Rodney Stewart & Mrs Pamela Stewart

Date: 2 December 2010

Court: Federal Magistrates' Court, Melbourne

Judge: Federal Magistrate Riley

Nature of Proceedings: Underpayment of Wages and Record-keeping breaches

Amount of Underpayment: \$3,228.46

Penalty: \$43 500 (Stewarts Transport & Logistics Pty Ltd), \$8000 (Mr Rodney Stewart) & \$8700 (Mrs Pamela Stewart)

Decision: [Fair Work Ombudsman v Stewarts Transport & Logistics Pty Ltd & Ors \(PDF 1.8MB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Stewarts-Transport-and-Logistics-Pty-Ltd-and-Ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Stewarts-Transport-and-Logistics-Pty-Ltd-and-Ors.pdf.aspx)

[Fair Work Ombudsman v Stewarts Transport & Logistics Pty Ltd & Ors - AUSTLII ☐ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/905.html?stem=0&synonyms=0&query=title\(\)\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/905.html?stem=0&synonyms=0&query=title())

Employer: Compumark Pty Ltd, Giuseppe De Simone & Alan Evers-Buckland

Date: 1 December 2010

Court: Magistrates' Court of Victoria

Judge: Magistrate Hawkins

Nature of Proceedings: Wages and Conditions

Amount of Underpayment: \$8636.09

Penalty: \$99 000 (Compumark Pty Ltd), \$19 800 (Mr Giuseppe De Simone) and \$2000 (Mr Alan Evers-Buckland)

Decision: [Fair Work Ombudsman v Compumark Pty Ltd & Ors \(PDF 512.1KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Compumark-Pty-Ltd-and-Ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Compumark-Pty-Ltd-and-Ors.pdf.aspx)

Employer: Shrek Pty Ltd

Date: 24 November 2010

Court: Federal Magistrates' Court, NSW

Judge: Federal Magistrate Cameron

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$356 375.05

Penalty: \$141 900 (Shrek Pty Ltd) and \$42 350 (Mr Peter Court)

Decision: [Fair Work Ombudsman v Shrek Pty Ltd & Anor \(PDF 1.3MB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Shrek-Pty-Ltd-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Shrek-Pty-Ltd-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Shrek Pty Ltd & Anor - AUSTLII ☐ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA)

</2010/907.html?stem=0&synonyms=0&query=SHREK>)

Employer: Grenpro Pty Ltd & Aaron Grennan

Date: 3 November 2010

Court: Magistrates' Court, Melbourne

Judge: Magistrate Holzer

Nature of Proceedings: Time and Wage records & Failure to comply with a Notice to Produce (NTP)

Amount of Underpayment: N/A

Penalty: \$9625 (Grenpro Pty Ltd) & \$1925 (Mr Grennan)

Decision: [Fair Work Ombudsman v Grenpro Pty Ltd & Anor Transcript of decision \(PDF 90.4KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Grenpro-Pty-Ltd-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Grenpro-Pty-Ltd-and-Anor.pdf.aspx)

Employer: Transport Worker's Union of Australia & Anor

Date: 2 November 2010

Court: Federal Magistrates' Court, sydney

Judge: Federal Magistrate Barnes

Nature of Proceedings: Unlawful Industrial Action

Amount of Underpayment: N/A

Penalty: \$9900 (TWU) \$1420 (Mr Neal Harper)

Decision: [Fair Work Ombudsman v Transport Workers Union of Australia & Anor \(PDF 466.1KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Transport-Workers-Union-of-Australia.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Transport-Workers-Union-of-Australia.pdf.aspx)

[Fair Work Ombudsman v Transport Workers Union of Australia & Anor - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/826.html?stem=0&synonyms=0&query=title()) [!\[\]\(e50091943b385fe16d3277389202856f_img.jpg\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/826.html?stem=0&synonyms=0&query=title()) ([http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/826.html?stem=0&synonyms=0&query=title\(\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/826.html?stem=0&synonyms=0&query=title()))

Employer: Country Hospitality Pty Ltd & Mr Andre Praglowski

Date: 28 October 2010

Court: Federal Magistrates Court, Sydney

Judge: Federal Magistrate Driver

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$38 895.13

Penalty: \$5940 (Mr Andre Praglowski)

Decision: Fair Work Ombudsman v Praglowski

[Fair Work Ombudsman v Praglowski - AUSTLII \(PDF 618.4KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Praglowski.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Praglowski.pdf.aspx)

Employer: Roselands Fruit Market Pty Ltd & Joe Aloisio

Date: 21 October 2010

Judge: Federal Magistrate Driver

Court: Federal Magistrates' Court, Sydney

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$70 800 (Roselands Fruit Market Pty Ltd) and \$16 650 (Mr Aloisio)

Penalty: \$94 000

Decision: [Fair Work Ombudsman v Roselands Fruit Market Pty Ltd & Anor \(PDF 717.2KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Roselands-Fruit-Market-Pty-Ltd-and-Anor.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Roselands-Fruit-Market-Pty-Ltd-and-Anor.pdf.aspx)

[Fair Work Ombudsman v Roselands Fruit Market Pty Ltd & Anor - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/599.html?stem=0&synonyms=0&query=ROSELANDS) [!\[\]\(5811ff6ecb69b7c4e60dd9849cbc46ae_img.jpg\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/599.html?stem=0&synonyms=0&query=ROSELANDS) (<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/599.html?stem=0&synonyms=0&query=ROSELANDS>)

Employer: Enterprise Car Rental Group Pty Ltd (In Liquidation) and former Director Nathan Conn

Date: 12 October 2010

Court: Federal Magistrates Court, Brisbane

Judge: Federal Magistrate Burnett

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$61 423.19

Penalty: \$110 000 (Mr Nathan Conn)

Decision: [Fair Work Ombudsman v Conn & Ors \(PDF 145.3KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Conn-Ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Conn-Ors.pdf.aspx)

[Fair Work Ombudsman v Conn & Ors - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/828.html?stem=0&synonyms=0&query=title()) [!\[\]\(e79b55961c22fafef7f3bdf58951db17_img.jpg\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/828.html?stem=0&synonyms=0&query=title()) ([http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/828.html?stem=0&synonyms=0&query=title\(\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/828.html?stem=0&synonyms=0&query=title()))

Union: Australian Workers Union, New South Wales

Date of judgement: 1 October 2010

Court: Federal Magistrates' Court of Australia

Judge: Federal Magistrate Raphael

Nature of Proceedings: Industrial Action

Amount of Underpayment: N/A

Penalty: \$12 100 (AWU)

Decision: [Fair Work Ombudsman v Australian Workers Union, NSW \(PDF 636.9KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Australian-Workers-Union-NSW.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Australian-Workers-Union-NSW.pdf.aspx)

[Fair Work Ombudsman v Australian Workers Union, NSW - AUSTLII ☞ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/744.html?stem=0&synonyms=0&query=title\(\)\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/744.html?stem=0&synonyms=0&query=title())

July 2010 - September 2010

Employer: Aussie Little Auction Houses Pty Ltd and Mr Francis Weston

Date: 21 September 2010

Court: Federal Magistrates' Court, Brisbane

Judge: Federal Magistrates Burnett

Nature of Proceedings: Wages and conditions

Amount of Underpayment: \$17 218.73

Penalty: \$49 500 (Aussie Little Auction Houses Pty Ltd) & \$18 150 (Mr Francis Weston)

Decision: [Fair Work Ombudsman v Aussie Little Auction Houses Pty Ltd \(PDF 16MB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Aussie-Little-Auction-Houses-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Aussie-Little-Auction-Houses-Pty-Ltd.pdf.aspx)

[Fair Work Ombudsman v Aussie Little Auction Houses Pty Ltd - AUSTLII ☞ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/806.html?stem=0&synonyms=0&query=AUSSIE%20LITTLE%20auction%20houses\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/806.html?stem=0&synonyms=0&query=AUSSIE%20LITTLE%20auction%20houses)

Employer: Chilis (Shellharbour) Pty Ltd, Chilis (Penrith) Pty Ltd and Gavin Reynolds

Date of judgement: 17 September 2010

Court: Federal Magistrates' Court, NSW

Judge: Federal Magistrate Lloyd-Jones

Nature of Proceedings: Agreement making

Amount of Underpayment (if any): \$4800

Penalty: \$600 (Mr Gavin Reynolds)

Decision: [Fair Work Ombudsman v Chilis \(Shellharbour\) & Ors \(PDF 1.9MB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Chilis-Shellharbour-Pty-Ltd-Ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Chilis-Shellharbour-Pty-Ltd-Ors.pdf.aspx)

[Fair Work Ombudsman v Chilis \(Shellharbour\) & Ors - AUSTLII ☞ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/718.html?stem=0&synonyms=0&query=CHILIS\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/718.html?stem=0&synonyms=0&query=CHILIS)

Employer: Nu Life Organic Farms Pty Ltd, Trevor John Bell and Peter John Hill

Date of judgement: 10 September 2010

Court: Federal Magistrates' Court, Brisbane

Judge: Federal Magistrate Jarrett

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$20 001.71

Penalty: \$25 500 (Nu Life Organic Farms Pty Ltd), \$4930 (Mr Trevor Bell) and \$4930 (Mr Peter Hill)

Decision: [Fair Work Ombudsman v Nu Life Organic Farms Pty Ltd & ors \(PDF 682.7KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Nu-Life-Organic-Farms-Pty-Ltd-and-ors.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Nu-Life-Organic-Farms-Pty-Ltd-and-ors.pdf.aspx)

[Fair Work Ombudsman v Nu Life Organic Farms Pty Ltd & ors - AUSTLII ☞ \(http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/694.html?stem=0&synonyms=0&query=nu%20life\)](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FMCA/2010/694.html?stem=0&synonyms=0&query=nu%20life)

Employer: Chimeara Media Group Pty Ltd (in liquidation) & Leslie Graeme Beard

Date of judgement: 30 August 2010

Court: Chief Industrial Magistrates' Court, NSW

Judge: Magistrate Hart

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$7000

Penalty: \$21 900 (Leslie Graeme Beard)

Decision: [Fair Work Ombudsman v Chimeara Media Group Pty Ltd \(in liquidation\) & Leslie Graeme Beard \(PDF 497.6KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Chimeara-Media-Group-Pty-Ltd-in%20liquidation-Leslie-Graeme-Beard.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Chimeara-Media-Group-Pty-Ltd-in%20liquidation-Leslie-Graeme-Beard.pdf.aspx)

Employer: Recruit (NSW) Pty Ltd and Anastasia Kelly

Date of judgement: 30 August 2010

Court: Chief Industrial Magistrates' Court, Sydney

Judge: Magistrate Hart

Nature of Proceedings: Wages and conditions and Failure to comply with a Notice to Produce (NTP)

Amount of Underpayment (if any): \$5072.94

Penalty: \$12 000 (Anastasia Kelly)

Decision: No decision available.

Employer: DMB Investments Pty Ltd & David McPherson Black

Date of judgement: 12 August 2010

Court: Magistrates' Court of Victoria, Melbourne

Judge: Magistrate Chambers

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$4697.12

Penalty: \$22 000 (DMB Investments Pty Ltd) and \$4620 (David McPherson Black)

Decision: [Fair Work Ombudsman v DMB Investments Pty Ltd \(PDF 352.1KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-DMB-Investments-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-DMB-Investments-Pty-Ltd.pdf.aspx)

Employer: DZ Import & Export Trading Co. Pty Ltd and Mr Zheng Ming Zhu

Date of judgement: 5 August 2010

Court: Chief Industrial Magistrates' Court, NSW

Judge: Magistrate Bartley

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$20 348.30

Penalty: \$148 500 (DZ Import & Export Trading Co. Pty Ltd) and \$4620 (Mr Zheng Ming Zhu)

Decision: No decision available.

Employer: Village Green Environmental Solutions Pty Ltd and Douglas Brent Smith

Date of judgement: 3 August 2010

Court: Magistrates' Court of Victoria, Melbourne

Judge: Magistrate Holzer

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$40 779.42

Penalty: N/A

Decision: No decision available.

Employer: Jota Pty Ltd t/as Ken Bruce Sales (In liquidation) & Russell Meerkin

Date of judgement: 3 August 2010

Court: Magistrates' Court of Victoria, Melbourne

Judge: Magistrate Holzer

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$25 575.52

Penalty: \$15 000 (Russell Meerkin)

Decision: No decision available.

Employer: Asteria Joinery Pty Ltd and Ryan Marsh

Date of judgement: 23 July 2010

Court: Chief Industrial Magistrates' Court, Sydney

Judge: Magistrate Hart

Nature of Proceedings: Wages and Conditions

Amount of Underpayment (if any): \$31 389.69

Penalty: \$16 900 (Ryan Marsh)

Decision: [Fair Work Ombudsman v Asteria Joinery Pty Ltd and Ryan Marsh \(PDF 39.4KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Asteria-Joinery-Pty-Ltd-and-Ryan-Marsh.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Asteria-Joinery-Pty-Ltd-and-Ryan-Marsh.pdf.aspx)

Union: Transport Workers' Union of Australia (TWU)

Date of judgement: 23 July 2010

Court: Federal Court, Adelaide

Judge: Justice Besanko

Nature of Proceedings: Unlawful industrial action

Amount of Underpayment (if any): n/a

Penalty: \$35 000 (TWU)

Decision: [Fair Work Ombudsman v Transport Workers' Union of Australia \(PDF 466.1KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Transport-Workers-Union-of-Australia.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Transport-Workers-Union-of-Australia.pdf.aspx)

[Fair Work Ombudsman v Transport Workers' Union of Australia - AUSTLII](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2010/768.html?stem=0&synonyms=0&query=title())  (http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2010/768.html?stem=0&synonyms=0&query=title())

Employer: Ron Priddle Transport and Logistics Pty Ltd & Ronald Harold Priddle

Date of judgement: 22 July 2010

Court: Magistrates' Court of Victoria, Melbourne

Judge: Magistrate Holzer

Nature of Proceedings: Wages and conditions

Amount of Underpayment (if any): \$5324.96

Penalty: \$25 000 (Ron Priddle Transport and Logistics Pty Ltd) and \$5000 (Ronald Harold Priddle)

Decision: No decision available.

Employer: Lightfield Investments Pty Ltd & Mr HK Tang

Date of judgement: 8 July 2010

Court: Chief Industrial Magistrates' Court, NSW

Judge: Chief Industrial Magistrate Hart

Nature of Proceedings: Wages and Conditions

Amount of Underpayment (if any): \$25 512.79

Penalty: \$54 000 (Lightfield Investments), \$8500 (Mr Tang)

Decision: [Fair Work Ombudsman v Lightfield Investments Pty Ltd \(PDF 208.2KB\) \(www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Lightfield-Investments-Pty-Ltd.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/757/Fair-Work-Ombudsman-v-Lightfield-Investments-Pty-Ltd.pdf.aspx)

Page reference No: 2360

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.