

Litigation Outcomes to June 2023

Date of Decision	Matter	Total Penalty	Contraventions	Link to Decision
30/06/2023	NQ Powertrain Pty Ltd	\$106,430.63	Minimum engagement, underpayment of overtime penalties, payment in lieu of notice of termination, and unauthorised deductions	Fair Work Ombudsman v NQ Powertrain [2023] FedCFamC2G 572 (30 June 2023)
29/06/2023	Construction, Forestry, Maritime, Mining and Energy Union and Dean Lesley Rielly (No.2) (Cross River Rail – Albert Street Station)	\$43,000	Failure to comply with OHS request, hindering and obstructing as a permit holder	Fair Work Ombudsman v Construction, Forestry, Maritime, Mining and Energy Union (No 2) [2023] FedCFamC2G 564 (29 June 2023)
23/06/2023	C & G Smith Enterprises Pty Ltd t/as Rapid Tune Keysborough	\$19,980	Non-compliance with a Compliance Notice	Fair Work Ombudsman v C & G Smith Enterprises [2023] FedCFamC2G 523 (23 June 2023)
22/06/2023	Giuseppe Catanzariti t/a Juicy Fruits Kensington	\$2,997	Non-compliance with a Compliance Notice	Ex tempore
06/06/2023	HML Holdings Pty Ltd t/as Espresso Warriors Mittagong (No.2)	\$20,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v HML Holdings Pty Ltd (No 2) [2023] FedCFamC2G 466 (6 June 2023)
29/05/2023	Alexjax Corp Pty Ltd t/as Heaven Salons and Jack Hanna (No.2)	\$27,475	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Alexjax Corp Pty Ltd (No 2) [2023] FedCFamC2G 445 (29 May 2023)
12/05/2023	Aisha & Umma Enterprises Pty Ltd	\$15,125	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Aisha & Umma Enterprises Pty Ltd [2023] FedCFamC2G 382 (12 May 2023)
12/05/2023	Mohamed Musa Jalloh	\$4,662	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Jalloh [2023] FedCFamC2G 388 (12 May 2023)
12/05/2023	Nimos Leisure Pty Ltd & Mohan Lal Siribaddana.	\$19,980	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Nimos Leisure Pty Ltd [2023] FedCFamC2G 391 (12 May 2023)

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11/05/2023	Rika Foods North Melbourne Pty Ltd and Ray Pantovic	\$31,968	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Rika Foods North Melbourne Pty Ltd [2023] FedCFamC2G 379 (11 May 2023)
10/05/2023	Mehtaab Group Pty Ltd and Vikramjeet Singh Khalsa	\$57,542.04	Non-compliance with a Compliance Notice	Ex tempore
10/05/2023	Gothic Downs Pty Ltd and Giuseppe Conforto (No.2)	\$60,480	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Gothic Downs Pty Ltd (No 2) [2023] FedCFamC2G 359 (10 May 2023)
9/02/2023	Buffalos Cairns Operations Pty Ltd	\$29,970	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Buffalos Cairns Operations Pty Ltd [2023] FedCFamC2G 355 (9 May 2023)
2/05/2023	Ted's Roofing and Plumbing QLD Pty Ltd	\$8,750	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Teds Roofing and Plumbing Qld Pty Ltd [2023] FedCFamC2G 324 (2 May 2023)
27/04/2023	Zenobia Trading Pty Ltd and Jorge Ballas	\$18,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Zenobia Trading Pty Ltd [2023] FedCFamC2G 453 (27 April 2023)
21/04/2023	Winiata Tipene	\$6,660	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Tipene [2023] FedCFamC2G 296 (21 April 2023)
21/04/2023	Auscare Constructions Pty Ltd	\$5,000	Non-compliance with a Compliance Notice issued under s 35 of the now-repealed Building and Construction Industry (Improving Productivity) Act 2016 (Cth) (BCIIP Act).	Fair Work Ombudsman v Auscare Constructions Pty Ltd [2023] FedCFamC2G 289 (21 April 2023)
20/04/2023	Mariano Lobos and Jamie Lobos	\$11,322	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Lobos (No 2) [2023] FedCFamC2G 285 (20 April 2023)

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20/04/2023	Klinsic Constructions Pty Limited and John Klinsic (No.2)	\$22,743	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Klinsic Constructions Pty Limited (No 2) [2023] FedCFamC2G 283 (20 April 2023)
18/04/2023	Carnarvon Cleaners Pty Ltd and Margaret Seaton	\$139,860	Annual leave loading, broken shift allowance, casual leave penalty rates, overtime, failure to make and keep employee records, knowingly make, or keep false or misleading records, minimum engagement, part time and public holiday penalty rates.	Fair Work Ombudsman v Carnarvon Cleaners Pty Ltd [2023] FedCFamC2G 277 (18 April 2023)
17/04/2023	Vertebral Pty Limited and Yasien Adams	\$24,000	Non-compliance with a Compliance Notice	Ex tempore
06/04/2023	Mac-Worx Pty Ltd	\$25,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Mac-Worx Pty Ltd [2023] FedCFamC2G 266 (6 April 2023)
06/04/2023	Green Clean (Aust) Pty Ltd and Kareena Colton	\$124,186	Broken shift allowance, casual / evening/night penalty rates, failure to provide payslip, not paid for time worked, providing false or misleading information or documents to FWO, superannuation, underpayments of base rate.	Fair Work Ombudsman v Green Clean (Aust) Pty Ltd (No.2) [2023] FedCFamC2G 260 (6 April 2023)
05/04/2023	Yeon Beauty Salon Pty Ltd and Mi Yeon Ha	\$139,091.50	Annual Leave, excess of ordinary hours, failure to make and keep employee records, failure to provide pay slip, knowingly give false or misleading pay slip, payment in lieu of notice (termination), penalty rates, public holiday leave and entitlements, tool allowances, underpayment of base rate.	Fair Work Ombudsman v Yeon Beauty Salon Pty Ltd [2023] FedCFamC2G 258 (5 April 2023)

Litigation Outcomes to June 2023

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31/03/2023	Brett John Jones	\$5,600	Non-compliance with a Compliance Notice	Ex tempore
27/03/2023	Regional Landscape Construction Pty Ltd and Mr Bradley Mark Hallam	\$0	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Regional Landscape Construction Pty Ltd [2023] FedCFamC2G 265 (27 March 2023)
24/03/2023	Joe Antonios Carpentry and Woodwork Pty Ltd and Joseph Antonios (No.2)	\$5,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Joe Antonios Carpentry and Woodwork Pty Ltd (No 2) [2023] FedCFamC2G 232 (24 March 2023)
22/3/2023	Bikaner India (WA) Pty Ltd and Sushil Kumar (No.2)	\$58,950	Annual leave, penalty rates, failure to make and keep employee records, failure to provide pay slip in required time, breaks, underpayment or base rate, overtime and superannuation entitlements.	Fair Work Ombudsman v Bikaner India (WA) Pty Ltd (no 2) [2023] FedCFamC2G 211 (22 March 2023)
16/03/2023	JMSL Pty Ltd and Edison Peng	\$115,603.20	Underpayments of base rate and penalty rates, failure to make and keep records, failure to provide payslip, knowingly make or keep false or misleading records, providing false or misleading records to FWO	Fair Work Ombudsman v JMSL Pty Ltd [2023] FedCFamC2G 195 (16 March 2023)
16/03/2023	Construction, Forestry, Maritime, Mining and Energy Union & Ors (The Bruce Highway Caloundra to Sunshine Upgrade Case) (No 3)	\$179,000	Hindering and obstructing as permit holder, failure to produce entry permit & exercising state OHS right if not permit holder	Fair Work Ombudsman v Construction, Forestry, Maritime, Mining and Energy Union (The Bruce Highway Caloundra to Sunshine Upgrade Case) (No 3) [2023] FCA 219 (16 March 2023)
16/03/2023	Te Aranui Albert, Blake Hynes, Michael Ravbar and Construction, Forestry, Maritime, Mining	\$114,000	Hindering and obstructing as permit holder & failure to comply with OHS order	Fair Work Ombudsman v Albert (No 3) [2023] FCA 220 (16 March 2023)

Litigation Outcomes to June 2023

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	and Energy Union (No 3) (Caloundra Road to Sunshine Motorway)			
15/03/2023	DB Richardson Trading Pty Ltd t/as Electrafi and Desmond Brian Richardson	\$15,318	Non-compliance with a Compliance Notice	Fair Work Ombudsman v DB Richardson Trading Pty Ltd (No 2) [2023] FedCFamC2G 203 (15 March 2023)
09/03/2023	Stacey Dale t/as Daily Cleaning Services and Shane Dale	\$3,748.50	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Dale [2023] FedCFamC2G 183 (9 March 2023)
03/03/2023	Josef Samuel Neubauer	\$13,986	Non-compliance with a Compliance Notice, knowingly give false or misleading payslip	Fair Work Ombudsman v Neubauer [2023] FedCFamC2G 150 (3 March 2023)
03/03/2023	Equine Robinson Pty Ltd a/t/f the Equine Robinson Trust (Company) t/as Horse Riding Hinterland	\$21,978	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Equine Robinson Pty Ltd [2023] FedCFamC2G 159 (3 March 2023)
28/02/2023	BSH Transport Solutions Pty Ltd and Brenton Philip Smith	\$19,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v BSH Transport Solutions Pty Ltd [2023] FedCFamC2G 90 (28 February 2023)
24/02/2023	The Emperors Court Pty Ltd and Gia Gian Wong	\$27,930	Non-compliance with a Compliance Notice	Ex tempore
13/02/2023	Barbkey We Pty Ltd and Joseph Barbagallo	\$0	Non-compliance with a Compliance Notice	Ex tempore
10/02/2023	Route 45 Pty Ltd and George Stakathopoulos	\$16,875.90	Non-compliance with a Compliance Notice, failure to provide payslip in required time, providing false or misleading information or documents to FWO	Fair Work Ombudsman v Route 45 Pty Ltd [2023] FedCFamC2G 83 (10 February 2023)

Litigation Outcomes to June 2023

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10/02/2023	RS Diners Pty Ltd and George Stakathopoulos	\$15,078.90	Non-compliance with a Compliance Notice, failure to provide payslip in required time, non-compliance with Notice to Produce	Fair Work Ombudsman v RS Diners Pty Ltd [2023] FedCFamC2G 84 (10 February 2023)
10/02/2023	Darrell Crouch & Associates Pty Ltd and Darrell John Crouch	\$17,982	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Darrell Crouch & Associates Pty Ltd [2023] FedCFamC2G 80 (10 February 2023)
3/02/2023	McNeill Investments Pty Ltd and Jason Matthew Hood	\$2,095	Non-compliance with a Compliance Notice, and non-compliance with a Notice to Produce	Fair Work Ombudsman v McNeill Investments Pty Ltd [2023] FedCFamC2G 40 (3 February 2023)
3/02/2023	Hutt Nominees Pty Ltd and Jason Matthew Hood	\$3,330	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Hutt Nominees Pty Ltd [2023] FedCFamC2G 41 (3 February 2023)
30/01/2023	R & A Barbers Zone Pty Ltd and Arsin Yousif	\$16,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v R & A Barbers Zone Pty Ltd [2023] FedCFamC2G 39 (30 January 2023)
30/01/2023	Construction, Forestry, Maritime, Mining and Energy Union (Logan Enhancement Project)	\$328,000	Hindering and obstructing as permit holder	Fair Work Ombudsman v Construction, Forestry, Maritime, Mining and Energy Union [2023] FCA 36 (30 January 2023)
25/01/2023	Oscar Donence	\$4,100	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Donence [2023] FedCFamC2G 32 (25 January 2023)
23/01/2023	Specialised Linen Services (Sydney) Pty Ltd & Ors	\$90,000	Underpayment of base rate and annual leave entitlements	Fair Work Ombudsman v Specialised Linen Services (Sydney) Pty Ltd [2023] FedCFamC2G 17 (23 January 2023)
20/01/2023	Sofworks Pty Ltd	\$10,000	Non-compliance with a Compliance Notice	Fair Work Ombudsman v Sofworks Pty Ltd [2023] FedCFamC2G 12 (20 January 2023)

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17/01/2023	Construction, Forestry, Maritime, Mining and Energy Union & Ors (The Constitution Place Case) (No 2)	\$180,000	Unlawful picketing	Fair Work Ombudsman (formerly Australian Building and Construction Commissioner) v Construction, Forestry, Maritime, Mining and Energy Union (The Constitution Place Case) (No 2) [2023] FCA 13 (17 January 2023)