

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged: Originating Application Starting a Representative Proceeding under Part IVA
Federal Court of Australia Act 1976 - Form 19 - Rule 9.32

Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)

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File Number: NSD2004/2019

File Title: CAMERON BAKER & ANOR v WOOLWORTHS LIMITED ABN 88 000
014 675 & ANOR

Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA

Reason for Listing: To Be Advised

Time and date for hearing: To Be Advised

Place: To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



**Further~~Third~~ Amended Originating aApplication
Part IVA Federal Court of Australia Act 1976**

(Amended pursuant to leave granted by the Honourable Justice Perram on 24 March 2026)

No. NSD 2004 of 2019

Federal Court of Australia
New South Wales District Registry
Fair Work Division

Cameron Baker

First Applicant

Rhys Piro

Second Applicant

Woolworths Group Limited

(ABN 88 000 014 675)

First Respondent

Woolworths (South Australia) Pty Limited

(ABN 34 007 873 118)

Second Respondent

To the Respondents

Each of the Applicants applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Filed on behalf of	The Applicants, Cameron Baker and Rhys Piro		
Law firm (if applicable)	Adero Law		
Tel	(02) 6189 1022	Fax	n/a
Email	rory.markham@aderolaw.com.au nathan.schofield@aderolaw.com.au		
Address for service	3 Hobart Place City ACT 2601		



Time and date for hearing:

Place:

Date:

.....
Signed by an officer acting with the
authority of the District Registrar



Representative -Action

Each of the Applicants bring this application as representative party under Part IVA of the Federal Court of Australia Act 1976.

Details of claim

In respect of each contravention of each civil remedy provision alleged in the Statement of Claim filed herewith the Applicants, on the grounds stated therein (and adopting the terms therein defined), claims on his own behalf, and on behalf of each Group Member of the Sub-group of which he is the representative:

1. an order pursuant to s 545(2)(b) Fair Work Act 2009 (FWA) that Woolworths Group Limited or Woolworths (South Australia) Pty Limited, as the case may be, pay to the Applicants or the relevant Sub-group Member compensation for the loss she or he suffered because of that contravention;
2. an order pursuant to s 546(1) and (3) FWA that Woolworths Group Limited or Woolworths (South Australia) Pty Limited, as the case may be, pay a pecuniary penalty:
 - (a) to the Applicants or the relevant Sub-group Member,
 - (b) on the basis that each contravention was a “serious contravention” within the meaning of s 557A FWA; and
3. an order that damages be awarded to Group Members:
 - (a) in amounts worked out in such manner as the Court specifies pursuant to s 33Z(1)(e) of the Federal Court of Australia Act 1976 (Cth) (FCA Act); alternatively
 - (b) in an aggregate amount pursuant to s 33Z(1)(f) of the FCA Act; and
- 3.4. pursuant to s 547 FWA, interest up to judgment on the above amounts.

The Group Members

4.5. The First Applicant brings these proceedings:



- (1) for himself, and
- (2) as the representative of a group constituted of all persons:
 - (a) who were employed by the First Respondent (“**Woolworths**”) at any time within the period of ~~6 years ending on the date of the filing of the Originating Application herein~~ 29 November 2013 to 29 November 2019 (the “**Relevant Period**”);
 - (b) ~~employed at any time during the Relevant Period, or in both the Relevant Period and the further period from 30 November 2019 to 28 September 2020~~ (the “Litigation Period”), worked in a position in a:
 - (i) supermarket; or
 - (ii) Big W Discount Department Store (including Big W Optical),
 in the “general retail industry” within the meaning of that phrase in the General Retail Industry Award 2010 (the “**Award**”); and
 - (c) who were employed as a “full time employee” or “part time employee” as those terms are defined in the Award; and
 - (d) whose remuneration, at any period pleaded at paragraph ~~(a)~~(b) above, was calculated by reference to an annual salary ~~—(a “Salaried Manager Position”);~~ and
 - (e) who in any Pay Period in the Relevant Period worked a rostered hour

(the “**Woolworths Sub-group**” and a/the “**Woolworths Sub-group Member/s**”).

~~5-6.~~ The Second Applicant brings these proceedings:

- (1) for himself; and
- (2) as the representative of a group constituted of all persons:
 - (a) who were employed by the Second Respondent (“**Woolworths SA**”) at any time within the period of ~~6 years ending on the date of the filing of the Originating Application herein~~ 24 June 2014 to 24 June 2020 (the “**SA Relevant Period**”);



- (b) ~~employed at any time during the SA Relevant Period, or in both the SA Relevant Period and the further period from 25 June 2020 to 28 September 2020 (“SA Litigation Period”), worked~~ in a position in a:
- (i) supermarket; or
 - (ii) Big W Discount Department Store (including Big W Optical),
- in the “general retail industry” within the meaning of that phrase in the ~~General Retail Industry Award 2010 (the “Award”); and~~
- (c) who were employed as a “full time employee” or “part time employee” as those terms are defined in the Award; and
- (d) whose remuneration, at any period pleaded at paragraph ~~(a)~~(b) above, was calculated by reference to an annual salary ~~(a “Salaried Position”); and~~
- (e) who in any Pay Period in the SA Relevant worked a rostered hour
- (the “Woolworths SA Sub-Group” and a/the “Woolworths SA Sub-group Member/s”).

6. ~~Hereinafter:~~

- ~~(1) the Woolworths Sub-group and the Woolworths SA Sub-Group are collectively referred to as the Group; and~~
- ~~(2) the Woolworths Sub-group Member/s and the Woolworths SA Sub-group Member/s are collectively referred to as a/the Group Member/s.~~

Common Questions

7.1. ~~Whether the Award applied to each Group Member in respect of his or her employment from time to time in the Relevant Period by Woolworths or Woolworths SA as the case may be.~~

8.2. ~~Whether the Award as it applied to the Applicants and each Group Member from time to time, during the Relevant Period required that any work undertaken by any Group Member be paid at a rate attracting one or more of the:~~



- (1) Evening Work Loadings;
- (2) Night Time Work Loadings;
- (3) Saturday Work Loadings;
- (4) Sunday Work Loadings;
- (5) Public Holidays Work Loading;
- (6) Overtime Rates;
- (7) Break Between Work Rates;
- (8) First Meal Allowance Term;
- (9) Further Meal Allowance Term;
- (10) Annual Leave Loading; and
- (11) Payment Term.

Applicants' address for Service

Place: Adero Law
3 Hobart Place
City ACT 2601

Email: rory.markham@aderolaw.com.au | nathan.schofield@aderolaw.com.au

Service on the Respondents

It is intended to serve this ~~further amended~~ application on the Respondents.

Date: 27 March 2026

A handwritten signature in black ink, appearing to be 'RM', with a horizontal line extending to the right.

Signed by Rory Markham
Lawyer for the Applicants