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)
Date of Lodgment:	15/07/2026 3:34:47 PM AEST
Date Accepted for Filing:	16/07/2026 10:43:30 AM AEST
File Number:	VID246/2023
File Title:	CATHERINE SYLTE V DOLLARAMA AUSTRALIA PTY LTD (ACN: 006 122 676)
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised

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.

Second Further Amended Originating application starting a representative proceeding under Part IVA of the Federal Court of Australia Act 1976

No. VID246 of 2023

Federal Court of Australia

District Registry: Victoria

Division: Fair Work

Amended 4 August 2025 with leave of the Court given 1 August 2025

Further Amended 27 March 2026 with leave of the Court given 18 March 2026

Second Further Amended 15 July 2026 with leave of the Court given 14 July 2026

~~**Bradley Cannan**~~ **Catherine Sylte**

Applicant

DOLLARAMA AUSTRALIA PTY LTD (ACN 006 122 676)

Respondent

To the Respondent

The Applicant 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.

Time and date for hearing:

Place:

The Court ordered that the time for serving this application be abridged to

Date:

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

Filed on behalf of ~~Bradley Cannan (Applicant)~~ Catherine Sylte (Applicant)

Prepared by Patrick Elliott

Law firm Adero Law

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Address for service 3 Hobart Place, Canberra, ACT, 2601

Representative action

The Applicant brings this application as a representative party under Part IVA of the *Federal Court of Australia Act 1976* (**FCA Act**).

The group members to whom this proceeding relates are: all persons who were employed by the Respondent as Store Managers and/or Assistant Store Managers on a salaried basis, other than casuals, in the period ~~24 April 2017 to 18 April 2023 inclusive~~ (~~**Relevant Period),** or in the period 19 April 2023 to~~ 15 August 2019 to 15 August 2025 inclusive **(Relevant Period),** and who in any week worked more than 40 hours (if full-time) or more than two hours beyond their ordinary hours of work (if part-time).

Details of claim

On the grounds stated in the accompanying further amended statement of claim (**FASOC**), the Applicant seeks:

1. Orders pursuant to s.545 of the *Fair Work Act 2009* (Cth) (**FWA**) and/or s.33Z of the *Federal Court of Australia Act 1976* (Cth) (**FCAA**) awarding compensation or damages to the Applicant and the group members (defined above) as individually assessed, or alternatively in an aggregate amount.
2. Insofar as the compensation or damages paid under item 1 does not account for the loss of the use of moneys owed to the Applicant and group members, orders pursuant to s.547 of the FWA and/or s.51A of the FCAA for interest up to judgment on all compensation or damages sums.
3. Orders pursuant to s.546 of the FWA and/or s.33Z of the FCAA imposing pecuniary penalties upon the Respondent, with such penalties to be paid to the Applicant and group members, or alternatively to be paid for the benefit of the Applicant and Group Members.
4. Such further or other orders as the Court considers appropriate.

Questions common to claims of group members

The questions of law or fact common to the claims of all the group members are as follows:

~~Underpayments~~

~~1. Under the *Reject Shop Agreement 2014* (**the 2014 EA),** were the Applicant and Group Members entitled to be paid:~~

~~(a) penalty rates for working at unsocial times;~~

(b) pay for working in excess of their ordinary hours and/or agreed hours (if part-time);

(c) public holiday pay for working on public holidays; and/or

(d) annual leave loading when taking annual leave (or ending employment with accrued leave)?

2. Were the Applicant and Group Members paid the entitlements they were required to be paid pursuant to the 2014 EA?

3. If the answer to question 2 is no, did the Respondent contravene s 50 of the FW Act?

4. Were the Applicant and Group Members paid their entitlements when they fell due and in accordance with s 323 FW Act?

5. If the answer to question 4 is no, did the Respondent contravene s.323 of the FW Act?

Unreasonable overtime

6. Did the Respondent have a Budget System?

7. Did the Respondent request or require the Applicant and Group Members to perform 2+ additional hours, either by reason of the Budget System or otherwise?

8. When did the Applicant and Group Members perform 2+ additional hours?

9. Were the 2+ additional hours unreasonable having regard to the common unreasonableness factors alone?

10. Were the 2+ additional hours otherwise unreasonable?

11. In requesting or requiring the performance of the 2+ additional hours, did the Respondent contravene ss 62 and 44 of the FW Act?

12. Were any such contraventions serious contraventions?

13. Did the Applicant and Group Members suffer loss by working unreasonable additional hours?

14. What is the proper measure of compensation for the Applicant or any Group Member who worked unreasonable additional hours?

Compensation

15. Did any contraventions of the FW Act cause the Applicant or group members loss or damage?

~~16. Should any compensation or penalties be paid to the Applicant and each group member on account of any breach of the 2014 EBA~~

17. Should any compensation or penalty should be paid to the Applicant and each Group Member on account of any breach of the Act?

18. What is the proper measure for determining the quantum of any compensation which should be paid to the Applicant and each Group Member?

Applicant's address

The Applicant's address for service is:

Place: Adero Law, 3 Hobart Pl, Canberra ACT 2601

Email: enquiries@aderolaw.com.au

The Applicant's address is ~~35 Ayrshire Avenue, Latrobe TAS 7306~~ 3 Hobart Place, Canberra, ACT, 2601

Service on the Respondent

It is intended to serve this application on the Respondent.

Date: ~~15 August 2025~~ ~~27 March 2026~~ 15 July 2026

Signed by ~~Rory Michael Markham~~
Patrick Michael Elliott
Lawyer for the Applicant