

From: [Vanessa Murray](#) on behalf of [Rebekah Donaldson](#)
To: s47F
Cc: [Amy Fox](#); [Vanessa MacBean](#)
Subject: correspondence from Rebekah Donaldson
Date: Friday, 7 August 2020 6:43:53 PM
Attachments: [Letter to FWO re buyout and band 1 proposal - 7 August 2020.pdf](#)
s47(1)(b)

Dear Ms s47F

Please find attached letter and slide pack from Rebekah Donaldson, Chief People Officer.

Kind regards,
Vanessa

ABC



Vanessa Murray
Executive Assistant to Chief People Officer
People & Culture
P: 02 8333 5327
M: 0408 166 864

We acknowledge Aboriginal and Torres Strait Islander peoples as the First Australians and Traditional Custodians of the lands where we live, learn and work.

7/08/2020

s47F

Fair Work Ombudsman

s47F

Delivered by email

Dear Ms s47F

Buyout and band 1 classification review

Further to my letter of 16 July 2020, I would like to provide you with an update in relation to the ABC's review of employees on buyouts, and employees engaged on band 1.

Thank you for the extension of time for us to provide the requested information. The ABC has now had discussions with PwC, and as a result of those discussions, PwC has prepared the enclosed methodology document which responds to questions 2, 4, 5, 6 in your letter of 7 July 2020. I have responded to question 1 in my previous letter to you, and in relation to your question 3, the contact person for this review will be Vanessa MacBean, Head Employee Relations.

In short, for employees on buyouts, the ABC intends to adopt a similar process and methodology to the remediation of flat rate casuals – the ABC will provide relevant data to PwC, and PwC will then utilise their model to determine whether there are shortfalls in payments due. The outputs will be subject to testing, and if underpayments are identified, those will be communicated to employees, and payment will be made. Based on our experience of the flat rate casual remediation, we have estimated that approximately 10 months will be needed from commencement of the review until any disbursements.

We do anticipate there will be efficiencies in utilising PwC's existing model for this review, however, it has already become apparent that additional coding and testing work will be required, particularly in relation to ensuring that leave benefits are properly calculated (which was not relevant to flat rate casuals). Hence at this stage, we consider that a timeframe of approximately 10 months is realistic. Not having yet commenced the review, it may be the case that internal and external factors not presently anticipated could impact on our timing, in which case we will notify you as soon as practicable and seek to discuss this with you.

In relation to employees engaged on band 1, the ABC will adopt a similar process as was utilised in relation to flat rate casuals. That is, the ABC will review existing employee records, and seek input from managers in relation to an appropriate band. We anticipate that this process can be run efficiently within our HR function with manager input, as many of the employees in this cohort were engaged with job titles and position descriptions. If any periods of incorrect classification are identified, PwC will be able to calculate the shortfall in pay, and this will be communicated to employees. In the interest of having a consistent

disbursement date, we would anticipate that this remediation is completed at the same time as the buyout review.

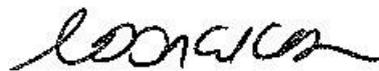
The ABC proposes to conduct this review (in relation to buyouts and band 1 employees) for the period from the first full pay period after 1 July 2014 until the conclusion of the review. This aligns with the commencement of a financial year, and would also be in compliance with the 6-year limitation period for underpayment claims, should any underpayment be identified.

s47E(c), 47G



As we are intending to commence these reviews imminently, once you have had an opportunity to consider the above and enclosed information, please let me know as soon as practicable if you have any questions or would like to discuss.

Yours sincerely,



Rebekah Donaldson
Chief People Officer
Australian Broadcasting Corporation