

**From:** [Cassie Botha](#)  
**To:** s47F  
**Cc:** [Monica Vagg](#); [Vanessa MacBean](#)  
**Bcc:** [LEGAL - Buyout review 2020 - 20130021 Emails](#)  
**Subject:** Query regarding recent ABC correspondence [ABC-PAL.FID37968]  
**Date:** Thursday, 7 January 2021 3:34:37 PM  
**Attachments:** [Letter to FWO re buyout and band 1 proposal - 7 August 2020.pdf](#)  
s47(1)(b)

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Dear s47F

Thank you for the enquiry about the ABC's recent correspondence to s47F regarding the ABC Review into Buyouts and Band 1 classifications.

I understand that you are seeking to clarify any changes to the approximate numbers of employees that the ABC is reviewing, specifically during Phase 0 (50 employees) and Phase 1 (400-500 employees) of the review.

I can confirm that the total number of employees being reviewed was initially estimated as 2,000-2,500, referred to in the Phase 1 section on page 3 of the PwC methodology document provided to the Fair Work Ombudsman on 7 August 2020. For ease of reference, I've attached copies of the methodology and our correspondence on 7 August 2020 to this email.

The reference to 400-500 employees, also in the Phase 1 section on page 3 of the PwC methodology document, relates to the estimated number of employees being reviewed who also require a classification review.

The number of employees who require a classification review is a subset of the estimated total number of employees being reviewed and relates specifically to the Band 1 classification cohort. The Band 1 cohort require both a file review and a classification review. The Buyout cohort do not require a classification review.

As part of the work we have undertaken on the review, we have refined our initial estimate of 2,000-2,500 to 1,965 employees across both cohorts. There are 1,706 employees in the Buyouts cohort and 256 employees in the Band 1 cohort.

I trust that this resolves your query but please do not hesitate to contact me if you have any further queries.

Kind regards,  
Cassie



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

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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

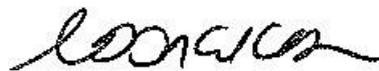
disbursement date, we would anticipate that this remediation is completed at the same time as the buyout review.

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.

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[Redacted text block]

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