

Frequently Asked Question (FAQs)

Pay Point Progression

Overview

Sunnyfield has recently identified an issue in the way we have applied pay point progression for staff resulting in some staff being paid incorrectly.

We are deeply sorry this has happened and apologise to you, our valued and respected employees. We would never deliberately underpay our people. It is important that you receive the right payments against the right terms and conditions for what you do.

The issue relates to staff who are covered by the:

- *Social Community Home Care and Disability Services Industry Award 2010, and*
- *Sunnyfield Housing & Support Division Group Home Enterprise Agreement 2012-2015.*

These FAQs have been developed to help you understand what we have found, what will change, and how we will work through the Repayment Process together.

Abbreviations used in these FAQs

- EA = *Sunnyfield Housing & Support Division Group Home Enterprise Agreement 2012-2015*
- SCHADS Award = *Social Community Home Care and Disability Services Industry Award 2010*
- PPP = *Pay Point Progression*

Pay Point Progression / PPP

What is pay point progression?

PPP is part of the SCHADS Award classification structure. Within each classification level in the SCHADS Award there are pay points (eg. there are 4 pay points in the 'Social and Community Services Employee Level 2'). PPP enables an employee to move from one pay point to the next based on 12 months' continuous employment, where the employee has demonstrated competency and satisfactory performance over the 12-month period, and:

- the employee has acquired and satisfactorily used new or enhanced skills within the ambit of the classification, where required by Sunnyfield; or
- where Sunnyfield has determined in a performance review process that the employee has demonstrated satisfactory performance for the relevant period.

In other words, an employee will usually be entitled to move to the next pay point:

- after 12 months of employment for full-time, part-time, and casual staff, and
- if the staff member has acquired new or enhanced skills within the scope of their classification, or
- if Sunnyfield determines that the staff member has demonstrated satisfactory performance for the prior 12 months of employment.

A staff member can only move up one pay point once in a 12-month period.

Movement to a higher classification level will only occur by way of promotion or re-classification.

Why is the process changing?

Sunnyfield has recently found that some staff have not moved through the pay points when eligible and as a result, are not on a pay point that accurately reflects their continuous employment, experience and performance with Sunnyfield.

In particular, staff will progress on their employment anniversary date, provided they have met the requirements outlined above. This means Sunnyfield will:

- Uncouple progression from the performance planning process. Satisfactory performance will be determined in line with the new Classification and Pay Point Procedure.
- Review and adjust staff who may have progressed based on hours of work, rather than employment anniversary.

What will change?

To make sure staff can progress at the right time and receive the correct rate of pay, we will simplify the PPP process. This will help us to make sure our process is compliant with the SCHADS Award and is consistent across both Community Services and Shared Living.

The new process will be:

- The payroll team will check eligibility every pay period (each fortnight).
- The HR Operations team will check the staff member's file for factors impacting satisfactory performance.
- If satisfactory performance is confirmed over the past 12 months, the pay point increase will be processed automatically. It will be capped at the highest pay point for your classification level. Managers will not need to approve this increase.
- Additional procedures for pay point progression other than based on satisfactory performance for 12 months (e.g. if a relevant qualification is obtained that meets eligibility criteria for a higher pay point).

When will the new PPP process be implemented?

The new PPP process will be implemented from the fortnight starting Saturday, 2 November 2024.

Will the annual performance review process still happen?

Yes, the annual review process will still happen. Having regular conversations about your performance and progress against goals/expectations and development is and remains really important.

The new PPP process will focus more on performance planning and having regular check-in discussions with your manager or equivalent. We will also be looking at ways we can improve this process and connect the work you do with positive outcomes for clients, and Sunnyfield's Mission, Values and Strategy.

Working towards a solution for PPP

What steps will Sunnyfield take to fix the issues that have been found?

Sunnyfield is going to work through this in three (3) steps:

- Step 1: we will confirm the correct classification, pay point and pay rate for current staff
- Step 2: we will identify and calculate any back payment entitlements owing to current staff
- Step 3: we will identify and calculate any back payment entitlements owing to former staff

We have engaged a law firm (Sparke Helmore) and accounting firm (Stewart Brown) to help us to complete the above steps and oversee this process.

These external advisers will support us to review:

- Sunnyfield's records over the underpayment period to identify and calculate any back pay that may be owed to affected current and former staff; and
- the terms and conditions Sunnyfield have, are correctly built into its workforce management systems to ensure staff receive the correct terms and conditions of employment in the future.

How will I know if I am affected?

Based on our review to date, the majority of current staff are paid at the correct pay point. This does not mean that a back payment is not owing to you from prior years.

Once Stewart Brown finalises the calculation process for back payment, we will contact each affected employee individually.

What is the review period?

The *Fair Work Act* requires us to review the last 6 years of records.

The back payment period that will apply is from the first full pay period after 5 October 2018, to the first full pay period after 5 October 2024.

Does backpay include superannuation payments and interest?

The external accounting firm will work out all applicable payments including superannuation payments and interest.

Next steps

Fair Work Ombudsman and Union notifications

Sunnyfield has contacted the Fair Work Ombudsman to self-report the error we have recently identified.

We have also contacted the Health Services Union (HSU) and the Australian Services Union (ASU) and provided them with a copy of the information you have received.

What steps will Sunnyfield take to ensure terms and conditions are properly applied?

Audit of Terms and Conditions of Employment

Sparke Helmore have reviewed how we apply all terms and conditions of employment to make sure that the way we pay is correct and that there are no other areas of concern. If we identify any other areas of concern, we will let you know.

Revised Classification and Pay Point Procedure

A revised Classification and Pay Point Procedure has been developed. The Procedure will be available on the intranet. The procedure explains how classifications and pay points will work at Sunnyfield.

Other concerns about your pay and conditions

If you have other concerns about your pay and conditions that are not covered here, please email PLCTeam@Sunnyfield.org.au. We will organise for someone from the team to contact you and talk about your concerns.

Information sessions

The HR Operations team will run a number of short information sessions via Microsoft Teams to answer any questions you might have about these changes or your pay and conditions generally.

If you would like to address specific questions, you can:

- ask them in the Teams session;
- ask them through the Teams session chat; and/or
- email paypoint@sunnyfield.org.au with your question about pay point progression and we will answer it in the Teams session.

Information session times and links

To attend an information session, please click on the Teams link below at the specified date and time of the meeting. You can access each meeting directly by clicking on the links below.

Date	Time	Link
Thursday 10 October 2024	4.00pm	Join the meeting now
Tuesday 15 October 2024	11.00am	Join the meeting now
Thursday 17 October 2024	2.00pm	Join the meeting now

We will also make a recording of a session available for those who might not be able to attend.

Need more information?

- Chat with your manager.
- Chat with the HR Operations team.
- Email PLCTeam@Sunnyfield.org.au for general enquiries or paypoint@sunnyfield.org.au for enquiries specific to this underpayment matter.
- If you are a union member, chat with your union. We have provided them with a copy of the information we have given you to help answer your questions.
- Contact the Fair Work Ombudsman (www.fwo.gov.au)