

Family services organisation to back-pay workers

15 October 2019

North Queensland organisation Catalyst Child and Family Services Ltd will back-pay workers approximately \$200,000 after breaching Australia's workplace laws.

The registered not-for-profit organisation has entered into a Court-Enforceable Undertaking with the Fair Work Ombudsman after self-disclosing that it had underpaid up to 200 current and former employees.

Catalyst Child and Family Services provides residential care services for children and young people in the care of the Queensland Government's Department of Child Safety, Youth and Women, primarily in the Cairns and Townsville regions.

The organisation alerted the regulator earlier this year after a review found it had underpaid overtime rates, allowances for shift, on-call and sleepover allowances and made errors in classifying employees since it began operating in 2013.

The affected employees were mainly social services workers, including care workers in youth and residential homes.

Fair Work Ombudsman Sandra Parker said that a Court-Enforceable Undertaking was appropriate as the organisation had self-disclosed the underpayments and expressed a strong commitment to back-paying workers and overhauling workplace practices.

"Catalyst Child and Family Services has not only breached workplace laws, it has let down committed employees that form the backbone of its organisation and fallen short of community expectations. They must provide evidence of having developed systems and processes to ensure future compliance."

"The Fair Work Ombudsman will closely monitor compliance with the Court-Enforceable Undertaking and will not hesitate to litigate if there are breaches."

"This matter should serve as a warning to all organisations, including non-for-profits, that if you don't prioritise workplace compliance, you risk underpaying staff on a large scale. We encourage employers to contact us for free advice and assistance on how to comply with their lawful workplace obligations."

Under the terms of the Court-Enforceable Undertaking, Catalyst Child and Family Services must fund a FWO-approved external auditor to quantify the underpayments since 2013 and rectify all underpayments and superannuation within 12 months.

The organisation must also fund three audits of payment practices over the next two years and rectify any underpayments discovered.

Under the EU, they must also apologise to affected workers; display public, workplace and online notices detailing its breaches and information about employee entitlements; register with the My Account portal and complete online courses for employers.

Employees and employers can contact the Fair Work Infoline on 13 13 94 or www.fairwork.gov.au.

A free interpreter service is available on 13 14 50.

Know a workplace that isn't doing the right thing but don't want to get involved? [Report \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff\)](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/anonymous-report/anonymous-tipoff) it to us anonymously – in your language.

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Download the [Catalyst Child and Family Services Ltd Enforceable Undertaking \(DOCX 50.3KB\)](https://www.fairwork.gov.au/ArticleDocuments/545/catalyst-child-and-family-services-ltd-enforceable-undertaking.docx.aspx) (<https://www.fairwork.gov.au/ArticleDocuments/545/catalyst-child-and-family-services-ltd-enforceable-undertaking.docx.aspx>) (PDF 741.2KB) (<https://www.fairwork.gov.au/ArticleDocuments/545/catalyst-child-and-family-services-ltd-enforceable-undertaking.pdf.aspx>)

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Page reference No: 9274

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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