

## ENFORCEABLE UNDERTAKING

This undertaking is **given** by Cicero Clothing Pty Ltd and **accepted** by the Fair Work Ombudsman pursuant to s 715(2) of the Fair Work Act 2009 in relation to the contraventions described in clause 10 of this undertaking.

## ENFORCEABLE UNDERTAKING

### PARTIES

1. This enforceable undertaking (**Undertaking**) is given to the Fair Work Ombudsman (**FWO**) pursuant to section 715 of the *Fair Work Act 2009* (Cth) (**FW Act**) by Cicero Clothing Pty. Ltd. (trading as Politix) (ABN 72 614 757 327) (**Politix**) of "Building 2" 572 Swan Street, Burnley VIC 3121.

### COMMENCEMENT

2. This Undertaking comes into effect when:
  - (a) the Undertaking is executed by Politix; and
  - (b) the FWO accepts the Undertaking so executed (**Commencement Date**).

### BACKGROUND

3. Politix is a clothing and accessory retailer. As at 9 November 2020, Politix employed approximately 567 employees. Politix forms part of the Country Road Group (**CRG**).
4. The *General Retail Industry Award 2010* (**2010 Award**) covered Politix and its employees during the period of 7 November 2016 to 19 September 2020 (being the period the contraventions admitted in this Undertaking relate to).
5. On 1 September 2020, the CRG notified the FWO that they had identified underpayments within the CRG, and that:
  - (a) they would be apologising and communicating to employees on 5 September 2020;
  - (b) they would be making back payments, with interest, from the week commencing 5 October 2020; and
  - (c) they would be rectifying the superannuation underpayments and notifying the Australian Taxation Office by 7 September 2020.
6. On 9 November 2020 and 12 February 2021, Politix (via its parent company in the CRG) notified the FWO that:
  - (a) in around November 2019, the CRG commenced an audit (the **Existing Audit**) to ensure the accuracy of payroll processing outcomes. The Existing Audit examined the compliance of members of CRG with the instruments, including the 2010 Award, the accuracy of salaried arrangements for store employees and superannuation payments across the CRG.

- (b) the Existing Audit had identified:
    - (i) instances where Politix failed to provide sufficient breaks between work periods in relation to employees of Politix resulting in unpaid overtime entitlements where employees resumed work without a sufficient break (**Shift Break Issue**);
    - (ii) other instances where Politix failed to correctly apply the 2010 Award to employees of Politix (**Other Compliance Issues**);
    - (iii) failures to pay correct superannuation amounts to employees of Politix due to the above items and incorrect pay code set up (**Superannuation Issue**);
  - (c) the issues identified by the Existing Audit relating to Politix had occurred across the following time periods, with the earliest starting on 7 November 2016, and the last issue being addressed on 19 September 2020:
    - (i) the Shift Break Issue — 7 November 2016 to 19 September 2020;
    - (ii) the Other Compliance Issues — 7 November 2016 to 19 September 2020;
    - (iii) the Superannuation Issue — 1 April 2017 to 30 June 2020.
7. On 8 September 2021, following discussions with the FWO regarding calculation methods in the 2010 Award, Politix (via its parent company in the CRG) agreed to re-calculate the underpayments arising from the Shift Break Issue (**Shift Break Issue Calculations**). Politix (via its parent company in the CRG) notified the FWO that they had re-calculated the underpayments arising from the Shift Break Issue concluding that 61 employees had been underpaid a total of \$8,875.43, including superannuation.
8. On 15 February 2022, Politix (via its parent company in the CRG) notified the FWO that Politix had completed the payroll review with associated superannuation calculations (incorporating the Shift Break Issue Calculations), and reviewed the Superannuation Issue, which had identified:
- (a) \$2 million in underpayments to employees of Politix;
  - (b) \$43,000 in total in underpayments of superannuation to employees of Politix;
- The majority of these underpayments have been remediated at the Commencement Date, with approximately \$66,000 outstanding to former employees yet to be located.

***Conduct admitted and remediation actions already taken by Politix***

9. Prior to the execution of this Undertaking, Politix notified the FWO that it had:

- (a) calculated the amount of the underpayment to each employee listed in Column A & Column B of Part 1 of Schedule A to this Undertaking (**Affected Employees**) to be the amount listed in Column C (**Underpayments**);
- (b) calculated the amount of superannuation on the underpayment amount (including interest on that superannuation payment) payable to each Affected Employee to be the amount listed in Column E of Part 1 of Schedule A to this Undertaking (**Superannuation Underpayments**), and paid that amount to the employee's nominated superannuation fund;
- (c) calculated an amount of interest on each Underpayment, calculated using the relevant Reserve Bank of Australia cash rate for the period the underpayment related to, plus an additional 6% on a compounding basis, to be the amount listed in Column D of Part 1 of Schedule A to this Undertaking (**Interest**);
- (d) made payments of the amounts referred to in Columns C and D to each of the Affected Employees who are marked with a 'yes' in Column F of Part 1 of Schedule A to this Undertaking; and
- (e) made standalone superannuation payments (with interest) of the amounts referred to in column C of Part 2 of Schedule A to the employees listed in columns A & B of Part 2 of Schedule A.

## ADMISSIONS

10. The FWO has a reasonable belief, and Politix admits, that Politix contravened section 45 of the FW Act:
  - (a) between 7 November 2016 and 19 September 2020 in relation to each Affected Employee with an Underpayment listed in Part 1 of Schedule A to this Undertaking, by contravening clause 31.2 of the 2010 Award by failing to pay those employees at double the rate they would otherwise be entitled to after they recommenced work without a 12-hour break between shifts; and
  - (b) between 7 November 2016 and 19 September 2020 in relation to each Affected Employee with an Underpayment listed in Part 1 of Schedule A to this Undertaking, by contravening clause 29.2 of the 2010 Award by failing to pay those employees overtime rates in accordance with that clause, for all hours worked outside the roster conditions prescribed by clauses 27.2(c), 28.5, 28.11, 28.12 and 28.13; and

- (c) between 1 April 2017 and 30 June 2020, in relation to each Affected Employee with a Superannuation Underpayment listed in Part 2 of Schedule A to this Undertaking, by contravening clause 22.2 of the 2010 Award by failing to make such superannuation contributions to a superannuation fund for the benefit of those employees to avoid the imposition of the superannuation guarantee charge.

11. The contraventions identified in clause 10 of this Undertaking do not include:

- (a) any contraventions which relate to or arise as a consequence of Politix failing to correctly apply the 2010 Award to any employee not listed in Schedule A to this Undertaking (**Non-schedule Employees**) or Politix failing to correctly apply the 2010 Award to the Affected Employees in any way but as set out in clause 10 above and in Schedule A to this Undertaking. For the avoidance of doubt this Undertaking is not given in respect of any Non-schedule Employees who were underpaid as a result of Politix failing to correctly apply the 2010 Award and the FWO's acceptance of this Undertaking is not based on any reasonable belief about the existence of any contravention because of any such underpayment; or
- (b) any contraventions which have not yet occurred at the date that this Undertaking is offered by Politix (whether or not those contraventions are identified in the Independent Audits described at clause below). For the avoidance of doubt this Undertaking is not given in respect of any contravention which has not occurred on the date which it is offered by Politix and the FWO's acceptance of this Undertaking is not based on any reasonable belief about the existence of any such contravention; or
- (c) any contraventions of the 2010 Award by Politix which occurred outside of the relevant time periods referred to in clause 10.

## **UNDERTAKINGS**

12. Politix will take the actions set out at clauses 13 to 59 below.

### **Rectification of underpayments**

- 13. By 5 April 2023, Politix will provide to the FWO evidence of the payments made by Politix to rectify the Underpayments, Interest and Superannuation Underpayments prior to the Commencement Date.
- 14. Politix confirms that it has made reasonable attempts to make payments to former employees marked 'No' in schedule A and by 11 April 2023, Politix will pay any Underpayments owing to those Affected Employees (excluding superannuation and

interest) to the Commonwealth of Australia in accordance with section 559 of the FW Act. Politix will complete the required documents supplied by the FWO for this purpose.

15. In the event that the FWO is able to locate and contact any former Affected Employees to whom amounts are owed, the FWO will (in addition to its obligations under section 559 of the FW Act) notify Politix in writing of the name and contact details of the former Affected Employee. Within 14 days of receiving any such notice Politix will pay the former Affected Employee interest on the amount already paid by Politix to the Commonwealth of Australia in respect of that employee, calculated for each financial year from the date that the employee first became entitled to that amount until the date on which that amount is paid to the Commonwealth, using the relevant RBA cash rate for each financial year.

#### **New systems and processes**

16. By 11 April 2023, Politix will provide to the FWO information about the new systems and processes that have been put in place to ensure compliance with its obligations under the FW Act and relevant industrial instruments. If the FWO provides written notice that it requires reasonable additional information, Politix must provide that additional information within 30 days of that written notice.
17. Within 120 days of receiving the information referred to in clause 16 (including any additional information requested), the FWO may give one or more written notices to Politix requesting additional measures that Politix should consider implementing to ensure compliance with its obligations under the FW Act.
18. If the FWO gives Politix a written notice under clause 17, Politix must, subject to clause 19, within 60 days of receiving the notice:
  - (a) use reasonable endeavours to implement any reasonable additional measure identified in the notice; and
  - (b) provide evidence to the FWO that it has implemented the additional measure.
19. If Politix disputes that an additional measure, or the timeframe for implementation identified in a notice under clause 17 is reasonable or necessary to ensure compliance with the FW Act, it must:
  - (a) notify the FWO of this position as soon as reasonably practicable; and

- (b) take all reasonable steps necessary to reach agreement with the FWO on additional measures necessary to ensure Politix's compliance with the FW Act, and the timeframe to implement those measures; and
  - (c) implement any measures agreed with the FWO, and provide evidence that it has done so, within the timeframe agreed.
- 20. When providing the information or evidence under clauses 16 or 18, Politix will state in writing that they do so without qualification and without seeking to place any limitation on how the FWO may use the information or evidence in the lawful performance of its statutory functions and powers. Politix will not assert, or seek to assert, any limitation on how the FWO may use or rely on the information or evidence in the lawful performance of its statutory functions and powers.

#### **Letter of Assurance**

- 21. By 11 April 2023, Politix will provide to the FWO a Letter of Assurance signed by the Chief Finance Officer of Politix in the terms as set out at Attachment A.
- 22. The FWO will accept the Letter of Assurance and information about the new systems and processes (referred to in clause 16).

#### **Independent Audits**

- 23. Politix must, at its cost, engage an appropriately qualified, experienced, external and independent accounting professional or an employment law specialist (**Independent Auditor**) to conduct two audits (the **Audits**) of its compliance with the FW Act and the *Fair Work Regulations 2009* (Cth), in relation to the current applicable Instruments, and any replacement instruments (**Relevant Instruments**). The Relevant Instruments includes the *General Retail Award 2020* (**2020 Award**), which has replaced the 2010 Award.
- 24. Politix will notify the FWO of its proposed Independent Auditor by no later than 11 April 2023. The FWO may in its sole discretion approve the Independent Auditor in writing or otherwise require Politix to propose other Independent Auditors until the FWO has approved in writing an Independent Auditor. The Independent Auditor must be approved by the FWO in writing prior to being engaged by Politix.
- 25. Politix must ensure that each of the Audits conducted by the Independent Auditor includes:
  - (a) an assessment of 10 per cent of the employees of Politix to whom the 2020 Award applies, across a range of classifications, locations and employment types (full

time, part time and casual employment), during the relevant pre-audit period (**Sampled Employees**) in respect of their employment by Politix;

- (b) an assessment of whether the Sampled Employees have been correctly classified by Politix;
- (c) an assessment of whether the pay and conditions of the Sampled Employees during the relevant audit period is in compliance with the FW Act and the 2020 Award;
- (d) direct contact with 15 Sample Employees for each Audit by way of site visits or remote conversations covering at least three different sites;
- (e) the production of a written report on each of the Audits setting out the Independent Auditor's findings, and the facts and circumstances surrounding them, to the FWO;
- (f) that each of the written reports referred to in (e) above contains the following declarations from the Independent Auditor:
  - (i) the Independent Auditor has no actual, potential or perceived conflict of interest in providing the report to the FWO;
  - (ii) notwithstanding that the Independent Auditor is retained by Politix, the Independent Auditor undertakes that it has acted independently, impartially, objectively and without influence from Politix in preparing the report;
  - (iii) the report is provided in accordance with applicable professional standards (which will be listed in the report); and
  - (iv) the report is provided to the FWO for its benefit and the FWO can rely on the report.

#### The First Audit

- 26. Politix must ensure the Independent Auditor commences the first of the Audits by no later than 25 May 2023. (**First Audit**).
- 27. For the First Audit, the relevant pre-audit period to assess Sampled Employees is 31 March 2022 to 31 March 2023.
- 28. The relevant audit period for the First Audit must be at least two full consecutive pay periods falling within the period 1 April 2023 to 31 May 2023.
- 29. By 5 May 2023, Politix will provide for the FWO's approval, details of the methodology to be used by the Independent Auditor to conduct the First Audit.

30. Politix will use reasonable endeavours to ensure the Independent Auditor provides a draft written report of the First Audit directly to the FWO by 24 August 2023, setting out the draft First Audit findings, and the facts and circumstances supporting the First Audit findings. Politix will ensure the Independent Auditor does not provide the draft written report, or a copy of the same, to Politix, or to any other member of the CRG, without the FWO's approval.
31. Politix will use reasonable endeavours to ensure the Independent Auditor finalises the First Audit and provides a written report of the First Audit (**First Audit Report**) directly to the FWO within 30 days of FWO providing any comments on the draft report to the Independent Auditor. Politix will ensure the Independent Auditor does not provide the First Audit Report, or a copy of the same, to Politix, or to any other member of the CRG, without the FWO's approval.
32. Following the First Audit, the FWO will meet with (or authorise the Independent Auditor to meet with) Politix within 30 days of receipt of the report to discuss any findings of the Independent Auditor to enable Politix to act on any findings in a timeous manner.

#### The Second Audit

33. Politix must ensure the Independent Auditor commences the second of the Audits by no later than 26 April 2024. (**Second Audit**).
34. For the Second Audit, the relevant pre-audit period to assess Sampled Employees is 31 March 2023 to 31 March 2024
35. The relevant audit period for the Second Audit must be at least two full pay periods falling within the period 3 April 2024 to 31 May 2024
36. By 29 March 2024, Politix will provide for the FWO's approval, details of the methodology to be used by the Independent Auditor to conduct the Second Audit.
37. Politix will use reasonable endeavours to ensure the Independent Auditor provides a draft written report of the Second Audit directly to the FWO by 23 August 2024, setting out the draft Second Audit findings, and the facts and circumstances supporting the Second Audit findings. Politix will ensure the Independent Auditor does not provide the draft written report, or a copy of the same, to Politix, or to any other member of the CRG, without the FWO's approval.
38. Politix will use reasonable endeavours to ensure the Independent Auditor finalises the Second Audit and provides a written report of the Second Audit (**Second Audit**

**Report)** directly to the FWO within 30 days of FWO providing any comments on the draft report to the Independent Auditor. Politix will ensure the Independent Auditor does not provide the written report, or a copy of the same, to Politix, or to any other member of the CRG, without the FWO's approval.

39. Following the Second Audit, the FWO will meet with (or authorise the Independent Auditor to meet with) Politix within 30 days of receipt of the report to discuss any findings of the Independent Auditor to enable Politix to act on any findings in a timeous manner.

#### **Outcome of Audits**

40. The FWO will provide the First Audit Report and the Second Audit Report to Politix within 30 days of receiving the final report from the Independent Auditor.
41. If any of the Audits identify underpayments to one or more current or former employees of Politix, Politix will conduct a reconciliation of the amounts paid to those employees during the relevant pre-audit period and will rectify any underpayments that are identified. The reconciliation period for each identified employee will be from the start of the relevant pre-audit period to the end of the relevant audit period.
42. Politix will provide to the FWO evidence of such rectification within 30 days of receiving a copy of the relevant Audit Report from the FWO.
43. If any employees identified in the Audits as having underpayments owing to them cannot be located within 60 days of the reconciliation being completed, Politix will pay those amounts to the Commonwealth of Australia (through the FWO) in accordance with section 559 of the FW Act. Politix will complete the required documents supplied by the FWO for this purpose.
44. If any of the Audits identify an underpayment of minimum entitlements to one or more employees of Politix, and the FWO reasonably believes that employees not included in the Audits are also likely to have been underpaid, subject to the FWO's determination of the level of materiality, the FWO may require Politix to conduct their own audit or engage an accounting professional or an employment law specialist approved by the FWO to conduct a further audit of all potentially affected employees to whom the 2020 Award applies (or a particular cohort of employees within this group), as determined by the FWO in consultation with Politix (**Additional Audit**).
45. Any Additional Audit must be paid for by Politix.

46. If requested by the FWO, Politix will provide the FWO with all records and documents used to conduct any or all of the Audits (including any Additional Audit), within 20 days of such a request.

#### **Employee Hotline**

47. Politix confirms that it has in place an independent hotline available to all employees, currently managed by Deloitte. Politix will:
- (a) ensure the Employee Hotline remains operational for a period of 6 months from the Commencement Date;
  - (b) ensure that the telephone number and email address are included on a communication to employees to whom the Instruments apply as contained in the Public Notices (see clauses 49 to 51), the Website Notices (see clauses 52 to 54) and Attachment B – Communication to Employees;
  - (c) take steps to respond to each telephone and email enquiry and seek to resolve any issues within 30 days and notify the FWO of any issues that are not resolved within 60 days; and
  - (d) provide a de-identified list of enquiries related to the Undertaking received by the Employee Hotline to the FWO every three months from the Commencement Date.

#### **Notices – Internal and External**

##### Media Release

48. Upon acceptance of the Undertaking, the FWO will publish a media release on its website in respect of this Undertaking.

##### Public Notice

49. Within 28 days of, but not prior to, the FWO publishing a media release on its website in respect of the Undertaking Politix will place a notice in weekend editions of the *Australian Financial Review* and *The Australian* (**Public Notice**).
50. The Public Notice must:
- (a) bear the name and logo of Politix;
  - (b) appear within the first 5 pages of the *Australian Financial Review* and *The Australian*;
  - (c) be at least 10 cm x 8 cm; and
  - (d) contain wording in the form of Attachment C.

51. Politix will inform the FWO when the Public Notices will be published and provide a copy to the FWO within 10 days of their publication.

#### Website Notice

52. Within 30 days of, but not prior to, the FWO publishing a media release on its website in respect of the Undertaking, Politix will place a notice on its website, accessible through a hyperlink on the front page of [www.politix.com.au](http://www.politix.com.au) (**Website Notice**).
53. The Website Notice must:
- (a) be in the form of the Website Notice set out at Attachment C;
  - (b) be displayed in at least size 10 font; and
  - (c) remain on the website for a period of 1 month.
54. Within 10 days of a Website Notice on being placed on Politix's website, Politix will provide to the FWO evidence of its placement.

#### **Contribution Payment**

55. Within 15 days of the Commencement Date, Politix will make a contribution payment of \$160,000 for the Underpayments to the Consolidated Revenue Fund.
56. Politix will provide evidence to the FWO of the contribution payment within 15 days of making payment to the Consolidated Revenue Fund.

#### **No Inconsistent Statements**

57. Politix must use its best endeavours to ensure that its officers, employees or agents do not, make any statement or otherwise imply, either orally or in writing, anything that is inconsistent with admissions or acknowledgements contained in this Undertaking.

#### **Extension of times for completion**

58. Politix may request of the FWO an extension on a time specified for completion of an obligation under this Undertaking. Politix will provide information setting out the basis for such a request and make the request for extension of time at least 10 days prior to the time that Politix is required to complete the action as set out in this Undertaking, or such shorter period agreed in writing between Politix and the FWO. The FWO will not unreasonably withhold agreement on a request for an extension of time.
59. Where a time specified for undertaking an obligation under this Undertaking is contingent on or follows from the time specified for the completion of another obligation under this Undertaking, and that time for completion has been extended by the FWO,

the time specified for completion of the later obligation is correspondingly extended by the same period.

## ACKNOWLEDGEMENTS

60. Politix acknowledges that:

- (a) the FWO may:
  - (i) make this Undertaking (including any of the Attachments) available for public inspection, including by posting it on the FWO internet site at [www.fairwork.gov.au](http://www.fairwork.gov.au);
  - (ii) release a copy of this Undertaking (including any of the Attachments) pursuant to any relevant request under the *Freedom of Information Act 1982* (Cth);
  - (iii) issue a media release in relation to this Undertaking;
  - (iv) from time to time, publicly refer to the Undertaking (and any of the Attachments hereto) and its terms; and
  - (v) rely upon the admissions made by Politix set out in clause 10 in respect of decisions taken regarding enforcement action in the event that Politix are found to have failed to comply with its workplace relations obligations in the future, including but not limited to any failure Politix to comply with its obligations under this Undertaking;
- (b) consistent with the Note to section 715(4) of the FW Act, this Undertaking in no way derogates from the rights and remedies available to any other person arising from the conduct and admitted contraventions set out herein;
- (c) consistent with section 715(3) of the FW Act, Politix may withdraw from or vary this Undertaking at any time, but only with the consent of the FWO; and
- (d) if Politix contravenes any of the terms of this Undertaking:
  - (i) the FWO may apply to any of the Courts set out in section 715(6) of the FW Act, for orders under section 715(7) of the FW Act; and
  - (ii) this Undertaking may be provided to the Court as evidence of the admissions made by Politix in clauses 10 and also in respect of the question of costs.

**Executed as an undertaking**

EXECUTED by Politix in accordance with section 127(1) of the *Corporations Act 2001*:

  
(Signature of director)

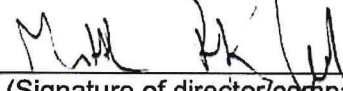
ROSETTA D'AMICO  
(Name of director)

20/2/23  
(Date)

in the presence of:

  
(Signature of witness)

Elise Simpson  
(Name of witness)

  
(Signature of director/company secretary)

MATTHEW FITZGERALD  
(Name of director/company secretary)


21/02/2023  
(Date)

in the presence of:

(Signature of witness)

(Name of witness)

ACCEPTED by the FAIR WORK OMBUDSMAN pursuant to section 715(2) of the *Fair Work Act 2009* on:

  
Mark Scully, Deputy Fair Work  
Ombudsman – Compliance and  
Enforcement

Delegate for the FAIR WORK  
OMBUDSMAN

in the presence of:

  
(Signature of witness)

23/2/23  
(Date)

Caroline Braithwaite  
(Name of Witness)

**SCHEDULE A – Politix Employees**

**Part 1 – Wages**

**Part 2 – Standalone Superannuation**

## Attachment A – Letter of Assurance

Sandra Parker  
The Fair Work Ombudsman  
Fair Work Ombudsman  
GPO Box 9987  
MELBOURNE VIC 3001

Dear Sandra

I am writing on behalf of Cicero Clothing Pty Ltd (**Politix**) in my capacity as the Chief Financial Officer of Politix. This letter follows a process where Politix self-reported that:

- it had identified instances of non-compliance with the *General Retail Industry Award 2010 (Award)* by Politix; and
- these instances of non-compliance had resulted in underpayments of approximately \$2 million in underpayments and \$43,000 in superannuation underpayments to employees of Politix.

We write to provide the Fair Work Ombudsman with our assurance that I am satisfied that:

- a. the process by which Politix calculated the underpayments of wages and superannuation to its current and former employees was correctly undertaken. In its review, Politix engaged the services of an external legal firm and audit firm; and
- b. that Politix is compliant with the *Fair Work Act 2009* as it relates to the 2020 GRIA Award; and
- c. as of [date] all former and current employees impacted by the underpayments, apart from those who have not been able to be located by Politix, have been paid their entitlements (plus interest) under the Award by Politix; and
- d. Politix has implemented changes to its systems and processes as a result of the findings of the third party review set out in (a) and continues to implement systems and processes to ensure compliance with the *Fair Work Act 2009* (Cth) as it relates to the 2020 Award.

Sincerely

< Signature block of the CFO >

## Attachment B – Communication to employees

Dear <insert name >

As you may be aware, Cicero Clothing Pty Ltd (trading as Politix) (**Politix**) has admitted to the Fair Work Ombudsman (**FWO**) that it contravened the *Fair Work Act 2009* (Cth) in relation to entitlements payable to Employees under the *General Retail Industry Award 2010* (**Award**). Politix:

- failed to pay employees double the rate they would otherwise be entitled to after they recommenced work without being provided with a 12-hour break between shifts between 7 November 2016 and 19 September 2020; and
- failed to comply with obligations regarding overtime rates where employees worked outside the roster conditions prescribed in clauses 27 and 28 of the Award between 7 November 2016 and 19 September 2020; and
- failed to make sufficient superannuation contributions to employees' superannuation funds between 1 April 2017 and 30 June 2020.

Politix has entered into a formal enforceable undertaking with the FWO setting out these admissions and the steps Politix will take to address these contraventions and avoid future contraventions.

Politix understands that you may have questions and concerns relating to this and other employment issues. To address these concerns a hotline is in place for all employees to access. The hotline is being operated by Deloitte, an independent party that can assist you with your enquiries. Deloitte can be contacted on 1800 504 994 and, if required, on a confidential basis.

Should you wish to discuss your concerns directly with Politix you can contact [peopleassist@countryroadgroup.com.au](mailto:peopleassist@countryroadgroup.com.au). We will make every attempt to resolve your enquiry within 30 days of receiving it and commit to maintaining open communication with you about the progress of your enquiry.

Alternatively, anyone can contact the FWO via [www.fairwork.gov.au](http://www.fairwork.gov.au) or on 13 13 94.

Politix expresses its sincere regret and apologises to you for failing to comply with our lawful obligations.

Yours sincerely

<Politix>

### **Attachment C – Form of Public and Website Notice**

In August 2020, Cicero Clothing Pty Ltd, trading as Politix (**Politix**) undertook an audit of its payroll processes and systems and as a result Politix determined that it had contravened the *Fair Work Act 2009* (Cth) in relation to entitlements payable to employees.

The errors identified in the review process relate to configuration and integration errors within our payroll systems and, in some instances, have led to the underpayment of wages and superannuation entitlements with varying impacts for individual team members across our business.

Additionally, as part of the review process in September 2020, Politix voluntarily disclosed to the Fair Work Ombudsman (FWO).

Politix has personally notified its current and former employees impacted, with a letter outlining payments owed and what these payments relate to. Politix unreservedly apologises for the contraventions.

Politix has now entered into an Enforceable Undertaking with the FWO to ensure its ongoing compliance with Commonwealth workplace laws.

Politix will, as a result of the Enforceable Undertaking, commit to undertake a number of activities to ensure its ongoing compliance such as conducting two independent audits.

If you worked for Politix and have queries or questions relating to your employment, please contact either:

- the hotline being operated by independent third-party Deloitte on 1800 504 994. This hotline can be contacted on a confidential basis or
- Politix directly through our non-confidential enquiry line on [PeopleAssist@countryroadgroup.com.au](mailto:PeopleAssist@countryroadgroup.com.au)

Alternatively, anyone can contact the FWO via [www.fairwork.gov.au](http://www.fairwork.gov.au) or on 13 13 94.