

ENFORCEABLE UNDERTAKING

This undertaking is **given** by The University of Queensland and **accepted** by the Fair Work Ombudsman pursuant to section 715 of the *Fair Work Act 2009*.

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 the University of Queensland (ABN 63 942 912 684) (**UQ**).

COMMENCEMENT OF ENFORCEABLE UNDERTAKING

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

BACKGROUND

3. UQ is a public university, with its operations governed by the *University of Queensland Act 1998* (Qld). The governing body of UQ is the Senate, composed of 22 members from the University and community. UQ has five faculties and three institutes through which its core academic and research activities are delivered. According to UQ's 2025 Annual Report, as at 27 February 2026, UQ employed a total of 7,749 fixed term and continuing Full Time Equivalent (**FTE**) staff, representing 3,109 academic and 4,640 professional positions. In addition, the University engaged an average casual workforce of 8,594 staff, representing 932 FTE casual positions. In 2025 the University's annual payroll spend was \$1.060 billion.
4. UQ is a registered charity under the *Australian Charities and Not-for-Profits Commission Act 2012* (Cth) and is a higher education provider subject to the governance and accountability obligations under the *Higher Education Support Act 2003* (Cth), the *Tertiary Education Quality and Standards Agency Act 2011* (Cth), and the *Higher Education Standards Framework (Threshold Standards) 2021* (Cth) (collectively, **Governance Obligations**).
5. On 18 October 2021, UQ wrote to the FWO advising that it was commencing an external review into wage compliance to ensure that it was applying its enterprise agreement correctly.
6. On 21 December 2021, UQ advised it was also undertaking a review focussed on

confirming the methodology used to calculate the casual rate of pay for casual employees which was known as the Casual Payroll Data Review (the **Data Review**).

7. In subsequent correspondence UQ advised the FWO of the scope of the external review into the following matters known as:
 - a. the Casual Academic Review;
 - b. the Casual Professionals Review; and
 - c. the Part-time Employees Review,
(collectively, the **External Review**).
8. On 11 April 2025, UQ wrote to the FWO advising that it was conducting a review in relation to casual employees covered by *The University of Queensland Enterprise Agreement 2021 – 2026* (**2021 Agreement**) between 25 January 2024 and 12 July 2024 (**2024 Review**).
9. The 2024 Review was intended to determine whether there were any underpayments related to the issues identified in the Casual Academic Review and the Casual Professionals Review to be rectified following the commencement of the 2021 Agreement on 25 January 2024 and prior to implementation of remedial actions.
10. UQ has since undertaken:
 - a. the Data Review of its compliance with *The University of Queensland Enterprise Agreement 2014 – 2017* (**2014 Agreement**) and *The University of Queensland Enterprise Agreement 2018 – 2021* (**2018 Agreement**);
 - b. the External Review (Part-time Employees Review) of its compliance with the 2018 Agreement;
 - c. the External Review (Casual Academic Review and Casual Professionals Review) of its compliance with the 2014 Agreement and the 2018 Agreement; and
 - d. the 2024 Review of its compliance with the 2021 Agreement.
11. On 25 June 2026, UQ wrote to the FWO advising that it had also conducted a review in relation to minimum engagement periods for casual professionals who were also UQ students (**Casual Students**) during the period 12 July 2024 to 31 January 2026 (**Casual Student Review**).

Data Review

12. As a result of the Data Review, UQ has identified:
 - a. an underpayment of \$896,083.98 relating to the period 31 March 2018 to 31 January 2022 (**Primary Review Period**), affecting 8,537 Affected Employees (comprising both current and former employees);

- b. the underpayment is comprised of:
 - i. \$775,321.18 in Wage Underpayment;
 - ii. \$16,350.74 in Interest Amount;
 - iii. \$82,257.52 in Superannuation Amount; and
 - iv. \$22,154.54 in Superannuation Interest Amount; and
 - c. that the non-compliance was the result of clerical errors in entering Casual Academic pay rates which resulted in the base rate of pay for some casual employees being incorrectly applied.
13. As of 16 September 2025, in relation to the Data Review UQ has made remediation payments of:
- a. \$668,170.52, comprising \$589,390.60 in Wage Underpayment, \$4,508.51 in Interest Amount, \$61,886.01 in Superannuation Amount and \$12,385.40 in Superannuation Interest Amount to 4,636 Affected Employees currently employed with UQ; and
 - b. \$133,213.97, comprising \$114,121.10 in Wage Underpayment, \$2,872.16 in Interest Amount, \$12,117.32 in Superannuation Amount and \$4,103.39 in Superannuation Interest Amount to 1,928 Affected Employees no longer employed by UQ.
14. However, because UQ was unable to contact 1,961 Affected Staff no longer employed by UQ despite taking Reasonable Steps to do so, \$71,809.48 in Wage Underpayment has been paid into unclaimed monies in accordance with s 559 of the FW Act.

External Review – Casual Academic Review and Casual Professionals Review

15. As a result of the Casual Academic Review and Casual Professionals Review aspects of the External Review, UQ has identified:
- a. an underpayment of \$9,343,013.00 relating to the period 1 January 2017 to 31 December 2023 (**Extended Review Period**), affecting 9,735 Affected Employees (comprising both current and former employees);
 - b. the underpayment is comprised of:
 - i. \$7,862,825.01 in Wage Underpayment;
 - ii. \$345,129.78 in Interest Amount;
 - iii. \$865,024.20 in Superannuation Amount; and
 - iv. \$270,034.01 in Superannuation Interest Amount; and
 - c. that the non-compliance was the result of:
 - i. the payroll system not correctly configured to calculate minimum

- engagement periods for certain pay codes for casual staff; and
 - ii. failure to identify all relevant PhD qualifications or not being informed of achievement of new PhD qualifications.
16. As of 25 July 2025, in relation to the underpayments identified in paragraph 15, UQ has made remediation payments of:
- a. \$3,808,767.71, comprising \$3,183,386.93 in Wage Underpayment, \$167,927.07 in Interest Amount, \$355,977.07 in Superannuation Amount and \$101,476.64 in Superannuation Interest Amount to 2,939 Affected Employees currently employed by UQ; and
 - b. \$5,026,504.78, comprising \$3,978,152.71 in Wage Underpayment, \$367,627.37 in Interest Amount, \$457,507.23 in Superannuation Amount and \$223,217.47 in Superannuation Interest Amount to 4,011 Affected Employees no longer employed by UQ.
17. However, because UQ was unable to contact 2,776 Affected Staff no longer employed by UQ despite taking Reasonable Steps to do so, \$693,128.15 in Wage Underpayment has been paid into unclaimed monies in accordance with s 559 of the FW Act.

External Review - Part-Time Employees Review

18. As a result of the Part-Time Employees Review aspect of the External Review, UQ has identified:
- a. an underpayment of \$52,759.94 relating to the Primary Review Period affecting 119 Affected Employees (comprising both current and former employees);
 - b. the underpayment is comprised of:
 - i. \$35,485.46 in Wage Underpayment;
 - ii. \$6,422.21 in Interest Amount;
 - iii. \$6,032.53 in Superannuation Amount; and
 - iv. \$4,819.75 in Superannuation Interest Amount; and
 - c. that the non-compliance was the result of:
 - i. some hours worked not identified as being payable at overtime rates;
 - ii. the application of incorrect rates for some overtime hours; and
 - iii. some misunderstanding of when flexible working hours applied and when overtime entitlements were payable, making it difficult to identify when overtime was worked.
19. As of the Commencement Date, UQ has only recently completed the Part-Time Employees Review aspect of the External Review and remediation will commence shortly.

2024 Review

20. As a result of the 2024 Review, UQ has identified:
- a. an underpayment of \$530,963.83 relating to the period 25 January 2024 and 12 July 2024 (**2024 Review Period**), affecting 1,099 Affected Employees (comprising both current and former employees);
 - b. the underpayment is comprised of:
 - i. \$414,081.00 in Wage Underpayment;
 - ii. \$51,342.29 in Interest Amount;
 - iii. \$49,689.72 in Superannuation Amount; and
 - iv. \$15,850.82 in Superannuation Interest Amount; and
 - c. that the non-compliance was the result of:
 - i. Affected Employees choosing the incorrect minimum engagement period and the payroll system not being able to determine whether or not the correct period was selected; and
 - ii. the University not being informed in a timely way of achievement of new PhD qualifications by Affected Employees.
21. As of the Commencement Date, UQ has only recently completed the 2024 Review and remediation will commence shortly.

Casual Student Review

22. As a result of the Casual Student Review, UQ has identified:
- a. an underpayment of \$150,211 relating to the period 12 July 2024 to 31 January 2026 (**Casual Student Review Period**), affecting 396 Affected Employees (comprising both current and former employees);
 - b. the underpayment is comprised of:
 - i. \$124,818.68 in Wage Underpayment;
 - ii. \$7,905.72 in Interest Amount;
 - iii. \$14,978.24 in Superannuation Amount; and
 - iv. \$2,509.10 in Superannuation Interest Amount; and
 - c. that the non-compliance was the result of:
 - i. Casual Students choosing the incorrect minimum engagement period outside of UQ's main teaching weeks and the payroll system not being able to determine whether or not the correct period was selected.
23. As of the Commencement Date, UQ has only recently completed the Casual Student

Review and remediation will commence shortly.

Total Underpayment

24. In total, as a result of the Data Review, the External Review, the 2024 Review and the Casual Student Review, UQ has identified:
- a. a total underpayment of \$10,973,032.50 (**Total Underpayment**) relating to the relevant periods for the Data Review, the External Review, the 2024 Review and the Casual Student Review, affecting 16,382
 - b. Affected Employees (comprising both current and former employees); and
 - c. the Total Underpayment is comprised of:
 - i. \$9,212,531.32 in Wage Underpayment;
 - ii. \$427,150.74 in Interest Amount;
 - iii. \$1,017,982.21 in Superannuation Amount; and
 - iv. \$315,368.22 in Superannuation Interest Amount.

Total Remediation

25. As at the Commencement Date, in total UQ has made remediation payments of \$9,641,341.66 comprising \$7,871,815.94 in Wage Underpayment, \$543,910.73 in Interest Amount, \$888,252.29 in Superannuation Amount and \$337,342.69 in Superannuation Interest to 13,514 Affected Employees (comprising both current and former employees).

Record Keeping

26. For the Primary Review Period, UQ did not keep adequate records of overtime hours worked, including start and finish times for part-time employees. For the Extended Review Period, UQ did not keep adequate records of all hours worked by casual employees. This was caused by insufficient people management practices, decentralised and inconsistent timesheet processes as well as the absence of a centralised electronic system for record-keeping.

Acknowledgements

27. The FWO acknowledges the admissions, the early and open disclosures made by UQ to the FWO, and the co-operation provided by UQ as part of this process.
28. The FWO acknowledges that before executing this Undertaking, UQ has provided the FWO with correspondence detailing the outcomes of the:
- a. Data Review which covers casual rates of pay for casual employees for the Primary Review Period;

- b. Casual Academics and Casual Professionals Review aspect of the External Review which covers casual employees for the Extended Review Period;
 - c. Part-Time Employees Review aspect of the External Review which covers continuing and fixed term employees for the Primary Review Period; and
 - d. 2024 Review which covers casual academic and casual professional employees for the 2024 Review Period; and
 - e. Casual Student Review which covers minimum engagement periods for casual professionals who were also UQ students during the Casual Student Review Period.
29. The FWO also acknowledges UQ's current assurance programs and ongoing commitment to establish and implement systems and processes across the organisation to avoid any future similar contraventions occurring as detailed in, but not limited to, the undertakings in clauses 41 to 45 below. Additionally, it is acknowledged that UQ has implemented and will continue to enhance its governance framework, including through prioritising and embedding new processes to ensure future compliance with Workplace Laws, as detailed in clauses 61 to 71 below.
30. In consideration of these matters, the FWO accepts this Undertaking on the terms set out below.

ADMISSIONS

31. The FWO has a reasonable belief, and UQ admits, that during the relevant periods for the Data Review, the External Review, the 2024 Review and the Casual Student Review, UQ contravened:
- a. section 50 of the FW Act by failing to pay Affected Employees the Wage Underpayments which they were entitled to receive under the Agreements, as set out in Attachment A; and
 - b. section 535 of the FW Act by failing to make and keep the required employee records as prescribed by the *Fair Work Regulations 2009* (Cth) (**FW Regulations**).
32. The contraventions referred to in clause 31 and identified in **Attachment A** of this Undertaking do not include:
- a. any contraventions which relate to or arise as a consequence of UQ failing to correctly apply the Agreements to any employee who is not one of the Affected Employees, or because of any failure by UQ to correctly apply clauses of the Agreements to an Affected Employee that are not set out in **Attachment A**; or

- b. any contraventions which have not yet occurred at the date that this Undertaking is offered by UQ (whether or not those contraventions are identified in the independent audit(s) described at clauses 46 to 58 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 UQ 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 Agreements by UQ not addressed by this Undertaking.

UNDERTAKINGS

- 33. Upon commencement of this Undertaking, UQ will take the actions set out at clauses 34 to 90 (inclusive) below.

Schedule of Affected Employees

- 34. Within 30 days of the Commencement Date, UQ will provide to the FWO a schedule with the names of all Affected Employees and the respective individual underpayment (itemised to include the Wage Underpayment, Interest Amount, Superannuation Amount and Superannuation Interest Amount) for each Affected Employee.

Rectify Underpayments

- 35. Within 45 days of the Commencement Date, UQ will:
 - a. if it has not already done so, attempt to pay to each Affected Employee any outstanding Wage Underpayment and associated Interest Amount to that Affected Employee; and
 - b. if it has not already done so, attempt to pay to the nominated superannuation fund for each Affected Employee any outstanding Superannuation Amount and associated Superannuation Interest Amount to that Affected Employee.
- 36. Within 60 days of the Commencement Date, UQ will provide to the FWO Reasonable Evidence of all payments made to Affected Employees to rectify the Wage Underpayment, Interest Amount, Superannuation Amount and Superannuation Interest Amount in respect of those Affected Employees that UQ has been able to contact to arrange payment as at that date.
- 37. If any of the Affected Employees to whom a Wage Underpayment is owed cannot be located within 180 days of the Commencement Date, UQ will, if it has not already done so, pay the Wage Underpayments owing to those Affected Employees to the

Commonwealth of Australia (through the FWO) in accordance with section 559 of the FW Act within a further 30 days. UQ will complete the required documents supplied by the FWO for this purpose.

38. During the Term, in the event that the FWO is able to locate and contact any Affected Employees to whom the Wage Underpayments are owed, with the consent of the Affected Employee, the FWO will (in addition to its obligations under section 559 of the FW Act) notify UQ in writing of the name and contact details of the Affected Employee.
39. Within 45 days of receiving any such notice UQ will contact Affected Employees to confirm their bank, tax and superannuation account details, and where those details are provided to UQ, UQ will within a further 45 days:
 - a. pay to the Affected Employee the Interest Amount relating to their Wage Underpayment; and
 - b. pay to the Affected Employee's nominated superannuation fund the Superannuation Amount and associated Superannuation Interest Amount.

Part-time Employee Review, 2024 Review and Casual Student Review

40. If FWO requires further information and or documents relating to the Part-time Employee Review, 2024 Review and the Casual Student Review, UQ will provide the requested information and or documents within 30 days of such request.

Workplace relations systems, processes and training

System and Process improvements

41. UQ has advised the FWO that it has implemented the following systems, processes and training. Within 150 days of the Commencement Date, UQ will provide evidence to the FWO of implementation of these systems, processes and training:
 - a. a new Human Capital Management System (Workday) to integrate human resource processing and reporting;
 - b. a casual academic time system (**CAHP**);
 - c. fortnightly minimum engagement reporting undertaken by a dedicated operations Team;
 - d. centralised its process to record, recognise and accurately pay employees holding a PhD qualification;
 - e. improved communication to employees in relation to PhD qualifications;
 - f. introduced a requirement for casual academic employees to confirm their hours

- of work and duties and the ability to submit claims for additional activities through the CAHP system;
- g. implemented an online timesheet solution “MyAurion” for continuing and fixed term professional staff;
 - h. delivered information sessions and mandatory training for all employees with supervisory responsibilities outlining their obligations including in relation to the management of records, employee hours and entitlements;
 - i. established a Workforce Planning and Management Community of Practice and a Pay Practices Steering Committee; and
 - j. updated relevant websites and communication materials in relation to PhD rates of pay and prepared guidance material for schools, institutes and faculties on the proper allocation of casual academic entitlements.
42. UQ is also seeking through negotiations of its enterprise agreement with the Union to simplify the structure and language of pay-related clauses to reduce ambiguity and better enable the University to manage its payroll related compliance.
43. UQ has also advised that it is implementing a system improvement program called “MyTime@UQ” that delivered a new integration platform between Workday and its payroll system “Aurion” in September 2025 and will implement a new time and attendance management system “UKG” with the first stage due to commence from late 2026 with the second stage to commence thereafter.
44. UQ will provide the FWO with an update on the progress undertaken towards the implementation of the MyTime @ UQ Program on a six-monthly basis from the Commencement Date until the system is fully implemented.
45. Within 150 days of the Commencement date, UQ will:

Training

- a. with regard to clause 41.h.:
 - i. provide evidence to the FWO of the developed training plan / outline for training being delivered via on-line training modules, including:
 - 1. training delivered to supervisors of casual academics since mid-2024 titled “Hours of Work: Fundamentals for Engaging and Paying Casual Academics” which outlines how to identify and interpret legislative requirements for Casual Academic Employees’ hours of work, ensure accurate recording and payment of hours, understand applicable

entitlements, comply with obligations under the FW Act, and access appropriate advice or support; and

2. training for employees with supervisory responsibilities for professional staff which outlines their obligations in relation to accurately managing and maintaining records, managing employees' hours of work and entitlements such as minimum engagement periods, overtime and flexible work arrangements;
- ii. provide a schedule or list of the positions of employees who have undertaken the training and the date on which they undertook the training; and
- iii. provide details on the information provided at information sessions delivered to employees and the dates on when these sessions were delivered;

Communications

- b. with regard to clause 41.j., provide evidence to the FWO of how UQ has continued to maintain and update relevant websites, internal communication and guidance material to casual academics, their supervisors, schools and facilities to ensure there is consistent application of casual academic and professional employee entitlements.

Independent Audit

46. UQ must, at its cost, engage an appropriately qualified, experienced, external and independent accounting professional or an employment law specialist (**Independent Auditor**) to conduct an audit of UQ's compliance with the FW Act and FW Regulations in relation to the 2021 Agreement (or any replacement industrial instruments that apply) (**Compliance Audit**). The Compliance Audit will be undertaken across a different review period to the 2024 Review.
47. UQ will notify the FWO of its proposed Independent Auditor by no later than six months from the Commencement Date. UQ must advise the FWO that it has considered the following factors before proposing the Independent Auditor:
 - a. whether the Independent Auditor has adequate resources to perform the necessary work;
 - b. the Independent Auditor's qualifications, technical expertise and experience; and

- c. any actual, perceived, or potential conflicts of interest and whether the Independent Auditor has appropriate arrangements to manage those.
- 48. The FWO may in its sole discretion approve the Independent Auditor in writing or otherwise require UQ 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 before being engaged by UQ.
- 49. UQ agrees that the Compliance Audit will commence within 15 months of the Commencement Date, and UQ will notify the FWO of the date of its commencement.
- 50. The Compliance Audit:
 - a. will examine two full consecutive pay periods falling within the preceding three months of the Compliance Audit;
 - b. will assess 5% of all employees to whom the 2021 Agreement (or any replacement industrial instrument) applies, across a range of classifications, locations, schools, institutes, divisions and employment types (including full-time, part-time and casual), during the relevant audit period (**Sampled Employees**) in respect of their employment by UQ;
 - c. will assess whether the Sampled Employees have been correctly classified by UQ; and
 - d. will assess whether the pay and conditions of the Sampled Employees during the relevant audit period is in compliance with the FW Act and FW Regulations and the 2021 Agreement (or replacement industrial instrument).
- 51. UQ will use its best endeavours to ensure that the Independent Auditor:
 - a. within seven months of the Compliance Audit start date, produces a draft written report on the Compliance Audit, setting out the Independent Auditor's findings, and the facts and circumstances surrounding them and provides it directly to the FWO. UQ will be provided with a copy of the draft written report by the FWO within two working days of its receipt by FWO.
 - b. does not provide the draft written report, or a copy of the same, to UQ without FWO's approval.
 - c. receives from UQ any comments it has on the draft report within one month of receiving the draft report (with UQ providing a copy of its comments to the FWO);
 - d. within one month of the FWO and UQ providing any comments on the draft report to the Independent Auditor, finalises the Compliance Audit and provides a written report of the Compliance Audit (**Compliance Audit Report**) directly to the FWO.

UQ will be provided with a copy of the Compliance Audit Report by the FWO within two working days following FWO's receipt of it; and

e. includes in the Compliance Audit Report 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 UQ the Independent Auditor undertakes that it has acted independently, impartially, objectively and without influence from UQ 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 also provided to the FWO for its benefit and the FWO can rely on the report.

52. The Compliance Audit Report is owned by UQ and nothing in clause 51.e.iv. excludes UQ from also relying on the Compliance Audit Report.

53. If the Compliance Audit Report identifies any underpayments to any current or former employees, UQ will conduct a reconciliation of the amounts paid to those employees for the period of the audit and for the 12-month period immediately before the relevant audit period and remediate any underpayments identified. UQ will provide to the FWO evidence of any such reconciliation and remediation within 180 days of receipt of the Compliance Audit Report.

54. If any former employees identified in the Compliance Audit Report as having wage underpayments owing to them cannot be located within 180 days of UQ's receipt of the Compliance Audit Report, UQ will pay those amounts to the Commonwealth of Australia (through the FWO) in accordance with section 559 of the FW Act within a further 60 days. UQ will complete the required documents supplied by the FWO for this purpose.

55. During the Term, in the event that the FWO is able to locate and contact any former employees identified in the Compliance Audit Report to whom underpayments are owed, the FWO will (in addition to its obligations under section 559 of the FW Act) notify UQ in writing of the name and contact details of the former employee.

56. Within 30 days of receiving any such notice, UQ will contact the former employee to confirm their bank, tax and superannuation account details and where those details are provided to UQ, UQ will within a further 45 days:
- a. pay to the former employee the Interest Amount; and
 - b. pay to the former employee's nominated superannuation fund an amount equal to the Superannuation Interest Amount.
57. If the Compliance Audit Report identifies a Systemic Contravention, UQ agrees to undertake a review into whether any current or former employees not identified in the Compliance Audit would also have underpayments owing to them in the preceding 6 years in respect of the kind identified in the Compliance Audit Report, and, if so, remediate any underpayments identified. UQ will provide to the FWO evidence of any such reconciliation and remediation within 180 days of completion of the review. UQ will also undertake the remediation steps at clauses 52 to 56 as if the clauses refer to the review rather than the Compliance Audit Report.
58. If requested by the FWO, UQ will provide the FWO with all records and documents within its control used to conduct the Compliance Audit within 30 days of such a request.

Contribution Payment

59. Within 28 days of the Commencement Date or of receiving the relevant details to make the payment, whichever is the later, UQ will make a contribution payment of \$175,000 to the Consolidated Revenue Fund.
60. UQ will provide evidence to the FWO of the contribution payment within 14 days of making payment to the Consolidated Revenue Fund.

Corporate Governance

61. The Senate Risk and Audit Committee (**SRAC**), a committee of UQ's Senate, assists the Senate in discharging its risk management and internal compliance and control oversight responsibilities, including in relation to employee matters.
62. There are currently 5 Senate members on SRAC, including the Chancellor. The Vice-Chancellor is an ex-officio member. The Chair of SRAC is a member of Senate and the SRAC regularly reports to Senate.
63. UQ will embed the monitoring of UQ's compliance with Workplace Laws by undertaking

the following:

- a. ensuring that the SRAC are notified of this Undertaking and any future Systemic Contraventions of Workplace Laws identified during the Term. Any such notifications must include information on how and when the contravention has been or will be remediated;
 - b. creating a standing agenda item for SRAC meetings to discuss and address compliance with Workplace Laws and UQ's obligations pursuant to this Undertaking and, where issues are identified, any remediation action required; and
 - c. creating a standing agenda item for SRAC to discuss and address disputes arising from Step 3 of the Mechanism described in clause 75.
64. If requested by the FWO, UQ will provide to the FWO any documents held by SRAC relating to the monitoring of UQ's compliance with Workplace Laws, limited to relevant extracts of reports prepared for or copies of relevant extracts of the minutes of the SRAC.
65. UQ is required to submit annual reports (comprising an attestation by the Vice-Chancellor and index of evidence) to the Tertiary Education Quality and Standards Agency (**TEQSA**) under its Statement of Regulatory Expectations: Compliance with workplace obligations. UQ will provide to the FWO:
- a. a copy of the 2026 annual report submitted to TEQSA within 30 days of the commencement of this Undertaking;
 - b. a copy of the 2027 annual report submitted to TEQSA within 30 days of its submission; and
 - c. if TEQSA requires annual reports beyond 2027, a copy of each such report within 30 days of its submission during the Term; or, if TEQSA does not require further reports, reports addressing the same matters to be provided to the FWO in April of each year during the Term.

Staff Consultation – Worker Voice

66. Clause 18 of the 2021 Agreement makes provision for the Academic Staff Consultative Committee and the Professional Staff Consultative Committee (collectively **the Committees**) which provide a key mechanism for communication and consultation between employees, union parties and UQ on workplace relations and human resources matters.
67. Within 30 days of the Commencement Date, UQ will provide to the FWO details of the

composition of the Committees including the name and position of each Committee member.

68. Where the Committees' composition does not meet that which is set out within the 2021 Agreement, UQ must within 90 days of the commencement of this Undertaking take all reasonable steps to ensure that this is remedied.
69. For the Term, UQ will do all things necessary to enable the Committees to convene at least three times per year. Proceedings of the Committees' meetings shall not be confidential.
70. The Committee meetings will be conducted in accordance with clause 18 of the 2021 Agreement.
71. UQ will, as they arise, inform the Committees of any underpayments identified resulting from a Systemic Contravention, details of remediation actions and proposed changes to UQ systems or processes.

Complaints and Review Mechanism

72. UQ currently has in place a mechanism for receiving and reviewing complaints for all employees called "Ask HR".
73. UQ, for the Term, is to ensure that "Ask HR" facilitates the receipt and review of complaints from Affected Employees by both phone and email who do not believe that they have received their correct entitlements owing to them from the Reviews (**Mechanism**).
74. The Mechanism will be available to all Affected Employees.
75. The Mechanism will include:
 - a. an enquiry stage where more information can be provided to Affected Employees so they can understand the information provided to them and ask questions (Step 1);
 - b. where the enquiry is not resolved through the enquiry stage, an initial informal complaint resolution process (Step 2); and
 - c. where an issue is not resolved through the initial informal complaint resolution process, a dispute process. The dispute process will, to the extent practicable, require a decision to be made within 60 days of the dispute process commencing (Step 3).
76. UQ will promote the Mechanism to Affected Employees when UQ notifies the Affected Employees of an underpayment affecting them.

77. UQ will issue guidance to all decision makers under the Mechanism detailing UQ's approach to assumptions and expectations when resolving complaints or disputes.
78. Where:
- a. there is a lack of records to determine an employee's entitlements (excluding where the employee has not submitted timesheets or provided to UQ other relevant information regarding work performed); or
 - b. an ambiguity as to the interpretation of the Agreements and a lack of clear policy as to the interpretation to be applied; and
 - c. external advice on the interpretation of the Agreements and entitlements, if required, does not resolve any ambiguity or uncertainty,
- UQ will, where reasonably practicable, apply employee-favourable assumptions to resolve any ambiguity or uncertainty.
79. UQ will report to the FWO all instances of disputes handled in Step 3 (but, for clarity, not matters handled and resolved in Step 1 and Step 2) arising from the Mechanism on a six-monthly basis, including the outcomes of these disputes. This report can be in the form of a list which does not identify the individual employees.
80. UQ will establish and maintain centralised oversight of any complaint arising from the Mechanism to ensure consistent management and outcomes.
81. Where appropriate, the FWO will notify UQ within 14 days of any request for assistance from Affected Employees being received by the FWO where the FWO identifies that the Mechanism has not first been applied.
82. Within 90 days of receipt of the notification referred to in clause 81, UQ will, to the extent practicable, report the outcome of the dispute to the FWO. UQ will also provide, if requested and within a reasonable period specified by the FWO, Reasonable Evidence relied upon to satisfy itself that UQ met its obligations with respect to those Affected Employees.
83. UQ undertakes to cooperate fully in relation to any request for assistance received by the FWO in relation to an Affected Employee where the Affected Employee does not consider the complaint has been addressed through the application of the Mechanism.

Notification to Affected Employees

84. Within 28 days of, but not before, the FWO publishing a media release on its website in respect of the Undertaking, UQ will place a notice on the home page of its intranet in the

form of **Attachment B (Intranet Notice)**.

85. UQ must ensure the Intranet Notice remains on the home page of its intranet site for a period of 28 continuous days.
86. Within 28 days of the FWO publishing a media release on its website in respect of this Undertaking, UQ will send an email to the last known email address of all Affected Employees no longer employed by UQ (or for those in respect of whom UQ does not have an email address, by mail to their last known postal address), notifying them of the existence and commencement of this Undertaking, in the terms set out in **Attachment C (Email Notice)**.
87. If requested by the FWO, UQ will, within 14 days, provide Reasonable Evidence of its compliance with clauses 84 - 86.

Extensions of Time

88. UQ may request of the FWO an extension on a time specified for completion of any obligation under this Undertaking. The FWO will not unreasonably withhold agreement on a request for an extension of time.
89. 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.

No Inconsistent Statements

90. UQ must not, and 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. For the avoidance of doubt however, UQ will not be responsible for any comments made by any of its employees, and/or agents who are not aware of UQ's obligations under this Undertaking.

ACKNOWLEDGEMENTS

91. UQ acknowledges that:

- a. the FWO may:
 - i. make this Undertaking available on the FWO internet site at www.fairwork.gov.au;
 - ii. release a copy of this Undertaking 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 its terms; and
 - v. rely upon the admissions made by UQ set out in clause 31 above in respect of decisions taken regarding enforcement action in the event that UQ is found to have failed to comply with its workplace relations obligations in the future, including but not limited to any failure by UQ 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 set out herein;
- c. consistent with section 715(3) of the FW Act, UQ may withdraw from or vary this Undertaking at any time, but only with the consent of the FWO; and
- d. if UQ 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 UQ in clause 31 above, and also in respect of the question of costs.

DICTIONARY

Unless the contrary intention appears, words in the singular include the plural, and other than terms defined, have their ordinary natural meaning.

The following defined terms are adopted in this Undertaking:

- **Affected Employees** means current and former employees who were affected by underpayments identified as a result of the Data Review, the External Review, the 2024 Review or the Casual Student Review.
- **Agreement/s** means the 2014 Agreement, 2018 Agreement and the 2021 Agreement as set out in this Undertaking.
- **Interest Amount** means interest in relation to the Wage Underpayment calculated based on the Reserve Bank of Australia average annual Cash Rate Target, increased for each financial year.
- **Reasonable Evidence** means such evidence as the FWO may reasonably require, and which could reasonably be expected to satisfy a court of:
 - a. the truth of any fact asserted by UQ or by any of its servants or agents; and/or
 - b. the accuracy and correctness of any information provided by UQ, or by any of its servants or agents; and/or
 - c. compliance by UQ with any term of this Undertaking.
- **Reasonable Steps** will include, but are not limited to, repeated and multi-channel attempts to contact an Affected Employee through:
 - last known details from employee files including email, mobile telephone for direct calls and SMS and last known address for post; and
 - phone calls to the listed emergency contact numbers of former employees (as listed in UQ's system).
- **Superannuation Amount** means the amount of unpaid superannuation reported to the FWO as a result of the Data Review, the External Review, the 2024 Review, Casual Student Review or the Compliance Audit (whichever review is relevant in the context in which the term is used).
- **Superannuation Interest Amount** means interest in relation to the Superannuation Amount calculated using the average annual earnings across all current UniSuper superannuation funds for the same period, compounded annually.

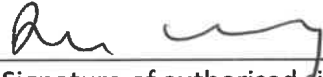
- **Systemic Contravention** means an established contravention of Workplace Laws which arises from the adoption of a practice, policy, interpretation or error by UQ and which:
 - affects employees across multiple work areas, schools or classifications; and
 - has occurred over multiple pay periods.
- **Term** means 2 years from the Commencement Date or until the last timeframe for UQ to deliver an item to the FWO in accordance with the terms of this Undertaking has passed, whichever is later.
- **Total Underpayment** means the Wage Underpayment, Interest Amount, the Superannuation Amount and the Superannuation Interest Amount from the Reviews.
- **Wage Underpayment** means wages identified as underpaid as a result of the Data Review, the External Review, the 2024 Review, Casual Student Review or the Compliance Audit (whichever review is relevant in the context in which the term is used).
- **Workplace Laws** means the FW Act, the FW Regulations, the terms of an Agreement applicable to UQ, and any replacement or other industrial instrument (i.e. enterprise agreement or modern award) that applies to UQ and/or its employees.

Executed as an undertaking

EXECUTED by an authorised person of the University of Queensland (ABN 63 942 912 684)

Professor Deborah Terry AC,
Vice-Chancellor and President

(Name and position of authorised signatory)



(Signature of authorised signatory)

in the presence of:

Sarah Thomas

(Name of witness)



(Signature of witness)

19 August 2026

(Date)

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

Michael Campbell
Group Manager Operations

(Name and role of Delegate)



(Signature of Delegate)

26 August 2026

(Date)

Delegate for the Fair Work Ombudsman

in the presence of:



(Signature of witness)

Louise Cato

(Name of Witness)

Attachment A – Schedule of Contraventions

Circumstance	Enterprise Agreement	Entitlement	Clause
Casual pay rates	2014 Agreement	Casual loading	21.5.1
		Overtime	70.7(d)
		Academic Staff Salaries	Schedule 2
		Duties and pay calculations of casual academic staff	Schedule 3
		School of Veterinary Science overtime	Schedule 9, Clause 6.6
		Customs House overtime	Schedule 10, Clause 4
		Customs House salaries and salary loadings	Schedule 10, Clause 3.1 and 3.3
	2018 Agreement	Casual loading	20.2
		Overtime	69.7(d)
		Academic Staff Salaries	Schedule 2
		Duties and pay calculations of casual academic staff	Schedule 3
		School of Veterinary Science overtime	Schedule 9, Clause 8.6
		Customs House overtime	Schedule 10, Clause 4
		Customs House salaries and salary loadings	Schedule 10, Clause 3.1 and 3.3
Minimum engagement (casual academics)	2014 Agreement	Casual loading	21.5.1
		Academic Staff Salaries	Schedule 2
		Duties and pay calculations of casual academic staff	Schedule 3
	2018 Agreement	Casual loading	20.2

Circumstance	Enterprise Agreement	Entitlement	Clause
		Academic Staff Salaries	Schedule 2
		Duties and pay calculations of casual and academic staff	Schedule 3
	2021 Agreement	Academic Staff Salaries	Schedule 3
		Duties and pay calculations of casual academic staff	Schedule 4
Casual pay rates (PhD uplift)	2014 Agreement	Duties and pay calculation of casual and academic staff	Schedule 3 (b)
	2018 Agreement	Duties and pay calculation of casual and academic staff	Schedule 3 (b)
	2021 Agreement	Duties and pay calculation of casual and academic staff	Schedule 4
Minimum engagement (casual professionals)	2014 Agreement	Casual loading	20.2
		Casual minimum hours	66.1
		Professional staff salaries	Schedule 4
	2018 Agreement	Casual loading	20.2
		Casual minimum hours	64.1 and 76.1 (TESOL)
		Professional staff salaries	Schedule 4
	2021 Agreement	Casual loading	37
		Casual minimum hours	37.1
		Professional staff salaries	Schedule 6

Circumstance	Enterprise Agreement	Entitlement	Clause
Overtime (part-time employees)	2018 Agreement	Part-time engagement / additional hours worked	15.5, 69.7 76.13 (TESOL) Schedule 8, Clause 3 (Security) Schedule 9, Clause 8 (Veterinary Science)

Circumstance	FW Act Section	FW Regulation	Requirement
Record Keeping	535(1)	3.33(2)	Make and keep records of the hours worked by casual or irregular part-time employees who are guaranteed a rate of pay set by reference to a period of time worked
	535(1)	3.34	Make and keep records of the number of hours of overtime worked by employees, and when the employee started and ceased working overtime

Attachment B – Intranet Notice

The University of Queensland (UQ) has undertaken a review of its payroll system and processes and determined that it contravened the *Fair Work Act 2009* (Cth) in respect to certain provisions of *The University of Queensland Enterprise Agreement 2014 – 2017*, *The University of Queensland Enterprise Agreement 2018 – 2021* and *The University of Queensland Enterprise Agreement 2021 – 2026*.

UQ has formally admitted to the Fair Work Ombudsman (FWO) that contraventions have occurred and consequently a number of employees had been underpaid.

UQ has now entered into an Enforceable Undertaking with the FWO to demonstrate its commitment to ongoing compliance with Commonwealth workplace laws.

UQ sincerely regrets these matters have occurred and apologises to all staff who have been affected. UQ has implemented a number of processes and systems improvements, and as a result of the Enforceable Undertaking, committed to undertake a number of further activities to minimise the risk of any further contraventions occurring in the future.

If you worked for UQ during the period of 2017 to 12 July 2024 and have queries or questions relating to your employment, please contact [Ask HR](#).

Alternatively, anyone can contact the FWO via <http://www.fairwork.gov.au> or on 13 13 94.

Attachment C – Email Notice - Notification to Affected Employees

Dear {Name of employee}

As you are aware, the University of Queensland (UQ) commenced a review of its payroll systems and processes in October 2021. The review was completed in 2026 and determined that, in some circumstances, UQ had contravened the *Fair Work Act 2009 (Cth)* in respect to certain provisions of *The University of Queensland Enterprise Agreement 2014 – 2017*, *The University of Queensland Enterprise Agreement 2018 – 2021* and *The University of Queensland Enterprise Agreement 2021 – 2026 (Agreements)*.

UQ advised the Fair Work Ombudsman (FWO) about the review and has now entered a formal enforceable undertaking with the FWO - setting out these admissions, as well as the steps UQ is taking to address these contraventions and avoid future instances.

We are writing to you because our review identified that your pay was affected. On behalf of the University, I sincerely apologise to you for failing to comply with our lawful obligations.

[Letter 1 – Staff already remediated - No further action required]

Since identifying these issues, UQ has undertaken a program of work to identify all affected staff and ensure that any outstanding entitlements are paid. We have previously written to you as part of this process, and your remediation payment has now been completed.

[Letter 2 – Former staff contacted – Payment made to FWO]

Since identifying these issues, UQ has undertaken a program of work to identify all affected staff and ensure that any outstanding entitlements are paid. We have previously written to you as part of this process to organise your remediation payment. To arrange immediate payment, please use this link to the FWO Unclaimed Monies page at www.fairwork.gov.au/how-we-will-help/helping-the-community/search-for-unpaid-wages. Here, you will be able to search the FWO's database to find any unpaid wages from UQ.

[Letter 3 - Staff previously remediated – Additional payment identified]

Since identifying these issues, UQ has undertaken a program of work to identify all affected staff and ensure that any outstanding entitlements are paid. We have previously written to you as part of this process, and your remediation payment for that stage was processed. A later stage of the work identified further payments owed. We will be writing to you again before the end of August 2026, providing specific detail of the circumstances, the payment due and the process for payment.

[Letter 4 - Staff not yet remediated – Pending notification and payment]

We will be writing to you again before the end of August 2026, providing specific detail of the circumstances, the payment due and the process.

If you have any concerns or questions, please do not hesitate to contact [Ask HR](#) via telephone at (07) 3365 2623 or via email to askhr@uq.edu.au. We will make every attempt to resolve your enquiry within 45 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 or on 13 13 94.