



## MEDIA STATEMENT

FOR IMMEDIATE RELEASE

6 May 2024

### Public statement regarding employee underpayments

Following an in-depth review into historical wage payments, the Kimberley Land Council (KLC) has identified an underpayment relating to certain current and former staff members covered by the former *Kimberley Land Council Enterprise Agreement 2014*.

Underpayments have arisen because base rates of pay for certain employees under the *Kimberley Land Council Enterprise Agreement 2014* fell below the base rate of pay as per the underlying modern award.

The KLC sincerely apologises for the error. While the KLC received external legal advice in 2018 that it was acting in compliance with its obligations, subsequent legal advice to the contrary led KLC to undertake a payroll recalculation exercise.

The payroll recalculation exercise covered the period from 1 July 2016 to 22 October 2019.

KLC CEO, Tyrone Garstone, said: "As an organisation with a strong commitment to our staff and community, we are deeply disappointed that this has occurred. Our priority is to pay the identified amounts to our current and former affected staff members in a timely manner and to ensure that this does not happen again. I offer my apologies to our staff and community."

KLC has made a voluntary disclosure of this matter to the Fair Work Ombudsman.

For more information, please refer to the KLC's website [www.klc.org.au/newsroomblog](http://www.klc.org.au/newsroomblog)

#### Key facts:

1. The total underpayment payment figure is approximately \$1.36 million (exclusive of interest and superannuation).
2. The review period was 1 July 2016 to 22 October 2019.
3. Approximately 630 former and current employees have been impacted (specific underpayment amounts payable to impacted individuals will vary depending on their specific circumstances).

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