

Did you receive a letter about CBA's Employee Entitlement Review?

Following pressure from the FSU's campaign to make CBA repay underpaid super to thousands of part-time workers, CBA carried out an Employee Entitlement Review, which led them to discover **\$53 million worth of underpayments to staff from middle management down.**

If you're one of the approximately 41,000 CBA staff who was underpaid and has received advice from the bank, sign up here so that the union can provide more detailed advice and include you in any future actions we may take:

www.bit.ly/CBAPayback

Please encourage your friends and colleagues to do the same.

Our Concerns

While it's fair that CBA have begun notifying and paying people back with interest, the FSU has some concerns:

1. How will CBA make sure that the pay for those affected doesn't fall below the legal minimum in the future?
2. If workers agree to Individual Agreements (often for higher salaries in exchange for less favourable working conditions), yet aren't meeting the legal minimums, why should they stay on them?

The union's lawyers are examining these issues, with a view to achieving the best outcome for those affected.

How could Australia's biggest bank underpay 41 000 people?

CBA say that these issues were caused by "system errors" - which is a very broad explanation. The reality is more complicated. In some cases, a "system error" is to blame. However, in most cases, the underpayments were caused by CBA's reliance on individual arrangements.

Under the CBA Enterprise Agreement, the bank must run a comparative check between the remuneration each worker was paid that year, and what they would have been paid on the minimum wage covered by their industry award. This is called the Better Off Overall Test (BOOT).

For those employed on an Individual Arrangements, the annual BOOT check compares their pay to both the Enterprise Agreement and the industry award to ensure that the IA has delivered pay and conditions better than both.