

Mosaic Pay Review - Frequently Asked Questions (FAQ's)

Introduction

Mosaic Support Services (Tas) Inc (Mosaic) has undertaken a review of historic payment practices and discovered a number of discrepancies in the payments made to our disability support workers.

We believe these discrepancies have occurred as a result of inadvertent errors in the application of certain sections of historic Enterprise Agreements (Mosaic Support Services & HACSU Enterprise Agreement 2019 (EA 2019), and the Supported Tenancy, Accommodation and Respite Tasmania Enterprise Agreement 2013 (STAR EA). The errors relate to pay elements such as sleepover and broken shifts, overtime after breaks in work and the interaction of personal leave and annual leave in the calculation of ordinary hours. Mosaic has undertaken an extensive legal review of the STAR EA, EA 2019 and the current Enterprise Agreement, Mosaic Support Services & HACSU Enterprise Agreement 2022 (EA 2022) to understand and ensure the correct interpretation and application.

Having identified these issues, Mosaic has notified the Fair Work Ombudsman and is committed to working with the Ombudsman to rectify these issues and ensure ongoing compliance. Mosaic has also disclosed the issues to its employees, the Health and Community Services Union (**HACSU**), clients and families, and other key stakeholders such as the National Disability Insurance Agency (NDIA).

Mosaic issued a media statement on 11 April 2024 which is available here:

- Current employees – please refer to Mosaic's Intranet site "[Pay Review](#)".
- Past employees – please refer to Mosaic's [Internet site](#)

Below are answers to questions that may arise. If you have additional questions that are not answered here, please direct them to PayReview@Mosaictas.org.au

Frequently Asked Questions

What is the nature of the payroll issue at Mosaic? Mosaic has identified historical under and overpayments due to misinterpretations of the STAR EA 2013 and EA 2019, which have carried forward to EA 2022.

How was this issue discovered? Mosaic has recently undertaken a review of historic payment practices covering the STAR EA 2013, EA 2019 & EA 2022.

How much money has been underpaid? The exact amount of under and over payments is currently being calculated with the assistance of external experts. We expect to have a clearer understanding once the interpretations and calculations have been fully audited.

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How many employees have been underpaid? The number of employees who have been under or over paid is still to be determined but includes both past and present employees under the STAR EA 2013, EA 2019 and EA 2022.

Who is affected by these payroll discrepancies? The issue affects Disability Support Workers employed under the STAR EA 2013, EA 2019, and EA 2022.

What about the current Enterprise Agreement? The majority of the payroll discrepancies identified are related to interpretations of Mosaic's past Enterprise Agreements, which have since expired. However, it's important to note that some clauses remained unchanged from the EA 2019 to EA 2022. As a result, we are also taking steps to address and rectify these issues in EA 2022 to ensure full compliance and accuracy moving forward.

What steps is Mosaic taking to resolve this issue? We have sought extensive legal advice, are rebuilding our payroll system, have engaged an independent accounting firm to develop tools and calculate accurate under and overpayments and have self-reported to the Fair Work Ombudsman. The process will be guided by the Fair Work Ombudsman to ensure compliance.

When can affected employees expect to receive backpay? We are still working through the calculations with external experts and are not able to advise when under and over payments will be communicated to affected employees, but we will keep employees updated on progress.

Will there be any changes to the current payroll system? Yes, we are implementing the correct EA rules to our rostering and payroll system that aligns with the correct interpretations of the current EA.

What does this mean for Mosaic's financial sustainability? While addressing these payroll issues, we are also focusing on aligning rosters with client funded supports, strategic partnerships and operational adaptations to improve our financial sustainability.

What is the Fair Work Ombudsman's role in this matter? The Fair Work Ombudsman is an independent regulator who will oversee our activities and compliance with workplace laws.

How will this impact Mosaic clients and families? Mosaic is committed to continuing our high quality services to clients and assures our clients and families that this will not impact our quality of service or client plans or funding.

What will Mosaic's approach be in regard to past employees? We will contact each employee who we identify as being impacted, including former employees. We will use the contact details that we have on record to contact former staff.