

# Iluka Resources

## Leave Entitlement Review

### FAQs

As at 30 September 2024

Question	Answer
<p><b>What has happened?</b></p>	<p>We've identified that some employees' leave has been under-accrued or incorrectly deducted.</p> <p>The reasons for this include:</p> <ul style="list-style-type: none"> <li>• Leave was incorrectly deducted from paid leave balances when rostered employees took time off work on a public holiday.</li> <li>• Salary was incorrectly deducted when rostered employees took time off work on a public holiday (where the day was incorrectly treated as unpaid leave);</li> <li>• The payroll system was accruing and calculating annual leave and long service leave in a way that did not, in all circumstances, correctly account for all rostered hours and adjust when rosters changed. This especially impacted employees who moved between shift and non-shift work or between part-time and fulltime work.</li> <li>• Leave was not accrued during periods of paid parental leave.</li> </ul> <p>The review has also confirmed that, for some of the same reasons, a small number of employees' leave balances have been over-accrued. If this applies to you, a HR rep will contact you directly.</p> <p>We sincerely apologise again for any inconvenience caused by these errors. Iluka has self-reported these issues to Australia's Fair Work Ombudsman and is keeping them updated.</p>
<p><b>How far back have you reviewed accruals and deductions?</b></p>	<p><b>Public holiday leave deductions</b></p> <p>We have reviewed leave deducted on public holidays:</p> <ul style="list-style-type: none"> <li>• From 1 January 2006 for long service leave; and</li> <li>• From 1 January 2010 for other relevant leave (including annual leave and personal leave).</li> </ul> <p>We have otherwise recalculated annual leave accruals and long service leave entitlements from all records held in SAP.</p>
<p><b>Which employees were included in the review?</b></p>	<p><b>Current employees</b></p> <p>All current employees were included.</p>

	<p><b>Former employees</b></p> <p>Former employees were included if they left Iluka after 30 June 2016.</p>
<p><b>I'm a former employee who might be impacted and I haven't been in contact with Iluka. What do I do?</b></p>	<p>We opened the Secure Employee Portal, and commenced contacting impacted former employees, in mid-June 2024. Most people have now made contact with us via the portal and the majority have been paid.</p> <p>The portal is now closed, but Iluka still wants to hear from you if you:</p> <ul style="list-style-type: none"> <li>• Have been contacted (which would have been to your last known e-mail address, mailing address or mobile phone number) but you did not respond in any way or register in the portal; or</li> <li>• You haven't received any contact and you believe you are impacted.</li> </ul> <p>To contact us, email Iluka directly at <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a>. You should make contact as soon as possible while the remediation program is still underway at Iluka.</p>
<p><b>I made contact through the Secure Employee Portal but I haven't received my payment. What happens now?</b></p>	<p>If you have completed identity verification and provided payment details, then you will be paid in the next pay run.</p> <p>If you have either:</p> <ul style="list-style-type: none"> <li>• not completed identity verification; or</li> <li>• not provided payment details,</li> </ul> <p>then you need to email Iluka directly at <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a> so the Iluka team can help you complete these processes. You should do this as soon as possible while the remediation program is still underway at Iluka.</p>
<p><b>I am aware of a former employee who has passed away, is their estate eligible for repayment?</b></p>	<p>Yes, if their last date of employment was after 30 June 2016 their estate may be entitled to a payment. Please have their legal representative or next of kin email <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a>.</p>
<p><b>How have you treated night shifts that fall over a public holiday?</b></p>	<p>A full-day public holiday is treated as midnight to midnight on the designated calendar day. If you worked a night shift and, for example, your shift ended at 6am on a public holiday, you were recredited for the leave hours deducted from midnight to 6am (or to the end of your rostered shift time).</p>
<p><b>How will you ensure this doesn't happen again?</b></p>	<p>We have already reconfigured our systems to ensure leave is correctly deducted on a public holiday. We are taking steps to reconfigure Iluka's payroll system to ensure future accruals are accurate. While this work is underway, manual reconciliations are being conducted for all termination payments.</p>
<p><b>Could there be other payroll issues at Iluka?</b></p>	<p>Iluka is committed to ensuring wage compliance. We have partnered with professionals in this field to ensure a comprehensive review was completed of our people's annual leave and LSL entitlements.</p>

	We are now developing a program of review and assurance over all aspects of wages and payroll to ensure we meet our obligations.
<b>How do I report any other concerns with my pay and conditions?</b>	You can report any other payroll concerns by contacting your Leader or via email <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a> .
<b>What's the role of the Fair Work Ombudsman (FWO)?</b>	The FWO is part of the Australian Government and provides education, assistance and advice to employers and employees. They promote and monitor compliance with workplace laws and take appropriate enforcement action.
<b>I'm an Iluka contractor or business partner. Could I be impacted?</b>	This review involves Iluka employees only. Please speak to your employer.
<b>Why do I have to give you more identification information?</b>	If you are an impacted former employee, additional information like your date of birth, current address and banking details will assist in delivering a seamless payment process and help us to ensure that each payment is securely made to the right person. If you are a current Iluka employee impacted during a previous period of employment, you will not need to provide these additional details.
<b>Exactly what details will I need to give you? How will I know this isn't a scam?</b>	Iluka will not ask you to provide identification, bank or superannuation details over the phone or through SMS. If you want to verify that any information you receive is a genuine communication from Iluka about the Leave Entitlement Review you can email <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a> or phone Iluka on 9360 4700 and ask to speak to People Services.
<b>Will Iluka pay superannuation as part of my payment?</b>	Iluka has identified where superannuation must be contributed for payments made to you. These will be paid to the superannuation fund account that you nominate.  If you are receiving back-pay which solely relates to mis-calculated leave accrual on termination of employment, then no superannuation obligation arises.
<b>I don't think my statement is correct – how do I raise this?</b>	You can raise a query via email to <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a> .
<b>Will I need to go back and amend the tax returns I submitted for previous years?</b>	No. Your payments will be taxable in the current tax year, and you will not need to amend any previously lodged tax returns.

<p><b>How should I report my payment on my tax return? Which parts of my payment will I pay tax on?</b></p>	<p>Your payments will be taxable in the year you receive them.</p>
<p><b>If I'm a former employee and I'm entitled to a back-payment, how will I be paid?</b></p>	<p>You will nominate a bank account for us to make the payment into.</p>
<p><b>If I'm entitled to a back-payment will it include interest?</b></p>	<p>Yes. Back-payments for former employees will include interest.</p> <p>We will pay interest on the Total Calculated Leave Value detailed on your outcome statement. It will be calculated for each 6-month period (or part thereof) from the end date of your employment with Iluka until 30 November 2024. The interest rate for each 6-month period will be the Pre-Judgement Interest Rate (being 4% per annum plus the cash rate last published by the Reserve Bank of Australia before the 6-month period commenced).</p>
<p><b>Why doesn't my outcome statement show how much I will be taxed on my payment?</b></p>	<p>These amounts will be detailed in a payslip which will be provided to you.</p>
<p><b>Why don't the amounts from my outcome statement display the same way on my payslip?</b></p>	<p>Your payslip aligns with the way we need to report amounts to the Australian Taxation Office (ATO). Different leave types may attract different tax treatments and may need to be reported to the ATO in a specific way.</p> <p>Regardless of how your payment is categorised, the Total Payments amount on your payslip should reflect the Total Gross Payment shown on Your Statement.</p>
<p><b>I don't agree with the withholding tax calculations – how do I raise this?</b></p>	<p>You can send an email to <a href="mailto:leavereview@iluka.com">leavereview@iluka.com</a>.</p>