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**McWilliam's Wines Group Ltd ACN 000 024 108  
Mount Pleasant Wines Pty Ltd ACN 000 024 813  
(Both Subject to Deed of Company Arrangement)  
(Collectively referred to as "the Group")**

**Employees – Frequently Asked Questions**

**Update No. 5 | 5 August 2020**

For your reference, the Deed Administrators have provided the following responses to Frequently Asked Questions from employees. Copies of these updates are available on the KPMG creditors' website available at [www.kpmg.com/au/mcwilliams](http://www.kpmg.com/au/mcwilliams).

This Update to Employees should be read in conjunction with the previous FAQs issued to employees.

**Deed of Company Arrangement (DOCA)**

**1. Who are the deed administrators?**

At a meeting of creditors of the Group held on Friday, 24 July 2020, creditors passed a resolution requiring the Group to execute a DOCA pursuant to Part 5.3A of the Corporations Act 2001.

We are pleased to confirm that the Group and MCW BidCo Pty Ltd (an entity owned through interposed entities by Prcstnt Asset Management) executed the DOCA on Monday, 3 August 2020. As a result, Gayle Dickerson, Tim Mableson and Ryan Eagle are now the Deed Administrators.

**2. What happens to my employment?**

In accordance with the terms of the DOCA, all current employees will continue their employment with McWilliam's Wines Group on the same terms and conditions.

All correspondence regarding your employment should be raised through the ordinary channels.

**3. Who has control over the business in a DOCA and for how long?**

Control of the Group remains with the Deed Administrators until the conditions precedent set out in the DOCA are completed. As advised in the Administrators' Report to Creditors dated 15 July 2020, we estimate the DOCA should complete in October 2020, noting a sunset date of 30 November 2020 for completion is contained in the DOCA.

**4. What will change in the day to day operations of the Group?**

The operations of the Group will continue in the same manner as during the voluntary administration period.

Should you have any queries please contact your manager in the first instance.

**5. Rosters**

Rosters will continue as per usual unless otherwise advised. If you are unable to complete any scheduled shift please contact your manager as soon as possible.

**6. Wages**

Wages will continue to be paid via electronic deposit in the usual manner. The only change to this will be that the payment is now coming from the Deed Administrators.

Salaried employees will be paid on the 15<sup>th</sup> of every month. Weekly employees will be paid each Wednesday.



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## **7. Annual Leave**

Your annual leave may be taken as normal if it has already been booked.

You should apply for leave as per the standard process pre-administration. Once your manager approves your leave through the system, KPMG will check how much leave you have accrued from 8 January 2020 until your first day of leave and if this balance is insufficient then the difference will be deducted from your accrued annual leave balance prior to 8 January 2020.

## **8. What happens to my employee entitlements?**

### Current employees

For all employees who continue to be employed by McWilliam's Wines Group (i.e. continuing employees), your employee entitlements (being accrued annual leave, leave loading and long service leave) irrespective of whether they were accrued prior to 8 January 2020 or after 8 January 2020, will remain with McWilliam's Wines Group, rather than being paid out as a distribution from the Creditors' Trust. Therefore these entitlements will continue to accrue and be available for use as per McWilliam's Wines Group leave policies.

Any unpaid pre-appointment superannuation and rostered days off will be paid in full so that when McWilliams Wines Group Ltd comes out of the DOCA you will have no superannuation or rostered days off owing.

Any superannuation payable for wages paid during the Administration/DOCA (including any salary sacrifice contributions for this period) will be paid in the normal course of business and before the due dates as specified by the ATO.

### Former employees or non-continuing employees

Your pre-appointment entitlements (being any applicable unpaid annual leave, rostered days off, long service leave, superannuation, payment in lieu of notice and redundancy pay) will be paid as a distribution from the Creditors' Trust.

Any superannuation payable for wages paid during the Administration will be paid in the normal course of business and before the due dates as specified by the ATO.

## **9. Is my continuity of service impacted?**

No, for all continuing employees, as your employment remains with McWilliam's Wines Group Ltd, your continuity of service will not be impacted.

## **10. What is the position on personal leave?**

The Group's normal human resources policies will continue to apply in regard to using these entitlements during the DOCA.

Employees should apply through the normal process and KPMG will first use the accrued amount from 8 January 2020 and if this balance is insufficient to cover the personal leave period then the balance will be deducted from your accrued personal leave balance relating to the period prior to 8 January 2020.

In the case you have insufficient personal leave accrued prior to 8 January 2020 then that leave can either be taken as leave without pay or deducted from your accrued annual leave balance.

Once the DOCA is complete and control is transferred to Prcstnt Asset Management, your accrued personal leave balance will be maintained and continue to accrue.

## **11. Will House Account Entitlements be continuing?**

Yes. Salaried employees' House Account Entitlements will continue to be maintained in accordance with the usual Group policy.

## **12. If someone resigns during the DOCA period, what is happening with their final pay?**

Wages will be paid up to the final working day and will be processed as per normal.



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Any accrued leave entitlements owing as at 8 January 2020 will not be paid at this stage and will form part of your priority creditor claim against the Group. Please refer to question 8 in relation to how this will be distributed. Any leave accrued from 8 January 2020 will be paid out along with your final wage payment.

### **13. Can I speak to the media?**

No. All media requests should be directed to Sarah Belin of KPMG at [sbelin@kpmg.com.au](mailto:sbelin@kpmg.com.au).

### **Further information**

If you have additional queries, please continue to speak with your in-business leaders or alternatively, contact KPMG via email with your query, full name and contact details at [itang2@kpmg.com.au](mailto:itang2@kpmg.com.au).

Further information concerning the Administration process and KPMG can be obtained from our website at [www.kpmg.com.au/](http://www.kpmg.com.au/).