

January & February 2026

A VISION IN THE WORKPLACE

Our January and February edition of Vision includes:

- FWC Confirms Work From Home Roles as Acceptable Alternative Employment;



FWC Confirms WFM Roles as Acceptable Alternative Employment

In the recent decision of Application by Concentrix Services Pty Ltd [2026] FWC 47, the Fair Work Commission (“FWC”) held that an employer’s offer of redeployment constituted acceptable alternative employment. This included the continuation of existing work-from-home (WFH) arrangements. As a

result, two employees who refused such roles were not entitled to redundancy pay

The Decision provides important guidance on assessing “acceptable alternative employment” under section 120 the Fair Work Act 2009 (Cth) (“FW Act”), particularly in workplaces where flexible and remote work arrangements form an established part of the employment relationship.

Overview

The case concerned two call centre advisors employed by Concentrix Services Pty Ltd (“Concentrix”). They had worked from home in Brisbane since September 2023 while servicing one of Concentrix’s non-government clients.

In early 2025, Concentrix advised the employees that they would no longer be eligible to perform future work for that client due to citizenship requirements. The employer subsequently offered the employees alternative roles supporting a superannuation client.

While the alternative roles involved servicing a different client and required training, Concentrix advised that the roles were substantially similar and later confirmed that the positions could be performed on a 100% work-from-home basis.

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The employees declined the offers, asserting that the roles did not constitute suitable alternative employment.

Decision

Concentrix applied to the FWC under section 120 of the FW Act, seeking an order to reduce the employees' redundancy entitlements on the basis that they had refused acceptable alternative employment.

Commissioner Jeniffer Hunt ("Commissioner Hunt") granted the Application, finding that Concentrix had made genuine and reasonable efforts to redeploy the employees and that the alternative roles constituted acceptable alternative employment.

In reaching this conclusion, Commissioner Hunt placed significant weight on the fact that the redeployment offers preserved the employees' existing WFH arrangements, provided training to support the transition, and assured continuity of service.

Commissioner Hunt also observed that in the contract call centre industry, employees are expected to adapt to new clients, products and skills, and that such changes did not render the roles unsuitable.

Accordingly, the FWC found no sound reason for the employees' refusal of the redeployment offers and reduced their redundancy entitlements, which totalled approximately \$6,194.76 each, to zero.

Key Takeaways

This decision confirms that a redeployment offer which preserves an employee's WFH arrangement may constitute acceptable alternative employment for the purposes of varying or reducing an employee's redundancy pay, in accordance with section 20 of the FW Act. It further highlights that employees who unreasonably refuse acceptable redeployment opportunities may forfeit their entitlement to redundancy pay. For employers, the case identifies the importance of ensuring that redeployment offers are clearly communicated, supported by appropriate training, and properly documented through consultation processes. The decision reflects the FWC's increasing recognition of flexible working arrangements as a substantive component of employment rather than a discretionary or incidental benefit.

If you have any questions about this matter and what it could mean for you as an employee or a franchisee, please do not hesitate to contact Nick

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