

Notice of Proposed Settlement and Registration

Issued by the Federal Court of Australia

KFC Rest Breaks Class Action

KFC and its franchisees have agreed to settle the KFC Rest Breaks Class Action for **\$28.8 Million**.

Submit a free and confidential registration by **26 June 2026** to make a claim for compensation.

This notice is also available in video form below.

[WATCH VIDEO](#)

1 What is this notice?

- 1.1. Most of the parties to the KFC Rest Breaks Class Action (**KFC Class Action**) have agreed to resolve the proceedings without a trial. This is called 'settlement'. If the settlement is approved by the Federal Court, KFC and certain of its franchisees (we will just call them Respondents) will pay a 'settlement sum' calculated according to a formula.
- 1.2. The settlement sum is likely to be around \$28.8 million. It will be shared among those eligible current and former workers who register to make a claim in the KFC Class Action, according to a formula that estimates the numbers of rest breaks that each registered person was entitled to receive but did not receive.
- 1.3. Very importantly, the Court has ordered that **any person who wishes to claim compensation under the proposed settlement must register by 4pm on 26 June 2026**. Details about how to register are provided below.
- 1.4. The Federal Court has also ordered that this notice be sent to all Group Members in the KFC Class Action. You have been identified as a Group Member. This notice explains the proposed settlement, how the proposed settlement terms may affect you, and what options you have in relation to the proposed settlement.
- 1.5. Specifically, we explain below what you need to do if you wish to:
 - (a) register to participate in the proposed settlement of the KFC Class Action; or
 - (b) object to the proposed settlement.
- 1.6. It is important that you read this notice carefully because it contains information about how your legal rights may be affected by the proposed settlement. If there is anything in this notice which you do not understand, you should either:
 - (a) submit an enquiry on the [KFC Class Action web page](#); or
 - (b) call our dedicated telephone line on **1800 860 358**

Please do not contact the Court with inquiries regarding this notice. Court staff are not permitted to give you advice.

2 Why have you received this notice?

- 2.1. You are receiving this notice because you have been identified as a Group Member in the Class Action. You are a Group Member if, in the period October 2017 to December 2023 (**Claim Period**) you:
 - (a) worked in one or more KFC restaurants; and
 - (b) worked a shift of four hours or more; and
 - (c) were not provided with a paid 10-minute break on some or all of your shifts of four hours or more.
- 2.2. If you always received paid 10-minute breaks when you worked shifts of four hours or more, then you are not a Group Member.
- 2.3. If you meet the criteria in [2.1] above, you may be eligible to receive money if the Court approves the proposed settlement. If you are unsure about whether or not you are a Group Member, you should contact the lawyers for the applicants at kfcclassaction@shine.com.au or on **1800 860 358**.

3 What is the Class Action about?

- 3.1. In late 2023, a union called the Shop, Distributive and Allied Employees Association (SDA) and some current and former KFC employees (together, the **Applicants**) commenced a class action on behalf of Group Members alleging that, during the period October 2017 to December 2023, those employees did not receive paid 10-minute breaks as required.
- 3.2. The Applicants are represented by two law firms acting together, Gordon Legal and Shine Lawyers.
- 3.3. The Class Action alleged that employees were entitled to receive 10-minute rest breaks under applicable industrial instruments, including:
 - (a) the *KFC National Enterprise Agreement 2010*;
 - (b) the *KFC National Enterprise Agreement 2020*;
 - (c) the *KFC Team Members' Enterprise Agreement – Queensland and Tweed Heads (NSW) 2014 – 2017*; and
 - (d) the *Fast Food Industry Award 2010/2020*.
- 3.4. These claims were made against Kentucky Fried Chicken Pty Ltd (the 'franchisor' or 'head office') (**KFCPL**) and 88 franchisee operators of KFC stores in Australia (together, the **Respondents**). The claims covered tens of thousands of employees working in over 700 KFC-branded restaurants across Australia.
- 3.5. The Class Action claimed that the Respondents should be required to pay compensation to the employees for the paid 10-minute breaks they were entitled to but did not receive, as well as penalties for Respondents for the alleged non-compliance. The Class Action also claimed that, if breaches were proven against the franchisee operators, KFCPL should be liable for some or all of those breaches.
- 3.6. The claims in the Class Action are set out in a 'Statement of Claim'. That document and other key documents in the Class Action are available at the [KFC Class Action webpage](#).
- 3.7. The Respondents denied each of the claims made in the Class Action.

4 The proposed settlement

- 4.1. Between December 2025 and February 2026, the Applicants and the Respondents agreed a proposed settlement (**Proposed Settlement**).
- 4.2. The Applicants have asked the Federal Court of Australia to approve the Proposed Settlement so that it can take effect.
- 4.3. In summary, the terms of the proposed settlement are that:
 - (a) without admission of legal liability, the Respondents will pay compensation calculated according to a formula but likely to be \$28.8 million (**Settlement Sum**);
 - (b) Group Members who register to participate in the settlement (**Registered Group Members**) will be entitled to claim a share of the Settlement Sum (after deduction from the Settlement Sum of legal costs and other deductions approved by the Court);
 - (c) the Court will be asked to approve a process called a 'Settlement Distribution Scheme' (**SDS**), which sets out how the claims of each individual Registered Group Member will be calculated and used to assess what share of the Settlement Sum each person receives.
- 4.4. The Proposed Settlement assumes that the number of Group Members who register will be between a range of percentages of the total number of possible Group Members.
- 4.5. If actual registrations are higher than expected the Respondents have the option to either 'top up' the Settlement Sum or to terminate the settlement.
- 4.6. If the registrations are lower than the expected range then some of the Settlement Sum will be refunded to the Respondents. If any refund occurs, this will not reduce the individual payments to group members.
- 4.7. Assuming the registration rate is within the agreed range, or the registration rate is not within the agreed range but the respondents agree to 'top up' the Settlement Sum, the settlement will be submitted to the Court for approval.
- 4.8. If the Court approves it then the rights of all Group Members who have not opted out will be dealt with by the Proposed Settlement and they will not be able to bring their own legal claims against any of the Respondents in relation to the subject of the Class Action in the future. **Therefore, it is important that you register if you wish to claim a share of the settlement.**

5 Legal costs and deductions

- 5.1. In addition to asking the Court to approve the Proposed Settlement, the Applicants will ask the Court to approve certain deductions from the Settlement Sum, being:
- (a) an amount of approximately \$6,050,000 for the legal costs incurred in running the Class Action;
 - (b) an amount of up to \$75,000 to be paid to the Applicants in recognition of the time, out of pocket expenses, effort and stress that they incurred in representing the whole class; and
 - (c) an amount of approximately \$1,100,000 to cover the cost of implementing the SDS.
- 5.2. The Court will require detailed evidence from the Applicants to justify each of those deductions and will only approve the deductions if the Court considers that they are 'fair and reasonable'.

6 KFC franchisees **not** covered by the Proposed Settlement

- 6.1. The Proposed Settlement covers employees who worked at all KFC stores during the relevant period except stores operated by Airport Retail Enterprises Pty Ltd.
- 6.2. If you worked for Airport Retail Enterprises, there is a separate proposed settlement specific to that franchisee. You should refer to the Notice of Proposed Settlement which relates to Airport Retail Enterprises. You can ask the lawyers for the Applicants for a copy if you do not have one.

7 Process for distribution of the Settlement Sum

- 7.1. If the Court approves the Proposed Settlement, there will be a 'Scheme Administrator' appointed who will be responsible for distributing the settlement in accordance with the SDS approved by the Court.
- 7.2. The SDS has been designed to ensure the distribution of the settlement is done as efficiently and cost effectively as possible.
- 7.3. Under the SDS, the Scheme Administrator will match the details of Registered Group Members against the employment data provided by the Respondents.
- 7.4. The employment data will then be used by the Scheme Administrator to calculate the number of paid breaks each Registered Group Member was entitled to have received but did not receive. The Settlement Sum (after deductions) will be shared among Registered Group Members in proportion to their calculated entitlements. Broadly speaking, Registered Group Members who worked more qualifying shifts will receive higher settlement payments.
- 7.5. Please note, registrations are confidential. The Respondents will be told the total number but not the identities of the Registered Group Members, so your employer (or former employer) will not know whether you registered or not.

8 What are my options?

8.1. Group Members have 4 options in relation to the Proposed Settlement. The option that you take will affect if and how you can receive a settlement payment in relation to your claim. These options, and their consequences, are set out below.

Option 1

Register to participate in the proposed settlement

Registering is free and takes less than 2 minutes. Group Members who wish to participate in the proposed settlement **must register by 4pm on 26 June 2026** by doing **one** of the following:

- ◇ filling in the registration form [online](#); or
- ◇ filling in the form at **Annexure A** and sending it the Applicants' lawyers at kfclassaction@shine.com.au or the SDA at campaigns@sda.com.au

If the proposed settlement is approved by the Court, Registered Group Members will have their claims assessed under the SDS. All Group Members (whether or not they registered) will not be able to commence individual legal proceedings in relation to their claim.

Option 2

Object to the proposed settlement

If you do not wish for the proposed settlement to go ahead, you can lodge an objection by filling in the Notice of Objection at **Annexure B** to this document and sending it to the lawyers for the Applicants (who will provide it to the Federal Court):

- ◇ **By email:** kfclassaction@shine.com.au; or
- ◇ **By post:** Shine Lawyers, 6/299 Elizabeth St, Sydney NSW 2000

Notices of Objection **must be submitted by 4pm on 26 June 2026**.

The Court will consider any objections filed by Group Members when it considers whether to approve the proposed settlement at the hearing on 22 September 2026 in Melbourne.

Any Group Member who objects may be required to appear before the Court at the approval hearing. The Court may ask whether the objecting Group Member wishes to take over the role of Applicant in the Class Action and make any contribution to the costs of the continuing the litigation, so if you would like to object you need to be ready to answer those questions from the Court.

A Group Member who wishes to object to the settlement can register under Option 1 above at the same time. That way, if the objection is not upheld, the Group Member can still be considered for a compensation payment.

Option 3

Do nothing

Group Members who do nothing (i.e. do not register) will remain Group Members and, if the settlement is approved, will lose their right to sue the Respondents for the claims made in the Class Action, but will also not be entitled to any compensation under the settlement.

Option 4

Apply for reinstatement

Group Members who previously opted out of the proceeding (by submitting a form titled 'Notice of Opting Out') but who wish to participate in the proposed settlement can ask the Court to reinstate them as Group Members. To do this you must complete the 'Notice of Group Member Reinstatement' at **Annexure C** and send it to the Applicants' lawyers by **4pm on 26 June 2026**:

- ◇ **By email:** kfclassaction@shine.com.au; or
- ◇ **By post:** Shine Lawyers, 6/299 Elizabeth St, Sydney NSW 2000

9 Process for approval of the settlement

- 9.1. The Proposed Settlement is subject to the approval of the Court. The Court will only approve the Proposed Settlement if the Court decides that it is fair and reasonable and in the interests of Group Members as a whole.
- 9.2. In considering the application to approve the Proposed Settlement, the Court will receive and consider submissions from the Applicants and other parties. The Court will also consider any objections submitted by Group Members in accordance with option 2 above.
- 9.3. Unless the settlement is terminated because the registration rate requirements are exceeded, the Court will hold a hearing as to whether to approve the settlement on 22 September at the Federal Court in Melbourne.

10 Copies of the relevant documents

- 10.1. Copies of relevant documents filed with the Court in the Proceedings may be obtained by:
 - (a) Downloading them from the KFC Class Action web page; or
 - (b) Inspecting them between 9:00a.m. and 5:00p.m. at the offices of Gordon Legal or Shine Lawyers.

11 Further information

- 11.1. If there is anything in this notice which you do not understand or you are unsure about, you may contact Gordon Legal or Shine Lawyers on the contact details set out below:
 - (a) by email on kfcclassaction@shine.com.au; or
 - (b) by phone on 1800 860 358.

Annexure A Registration form

To receive compensation in the KFC Class Action **you must register by 4pm on 26 June 2026**. The quickest and easiest way to register is to fill out the registration form [online](#). Otherwise, you can fill out the form below and send it:

- By email to Shine Lawyers at kfclassaction@shine.com.au;
- By post to Shine Lawyers at 6/299 Elizabeth St, Sydney NSW 2000; or
- By email to the SDA at campaigns@sda.com.au.

If you require assistance to fill out the form, please call Shine Lawyers on **1800 860 358**.

KFC Class Action Registration Form

A. Group Member details

Name of Group Member

First name

Middle name(s)

Surname

Date of birth

Day Month Year

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Email address

Mobile number

Employee Number/Clock-on ID

④ **What's my Employee Number?** This is the number that you use to clock on and off of LifeLenz. You can view your Employee number at the top of your payslips.

Tax File Number

What store(s) did you work at during the period between 25 October 2017 and 22 December 2023?

④ **Note:** this settlement covers all KFC stores that operated in Australia during the claim period except for stores operated by Airport Retail Enterprises Pty Ltd. You can view a list of all KFC stores in Australia [here](#).

B. Legal Guardian details *(If age is less than 18)*

Name of Guardian

First name

Middle name(s)

Surname

Date of birth

Day Month Year

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Email address

Mobile number

Residential address

Street address

Suburb

State

Postcode

Annexure B Notice of Objection to Proposed Settlement

Federal Court of Australia Notice of Objection to Proposed Settlement

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

No. VID887 of 2023

Roshanpal Singh & Ors
Applicants

Kentucky Fried Chicken Pty Ltd (ACN 000 587 780) & Ors
Respondents

The person identified below:

- (1) is a Group Member in the abovenamed Class Action; and
- (2) wishes to object to the proposed settlement of the Class Action.

A. Your Information

Name of Group Member

First name

Middle name(s)

Surname

Name of parent or guardian (if required)

First name

Middle name(s)

Surname

Email address

Telephone contact

Postal address of Group Member

Street address

Suburb

State

Postcode

Ⓢ **Note:** If Group Member is under 18 at the time of the opt out period this form must be signed by their parent or guardian.

Form continues on next page

B. Grounds of Objection

My submissions in support of my objection to the proposed settlement are as follows

Set out in the space below any submissions you wish to make, attach additional pages if necessary

C. Attendance at Hearing on 22 September 2026 at 9:30am

Option 1

I intend to appear before the Court at the hearing on 22 September 2026 at 9:30am. You may appear by video or telephone. Arrangements for appearances will be published by the Court on the day prior to the hearing.

If you intend to appear, please complete the following:

- I will appear on my own behalf.
- I will be represented by a lawyer;

Lawyer name

Option 2

I do not intend to appear, but wish for my submissions to be considered in my absence.

Signature

Date

Signed by

Print name

Tick one

- Group Member
- Legal Representative
- Parent or Guardian

Annexure C Notice of Application for Reinstatement

Federal Court of Australia Notice of Application for Reinstatement

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

No. VID887 of 2023

Roshanpal Singh & Ors
Applicants

Kentucky Fried Chicken Pty Ltd (ACN 000 587 780) & Ors
Respondents

The person identified below:

- (1) Was a Group Member in the above class action;
- (2) Previously opted out of the above class action by filing an opt out notice; and
- (3) Wishes to be reinstated as a group member, in order to participate in the Proposed Settlement as per the Court orders dated 14 April 2026.

A. Details of Applicant

Name of Applicant

First name

Middle name(s)

Surname

Email address

Telephone contact

Postal address of Applicant

Street address

Suburb

State

Postcode

Form continues on next page

B. Grounds for Reinstatement

My grounds to be reinstated as a group member are as follows:

Set out in the space below any submissions you wish to make, attach additional pages if necessary

Signature

Date

Signed by

Print name

Tick one

- Group Member
- Legal Representative
- Parent or Guardian*

*If group member is under 18, this form must be signed by their parent or guardian.