BACK TO WORK

regional employment package

Regional Guidelines for Funding

qld.gov.au/backtowork

Version 2.2 - 1 November 2017

Queensland Government

What is the program?

The Back to Work – Regional Employment Package (Back to Work) is a two-year $150 million initiative designed to give businesses the confidence to employ regional jobseekers and provide an economic boost to regions facing challenging times.

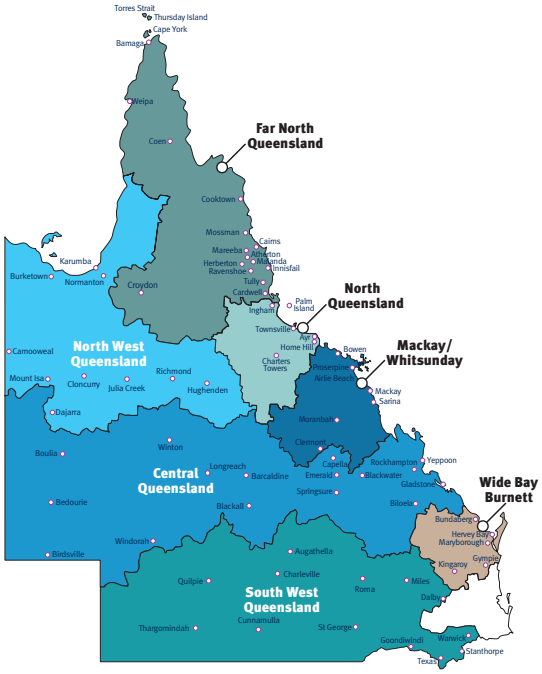
Employer Support and Youth Boost Payments are available under these guidelines to employers who meet **all** the program eligibility criteria.

Where is the program delivered?

Back to Work Employer Support Payments and Youth Boost Payments are offered in the following regions:

- Wide Bay Burnett
- North Queensland
- Far North Queensland
- Mackay/Whitsunday
- Central Queensland
- North West Queensland
- South West Queensland.

Back to Work regions



What payments are available?

From 1 July 2017, each eligible employer may claim a maximum of **five** Back to Work regional applications. This cap of five applications applies to Employer Support Payments, Youth Boost Payments and combinations of both payment types. Once a total of five applications have been approved, no further applications can be accepted.

The cap will not apply to applications for employees commencing before 1 July 2017.

Employer Support Payments ($10,000) For a Jobseeker previously unemployed between four and 52 weeks	Employer Support Payments ($15,000) For a Jobseeker previously unemployed 52 weeks or more	Youth Boost Payments ($20,000) For a Jobseeker previously unemployed (minimum four weeks) and aged between 15-24 years
Payments are made directly to the eligible employer, in two parts: • Initial payment of $4,000[1] after four weeks of continuous employment and approval of the initial payment application. • Final payment of $6,000[1] after 52 weeks of continuous employment with the same employer and approval of the final payment application.	Payments are made directly to the eligible employer, in two parts: • Initial payment of $6,000[1] after four weeks of continuous employment and approval of the initial payment application. • Final payment of $9,000[1] after 52 weeks of continuous employment with the same employer and approval of the final payment application.	Payments are made directly to the eligible employer, in three parts: • Initial payment of $6,000[1] after four weeks of continuous employment and approval of the initial payment application. • Second payment of $7,000[1] after 26 weeks of continuous employment with the same employer and approval of the second payment application. • Final payment of $7,000[1] after 52 weeks of continuous employment with the same employer and approval of the final payment application.

N.B. Claims cannot be made for second or final payments (later payments) unless there is an approved initial payment application for that employee lodged by the same employer.

[1] Figures in table are payments for eligible full-time jobs as described in the table "Who can apply?" Eligible part-time jobs attract 75 per cent of the full support payment.

Who can apply?

Eligible Employers

All employers are eligible except for government entities (local, State and Commonwealth Governments and entities including government-owned corporations and statutory bodies).

Employers must have:

- A good workplace safety and industrial relations record and
- A genuine commitment to ongoing employment of the employee.

From 1 July 2017, each eligible employer may claim a maximum of five Back to Work regional Queensland applications. For more information, see "What payments are available?"

Eligible Jobs

An eligible job must be:

- Mainly located in regional Queensland (excluding South East Queensland) and
- Ongoing paid full-time (at least 35 hours per week), averaged over a four-week cycle or
- Ongoing paid part-time (at least 20 hours per week), averaged over a four-week cycle or
- For a person with a disability working between 8 and 20 hours per week, hours consistent with their approved benchmark, averaged over a four-week cycle or
- A registered and eligible Queensland full-time or part-time apprenticeship[2] (refer to exceptions below).

Ineligible jobs include:

- A casual job (i.e. may not have guaranteed hours of work each week; may involve working irregular hours; does not provide paid sick or annual leave). Further information can be found at https://www.fairwork.gov.au/employee-entitlements/types-of-employees/casual-part-time-and-full-time/casual-employees.
- Periodic employment such as engagements that are short-term in nature (e.g. weekly hire basis).
- Where the applicant is not directly employing the employee (i.e. employed on contract via a third party, such as a labour hire company or group training organisation).
- A job that offers full-time salary or wages above $120,000 per annum (or pro-rata for part-time).

[2] **Ineligible apprenticeships:**

- A school-based apprenticeship or traineeship
- An apprenticeship or traineeship for which the employer is eligible to receive Queensland's Apprentice Trainee Rebate for payroll tax
- An apprenticeship or traineeship which is funded through either the Queensland Government First Start or Work Start programs.

Eligible Employees

An eligible employee for the Employer Support Payments:

- Must be a permanent resident of Australia and their principal place of residency is in Queensland and
- Was unemployed for at least four weeks directly prior to commencing employment with the eligible employer and
- Has not worked for the eligible employer in the 12 months directly prior to commencing employment with the eligible employer and
- Commenced employment with the eligible employer between 1 July 2016 and 30 June 2018 (inclusive) and
- At the time the initial payment application is made, has been in paid employment with the eligible employer for at least four weeks but not more than 12 weeks and
- Is not a full-time student and
- Must not have displaced any existing workers and
- If the employee has a disability, must be engaged in mainstream employment.

An eligible employee for the Youth Boost Payments:

- Must meet all of the criteria for an Employer Support Payment except for the timeframes for commencement of employment (see below)
- Must be over the age of 15 years and below the age of 25 years on the date they commenced employment with the eligible employer (but can turn 25 during the period of their employment)
- Commenced employment between 1 December 2016 and 30 June 2018 (inclusive).

For further information on eligibility criteria and definitions, please refer to the explanatory notes in Attachment 1.

Time limits for applications

Initial payment applications must be received within eight weeks of the employee completing:

- Four weeks of continuous employment.

Later payment applications must be received within 12 weeks of the employee completing:

- For the second Youth Boost Payment, 26 weeks of continuous employment
- For the final Employer Support Payment and Youth Boost Payment, 52 weeks of continuous employment.

Applications and claims received after this time will be ineligible for the payment. Therefore, it is highly recommended applicants submit their applications well before the cut-off date. **Applicants must notify the Back to Work Team immediately of any problems submitting their applications within this timeframe at** backtowork@treasury.qld.gov.au.

Late applications

Consideration will be given to a late application if the applicant has experienced circumstances beyond their control (e.g. ill health, loss of records due to natural disaster or a large scale Internet failure) that prevented the submission of an application within the required timeframe and the Back to Work Team has been notified. A written request for consideration of a late application including a statutory declaration, together with all relevant material must be submitted to the Back to Work Team at compliance@treasury.qld.gov.au.

Evidence requirements

The online application process for the Back to Work Employer Support Payment and Youth Boost Payment requires evidence that the employer, employee and job meet the eligibility criteria for the payment. This evidence **must** be submitted when making your online application.

It is important that evidence documents meet the eligibility criteria. **Providing incorrect, out-of-date or illegible documents will cause delays to an application being processed.**

What is required as part of my initial payment application?

All scanned items must be valid, current and legible documents and in a standard format (e.g. PDF, JPEG or Word). Documents requiring clarification or resubmission may result in delays to the application process.

Documents required at the time of application are as follows:

ABN Certificate

All registered businesses will have received an ABN Certificate at the time of registering the business. A copy of the certificate can be requested from the Australian Business Register at https://abr.gov.au/Media-centre/Featured-news/Business,-Super-funds-and-charities/How-to-get-a-copy-of-your-ABN-certificate/.

Payslips

Payslips must meet the minimum requirement as set out by Fair Work Australia under the *Fair Work Act 2009* and the Fair Work Regulations 2009. Information on the legal requirements for payslips is available through the Fair Work Australia website at https://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips.

An employee must have been in paid employment for at least four weeks prior to the application being made. The payslip must prove that this eligibility requirement has been met. For example, this could be payslips for the first four weeks of employment or the most recent payslip showing year to date wages which demonstrates employment for a period of at least four weeks.

Employee ID

Proof is required of the jobseeker's identity. Acceptable identification documents are:

- An Australian driver licence
- Adult proof of age card (e.g. 18+ Card)
- Birth certificate
- Citizenship certificate or
- Passport.

Employees with a disability

If an employee has a disability and a workplace assessment to work between 8 and 20 hours per week, a signed letter issued by a Disability Employment Services Provider must be attached to the application. This letter should detail the employee's approved benchmark working hours. The employee must be working in accordance with their approved benchmark hours. If the payslips do not align with the approved benchmark working hours, the application will not meet the required eligibility criteria.

Delays in obtaining evidence

If you are waiting for evidence documents (e.g. ABN Certificate) to complete your application and it is getting closer to the due date, you can still apply. Please submit your application with the information and documents available and provide details of the documents you are waiting for as an attachment in your application. Your application will then be moved to "More Information Required" (Attachment 2) and you will be provided the opportunity to supply the outstanding evidence documents.

The application process

Applications for Employer Support Payments and Youth Boost Payments are made through the QGrants system (Attachment 3).

Applications must be submitted by the employer, not an agent or other party. This is due to the requirement for the employer to agree to the conditions of the Back to Work Program (see Employer Declaration below).

The online application form contains a series of questions you must answer to progress the application. All questions are mandatory with the exception of employee demographic questions.

The questions on the application form address the eligibility criteria and are arranged in the following sections:

- Employer Details: addressing employer eligibility
- Employee Details: addressing employee eligibility
- Employment Details: addressing job eligibility
- Required declarations and consents.

The QGrants system requires important information to be supplied including applicant contact information, bank account details and business information. It is the responsibility of the applicant to ensure that information is kept up-to-date so the Back to Work Team can remain in contact regarding future applications, claims and reviews.

To assist applicants, an application checklist is available in Attachment 3.

Employer declaration

Applicants will need to confirm, for each application submitted, that they:

- Have thoroughly read and understood the guidelines and Terms and Conditions and
- Consent to the Back to Work Team sharing information with Queensland and Commonwealth Government agencies for the purposes of assessing, monitoring and auditing compliance with the eligibility criteria for the Back to Work Program, and to promote the Back to Work Program, as set out in the privacy statement contained in the Terms and Conditions and
- Have obtained the consent of the employee referred to in the application to disclose the employee's personal details for the purposes set out in the privacy statement contained in the Terms and Conditions.

All eligibility criteria must be met in order to receive the Employer Support or Youth Boost Payment.

Additional information

When assessing an application, the Back to Work Team may request additional information and documents to assist in determining whether the eligibility criteria have been met. This may include documents such as employment contracts to confirm employment arrangements and information from the applicant and/or the employee to clarify details in the application.

If it is determined that an applicant has received a payment they were not eligible for, the Queensland Government will seek to recoup that payment from the applicant.

Assessment of your application

Applications will be assessed based on the following eligibility criteria:

- Has the applicant complied with these guidelines including:
  - eligible employer
  - eligible job
  - eligible employee
  - completion of required periods of employment
  - timeframes for submitting applications
  - supporting evidence and documentation
  - necessary consents
  - existence of previous approvals (for later payments) and
  - cap on approved applications?
- Has the applicant (and, if the applicant is not an individual, its owners) and the applicant's management staff, complied with local, State and Commonwealth laws and regulations, including but not limited to laws relating to workplace safety and industrial relations?
- Has the applicant demonstrated a genuine commitment to the ongoing employment of the employee and other employees for whom applications have been submitted?
- Has the applicant's engagement of the employee displaced any existing workers?
- Where the employment is provided for an employee with a disability, is the employee engaged in mainstream employment?
- Are there any public interest issues indicating the application should not be approved?

  Examples of when an application might not be approved on public interest basis include:
  - the applicant, its owners, or relevant management staff, have a history of poor compliance with legislation, including but not limited to laws relating to workplace safety and industrial relations
  - matters involving fraud
  - the applicant has already received funding for the employee under another government program.

How long does it take to process an application?

Applications submitted with all complete and correct information and documents are usually processed within 10 business days. If following initial review of your application, you have been requested to provide more information, your application will remain open until the required evidence documents are uploaded onto the QGrants system. You can review the status of your application at any time by logging into the QGrants system (Attachment 2).

How are Employer Support Payments and Youth Boost Payments made?

Once an application is processed and approved, payment will be made via electronic transfer, usually within 5-10 business days. The payment is made into the registered account so please ensure the bank account details provided in your application is kept up-to-date. Please be aware that this payment timeframe refers to the financial institution's processing timeframes only and does not reflect application processing times.

Ceased employment/changes to employment

If the employee ceases employment with you after a payment has been made, you do not need to return the payments already received, but you will be ineligible for any further payments for that employee. However, if it is determined that you have received a payment for which the eligibility criteria were not met, the Queensland Government will seek to recover that payment from you.

If the employee ceases employment, or their employment conditions significantly change (e.g. they move from part-time to full-time), after an application has been made, you must notify the Back to Work Team in writing at backtowork@treasury.qld.gov.au providing:

- The date employment ceased or changed and
- An explanation of the reason why the employee ceased employment or had their employment conditions altered.

This information will be held on record for program monitoring and audit purposes (see Terms and Conditions).

What is required when I claim later payments?

Applicants must reaffirm that they continue to meet the eligibility criteria for all later payments outlined in the payment schedule. Evidence must be provided to support each later application including that continuous employment has occurred for the specified period of time. Applicants are required to upload into the QGrants system a clear and legible scan of the required documents in a PDF, JPEG or Word format.

Required documents are:

If you applied for an initial Employer Support Payment prior to 11 November 2016	If you applied for an initial Employer Support Payment or Youth Boost Payment on or after 11 November 2016
• **The employer's ABN Certificate** All registered businesses should have received an ABN Certificate from the Australian Business Register (see evidence requirements on page 3). • **Proof of the jobseeker's identity, being one of:** – Australian driver licence – Adult proof of age card (e.g. 18+ Card) – Birth certificate – Citizenship certificate or – Passport. • **Evidence to prove that the employee has completed 52 weeks of continuous employment.** This may include: – A payslip for each month since commencement including one covering the 52 week point – A copy of the PAYG payment summary covering the period since commencement to 30 June 2017 plus a payslip for each month post 30 June 2017 up to and including the 52 week point.	**Second Youth Boost Payments** • Evidence to prove that the employee has completed 26 weeks of continuous employment. This may include: – A payslip for each month since commencement including one covering the 26 week point – A copy of the PAYG payment summary covering the period since commencement to 30 June 2017 plus a payslip for each month post 30 June 2017 up to and including the 26 week point. **Final Employer Support and Youth Boost Payments** • Evidence to prove that the employee has completed 52 weeks of continuous employment. This may include: – A payslip for each month since commencement including one covering the 52 week point – A copy of the PAYG payment summary covering the period since commencement to 30 June 2017 plus a payslip for each month post 30 June 2017 up to and including the 52 week point.

If an application is refused, can a review of the decision be requested?

If the application has been processed and has been assessed as not meeting the eligibility criteria then the applicant will be notified that it has not been approved. Applicants may request a review of a decision made by Queensland Treasury in relation to the provision of a Back to Work Employer Support Payment or Youth Boost Payment. **This request must be lodged within 30 days after the decision was given to the applicant.**

The review request should state in detail the grounds on which the request is made. The applicant should also attach all material relevant to the request.

Review requests may be lodged in writing to:

Review Officer, Back to Work Program
Economic Strategy, Queensland Treasury
GPO Box 611
Brisbane QLD 4001
E: compliance@treasury.qld.gov.au

Applicants will be notified in writing of the outcome of the review within 21 business days from the receipt of the written request.

What happens if the program is discontinued?

Advice will be published on the Back to Work website if funding under Back to Work is no longer available, or the program has been discontinued.

Privacy and confidentiality

The Terms and Conditions in QGrants set out how information collected as part of the application process will be used by the Queensland Government. Broadly, the information can be used for the purposes of assessing eligibility for, administering, monitoring, auditing, evaluating and promotion of the Back to Work Program.

Applicants must provide information about their employees for the purposes of assessing eligibility. Employers must declare that they have obtained consent from their employee to disclose the employee's personal details for the purposes set out in the privacy statement in the Terms and Conditions.

For further information about how Queensland Treasury manages personal information, please contact the Privacy Contact Officer by email at privacy@treasury.qld.gov.au.

Tax implications

The taxation implications of any payments made to an applicant under Back to Work may differ depending on the applicant's personal circumstances. The Queensland Government is unable to provide taxation advice and accordingly we recommend consulting your own professional adviser to determine any taxation implications that may apply.

The Australian Taxation Office has publicly available guidance that may also assist you. This information can be accessed online at www.ato.gov.au. For example, guidance in relation to the Goods and Services Tax (GST) treatment of financial assistance payments can be found in GST Ruling 2012/2.

Contact us

Website: backtowork.initiatives.qld.gov.au/contact-us
Phone: 13 QGOV (13 74 68)
Email: backtowork@treasury.qld.gov.au

Attachment 1

Explanatory notes

Unemployment

Persons aged 15 years and over who were neither in paid employment nor a full-time student, during the four weeks directly prior to commencing employment with the eligible employer are eligible employees for Back to Work payments.

Activities that **do not constitute paid employment** and do not impact on eligibility include:

- Receiving payments that relate to government benefits
- Unpaid volunteer work
- Paid and unpaid trials
- Participating in a Skilling Queenslanders for Work program
- Participating in a school-based apprenticeship
- Participating in the Australian Government's Youth PaTH program.

Activities that **do not constitute unemployment** and are **not eligible** for the Back to Work Program include:

- Periods of leave including unpaid leave
- Undertaking full-time study (full-time study is defined by the student's educational institution).

Other programs and subsidies

If an employer has received funding under the Queensland Government's First Start or Work Start programs the employer is **not eligible** for a Back to Work payment in respect to the same employee.

Employers who are eligible for Back to Work payments may also be eligible for wage subsidies provided by the Australian Government. Employers are able to claim payments provided via the Australian Government's jobactive network, or Youth PaTH at the same time as payments offered by Back to Work provided these combined payments do need exceed more than 100 per cent of the employee's total wages. State and Commonwealth Government agencies will undertake periodic data matching to support this.

Applications by third parties or agents

Applications **must** be submitted by the employer, not an agent or other party. This is due to the requirement for the employer to agree to the conditions of the Back to Work Program.

Paid and unpaid trials

Trials are often used by employers to evaluate the suitability of a person for a vacant job. This is used to determine if the person is suitable for the job by getting them to demonstrate their skills. Trials should be for a period deemed reasonable to make an assessment of suitability for the particular job. The Fair Work Ombudsman provides information on trials including when they should be paid or unpaid.

Examples and further information on lawful and unlawful trials can be found on the Fair Work Australia website https://www.fairwork.gov.au/pay/unpaid-work/unpaid-trials.

Permanent residents living in Queensland

The employee is a permanent resident of Australia and their principal place of residency is in Queensland. A principal place of residence is a residence you live in (with your personal belongings) on a daily basis. A permanent resident is:

- A citizen of Australia or
- A non-citizen who is a holder of a permanent visa to live, work and study without restriction in Australia.

Attachment 2

Status in QGrants

Application status can be checked anytime by logging into the applicant's QGrants account. The status of the application is as follows:

Draft

If an application has been started through the QGrants system and saved without being submitted, then the application is in **draft**. This means the application has not been sent to the Back to Work Team for consideration. To progress the application, the applicant is required to complete it online with all requested evidence documents attached. It is recommended that the work is saved at every stage of the application to avoid losing important information during the process.

Please be aware that applications must be submitted within the relevant application eligibility period. **Any applications left in draft cannot be assessed by the Back to Work Team.**

Ineligible

To be eligible for the Back to Work Employer Support Payment and Youth Boost Payments **all eligibility criteria must be met**. If the application does not meet the program's eligibility criteria then it will be deemed ineligible and will not be submitted for further assessment to the Back to Work Team. **It is recommended that all applicants read through the eligibility criteria prior to applying to ensure they can meet all the program criteria**.

In Process

Once an application is successfully submitted through QGrants and it has passed the system validations, the application status will be **In Process**. This means that your application has been successfully submitted to the Back to Work Team for processing.

All applications are reviewed to ensure that both the eligibility criteria have been met and correct supporting documentation has been provided. All approvals are dependent on the Back to Work Team's review to ensure all eligibility criteria and evidence supplied meets the program guidelines. Processing times for applications will vary depending on the complexity of applications and the volume of applications received. Applications submitted with all complete and correct information and evidence documents are usually processed within 10 business days.

Approved or Agreement Created

Once the application has been processed by the Back to Work Team and is deemed to have met all the eligibility criteria it will be approved. Payments will be made via electronic transfer in approximately 5-10 business days of the application being approved. Please note, your financial institution's payment processing times may vary.

The applicant will receive an email informing them of the approval and their obligations as a recipient of the Back to Work Program. The approval is subject to the rights and limitations provided in the Terms and Conditions, including if **it is reasonably determined that you have received a payment for which the eligibility criteria were not met, the Queensland Government will require you to repay that payment**.

Not Approved

If the application has been processed and has been assessed as not meeting the eligibility criteria then the applicant will be notified that it has not been approved. Unsuccessful applicants will be provided with reasons why their application was not approved and can request a review of that decision (refer to page 6).

More Information Required

During the assessment process, applicants may be asked to provide further information to support their claim. If the applicant is requested to provide more information, the application will be re-opened by the Back to Work Team in QGrants so that further documentation can be uploaded and resubmitted. It is important that the applicant ensures that all information provided is correct throughout the whole application as the Employer Declaration must be reaffirmed. Once the requested information has been provided, and resubmitted, the status of the application will change to **In Process** and proceed for processing by the Back to Work Team.

Attachment 3

Application checklist

Setting up a QGrants Account

To apply for the Back to Work Employer Support Payments and Youth Boost Payments, you must first create an account with QGrants. Go to https://qgrants.osr.qld.gov.au/portal/ and select the Sign Up Here link under Quick Links.

My business already has a QGrants Account

If your business or employer already has a QGrants account then you still need to set up an individual account to be linked to your employer's account. This will apply if you are new to the organisation or have not previously registered as a contact for the organisation in QGrants. Further information on this process can be found in the **QGrants Technical Assistance Guide.**

Application form

Applications for Employer Support Payments and Youth Boost Payments are made through the QGrants system.

Applications must be submitted by the employer, not an agent or other party, this is due to the requirement for the employer to agree to the conditions of the Back to Work Program.

The online application form contains a series of questions you must answer to progress the application. All questions are mandatory with the exception of employee demographic questions.

The questions on the application form address the eligibility criteria and are arranged in the following sections:

- Employer Details: addressing employer eligibility
- Employee Details: addressing employee eligibility
- Employment Details: addressing job eligibility
- Required declarations and consents.

The QGrants system requires important information to be supplied including applicant contact information, bank account details and business information. It is the responsibility of the applicant to ensure that information is kept up-to-date so that the Back to Work Team can remain in contact regarding future applications, claims and reviews.

Eligibility criteria

All eligibility criteria must be met in order to receive the Employer Support or Youth Boost Payments. More information about the eligibility criteria and what to expect from the application process can be found in the **Guidelines for Funding** or on the following factsheets:

- Before you Apply for Back to Work
- Making a Back to Work Application.

Important information

Key documents

During the application process you will be asked to upload several key pieces of information to complete your submission. Please ensure you have these documents saved in an accessible location prior to the application process commencing. The documents you will need to have ready are:

- Employer ABN certificate
- Employment details – evidence to demonstrate employment requirements such as payslips (refer to "What is required as part of my initial application?" and "What is required when I claim later payments?")
- Employee ID – e.g. Australian driver licence.

All scanned items must be clearly identifiable. Documents requiring clarification or resubmission may result in delays to the application process. Note that during the assessment process, you may be asked to provide further information or documents.

Technical tips

- Make sure your browser is compatible with the QGrants software
- Ensure your computer allows pop-up windows.

To learn more read the **QGrants Technical Assistance Guide**.