

BACK TO WORK SOUTH EAST QUEENSLAND Guidelines for Funding 2018-2020

Version 1, 1 July 2018

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What is the program?

The Back to Work – South East Queensland Employment Package (**Back to Work SEQ Program**) is designed to give businesses the confidence to employ long-term unemployed adults (over 25 years) and unemployed youth (15 to 24 years) in eligible South East Queensland (SEQ) Local Government Areas (**LGA's**). This program aims to facilitate unemployed jobseekers into areas of South East Queensland with significant labour market challenges.

Employer Support Payments and Youth Boost Payments are available under these Guidelines to eligible employers in South East Queensland who meet **all** the program eligibility criteria.

Before you apply

Applications for the Back to Work SEQ Program submitted to QGrants from 1 July 2018 will be assessed under these Guidelines. This means the job offered will need to be located in an eligible LGA under these program Guidelines to be considered for assessment. If your employee commenced work with you in a job located in an LGA that remains eligible under these Guidelines, then please complete your application as normal.

All applications for the Back to Work SEQ Program in areas that are ineligible under these Guidelines should have been submitted in QGrants by 11.59pm, 30 June 2018.

Payments for applications approved under the previous Guidelines will be assessed under those Guidelines.

Previous versions of the Back to Work SEQ Guidelines for Funding supporting applications submitted up to and including 30 June 2018 are available on the Back to Work website (<https://backtowork.initiatives.qld.gov.au/>),

Further information on the Back to Work SEQ program including fact sheets, definitions and frequently asked questions are also available on the Back to Work website.

Eligible LGA's

Employer Support and Youth Boost payments are offered in the following LGA's:

- Ipswich
- Lockyer Valley
- Logan
- Moreton Bay
- Scenic Rim
- Somerset

Available Payments

Employer Support Payments (\$15,000) For a Jobseeker (25 years or over) 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
<p>Payments are made directly to the eligible employer, in three instalments:</p> <ul style="list-style-type: none"> • Initial payment of \$4,500¹ after four weeks of continuous employment and approval of the initial payment application. • Second payment of \$5,250¹ after 26 weeks of continuous employment with the same employer and approval of the second payment claim. • Final payment of \$5,250¹ on completion of 52 weeks of continuous employment with the same employer and approval of the final payment claim. 	<p>Payments are made directly to the eligible employer, in three instalments:</p> <ul style="list-style-type: none"> • Initial payment of \$6,000¹ after four weeks of continuous employment and approval of the initial payment application. • Second payment of \$7,000¹ after 26 weeks of continuous employment with the same employer and approval of the second payment claim. • Final payment of \$7,000¹ on completion of 52 weeks of continuous employment with the same employer and approval of the final payment claim.
<p>N.B. Claims cannot be made for second or final payments (later payments) unless the previous payment applications for that employee were lodged by the same employer and approved.</p> <p>¹ Figures in the 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 payment.</p>	

Who can apply?

Eligible Employers	<p>All employers are eligible except for government entities (local, State and Commonwealth Governments and entities including government-owned corporations and statutory bodies).</p> <p>Employers must have:</p> <ul style="list-style-type: none"> • A good workplace safety and industrial relations record; and • A genuine commitment to ongoing employment of the employee.
Eligible Jobs	<p>An eligible job must be:</p> <ul style="list-style-type: none"> • Mainly located in the South East Queensland LGA's listed on page 3 of these Guidelines; and • Ongoing paid full-time (at least 35 hours per week), on average; or • Ongoing paid part-time (at least 20 hours per week), on average; or • For a person with a disability who has a workplace assessment to work between 8 and 20 hours per week, hours consistent with their approved benchmark, on average; or • A registered and eligible Queensland full-time or part-time apprenticeship² (refer to exceptions below).
Ineligible Jobs	<p>Ineligible jobs include:</p> <ul style="list-style-type: none"> • 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); • Employees transitioning from casual or periodic employment to ongoing part-time or ongoing full-time work; • 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); and • A job that offers full-time salary or wages above \$120,000 per annum (or pro-rata for part-time). <p>² Ineligible apprenticeships include:</p> <ul style="list-style-type: none"> • 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; and • An apprenticeship or traineeship which is funded through either the Queensland Government First Start or Work Start programs.
Eligible Employees	<p>An eligible employee for the Employer Support Payment:</p> <ul style="list-style-type: none"> • Must be a permanent resident of Australia and their principal place of residency is in Queensland;

	<ul style="list-style-type: none"> • Must have been unemployed for at least 52 weeks directly prior to commencing employment with the eligible employer; • Has not worked for the eligible employer in the 52 weeks directly prior to commencing employment with the eligible employer; • Commenced employment with the eligible employer from 1 July 2018 • 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; • Is not a full-time student; • Must not have displaced any existing workers; and • If the employee has a disability, must be engaged in mainstream employment.
Eligible employee Youth Boost	<p>An eligible employee for the Youth Boost Payment:</p> <ul style="list-style-type: none"> • Must meet all of the criteria for an Employer Support Payment except for the requirement to have been unemployed for a period of 52 weeks; and • Was unemployed for at least four weeks directly prior to commencing employment with the eligible employer; and • 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).

How many applications can be made?

Each eligible employer may claim a maximum of **five** Back to Work SEQ applications, including those approved prior to 1 July 2018, combined. This cap applies to SEQ Employer Support Payments, Youth Boost Payments and Mature Aged Worker Boost Payments and combinations of those payment types. Once a total of five initial payment applications have been approved, no further initial payment applications will be accepted.

Time limits for applications and claims

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

Applications and claims received outside of these timeframes will be ineligible for payment. Therefore, it is highly recommended that 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 the required timeframe at backtoworkseq@treasury.qld.gov.au.**

Late applications

Consideration will be given to a late application if:

- (a) 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
- (b) the Back to Work Team has been notified as required above.

The Applicant must submit a written request for consideration of a late application, together with a statutory declaration and all relevant supporting material, to the Back to Work Team at compliance@treasury.qld.gov.au.

Applicants will be notified in writing of a decision within 30 business days from the receipt of the written request.

Evidence requirements

The online application process for an Employer Support Payment or 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, to enable your application to be assessed.

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

Delays in obtaining evidence

If you are waiting for evidence documents (e.g. ABN Certificate) to complete your application and it is getting close to the cut-off 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 to your application. You will be contacted by a member of the Back to Work Team to discuss next steps.

What evidence is required as part of my initial application?

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 (which includes a letter) 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/>. The ABN and name on the ABN certificate must match the ABN and name on your QGrants organisation account and the employee payslips you provide.

Payslips

An employee must have been in paid permanent employment with you for at least four continuous weeks prior to the initial application being made and must have worked the average hours relevant to a part-time or full-time application.

To prove that these requirements have been met, please provide copies of the employee's payslips for the first 4 weeks of their employment with you. Timesheets or a payroll summary will not be sufficient. The ABN and name on the payslips you provide must match the ABN and name on your ABN certificate and QGrants organisation account.

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>.

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
- Passport.

The employee ID must be current (not expired) at the date the employee commenced employment. The first name, surname and date of birth on the employee ID must match the first name, surname and date of birth on the application.

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.

Eligible part-time jobs will attract 75 per cent of the full-time Employer Support Payment.

The initial application process

Applications for Employer Support and Youth Boost payments must be 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 SEQ 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, business information and evidence documents to support your application.

It is the responsibility of the applicant to ensure information is kept up-to-date so that the Back to Work Team can remain in contact regarding future applications, claims and reviews.

Employer declaration

Applicants will be entering into a legal agreement with the Queensland Government. 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 evaluating, administering, assessing, monitoring and auditing compliance with the eligibility criteria for the Back to Work SEQ Program, to support delivery of other Back to Work funding and support, and to promote the Back to Work SEQ 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 personal details of the employee 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 payments.

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 employer 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
 - 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 relation to workplace safety and industrial relations;
 - matters involving fraud; and
 - 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. This may change depending on application volume. 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 system. You can review the status of your application at any time by logging into the QGrants system.

How are 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 are 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 full-time to part-time), after an application has been made, you must notify the Back to Work Team in writing at backtoworkseq@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:

For 26 week claims:

To support your claim, you must provide evidence to demonstrate that your employee has completed 26 weeks continuous paid employment with you and must have worked the average hours relevant to a part-time or full-time application. This evidence must include:

- If the period of employment does not cross a financial year, one payslip from each month from the employee's commencement including one covering the 26 week point.
- If the period of employment crosses a financial year
 - A copy of the PAYG payment summary (formerly known as a Group Certificate) covering the period from the employee's commencement to 30 June of that financial year; and
 - One payslip from each month post 30 June that year including one covering the 26 week point from the employee's commencement date.

For 52 week claims:

To support your claim, you must provide evidence to demonstrate that your employee has completed 52 weeks of continuous employment with you and must have worked the average hours relevant to a part-time or full-time application. This evidence must include:

- If the period of employment does not cross a financial year, one payslip from each month from the employee's commencement including one covering the 52 week point.
- If the period of employment crosses a financial year
 - A copy of the PAYG payment summary (formerly known as a Group Certificate) covering the period from the employee's commencement to 30 June of that financial year; and
 - One payslip from each month post 30 June that year including one covering the 52 week point from the employee's commencement date.

What happens if the program is discontinued?

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

Privacy and confidentiality

The Terms and Conditions available on the Back to Work website and 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 evaluating, administering, assessing, monitoring and auditing compliance with the eligibility criteria for the Back to Work SEQ Program to support delivery of other Back to Work funding and support and to promote the Back to Work SEQ 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 personal details for the purposes set out in the privacy statement in the Terms and Conditions.

For further information about how the Back to Work Team 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 the Back to Work SEQ Program 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.

If an application is not approved, 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 the Back to Work Team in relation to the provision of a Employer Support Payment or Youth Boost Payment. **This request must be lodged within 30 days after the date of the decision.**

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. The BTW Team will only review decisions once this statement of grounds and relevant supporting material has been provided.

If an applicant requests review of decisions that relate to more than one application, the applicant will need to submit separate formal requests for review for each decision.

Review requests and your additional supporting material may be lodged in writing to:

Review Officer, Back to Work Program
PO Box 15483
City East
Brisbane QLD 4002
E: compliance@treasury.qld.gov.au

Applicants will be notified in writing of the outcome of the review within 30 business days from the receipt of the written request.

Contact us

Website: <https://backtowork.initiatives.qld.gov.au/>
Phone: 13 QGOV (13 74 68)
Email: backtoworkseq@treasury.qld.gov.au

