

AUWU

UNEMPLOYED WORKERS' RIGHTS GUIDE



OCTOBER 2018 EDITION

AUWU National Advocacy Service: (03) 9811 7064 / unemployedworkersunion.com

Created by the volunteers of the Australian Unemployed Workers' Union

Arise,
find friends,
join hands,
help others,
make haste.

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Produced by the Australian Unemployed Workers' Union

Original cover art by the AUWU Communications Working Group. The font used in the title is 'Disciplina' (demo) by LJ-Design Studios (<https://www.ljdesignstudios.com>).

The information in this guide is taken primarily from the Government's *jobactive Deed 2015-2020*, the *Disability Employment Services (DES) Deed*, the *jobactive* guidelines and the *Guide to Social Security Law*. Special thanks to the Job Seeker Information Network (JSIN).

Printed at
National Union of Workers (NUW)
833 Bourke Street
Docklands, VIC 3008

Disclaimer:

The information in this publication is of a general nature only and is not intended to be relied upon as, or to be a substitute for, specific professional advice. Although we endeavour to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future.

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Introduction

Congratulations on obtaining the AUWU's guide to unemployed workers' rights! You are now reading information written *by* and *for* the unemployed and underemployed workers of Australia. We hope this guide helps you to survive the punitive, sometimes demeaning, and too-often harrowing experience of getting by on the Newstart Allowance.

If you're on Newstart, you have rights.

These rights are protected by a number of government documents called 'deeds,' which are intended to regulate the government's privatised employment services system. Every private employment services provider (job agent) in Australia is contractually bound to uphold either the *jobactive*, DES or CDP Handbook, depending on which services they offer. The information provided on the Community Development Program (CDP) is limited in this booklet, as we do not have access to CDP guidelines or deeds. For further information about the CDP, please contact the First Nations Workers Alliance (FNWA) as below.

If you find information in this guide at odds with what you've been told by your job agent or by Centrelink, it's not because we haven't done our homework.

Wherever there are ambiguous passages in deeds and guidelines (and there are many) we choose to interpret them in your favour (whereas job agencies tend to do the opposite). The simple fact is that employment service providers make money by pushing you into a range of lucrative activities and appointments. To accomplish this they depend on the threat of penalties, intimidation, and ultimately, your ignorance and isolation. Providers know that if all unemployed workers were well-informed, assertive, and organised, the current system would become unprofitable and untenable.

If you're struggling to cope, or feel you are being treated disrespectfully, chances are your rights are being violated.

The Federal Government refuses to properly regulate the employment services system, so it is up to us, the unemployed workers, to become the regulator. Understanding your rights is the first step to taking control, fighting back, and making the best of a bad situation. The good news is you are not alone in this struggle.

Where to go for help and advice

Australian Unemployed Workers' Union (AUWU)

Sign up to the AUWU (Free and open to everyone): unemployedworkersunion.com

AUWU hotline: (03) 9811 7064 / 1800 2898 48

Online Advocacy Services: unemployedworkersunion.com/national-advocacy-services

Online services include chatbot, inquiry forms, Online booklet, DSP Officer, and more

AUWU facebook: facebook.com/unemployedworkersunion

AUWU twitter: [@ausunemployment](https://twitter.com/ausunemployment)

Read and share stories: unemployedworkersunion.com/stories

Find Your Local AUWU branch: unemployedworkersunion.com/find-local-branch

AUWU Volunteer Form: unemployedworkersunion.com/volunteer

First Nations Workers Alliance (CDP): 1300 362 223

Anti Poverty Network: www.antipovertynetworksa.org

Council of Single Mothers and their Children: 1300 552 511

Government Agencies

Department of J&SB Customer Service Hotline: 1800 805 260 (*jobactive* & CDP complaints)

or nationalcustomerserviceline@employment.gov.au

Complaints Resolution and Referral Service: 1800 880 052 (DES complaints)

or hotline@workfocus.com

National Disability Abuse and Neglect Hotline: 1800 880 052

National Relay Service (hearing/speech impairment): 1800 555 660

Commonwealth Ombudsman: 133 362 072

Employment Services Info Line 13 13 94

CDP complaints complaints@pmc.gov.au.

Centrelink

Centrelink Participations Line: 1300 306 325

Newstart: 132 805

Youth Allowance: 132 490

Families: 136 150

Centrelink Feedback and Complaints: 1800 132 468

Centrelink Income Reporting (24 hrs): 133 276

Disabilities: 132 717

Welfare Rights Networks (Centrelink matters only, more info: nssrn.org.au/services)

Adelaide - Welfare Rights (SA)	(08) 8223 1338 or 1800 246 287
Barwon Community Legal Service:	(03) 5221 4744 or 1300 430 599
Canberra Community Law:	(02) 6218 7977
Central Australian Aboriginal Legal Aid Service:	(08) 8950 9300 or 1800 636 079
Darwin Community Legal Centre	(08) 8982 1111 or 1800 812 953
Darwin Northern Australian Aboriginal Justice Agency:	(08) 8982 5100 or 1800 898 251
Fremantle Community Legal Centre:	(08) 9432 9790
Hobart Community Legal Service:	(03) 6223 2500
Illawarra Legal Centre:	(02) 4276 1939
Launceston Community Legal Centre:	(03) 6334 1577 or 1800 066 019
Perth – Sussex Street Community Law Service:	(08) 6253 9500 or 1800 642 791
Perth – Welfare Rights and Advocacy Service:	(08) 9328 1751
Queensland – Basic Rights:	(07) 3847 5532 or 1800 358 511
Sydney – Welfare Rights:	(02) 9211 5300 or 1800 226 028
South Australia – Uniting Communities:	(08) 8342 1800 or 1300 886 220
Townsville Community Legal Service:	(07) 4721 5511
Victorian Social Security Rights (SSRV):	(03) 9481 0355 or 1800 094 164

Support

Lifeline (24 hrs):	13 11 44
Suicide Call Back Service (24 hrs):	1300 659 467
Kids Helpline (24 hrs, 5- 25 years):	1800 55 1800
The Mindspot Clinic (free online treatment & assessment):	1800 61 44 34
Ask lizzy:	asklizzy.org.au

Ask lizzy is a online directory and referral service providing local information about housing, food, everyday things, health, emergency financial advice, legal support, counseling, drug support, libraries and community hubs

Safety

Worksafe Victoria: 1800 136 089	WorkCover NSW: 13 10 50
SafeWork SA: 1300 365 255	WorkSafe TAS: 1300 366 322
WorkSafe ACT: (02) 6207 3000	NT Worksafe: 1800 019 115
Workplace Health and Safety QLD: 1300 362 128	Worksafe (WA): 1300 307 877
Comcare (Commonwealth): 1300 366 979	FairWork: 13 13 94

Didn't find what you're looking for? Visit unemployedworkersunion.com/helpful-links for many other links, letter templates, government documents, and more.

Recent government attacks on the unemployed

Since the Coalition Government came to power in 2013, unemployed and underemployed workers (and social security recipients as a whole) have been subjected to a vicious assault, making today the worst time in our post-war history to be looking for work. These attacks include:

- *Failure to address our employment crisis*
Going by the official ABS figures, 16 job seekers compete for every advertised job vacancy. This ratio has doubled since 2008.
- *Refusing to raise the dole to the poverty line*
The Newstart Allowance is almost \$350 below the poverty line per fortnight and sinking deeper. This payment has not increased in real terms since 1994.
- *Giving employment services providers unprecedented penalising powers*
In July 2018, the Federal government introduced the Demerit Point compliance system. This gave employment service providers the power to impose payment suspensions without any government oversight and denied unemployed workers an immediate right to appeal, or a reasonable excuse.
- *Annual Activity Requirement (Work for the Dole) expansion*
In September 2018, the Annual Activity requirement of unemployed workers (Work for the Dole being the default activity) was significantly expanded. Those aged between 30-49 will be required to attend 50 hours of an approved activity (previously 30), and unemployed workers aged over 55 will be forced to attend more hours at an approved activity.
- *Income management expansion*
In September 2018, the Federal Government expanded its trial of forced income management to Hervey Bay and Bundaberg, taking the number of cashless welfare trial sites up to five. Since 2007, as part of the Basics Card, successive governments have forced tens of thousands of Newstart recipients onto forced income management across 14 sites.
- *Punitive Centrelink*
Hundreds of thousands of Australians have been sent automatic "robo-debt" letters demanding that an alleged debt to Centrelink be repaid. At least one in six have been found to be fraudulent. Longer waiting periods for Newstart Applicants have also been introduced.
- *Mandatory drug testing*
The government plans to trial a mandatory drug testing program on 5,000 Youth Allowance and Newstart recipients across three locations (Canterbury-Bankstown in NSW, Logan in QLD and Mandurah in WA).
- *Privatising Centrelink*
In April 2018, the government announced it will privatise a part of Centrelink's call centre. In August, it was announced a further 1500 staff will be contracted out to the private sector. Last year, 55 million calls to Centrelink went unanswered, partly an effect of funding and staff cuts.

Protecting your basic rights: a checklist

To ensure your job agent respects your basic rights, the AUWU recommends you take the following precautions:

a) *Negotiate a fair job plan*

Check your job plan to make sure you aren't being forced to do things that you don't have to according to the Deed and Guidelines (see Appendix B, and section 1.10). Be wary of broad terms and vague language (eg. 'I agree to undertake any additional activities as directed by my provider'). Remember that a job plan must be tailored to your particular circumstances and capabilities.

b) *Choose your own activity*

If you are not happy with your Work for the Dole activity, find an alternative approved activity and inform your jobactive or CDP agency. You have a right to undertake a suitable voluntary activity or approved study as the jobactive Deed considers these 'approved activities' (see section 2.1).

c) *Get your barriers to work recognised*

If you feel that your job agent is not recognising your personal circumstances (medical condition, caring responsibilities, family issues etc.), call Centrelink and ask them for an 'Employment Services Assessment' (ESAt). *Once booked, all mutual obligation requirements should cease* until this assessment is attended. If your barriers to work are considered credible, Centrelink may exempt you from activities or significantly reduce your obligations (see section 1.4.)

d) *Ensure your job agency meets its obligations*

Providers are contractually obligated to treat you with respect, explain to you your rights, refer you to suitable jobs, respect your privacy, help you with wage subsidies, have the necessary skills and experience to provide quality service, behave ethically and honestly with due care and diligence, and treat you fairly and with respect in a culturally sensitive way (see section 1.1, Appendices)

PART 1: JOBACTIVE AGENCIES

1.1. What assistance is my jobactive agency required to provide?

Job agencies talk a lot about the mutual obligations you have as an unemployed worker. However, they often fail to mention their own obligations. According to the jobactive Deed (section 85-86), there are three main ways your jobactive agency is supposed to help you find work. These are:

a) *General employment services*

Regardless of the stream you are in, your jobactive agency must:

- canvass jobs available in the local labour market
- explain your rights and obligations under the Social Security Law
- help you to prepare a resume
- refer you to suitable vacancies; help you to apply for jobs
- provide you with information about skill shortages and advise about local, regional, or national employment opportunities
- explain all the services they can provide to you
- identify your strengths and any issues that you may have related to finding employment

If your jobactive agency refuses to provide you with any of these services, they are breaking the *jobactive* Deed.

b) *Employment fund*

As noted in the *Using the Employment Fund General Account*:

once-only credit per Period of Unemployment will be made to the Employment Fund notional bank balance for a Provider:

- *when the job seeker Commences in Stream B, Stream C or Stream A as a Volunteer, or*
- *after 13 weeks of Period of Service for a job seeker Commenced in Stream A (and is not a Volunteer). While Stream A job seekers are allocated the credit at 13 weeks, they are eligible for assistance from day one.*

An additional credit will be made if a job seeker Commences in a higher Stream during their Period of Unemployment.

The amount of money you are entitled to depends on your stream:

Stream A - \$300 credited at 13 weeks of registration

Stream B - \$850 credited upon commencement into Stream B

Stream C - \$1200 credited upon commencement in to stream C

A Provider must first pay for eligible purchases and then claim Reimbursement through the Employment Fund. According to the *Employment Fund Guideline*, the money in the employment fund is designed to 'provide eligible job seekers with the work-related tools, skills and experience that correspond with their difficulties in finding and keeping a job in the relevant labour market.' Here are some examples given in the guideline of what expenses are covered by the Employment Fund:

- *Accredited interpreters*
- *Accredited training*

- *Clothing and presentation (for job interviews, commencement of employment etc.)*
- *Employer related training (non-accredited only) – should your provider need to train your employer in a particular process or management strategy to meet a job seeker’s needs)*
- *Cards and vouchers for food, phone calls or petrol*
- *Job seeker transport (eg. public transport, rego, and compulsory insurance)*
- *Medical expenses*
- *Non-Work for the Dole Activity costs (eg. Risk Assessments)*
- *Post placement support (should a job seeker require assistance in addressing issues for maintaining employment)*
- *Professional services (registered psychologists or allied health professionals)*
- *Relocation assistance (including overnight accommodation when attending an interview in another city)*
- *Rent and crisis accommodation (only when the jobactive agency has exhausted all other avenues – only available one per period of unemployment, unless under special circumstances such as domestic violence)*
- *Assistance with legal and utility expenses (electricity etc.) – offered to Stream C unemployed workers only.*
- *Targeted pre-employment preparation (foundation skills training, employability training for one period of unemployment by job seeker, capped at \$300 per Stream B and \$500 per Stream C) – offered to Stream B and C unemployed workers only*
- *Tools and equipment for jobseekers to find and keep a job (this may not be approved until you have secured the job and have a start date)*
- *Books and equipment for job seekers to undertake training or educational placements*
- *The cost of basic mobile phones (calls, texts, possible emails), for the handset only –not credit.*
- *Other work related items that will assist the job seeker in securing and/or maintaining employment.*
- *Work Trials limited to no more than 2 weeks and only for the wages earned in that period. There must be a position available to be filled for a paid job trial to go ahead. The employer must pay the job seeker and the provider can reimburse them. This must be agreed upon between all parties prior to the work trial taking place.*
- *Work-related licensing (Forklift, OHS etc.)*
- *Other work-related checks and expenses (Working with Children checks, medical checks, out-of-pocket expenses such as childcare etc.)*

For more information on accessing your Employment Fund, see section 8 of the *Using the Employment Fund General Account Guide* (see unemployedworkersunion.com/helpful-links)

c) *Wage subsidies*

As stated in the *Managing Wage Subsidies Guideline*:

The following Wage Subsidies are payable to Employers. This list reflects how the hierarchy of Wage Subsidies is applied in ESS Web. ESS Web automatically determines which Wage Subsidy a Participant is eligible for. All amounts are GST inclusive:

- *Restart Wage Subsidy (50 years of age and over)—up to \$10,000*
- *Youth Bonus Wage Subsidy (15–24 year olds):*
 - *up to \$10,000 for a Stream B or Stream C Participant and for Transition to Work (TtW) Participants on Income Support Payments, or*
 - *up to \$6,500 for a Stream A Participant*
- *Youth Wage Subsidy (25–29 year olds)—up to \$6,500*

- *Parents Wage Subsidy—up to \$6,500*
- *Long Term Unemployed Wage Subsidy—up to \$6,500.*
- *Eligible Indigenous Australians and ParentsNext Intensive Stream Participants can access up to \$10,000 through any of the above Wage Subsidies.*

While wage subsidies are open to all participants within jobactive, CDP, DES and Transition to Work, each Wage Subsidy has specific eligibility criteria. According to the *Managing Wage Subsidies Guideline*, the Wage Subsidy Placement must also meet certain requirements, including:

- *be declared by the Employer as a sustainable, ongoing position, offering an average of 20 hours per week over the 26 week duration of the Wage Subsidy Agreement, and expected to last more than 26 weeks;*
- *Comply with Employment standards for the position as established under all relevant Commonwealth, state or territory law (for example, is it suitable work.*

For more information see the helpful links section on the AUWU website.

"Nothing was done to help me get a job. They did not refer me to any vacancies, got me no interviews, didn't offer me any useful training or anything else of note that would have helped me gain and maintain employment."

- Lorelai 29/7/17

1.2. Why won't Centrelink accept my medical certificate?

Centrelink commonly rejects medical certificates without adequate explanation and forces unemployed workers with serious medical conditions to attend appointments and activities with their jobactive agency. Below is an excerpt of a letter from the Department of Social Services explaining how to successfully submit a medical certificate to Centrelink:

To be granted an incapacity exemption, the job seeker must provide a medical certificate signed by a medical practitioner which states:

- *the medical practitioner's diagnosis and prognosis;*
- *that the person is temporarily incapable of any work (of at least 8 hours per week; and*
- *the period for which they are incapacitated.*

You may not be granted an incapacity exemption if:

- *the medical condition is not temporary (ie. likely to persist for more than 2 years) nor a temporary exacerbation of a chronic condition*
- *you can participate in a suitable program (eg. Employment Services)*
- *you're able to work at least 8 hours per week*
- *insufficient evidence was supplied (eg. medical certificate was incomplete)*

See also section 3.12.

1.3. Do I have to self report my own attendance?

Jobactive providers must make an assessment on whether you are capable of self reporting or recording your own attendance at requirements. Below is an excerpt from the Job Plans and Setting Mutual Obligation Requirements Guideline:

To assess the job seeker's capability to record their own attendance, Providers must consider if the job seeker has (1) the means to record their own attendance; that is, the job seeker has daily, reliable access to technology that would allow them to record their attendance, such as a computer or smartphone, or the means to contact their Provider to report their attendance; and (2) the ability to record or report their own attendance

1.4. I have a medical condition/caring responsibilities yet my job agent is forcing me into an activity. What can I do?

Ask Centrelink for an Employment Services Assessment (ESAt).

Employment Services Assessments are one of the most important rights that unemployed Australians have. They are designed for those who have personal circumstances that are not being recognised by their jobactive agency, especially personal circumstances that prevent people working or looking for work. Once Centrelink books you in for an ESAt, *all mutual obligation activities (including job search requirements) should be suspended.*

When you attend the ESAt, make sure to bring all relevant documentation that proves that you have barriers to work. Some of these barriers to work might include:

- physical condition
- psychological condition
- caring responsibilities

If your barriers to work are proven to be genuine, you can be exempted from mutual obligation activities (including Work for the Dole) for a certain period. In other cases, you will be considered to have a Partial Capacity to Work (PCW) and your obligations will decrease.

Whatever Centrelink decides, you have the right to have it sent to you in writing. As with every Centrelink decision, it can be reviewed upon your request by a Centrelink Authorised Review Officer (ARO). (For more information on appealing, see Part 4).

You can request an ESAt by contacting Centrelink by phone, in writing or in person.

Centrelink *must* book you into an Employment Services Assessment. If they do not book you in, you should ask to speak to a manager and state that it is your right to be booked in for an ESAt.

If Centrelink say that they can't book you in, make it clear that you won't leave/hang up until they schedule an appointment, and if they still refuse, ask how you can lodge a complaint. It is not your fault that Centrelink cannot accommodate your request – *they are obliged to help you.*

If the person you're dealing with refuses to process your complaint, get their name and a reference number, and call the Commonwealth Ombudsman (1300 362 072) to lodge a complaint.

"Have to look for 12 jobs a month, even though I have many specialist reports saying that I have a Brain Injury / Post Concussion Syndrome. Have to see job agency every fortnight, makes me depressed and anxious. I keep applying for Disability Pension- GP says none of her patients are getting it unless she can tick box saying they are going to die within 3 months."

- Anonymous 13/9/17

"I am at university and raising three kids - when would I get time for work?"

- Megan 5/9/17

1.5. I'm being forced to sign a job plan that doesn't recognise my needs and abilities. What can I do?

Your jobactive agency must ensure that your job plan reflects your personal circumstances. If you feel that your job plan does not accurately reflect your needs and abilities, request to renegotiate your job plan at your next appointment (you can do so at any time, and as many times as necessary).

According to the *Managing and Monitoring Mutual Obligation Requirements Guideline*, when setting and approving the terms of a job plan, providers must consult with the job seeker and consider:

- *individual circumstances, in particular their assessed work capacity (where relevant), their capacity to comply with the requirements, and their personal needs*
- *education, experience, skills and age*
- *the impact of any disability, illness, and mental condition or physical condition or other non-vocational issue that affects a job seekers ability to work, look for work or participate in activities – including drug and alcohol dependency.*
- *the state of the local labour market and the transport options available to the job seeker in accessing that market*
- *the participation opportunities and activities available to the job seeker*
- *their family and caring responsibilities (including availability of child care)*
- *the length of travel time required to comply with the requirements (reasonable travel time is 90 minutes each way or, if the job seeker is a PCP or PCW, 60 minutes away)*
- *the financial costs (such as travel costs) of complying with the requirements, and the job seekers capacity to pay for such costs*
- *whether the job seeker has any vulnerability indicators (as identified by DHS) such as homelessness, psychiatric problems or mental illness, severe drug or alcohol dependency or traumatic relationship breakdown*
- *any history of the job seeker not complying with their Mutual Obligation Requirements (to ensure that they undertake appropriate requirements)*
- *cultural factors*
- *if they are an early school leaver*
- *the number of hours a fortnight the job seeker is required to undertake of approved activities in the Work for the Dole Phase*
- *where the job seeker participated in Time to Work Employment Service, any comments and recommendations in the Time to Work Employment Service*
- *any other matter that the provider considers relevant to the job seekers circumstances (including if the job seeker discloses that they are the victim of family violence).*

1.6. Do I have to sign my job plan when it is first presented to me?

Under the *jobactive*, DES and CDP deeds, you are entitled to negotiate an appropriate job plan that recognises your personal circumstances. This means you are able to take your job plan home before you sign it. Below is an excerpt of the *Job Plan and Setting Mutual Obligation Requirements Guidelines*:

Before signing or agreeing to the terms in a Job Plan, all job seekers can have up to two Business Days 'think time' to consider the requirements set in the Job Plan. The job seeker can use this time to discuss the terms of the Job Plan with a third party if they wish...If the job seeker accepts 'think time', Providers are encouraged to arrange and book a provider appointment for the job seeker to occur in two Business Days for the purpose of agreeing and signing the Job Plan.

You should not be forced to sign a job plan when you have a 'Reasonable Excuse' or a 'Valid Reason' for refusing to sign. As noted in the *Job Plan* guideline:

If the job seeker refuses to enter into and sign a Job Plan (and does not wish to use their 'think time') the Provider must contact the job seeker and discuss the reasons to assess if the job seeker has a Valid Reason.

If contact is successful on the same day, the Provider must discuss the circumstances and why the job seeker is not agreeing to the Job Plan. If the job seeker does not have a Valid Reason for not agreeing to the Job Plan the Provider must submit a Mutual Obligation Failure, impose a re-engagement requirement, schedule the date and time for the re-engagement requirement to occur within two business days, advise the job seeker of what they must do to satisfy the re-engagement requirement and that the job seeker's income support payment will remain suspended until the re-engagement requirement is met including the consequences of not meeting the re-engagement requirement.

If contact on the same day is not successful and the job seeker contacts at a later time the Provider must discuss the circumstances of the Mutual Obligation Failure with the job seeker to assess if the job seeker had a Valid Reason, schedule the date and time for the re-engagement requirement to occur within two business days, record all details in the Department's IT system and inform the job seeker they have a confirmed Demerit on their record.

1.7. What are my job search requirements? Can I have them reduced?

Under the *jobactive* system, most unemployed workers are required to look for 20 jobs per month (depending on capacity). However, as the *Managing and Monitoring Mutual Obligation Requirements Guideline* explains, there many circumstances that may affect your job-search requirements:

Providers may reduce the number of Job Searches as a result of a job seeker's:

- *physical, intellectual or psychiatric impairment;*
- *treatment for drug and alcohol dependency (in some exceptional circumstances to have no Job Searches)*
- *substantially elevated level of family and caring responsibilities;*
- *accommodation situation, where this is likely to impede Job Search;*
- *education or skill level, where this is likely to substantially limit job opportunities;*
- *current employment status (part-time or casual work);*
- *domestic violence (including family violence) or family relationship breakdown (the Department of Human Services may grant an Exemption from Mutual Obligation Requirements in these circumstances);*
- *level of English language skills, where the job seeker is undertaking a course to improve these skills;*
- *cultural factors;*
- *the state of the labour market and the transport options available to the person in accessing that market, for example, taking into account travel time.*

For example, a Stream A job seeker either living in a metropolitan area or within 90 minutes travel time to a metropolitan area would be expected to have 20 Job Searches per month. In a regional area with limited vacancies and where the travel time to more positive labour markets is more than 90 minutes, it might be appropriate that a Stream A job seeker has a lower Job Search requirement, for example, 15 Job Searches per month.

Providers must not reduce the number of Job Searches a job seeker is required to undertake merely because the job seeker is undertaking other Activities—in particular study or during the Work for the Dole Phase.

- *Job Search requirements while studying Language Literacy and Numeracy Courses*

If a Provider has identified that a job seeker needs to improve their Language, Literacy and Numeracy skills, the number of required Job Searches may be reduced (but not reduced to zero) while the job seeker is actively participating in an accredited Language Literacy and Numeracy course. Approved courses include the Skills for Education and Employment program and the Adult Migrant English Program. Providers must ensure that the job seeker has some Job Search requirement recorded in their Job Plan while participating in these programs.

- *Job Search requirements for Stream C job seekers and job seekers aged 60 years and over*

The number of Job Searches required by Stream C job seekers and job seekers aged 60 years of age and over depends on their capacity. Generally, 10 Job Searches per month are expected. In setting an appropriate number of Job Searches, in addition to other considerations, Providers may also consider:

- *other non-vocational issues or vocational issues that are being, or have been addressed*
- *if the job seeker has undertaken re skilling or re-training*
- *for Stream C job seekers, it might be appropriate in some Exceptional Circumstances to have no Job Searches for a period while non-vocational issues are actively being addressed. For example, where a job seeker is undertaking a residential drug and alcohol rehabilitation program.*

For Stream C job seekers, the number of Job Searches required is expected to increase over time as they overcome or sufficiently manage personal or nonvocational issues.

- *Job Search Requirements for Those in Paid Work*
-

For job seekers with full-time Mutual Obligation Requirements:

- *if doing at least 40 hours of declared paid work (including self-employment) per fortnight then the number of Job Searches should be halved. If the job seeker is doing a significant number of hours of paid work per week and receiving only a residual amount of income support, the number of Job Searches may be reduced further*
- *if doing at least 70 hours of declared paid work (including self-employment) per fortnight then the job seeker should have no Job Search requirement.*

- *For job seekers with part-time Mutual Obligation Requirements (Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week):*

if doing 11 to 29 hours of declared paid work (including self-employment) per fortnight, the number of Job Searches should be halved

if doing 30 hours or more of declared paid work (including self-employment) per fortnight, the job seeker should have no Job Search requirement.

"I suffer [from] chronic asthma and was made to breath cigarette [smoke] constantly which triggered day long asthma attacks. Job Agency completely ignored me and Department of Employment customer service line refused to process complaint." - Jeromy 6/9/17

- Job Search requirements for Early School Leavers who are not meeting their requirements through study or paid work

Early School Leavers who are meeting their Mutual Obligation Requirements through approved Activities other than just paid work and study for 25 hours per week (15 hours for Principal Carer Parents and those with a Partial Capacity to Work of 15 to 29 hours per week) must have up to 20 Job Searches per month in their Job Plan.

1.8. My job agent is bullying me. What can I do?

All job agencies must uphold the *Employment Service Provider Guarantees* and *Employment Services Code of Practice* (see Appendix D, E). These documents guarantee that you must be treated 'fairly and with respect.' If you feel your jobactive agency is breaking these commitments, we encourage you to take the following actions:

- *Tell your Local MP*
We are aware of many cases where MPs intervene on behalf of unemployed workers.
- *Write a letter to your jobactive agency*
Wherever possible, you put your concerns to your jobactive agency in writing. This makes it harder for your jobactive agency to ignore your concerns and is essential for creating a record of your situation which you can use later if you need to escalate your complaint. The AUWU website has a template letter for this situation (found at: unemployedworkersunion.com/complaints-appeals/).
- *Take a friend or family member to your next jobactive appointment*
Having a witness present will make your job agent much less likely to bully you. This is your right. Also, if you would like an advocate to help you deal with Centrelink, ask a friend or family member to sign a Centrelink nominee form (found at: unemployedworkersunion.com/complaints-appeals/).
- *Request a new employment consultant (job agent)*
Ask to speak to the manager at your jobactive agency (alternatively you can write a letter/email). Inform them that your job agent is not fulfilling its basic commitments to treat you fairly and with respect as stated in the 'Employment Service Provider Guarantees' and 'Employment Services Code of Practice' and you would like to be given a different case manager (see Appendix D).
- *Change job agencies*
Call the Department's Customer Service Line (1800 805 260) and request a transfer to a different agency. They are able to transfer you on the spot. Alternatively, you can fill out a transfer by request form and state that you wish to transfer agencies on the basis that you can get better services elsewhere
- *Make a complaint*
Lodge a formal complaint with the Department by calling 1800 805 260 (see Part 4 for more details).
- *Tell Your Story*
Share your jobactive agency experiences with other unemployed workers on the AUWU forum: unemployedworkersunion.com/stories

“Rude, condescending, and cruel case workers who delight in degrading, dehumanising, and humiliating. One in particular made a point of adding up all of the jobs I had applied for since I was old enough to work (several hundred!) and then saying that I must be a terrible person to still be unemployed after applying for that many jobs. This kind of thing wreaks absolute havoc on a person's mental health and DOES NOT encourage or support them to get a job.”

- Lorelai 29/7/17

1.9. I am being threatened with a penalty or activity that I don't understand. What can I do?

If you object to something your jobactive agency requests you to do, ask them to justify their request with reference to the relevant deed or guideline.

“As someone who is a recovering alcoholic they forced me to do my RSA [certificate of Responsible Service of Alcohol] which I found shocking to say the least.”

- Anonymous 2/9/17

1.10. I'm being forced to attend multiple appointments per month. What can I do?

According to the *jobactive* Deed (84.1), job agencies must provide unemployed workers with 'one Contact each month to discuss Job Searches they have undertaken in the previous month and to identify jobs that they can be referred to.' Anything above this monthly appointment is therefore voluntary. If your job agent demands that you attend any more appointments on top of this monthly appointment, request that they:

- produce the relevant section of the *jobactive* Deed or guidelines to provide evidence for this requirement; and
- re-negotiate your job plan to put it in line with your minimum Mutual Obligations Requirements.

The monthly jobactive agency appointment is in addition to your job searches and Annual Activity Requirement (Work for the Dole, voluntary activity etc.) See Appendix B for more details. If you are unable to attend your monthly jobactive agency appointments due to certain issues, you have the right to call 24 hours in advance to reschedule your appointment. You have the right to conduct the appointment over the phone.

1.11. My job agent doesn't give me enough notice before scheduling an appointment or activity. What can I do?

As noted in the *Job Seeker Compliance Framework Guideline*, your job agent must give you reasonable notice ahead of any appointment or activity. How 'reasonable notice' is defined depends on the method of contact.

If your provider contacts you by phone, face to face, or hands you a letter to organise an appointment or activity, you must be given 3 Calendar days notice.

Note: If you are contacted by phone, the provider must speak directly to the job seeker.

If you are contacted by email (only available when it is the job seeker's notification preference), you must be given 2 business days notice.

Note: For an email notification to be valid, Providers must ensure that the job seeker has read and understood the email—for example, by using a 'read receipt'—at least one day before the Appointment or activity. Where the job seeker does not respond to email

notification, another method should be used.

If you are contacted by mail, you must be given 6 business days notice.

However, according to Social Security Law, job agents can simply bypass these rules by organising an appointment or activity directly with the unemployed worker as long as the unemployed worker agrees.

This relies on the job seeker not knowing their rights. If your job agent tries to organise an appointment or activity without the required notice, simply inform them of your rights and lodge a formal complaint to the Department (see Part 4).

1.12. How can I change job agencies?

Transferring providers is an important right of unemployed workers. To transfer you must call the Department's National Customer Service Line on 1800 805 260. There is no limit on the number of times you can transfer. The Department will generally only accept your transfer request under specific circumstances as noted under the *Transfers Guideline*. These are:

- **Transfer by agreement**
You can request a transfer at any time by filling out a 'Transfer By Agreement' form (see 'helpful forms' section). This must be signed by your current and future job agencies. This form can be submitted either online or in person
- **Change of Address**
After a change of address, the Department will automatically transfer you to a new provider if your current one is 'not within a reasonable distance.'
If the department does not do this automatically, then call the Department.
On the other hand, if you get transferred automatically and you would prefer to stay at your old provider, you can also request a transfer through the Department.
- **Relationship Failure**
If you believe you cannot maintain a 'reasonable and constructive relationship' with your Employment Service Provider, call the Department's Customer Service Line and request a transfer. A customer service officer will record the request and help to make the transfer if approved.
- **Better Servicing**
If you believe that you could receive services that could 'better enhance' your employment prospects from another provider, you have the right to request a transfer.

If either party is not satisfied with the outcome of any transfer decision, they can request a review of the decision by notifying the department's National Customer Service Line in writing within 14 business days of the original decision.

If the Department agrees, they will accept the transfer. If they do not agree, you will be informed of the decision. Be sure to ask the Department for a reference number for your call and stand your ground if they refuse to process your request. If you feel they have treated you unfairly, contact the Commonwealth Ombudsman (1800 362 072) to make a complaint.

1.13. Do I have to sign the Privacy Notification and Consent Form?

According to the *Privacy Guideline*, you are within your rights to refuse to sign, although this 'may limit the number of options and types of services the provider can offer'

“They refused to transfer me to a Neato that was 5 minutes away and forced me to walk and catch 3 buses on a knee that requires surgery.”

- Anonymous 2/9/17

1.14. Do I have to hand over my payslips if asked?

There is no section of the *jobactive*, DES or CDP Deeds that states unemployed workers are required to hand in payslips to their jobactive agency. As an unemployed worker, you are required to report your income to Centrelink, not your jobactive agency. Job agencies are able to see your latest reporting details on its system.

If your agency requests that you hand in your payslips, inform them in writing that you will only provide payslips if they present evidence from within the Deed that it's a requirement. The AUWU website has a template letter for this situation (unemployedworkersunion.com/complaints-appeals/).

1.15. What's an Acceptable Reason / Valid Reason / Reasonable Excuse?

To avoid a penalty or successfully overturn a penalty, you must have either an Acceptable Reason, Valid Reason or Reasonable Excuse. These are defined as follows

Acceptable Reason

If your job agency determines that you have provided a 'Valid Reason' for not attending a mutual obligation requirement scheduled in the *future*, this is an Acceptable Reason.

Valid Reason

If you give a reasonable explanation for not complying with a *past* requirement, and it was unreasonable to expect the you to give prior notice of your inability to attend or comply, this is a Valid Reason.

For a full list of Valid Reasons from which Providers can select to record their decision please refer to the *Targeted Compliance Framework Reference Guide* (can be found at <http://unemployedworkersunion.com/helpful-links/>)

If you do not meet your Mutual Obligation Requirements and did not contact your jobactive agency prior to the requirement to give an Acceptable Reason, your jobactive agency must contact you on the same day of being made aware of the compliance failure to 'assess if you have a Valid Reason' (114.4). If you did not give prior notice of your inability to attend or comply and it would have been reasonable to do so, a Valid Reason cannot be established as the job seeker could have told the Provider prior to the event.

Reasonable Excuse

If you do not meet your mutual obligation requirements while in the penalty zone (see Part 4) and your jobactive agency believes you do not have a Valid Reason, your jobactive agency will submit a Non-Compliance Report to Centrelink for Investigation. Once Centrelink receive this report, they are obliged under the law to contact the unemployed worker within 24-48 hours to see if a reasonable excuse exists. The meaning of the term reasonable excuse is not defined in legislation but the excuse must be one that an ordinary member of the community would accept as reasonable in the circumstances. The following factors must be taken into account by the decision maker:

- *That the person did not have access to safe, secure and adequate housing or was using emergency accommodation or a refuge at the time of the failure,*

- *the literacy and language skills of the person;*
- *an illness, impairment or condition of the person that requires treatment, including an illness that is episodic or unpredictable in nature,*
- *a cognitive, neurological, psychiatric or psychological impairment or mental illness of the person,*
- *unforeseen family or caring responsibilities of the person,*
- *that the person was subjected to criminal violence (including; domestic violence and/or sexual assault,*
- *that the person was adversely affected by the death of an immediate family member of close relative, and*
- *that the person was working in employment that meets minimum applicable terms and standards or attending a job interview at the time of the requirement.*

When considering reasonable excuse, the decision maker should take into account all factors that may have affected the unemployed workers' ability to comply. On the other hand, any of the above factors may provide a reasonable excuse only if (1) it had a significant and direct effect on the job seeker's capacity to comply with the specific requirement at the time the job seeker failed to comply; (2) the job seeker had given prior notice of the reasonable excuse to the organisation which arranged the appointment or activity if it was reasonable to do so

1.16. I'm being forced to accept unsuitable work. What can I do?

The *Managing and Monitoring Mutual Obligation Requirements Guideline* gives you the right to reject work that is considered 'unsuitable'. Work will be Unsuitable if it

- *involves skills, experience or qualifications that the person does not have, and appropriate training will not be provided by the employment*
- *is above the job seeker's assessed work capacity within the next two years with intervention*
- *may aggravate a pre-existing illness, disability or injury and medical evidence has been provided*
- *involves health and safety risks and would contravene an occupational health and safety law*
- *has terms and conditions which are less generous than the applicable statutory conditions*
- *involves commuting from home to work that would be unreasonably difficult (more than 60 minutes one way for PCP and PCW and more than 90 minutes for other job seekers)*
- *involves enlisting in the Defence Force or the Reserve Forces*
- *requires the person to change residence*

In addition to the above, work is unsuitable for Principle Carer Parents (PCP) if

- *it is more than 25 hours a week*
- *PCPs do not have access to appropriate care and supervision for their children at the times they would be required to work (appropriate care must be provided by an approved child care service, or any other care that the parent deems suitable, such as school.)*

Additionally, providers should consider:

- *the location of either the workplace or the child care facility would make the total travel time to and from work unreasonable*
- *the PCP will be at least \$50 a fortnight financially better off as a result of working*

In addition to the above, work is unsuitable for job seekers with a Partial Capacity to Work if:

- *it does not provide appropriate support or facilities to take account of the illness, disability, or injury*
- *the total cost of participating in employment means that the job seeker would be financially worse off as a result of undertaking the work. Examples include personal care requirements incurred by the job seeker to get ready for work or while on the job; disability aids required for participation in the job that are not covered by the employer and the cost of travel to and from the job by the job seeker's means of transport.*

Where job seekers are undertaking an education or training activity that is included as a compulsory item in their Job Plan, the job seeker is only required to accept a job that does not conflict with the timing of that education or training.

PART 2: WORK FOR THE DOLE AND ANNUAL ACTIVITY REQUIREMENTS (Jobactive and CDP)

2.1. Do I have to do Work for the Dole? (Jobactive only. For CDP see 2.7)

jobactive agencies routinely – and falsely – claim that Work for the Dole is a compulsory activity for most unemployed workers.

The *Managing and Monitoring Mutual Obligation Requirements Guideline* clearly states that other approved activities – namely: voluntary work; part-time study; and accredited literacy and numeracy courses – will enable a job seeker to meet their Annual Activity Requirement (AAR).

jobactive agencies have incentives to place unemployed workers into a Work for the Dole activity (see Appendix C). As a result, it is commonplace for jobactive agencies to force unemployed workers into a Work for the Dole activity without informing them of these important options. Below is a list of approved AARs as stated in the *Managing and Monitoring Mutual Obligation Requirements Guideline*:

- *Work for the Dole*
- *Part-time employment*
- *National Work Experience Programs*
- *Work Experience (Other)*
- *PaTH Internships*
- *Career Transition Assistance*
- *Voluntary Work*
- *Regional Employment Trials Activities*
- *Defence Reserve*
- *PaTH Employability Skills Training (EST)*
- *Launch into Work program pre-employment projects*
- *study/training (part-time or full time)*
 - *Study/training is subject to the approved short course conditions (see unemployedworkersunion.com/complaints-appeals/) and must be in:*
 - *a Certificate III course or higher (but not a Masters or Doctorate course), or*
 - *a Certificate I or II course commenced in the Case Management Phase but not yet completed when the job seeker moves into the Work for the Dole phase (for these courses, any hours completed once a job seeker moves into the Work for the Dole phase will count toward a job seeker's AAR).*
- *Accredited language, literacy and numeracy courses, which can include:*
 - *the Skills for Education and Employment programs, or*
 - *the Adult Migrant English Program*
- *treatment and interventions for drug and alcohol dependency*
- *other non-vocational assistance and interventions for Stream C job seekers*
- *preventative health related activities for jobactive indigenous job seekers and Stream C job seekers*
- *other government programs, including NEIS Training, Green Army, state government programs and 'Exploring Being My Own Boss' Workshops*
- *non-government programs approved for Annual Activity Requirement purposes.*

Activities that do not count toward a job seeker's Annual Activity Requirement

- *non-accredited education and training unless it is non-vocational assistance for Stream C job seekers*
- *Certificate I or II courses started after commencement in the Work for the Dole phase (with the exception of accredited Language, Literacy, and Numeracy courses)*
- *study outside of the approved short course conditions (including Masters and Doctorate courses)*

Note: For study to be approved, it must meet the Short Course approval conditions (i.e. less than 12 months or 2 semesters duration). If your course is longer, you may be eligible for AUSTUDY (see helpful links for more information).

- Consideration when selecting Activities to Meet Annual Activity Requirement (AAR)

Job seekers under 18 years

Job seekers aged under 18 years with Mutual Obligations are not eligible to participate in Work for the Dole. Job seekers aged under 17 years are not eligible to participate in the National Work Experience Programme.

Job Seekers 15-24 years of age

Employability Skills Training (EST) is available to eligible job seekers aged between 15 to 24 years who are receiving income support and have compulsory Mutual Obligation Requirements

Job seekers aged 18-49 years

Work for the Dole is the principal Activity to meet their AAR unless:

- *they arranged to meet their AAR through another approved activity that will start at the time they become subject to the AAR, or are already undertaking other approved activities at the same they enter the Work for the Dole phase*

Job seekers aged over 50 years

May select which Activity they will undertake to meet their AAR.

2.2. How do I undertake Voluntary Work instead of Work for the Dole? (jobactive only)

Unemployed workers of all ages can undertake voluntary work instead of Work for the Dole. According to the *Managing and Monitoring Mutual Obligation Requirements Guideline*, volunteer work is an approved activity that will enable all unemployed workers to meet their AAR.

Note: 'voluntary work' and 'Work for the Dole' are two *different* types of AAR. The place where you do Work for the Dole is called a 'host site', whereas the place where you can do voluntary work is called an 'approved volunteer organisation.' Work for the Dole host organisations and jobactive or CDP agencies get paid for participating in the Work for the Dole program (see Appendix C), while volunteer organisations do not. This is a major reason why jobactive agencies are so keen to funnel people into Work for the Dole.

The AUWU encourages all unemployed workers to seek out a volunteer organisation – not only do you get to choose something that suits your interests, but you undermine the punitive Work for the Dole system.

If your job agency and the Department refuses to approve your voluntary work activity, you need to get it approved by Centrelink. It's important to note that a volunteer organisation is suitable only if it's not for profit and has appropriate insurance. To make sure your volunteer organisation is approved by Centrelink, you must fill out a 'Request for Organisation Approval' (SU461). After that form is submitted to Centrelink, both you and your chosen volunteer organisation must fill out a 'Verification of Voluntary Work' form (SU462). These forms can be found here:

humanservices.gov.au/business/forms/su461 and humanservices.gov.au/customer/forms/su462

There are little incentives for your job agent to place you in a volunteer activity, so unfortunately you must do most of the leg-work to undertake voluntary work with your chosen non-for-profit organisation.

Your jobactive agency might even go out of their way to make it difficult for you to attend a volunteer activity, or try and convert this volunteer activity into a Work for the Dole activity.

Consequently, the AUWU recommends that you ask Centrelink for stamped copies of the processed voluntary forms when you submit them. You can provide this to your jobactive agency later as proof.

2.3. What are my Rights at Work for the Dole?

You have the right to work in a safe and suitable Work for the Dole activity. However, as job agencies are subject to perverse incentives to place unemployed workers into the Work for the Dole program (see Appendix C), safety checks are routinely rushed through or conducted improperly.

According to the *Work for the Dole Guideline*, a risk assessment must be conducted for each Work for the Dole location and for each individual placed there (see Appendix F). These assessments must be conducted by a trained and skilled 'Competent Person' organised by the job agency. Both of these assessments give unemployed workers important protections:

a) *Work for the Dole risk assessment (place) checklist*

The Work for the Dole Risk Assessment (place) is designed to ensure that Work for the Dole activities have all 'work health and safety issues...addressed and managed before the Place/Activity commences and at all times during the Place/Activity' (see Appendix F).

If you believe that your Work for the Dole activity does not have adequate 'work health and safety processes' as defined by the risk assessment checklist, report the site to your state's Work Health and Safety Authority (see Where to Go for Help Section), your local member, and the Department's Customer Service Line. Inform your job agency and your on site Work for the Dole supervisor that you will not work there until the issue has been addressed.

b) *Work for the Dole risk assessment (job seeker) checklist*

Your job agency must undertake a Risk Assessment for each individual participating in a Work for the Dole activity (see Appendix F). The assessment must ensure the Work for the Dole activity is 'suitable and safe.' As stated in the government's *Work for the Dole Guideline*, this risk assessment guarantees all unemployed workers are provided:

- training and supervision
- personal protection equipment and clothing
- onsite facilities (access to drinking water and toilet)
- instructions on reporting any OHS issues

Additionally, job agencies must take into consideration your 'personal circumstances such as working capabilities and capacity and whether the level of supervision will be adequate.' If you do not feel these rights are being respected, follow the steps shown in part (a).

c) *CDP Risk Assessment (Activity)*

CDP providers are responsible for ensuring that the risk assessment analyses the possible risks associated with the Work for the Dole activity, assesses the likelihood and consequences of those risks and develops strategies to eliminate or sufficiently minimise those risks, so that the provider can be satisfied that it can ensure that the activity is safe and complies with all laws. For more information on CDP rights, contact the First Nations Workers Alliance (see unemployedworkersunion.com/complaints-appeals/)

All completed risk assessments can be requested under Freedom of Information Laws.

2.4. Am I insured if I am injured during my Work for the Dole activity?

Yes. Even though you are not legally considered a 'worker' and therefore not entitled to certain Government protections, the Department has engaged insurance

company Arthur J. Gallagher Australia to arrange insurance for all unemployed workers undertaking a placement as a part of the *jobactive* system. To read their insurance guide, visit the Helpful Links section of our website: unemployedworkersunion.com/complaints-appeals/

To provide further recourse to unemployed workers who suffer injuries at Work for the Dole sites, the AUWU has partnered with Turner Freeman law firm. Turner Freeman has agreed to provide no-win-no-fee advice to all AUWU members. Call them on 13 43 63 for free legal advice (see helpful links for more information).

2.5. Can my job agency force me to Work for the Dole if I'm doing paid work?

No. According to the guide to the Social Security Guide (3.2.8.50):

A Job Plan must not include participation in WFD (or other approved programs of work) as a compulsory item for job seekers receiving less than the full rate of income support, where the rate is reduced due to the income test (Note: A reduced rate can result from the job seeker's own income and/or their partner's income.) This can be included as a voluntary item. Participation in WFD must also not be included in the Job Plan as either a compulsory or voluntary item for job seekers under the age of 18.

2.6. How many hours do I have to do for Work for the Dole?

The hours you are required to work depends on three things:

- your age
- whether you are in CDP or jobactive (streams A, B, or C)
- whether you are a single parent (known as Primary Care Provider) or you have been given a Partial Work Capacity (PWC) or a reduced capacity (CDP only)

You are only required to fulfil these obligations when you are within your Work for the Dole phase, which lasts for six months (jobactive) or all year around (CDP). To find how many hours you have to work, please see Appendix B and E.

2.7. Can I get a temporary exemption from Work for the Dole / Mutual Obligation Requirements?

As noted in 1.3 and 1.4, job agencies must take into account your personal circumstances and medical conditions when setting your Mutual Obligation requirements. However, you are also entitled to a temporary exemption from requirements in special circumstances. As stated in the Social Security Guide (3.2.11.40):

The following are categories of special circumstance exemptions that may arise:

- *major personal disruption to the job seeker's home,*
- *major personal crisis (including homelessness),*
- *affected by declared natural disaster, e.g. bushfire, flooding or cyclone,*
- *temporary caring responsibilities,*
- *dad and partner leave,*
- *undertaking jury duty,*
- *being a newly protected witness,*
- *being a newly arrived refugee,*
- *volunteering during a state or national emergency, or*
- *undertaking Indigenous cultural business.*

CDP participants are also entitled to a yearly break from Work for the Dole, pending approval from their CDP provider (for example, during school holiday & Christmas break)

PART 3: DISABILITY EMPLOYMENT SERVICES (DES)

3.1. What is a Disability Employment Service (DES)?

Disability Employment Services (DES) are contracted by the government to help unemployed workers with disability, injury or health conditions to prepare for, find, and keep a job.

There are two types of Disability Employment Services available:

- Disability Management Service (DMS) - for people with disability, an illness or injury who need help from an employment service but aren't expected to need long term support in the workplace
- Employment Support Service (ESS) - for people with permanent disability and with an assessed need for longer term, regular, ongoing support in the workplace

3.2. How can I register for DES?

In order to register with DES, you must be either:

- In receipt of DSP with a recent job capacity assessment with a work capacity of 8 hours per week; or
- in receipt of Newstart with a recent Centrelink assessment referring you to DES; or
- a school leaver or other special class of job-seeker.

Generally, you will be eligible for DES if you have serious health or other barriers to employment that will not be stabilised or addressed within the next 2 years without intensive support (as in the support that DES can provide in comparison to jobactive). You must complete a Job Capacity Assessment or have already completed one within the last 12 months with the outcome, in relation to job service provisions, resulting in a 'Referral to DES'.

3.3. Am I eligible for DES?

To be eligible for Disability Employment Services you must:

- have a permanent, or potentially permanent disability [for example sensory, physical, psychiatric, intellectual, neurological or acquired brain injury] or a mental health condition
- be assessed as eligible by an independent Job Capacity Assessor or Employment Services Assessment (see Part One, Question 3)
- require support for more than six months after placement in employment or require specialist assistance in order to meet participation requirements
- have an assessed future work capacity of eight or more hours per week
- require long-term support in the workplace and/or are unable to work at full wages

You do not need to be receiving income support payments to be eligible for the DES. School leaver or other special class job seeker may also be eligible.

3.4. What are the national standards for DES?

As a job seeker with a disability you have rights. All DES job agencies must adhere to the Disability Service Standards. According to the Government's *National Standards for*

Disability Services – Summary Table (see Appendix D), these standards are broken down into the following six categories:

1. *Rights: The service promotes individual rights to freedom of expression, self-determination and decision-making and actively prevents abuse, harm, neglect and violence.*
2. *Participation and Inclusion: The service works with individuals and families, friends and carers to promote opportunities for meaningful participation and active inclusion in society.*
3. *Individual Outcomes: Services and supports are assessed, planned, delivered and reviewed to build on individual strengths and enable individuals to reach their goals.*
4. *Feedback and Complaints: Regular feedback is sought and used to inform individual and organisation-wide service reviews and improvement.*
5. *Service Access: The service manages access, commencement and leaving a service in a transparent, fair, equal and responsive way.*
6. *Service Management: The service has effective and accountable service management and leadership to maximise outcomes for individuals.*

3.5. How can a DES assist me?

DES agencies must offer you support to suit your individual needs, which according to the DES Deed and guidelines includes:

- *help preparing for work, including training in specific job skills; help with writing a resume and interview skills*
- *access to job search facilities*
- *information on local employment opportunities*
- *help to gain new skills or qualifications*
- *help with overcoming other barriers to employment*
- *access to financial assistance to purchase work-related modifications and services, like adjustments to your work environment, communication devices or Auslan interpreting*
- *on-the-job support when you are placed into a job, including support for your co-workers and employer*
- *ongoing support in a job if you need it*
- *help if you are at risk of losing your job because of your disability, injury or health condition (this is under the Job in Jeopardy service)*

Your DES agency is under agreement with the Government to work with you every step of the way by getting to know your individual circumstances. They should work with you to develop your own personal Job Plan that sets out the services and assistance you will receive.

DES agencies are contracted to deliver employment services funded by the Australian Government, and they have agreed and are committed to observe the *Employment Services Code of Practice* (see Appendix D).

You should receive ongoing personalised employment services from your DES agency. These services must be sensitive to your circumstances and background. The *Disability Employment Services Service Guarantee* (see Appendix D) outlines the level of service you should expect to receive.

3.6. What are my job-search requirements with a DES?

DES job search requirements are very similar to jobactive and are generally 20 jobs per month (depending on capacity, see 1.6). Unemployed workers who are registered with DES may have full-time requirements or part-time and Principal Carer requirements. Unlike jobactive, DES agencies must provide ongoing support as you search for work, secure employment and then maintain employment. In DES, there is funding available to provide longer and higher levels of support. This is to assist unemployed workers with disabilities to address any barriers that their disabilities may trigger or arise due to new employment.

3.7. How do I transfer to a different DES provider?

To request a transfer to a new DES agency, call the Department Customer Service Line on 1800 805 260. Similar to jobactive, the Department will only accept your transfer request if you have an approved reason. Below is an excerpt of the Government's *Disability Employment Services Transfer Guideline* detailing the circumstances in which the Department will accept a transfer. Note: service funding moves with you, that is, from the old provider to the new provider. So this gives you some leverage to negotiate improved service if you are not satisfied with your current provider.

A Participant may change DES Providers in their local Employment Service Area (ESA) if the Participant:

- *moves to a new location—relocation*
- *or DES Provider, requests a transfer by the Department, if at any time the Participant and DES Provider are unable to achieve or maintain a reasonable and constructive service relationship—relationship failure*
- *requests to change DES Provider and both DES Providers agree to the change—by agreement or*
- *requests the Department to change DES Provider where the Participant can demonstrate they would receive better services that could enhance their employment prospects from another DES Provider — better services for the Participant with another DES Provider; or*
- *requires a change of DES Provider as a result of an Ongoing Support Assessment recommendation—Assessment.*

For more information on this process, see section 1.11.

3.8. How often must I attend an appointment at my DES provider?

You are required to 'make contact' with your DES agency every *fortnight*. Below is a direct extract from the DES Grant Agreement:

Participant	Minimum Contacts
All Participants (excluding Work Assist Participants)	Initial Interview on Commencement
	Six Contacts over each period of three months for Participants receiving Employment Assistance and Extended Employment Assistance

	Regular Contacts, as deemed appropriate by the Provider, for Participants receiving Post Placement Support
	Initial Interview for a New Program when a Participant moves from Disability Employment Services – Disability Management Service to Disability Employment Services – Employment Support Service or vice versa
	As required, for Participants receiving Flexible Ongoing Support
Work Assist Participants	Initial Interview
	Regular Contacts, as deemed appropriate by the Provider, during the Period of Service
Disability Employment Services – Employment Support Service Participants only (applicable to Disability Employment Services – Employment Support Service Providers only)	Six Contacts over each period of three months for Participants receiving Moderate Ongoing Support
	Twelve Contacts over each period of three months for Participants receiving High Ongoing Support

Note 1: The timing and duration of Contacts is not specified but will depend on the individual circumstances of each Participant, as determined by the Program Provider.

Note 2: There is no minimum number of Contacts specified for Participants who are receiving Flexible Ongoing Support

Post Placement Support (PPS): For jobseekers who have secured employment, they will receive support to assist them in maintaining employment.

Extended Employment Assistance: Once 18 months of service with DES has been completed, your provider will be required to submit a report to Human Services advising if they recommend a further 6 months in DES or if they are ready to be exited to mainstream (jobactive) job services.

3.9. Am I entitled to any wage subsidies?

As a DES recipient, you may be eligible for a wage subsidy. The table below is a summary of content found in the *DES Wage Subsidy Scheme Guidelines*:

Objective	To provide a flexible financial incentive for Employers to offer DES Participants an opportunity to demonstrate suitability for on-going employment.
Eligibility	The following eligibility requirements apply to this wage subsidy: <ul style="list-style-type: none"> • Participants: all DES Participants are eligible for this subsidy; and

	<ul style="list-style-type: none"> • Placements: expected to provide at least 8 hours of employment per week for at least 13 weeks.
Subsidy details	<p>Maximum of \$1,500 (excluding GST). May be used for:</p> <ul style="list-style-type: none"> • Wage Subsidy: to be negotiated commensurate to the Participant's level of disadvantage, for a subsidy period of 13 weeks; and optionally • Provider Expenses: up to \$400 of the \$1,500 can be used for items essential to the placement. Up to \$100 of this \$400 can be claimed as an administration fee.
Other conditions	Nil
Maximum duration	The maximum duration of the subsidy period is 26 weeks, although the subsidy may be paid in full as soon as the Participant works for at least 13 weeks at the agreed hours.
Agreement	<p>The subsidy must be negotiated before the placement commences. The Wage Subsidy Agreement may be created as a Manual Agreement or as a DEEWR's IT System generated Agreement.</p> <p>The subsidy must be recorded on the Participant's Placement Record in DEEWR's IT Systems within 28 days of the placement commencing.</p> <p>The Employer may choose to sign and manage Wage Subsidy Agreements online, and submit documentary evidence online.</p>
Payments	Wage subsidy payments to Employers may not be made without appropriate documentary evidence that the Employer has paid the Participant wages.
Claims	A single claim for reimbursement of actual expenses incurred by the DES Provider, up to the maximum amount allowed, may be lodged through DEEWR's IT Systems when the subsidy ends.

3.10. What is the Employment Assistance Fund (EAF)?

The EAF gives financial help to eligible people with disability and mental health conditions. It also assists employers to buy work related modifications and services. The EAF is available to people with disability who are about to start a job or who are currently working, as well as people who need help to find and prepare for a job. It is also available to people with disability who are self-employed, and unemployed workers who need Auslan assistance, or special work equipment to look for and prepare for a job.

A free workplace assessment (Workplace Modification Assessment) through the EAF is available to help work out what modifications will best meet your needs and help you do your job. The assessment will look at your role and workplace and any barriers that you might have to identify any equipment or modifications that would work for you and your workplace. The Assessor will recommend any equipment or modifications from the assessment and liaise with you and your employer to find and access solutions to make your workplace more flexible and accessible.

All applications are made through JobAccess. JobAccess may waive your need for an assessment, for example, if your EAF application is submitted by a Government Employment Service provider like a Disability Employment Services (DES), and items cost less than \$10,000.

Ask your DES, *jobactive*, Community Development Program provider or a friend or advocate to help you submit an online enquiry to JobAccess, or call JobAccess on 1800 464 800 and get a JobAccess Adviser to help you to submit an application. Your application may take 10 days to assess and refer for further assessment.

3.11. Am I eligible for the EAF?

Funding through the EAF is dependent on eligibility requirements, workplace assessment outcome and sourcing equipment and modifications from suppliers – this may take some time to finalise. Once you make a request for funding through JobAccess on 1800 464 800, a JobAccess Advisor will be in contact with you to request any further documentation and to help guide you through the application process.

To be eligible for the EAF you:

- *must be an Australian citizen or a permanent resident*
- *are currently in a job that is expected to continue for 13 weeks or more*
- *are working at least 8 hours per week, or 20 hours per week if you are self-employed*
- *have an ongoing disability that has lasted, or will last at least two years. Your disability must limit, restrict or impair your ability to work.*

There are special conditions that must be met for your EAF application to be approved. Your EAF will not be approved if you:

- *do not meet the eligibility criteria*
- *do not complete the application entirely*
- *don't provide the required supporting information with your application*
- *have not provided enough evidence that the requested modification will help you do your job or improve your work productivity*
- *have bought a modification without having your EAF application approved*
- *can access funding for workplace modifications through another Government source or state, territory or local government bodies, for example, the National Disability Insurance Scheme (NDIS)*

- *have received a compensation payment from your employer or someone else in the last seven years*
- *want to purchase medical, therapeutic, health related aids, equipment or services including prescription glasses, cochlear implants and hearing aids and/or;*
- *the cost of the modification is unreasonable and there are other ways to help you do your job and/or;*
- *the application is for repairs or maintenance.*

3.12. Why won't Centrelink accept my medical certificate?

As noted in section 1.2, Centrelink commonly rejects medical certificates without providing adequate explanation. In addition to the information already mentioned, below are some tips and information on getting your certificate accepted:

- 1) Firstly, make sure that your doctor has completed a Centrelink Medical Certificate (see the Helpful Links section on our website). On the whole, these are the only medical certificates that Centrelink will accept.
- 2) If you are registered with a DES and you present a medical certificate for illness/conditions that you have already reported to Centrelink and have undergone a Job Capacity Assessment (JCA) or Employment Services Assessment (ESAt), then Centrelink may refuse your Medical Certificate. This is because your illness/conditions have already been taken into account. If the conditions are new, request a new ESAt.
- 3) If you present a Centrelink approved medical certificate with a new illness/condition, then Centrelink should accept this. The Centrelink Representative should update your Jobseeker Circumstances Indicator and this will determine if you should be referred to a further JCA/ESAt due to new barriers to employment, or alternatively, your updated condition might have no effect on your current work capacity.

If for any reason your current illness/condition worsens, and you're unable to fulfil your obligations (eg. attend an appointment) then present a medical certificate to your DES provider as soon as possible.

You should not have to participate in job search activities if your doctor has provided you with a medical certificate declaring you unfit for work. Usually, DES staffers aren't medical practitioners, and cannot overrule a doctor's diagnosis.

3.13. Can my DES provider force me to do Work for the Dole?

No. DES participants have no Annual Activity Requirement. Commonwealth funding is not provided for DES Participants placed in Work for the Dole. Providers may broker or purchase Work for the Dole as a form of unpaid voluntary Work Experience Placement Activity if the placement meets all of the requirements in the Disability Employment Services Deed and any Guidelines. In this case you have the right to refuse if you find another suitable activity.

PART 4: PENALTIES, APPEALS, COMPLAINTS, & FIGHTING BACK

4.1. Will I be punished if I assert my rights?

Asserting your rights can be daunting, but as long as you meet your minimum mutual obligations, your job agency should not penalise you. If your job agency threatens to do so, this is bullying (see section 1.8 on dealing with bullying).

4.2. How do I appeal against a financial penalty imposed by Centrelink?

Centrelink is responsible for compliance decisions when:

- a jobactive or DES provider submits a Non-Compliance report to Centrelink (only applicable when the unemployed worker is in the penalty zone)
- a CDP provider reports non-compliance to Centrelink (applicable for all compliance decisions as CDP providers do not make compliance decisions under social security law).

If you have been penalised by Centrelink when you have a reasonable excuse (see 1.13), you can lodge an appeal to Centrelink within 13 weeks. You can request an appeal by:

- Calling Centrelink;
- completing a Review of Decision Form (SS351, which can be found at <http://unemployedworkersunion.com/helpful-links/>) and mailing it
- or visiting a service centre

Your review request will be sent to an Authorised Review Officer. The Authorised Review Officer is an independent officer who can change the decision if it is wrong.

If you think the Authorised Review Officer's decision is incorrect, you may apply to the Administrative Appeals Tribunal (AAT) for a review of their decision. You can also ask them to pause your debt repayments until the AAT's review is complete. The AAT is an independent tribunal. They have the power to change decisions but only according to the law and after an Authorised Review Officer has reviewed the case. You can apply to the AAT:

- Online at www.aat.gov.au
- AAT Review of Centrelink Decision Form (unemployedworkersunion.com/helpful-links/)
- Call the AAT on 1800 228 333

The standard Centrelink review process is long and difficult. To apply extra pressure, contact the following as well:

- Your Local MP and (social services/ employment) Ministers
- Commonwealth Ombudsman on 1800 362 072
- Centrelink Complaints Line on 1800 132 468

4.3. Can I appeal against a Demerit Point Penalty?

Under the Demerit Point System, unemployed workers have no right to appeal against Demerit Point penalties. As noted in the *Targeted Compliance Framework Guideline*:

The accrual of a Demerit is not a decision made under Social Security Law, and as such, job seekers are not able to ask for a review of the decision under Social Security Law, or appeal this decision to a court or tribunal.

While job seekers are not able to appeal a Provider's decision to confer a Demerit, job seekers will contact their Provider in the first instance to discuss Demerit decisions. If, after this discussion, they still wish to contest a Demerit decision, they can contact the Department of Jobs and Small Business' National Customer Service Line (NCSL).

4.4. My job agency gave me a Demerit Point Penalty. What can I do?

Firstly, you should get back on payments by completing your re-engagement requirement. This requirement (usually an appointment) must be scheduled within two business days of being contacted by your agency. Once you complete this requirement, your payment will be reinstated.

As noted by the *Targeted Compliance Framework Guideline*, your payment cannot remain suspended for longer than two Business Days after contact has been made with you, unless your re-engagement appointment is to (1) sign a Job Plan, (2) submit further or improved Job Searches, or (3) follow up on a Job Referral. In these cases your payment will remain suspended until you complete your re-engagement requirement. If you reschedule your re-engagement requirement by informing your job agency of an Acceptable Reason, your payment must be reinstated.

The government has taken away your right to appeal Demerit Point Payment Suspensions (points 1 to 4). Whatever outcome you might be expecting, the AUWU strongly suggests you build and document your case. You will need this material for when you are able to appeal at your Centrelink Capability Assessment (occurs after your fifth demerit point payment suspension is imposed within six months, see 4.6). You can build your case by:

- Keeping a diary of all interactions with your agency, note dates, what was said (including audio recordings), and how they disrespected your rights
- Complaining in writing to your job agency, the Department, your local member, media
- Collect all complaints and evidence to be presented at assessments and appeals

4.5. What is a Capability Interview?

If you accrue three Demerits in a six-month period you will be required to attend a compulsory Capability Interview with your agency. The focus of the Capability Interview is to ensure that you are capable of meeting your Mutual Obligation Requirements as set out in your Job Plan, and to ensure that there are no unknown circumstances preventing you from meeting those requirements. If your agency determines that you are not capable of meeting your requirements, or that you requires further services or more tailored assistance, the Provider must update your Job Plan to ensure their requirements are appropriate and that you are capable of successfully meeting them. If, during the Capability Interview, the Provider determines that the job seeker is not capable of meeting their current requirements, the job seeker will return to the Green Zone with no accrued Demerits. If you disagree with your agency's decision, you cannot appeal

4.6. What is a Centrelink Capability Assessment?

If, after accruing three Demerits (and being assessed as capable of meeting their Mutual Obligation Requirements at the Capability Interview), you commit a further two failures within a six-month period you will be required to participate in a Capability Assessment conducted by Centrelink. The Capability Assessment will assess whether you are capable of meeting your Mutual Obligation Requirements as set out in your Job Plan, or whether there are personal circumstances or other issues affecting your ability to meet your requirements. Remember to bring any relevant evidence you have collected.

During the Capability Assessment, Centrelink may determine that the requirements in your Job Plan are not appropriate and that, therefore, you are not capable of meeting them. Centrelink will notify your agency of what requirements are inappropriate and/or which parts of the Job Plan must be changed. The job seeker will be returned to the Green Zone with no accrued Demerits. If Centrelink assesses that the job seeker is capable of meeting the requirements set out in their Job Plan, then the job seeker will move into the Penalty Zone and any accrued Demerits will stand. As with all Centrelink decisions, this decision can be appealed with 13 weeks.

4.7. I want to get involved – how can I help the AUWU?

In addition to offering advocacy and support services for our members, the AUWU provides a platform to fight back against the Government's ongoing attacks against unemployed and underemployed workers. Our goal is to initiate a national grassroots political movement to address Australia's employment crisis.

Uniting with other social security recipients, allies, and the general public to fight back against unfair treatment is the only way this system will change. If you are interested in becoming more involved in the AUWU, please follow these steps:

Become an AUWU member:

Join the Australian Unemployed Workers Union today by visiting our website at unemployedworkersunion.com. Membership is free and all are welcome. By joining you receive:

- free access to our National Advocacy Hotline to support you in your dealing with your job agent
- copies of our leaflets and posters
- the opportunity to meet other AUWU activists in your area
- notification of upcoming meetings, actions, legislative changes, and other important events
- access to our growing list of contacts and friendly organisations

Join your local AUWU Branch:

If you are interested in joining your local branch, go to the 'Find Your Local Branch' page on our website. Attend a branch meeting or rights workshop.

Join a national AUWU Team:

For some tasks, you can be located anywhere in Australia and work online.

- Advocacy (Hotline work, Field Officers, rights workshops, training, lobbying);
- Communications (media releases; creating leaflets, and other artwork; managing our website and social media accounts);
- Administration (co-ordinating national organisation, membership lists etc.);
- Campaigns (building alliances, organising protests and campaigns etc.).

To express your interest, contact us:

- website: unemployedworkersunion.com/volunteer/
- email: contact@unemployedworkersunion.com
- phone: 1800 2898 48
- phone: (03) 9811 7064

APPENDIX A: Glossary

The government uses a raft of deliberately confusing jargon and initialisms. Here is a (by no means exhaustive) list:

AAR:	Annual Activity Requirement
AAT:	Administrative Appeals Tribunal
ARO:	Authorised Review Officer at Centrelink
DES:	Disability Employment Services
Dole-bludgers:	unemployed workers entitled to respect, dignity, and the material necessities of life
DSP:	Disability Support Pension, (or sometimes: Disability Services Provider)
DSS:	Department of Social Services
EAF:	Employment Assistance Fund
ESA:	Employment Service Area
ESAt:	Employment Services Assessment
ES Provider	Employment Services Provider
JCA:	Job Capacity Assessment. Necessary step to obtaining a DSP, usually preceded by an ESAt
<i>jobactive:</i>	the latest iteration of the Australian Government's outsourced public employment services, replacing the Job Services Australia model
JSP:	Job Services Provider (a.k.a. Employment Services Provider)
PCP/PCW:	Primary Care Provider / Partial Capacity to Work
WFTD:	Work for the Dole; an odious form of unpaid labour that can usually be avoided (see section 2.1)

APPENDIX B: MUTUAL OBLIGATION REQUIREMENTS

(the full document can be found at <https://docs.employment.gov.au/>)

Mutual Obligation Requirements—job seekers aged under 30 years

Period of Service	Stream A & Stream B SPI job seekers	Other Stream A Job Seekers	Other Stream B Job Seekers	Stream C
0-6 months	<p>Started in the Work for the Dole Phase for the first time before 1 October 2016</p> <p>Case Management</p> <p>Appointments Job Search—generally 20 per month Other suitable Activities as appropriate</p>	<p>Started in the Work for the Dole Phase for the first time before 1 October 2016</p> <p>Self Service and Job Activity</p> <p>Appointments Job Search—generally 20 per month Other suitable Activities as appropriate</p>	<p>Did not start in the Work for the Dole Phase for the first time before 1 October 2016</p> <p>Case Management</p> <p>Appointments Job Search—generally 20 per month Other suitable Activities as appropriate EST Eligible job seekers must be considered for EST Courses at five months.</p>	<p>Case Management</p> <p>Appointments Job Search—depends on capacity Other suitable Activities as appropriate EST Eligible job seekers must be considered for EST Courses at five months.</p>
6-12 months	<p>Work for the Dole Phase</p> <p>Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)</p>	<p>Work for the Dole Phase</p> <p>Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities</p>	<p>Case Management</p> <p>Appointments Job Search—generally 20 per month Other suitable Activities as appropriate</p>	

Mutual Obligation Requirements - job seekers up to 30 years (part 2)

12-18 months; 24-30 months; etc	Case Management Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Work for the Dole Phase Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort)	Case Management Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Work for the Dole Phase Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Work for the Dole Phase Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort) AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of activities	Work for the Dole Phase Appointments Job Search— depends on capacity AAR—650 hours over 26 weeks (50 hrs/ fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities, can also use non-vocational Activities
	18-24 months; 30-36 months; etc	Work for the Dole Phase Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort.	Case Management Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Work for the Dole Phase Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hrs/fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49year old cohort). AAR for PCP/PCW—390 over 26 weeks (30 hrs/fortnight), choice of Activities	Case Management Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Case Management Appointments Job Search—generally 20 per month Other suitable Activities as appropriate

Mutual Obligation Requirements—job seekers aged 30 up to 49 years

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search— depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search— depends on capacity Other suitable Activities as appropriate
	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort) AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal Activity, (that is the default Activity where another Activity is not undertaken for the 18-49 year old cohort), can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities.
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements —job seekers aged 50 up to 59 years of age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search—generally 20 per month Other suitable Activities as appropriate	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities	Appointments Job Search—depends on capacity AAR—390 hours over 26 weeks (30 hours per fortnight), choice of Activities, can also use non-vocational Activities AAR for PCP/PCW—200 hours over 26 weeks (15–16 hours per fortnight), choice of Activities, can also use non-vocational Activities
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Mutual Obligation Requirements—job seekers aged 60 years up to (but not including) the Pension Age

Period of Service	Stream A		Stream B	Stream C
	Started in the Work for the Dole Phase for the first time before 1 October 2016	Did not start in the Work for the Dole Phase for the first time before 1 October 2016		
0–6 months	Self Service and Job Activity	Self Service and Job Activity	Case Management	Case Management
	Appointments Job Search—generally 10 per month Other suitable Activities as appropriate	Appointments Job Search—generally 10 per month Other suitable Activities as appropriate	Appointments Job Search—generally 10 per month Other suitable Activities as appropriate	Appointments Job Search—depends on capacity Other suitable Activities as appropriate
6–12 months	Work for the Dole Phase	Case Management		
	Appointments Job Search—generally 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search—generally 10 per month Other suitable Activities as appropriate		
12–18 months; 24–30 months; etc	Case Management	Work for the Dole Phase	Work for the Dole Phase	Work for the Dole Phase
	Appointments Job Search—generally 10 per month Other suitable Activities as appropriate	Appointments Job Search—generally 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search—generally 10 per month AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate	Appointments Job Search—depends on capacity AAR—130 hours over 26 weeks (10 hours per fortnight), choice of activities. No AAR once the Aged Pension age is reached. Other suitable Activities as appropriate
18–24 months; 30–36 months; etc	Work for the Dole Phase	Case Management	Case Management	Case Management
	As above for the Work for the Dole Phase for six months	As above for Case Management for six months	As above for Case Management for six months	As above for Case Management for six months

Notes:

- NEIS Prospective Participants who have been assessed as NEIS Eligible will meet their Annual Activity Requirement for the period they are participating in NEIS Training.
- Participants in NEIS who have not transferred to NEIS Allowance when they commence NEIS Assistance will fully meet their Mutual Obligation Requirements.
- Volunteer job seekers do not have a mandatory number of Job Searches.
- Outside the Annual Activity Requirement, Providers can require job seekers to participate in other Activities (in addition to Job Search and Provider Appointments).
- Job seekers can meet their Annual Activity Requirement through full participation in the Defence Reserves (240 hours over 26 weeks or 18–20 hours per fortnight).

Annexure B2 – Payments and Employment Fund credits

OUTCOME PAYMENTS

Table 1A – Outcome Payments for Stream Participants in Non-regional Locations

	Period of Unemployment (less than 24 months inclusive)		Period of Unemployment (24-59 months inclusive)		Period of Unemployment (60 months inclusive plus)	
Employment Outcomes						
Stream A and Volunteers	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$160	\$400	\$200	\$500	\$240	\$600
12 Week	\$200	\$500	\$400	\$1,000	\$500	\$1,250
26 Week	\$0	\$650	\$0	\$1,250	\$0	\$1,550
Total	\$360	\$1,550	\$600	\$2,750	\$740	\$3,400
Stream B	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$300	\$750	\$400	\$1,000	\$500	\$1,250
12 Week	\$600	\$1,500	\$800	\$2,000	\$1,000	\$2,500
26 Week	\$0	\$1,900	\$0	\$2,500	\$0	\$3,150
Total	\$900	\$4,150	\$1,200	\$5,500	\$1,500	\$6,900
Stream C	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$400	\$1,000	\$600	\$1,500	\$800	\$2,000
12 Week	\$800	\$2,000	\$1,200	\$3,000	\$1,600	\$4,000
26 Week	\$0	\$2,500	\$0	\$3,750	\$0	\$5,000
Total	\$1,200	\$5,500	\$1,800	\$8,250	\$2,400	\$11,000
Education Outcomes	\$1000					

Table 1B – Outcome Payments for Stream Participants in Regional Locations

	Period of Unemployment (less than 24 months inclusive)		Period of Unemployment (24-59 months inclusive)		Period of Unemployment (60 months inclusive plus)	
Employment Outcomes						
Stream A and Volunteers	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$200	\$500	\$250	\$625	\$300	\$750
12 Week	\$250	\$625	\$500	\$1,250	\$625	\$1,563
26 Week	\$0	\$813	\$0	\$1,563	\$0	\$1,938
Total	\$450	\$1,938	\$750	\$3,438	\$925	\$4,251
Stream B	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$375	\$938	\$500	\$1,250	\$625	\$1,563
12 Week	\$750	\$1,875	\$1000	\$2,500	\$1,250	\$3,125
26 Week	\$0	\$2,375	\$0	\$3,125	\$0	\$3,938
Total	\$1,125	\$5,188	\$1,500	\$6,875	\$1,875	\$8,626
Stream C	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome	Partial Outcome	Full Outcome
4 Week	\$500	\$1,250	\$750	\$1,875	\$1000	\$2,500
12 Week	\$1000	\$2,500	\$1,500	\$3,750	\$2,000	\$5,000
26 Week	\$0	\$3,125	\$0	\$4,688	\$0	\$6,250
Total	\$1,500	\$6,875	\$2,250	\$10,313	\$3,000	\$13,750
Education Outcomes	\$1250					

Table 1C – PaTH Internships: Outcome Payments for Path Interns in Non-regional Locations

Path Intern type	Period of Unemployment (less than 24 months inclusive)	Period of Unemployment (24-59 months inclusive)	Period of Unemployment (60 months inclusive plus)
Stream A	\$400	\$500	\$600
Stream B	\$750	\$1,000	\$1,250
Stream C	\$1,000	\$1,500	\$2,000

Table 1D – PaTH Internships: Outcome Payments for Path Interns in Regional Locations

Path Intern type	Period of Unemployment (less than 24 months inclusive)	Period of Unemployment (24-59 months inclusive)	Period of Unemployment (60 months inclusive plus)
Stream A	\$500	\$625	\$750
Stream B	\$938	\$1,250	\$1,563
Stream C	\$1,250	\$1,875	\$2,500

Note 1: Employment Providers providing Services to Path Interns who live in Regional Locations are entitled to claim an Outcome Payment for PaTH Internship Outcomes with a regional loading as set out in Table 1D.

Note 2: The amount of the Outcome Payment payable to the Provider is determined by:

- (a) the Path Intern's Period of Unemployment; and*
- (b) the Stream that the Path Intern was in on the date that the relevant PaTH Internship Agreement was created in the Department's IT Systems.*

Note 3: In accordance with clause 126.1(c), the amounts of the Outcome Payments for the PaTH Interns in Tables 1C and 1D will increase by 7.8% from 1 January 2018 for all PaTH Internship Outcomes where the relevant Outcome Period ends on or after 1 January 2018.

Table 1E – NWEF Placements: NWEF Completion Outcome Payments

	Fee
NWEF Completion Outcome	\$400

ADMINISTRATION FEES AND WORK FOR THE DOLE FEES

Table 2A – Administration Fees

	(1) Fee	(2) Fee with regional loading
SPI Participants	\$350	\$438
All other Stream Participants	\$250	\$313

Note 1: In accordance with clause 75, Volunteers will receive a maximum of six months of Employment Provider Services including from any other Employment Provider and the Provider will ~~only~~ be entitled to an Administration Fee in respect of its servicing of any Volunteer during that six months of service.

GDV 2

Note 2: In accordance with clause 123.1(c)(ii), the Provider is entitled to an Administration Fee with a regional loading for providing Services to Stream Participants in Regional Locations.

Note 3: In accordance with clause 126.1(b), the amounts of the Administration Fees in Table 2A will increase by 7.8% from the start of the next Administration Fee Period following 1 January 2018.

Table 2B – Work for the Dole Fees

Place	Fee
Six month Work for the Dole Place in an Individual Hosted Activity	\$1000
Six month Work for the Dole Place in Group Based Activity	Up to \$3500

Note 1: Where a Work for the Dole Place is for less than six months in duration or the date on which the relevant Fully Eligible Participant commences in the place is after the start date of the relevant Work for the Dole activity, the applicable Work for the Dole Fee will be pro-rated in accordance with clause 124.3.

AA. Fees (clause 3)

AA.1 Subject to this Deed and Your compliance with Your obligations thereunder, We will pay You the following fees:

- (a) **Establishment Fee** – an establishment fee of \$64,000 (GST inclusive) paid within 14 days of the Deed Commencement Date;
- (b) **Service Fees** – a service fee paid in accordance with *Table 1: Service Fee Schedule* for each Payment Period during the Term of this Deed; and
- (c) **Work for the Dole Place Fees** – a Work for the Dole Place fee of the following amount paid for each Work for the Dole Place recorded in Our IT Systems, and provided that at least one Eligible Job Seeker is placed in each Work for the Dole Place:
 - (i) \$220 (GST inclusive) for each Work for the Dole Place in a Employment Region other than a Employment Region (Regional); and
 - (ii) \$275 (GST inclusive) for each Work for the Dole Place in a Employment Region (Regional).

Table 1: Service Fee Schedule

Service Fee payment no.	Payment Period	Amount (GST inclusive)	Payment due within 14 days of:
1	1 July 2015 – 31 December 2015	190,000	1 July 2015
2	1 January 2016 – 30 June 2016	190,000	1 January 2016
3	1 July 2016 – 31 December 2016	190,000	1 July 2016
4	1 January 2017 - 30 June 2017	190,000	1 January 2017
5	1 July 2017 – 31 December 2017	190,000	1 July 2017
6	1 January 2018 - 30 June 2018	190,000	1 January 2018
7	1 July 2018 – 31 December 2018	190,000	1 July 2018
8	1 January 2019 - 30 June 2019	190,000	1 January 2019
9	1 July 2019 – 31 December 2019	190,000	1 July 2019
10	1 January 2020 - 26 June 2020	95,000	1 January 2020
		95,000	1 June 2020



Australian Government



Service Guarantee for jobactive

This Service Guarantee for jobactive reflects the Australian Government's expectations of jobactive providers. It sets out the minimum level of service each job seeker can expect to receive, as well the requirements they need to meet while looking for employment.

The Australian Government provides a range of services to help people looking for work. The Government delivers jobactive through a national network of providers, and people who need assistance to find work can access a range of help that's based on their individual needs. The main objective of jobactive is to promote stronger workforce participation and help more job seekers move from welfare to work.

What you can expect from your jobactive provider

Your jobactive provider will:

- work with you to develop your Job Plan. This sets out the services you will receive and the minimum requirements you need to meet while you are on activity tested income support
- identify your strengths and any challenges you face to increase your job readiness
- refer you to suitable jobs
- match you to a suitable Work for the Dole placement (where appropriate)
- reassess your needs if your circumstances change
- help you with wage subsidies or relocation assistance (where appropriate)
- keep in contact with you and your employer once you have started a job
- provide the services that are set out in their Service Delivery Plan
- treat you fairly and with respect in a culturally sensitive way.

What is expected of you

There are some things you need to do, including:

- do everything you have agreed to do in your Job Plan
- accept any suitable job

- make every effort to get and keep a job
- do the required number of job searches in your Job Plan
- meet your annual activity requirements—such as taking part in Work for the Dole— as outlined in your Job Plan
- contact your jobactive provider as soon as possible if you are unable to attend an appointment or do an activity
- notify your jobactive provider of any changes in your circumstances.

If you fail to do any of the above it could affect your income support payments.

Your personal information is confidential

Your personal information is protected by law, including the Privacy Act 1988. Your jobactive provider will only tell employers things about you that relate to job opportunities or, with your permission, your employment with them.

Your jobactive provider may also share information with other government agencies if they need to, to make sure you are getting the right level of support. These agencies may contact your employer to check that the information they have is correct.

You can ask to get access to any information your jobactive provider holds about you, and have it corrected if needed.



Employment Services Code of Practice

Organisations contracted to deliver Australian Government funded employment services have agreed and are committed to observe the Employment Services Code of Practice. This Code of Practice sets out the principles and standards that underpin the delivery of employment services and other services to increase employment outcomes and participation in economic activities in Australia especially for disadvantaged client groups.

We commit to working with our clients, employees, sub-contractors, and other Providers to deliver quality employment services by:

- Ensuring staff have the skills and experience they need to provide quality and culturally sensitive services to job seekers, employers and local communities.
- Working in collaborative partnerships with stakeholders and communities to identify needs and how they can be met.
- Behaving ethically and acting with honesty, due care and diligence.
- Being open and accountable.
- Avoiding any practice or activity which a Provider could reasonably foresee could bring employment services into disrepute.
- Sensitively managing any information collected.

We commit to helping each job seeker find their pathway into employment by:

- Meeting the Service Guarantees.
- Tailoring assistance to the job seekers' personal circumstances, skills, abilities and aspirations.
- Using available Government funding appropriately to support job seekers.
- Treating every job seeker fairly and with respect.
- Providing a fair and accessible feedback process.

We commit to assisting employers meet their skill and labour shortage needs by:

- Working with employers to identify job and industry specific training needs and how they can be met.
- Referring the most appropriately qualified and experienced job seekers available.
- Providing a timely response to employer inquiries.

The Australian Government will support Employment Services Providers in achieving these standards by:

- Evaluating and sharing best practice to enable continuous improvement in the delivery of employment services.
- Providing a National Customer Service Line on 1800 805 260 (free call from land lines) for job seekers who cannot resolve any concerns or problems they have with their Provider. Clients of Disability Employment Services can also contact the Complaints Resolution and Referral Service on 1800 880 052 (free call from land lines).
- Providing an Employer Hotline on 13 17 15 (free call) for businesses to access providers.

Compliments, suggestions or complaints

Your views about the service you receive are important. The Department of Employment and your jobactive provider value any feedback you may have. If you don't think you are receiving the right help and would like to make a complaint, please talk to your jobactive provider first. Your jobactive provider will offer a feedback process which is fair and will try to resolve your concerns. If you feel you can't talk to your jobactive provider, or you are still not happy, you can contact the Department of Employment's National Customer Service Line on 1800 805 260 (free call from land lines) or email nationalcustomerserviceline@employment.gov.au.

If you have suggestions to improve the service that you are getting or would like to make a compliment about the help you have received, please let your jobactive provider know or call the National Customer Service Line. If you have any concerns about your income support payments, you should contact the Department of Human Services. Contact details for the Department of Human Services can be found at www.humanservices.gov.au.



DISABILITY EMPLOYMENT SERVICES PROGRAMS — YOUR SERVICE GUARANTEE

As your Disability Employment Services Provider:

- We will clearly explain to you what services you can receive, what we will do for you, and what you have to do, including how often we will meet.
- We will provide help for you to find and keep a job. This includes giving you ongoing support once you get a job, if you need it.
- We will treat you fairly and with respect, in line with the Disability Services Standards.
- We will be sensitive to your individual needs when helping you, including any impact that your disability, injury or health condition might have on your ability to find and keep a job. This could also include any parenting or caring responsibilities you might have.
- We will deliver services that are culturally appropriate.

What help can I expect?

We will work with you to agree on a plan with assistance and activities to help you find and keep a job. This is called your Employment Pathway Plan.

We will work with you to help you deal with any issues that might be making it hard for you to look for work. Some of the ways we might do this include:

- looking at what work you have done before, and what work is available in your area
- looking at what skills and education you have and what skills and education might help you get work
- working with prospective employers to match your skills to their needs
- providing you with help which may include training, work experience or services to help you overcome any issues that are making it difficult for you to find and keep a job
- helping you to be ready for a job
- helping you to access other support services you may need
- helping you to write a résumé
- providing you with advice on the best ways to look for work
- providing you with information about computer and internet facilities relevant to helping you to find and keep a job, including access to Australian Jobsearch (jobsearch.gov.au)
- providing you with access to an interpreter if you need one
- checking that work is suitable for your condition or injury.

Once you have a job, we will continue to support you and will develop a plan with you to help you keep your job.

This may include:

- support to help you settle into your job
- on-the-job training
- information, support and training for your employer and/or co-workers
- help to resolve any problems you may have at work
- ongoing support appropriate to your needs, which may include meeting with you regularly, or giving you more intensive support when you need it.

Depending on your circumstances, we can also help you and your employer access a range of other support services which may include:

- modifications for your work area
- help to purchase specialised technology
- financial help for other services, available through a fund called the Employment Assistance Fund
- access to extra help if you are at risk of losing your job.

National Standards for Disability Services – Summary Table

The Human Rights principles overarch all the National Standards

Table 1: Rights for people

1. Rights	2. Participation and Inclusion	3. Individual Outcomes	4. Feedback and Complaints	5. Service Access	6. Service Management
I have the right to exercise control and choice when I use services or supports. I also have the right to dignity of risk and to be free from discrimination or harm.	I have the right to participate in my chosen community. I also have the right to decide how I have contact with family, friends and community.	I have the right to lead and direct decisions about my life and how the services I use support me.	I have the right and freedom to give positive and negative feedback about all aspects of my supports and services. I also have the right to independent advice and support to provide feedback or make a complaint when I need it.	I have the right to access services based on fair and equal and transparent criteria, and support for referral when a service is not available.	I have the right to services and supports that are effectively managed, regularly reviewed, accountable and contemporary.

Table 2: Outcomes for people

1. Rights	2. Participation and Inclusion	3. Individual Outcomes	4. Feedback and Complaints	5. Service Access	6. Service Management
I can make choices about the services and supports I use, and how I use them. When I use a service or support, I am respected and safe.	I follow my interests, with the support of my services, family, friends, carers or advocates.	I use services and supports which build on my strengths and support me to reach my life goals.	I have a range of ways to speak up about my supports and services and play an active role in working out how things will improve. I know how to access independent support and advice when providing feedback or making a complaint.	I understand what the service offers, access to the service is fair and equal and I am supported with other options when I can't access a service.	My strengths and needs are effectively supported through soundly managed services.

Table 3: Standards for services

1. Rights	2. Participation and Inclusion	3. Individual Outcomes	4. Feedback and Complaints	5. Service Access	6. Service Management
The service promotes individual rights to freedom of expression, self-determination and decision-making and actively prevents abuse, harm, neglect and violence.	The service works with individuals and families, friends and carers to promote opportunities for meaningful participation and active inclusion in society.	Services and supports are assessed, planned, delivered and reviewed to build on individual strengths and enable individuals to reach their goals.	Regular feedback is sought and used to inform individual and organisation-wide service reviews and improvement.	The service manages access, commencement and leaving a service in a transparent, fair and equal and responsive way.	The service has effective and accountable service management and leadership to maximise outcomes for individuals.

The Quality Management principles underpin all the National Standards



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CDP Provider Code of Practice and Service Guarantee*

As the CDP provider in your community, we commit to building and delivering quality services to the community by:

- Behaving honestly, fairly and treating everyone with respect.
- Respecting community policies and protocols and delivering services and activities in a culturally sensitive and appropriate manner.
- Engaging with communities to identify, design and deliver activities that meet community priorities and job seeker aspirations and needs.
- Supporting community and economic development by assisting local businesses to expand or establish local businesses and economic opportunities.
- Providing and promoting local employment by employing local job seekers within our organisation.
- Listening to feedback from the community and responding to improve our services.
- Sensitively and appropriately managing any information collected.

As the CDP provider in your community, we will support job seekers by:

- Supporting you to participate in activities that provide a daily work-like routine, build your skills and make a meaningful contribution to your community.
- Working with you to develop a Job Plan personalised to your needs and assessed level of capacity, that will put you on a pathway to a job, and updating it with you as your needs change.
- Explaining the assistance you will receive, what we can do for you and what you need to do in order to receive your income support payments.
- Being sensitive to your individual needs, and tailoring assistance to job seekers with disabilities, injuries or health conditions, and caring or parenting responsibilities.
- Providing you with professional support if you need it, e.g. counselling and other referrals.
- Providing work experience opportunities through activity placements hosted by local employers as available and appropriate.
- Helping you overcome any barriers to work, including assisting you with your resume, job applications and job interview skills and providing advice on available work opportunities.
- Providing mentoring and support following placement in employment to help you settle into work routines and unfamiliar environments.
- Providing a fair and accessible feedback process.

As the CDP provider in your community, we commit to assisting employers to meet their skill and labour shortage needs by:

- Working with employers to identify job and industry specific training needs and how they can be met.
- Understanding the requirements of your business, ensuring job seekers are trained/up-skilled according to the needs of the labour market.
- Working with employers to identify current and emerging work experience and job opportunities.
- Matching and placing suitable job seekers into hosted activity placements and job vacancies employers have identified.
- Working with employers to promote and utilise employment opportunities for local people with disabilities.
- Providing packages of support for you including outcome payments for employing and retaining job seekers in a job.

**This document is not a stand-alone document and does not contain the entirety of Providers' obligations. It must be read in conjunction with the Funding Agreement and any relevant Guidelines or reference material issued by Department of the Prime Minister and Cabinet under or in connection with the Funding Agreement.*

Summary of Mutual Obligation Requirements for CDP Job Seeker Cohorts

All Eligible Job Seekers must be provided Basic Services as a minimum level of service

Under 18 years old	18 -49 years old eligible for Work for the Dole	18 -49 years old ineligible for Work for the Dole	50 -59 years old	60 years and over
<ul style="list-style-type: none"> • Monthly Appointments. • Looking for a job as agreed with the provider – Job Search. • May choose to participate in Work for the Dole activities on a voluntary basis. • They may undertake other suitable activities, as appropriate. • They are generally required to participate in Full-Time Study, Training or an Education Programme or part-time education or training in combination with other suitable activities for at least 25 hours per week until they attain Year 12 or an equivalent qualification. 	<ul style="list-style-type: none"> • Monthly Appointments. • Looking for a job as agreed with the provider – Job Search. • 25 hours per week in Work for the Dole activities, or up to their assessed capacity. • May participate in other suitable activities <u>in addition to</u> Work for the Dole to meet their Mutual Obligation Requirements. 	<ul style="list-style-type: none"> • Monthly Appointments. • Looking for a job as agreed with the provider – Job Search. • May choose to participate in Work for the Dole activities on a voluntary basis, up to their assessed capacity. • May undertake other suitable activities, as appropriate. 	<ul style="list-style-type: none"> • Monthly Appointments. • Looking for a job as agreed with the provider – Job Search. • May choose to participate in Work for the Dole activities, up to their assessed capacity*. • They must participate in other suitable activities, as appropriate. 	<ul style="list-style-type: none"> • Monthly Appointments. • Job seekers aged 60 years and over may choose to participate in Work for the Dole activities or other suitable activities on a voluntary basis as appropriate.
<ul style="list-style-type: none"> • Suitable activities to meet Mutual Obligation Requirements are outlined in Section 7.8 of this Handbook. • Principal Carer Parents (PCPs) should participate in activities of at least 30 hours per fortnight (and as appropriate, Job Search). There can only be one PCP per family. • Job Seekers with a Partial Capacity to Work (PCW) or a Temporary Reduced Work Capacity should participate in activities of at least the minimum hours of their assessed capacity (and as appropriate, Job Search). • Attending provider appointments and completing Job Search requirements <u>does not</u> count towards the job seeker’s required Work for the Dole hours. • Job seekers aged 55 years and over have Mutual Obligations of 30 hours per fortnight. <p>* If job seekers aged 50-59 volunteer for Work for the Dole and are on full rate of income support, this must be a compulsory activity in their Job Plan.</p> <p>* Job Seekers with a PCW or a Temporary Reduced Work Capacity with an assessed capacity to work 14 hours a week or under can meet their mutual obligation requirements by attending a quarterly interview with DHS to discuss their participation.</p>				

Work for the Dole Assessment Checklist (Place)



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Host Organisation and Work for the Dole Place/Activity Details

Host Organisation:	
Place/Activity name/ID:	
Individual Hosted Activity: <input type="checkbox"/> Group Based Activity: <input type="checkbox"/> Number of Places:	
Description of Work for the Dole Place/Activity and details of core duties to be undertaken by a job seeker(s):	
Place/Activity risk (what risks are associated with the core duties):	
Contact person for Place/Activity:	Telephone:
Supervisor for Place/Activity:	Telephone:
<p><i>Note: This checklist is provided for use by Work for the Dole Coordinators (Coordinators) and Employment Providers (Providers) as a guide only. It lists some of the types of matters that Coordinators and Providers may need to consider and address to meet their obligations under the jobactive Deed 2015-2020- Work for the Dole Coordinator) when sourcing and securing Places/Activities.</i></p> <p><i>Disclaimer: Notwithstanding any information provided on this checklist, Coordinators and Providers must ensure that they, and any Host Organisation, are adhering to all obligations under the relevant Deeds and any relevant legislation. This checklist should be read in conjunction with the relevant Deeds and Guidelines and any reference material issued by the Department of Employment under, or in connection with, the Deeds. The checklist must under no circumstances be used as a replacement for a risk assessment (Place) for assessing work health and safety for Work for the Dole Places or Work for the Dole activities (Place/activity).</i></p> <p><i>'Host Organisation' in this checklist has the same meaning as:</i></p> <ul style="list-style-type: none"> • 'Work for the Dole Host Organisation' under the jobactive Deed 2015-2020- Work for the Dole Coordinator • 'Activity Host Organisation' under the jobactive Deed 2015-2020. <p><i>References to 'job seekers' in this checklist have the same meaning as:</i></p> <ul style="list-style-type: none"> • 'Eligible Job Seekers' under the jobactive Deed 2015-2020- Work for the Dole Coordinator • 'Fully Eligible Participant' under the jobactive Deed 2015-2020. 	

To be completed by the Work for the Dole Coordinator or the Employment Provider who has sourced and secured the Place/Activity

Host Organisation		Yes	No
1	Is the Host Organisation operating as a not-for-profit entity/charity or a local, state or territory government or Australian Government agency?		
2	Are you satisfied that the Host Organisation understands and will be able to meet its obligations and responsibilities under the Activity Host Organisation Agreement at all times?		
3	Have you advised the Host Organisation that it must immediately contact the Lead Provider if the circumstances or tasks being undertaken by the job seeker change and that: (a) another risk assessment of the Place/Activity will be required (b) depending on the outcome of the risk assessment, the Provider may need to remove the job seeker or bring the Place/Activity to an end?		
Policy and procedures		Yes	No
4	Are you, and is the Host Organisation, satisfied that there are appropriate processes in place to ensure		

	that the job seeker is aware of the relevant work health and safety issues and how to report, prevent and manage those issues and concerns (i.e. induction/consultations/toolbox meetings)?		
5	Is the Host Organisation satisfied that it has current and appropriate insurance to cover any risks associated with the Place/Activity?		
6	Does the Place/Activity meet the Department's insurance policies purchased for job seekers as outlined in the Deeds and Guidelines?		
7	If the Place/Activity involves work exclusively on private property, has Departmental approval been sought in accordance with the Guidelines? If yes, include the approval and any conditions in the risk assessment (Place).		
Place/Activity assessment		Yes	No
8	Have you undertaken a risk assessment (Place), as required under the Deed and Guidelines?		
9	Will identified work health and safety issues be adequately addressed and managed before the Place/Activity commences and at all times during the Place/Activity?		
10	Does the Place/Activity involve work that is inherently dangerous (i.e. working with electricity, heavy machinery or at heights; or work that requires formal competency assessment or operator tickets)?		
11	Have you identified the particular work health and safety training to be undertaken by the job seeker to participate safely in the task(s) and have you outlined this information in the risk assessment (Place)?		
12	Is personal protection equipment and clothing required to undertake the Place/Activity? Will the Host Organisation provide this for the job seeker? If not, the safety equipment that is required and that will be arranged by the Provider is to be detailed in the risk assessment (Place).		
13	Will the Host Organisation make available appropriate facilities (i.e. access to drinking water, lunchroom facilities and toilets) to the job seeker at all times during the course of the Place/Activity?		
14	Is there any reason that it would not be appropriate for the Place/Activity to be filled?		
15	Have you negotiated the cost for the Place/Activity?		
Displacement, suitability and supervision		Yes	No
16	Has the Host Organisation confirmed and are you satisfied that this Place/Activity does not involve work that would have been undertaken by a paid worker if the Place/Activity had not taken place, as outlined in the Deeds and Guidelines?		
17	Have you ensured that the Place/Activity does not fall within the excluded activities, as outlined under the Deed and Guidelines, unless otherwise agreed by the Department in writing? For example, on private property, in child care, at pre-schools or involving overnight accommodation		
18	Have you identified the level of supervision that will be provided to the job seekers as part of undertaking the Place/Activity and outlined this information in the risk assessment (Place)? For example, continuous supervision for vulnerable cohorts, ratio and frequency of supervision and so on		
19	Are you and the Host Organisation satisfied that the supervisor(s) are appropriate and adequate for the specific Place/Activity, as per the Deed and Guidelines?		

Coordinator or Provider name:

Signature:

Date:

Specific information regarding work health and safety can be found on the Safe Work Australia website:

<http://www.safeworkaustralia.gov.au/sites/SWA>



Work for the Dole - Assessment Checklist (Job Seeker)

Note: This checklist is provided as a **guide only** for jobactive providers ('Providers') to some of the types of matters that Providers may need to consider and address in meeting their obligations under the jobactive Deed 2015-2020 (Deed) for each Fully Eligible Participant (job seeker) who they place into Work for the Dole activities. **Use of the checklist is not mandatory.** The checklist must under no circumstances be used as a replacement for a risk assessment (job seeker).

Disclaimer: Notwithstanding any information provided on this checklist, Providers must ensure that they and any Activity Host Organisation (Host Organisation) adhere to all relevant obligations under the Deed and any relevant legislation. This checklist should be read in conjunction with the Deed and any relevant guidelines or reference material issued by Department of Employment under or in connection with Deed.

Place/Activity Name/ID: _____ Job Seeker Name: _____ JSID: _____

	Job Seeker Assessment	Yes	No	Details/Comments
1	Have you examined the relevant risk assessment (Place)?			
2	Is the job seeker suitable for the Place/Activity, taking into consideration their relevant circumstances and work restrictions?			
3	If the job seeker has any personal circumstances that are relevant to their participation in the Place/Activity, have you advised the Host Organisation or Lead Provider (if you are not the Lead Provider) so they can accommodate these as appropriate? Provide details.			
4	Is the level of supervision adequate and appropriate for the job seeker?			
5	Have all relevant checks (i.e. criminal records checks) been conducted for the job seeker and have the results been considered?			
6	Have you ensured that the job seeker has all the necessary personal protection equipment prior to commencing in the Place/Activity?			
7	Is training being provided to the job seeker at the commencement and/or throughout the Place/Activity in order to participate safely?			
8	Are appropriate facilities (i.e. access to drinking water, lunchroom facilities and toilets) available to the job seeker?			
9	Has the job seeker been advised of the work health and safety reporting and escalation processes?			
10	Is the Place/Activity covered by the Department's insurance policy? If not, has additional insurance been purchased?			
11	Have you provided the job seeker with the location or access to the <i>Participant Insurance Manual</i> ?			

Completed by: _____ Organisation: _____ Date: _____

OUR DEMANDS

- Raise all Centrelink benefits to Henderson Poverty Line (\$517 per week).
- Abolish Work for the Dole.
- End discrimination against Centrelink recipients (including income management).
- Remove punitive eligibility for Centrelink payments.
- Abolish use of privately owned employment services industry and reinstate Commonwealth Employment Service.
- Undertake extensive government-run job creation programs (ie. Job Guarantee Program).
- Secure employment for all workers.
- Enforce minimum wage and Award conditions in all workplaces.
- Reduce working week to 35 hours.
- Lower retirement age to 60.

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