



**Australian Government**



# **DES Restart Agreement Guidelines**

**V 1.6**

## **Disclaimer**

This document is not a stand-alone document and does not contain the entirety of Disability Employment Services Providers' obligations. It should be read in conjunction with the Disability Employment Services Grant Agreement and any relevant guidelines or reference material issued by the Department of Social Services under or in connection with the Disability Employment Services Grant Agreement.

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## DES Restart Wage Subsidy Guidelines

### Document Change History

Version	Effective Date	End Date	Change and Location
1.6	13 September 2021		<p><b>Wording changes</b> – Consistent with DESE’s Restart/Managing Wage Subsidies Guidelines as follows:</p> <ul style="list-style-type: none"> <li>• Removal of Sample Restart Wage Subsidy Head Agreement from Guideline (see the Provider Portal for current version).</li> <li>• Changes to ensure consistency with language used in 1 July 2020 Restart Wage Subsidy Head Agreement.</li> <li>• Removal of system steps that are duplicated in policy sections.</li> <li>• Additional clarity, restructuring and streamlining changes throughout Guideline to improve readability.</li> </ul>
1.5	28 June 2021	12 September 2021	<p>Consistent with the Documentary Evidence for Claims for Payment Guidelines, amended the requirement to ‘retain’ with the requirement to ‘upload’ documentary evidence throughout the document.</p> <p><b>Amendment:</b> Consistent with DESE’s Restart Guidelines, under the Employer eligibility section amended to say the Employer must not have previously employed the Participant.</p>
1.4	8 March 2021	27 June 2021	<p><b>Amendment.</b> Consistent with the DES Documentary Evidence for Claims for Payment Guidelines, amended the requirement to include ‘upload’ in the following sentence under the Evidence from Provider – Claims for Reimbursement section.</p> <p>Providers must upload and retain Documentary Evidence to demonstrate payment from the Provider to the Employer before Reimbursement.</p>
1.3	14 September 2020	7 March 2021	Updated the end date of Head Agreements to 30 June 2022 and the Head Agreement template. to reflect the ESSWeb IT changes implemented for 1 July 2020.
1.2	12 November 2019	13 September 2020	Removal of Kickstart and Kickstart payment Change to definition of Pre-Existing Employment
1.1	3 December 2018	11 November 2019	<p>Clarified policy intent</p> <p>Update terminology</p> <p>Clarified participant Eligibility (p.5)</p> <p>Clarified Placement Eligibility (p.7)</p> <p>Clarified Kickstart payment calculation (p.11)</p>
1.0	1 July 2018	2 December 2018	Original version of document

### **Explanatory Note**

All capitalised terms have the same meaning as in the *Disability Employment Services Grant Agreement* (the Grant Agreement). In this document, ‘must’ means that compliance is mandatory and ‘should’ means that compliance represents best practice and that compliance is discretionary.

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### **Summary**

This Guideline details the requirements for Providers to manage Restart Agreements and sets out the rules that apply to Restart under the Grant Agreement.

Providers are expected to build strong relationships with Employers and use Restart Agreements to broker Employment opportunities for eligible Participants so that they can be retained in the job.

All Restart Placements must average at least 20 hours of work per week over the 26 week duration of the Restart Agreement.

### **Policy Intent**

Restart assists income support and pension recipients to move off income support and into paid Employment by supporting employers to hire mature age Australians into sustainable ongoing Employment opportunities by contributing to the initial costs of recruitment, training and wages.

### **Relevant References**

Reference documents relevant to this Guideline include:

- Restart Programme Supporting Document
- Documentary Evidence Guidelines
- Learning Centre website
- Vacancy, Participant Placement and Participant Outcome Guidelines
- Employment Services Risk Management & Programme Assurance

### **Restart Agreement Information**

<b>Process</b>	<b>Details</b>
<b>Offering Restart Wage Subsidies</b>  <i>Disability Employment</i>	<b>Offering Restart Wage Subsidies</b> Providers are best placed to assess the needs of Participants and Employers in their local labour market and based on this, Providers can decide whether or not, to offer a Restart Wage Subsidy to an Employer, in accordance with the DES Grant Agreement and this Guideline.  This means that a Provider may choose not to offer a Restart Wage Subsidy to an Employer even if all eligibility requirements are met.

Process	Details
<p><i>Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>• Clause 102.1</li> </ul>	<p>In determining whether to offer Restart, Providers must ensure that the following principles are met:</p> <ul style="list-style-type: none"> <li>• providing value for money</li> <li>• complying with any work, health and safety requirements under the relevant state or territory legislation</li> <li>• withstanding public scrutiny</li> <li>• not bringing Employment Provider Services or the Australian Government into disrepute.</li> </ul> <p>Providers should ensure Employers are aware they are not entitled to receive a Restart Wage Subsidy until such time as the Provider has decided to offer a Restart Wage Subsidy to the Employer and the Employer has entered into a Restart Wage Subsidy Agreement with the Provider via an approved Restart Wage Subsidy Agreement in the Department’s IT Systems (See Head Agreements and Schedules).</p> <p>Providers must promote to Employers the use of online agreements and the free mobile jobactive Employer App, available from the <a href="#">jobactive website</a>, iTunes and Google Play. The app assists Employers to manage their Restart Agreements. Employers can use the app to sign agreements online and submit Documentary Evidence when requesting a Restart Payment. Hard copy Agreements are intended for use in very limited circumstances, such as where the Employer has no, or limited, access to the internet.</p> <p><b>Time requirements for approving a wage subsidy</b></p> <p>Providers have the discretion to offer Restart Wage Subsidies after the Participant has commenced Employment if all eligibility requirements are satisfied. However, Providers must ensure that the Restart Wage Subsidy Agreement has been entered into and approved in the Department’s IT Systems within 12 weeks (84 days) of the Restart Wage Subsidy Placement commencing.</p> <p>Restart Wage Subsidy Agreements are not able to be approved outside of this timeframe, and Providers will not be Reimbursed for any Restart Wage Subsidy Agreements they enter into with an Employer outside of this timeframe.</p> <p>Providers are required to have appropriate administrative processes in place to meet the 84 day timeframe and must work with Restart Wage Subsidy Employers to ensure that this timeframe is met.</p> <p>See Head Agreements and Schedules for more information.</p>
<p><b>Participant Eligibility</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>• Clause 102.1</li> </ul>	<p><b>Participant Eligibility</b></p> <p>A participant who meets the eligibility requirements for a Restart Agreement is referred to as a Restart Participant. The eligibility requirements for the Restart Agreement are detailed below. A Participant can only receive one wage subsidy at any given time.</p> <p>The Department’s IT Systems determine a Participant’s eligibility for the Restart Agreement. Providers should also check eligibility in accordance with Social Security Law, the Grant Agreement and this Guideline.</p> <p>If a Provider determines the Department’s IT Systems have incorrectly determined Participant eligibility, the Provider must contact their Relationship Manager to discuss the issue.</p>

Process	Details
	<p>A participant is eligible for Restart if they:</p> <ul style="list-style-type: none"> <li>• are 50 years of age or older</li> <li>• have received any Department of Human Services (DHS—Centrelink) or Department of Veterans’ Affairs Income Support Payment or pension (including Age Pension or Austudy) for the last six months</li> <li>• are registered with a DES Provider at the time the Restart Agreement is created in ESSWeb.</li> </ul> <p>If the Restart Participant is not already registered or commenced with a Provider, the Provider must register the Restart Participant as a Volunteer and create the Agreement within 12 weeks (84 days) from the Restart Placement. This is so the Provider can finalise the creation of the Agreement with the Employer within the 84 days required under the Guideline.</p>
<p><b>Not eligible-Family Members</b></p>	<p><b>Not eligible – Family Members</b></p> <p>Participants are not eligible to attract a Restart Wage Subsidy for a Restart Wage Subsidy Placement if they are a family member of the Restart Wage Subsidy Employer. For Restart Wage Subsidy Employers that are not constituted in an individual capacity the Department will treat the individuals behind the legal entity (e.g. directors, trustees, board members) as the ‘Restart Wage Subsidy Employer’ for the purposes of determining whether a Participant is a family member of the Restart Wage Subsidy Employer.</p> <p>To ensure there is no real, or perceived conflict of interest or unfair advantage compared with another member of the public, the Department considers the following to be family members:</p> <ul style="list-style-type: none"> <li>a) a spouse, de facto partner, child, parent, grandparent, grandchild or sibling, including where any of these relationships are adopted relations, of the Employer</li> <li>b) a child, parent, grandparent, grandchild or sibling, including where any of these relationships are adopted relations, of the spouse or de facto partner of the Employer</li> </ul> <p>in-laws of each of the relationships set out in a) and b) above, of the Participant and their spouse or de facto partner.</p> <p><b>Examples:</b></p> <ul style="list-style-type: none"> <li>• The Restart Participant cannot be the Restart Wage Subsidy Employer’s brother.</li> <li>• The Restart Participant’s spouse cannot be the Restart Wage Subsidy Employer’s sister.</li> <li>• The Restart Participant could be a niece, nephew or cousin of the Restart Wage Subsidy Employer.</li> </ul>
<p><b>Partial Capacity to Work (PCW)</b></p>	<p><b>Partial Capacity to Work (PCW)</b></p> <p>Restart Participants with an assessed PCW are eligible for a Restart Wage Subsidy where they work a minimum average of 20 hours per week over the 26 weeks of the Restart Wage Subsidy Placement and meet all other eligibility requirements.</p>

Process	Details
	<p>The Provider must consider the Restart Participant’s Employment Services Assessment (ESAt) when determining the suitability of the Restart Wage Subsidy Placement for the Participant. A Restart Participant with an assessed PCW must not be compelled to undertake more than their assessed PCW hours but they may volunteer to do so.</p>
<p><b>Placement Eligibility</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References: Clause 102.1</i></p>	<p><b>Placement Eligibility</b></p> <p>A Restart Wage Subsidy Placement is an Employment position with an eligible Employer that meets all eligibility requirements.</p> <p>The Employment position can be:</p> <ul style="list-style-type: none"> <li>• full-time, part-time or casual Employment</li> <li>• an apprenticeship or traineeship</li> <li>• found by the Provider or directly by the Restart Participant.</li> </ul> <p>A Restart Placement must:</p> <ul style="list-style-type: none"> <li>• be a sustainable and, ongoing position, that is not intended to end when the Restart Wage Subsidy payments cease, and in respect of which the Restart Wage Subsidy Employer knows of no reason why the Restart Wage Subsidy Placement will not continue indefinitely</li> <li>• offer a minimum average of 20 hours per week over the 26 week duration of the Restart Wage Subsidy Placement</li> <li>• comply with all Employment standards for the Employment position under any relevant Commonwealth, state and/or territory laws, including: <ul style="list-style-type: none"> <li>○ complying with the National Employment Standards</li> <li>○ paying the relevant Restart Wage Subsidy Participant at least the equivalent of the minimum rate prescribed in any Modern Award that covers or applies to the Employment position, or if no Modern Award covers or applies to the Employment position, the National Minimum Wage</li> </ul> </li> <li>• comply with all relevant laws and requirements of any Commonwealth, state, territory or local authority, including work, health and safety legislation</li> <li>• provide a safe system of work for the Restart Wage Subsidy Participant at all times during the Restart Wage Subsidy Placement</li> <li>• not displace an existing employee</li> <li>• not be a commission-based, self-employment or subcontracted position (excluding Placements with labour hire or group training organisations)</li> <li>• not otherwise be a Non-Payable Outcome as defined in the Grant Agreement.</li> <li>• <b>System Step:</b> The Provider must create and approve the agreement in the Department’s IT Systems within 84 days from the commencement of the Restart Placement.</li> <li>• <b>System Step:</b> Restart Placement eligibility start dates can be viewed in the Registration Screen in ESSWeb.</li> </ul>



Process	Details
	<p><b>Approved Leave</b></p> <p>Approved leave is:</p> <ul style="list-style-type: none"> <li>leave the Restart Wage Subsidy Employer agrees to, and/or must provide, in accordance with any relevant Modern Award that applies to or covers the position, and the minimum Employment entitlements set out in the <u>National Employment Standards (NES)</u> under the <i>Fair Work Act 2009</i></li> </ul> <p>Approved leave cannot be used by a Restart Wage Subsidy Employer to supplement a Wage Subsidy Participant’s work hours for the purpose of meeting the requirement that a Restart Wage Subsidy Participant work a minimum average of 20 hours per week. However, where a Restart Wage Subsidy Participant requests and has leave approved in accordance with entitlements under a relevant Modern Award or the National Employment Standards, and the leave is recorded in documentary evidence, it counts towards the minimum average of 20 hours of work per week requirement.</p> <p>A Restart Wage Subsidy Employer cannot request a Restart Wage Subsidy Participant take approved leave or record a Restart Wage Subsidy Participant as having taken leave in order to meet the minimum average of 20 hours of work per week requirement</p> <p>If leave is approved, Providers must ensure any payments made to the Employer do not exceed 100 per cent of the Restart Participant’s wage.</p> <p><b>Examples:</b></p> <p>If a Restart Wage Subsidy Employer requires the Restart Participant to work only 15 hours per week, they cannot use five hours of approved unpaid leave to bring the total hours worked to 20 hours per week to claim the Restart Payment.</p> <p>However, if a Restart Participant is regularly working 20 hours per week and in one of these weeks, the Restart Participant works 17 hours and has three hours of approved leave under the relevant award, the Restart Wage Subsidy Employer can claim 20 hours of work for the Restart Participant, for that week, under the Restart Agreement.</p> <p>A Restart Wage Subsidy Participant declining shifts or not turning up to rostered work hours is not approved leave. The Provider must consider appropriate action under the Targeted Compliance Framework in these instances.</p> <p><b>Documentary Evidence:</b> Evidence of approved leave (paid or unpaid) must:</p> <ul style="list-style-type: none"> <li>show that the Restart Wage Subsidy Employer agreed to the leave at the time the Restart Wage Subsidy Participant requested it; and either <ul style="list-style-type: none"> <li>be recorded on the Restart Wage Subsidy Participant’s payslip; or</li> <li>be on a written declaration from the employer.</li> </ul> </li> </ul>







Process	Details
	<p>All periods of approved leave (subject to the above requirements) recorded in payroll evidence, count towards the requirement for a Restart Wage Subsidy Participant to work a minimum average of 20 hours per week.</p> <p>If leave is approved, Providers must ensure any Restart Wage Subsidy payments made to the Restart Wage Subsidy Employer do not exceed 100 per cent of the Restart Wage Subsidy Participant's wage.</p> <p><b>Work Trials</b> Restart Wage Subsidy placements can include periods of paid work trials. Restart Wage Subsidy placements can begin at the start of the paid work trial , or immediately after the work trail ends where Ongoing Employment commences.</p> <p>Work trials must meet <i>Fair Work Act</i> requirements, which set out the reasonable circumstances of a paid and unpaid work trial.</p> <p>For the purpose of claiming Restart Subsidies, a paid Work Trial (as recorded in the Department's IT Systems) is not considered pre-existing/prior Employment. A paid work trial cannot be for more than two consecutive calendar weeks.</p> <p>Restart Agreements can include periods of paid Work Trials. Restart Placements can either begin at the start of the paid Work Trial, or at the end of the paid Work Trial when ongoing Employment commences.</p> <p>Restart placements cannot include periods of unpaid Work Trials or work experience or PaTH Internships.</p> <p><b>System Step:</b> A Restart Wage Subsidy Agreement cannot be created from a paid work trial vacancy type in the Department's IT Systems as it is an ineligible tenure type. Providers must create a new vacancy with the Restart Wage Subsidy Agreement start date correctly recorded.</p>
<p><b>Concurrent Funding</b></p>	<p><b>Concurrent Funding</b></p> <p>Wage Subsidy Employers are required under the Head Agreement to notify Providers of any Australian Government funding they receive.</p> <p><b>Australian Government Wage Subsidies</b></p> <p>Employers cannot combine Wage Subsidies with other Australian Government wage subsidies (for example the Australian Apprenticeship Wage Subsidy) or similar employment program funding for the same Participant in the same Wage Subsidy Placement.</p> <p><b>Australian Apprenticeships Incentives Programme</b></p> <p>An Employer can receive both a Restart wage subsidy and an Australian Apprenticeships Incentives Programme (AAIP) Payment concurrently. This is because the AAIP is a training program and not an Employment program, the funding received under the AAIP is not considered to be a wage subsidy or similar funding.</p>


Process	Details
	<p>As AAIP payments are not considered to be similar funding, they are excluded when calculating the 100 per cent rule.</p> <p><b>State and territory government wage subsidies</b></p> <p>Restart wage subsidies can be combined with state or territory government wage subsidies or similar funding, as long as:</p> <ul style="list-style-type: none"> <li>• all other requirements in the relevant guidelines have been satisfied</li> <li>• the total funding from the combined wage subsidies or similar funding does not exceed 100 per cent of the Participant’s wages over the 26-week period of the Restart Agreement.</li> </ul> <p>The Provider must continue to check whether the Restart Wage Subsidy Employer is following the above requirements throughout the Restart Wage Subsidy Agreement term.</p>
<p><b>Employer Eligibility and Government Entity Eligibility</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>• <i>Clause 102.1</i></li> </ul>	<p><b>Employer Eligibility</b></p> <p>An Employer must be a legal entity, sole trader, partnership or trust with a valid Australian Business Number (ABN).</p> <p>For the purposes of a Restart Wage Subsidy only, an Employer can be a:</p> <ul style="list-style-type: none"> <li>• Related Entity of the Provider</li> <li>• labour hire company or group training organisation, provided the company is paying the Participant’s wages and that the placement/s with the host business/es meet all eligibility criteria of the Restart Wage Subsidy Placement and Employer.</li> </ul> <p>A Restart Wage Employer must not:</p> <ul style="list-style-type: none"> <li>• be suspended or excluded from receiving Wage Subsidies</li> <li>• have previously employed the Participant</li> <li>• be the Provider’s Own Organisation</li> <li>• displace an existing employee.</li> </ul> <p>If a labour hire company or group training organisation is receiving a Restart Payment for an employee, they must disclose this to the business taking on the employee. The Restart Wage Subsidy Employer must retain documentary evidence of the disclosure and supply it to the Provider if requested.</p> <p><b>Not eligible - Government Entities</b> A Restart Wage Subsidy Employer or host business must not be an Australian Government or state/territory government entity.</p> <p>Example:</p> <p>A Wage Subsidy Agreement cannot be entered into for:</p> <ul style="list-style-type: none"> <li>• A labour hire company which places a job seeker in an Australian Government-operated call centre.</li> </ul>





Process	Details
	<ul style="list-style-type: none"> <li>• A labour hire company which places a job seeker with a state government-operated manufacturer of ships.</li> </ul> <p>A Restart Wage Subsidy Employer can be a local government entity, provided the position is not funded by an Australian, state or territory government entity.</p> <p>Providers can use the Australian Government’s website <a href="http://abr.business.gov.au">ABN Lookup</a> (abr.business.gov.au) to determine if an Employer is a government entity and/or request proof from the Employer.</p> <p><b>Not eligible — Prior Employment</b>  An Employer will not be eligible to receive a Restart Wage Subsidy where, prior to the Restart Wage Subsidy Placement start date, the Participant has ever been employed by the Employer, or any other entities associated with the Employer.</p> <p>Examples:</p> <p>A labour hire company is not eligible to attract a Restart Wage Subsidy for a Participant they have previously employed, regardless of whether the Participant is placed with a different host business.</p> <p>A Participant is not eligible to attract a Restart Wage Subsidy for an Employer they worked for 10 years ago.</p> <p>For Employers that are not constituted in an individual capacity (e.g. sole trader or partnership) the Department will treat the individuals behind the legal entity (e.g. directors, trustees, board members) as the ‘Wage Subsidy Employer’ for the purposes of determining whether a Participant has ever been employed by the Employer, or any other entities associated with the Employer.</p> <p>Paid work trials recorded in the Department’s IT Systems are not considered prior Employment (see Work Trials).</p> <p><b>Change of Business Ownership</b></p> <p>If a Restart Wage Subsidy Employer changes ownership, the new owner is eligible to claim the remaining Restart Payments, provided all other eligibility criteria and Restart Program requirements are met. The Restart Wage Subsidy Agreement must be novated between the parties before the new owner can claim the remaining Restart Wage Subsidy payment/s.</p>
<p><b>Negotiation of Restart Agreement with the Employer</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p>	<p>Providers are responsible for negotiating and managing all elements of a Restart Agreement including making Restart Payments to Restart Wage Subsidy Employers.</p> <p><b>Head Agreements and Schedules</b></p> <p>The Restart Agreement consists of both a Head Agreement and a Schedule (see the Provider Portal for a copy of the Sample Agreement).</p> <p>Providers must enter into a Head Agreement with each Restart Wage Subsidy Employer using the template terms and conditions set out in the Sample Agreement. The Head Agreement contains the general terms and conditions of the Restart Agreement. This only needs to be done once for each Employer.</p>

Process	Details
<p><i>Clause 102.1</i></p>	<p>Once a Head Agreement has been entered into, a separate Schedule for each new Restart Wage Subsidy Participant must be attached to the Head Agreement. Schedules contain the specific details of the Restart Placement for each new Restart Wage Subsidy Participant.</p> <p>Each Schedule the Provider attaches to the Head Agreement will relate to a single Restart Wage Subsidy Placement and will create a separate contract (Restart Wage Subsidy Agreement) between the Provider and the Restart Wage Subsidy Employer in relation to that Restart Wage Subsidy Placement.</p> <p>Each Restart Wage Subsidy Agreement consists of the terms and conditions of the Head Agreement and the relevant terms relating to the Restart Wage Subsidy Placement, Restart Wage Subsidy Participant, and the Restart Wage Subsidy Period set out in the relevant Schedule.</p> <p> <b>System step:</b> The Provider must create the Restart Wage Subsidy Agreement in the Department’s IT System, and both the Provider and Employer must approve the Restart Wage Subsidy Agreement, within 12 weeks (84 days) of the Restart Wage Subsidy Placement start date.</p> <p> <b>System step:</b> Where the Department changes the terms and conditions of the template Head Agreement, the Provider must enter into a new Head Agreement with each Restart Wage Subsidy Employer in accordance with the updated terms and conditions before attaching any new Schedules in respect of Restart Wage Subsidy Placements. This includes having to enter into a new Head Agreement with those Employers with whom the Provider already has a Head Agreement.</p> <p><b>Negotiating Terms of the Restart Wage Subsidy</b></p> <p>Providers must explain the terms and conditions of the Restart Agreement to the Employer to ensure they fully understand their rights and obligations in accepting the Restart Agreement, including any Documentary Evidence required by the Provider to confirm the Employer’s compliance with the terms and conditions over the course of the Restart Wage Subsidy Agreement.</p> <p>The term of a Restart Wage Subsidy Agreement begins (Restart Wage Subsidy Placement start date) on the day the Placement starts (i.e. the first day of Employment), and ends 26 weeks from that date, unless terminated earlier (Restart Wage Subsidy Placement end date).</p> <p>The Restart Wage Subsidy Period means the payment period for a Restart Wage Subsidy.</p> <p>The Provider must negotiate with the Restart Wage Subsidy Employer a Restart Wage Subsidy Period that works best for the Restart Wage Subsidy Employer’s business. A Restart Wage Subsidy Period can be weekly, fortnightly, monthly, quarterly, on completion, or any other timeframe as agreed by the Provider and Restart Wage Subsidy Employer. Restart Wage Subsidy Periods should be recorded on the Schedule. See Payments to Restart Wage Subsidy Employers for more information.</p> <p>Providers must not charge Restart Wage Subsidy Employers to manage Restart Wage Subsidy Agreements.</p> <p>Providers must promote to Restart Wage Subsidy Employers the use of online Restart Wage Subsidy Agreements, available through the <a href="#">jobactive website</a>. Restart Wage Subsidy Employers can</p>

Process	Details
	<p>use the website to sign Restart Wage Subsidy Agreements online and submit documentary evidence when requesting a Restart Wage Subsidy payment.</p> <p> <b>System step:</b> Restart Wage Subsidy Agreements must be approved online by the Restart Wage Subsidy Employer on the jobactive website.</p> <ul style="list-style-type: none"> <li>Restart Wage Subsidy Agreements should only be printed and signed offline if access to online facilities is not available or if the Department has otherwise approved the use of an offline Agreement.</li> <li>If a Restart Wage Subsidy Agreement is signed offline, the Provider must still approve the Restart Wage Subsidy Agreement online within 12 weeks (84 days) of the Placement start date, and keep a signed copy.</li> </ul> <p> <b>System step:</b> If amendments are required during the Restart Wage Subsidy Agreement term (excluding amendments to Vacancy details), the Provider must agree on the changes with the Restart Wage Subsidy Employer and update the details in the Restart Wage Subsidy Agreement in the Department’s IT Systems.</p> <p>Any changes to the Placement start date in the Department’s IT Systems will automatically end the Restart Wage Subsidy Agreement with the reason ‘Created in Error’. Providers should ensure they confirm the correct start date with the Employer prior to creating the Wage Subsidy Agreement.</p>
<p><b>Supporting Restart Participants</b></p>	<p>When a Restart Agreement is approved, Providers should offer post-placement support to Restart Participants and Employers as required.</p> <p>This allows Providers to support Restart Participants and Employers to maximise the success of Restart Placements, including after a Restart Participant is Suspended or Exited from a Provider’s caseload.</p>
<p><b>Restart Amount</b></p>	<p>\$10,000 (GST inclusive) is payable per Restart Placement for Employment of a six month duration that satisfies all other eligibility requirements.</p>
<p><b>Flexible payments</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>Clause 102.2</li> <li>Clause 102.3</li> </ul>	<p>The Provider must negotiate with the Employer a Restart Payment structure that works best for the Employer’s business. Restart Payments can be made to Employers as agreed by the Provider and Employer.</p> <p>The Provider must have entered into a Restart Agreement with the Employer and all eligibility criteria must be satisfied before a Restart Payment can be made.</p> <p> <b>Documentary Evidence:</b> The Employer must submit Documentary Evidence demonstrating the Restart Participant has worked an average of at least 20 hours per week over 26 weeks from the wage subsidy start date (see Summary of Documentary Evidence section).</p> <p> <b>Documentary Evidence:</b> The Employer must invoice the Provider to receive a Restart Payment (see Summary of Documentary Evidence section).</p> <p>Payments, together with any concurrent state/territory government wage subsidies, must not exceed 100 per cent of the Restart Participant’s wages over the 26-week period of the Restart Agreement.</p>



Process	Details
	<p>The Department may recover any Reimbursements made to the Provider if the Employer has not met the terms and conditions of the Restart Agreement, or if the Employer has engaged in any fraudulent practice in relation to Restart Program.</p>
<p><b>Calculating payments for early terminations</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>• <i>Clause 102.2</i></li> <li>• <i>Clause 102.3</i></li> </ul>	<p>When the Employment is terminated before the Restart Agreements end date at 26 weeks, Providers must calculate the outstanding Restart Payments based on the number of weeks the Restart Participant worked for a minimum average of 20 hours per week.</p> <p>If the Employer does not provide the Restart Participant with at least an average of 20 hours per week throughout the Restart Placement they will not be eligible to receive the full Restart Payment.</p> <p><b>Example:</b></p> <p>If a Restart Wage Subsidy Participant worked for eight weeks and one day in the ninth week, the Provider should round the total weeks worked up to nine weeks. The Provider must then calculate the average hours worked per week by the Restart Wage Subsidy Participant over the nine week period. If the Restart Wage Subsidy Participant did not work an average of 20 hours per week over the nine week period, the Restart Employer is not eligible for the entire nine week flexible Restart Payment.</p> <p>To work out the Restart payment amount, divide the <b>total</b> Restart Payment amount \$10,000 by 26 weeks (the full Restart wage subsidy Agreement Term) to calculate the weekly rate the Restart Employer may be entitled to receive. Then multiply this amount by the number of weeks the Restart Wage Subsidy Participant worked the minimum average of 20 hours per week.</p> <p>Using the above example of nine weeks and a Restart Payment amount of \$10,000 the calculation is:</p> <ul style="list-style-type: none"> <li>• <math>\\$10,000/26 = \\$384.60</math> (weekly rate)</li> <li>• <math>\\$384.60 \times 9 \text{ weeks worked} = \\$3,461.40</math></li> </ul> <p>This amount is the maximum Restart payment the Employer can receive based on the Restart Participant working nine weeks. This Restart Payment cannot exceed 100 per cent of the wages paid to the Restart Participant over the nine weeks.</p> <p><b>Scenario for calculating an average of 20 hours per week</b></p> <p>A Restart Participant works for nine weeks. The Employer provides pay slips to the DES Provider to claim the Restart Payment, which shows the Restart Participant worked the following hours:</p> <ul style="list-style-type: none"> <li>Week 1 = 25</li> <li>Week 2 = 22</li> <li>Week 3 = 19</li> <li>Week 4 = 21</li> <li>Week 5 = 15</li> <li>Week 6 = 19</li> <li>Week 7 = 19</li> </ul>

Process	Details
	<p>Week 8 = 15</p> <p>Week 9 = 15</p> <p><b>Calculating the hours worked</b></p> <p>The DES Provider adds up all of the hours worked over the nine weeks. The total = 170 hours worked over nine weeks.</p> <p>To calculate the average hours worked per week, divide 170 hours by nine weeks. This equals an average of 18.88 hours per week (<math>170 \div 9 = 18.88</math>). The Employer is therefore not eligible for a Restart Payment because the Restart Participant did not work an average of 20 hours per week over the nine week period.</p> <p>However, the Provider can re-calculate the hours to determine when the minimum 20 hours per week average was achieved.</p> <p>For the purpose of this scenario, if the Provider re-calculates the average hours over seven weeks, 20 hours on average was achieved.</p> <p>Total = 140 hours worked over seven weeks. Then divide 140 by seven = 20 hours (<math>140 \div 7 = 20</math>).</p> <p>In this case, even though the Employer is not eligible for a Restart Payment for the full nine weeks, they are eligible to receive a flexible Restart Payment for the seven weeks.</p>
<p><b>Restart Payments to Employers and Claims for Reimbursement</b></p>	<p><b>Restart Payments to Employers</b></p> <p>The Provider must have entered into a Restart Wage Subsidy Agreement with the Restart Wage Subsidy Employer and all terms and conditions of the Restart Wage Subsidy Agreement must be satisfied before the Provider can make a payment to the Restart Wage Subsidy Employer.</p> <p>Restart Payments must not exceed 100 per cent of the Restart Participant's wages at any point over the six month (26 week) period of the Restart.</p> <p>In accordance with the Restart Wage Subsidy Head Agreement, Providers may choose not to make the final Restart Wage Subsidy payment to the Restart Wage Subsidy Employer if the Restart Wage Subsidy Employer does not:</p> <ul style="list-style-type: none"> <li>• request the final Restart Wage Subsidy payment, and</li> <li>• supply the required documentary evidence to the Provider</li> </ul> <p>within 28 days from the Restart Wage Subsidy Agreement end date.</p> <p> <b>Documentary Evidence:</b> Restart Wage Subsidy Employers must invoice the Provider to receive a Restart Payment (see Summary of Documentary Evidence section).</p> <p><b>Claims for Reimbursement</b></p> <p>Providers can submit a claim for Reimbursement from the Department once they have paid a Restart Payment to an Employer.</p>

Process	Details
	<p>Providers can claim Reimbursement at any time from the Restart Placement confirmed date to 56 days after the end of the Restart Agreement.</p> <p>Claims can be made:</p> <ul style="list-style-type: none"> <li>• after each flexible payment is made (weekly, fortnightly, monthly, quarterly, or any other agreed milestone)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• collectively at the end of the 26 week Restart Agreement.</li> <li>• The Provider must: <ul style="list-style-type: none"> <li>• make Restart Payments out of their own funds to the Employer</li> <li>• ensure the Restart Participant worked a minimum average of 20 hours per week over the Restart Agreement period</li> <li>• only claim Reimbursement up to the same dollar value they paid the Employer (see Summary of Documentary Evidence section).</li> </ul> </li> </ul> <p> <b>System step:</b> Providers must claim all Reimbursements within 56 days of the end of the Restart Agreement.</p> <ul style="list-style-type: none"> <li>• Providers who fail to meet this timeframe will not be Reimbursed unless they can demonstrate, to the Department’s satisfaction, exceptional circumstances beyond their control lead to the delay in the claim.</li> <li>• Providers are required to have appropriate administrative processes in place, and must work with Employers to ensure this timeframe is met.</li> </ul> <p> Providers may allow Employers more than the 28 days — specified in the Head Agreement — to submit their final claim if the claim for Reimbursement to the Department is made within 56 days. <b>Documentary Evidence:</b> Providers must ensure that all Documentary Evidence is uploaded to demonstrate the Restart Participant was Employed as per the conditions agreed to in the wage subsidy head agreement and 100 per cent of Participant’s wages have not been exceeded.</p> <p> <b>System step:</b> Providers must select the ‘Flexible payment’ in the Claim screen in ESSWeb when claiming Reimbursement for flexible payments.</p>
<p><b>Summary of Documentary Evidence</b></p> <p><i>Disability Employment Services Grant Agreement Clauses</i></p> <p><i>References:</i></p> <ul style="list-style-type: none"> <li>• Clause 21</li> <li>• Clause 22</li> <li>• Clause 23</li> <li>• <i>Clause 102.2</i></li> </ul>	<p><b>Summary of Documentary Evidence</b></p> <p> <b>Documentary Evidence:</b> Providers must obtain sufficient Documentary Evidence to process a Restart Payment to an Employer and claim Reimbursement from the Department.</p> <p><b>Restart Agreements</b></p> <p>For a Restart wage subsidy, an approved Restart Agreement, linking Vacancy, Employer and Placement details, must be entered into the Department’s IT Systems. Most of this information is pre-populated.</p> <p>Restart Agreements must be approved online by the Employer on the jobactive website or the jobactive Employer App.</p>



Process	Details
<ul style="list-style-type: none"> <li>• <i>Clause 102.4</i></li> </ul>	<p>Restart Agreements should only be printed and signed offline if access to online facilities is not available or if the Department has otherwise approved the use of an offline Restart Wage Subsidy Agreement.</p> <p>See Head Agreements and Schedules for more information.</p> <p><b>Evidence from Employers— Restart Participant Employment</b></p> <p>Providers must ensure all Documentary Evidence is uploaded to demonstrate the Restart Participant was Employed in accordance with the terms and conditions of the DES Grant Agreement, the Guidelines and the Restart Wage Subsidy Agreement., This Documentary Evidence must include a</p> <ul style="list-style-type: none"> <li>• payslips or a print out from the Employer’s payroll software to demonstrate the hours worked (including any periods of approved leave taken) and wages paid for the entire claim period</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• a statutory declaration, email or other correspondence from the Employer to confirm the Participant’s Employment.</li> </ul> <p>Employers can declare the Restart Participant has worked the required hours through the jobactive website. Even if the Employer makes the declaration online, Providers must upload documentary evidence as per the DES Documentary Evidence for Claims for Payment Guidelines and as outlined above. The Wage Subsidy Head Agreement states that Employers must retain payslips/payroll summaries to support their declaration.</p> <p>Providers must verify the Restart Participant has completed the required hours of work. Providers must also upload evidence from the Employer to verify any periods of approved leave.</p> <p>The Provider may also request the Employer provide additional Documentary Evidence within the timeframes required, including but not limited to:</p> <ul style="list-style-type: none"> <li>• all payroll summaries and/or tax invoices</li> <li>• if the Employer is a labour hire company or group training organisation, written evidence that the Employer has disclosed to any relevant host businesses that it is receiving a Restart Wage Subsidy for the relevant Placement</li> <li>• where a Participant’s employment ends prior to the Placement end date, a written statement of reasons why the Participant’s employment ended</li> <li>• any other evidence that the Provider deems necessary, relating to the relevant Placement, Participant and/or Restart Wage Subsidy Agreement.</li> </ul> <p>If requesting evidence additional to that required by the Department, the Provider should ensure the Employer understands what evidence will be required, and the purpose of the evidence, prior to approving the Restart Wage Subsidy Agreement.</p> <p>Where applicable, the Provider should also keep Documentary Evidence that supports the end date of the Placement, where the Placement terminated early.</p> <p>The Department can request any documentation in relation to a Restart Agreement and Placement from Providers, to support program assurance activities. If Providers do not have this documentation they can request it from Employers, as per the Employers obligations under the Restart Wage Subsidy Head Agreement.</p>

Process	Details
	<p><b>Evidence from Provider—claims for Reimbursement</b></p> <p>Providers must make Restart Payments to Employers before making a claim for Reimbursement.</p> <p>The Reimbursement claim amount must not exceed the amount the Provider paid the Employer. The Provider must submit all claims for Reimbursement no later than 56 days after the end of the Restart Placement.</p> <p>Providers must upload Documentary Evidence to demonstrate that the payment was made from the Provider to the Employer before claiming a Reimbursement, this may include:</p> <ul style="list-style-type: none"> <li>• a record of transaction (bank statement or report from the Provider’s financial system)</li> <li>• a tax invoice and corresponding receipt from the Employer</li> <li>• a tax invoice from the Employer and a remittance advice</li> <li>or</li> <li>• statutory declaration, email or other correspondence from the Provider.</li> </ul> <p>All Documentary Evidence must include:</p> <ul style="list-style-type: none"> <li>• the amount of the Restart Payment</li> <li>• the Participant’s name or JSID</li> <li>• the Employer’s details (including ABN)</li> <li>• the date the Restart Payment was made.</li> </ul> <p> <b>System step:</b> Providers submit claims for Reimbursement through the Department’s IT Systems. Providers must also keep any evidence not uploaded to the Department’s IT Systems with the claim for Reimbursement.</p>
<p><b>Transferred Arrangements</b></p> <p><i>Disability Employment Services Grant Agreement Clauses References:</i></p> <ul style="list-style-type: none"> <li>• <i>Clause 102.6</i></li> </ul>	<p><b>Transferred Arrangements</b></p> <p>When a Restart Participant transfers to another Provider, the gaining and outgoing Providers must ensure both the Restart Participant and Employer continue to be supported.</p> <p> <b>System step:</b> The outgoing Provider must agree that the Restart Agreement will be terminated.</p> <ul style="list-style-type: none"> <li>• The Department’s IT Systems prevent the outgoing Provider from claiming any further Reimbursements. The gaining Provider must enter into a new Restart Agreement with the Employer for the remaining balance.</li> </ul>
<p><b>More Information</b></p>	<p>For further information, contact your Relationship Manager.</p>