

# Seasonal Work Incentives Trial Guidelines

**V 1.0**

**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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Seasonal Work Incentives Trial Guidelines

### Document Change History

| Version | Effective Date | End Date | Change & Location |
| --- | --- | --- | --- |
| 1.0 | 1 July 2018 |  | Original version of document |

### Background

The Seasonal Work Incentives Trial is aimed at increasing the number of eligible job seekers who undertake horticultural seasonal work. Qualifying Seasonal Horticultural Work is defined as work that includes one or more of the following activities:

1. harvesting of crops including all vegetables, fruits, grains, seeds, hops, nuts, fungi, olives, flowers, broad acre crops, sugar and sandalwood;
2. pruning and trimming vines and fruit trees;
3. thinning and trimming flowers;
4. chipping and weeding;
5. operating harvesting equipment;
6. planting;
7. irrigating;
8. siloing;
9. packing and canning; and
10. any other like activities, as specified in any guidelines.

The incentives available under the Trial are:

* a Provider Seasonal Work Incentive Payment of $100 per week for up to six weeks for DES Providers who place eligible DES Participants with eligible Employers.
* a Seasonal Work Living Away and Travel Allowance of $300 each year for eligible Participants where the job is more than 120km from their home.
* a Seasonal Horticulture Work Income Exemption allowing eligible Participants in receipt of Newstart and Youth Allowance (Other) to earn up to $5,000 each year from seasonal horticultural work without it being counted under the social security income test.

The Trial runs for two years, from 1 July 2017 to 30 June 2019 and is capped at 3,800 places over each financial year of the Trial. In total, there are 7,600 places available under the Trial over the two year period. Places are available for job seekers participating in jobactive, Transition to Work and DES. The Department of Jobs and Small Business will manage the places across States/Territories according to the expected demand for labour. Use of places will be monitored closely and adjustments made during the Trial where required.

Where a placement leads to an offer of ongoing employment, the Trial placement must be ended so the Participant can be anchored in a normal employment placement.

### Disability Employment Services Grant Agreement Clauses:

Clause 22 – Evidence to support claims for payment

Clause 103 – Seasonal Work Incentives for Job Seekers Trial

Annexure A – Definitions

### Reference documents relevant to this guideline:

DES Documentary Evidence for Claims for Payment Guidelines

DES Outcome Guidelines

DES Job Seeker Compliance Framework Guideline

### Explanatory Note:

All capitalised terms have the same meaning as in Disability Employment Services Grant Agreement. In this document, “must” means that compliance is mandatory and “should” means that compliance represents best practice.

### Seasonal Work Incentives Trial Guidelines

| Who is Responsible: | What is Required: |
| --- | --- |
| 1. DES Provider  The DES Provider determines Participant eligibility for the Trial  Disability Employment Services Grant Agreement Clauses References:   * Clause 103 * Clause 103.3 | Under the Trial, DES Providers will be responsible for placing eligible Participants into Qualifying Seasonal Horticultural Work.  To be eligible for the Trial, Participants must be in jobactive, Transition to Work or DES and be in receipt of Newstart Allowance or Youth Allowance (Other) and have been receiving those payments continuously for three months. This includes periods where a Participant has been on a nil rate.  DES Providers must ensure that Participants are aware of the nature of the work and relevant working conditions so that they have a realistic view of what the job will involve. DES Providers should refer Participants who have the capacity to complete the six weeks of the trial.  **System step**: DES Providers will be able to check for any eligible Participants on their caseload in the Department’s IT Systems. |
| 2. DES Provider  The DES Provider sources a Qualifying Seasonal Horticultural Work Vacancy.  Disability Employment Services Grant Agreement Clauses References:   * Clause 103.2 | DES Providers are encouraged to work with suitable Employers in the seasonal horticultural industry to understand their needs and to identify opportunities for employment under the Trial.  DES Providers should provide Employers with information about the Trial to ensure they are aware of the opportunity available to them to have Participants placed to assist with their seasonal labour needs.  DES Providers and Employers should work together to identify opportunities for Participants to obtain ongoing positions with the Trial Employer after their participation in the Trial is complete.  Where eligible Participants participate in the Trial but are unable to complete their six weeks of participation, the DES Provider can refer another eligible Participant to fill the Vacancy for that Employer. For example, where a Participant commences in the Trial but leaves after week four, then the DES Provider may refer another eligible Participant by lodging a new Qualifying Seasonal Horticultural Work Vacancy.  **System step**: DES Providers must record all Qualifying Seasonal Horticultural Work Vacancies in the Department’s IT Systems after ensuring that the Vacancy complies with the definition of Qualifying Seasonal Horticultural Work in the introduction of this Guideline.  **System step**: DES Providers must ensure that details of each Vacancy are complete and up to date, including job description, employer details, hours, occupation and category/specific occupation.  **System step**: DES Providers must select the Vacancy type ‘Qualifying Seasonal Horticultural Work’, to attract the Provider Seasonal Work Incentive Payment and the Seasonal Work Living Away and Travel Allowance.  Checking Minimum Wage  At the time of lodging a Qualifying Seasonal Horticultural Work Vacancy, DES Providers must make sure the relevant minimum wage for the eligible Participant is satisfied and that the Participant has information relating to the National Minimum Wage and the Fair Work Ombudsman. |
| 3. DES Provider  The DES Provider refers eligible Participants to Qualifying Seasonal Horticultural Work Vacancies.  Disability Employment Services Grant Agreement Clauses References:   * Clause 103.3 | DES Providers must:   * provide eligible Participants with information on the Trial including the Seasonal Horticulture Work Income Exemption Fact Sheet which details how they are required to report their earnings to DHS; * encourage eligible Participants to consider Qualifying Seasonal Horticultural Work job opportunities within and outside their local area, and explain to them the availability of the Seasonal Work Living Away and Travel Allowance including that it is considered personal (taxable) income but will not affect their Newstart or Youth Allowance (Other) payments; * ensure the Participant is aware of the nature of Qualifying Seasonal Horticultural Work and the importance of them continuing in the placement, particularly if they have received the Seasonal Work Living Away and Travel Allowance; * ensure that any Participants they are going to refer to Qualifying Seasonal Horticultural Work Vacancies meet the needs of Employers; and * refer suitable eligible Participants to Qualifying Seasonal Horticultural Work Vacancies.   **System step**: The DES Provider must place the Participant into the Qualifying Seasonal Horticultural Work Vacancy and enter the date that the Participant started working when an eligible Participant is participating in the Trial. This becomes the Qualifying Seasonal Horticultural Work Placement Start Date.  **System step**: The Qualifying Seasonal Horticultural Work Placement Start Date must be recorded within 28 days of the Participant commencing in the Trial. The Provider Seasonal Work Incentive Payment will not become available unless the Qualifying Seasonal Horticultural Work Placement Start Date has been entered into the Department’s IT Systems.  Please refer to ESSWeb Help for further information on how to refer a Participant in the Department’s IT Systems. |
| 4. DES Provider  The DES Provider claims a Provider Seasonal Work Incentive Payment.  Disability Employment Services Grant Agreement Clauses References:   * Clause 103.3 * Annexure B3 | DES Providers may claim a Provider Seasonal Work Incentive Payment of $100 per week for up to six weeks for each eligible Participant who participates in the Trial. The payment may be claimed by the DES Provider where:   * an eligible Participant with full-time Mutual Obligation requirements worked full-time hours (at least 35 hours per week); or * an eligible Participant with a Partial Capacity to Work worked hours that meet or exceed the minimum number of hours per week in the range as assessed by DHS through an Employment Services Assessment (ESAt) or a Job Capacity Assessment (JCA); or * an eligible Participant with part-time Mutual Obligation requirements and who has been identified as a parent or as having a disability, worked at least 15 hours each week.   DES Providers should ensure Participants with a Partial Capacity to Work are not required to work above their assessed capacity where they wish to participate in the Trial.  **System step**: A DES Provider must record the Vacancy using the Qualifying Seasonal Horticultural Work Vacancy type in the Department’s IT Systems and record the Qualifying Seasonal Horticultural Work Placement Start Date for the Provider Seasonal Work Incentive Payment to become available.  **System step**: A DES Provider may claim the Provider Seasonal Work Incentive Payment at the end of each week through the Department’s IT Systems. The Department encourages DES Providers to claim these incentive payments as soon as they become available.  Provider Seasonal Work Incentive Payment and Employment Outcome Payments  Where a DES Provider chooses to enter a Qualifying Seasonal Horticultural Work Placement Start Date, they cannot claim an Employment Outcome Payment for that Participant with the same Employer for the same period as the placement in the Trial. DES Providers should note that placements into Qualifying Seasonal Horticultural Work do not have any impact on Star Ratings.  **System step**: Where the DES Provider has entered a Qualifying Seasonal Horticultural Work Placement Start Date and the Participant gains ongoing Employment with the Employer, the DES Provider must update the existing Qualifying Seasonal Horticultural Work Vacancy and record the date the Employment became ongoing. This will be the Job Seeker Placement Start Date and will allow for the tracking of Employment Outcomes. This can be done at any time during the placement and does not have to be after the six weeks of the Trial. Once a Job Seeker Placement Start Date is recorded against a Qualifying Seasonal Horticultural Work Vacancy, this will cease any Provider Seasonal Work Incentive Payments.  **System step**: DES Providers should also be aware that they cannot change from a Job Seeker Placement Start Date to a Qualifying Seasonal Horticultural Work Placement Start Date in the Department’s IT Systems after the decision to track for Employment Outcome Payments has been made.  The Department will monitor Provider Seasonal Work Incentive Payments as part of the Trial.  **Documentary evidence**: DES Providers must retain a pay slip or Employer payroll summary/ies confirming the Participant’s participation in the Trial. In cases where Employers use piece rate agreements or tally sheets to record the actual work done by the Participant, these will be considered appropriate forms of Documentary Evidence. DES Providers are not expected to upload this evidence onto the Department’s IT Systems but must retain and provide it to the Department if requested. |
| 5. DES Provider  The DES Provider administers the Seasonal Work Living Away and Travel Allowance for Participant, where applicable  *Disability Employment Services* *Grant Agreement Clauses References:*   * Clause 103.4 * Annexure B3 | DES Participants will have access to a Seasonal Work Living Away and Travel Allowance of up to $300 in each year, where they take up Qualifying Seasonal Horticultural Work more than 120km from their home.  **System step**: DES Providers will be able to access the Seasonal Work Living Away and Travel Allowance when they record a Qualifying Seasonal Horticultural Work Placement Start Date in the Department’s IT Systems.  DES Providers are responsible for managing the Seasonal Work Living Away and Travel Allowance and administering payments directly to Participants. DES Providers have the discretion and flexibility to tailor the payment to suit the specific circumstances of the Participant and determine how it is administered to the Participant and when. This will include whether the allowance is paid in full at the beginning of the Participant’s placement in the Trial (for example, if the Participant needs the full amount to travel to take up the work) or in instalments throughout the Participant’s participation in the Qualifying Seasonal Horticultural Work Placement. Where the allowance is paid in instalments, there is no requirement for this to be paid in even amounts.  DES Providers should ensure that the Participant is aware that the allowance is being paid to assist them to take up a placement in Qualifying Seasonal Horticultural Work more than 120km from their home and that they are expected to continue in the placement for up to six weeks.  DES Providers can claim the Seasonal Work Living Away and Travel Allowance in the Department’s IT Systems to pass on to the Participant at any point after it becomes available. DES Providers must not retain any balance of the Seasonal Work Living Away and Travel Allowance that is not paid to the Participant during their participation in the Trial.  **System step**: As the Seasonal Work Living Away and Travel Allowance will be considered personal (taxable) income for the Participant, it is a requirement that they declare this income in their annual income tax return. To assist Participant in meeting this requirement, DES Providers must give the Participant a summary of payments. This summary will become available for printing in the Department’s IT Systems when the payment has been claimed by the DES Provider.  Before making any upfront payment to a Participant, DES Providers must ensure that the Participant is aware of the basis for payment. The DES Provider should also advise the Participant of any compliance consequences if they voluntarily leave a placement, have the placement terminated due to misconduct or accept the placement but do not commence.  Note: The Department monitors the Seasonal Work Living Away and Travel Allowance to ensure that the 120km requirement is being met.  **Documentary evidence**: DES Providers must retain evidence that the Seasonal Work Living Away and Travel Allowance has been passed on to the Participant. This may include a record of transaction (for example, a bank statement or a record of transaction from the DES Provider’s financial system), or a remittance advice, or other valid proof of payment (for example, confirmation that an online bank transfer has taken place). DES Providers should upload this evidence onto the Department’s IT Systems. |