Job in Jeopardy Assistance Guidelines

V 2.9

Disclaimer
This document is not a stand-alone document and does not contain the entirety of Disability Employment Services Programme Providers’ obligations. It should be read in conjunction with the Disability Employment Services Deed and any relevant Guidelines or reference material issued by the Department of Social Services (herein referred to as ‘The Department’) under or in connection with Disability Employment Services Deed.
Table of Contents

Document Change History 3
Background 6
The policy intent of Job in Jeopardy Assistance 6
Flow Chart – Job in Jeopardy Assistance 8
Text Version of Flow Chart – Job in Jeopardy Assistance 9
Disability Employment Services Deed Clauses 10
Reference documents relevant to these guidelines 10
Explanatory Note 10
Job in Jeopardy Assistance Guidelines 11
Attachment A – Permissible Break in a Job in Jeopardy employment related activity during a 26 Week Period 22
Permissible Breaks – Job in Jeopardy 22
Attachment B – Job in Jeopardy Fees 25
## Document Change History

<table>
<thead>
<tr>
<th>Version</th>
<th>Start Date</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Change &amp; Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.9</td>
<td>12 September 2015</td>
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<td>Update Terminology</td>
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<tr>
<td>2.8</td>
<td>9 March 2015</td>
<td>9 March 2014</td>
<td>11 September 2015</td>
<td><strong>Clarification:</strong> Active Employment (p17, step 8)</td>
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<td></td>
<td><strong>Clarification:</strong> Paid leave during the JiJ Outcome period (Attachment A)</td>
</tr>
<tr>
<td>2.7</td>
<td>25 August 2014</td>
<td>25 August 2014</td>
<td>8 March 2015</td>
<td><strong>Clarification:</strong> Temporary Protection Visa (p9)</td>
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<td></td>
<td></td>
<td><strong>Clarification:</strong> Documentary Evidence and permanent disability (p11)</td>
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<td></td>
<td></td>
<td><strong>Clarification:</strong> Recording vacancy in Department’s IT Systems (p13)</td>
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<tr>
<td>2.6</td>
<td>23 January 2014</td>
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<td>24 August 2014</td>
<td><strong>Clarification:</strong> Inclusion of policy intent (p4-5)</td>
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<td></td>
<td><strong>Clarification:</strong> Eligibility for JiJ Assistance (p11 - step 2) and Documentary Evidence requirements for eligibility (p13 - step 4)</td>
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<td></td>
<td></td>
<td><strong>Clarification:</strong> Inclusion of examples of services delivered through JiJ Assistance (p17 – step 6)</td>
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<td><strong>Policy:</strong> extension of the timeframe to lodge Job in Jeopardy Outcome Fees from 28 calendar days to 56 calendar days (p18 – step 9)</td>
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<td>Effective Date</td>
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| 2.5     | 1 July 2013| 1 July 2013    | 22 January 2014 | **General Deed Variation 7:** Amendment to eligibility to preclude employment that would be considered a Job in Jeopardy Non Payable Outcome (p11 –step 2).  
**Clarification:** Change to formatting of eligibility to distinguish between requirements for Job in Jeopardy Assistance and Direct Registration (p11 – step 2)  
**Clarification:** Inclusion of requirement to review and amend Participant’s Job Plan if appropriate (p14 – step 5) |
| 2.4     | 1 Jul 2012 | 1 Jul 2012     | 30 June 2013 | **General Deed Variation 4:** Insertion of information regarding the provision of Job in Jeopardy Assistance to workers in the Provider’s Own Organisation.(p12 – step 2)  
**Policy:** Information on ending of On-the-job Support (p5, Attachment C p23-25) |
| 2.3     | 15 Feb 2012| 15 Feb 2012    | 30 Jun 2012 | **Clarification:** Insertion of more detailed eligibility information for Job in Jeopardy (p7 - step 2).  
**Clarification:** References to Job Capacity Assessments (JCA) updated to also refer to Employment Services Assessments (ESAt) |
<p>| 2.2     | 31 March 2011| 31 March 2011 | 14 Feb 2012 | <strong>Policy:</strong> Change to eligibility for the On-the-Job Support to 50+ (p1 – Background, p3 – Flowchart, p8 – step 7. P20 – Attachment C). |</p>
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<th>Start Date</th>
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<td>2.0</td>
<td>25 Jun 10</td>
<td>1 Jul 10</td>
<td>13 Feb 2011</td>
<td><strong>Policy:</strong> Insertion of information about On-the-job Support (p3 - Background, p5 - Flowchart, p7 - step 4, p8-p9 - step 6 and step 8, p8 - step 7, p18-p20 - Attachment C). Clarification that Job In Jeopardy Outcomes are payable where a Job In Jeopardy Participant changes job with their existing Employer (p3, p10 and p12). Clarification that eligibility for DES applies to JIJ Participants (p7 - step 2)</td>
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<td>1.0</td>
<td>20 Jan 10</td>
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Background
These Guidelines outline the responsibilities and required actions of a Disability Employment Services (DES) Provider (herein referred to as a ‘DES Provider’) regarding Job in Jeopardy (JiJ) Assistance.

The policy intent of Job in Jeopardy Assistance
JiJ Assistance provides immediate and appropriate support to a person in Employment who is at risk of losing their Employment due to the impact of their injury, disability or health condition. The person must be Employed for a minimum of eight hours a week and must have been Employed for at least eight hours, on average, over the previous consecutive 13 weeks, or there is an expectation that the Employment will last 13 weeks. This will allow workers Employed for less than 13 weeks to receive assistance, with the exception of where the job is very short term.

JiJ Assistance is available to people currently Employed who require the services of a DES Provider in order to maintain their Employment and are likely to require Ongoing Support. The DES Provider will work with the JiJ Participant and their Employer to enable the JiJ Participant to build their capacity to maintain their Employment.

A person is able to Directly Register with a DES Provider without a Job Capacity Assessment (JCA) or an Employment Services Assessment (ESAt). This ensures that the person is able to receive assistance to address the difficulties they are facing as soon as possible. When determining eligibility DES Providers must apply their professional judgement to determine if the person requires the specialised assistance available through DES, will benefit from JiJ Assistance and is likely to require Ongoing Support.

It is not appropriate for a person to be Commenced in JiJ Assistance for the sole purpose of providing assistance with access to services available under the Employment Assistance Fund. A person is able to access assistance from the Employment Assistance Fund without having to be participating in DES. JobAccess has skilled advisers who will help employers and employers with their EAF applications. The DES Provider must be able to demonstrate that they are delivering services that will help an employee keep their job.

The DES Provider must work flexibly with the JiJ Participant, delivering an individual programme of JiJ Assistance that helps the JiJ Participant to maintain their Employment. The Job Plan must accurately reflect the assistance being provided.

It is important to note that a JiJ Participant does not have to necessarily stay in the same job as the JiJ Participant occupied when Commenced. The JiJ Participant may stay in the same job, or may move to another job with the same Employer, with the agreement of all parties. Where a JiJ Participant moves to a new job with the same Employer, the JiJ Participant may still be provided with JiJ Assistance and may still proceed to a JiJ Outcome in accordance with the Deed.

Job in Jeopardy has been included in the revised DES Performance Framework which came into effect 4 March 2013. Further information about the Framework is available from the DES Provider Portal.
**Flow Chart – Job in Jeopardy Assistance**

*Note: This flowchart should be read in conjunction with the steps outlined in these Guidelines and the Disability Employment Services Deed.*

1. Job in Jeopardy (JiJ) person or Employer requests assistance from a DES Provider

2. DES Provider confirms that person is eligible for JiJ Assistance

3. DES Provider Directly Registers eligible JiJ person

4. DES Provider retains documentary evidence of the person’s JiJ eligibility

5. DES Provider conducts Initial Interview, completes Job Plan and Commences JiJ Participant

6. DES Provider delivers JiJ Assistance to JiJ Participant for 52 weeks or until exited

7. DES Provider claims JiJ Service fees

8. DES Provider sets Employment Anchor Date and continues to assist JiJ Participant

9. DES Provider claims JiJ Outcome Fee

10. DES Provider Refers JiJ Participant to Ongoing Support Assessor

11. Ongoing Support Assessor undertakes assessment and makes recommendation about JiJ Participant’s Ongoing Support requirements

12. DES Provider delivers Ongoing Support to Participant

13. DES Provider exits JiJ Participant
Text Version of Flow Chart – Job in Jeopardy Assistance

1. Person or Employer requests assistance from a DES Provider
2. DES Provider confirms that person is eligible for JiJ Assistance
3. DES Provider Directly Registers eligible JiJ person
4. DES Provider retains Documentary Evidence of the person’s JiJ eligibility
5. DES Provider conducts Initial Interview, completes Job Plan and Commences JiJ Participant
6. DES Provider delivers JiJ Assistance to JiJ Participant for 52 weeks or until exited
7. DES Provider claims JiJ Service fees
8. DES Provider sets Employment Anchor Date and continues to assist JiJ Participant
9. DES Provider claims JiJ Outcome Fee
10. DES Provider Refers JiJ Participant to Ongoing Support Assessor
11. Ongoing Support Assessor undertakes assessment and makes recommendation about JiJ Participant’s Ongoing Support requirements
12. DES Provider delivers Ongoing Support to Participant
13. DES Provider exits JiJ Participant

Note: This flow chart should be read in conjunction with the steps outlined in these Guidelines and the Disability Employment Services Deed.
Disability Employment Services Deed Clauses
Clause 79 – Programme Services Location
Clause 83 – Direct Registration of Participants without a Referral
Clause 88 – Initial Contacts
Clause 89 – Contact Services
Clause 91 – Assistance for Participants
Clause 93 - Wage Subsidy and Employment Assistance Fund
Clause 100 – Job in Jeopardy Participants
Clause 103 – Entry into Ongoing Support
Clause 104 – Obligation to provide Ongoing Support
Clause 117 – Exits
Clause 121 – Service Fees
Clause 125 – Ongoing Support Fees
Clause 126 – Job in Jeopardy Fees
Clause 129 – Ancillary Payments
Annexure A Definitions – ‘Job in Jeopardy Outcome’, ‘Job in Jeopardy Non-Payable Outcome’
Annexure B1 – Disability Employment Services – Disability Management Service Fees
Annexure B2 – Disability Employment Services – Employment Support Services Fees

Reference documents relevant to these guidelines
Direct Registration Guidelines
Eligibility, Referral and Commencement Guidelines
Creating and Updating an Job Plan Guidelines
Documentary Evidence for Claims for Payment Guidelines
Exits Guidelines
Ongoing Support Guidelines
Ongoing Support Assessment Allocation Guidelines

Explanatory Note
1. All capitalised terms have the same meaning as in the Disability Employment Services Deed.
2. In this document, “must” means that compliance is mandatory and “should” means that compliance represents best practice.
3. Shaded areas in the flow charts denote activities that are undertaken by the Participant, DSS or Centrelink.
## Job in Jeopardy Assistance Guidelines

<table>
<thead>
<tr>
<th>Who is Responsible</th>
<th>What is Required</th>
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<tbody>
<tr>
<td>1. Job in Jeopardy (JiJ) person or Employer requests assistance from a DES Provider</td>
<td>A person whose Employment is at risk because of their injury, disability or health condition or their Employer can seek JiJ Assistance from a DES Provider. The person does not need a Referral from Centrelink or any other agency but must be able to provide Documentary Evidence to support their eligibility as outlined in Section 4 of these Guidelines.</td>
</tr>
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</table>

| 2. DES Provider confirms that person is eligible for JiJ Assistance | As a person can access JiJ Assistance without a JCA/ESAt or other Referral, the DES Provider must ensure that the person meets JiJ and Direct Registration eligibility criteria. |

### Eligibility

For a person to be eligible for JiJ Assistance their Employer must be of the view that their employee is at risk of losing their Employment due to the impact of their injury, disability or health condition*, and the person must:

- be currently Employed
- have been working in that job for a minimum of eight hours per week on average over a consecutive 13 week period or there is an expectation that the Employment will last for at least 13 weeks for a minimum of eight hours per week on average
- be assessed by the DES Provider as requiring the assistance available through DES to maintain their Employment and likely to require Ongoing Support, and meet the eligibility for Direct Registration in accordance with the Direct Registration Guidelines:
  - be aged between 14 and 65 years of age
  - be an Australian resident or Temporary Protection Visa holder
  - not be studying full time
  - not be currently registered on the Department’s IT System with another Provider. A Participant that is already registered with another Provider must be directed back to that Provider, and
  - have a permanent residential address in the ESA for which the DES Provider is contracted to deliver programme services**.

*In situations where the Employer is not aware of the injury, disability or health condition and the person seeking JiJ Assistance does not wish to disclose this information to their Employer, then this requirement does not apply. Please refer to Section 4 for Documentary Evidence requirements.

**In accordance with DES Direct Registration Guidelines,
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<th>Who is Responsible:</th>
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<tr>
<td>Specialist Providers can Directly Register a person for JiJ Assistance whose Permanent Address is located outside an ESA specified in their Schedule, but only where the person has the disability, or other characteristic, that the relevant specialist Provider specialises in.</td>
<td></td>
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<tr>
<td>Generalist Providers cannot Directly Register a person whose Permanent Address is located outside an ESA specified in their Schedule. However, where a person wishes to choose a Generalist Provider in another ESA, this may be considered in exceptional circumstances. Generalist Providers must seek approval from their contract manager on a case by case basis. The relevant contract manager may grant such approval in writing at their absolute discretion. The DES Provider must not Commence the person unless approval has been granted. The DES Provider must retain the written approval on the Participant’s file as Documentary Evidence.</td>
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</tr>
<tr>
<td>Where a DES Provider is delivering JiJ Assistance to a JiJ Participant whose Permanent Address is located outside an ESA, Contacts with the JiJ Participant must be face to face, as specified in the DES Deed.</td>
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<tr>
<td>If an Employer has a preferred Provider, particularly if they have more than one employee requiring JiJ Assistance they can choose a preferred Provider. The relevant contract manager may grant approval in writing at their absolute discretion. The DES Provider must not Commence the person unless approval has been granted. The DES Provider must retain the written approval on the Participant’s file as Documentary Evidence.</td>
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</tr>
<tr>
<td>If the person seeking JiJ Assistance is Employed in a job or position that falls within the definition of a ‘Job in Jeopardy Non-Payable Outcome’ as set out in Annexure A of the DES Deed, they are not eligible for JiJ Assistance.</td>
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| DSS will consider requests to waive this provision in exceptional circumstances for:  
  • Recurring employment, and  
  • Where the person seeking JiJ Assistance is Employed in the Provider’s Own Organisation, or a Related Entity, where it is impractical for another DES Provider to offer JiJ Assistance, for example in a small town with only one  |  |
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<tr>
<td>DES Provider.</td>
<td>The relevant contract manager may grant approval in writing at their absolute discretion. The DES Provider must not Commence the person unless approval has been granted. The DES Provider must retain the written approval on the Participant’s file as Documentary Evidence.</td>
</tr>
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<td></td>
<td>The DES Provider must retain Documentary Evidence of the person’s eligibility for JiJ Assistance. Refer to the Documentary Evidence for Claims and Payments Guidelines for more information.</td>
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<td>For more information on Direct Registration requirements, please refer to the Direct Registration Guidelines.</td>
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3. DES Provider Directly Registers eligible JiJ person

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<thead>
<tr>
<th>Disability Employment Services Deed Clause Reference: Clause 83.5</th>
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<tr>
<td>Once a DES Provider has confirmed that a person is eligible for JiJ Assistance, the Provider must Directly Register the person on the Department’s IT Systems.</td>
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<tr>
<td>In addition to all other usual registration details, the DES Provider must record on the Registration screen that the person is a JiJ Participant. The Department’s IT Systems will then apply JiJ Assistance rules, such as allowing the JiJ Participant to Commence without a JCA/ESAt Referral.</td>
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4. DES Provider retains Documentary Evidence of the person’s JiJ Assistance eligibility

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<tr>
<th>Disability Employment Services Deed Clause Reference: Clause 83.5</th>
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<tr>
<td>Documentary Evidence to support Job in Jeopardy eligibility</td>
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<tr>
<td>The DES Provider must retain Documentary Evidence of the Participant’s eligibility for JiJ Assistance outlined in Section 2 of these Guidelines.</td>
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<tr>
<td>Injury, Disability or Health Condition</td>
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<tr>
<td>Documentary Evidence must include recent (within the last two years*) medical evidence or evidence from a suitable qualified professional, containing information about the injury, disability or health condition, including:</td>
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<td>• the nature of the condition</td>
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<td>• how long it will last</td>
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<td>• the effect of the condition on the Participant, and</td>
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<td>• the effect of the condition on their ability to do their job</td>
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<td>* In cases where the nature of the disability is permanent and available documentary evidence about the person’s disability is more than two years old, the requirement for more recent evidence may be waived. In these cases, the DES Provider must make an assessment about whether the documentary evidence provided is adequate to confirm the effect the disability is having on the person and their...</td>
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<td>Who is Responsible:</td>
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| **current** ability to do their job.  
This information may be available from several sources or one comprehensive source.  
Examples of suitable evidence include:  
• Centrelink report or medical certificate  
• standard General Practitioner report or medical certificate  
• specialist medical report  
• allied health practitioner report  
• hospital/outpatients report  
• psychologist report  
• report from community services (eg drug and alcohol support services)  
• a current ESA or JCA  
• workplace assessment report from a qualified workplace assessor  
The evidence must be dated and clearly show the qualifications of the professional who undertook the assessment. |
| **Employer**  
Documentary Evidence must include the fully completed and signed Employer Form from the Employer containing the following information:  
a) name of the Employer  
b) details of the Employment including date of Commencement  
c) if Employment has been less than 13 weeks, confirmation that the Employment will last for at least 13 weeks  
d) the employee’s normal hours of Employment per week  
e) the employee’s current hours of Employment per week  
f) the employee’s average hours of Employment over a consecutive 13 week period  
g) the impact the injury, disability or health condition is having on employment, and  
h) name of the person confirming the details on the Employer Form, their position in the organisation, contact details and signature.  
Where the Employer Form is not completed (eg where the Employer is not aware of the injury, disability or health condition and the person seeking JI Assistance does not wish to disclose this information to their Employer), the person seeking JI Assistance must provide signed and dated (or an email where they are identifiable) Documentary Evidence, such as payslips, that confirms items (a) – (f) above. The person seeking JI Assistance must provide a signed and dated...
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<td>statement of how their injury, disability or health condition is impacting on their Employment and why they consider their Employment to be at risk.</td>
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<td>Documentary Evidence must include a signed and dated file note from the DES Provider clearly stating the reasons why they consider the Participant requires JiJ Assistance and is likely to require Ongoing Support. This justification must be specific to the Participant’s circumstances and be supported by relevant and appropriate assistance and interventions outlined in the Job Plan.</td>
</tr>
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<td></td>
<td>Where the Employer Form has not been completed because the person seeking JiJ Assistance does not wish to disclose this information to their Employer, Documentary Evidence must detail the reason the Employer Form has not been completed.</td>
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<td></td>
<td>The DES Provider must also retain a fully completed Direct Registration Form and the signed consent form from the Participant regarding the use of the personal information disclosed to the DES Provider.</td>
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5. DES Provider conducts Initial Interview, completes Job Plan and Commences JiJ Participant

Disability Employment Services Deed

Clause References:
- Clause 83.5
- Clause 88
- Clause 89.1
- Clause 96

Initial Interview
The DES Provider must conduct an Initial Interview with a registered JiJ Participant as soon as possible. Details of the JiJ Participant’s Employment, including their current and normal hours of Employment as provided in the Employer Form, must be recorded on Employment Services IT Systems before the JiJ Participant can be Commenced.

Job Plan
The DES Provider must also complete a Job Plan with the JiJ Participant, detailing the assistance that the DES Provider will deliver including the schedule of Contacts, and the activities that the JiJ Participant will undertake to help retain their current Employment. The JiJ Participant cannot be Commenced until the DES Provider has entered details of the signed Job Plan on the Department’s IT Systems.

Commencing the JiJ Participant
After obtaining the Documentary Evidence detailed in Section 4, conducting the Initial Interview and completing the Job Plan, the Provider must Commence the JiJ Participant in the Employment Assistance phase of either the Disability Management Service or Employment Support Service. The fees available for a JiJ Participant are the same in both programmes.

DES Providers must record the existing Employment of a Job in Jeopardy Participant as a Vacancy in the Department’s IT Systems.
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<td>Systems, and the Participant must be confirmed in the placement, prior to Commencement in JiJ Assistance. Note that Job Placement Fees are not payable for Job in Jeopardy Participants.</td>
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6. DES Provider delivers JiJ Assistance to JiJ Participant for 52 weeks or until exited

*Disability Employment Services Deed*

Clause References:
- Clause 83.5
- Clause 89.1
- Clause 89.5
- Clause 91.2
- Clause 93.1
- Clause 96
- Clause 100
- Clause 126.3

Once a person has been Commenced as a JiJ Participant, the DES Provider must start working with them to deliver JiJ Assistance. This assistance should be guided by the JiJ Participant’s individual needs with the objective of building the JiJ Participant’s capacity to work so that they can maintain their Employment.

JiJ Assistance can include, but is not limited to:

- providing advice and assistance to the JiJ Participant to identify their barriers to maintaining their Employment and implementing strategies to overcome these barriers
- providing advice and assistance to the JiJ Participant and the Employer about how the work may be redesigned
- providing assistance and information to Employers and staff to support the JiJ Participant in the workplace
- interventions such as physiotherapy, occupational therapy, pain management or psychological counseling, and
- access to services, workplace assessments and modifications available through the Employment Assistance Fund (EAF)**

** If the only assistance needed is the assistance to access services, workplace assessments and modifications available through EAF, the DES Provider must not Directly Register the person for JiJ Assistance and should refer the person or Employer to JobAccess for assistance.

The DES Provider must review and, if appropriate, amend the terms of the Participant’s Job Plan so that it accurately reflects the assistance being provided.

JiJ Assistance must be delivered in a flexible way which takes into account the person’s work requirements as well as their other individual circumstances.

The DES Provider must provide a JiJ Participant with regular face to face Contacts throughout the period of assistance. The frequency of these Contacts must be determined by the Provider based on the JiJ Participant’s circumstances and progress.

The DES Provider can claim JiJ Service Fees when the JiJ
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<td>Participant Commences and after 13 weeks of service (see Step 7 below). A JiJ Participant is able to receive 52 weeks of JiJ Assistance. A DES Provider can choose not to exit a JiJ Participant at 52 weeks if the JiJ Participant is progressing towards a JiJ Outcome. DES Provider chooses to exit JiJ Participant after 52 weeks of JiJ Assistance. <strong>Proceed to Step 12</strong></td>
</tr>
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7. DES Provider claims JiJ Service fees

**Disability Employment Services Deed**

*Clause References:*
- Clause 121.4
- Clause 121.6
- Clause 125.14
- Clause 125.23
- Clause 126.2
- Clause 126.3
- Clause 126.4
- Clause 126.5
- Clause 126.6
- Clause 126.7

Once the JiJ Participant has been Commenced, the Department’s IT Systems will display a Tax Invoice for the JiJ Service Fee for the first 13 week time period for that JiJ Participant. At this time, the DES Provider can submit the claim on the Department’s IT Systems.

The DES Provider, subject to being satisfied that a claim can be submitted for that JiJ Participant, submits the Tax Invoice on the Department’s IT Systems.

If the DES Provider chooses not to claim the JiJ Service Fee at the time assistance is provided, no claim for payment will be processed.

In these circumstances the claim will be listed on the Job Seeker Payments screen and the Site Payments screen. The DES Provider can select a claim on the Department’s IT Systems for an available JiJ Service Fee, no later than 28 days after the fee became available.

The DES Provider can submit the claim from the list of currently available JiJ Service Fees for a Participant on the **Participant Payments** screen or alternatively may submit a claim from the list of currently available JiJ Service Fees on the **Site Payments** screen for one or more Participants at a time.

The Department’s IT Systems will process the Tax Invoice and make payment.

DSS will pay the fee to the DES Provider on the next scheduled fortnightly payment date. Each DES Provider will have a fortnightly payment cycle in place with DSS, the start and end of which is determined by DSS at its absolute discretion.

A second JiJ Service Fee can be claimed by submitting a Tax Invoice on Employment Services IT Systems after the JiJ Participant has received 13 weeks of JiJ Assistance.

JiJ Service Fees are listed at **Attachment B**.

A DES Provider can also claim a pro-rata Service Fee for a JiJ Participant who has transferred from or to another Provider after Commencement. The Department’s IT System will calculate
Who is Responsible: | What is Required:
---|---
the relevant pro-rata amount and prepare a Tax Invoice accordingly.

8. DES Provider sets Employment Anchor Date and continues to assist JiJ Participant

Disability Employment Services Deed
Clause References:
Clause 79.1
Clause 91.4
Annexure A “Job in Jeopardy Outcome” definition

Although a JiJ Participant is already Employed when they Commence in the DES programme, they start to progress towards a JiJ Outcome only when an Employment Anchor Date is recorded.

For a JiJ Participant, an Anchor Date can be set once the JiJ Participant is working at an appropriate level of Active Employment and likely to prevent the Employment from being at risk because of their injury, disability or health condition.

Active Employment means that the JiJ Participant is engaged in work:

a) for their normal number of hours per week as recorded by the DES Provider on the Department’s IT Systems when the JiJ Participant Commenced; or

b) for less than their normal number of hours per week which, in accordance with any Guidelines, is appropriate for the JiJ Participant due to their special circumstances; and

c) has not changed Employer, in accordance with any Guidelines.

In relation to b) above, the decision about what is an appropriate number of hours must be agreed by both the Employer and the JiJ Participant.

A DES Provider can set the Anchor Date at any time after Commencement by moving the JiJ Participant to Post Placement Support in the Department’s IT Systems. The DES Provider must continue providing JiJ Assistance for 26 Consecutive Weeks until the JiJ Participant achieves a JiJ Outcome.

A JiJ Participant does not have to necessarily stay in the same job that they occupied upon Commencement. The JiJ Participant may stay in the same job, or can move to another job with the same Employer, with the agreement of all parties. Where a JiJ Participant moves to a new job with the same Employer the JiJ Participant must still be provided with JiJ Assistance and may still proceed to a JiJ Outcome in accordance with the Deed.

For the avoidance of doubt, where a JiJ Participant:

1. ceases Employment in the job which was in jeopardy because that Participant has changed jobs with the same Employer:
   a. that JiJ Participant will not be deemed to have ceased Employment in the job which was in jeopardy for the
<table>
<thead>
<tr>
<th>Who is Responsible:</th>
<th>What is Required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>purposes of clause 100.1 (c) of the Deed; and</td>
<td>b. the DES Provider must continue to provide JiJ Assistance to the JiJ Participant; or</td>
</tr>
<tr>
<td>2. has changed jobs, but that change of jobs is with same Employer, that Job in Jeopardy Participant will be deemed to have not changed jobs for the purposes of the definition of ‘Job in Jeopardy Outcome’ at Annexure A of the Deed.’</td>
<td>JiJ Participant loses Employment. <strong>Proceed to Step 13</strong></td>
</tr>
<tr>
<td>JiJ Participant achieves JiJ Outcome. <strong>Proceed to Step 9</strong></td>
<td></td>
</tr>
</tbody>
</table>

9. DES Provider claims JiJ Outcome Fee

Disability Employment Services Deed

Clause References:
Clause 91.4
Clause 100.1

A DES Provider can claim a JiJ Outcome when a JiJ Participant has worked for at least 26 Continuous Weeks following their Employment Anchor Date.
The DES Provider can use up to eight weeks of Permissible Breaks over the outcome period (see Attachment A – Permissible Breaks – Job in Jeopardy).
26 Consecutive Weeks after the JiJ Anchor Date recorded by the DES Provider, the Department’s IT System will list the JiJ Outcome Fee for a JiJ Participant as an available payment.
Available JiJ Outcome Fees for all JiJ Participants managed by a Provider will be displayed on the Participant Payments screen and available fees for a particular site will be displayed at the Site Payments screen.
The DES Provider can submit a JiJ Outcome Fee claim by selecting and submitting the relevant payment within 56 days of the JiJ Participant achieving the JiJ Outcome. The DES Provider must detail the number of hours worked over the period, as well as the type of evidence of hours worked, and must certify that the details are correct. The Department’s IT Systems will then display the relevant Tax Invoice. When the DES Provider submits the Tax Invoice, the fee will be paid on the next scheduled fortnightly payment date.
JiJ Outcome Fees are listed at Attachment B. No pro-rata outcome is available for periods less than 26 weeks or where a JiJ Participant transfers to another Provider.
When a JiJ Participant achieves a JiJ Outcome, their JiJ Assistance ends. The Provider can Refer the JiJ Participant to an Ongoing Support Assessor if Ongoing Support is required, or can exit the JiJ Participant as an independent worker.
Refer JiJ Participant to an Ongoing Support Assessor. **Proceed to Step 10**
Exit JiJ Participant as an independent worker. **Proceed to Step 13**

10. DES Provider Refers JiJ

If a DES Provider considers that a Participant who has achieved a
<table>
<thead>
<tr>
<th>Who is Responsible:</th>
<th>What is Required:</th>
</tr>
</thead>
</table>
| **Participant to Ongoing Support Assessor**  
*Disability Employment Services Deed:* Clause 103.2 | JIJ Outcome requires Ongoing Support to maintain their Employment, they must Refer the JiJ Participant to an Ongoing Support Assessment (OSA) Provider for assessment. |

### 11. Ongoing Support Assessor undertakes assessment and makes recommendation about JiJ Participant’s Ongoing Support requirements  
*Disability Employment Services Deed*  
Clause References:  
Clause 100.1  
Clause 103.2  
Clause 103.4(b)  

When a JiJ Participant who has achieved a JiJ Outcome is Referred to an Ongoing Support Assessor, the Ongoing Support Assessor will undertake an OSA and determine the appropriate level of Ongoing Support for the JiJ Participant. If the recommendation is:

1. **No Support Required** – the JiJ Participant must be exited.  
   **Proceed to Step 13**

2. **Flexible Ongoing Support** - the Participant can remain with their current Disability Management Service (DES-DMS) or Employment Support Service (DES-ESS) Provider; or

3. **Moderate or High Ongoing Support**-
   a. Participant must transfer to an DES-ESS Provider if they received JiJ Assistance from a Provider that only delivers the DES-DMS;
   b. Participant can remain with their current Provider if they received JiJ Assistance under the DES-ESS, or if their DES-DMS Provider also provides DES-ESS.

Where a JiJ Participant is assessed as requiring Ongoing Support they are no longer Referred to as a JiJ Participant. On Commencement in Ongoing Support they will be considered a Participant of either the Disability Management Service or Employment Support Service.

### 12. DES Provider delivers Ongoing Support to Participant  
*Disability Employment Services Deed*  
Clause References:  
Clause 103  
Clause 104  

Where a Participant who achieved a JiJ Outcome is assessed as requiring Ongoing Support, the DES Provider must provide Ongoing Support as required by the Deed and *Ongoing Support Guidelines.*

### 13. DES Provider exits JiJ Participant  
*Disability Employment Services Deed*  

A JiJ Participant’s JiJ Assistance must continue until the JiJ Participant:

1. ceases Employment with the Employer with whom the JiJ Participant was employed upon Commencement – JiJ
<table>
<thead>
<tr>
<th>Who is Responsible:</th>
<th>What is Required:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Clause References:</strong></td>
<td>Participant must be exited;</td>
</tr>
<tr>
<td>Clause 100.1</td>
<td>2. completes a JIJ Outcome and does not need Ongoing Support – JIJ Participant must be exited;</td>
</tr>
<tr>
<td>Clause 103.4</td>
<td>3. completes a JIJ Outcome and moves into Ongoing Support – the Participant is no longer a JIJ Participant;</td>
</tr>
<tr>
<td></td>
<td>4. declines further Assistance – JIJ Participant must be exited;</td>
</tr>
<tr>
<td></td>
<td>5. receives 52 weeks of JIJ Assistance – JIJ Participant may be exited at any time after 52 weeks of assistance, or the Provider can continue to provide support if the JIJ Participant is working towards an outcome; or</td>
</tr>
<tr>
<td></td>
<td>6. DSS agrees to an Exit for another reason.</td>
</tr>
<tr>
<td></td>
<td>If a JIJ Participant is Exited because they lost the Employment they were in on Commencement, they may Directly Register to start the Programme as a new Commencement. The person will need to have a current and valid JCA/ESAt to support the Commencement.</td>
</tr>
</tbody>
</table>
Attachment A
Permissible Break in a Job in Jeopardy employment related activity during a 26 Week Period

Summary
The Disability Employment Services Deed states that for a JiJ Outcome to be payable, a JiJ Participant must remain in Active Employment for the duration of the 26 Consecutive Weeks.
Situations may arise which interfere with a JiJ Participant’s capacity to continue in an Employment related activity without a break. Accordingly, DES Providers may claim a JiJ Outcome Fee where there is a break or breaks up to a maximum of eight weeks (per 26 Consecutive Weeks) in total in a JiJ Participant’s Employment related activity.

Permissible Breaks – Job in Jeopardy
Who is Responsible: 1. The DES Provider

Conditions that meet the requirements for a Permissible Break

Disability Employment Services Deed

Clause References: Definition of ‘Permissible Break’

What is Required: The following requirements apply to a Permissible Break:

- there is a break in the JiJ Participant’s continuous attendance in an Employment related activity which, if completed, satisfies the requirements for a JiJ Outcome; and
- the break is outside the control of the DES Provider or the JiJ Participant; and
- after the break, the JiJ Participant returns to the same Employer; and
- the Permissible Break reason is acceptable to DSS.

Multiple breaks may be accepted during the 26 Consecutive Weeks up to a maximum of eight weeks in total if the JiJ Participant returns to their original Employer and meets the requirements for a JiJ Outcome at the time of the JiJ Outcome Fee claim.

While the following list is not exhaustive, some examples of Permissible Breaks that may be acceptable to DSS include:

- Christmas breaks and shutdowns;
- breaks due to illness or major personal crisis, e.g. bereavement in the family;
- child care or carer emergencies;
- declared natural disasters, e.g. a state of emergency due to natural or major disaster (as declared by relevant Minister);
- rain or weather interrupting harvest in the case of seasonal Employment;
- Indigenous culturally significant events, e.g. death of a family/community member and ceremonial activities;
- significant incident affecting the business, e.g. fire.

Examples of breaks that are not Permissible Breaks include:

- if work simply runs out, e.g. due to a business downturn;
- breaks between different jobs;
- unapproved leave; and
- JiJ Participant travelling overseas for any reason.

Where a JiJ Participant takes approved paid leave and remains Employed, the JiJ Participant is considered to be working at an appropriate level of Active Employment for the purpose of a JiJ Outcome. This would not be considered a break in their Employment and a Permissible Break is not applicable.
<table>
<thead>
<tr>
<th>Who is Responsible:</th>
<th>What is Required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The DES Provider Claiming a JIJ Outcome Fee where there is Permissible Break</td>
<td>If the break in an Employment related activity meets the requirements for a Permissible Break then a DES Provider needs to consider the length of the break and the necessary period of extension to the actual length of the 26 Consecutive Weeks. If the break or the total period of multiple breaks in the Employment related activity is longer than eight weeks, the DES Provider must record a new Employment Anchor Date and start a new 26 Week Period when the JIJ Participant resumes their Employment related activity.</td>
</tr>
</tbody>
</table>
**Attachment B – Job in Jeopardy Fees**

As detailed in Table 6 and Table 7 in Annexures B1 and B2 of the Disability Employment Services Deed.

### Table 6  Job in Jeopardy Service Fees

<table>
<thead>
<tr>
<th>(1) Time period</th>
<th>(2) Fee amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First and second 13 weeks</td>
<td>$1,320</td>
</tr>
</tbody>
</table>

### Table 7  Job in Jeopardy Outcome Fees

<table>
<thead>
<tr>
<th>(1) Fee type</th>
<th>(2) Fee amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job in Jeopardy Outcome Fee</td>
<td>$2,860</td>
</tr>
</tbody>
</table>