



Australian Government



# Work Assist Guidelines

V 1.1

## Disclaimer

This document is not a stand-alone document and does not contain the entirety of Disability Employment Services Program 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 *Disability Employment Services Grant Agreement*.

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## Work Assist Guidelines V1.1

### Document Change History

Version	Effective Date	End Date	Change & Location
1.1	3 December 2018		<b>Narrative:</b> Inclusion of the DES Work Assist Employer Form at Attachment A. <b>Formatting:</b> Throughout guideline
1.0	1 July 2018	2 December 2018	<b>Original Version of Document</b>

### Disability Employment Services Grant Agreement Clauses

Clause 82 – Program Services Location

Clause 87 – Direct Registration of Participants without a Referral

Clause 92 – Initial Contacts

Clause 93 – Contact Services

Clause 95 – Assistance for Participants

Clause 101 - Wage Subsidy and Employment Assistance Fund

Clause 114 – Work Assist Participants

Clause 117 – Entry into Ongoing Support

Clause 119 – Obligation to provide Ongoing Support

Clause 135 – Exits

Clause 142 – Service Fees

Clause 144 – Ongoing Support Fees

Clause 145 – Work Assist Fees

Clause 147 – Ancillary Payments

Annexure A Definitions – ‘Work Assist Outcome’, ‘Work Assist Non-Payable Outcome’

Annexure B1 – Disability Employment Services Fee Schedule – 1 July 2018 Onwards

### Explanatory Note

- All capitalised terms have the same meaning as in the DES Grant Agreement.
- In this document, the term ‘must’ denotes mandatory compliance, and the terms ‘should’ or ‘may’ denote that compliance represents best practice.

## **Introduction**

These Guidelines outline the responsibilities and required actions of a Disability Employment Services (DES) Provider (herein referred to as a 'DES Provider') regarding support provided under DES Work Assist Services (Work Assist).

### **The policy intent of Work Assist**

Work Assist provides support to eligible employees who have difficulty fulfilling the essential requirements of their role due to their injury, disability or health condition. The DES Provider will work with the Work Assist Participant and their Employer to provide supports to maximise the chance of the Participant maintaining their employment. In most cases, the participant's employer (colleagues and management) will be included in the process. However, in some cases where the Participant has chosen not to share information about their injury, disability or health condition with their employer, the Participant can still request and receive assistance from Work Assist.

To be eligible for Work Assist an employee must be Employed for at least eight hours per week on average over the previous consecutive 13 weeks or there is an expectation that the employee's current Employment will last for at least 13 weeks. This arrangement allows workers Employed for less than 13 weeks to receive assistance, with the exception of where the job is very short term.

An employee is able to Directly Register with a DES Provider without undertaking an Employment Services Assessment (ESAt) or Job Capacity Assessment (JCA). This ensures that the employee 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 employee requires the specialised assistance available through DES, to maintain employment, and is likely to require Ongoing Support.

It is not appropriate for an employee to be Commenced in Work Assist for the sole purpose of assisting the employee to access services available under the Employment Assistance Fund (EAF). Employees can access assistance from the EAF without having to participate DES. JobAccess has skilled advisers who will help employees 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 should endeavour to work flexibly with the Work Assist Participant and their Employer, to deliver an individual program through the Job Plan that helps the Participant to maintain their Employment. The Job Plan must accurately reflect the assistance being provided.

The Work Assist Participant may stay in the same job, or may move to another job (but must stay) with the same Employer, with the agreement of all parties. Where a Participant moves to a new job with the same Employer, the Participant may still be provided with support under Work Assist and may still proceed to an Outcome in accordance with the Disability Employment Services Grant Agreement.

### **Summary of key steps for delivering services to a Work Assist Participant**

1. Employee and /or Employer requests assistance from a DES Provider
2. DES Provider confirms that the Employee is eligible for Work Assist
3. DES Provider Directly Registers eligible Employee
4. DES Provider retains Documentary Evidence of the Employee's eligibility for Work Assist
5. DES Provider conducts Initial Interview, completes Job Plan and Commences Work Assist Participant
6. The Department's IT Systems will generate a Tax Invoice for the applicable 13 week period for the Work Assist Participant and automatically pay a Service Fee
7. DES Provider delivers Work Assist to the Participant, in accordance with the *Disability Employment Services Grant Agreement*, until exited
8. DES Provider sets Employment Anchor Date and continues to assist the Work Assist Participant
9. DES Provider claims Work Assist Outcome Fee
10. DES Provider Refers Participant to Ongoing Support Assessor
11. Ongoing Support Assessor undertakes assessment and makes recommendation about Participant's Ongoing Support requirements
12. DES Provider delivers Ongoing Support to Participant
13. DES Provider exits Participant

**Note:** These steps should be read in conjunction with the processes outlined in these Guidelines and the *Disability Employment Services Grant Agreement*.

**Work Assist Guidelines**

Who is Responsible:	What is Required:
<p><b>1. Employee or Employer requests assistance from a DES Provider</b></p>	<p>The employer of, or the employee who is having difficulty fulfilling the essential requirements of their Employment due to an injury, disability or health condition can seek Work Assist support from a DES Provider. The employee does not need a Referral from the Department of Human Services (DHS) or any other agency, and <i>must</i> be able to provide Documentary Evidence to support their eligibility (as outlined in <b>Section 4</b> of this table).</p>
<p><b>2. DES Provider confirms that the employee is eligible for Work Assist.</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 87</li> <li>• Clause 92</li> <li>• Clause 93</li> <li>• Clause 95</li> <li>• Clause 101</li> <li>• Clause 114</li> <li>• Clause 125</li> <li>• Clause 126</li> <li>• Annexure A</li> </ul>	<p>As an employee can access Work Assist without an ESAt/JCA or other Referral, the DES Provider must ensure that the employee meets Work Assist and Direct Registration eligibility criteria.</p> <p><b>Eligibility</b></p> <p>For an employee to be eligible for Work Assist their Employer <i>must</i> be of the view that their employee is having difficulties fulfilling the essential requirements of their job, due to the impact of their injury, disability or health condition*, and the employee <i>must</i>:</p> <ul style="list-style-type: none"> <li>• be currently Employed</li> <li>• have been working in that job for a at least 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 with an average of eight hours per week being worked over the 13 week period.</li> <li>• be confirmed by the DES Provider as having difficulty carrying out the essential requirements of their particular job, require the assistance available through DES to maintain their Employment, and is likely to require Ongoing Support.</li> </ul> <p>And meet the eligibility for Direct Registration in accordance with the Direct Registration Guidelines:</p> <ul style="list-style-type: none"> <li>• are aged at least 14 years of age but have not attained Age Pension qualifying age</li> <li>• be an Australian resident or Temporary Protection Visa holder</li> <li>• not be studying full time</li> <li>• not be currently registered on the Department’s IT Systems with another Provider. A Participant that is already registered with another Provider must be directed back to that Provider.</li> </ul> <p>*In situations where the Employer is not aware of the injury, disability or health condition and the employee seeking Work Assist does not wish to provide this information to their Employer, then this requirement does not apply. However, the employee <i>must</i> provide a signed and dated statement that they are having difficulties fulfilling the essential requirements of their job, due to impact of their injury, disability or health condition. Refer to <b>Section 4</b> of this table for Documentary Evidence requirements.</p>

Who is Responsible:	What is Required:
	<p>Contacts with the Participant <i>must</i> be conducted in accordance with requirements specified in the Disability Employment Services Grant Agreement.</p> <p>If the employee seeking Work Assist is Employed in a job or position that falls within the definition of a <i>Work Assist Non-Payable Outcome</i> as set out in <b>Annexure A</b> of the Disability Employment Services Grant Agreement, then that person is not eligible for Work Assist.</p> <p>DSS will consider requests to waive this provision in exceptional circumstances for:</p> <ul style="list-style-type: none"> <li>• Recurring employment, and</li> <li>• Where the employee seeking Work Assist is Employed in the Provider’s Own Organisation, or a Related Entity, where it is impractical for another DES Provider to offer Work Assist, for example in a small town with only one DES Provider.</li> </ul> <p>The relevant Relationship Manager, or Relationship Manager’s delegate, may grant approval in writing at their absolute discretion. The DES Provider must not Commence the employee unless approval has been granted. The DES Provider <i>must</i> retain the written approval on the Participant’s file as Documentary Evidence.</p> <p>The DES Provider <i>must</i> retain Documentary Evidence of the employee’s eligibility for Work Assist.</p> <p>For more information on Direct Registration requirements, please refer to the <i>Direct Registration Guidelines</i>.</p>
<p><b>3. DES Provider Directly Registers eligible Work Assist employee</b></p> <p><i>Disability Employment Services Grant Agreement Clause Reference:</i></p> <ul style="list-style-type: none"> <li>• Clause 87</li> </ul>	<p>Once a DES Provider has confirmed that an employee is eligible for Work Assist, the Provider <i>must</i> Directly Register the employee on the Department’s IT Systems.</p> <p>In addition to all other usual Registration details, the DES Provider <i>must</i> record on the <i>Registration</i> screen that the employee is a Work Assist Participant. The Department’s IT Systems will then apply Work Assist rules, such as allowing the Participant to Commence without an ESAt/JCA.</p> <p><b>Note:</b> The <i>Work Assist ESAt/JCA Exempt flag</i> <i>must</i> be entered at the time that the potential Work Assist Participant is Registered in DES. Where a DES Provider fails to add the flag at Registration they should contact their Relationship Manager or Relationship Manager’s delegate, and provide Documentary Evidence confirming the employee’s Work Assist eligibility. Once the Relationship Manager or their delegate, has received this evidence they will add the flag manually if appropriate.</p>

Who is Responsible:	What is Required:
<p><b>4. DES Provider retains Documentary Evidence of the Participant's Work Assist eligibility</b></p> <p><i>Disability Employment Services Grant Agreement Clause Reference:</i></p> <ul style="list-style-type: none"> <li>• Clause 87</li> </ul>	<p><b>Documentary Evidence to support Work Assist eligibility</b></p> <p>The DES Provider must retain Documentary Evidence of the Participant's eligibility for Work Assist that was outlined in <b>Section 2</b> of this table. In addition to the requirements below the DES Provider <i>must</i> also retain a fully completed <i>DES Direct Registration Form</i> signed by both the provider and Work Assist Participant.</p> <p><b>Confirmation of the employee's injury, disability or health condition</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• the nature of the condition</li> <li>• how long it will last</li> <li>• the effect of the condition on the Participant, and</li> <li>• the effect of the condition on their ability to do their job</li> </ul> <p>*In cases where the nature of the disability is permanent and available Documentary Evidence pertaining to the Participant's disability is more than two years old, the requirement for more recent Documentary Evidence may be waived. In these cases, the DES Provider <i>must</i> make an assessment as to whether the Documentary Evidence provided is adequate to confirm the effect the injury, disability or health condition is having on the Participant and their <b>current</b> ability to do their job.</p> <p>This information may be available from several sources or one comprehensive source.</p> <p>Examples of suitable evidence include:</p> <ul style="list-style-type: none"> <li>• Centrelink report or medical certificate</li> <li>• standard General Practitioner report or medical certificate</li> <li>• specialist medical report</li> <li>• allied health practitioner report</li> <li>• hospital/outpatients report</li> <li>• psychologist report</li> <li>• report from community services (e.g. drug and alcohol support services)</li> <li>• information in a Valid ESAt/JCA</li> <li>• workplace assessment report from a qualified workplace assessor</li> </ul> <p>The evidence <i>must</i> be dated and clearly show the name and qualifications of the professional who undertook the assessment.</p> <p><b>Confirmation of Employment</b></p>

Who is Responsible:	What is Required:
	<p>Documentary Evidence <i>must</i> include the fully completed and signed <i>Employer Form</i> from the Employer containing the following information:</p> <ul style="list-style-type: none"> <li>a) name of the Employer</li> <li>b) details of the Employment including date of Commencement</li> <li>c) if Employment has been less than 13 weeks, confirmation that the Employment <i>will</i> last for at least 13 weeks</li> <li>d) the employee’s normal hours of Employment per week</li> <li>e) the employee’s current hours of Employment per week</li> <li>f) the employee’s average hours per week of Employment, over a consecutive 13 week period</li> <li>g) the impact the injury, disability or health condition is having on employment, that is, indicating the employee’s difficulties carrying out the essential requirements of their job, and</li> <li>h) the name of the person confirming the details on the Employer Form, their position in the organisation, contact details and signature</li> </ul> <p><b>Circumstances where Employees do not advise Employers of an injury, disability or health condition</b></p> <p>Where the <i>Employer Form</i> is not completed (i.e. where the Employer is not aware of the injury, disability or health condition and the employee seeking Work Assist support does not wish to inform their Employer), the employee seeking Work Assist <i>must</i> provide signed and dated Documentary Evidence, such as payslips (or an email where they are identifiable), that confirms items (a) – (f) above.</p> <p>The employee seeking Work Assist <i>must</i> also provide a signed and dated statement that they are having difficulties fulfilling the essential requirements of their job, due to the impact of their injury, disability or health condition and why they consider they need DES assistance.</p> <p>Documentary Evidence <i>must</i> include a signed and dated file note from the DES Provider stating the reasons why they consider the Participant requires Work Assist and is likely to require Ongoing Support. This justification <i>must</i> be specific to the Participant’s circumstances and be supported by relevant and appropriate assistance and interventions outlined in the Job Plan.</p> <p>An employee choosing not to discuss needs for reasonable adjustments in the work place with their Employer should be the exception to the rule and wherever possible and appropriate the DES Provider <i>should</i> work with both the employee and their Employer.</p>

Who is Responsible:	What is Required:
<p><b>5. DES Provider conducts Initial Interview, completes Job Plan and Commences Participant</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 87</li> <li>• Clause 92</li> <li>• Clause 93</li> <li>• Clause 106</li> </ul>	<p><b>Initial Interview</b></p> <p>The DES Provider <i>must</i> conduct an Initial Interview with the employee seeking assistance as soon as practicable. Details of the employee’s Employment, including their current and normal hours of Employment as provided in the Employer Form, <i>must</i> be recorded on Employment Services IT Systems before the Commencement.</p> <p><b>Job Plan</b></p> <p>The DES Provider <i>must</i> also complete a Job Plan with the Participant, detailing the assistance that the DES Provider will deliver including the schedule of Contacts, and the activities that the Participant will undertake to help retain their current Employment. The employee cannot be Commenced until the DES Provider has entered details of the signed Job Plan on the Department’s IT Systems.</p> <p><b>Commencing the Work Assist Participant</b></p> <p>After obtaining the Documentary Evidence detailed in <b>Section 4</b> of this table, conducting the Initial Interview and completing the Job Plan, the Provider <i>must</i> Commence the Participant in the Employment Assistance phase of either DES - Disability Management Service (DES-DMS) or DES - Employment Support Service (DES-ESS). The fees available for a Participant are the same in both programs.</p> <p>DES Providers <i>must</i> record the existing Employment of a Participant as a Vacancy in the Department’s IT Systems, and the Participant must be confirmed in the placement, prior to Commencement in Work Assist.</p> <p><b>Note:</b> Four Week Outcome Fees are not payable for Work Assist Participants.</p>
<p><b>6. DES Provider delivers Work Assist to the Participant for 52 weeks or until exited</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 87</li> <li>• Clause 93</li> <li>• Clause 95</li> <li>• Clause 101</li> <li>• Clause 106</li> <li>• Clause 114</li> <li>• Clause 145</li> </ul>	<p>Once an employee has been Commenced as a Work Assist Participant, the DES Provider must start delivering Work Assist. This assistance <i>should</i> be guided by the Participant’s individual needs with the objective of building the Participant’s capacity to work so that they can maintain their Employment.</p> <p>Work Assist can include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• providing advice and assistance to the Participant and their Employer to identify their barriers to maintaining their Employment and implementing strategies to overcome these barriers</li> <li>• providing advice and assistance to the Participant and the Employer about how the work may be redesigned</li> <li>• providing assistance and information to Employers and staff to support the Participant in the workplace</li> <li>• interventions such as physiotherapy, occupational therapy, pain management or psychological counseling, and</li> <li>• access to services, workplace assessments and modifications available through the EAF.*</li> </ul>

Who is Responsible:	What is Required:
	<p>*If the only assistance needed is the assistance to access services, workplace assessments and modifications available through EAF, the DES Provider <i>must</i> not Directly Register the employee for Work Assist and should refer the employee or Employer to JobAccess for assistance.</p> <p>The DES Provider <i>must</i> review and, if appropriate, amend the terms of the Participant’s Job Plan so that it accurately reflects the assistance being provided.</p> <p>Work Assist <i>must</i> be delivered in a flexible way that takes into account the Participant’s work requirements as well as their other individual circumstances.</p> <p>The DES Provider <i>must</i> provide a Participant with regular Contacts throughout the period of assistance in accordance with Clause 93 <i>Contact Services</i> in the Disability Employment Services Grant Agreement. The frequency of these Contacts <i>must</i> be determined by the Provider based on the Participant’s circumstances and progress.</p> <p>The Department’s IT Systems will generate a Tax Invoice for the applicable 13-week period for the Work Assist Participant and automatically pay a Service Fee, if system checks have been passed. The DES Provider will be paid Work Assist Service Fees when the Participant Commences and after 13 weeks of service (see <b>Section 7</b> of this table).</p> <p>Participants can receive up to 52 weeks of Work Assist. The DES Provider can choose not to exit a Participant at 52 weeks if the Participant is progressing towards a Work Assist Outcome.</p> <p>If the DES Provider chooses to Exit a Participant after 52 weeks in Work Assist, proceed to Section 12 of this table.</p>
<p><b>7. The Department’s IT Systems generates a Tax Invoice to the DES provider for the Service Fee for Work Assist</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 92</li> <li>• Clause 142</li> <li>• Clause 144</li> <li>• Clause 145</li> </ul>	<p>The DES Provider Commences a Participant in a Program and records the Commencement in the Department’s IT Systems. This should not be completed until all requirements relating to the Initial Interview and Job Plan have been delivered.</p> <p>The DES Provider must ensure the Work Assist Participant’s Job Plan remains current, with a status of ‘approved.’</p> <p><b>Payment of Service Fees</b></p> <p>The Department’s IT Systems will generate a Tax Invoice for the applicable 13-week period for that individual Participant and automatically pay a Service Fee, if system checks have been passed. The Department’s IT Systems will make the following checks.</p> <p>Employment Assistance:</p> <ul style="list-style-type: none"> <li>• Work Assist Participant is Commenced; and</li> <li>• Participant’s Job Plan has a status of ‘approved.’</li> </ul>

Who is Responsible:	What is Required:
	<p>A second Work Assist Service Fee can be claimed after the Participant has received 13 weeks of Work Assist. The Department’s IT Systems will generate a Tax Invoice for the applicable 13-week period for the Work Assist Participant and automatically pay a Service Fee, if system checks have been passed.</p> <p><u>Incorrect Payment of Service</u></p> <p>If the DES Provider has been paid a Service Fee in error, they must notify the Department.</p> <p>Work Assist Service Fees are listed at <b>Attachment B</b> to this Guideline and are inclusive of GST.</p> <p><b>Pro-rata Service Fee following transfer from a Relinquishing Provider</b></p> <p>If a Participant transfers to a different DES Provider or Exits, the Department’s IT Systems will calculate a pro-rata amount of the Service Fee applicable to the Participant, which is to be either recovered or offset through future payment instalments.</p>
<p><b>8. DES Provider sets Employment Anchor Date and continues to assist the Participant</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 82</li> <li>• Clause 95</li> <li>• Annexure A - “Work Assist Outcome” definition</li> </ul>	<p>Although a Work Assist Participant is already Employed when they Commence in the DES Program, they start to progress towards a Work Assist Outcome only when an Employment Anchor Date is recorded.</p> <p>For a Work Assist Participant, an Anchor Date can be set once the Participant is working at an appropriate level of Active Employment and therefore, their Employment is likely to be maintained over the longer term.</p> <p>Active Employment means that the Work Assist Participant is engaged in work, in accordance with any Guidelines:</p> <ol style="list-style-type: none"> <li>a) for their normal number of hours per week as recorded by the DES Provider on the Department’s IT Systems when the Work Assist Participant Commenced; or</li> <li>b) for less than their normal number of hours per week which, in accordance with any Guidelines, is appropriate for the Work Assist Participant due to their special circumstances; and</li> <li>c) has not changed Employer.</li> </ol> <p>In relation to b) above, the decision about what is an appropriate number of hours <i>must</i> be agreed by both the Employer and the Participant.</p> <p>A DES Provider can set the Anchor Date at any time after Commencement by moving the Participant to Post Placement Support in the Department’s IT Systems. The DES Provider must continue providing Work Assist Services for 26 Consecutive Weeks until the Participant achieves an Outcome.</p>

Who is Responsible:	What is Required:
	<p>A Participant does not have to necessarily stay in the same job that they occupied upon Commencement but must stay with the same Employer. The 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 Participant moves to a new job with the same Employer the Participant <i>must</i> still be provided with Work Assist Services and may still proceed to an Outcome in accordance with the Disability Employment Services Grant Agreement.</p> <p>If a Work Assist Participant loses Employment. Proceed to <b>Section 13 of this table.</b></p> <p>If a Work Assist Participant achieves an Outcome. Proceed to <b>Section 9 of this table.</b></p>
<p><b>9. DES Provider claims Work Assist Outcome Fee</b></p> <p><i>Disability Employment Services Grant Agreement Clause References:</i></p> <ul style="list-style-type: none"> <li>• Clause 94</li> <li>• Clause 114</li> </ul>	<p>A DES Provider can claim a Work Assist Outcome when a Participant has worked for at least 26 Continuous Weeks following their Employment Anchor Date.</p> <p>The DES Provider can use up to eight weeks of Permissible Breaks over the outcome period (<b>see Attachment A to this Guideline – Permissible Breaks – Work Assist Services</b>).</p> <p>26 Consecutive Weeks after the Anchor Date is recorded by the DES Provider, the Department’s IT Systems will list the Work Assist Outcome Fee for a Participant as an available payment. Available Work Assist Outcome Fees for all Participants managed by a Provider will be displayed on the <i>Participant Payments</i> screen and available fees for a particular site will be displayed at the <i>Site Payments</i> screen.</p> <p>The DES Provider can submit a Work Assist Outcome Fee claim by selecting and submitting the relevant payment within 56 days of the Participant achieving the 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.</p> <p>Work Assist Outcome Fees are listed at <b>Attachment B</b>. No pro-rata outcome is available for periods less than 26 weeks or where a Participant transfers to another Provider.</p> <p>Once a Work Assist Participant achieves an Outcome, Work Assist ends. The Provider can Refer the Participant to an Ongoing Support Assessor if Ongoing Support is required, or can exit the Participant as an independent worker.</p> <p>Refer the Participant to an Ongoing Support Assessor. <b>Proceed to Section 10</b></p> <p>Exit the Participant as an independent worker. <b>Proceed to Section 13</b></p>

Who is Responsible:	What is Required:
<p><b>10. DES Provider Refers Participant to Ongoing Support Assessor</b></p> <p><i>Disability Employment Services Grant Agreement Clause</i></p> <p>References:</p> <ul style="list-style-type: none"> <li>• Clause 117</li> </ul>	<p>If a DES Provider considers that a Participant who has achieved a Work Assist Outcome requires Ongoing Support to maintain their Employment, they must Refer the Participant to an Ongoing Support Assessment (OSA) Provider for assessment.</p>
<p><b>11. Ongoing Support Assessor undertakes assessment and makes recommendation about the Participant's Ongoing Support requirements</b></p> <p><i>Disability Employment Services Grant Agreement Clause</i></p> <p>References:</p> <ul style="list-style-type: none"> <li>• Clause 114</li> <li>• Clause 117</li> </ul>	<p>When a Participant who has achieved a Work Assist 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 Participant. If the recommendation is:</p> <ol style="list-style-type: none"> <li>1. No Support Required – the Participant <i>must</i> be exited. <b>Proceed to Section 13 of this table.</b></li> <li>2. Flexible Ongoing Support - the Participant can remain with their current DES-DMS or DES-ESS Provider; or</li> <li>3. Moderate or High Ongoing Support-             <ol style="list-style-type: none"> <li>a) Participant must transfer to an DES-ESS Provider if they received Work Assist from a Provider that only delivers the DES-DMS;</li> <li>b) Participant can remain with their current Provider if they received Work Assist Services under the DES-ESS, or if their DES-DMS Provider also provides DES-ESS.</li> </ol> </li> </ol> <p>Where a Participant is assessed as requiring Ongoing Support, they are no longer Referred to as a Work Assist Participant. On Commencement in Ongoing Support, they will be considered a Participant of either DES – DMS or DES – ESS.</p>
<p><b>12. DES Provider delivers Ongoing Support to Participant</b></p> <p><i>Disability Employment Services Grant Agreement Clause</i></p> <p>References:</p> <ul style="list-style-type: none"> <li>• Clause 117</li> <li>• Clause 119</li> </ul>	<p>Where a Participant who achieved a Work Assist Outcome is assessed as requiring Ongoing Support, the DES Provider must provide Ongoing Support as required by the <i>Disability Employment Services Grant Agreement</i> and <i>Ongoing Support Guidelines</i>.</p>
<p><b>13. DES Provider exits a Work Assist Participant</b></p> <p><i>Disability Employment Services Grant Agreement</i></p> <p>Clause References:</p> <p>Clause 114</p> <p>Clause 117</p>	<p>Provision of Work Assist support <i>must</i> continue until the Participant either:</p> <ol style="list-style-type: none"> <li>1. ceases Employment with the Employer with whom the Participant was employed upon Commencement – the Participant must be exited; or</li> <li>2. achieves a Work Assist Outcome and does not need Ongoing Support – the Participant must be exited; or</li> </ol>

<b>Who is Responsible:</b>	<b>What is Required:</b>
	<ol style="list-style-type: none"> <li>3. achieves a Work Assist Outcome and moves into Ongoing Support – the Participant is no longer a Work Assist Participant; or</li> <li>4. declines further Assistance – the Participant must be exited; or</li> <li>5. receives 52 weeks of Work Assist Services – the Participant may be exited at any time after 52 weeks of assistance, or the Provider can continue to provide support if the Participant is working towards an Outcome; or</li> <li>6. DSS agrees to an Exit for another reason.</li> </ol> <p>If a Work Assist Participant is Exited due to losing the Employment they were in at the time of their Commencement, they may Directly Register for Program Services and Commence in DES in accordance with the <i>Eligibility, Referral and Commencement Guidelines</i>.</p>

## Attachment A – Permissible Break in a Work Assist Services Employment related activity during a 26 Week Period

### Summary

The *Disability Employment Services Grant Agreement* states that for a Work Assist Outcome Fee to be payable, a Participant *must* remain in Active Employment for the duration of 26 Consecutive Weeks.

Situations may arise which interfere with a Work Assist Participant’s capacity to continue in an Employment related activity without a break. Accordingly, DES Providers may claim a Work Assist Outcome Fee where there is a break or breaks up to a **maximum of eight weeks** (per 26 Consecutive Weeks) in total in a Participant’s Employment related activity.

### Permissible Breaks – Work Assist Services

Who is Responsible:	What is Required:
<p><b>The DES Provider</b></p> <p>Conditions that meet the requirements for a Permissible Break</p> <p><i>Disability Employment Services Grant Agreement References:</i></p> <ul style="list-style-type: none"> <li>• Annexure A - “Permissible Break” Definitions</li> </ul>	<p>The following requirements apply to a Permissible Break:</p> <ul style="list-style-type: none"> <li>• there is a break in the Work Assist Participant’s continuous attendance in an Employment related activity which, if completed, satisfies the requirements for a Work Assist Outcome; and</li> <li>• the break is outside the control of the DES Provider or the Participant; and</li> <li>• after the break, the Participant returns to the same Employer; and</li> <li>• the Permissible Break reason is acceptable to DSS.</li> </ul> <p>Multiple breaks may be accepted during the 26 Consecutive Weeks up to a maximum of eight weeks in total if the Participant returns to their original Employer and meets the requirements for a Work Assist Outcome at the time of the Outcome Fee claim.</p> <p>While the following list is not exhaustive, some examples of Permissible Breaks that may be acceptable to DSS include:</p> <ul style="list-style-type: none"> <li>• Christmas breaks and shutdowns;</li> <li>• breaks due to illness or major personal crisis, e.g. bereavement in the family;</li> <li>• child care or carer emergencies;</li> <li>• declared natural disasters, e.g. a state of emergency due to natural or major disaster (as declared by the relevant Minister);</li> <li>• rain or weather interrupting harvest in the case of seasonal Employment;</li> <li>• Indigenous culturally significant events, e.g. death of a family/community member and ceremonial activities;</li> <li>• significant incident affecting the business, e.g. fire</li> </ul> <p>Examples of breaks that are not Permissible Breaks include:</p> <ul style="list-style-type: none"> <li>• if work simply runs out, e.g. due to a business downturn;</li> <li>• breaks between different jobs;</li> </ul>

Who is Responsible:	What is Required:
	<ul style="list-style-type: none"> <li>• unapproved leave; and a Participant travelling overseas for any reason.</li> </ul> <p>Where a Work Assist Participant takes approved paid leave and remains Employed, the Participant is considered to be working at an appropriate level of Active Employment for the purpose of a Work Assist Outcome. This would not be considered a break in their Employment and a Permissible Break is not applicable.</p>
<p><b>2. The DES Provider</b>  Claiming a Work Assist Outcome Fee where there is Permissible Break(s)</p>	<p>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.</p> <p>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 Participant resumes their Employment related activity.</p>

## Attachment B – Work Assist Fees

Fees available under Work Assist are detailed below.

### Work Assist Service Fees

Time period	Fee amount
First 13 weeks	\$1,320
Second 13 weeks	\$1,320

### Work Assist Outcome Fees

Fee type	Fee amount
Work Assist Outcome Fee	\$2,860

Note: As described in Section 5, the fees available for a Participant are the same in both programs (i.e. whether commenced in DES-DMS or DES-ESS), and are inclusive of GST.



**Attachment C - DES Work Assist Employer Form** (Must be Completed by the Employer)

**Employer Details:** Please note: This form must be completed by the organisation with whom the person seeking DES assistance is employed

Organisation Name:

Employer Address:

Employer Phone Number:

Employer Email Address:

**Confirmation of Employment:**

Name of Employee:

Details of Employment including date of Commencement:

If Employment has been less than 13 weeks, confirmation that the Employment will last for at least 13 weeks:

The Employee's normal hours of Employment per week:

The Employee's average hours per week of Employment, over a consecutive 13 week period:

The impact the injury, disability or health condition is having on employment, that is, indicating the employee's difficulties carrying out the essential requirements of their job:

The name of the person confirming the details on the Employer Form, their position in the organisation, contact details and signature:

**Employer Statement**

I,   with  certify that the information provided above is true and correct. I confirm that  is employed by  and I am seeking assistance through  with the **aim of enabling this employee to maintain their employment.**

Signed:

Date:

Contact Email:

Contact Phone No: