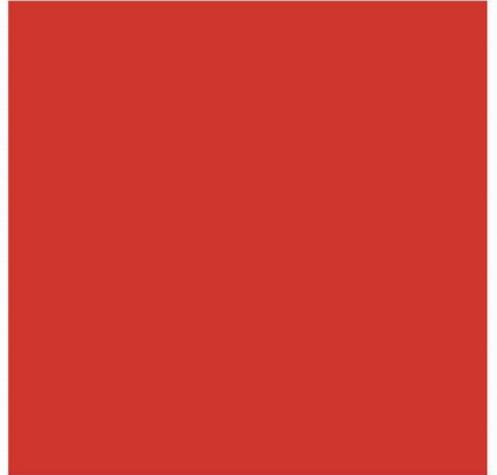


Program Guidelines



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Tasmanian Employer Bonus Fund

I. Aim

The Tasmanian Employer Bonus Fund ('the Fund') provides eligible employers with funding of up to \$6 500 over six months to meet various costs associated with taking on new, eligible employees.

For unemployed Tasmanians, or other specific groups that face barriers to employment, the program will help facilitate secure and sustainable pathways to work.

Jobs Tasmania administers the Fund, and as this fund is limited to \$6.5 million over two years, the program will be continually monitored to manage the program budget. Jobs Tasmania reserves the right to review and amend the guidelines at any stage.

The program is open until 31 January 2023. Because it has limited funding, not all eligible applications will be able to be funded. Although the program is open until 31 January 2023, once the funding limit has been reached no further applications will be accepted and those applicants who were unsuccessful at that point will be notified.

2. Summary of the employer application process

There are five steps to apply to the Fund. The fund can only be accessed by eligible employers – 'the Applicant'.

Step 1: Business eligibility

Read these guidelines to determine whether all eligibility criteria (section 3) and reporting obligations (section 6) can be met.

If the Applicant meets the eligibility criteria by providing the required evidence outlined in Section 6 they will receive funding subject to the availability of funds. For any questions on eligibility, please contact Jobs Tasmania by email info@jobstasmania.tas.gov.au

Step 2: Recruitment and stimulus available

Recruit and employ a Tasmanian job-seeker from at least one of the groups outlined in these guidelines.

Each role must be for a minimum of 3 months on a casual, part-time, fixed-term or permanent basis and provide employees with at least 15 hours of work per week and comply with all workplace laws and legal minimum wages and entitlements as specified in the applicable award, enterprise agreement or National Employment Standards. Verifiable evidence of employment will be required to receive payment of any bonus. The bonus will be paid according to the following schedule:

- a casual/part-time position of 15 hours per week averaged over three months equates to a first instalment of \$1 500, and after six months (15 hours per week averaged over six months), a final instalment of \$1 500.
- a full-time position at three months equates to a first instalment of \$3 000, and at the six month period a final instalment of \$3 500.
- Additionally, if a casual/part-time position turns into a full-time position in the three to five month period then the Applicant is eligible for \$3 500 as a final instalment (at the six month point) for that employee.

Step 3: Application

To commence the process, submit an online SmartyGrants application on the Jobs Tasmania website, [HERE](#).

Applicants must lodge an initial SmartyGrants *Applicant Eligibility Form* for approval, and provide the information and supporting documentation against all eligibility criteria as requested.

A subsequent SmartyGrants *Employee Eligibility Form* is used for each eligible employee and requires an *Employee Consent Form* to be completed by each employee, which is available [HERE](#).

Applicants must lodge the SmartyGrants *Notification of Employment Form* and upload the completed *Employee Consent Form* within 28 days of making an offer of employment, and submit appropriate evidence of continuous employment no later than 14 days after the three and six month employment milestones.

Step 4: Outcome

Once the applications are assessed, applicants will be notified of the outcome by email.

If applicants are successful, they will be sent a Letter of Offer and a Grant Agreement for their signature.

Step 5: Reporting and payment

Successful applicants will receive funding in line with the payment schedule in the executed Grant Agreement, provided all the conditions in the Grant Agreement are met, and applicants may need to provide evidence or additional information as requested.

3. Eligibility criteria

3.1 Eligible employers

Applications can only be accepted from eligible employers (the Applicant). To be eligible, the Applicant must:

- be the direct employer of the employee (an agent cannot act on behalf of an employer), and
- hold current workers compensation insurance from the time that the employee was employed, and
- have an ABN (and Australian Company Number if applicable), and
- be registered with the Australian Charities and Not-for-profits Commission (ACNC) IF a charitable and/or not-for-profit organisations, and
- be operating in Tasmania, and
- comply with all employer responsibilities and workplace laws.

NOTE: Australian, Tasmanian and local government departments, businesses and authorities are ineligible.

3.2 Eligible employees

To be an eligible employee, employees must meet all the following requirements.

- Employees must be from one of the following priority groups and be hired by the Applicant before applying to the Fund:
 - people registered with Centrelink as unemployed for at least six months; or
 - people with disability who are registered with a Disability Employment Service provider or the National Disability Insurance Scheme; or
 - parents or carers returning to work after six months or more out of the workforce; or
 - people aged over 45 years returning to work after six months or more out of the workforce.; **AND**
- Have lived in Tasmania for the last six months *and* be entitled to work for the Applicant as: Australian citizens; holders of Australian permanent residence visas with work entitlements; holders of Australian temporary work visas; holders of student visas who are enrolled in an eligible course of study in Australia; or holders of Australian refugee and humanitarian visas with work entitlements.
- Have been unemployed at the time they commenced work with the Applicant.
- Complete and sign an Employee Consent Form that is to be included with the application.

3.3 Job eligibility

To be an eligible job, all employment must:

- be casual, part-time, full-time or permanent positions, complying with all workplace laws,
- provide at least legal minimum wages and entitlements as specified in the applicable award, enterprise agreement or National Employment Standards,
- not displace existing employees (this means their employment does not result in any existing employees being stood down or experiencing a reduction in work hours).

4. Applicant conditions

Applicants must consider the following conditions when applying for funding under the Program.

- Total applications for funding per Applicant number 20 or fewer new employees over the life of the Fund.
- Applicants should seek independent advice before making an application or entering into a Grant Agreement.
- Carefully consider how the applicant organisation will perform against the eligibility criteria before developing an application and hiring employee(s).
- Applicants must address the eligibility criteria in full, and substantiate all claims, including providing details about underlying risks and assumptions. Failure to do so may result in the application being rejected.
- The Department may contact applicants to clarify or seek further information.

- Applicants are required to declare that all jobs are based in and undertaken in Tasmania.
- Where possible, each job supported under the Fund should be transitioned to an ongoing job within the organisation beyond the funding period.
- Any adverse findings by a regulator or the organisation becoming deregistered as well as any reputational risk to government may be considered as part of the funding decision.
- Successful applicants must be willing to enter into a legal agreement with the Tasmanian Government.

The Program Guidelines will be reviewed within six months of opening and Jobs Tasmania reserves the right to review and amend the guidelines at any stage, and, makes no representation that a grant of funds will be made to any applicant, and, reserves the right to make no funds available under the Fund.

5. Application and assessment

5.1 Submitting your application

Applicants can apply for funding through SmartyGrants on the Jobs Tasmania website [HERE](#), once they have employed an eligible employee as outlined in section 3.

For any questions on eligibility, please contact the Jobs Tasmania email info@jobstasmania.tas.gov.au

All questions must be answered truthfully on the application form. Applications found to include false or misleading information will be rejected and may be referred to the relevant law enforcement authority.

The online application system requires important information to be supplied including applicant contact information. It is the responsibility of the applicant to ensure information is kept up to date so that the Department can remain in contact.

5.2 Assessing your application

Applications will be assessed against each of the eligibility criteria. Applicants must satisfy all eligibility criteria to receive funding.

Assessments will commence in the order applications are received.

Consultation with other Tasmanian Government Departments will be undertaken as required.

5.3 Requests for additional information

The Department may request additional information to determine whether the eligibility criteria have been met.

If an applicant has been requested to provide more information, their application will remain open for 30 business days to allow them to provide the requested documentation.

5.4 Processing your application

The Department will advise each applicant in writing of the outcome of their application, including the amount of funding to be offered and any conditions attached to the funding offer.

The Department has full discretion and authority to determine which employers are eligible to receive funding and the amount of funding offered. The Department also reserves the right to withdraw the offer of funding if the Grant Agreement is not finalised.

5.5 Payment milestones

Following execution of the Grant Agreement, payments will be made in line with a payment schedule specified by the Department.

Milestone	Timing	Amount	Evidence required
1	At least three months continuous employment	<ul style="list-style-type: none"> \$1 500 for casual or part-time (min. 15 hrs p/w averaged) \$3 000 for full-time 	<ul style="list-style-type: none"> Employee payslips Statutory declaration*
2	At least six months continuous employment	<ul style="list-style-type: none"> \$1 500 for casual or part-time (min. 15 hrs p/w averaged) \$3 500 for full-time or a casual/part-time position turns into a full-time position at any time in the three to five month period 	<ul style="list-style-type: none"> Employee payslips Statutory declaration*

* Statutory declarations will attest to the employment of staff, occupational health and safety inductions, and compliance with relevant legislation and codes of conduct.

If employees resign from their position or are terminated prior to a milestone date, funding will only be paid for employees who have met the minimum tenure requirements (continuous employment of three months or six months) with evidence to demonstrate this. Pro rata payments will not be available.

6. Reporting obligations and evidence requirements

Applicants are required to complete a SmartyGrants online application form and upload evidence to substantiate their claims against the eligibility criteria as outlined below.

All documents must be uploaded online via SmartyGrants and be valid, current, legible and in a standard format (for example: PDF, JPEG or Word). Some documentation is required to be certified.

Criteria	Guideline ref	Evidence requirements
Applicant eligibility (the employer)	Section 3.1	<ul style="list-style-type: none"> • Evidence of an appropriate workers compensation insurance policy • Australian Business Number (ABN) and Australian Company Number (ACN) (if applicable) • Organisation’s address in Tasmania • For charitable and not-for-profit organisations only: confirmation your organisation is registered with the ACNC • Confirmation the applicant is aware of its responsibilities as an employer <p>NOTE: State and Australian Government Departments, and Tasmanian Government Businesses and Local Government, are ineligible.</p>
Employee eligibility	Section 3.2	<ul style="list-style-type: none"> • Employee Consent Form signed by each employee (must be uploaded with application) confirming: <ul style="list-style-type: none"> ○ employee identity (supporting evidence must be uploaded) ○ employee working arrangements (i.e. number of hours per week) ○ the employment commencement date ○ employment status at the time of commencing work ○ employee residency status. • Employment contract (if available) and/or copy of employee payslip (must be uploaded with application).
Job eligibility	Section 3.3	Confirmation that each job is for a minimum of three months and provided on a permanent, casual or fixed-term basis (part-time or full-time, casual, and for at least a minimum of 15 hours per week)
Statutory declaration	Sections 5 and 6	<p>A statutory declaration (must be uploaded with application) to verify:</p> <ol style="list-style-type: none"> a. that the applicant is authorised to act on behalf of the organisation b. that the eligible employee(s) do not displace existing employees c. the number of full-time equivalent (FTE) employees excluding the eligible employee(s) d. that all employees are paid at least legal minimum wages and entitlements as specified in the applicable award, enterprise agreement or National Employment Standards e. that the eligible employee(s) are entitled to work for the applicant as: Australian citizens; holders of Australian permanent residence visas with work entitlements; holders of Australian temporary work visas; holders of student visas who are enrolled in an eligible course of study in Australia; or holders of Australian refugee and humanitarian visas with work entitlements f. that the eligible employee(s) commenced employment with the applicant within 28 days of the date of application.

7. Grant Agreements

Successful applicants will receive a Letter of Offer and a legally binding Grant Agreement describing the conditions (including compliance with relevant government policies), services to be delivered, milestones and payment schedule and reporting requirements.

Applicants will be asked for bank account details so that we can process grant payments for successful applications. This bank account must be in the same name of the person (sole traders or partner in a partnership) or business applying for the grant. You may be asked to provide a copy of your bank statement or a letter from your bank to confirm your bank account details.

For Applicants who are successful in being awarded a grant and the information provided to us is found to be false or misleading, the applicant will be required to return the funds to the department.

8. Appealing a decision

The Department of State Growth may reconsider a decision if the applicant can demonstrate a proven conflict of interest, error in process or discrimination.

If applicants have reason to believe that the proper process was not followed in assessment of an application, a request for review may be submitted.

Grounds for appeal are:

1. The persons making the decision had a direct or indirect financial interest in the outcome of the application.
2. The preparation of the application was affected adversely by incorrect advice provided by a staff member of the Department of State Growth.
3. The persons making the recommendations discriminated against the applicant on irrelevant grounds, such as cultural, religious or linguistic background; race; gender; marital status; sexual orientation; or disability.

All requests must be in writing and should be addressed to the Director or Manager of the business unit where the application was assessed. Your request must be received within 28 days from the date of the Department of State Growth notifying you of the decision about your application

9. Auditing and compliance

All successful applicants may be subject to a range of compliance and probity processes, including an independent audit to confirm the requirements of the grant have been met. As part of this process, applicants are required to answer any enquiries from the Department and/or an independent auditor, and to permit inspections and access to project accounts, employment records, project assets and the project site.

Applicants found to include false or misleading information may be referred to the relevant law enforcement authority.

10. Confidentiality

The Tasmanian Government may use and disclose the information provided by applicants for the purposes of discharging its respective functions under the Program Guidelines and otherwise for the purposes of the program and related uses.

The department may also:

1. Use information received in applications for any other departmental business.
2. Use information received in applications and during the performance of the project for reporting.

11. Administration and contact details

The program will be administered by the Department of State Growth on behalf of the Crown in the Right of Tasmania. Contact with the department for any of the following reasons can be directed to:

info@jobstasmania.tas.gov.au

- Further information or advice on the program
- Assistance in making an application
- Further feedback on the decision of the application
- Request a review of the decision

12. Publicity of grant assistance

The Department of State Growth disburses public funds and is therefore accountable for the distribution of those funds. As part of the accountability process, the department may publicise the level of financial assistance, the identity of the recipient, the purpose of the financial assistance, and any other details considered by the department to be appropriate.

13. Right to information

Information provided to the Department of State Growth may be subject to disclosure in accordance with the *Right to Information Act 2009*.

14. Personal information protection

Personal information will be managed in accordance with the *Personal Information Protection Act 2004*. This information may be accessed by the individual to whom it related, on request to the Department of State Growth. A fee for this service may be charged.

15. Disclosure

The following applies to all successful applicants:

- Despite any confidentiality or intellectual property right subsisting in the grant funding agreement or deed, a party may publish all or any part of the grant funding agreement or deed without reference to another party.
- Nothing in this item 15. Disclosure, derogates from a party's obligations under the Personal Information Protection Act 2004 (Tas) or the Privacy Act 1988 (Cwlth).

16. Disclaimer

Although care has been taken in the preparation of this document, no warranty, express or implied, is given by the Crown in Right of Tasmania, as to the accuracy or completeness of the information it contains. The Crown in Right of Tasmania accepts no responsibility for any loss or damage that may arise from anything contained in or omitted from or that may arise from the use of this document, and any person relying on this document and the information it contains does so at their own risk absolutely. The Crown in Right of Tasmania does not accept liability or responsibility for any loss incurred by an applicant that are in any way related to the fund.

Appendix A – Definitions

Term	Definition
Australian Charities and Not-for-profits Commission (ACNC)	The national regulator of charities. The ACNC: <ul style="list-style-type: none">• registers organisations as charities• helps charities understand and meet their obligations• helps the public understand the work of the not-for profit sector.
Applicant	An employer that applies to the Tasmanian Employer Bonus Fund
Audit (Independent audit)	An official examination of the financial accounts of a business done by an independent body.
Audited financial records	Every business keeps records of its operations and transactions and accountants take this information to produce four basic financial statements: a profit and loss statement, balance sheet, statement of cash flows and statement of changes in owners' equity. These are known as audited financial records.
Australian Business Number (ABN)	A unique 11-digit number that identifies a business to the government and community. To get one you need to be running a business or enterprise and need to apply via the Australian Business Register (ABR) website.

Term	Definition
Australian Company Number (ACN)	A unique nine-digit number that identifies a company in Australia. ACNs must be displayed on all company documents.
Award rate	Awards (award rates) are legal documents that outline the minimum pay rates and conditions for workers in Australia.
Casual employment	An employee in casual employment: <ul style="list-style-type: none"> • has no guaranteed hours of work • usually works irregular hours • does not get paid sick or annual leave • can end employment without notice, unless notice is required by a registered agreement, award or employment contract.
Certificate of currency	Confirms that a business is currently registered for a particular kind of insurance. A business can request a certificate as evidence that the business has current insurance.
Employee Consent Form	Contains key information about the employee(s) and is completed by the employee. The applicant is required to submit a copy of this form for each eligible employee.
Employer	An organisation or business that directly employs people.
Employment contract	An agreement between an employer and employee that sets out the terms and conditions of employment. For the purposes of the Fund, an employment contract is in writing.
Enterprise agreement	An enterprise agreement is between one or more national system employers and their employees, as specified in the agreement. Enterprise agreements are negotiated by the parties through collective bargaining in good faith, primarily at the enterprise level. Under the Fair Work Act 2009, an enterprise can mean any kind of business, activity, project or undertaking.
Full-time equivalent (FTE)	1 FTE is equivalent to a full-time worker (38 hours a week). https://www.fairwork.gov.au/employee-entitlements/types-of-employees/casual-part-time-and-full-time/full-time-employees
Goods and services tax (GST)	Goods and services tax (GST) is a broad-based tax of 10% on most goods, services and other items sold or consumed in Australia.
Government bodies	Entities established by an Act of Parliament or by government.
Grant Agreement	A written document containing the terms and conditions of a Grant.
Incorporated (organisation)	A registered legal entity established for recreational, cultural or charitable purposes. It must have at least five members and put all profits into the organisation's activities.
Ineligible employee	A person who does not meet the eligibility requirements under the Tasmania Employer Bonus Fund.
Jobseeker	An individual who is actively looking for a job.

Term	Definition
Legal entity	An individual, company, or organization that has legal rights and obligations.
Long-term unemployed	People who have been unemployed for more than six months.
Part-time employee	For the purposes of these guidelines, a part-time employee: <ul style="list-style-type: none"> • works a minimum of 15 hours per week • usually works regular hours each week • can be a permanent employee or on a fixed-term contract for a minimum of 12 months • is entitled to paid leave including annual leave and sick & carer's leave • is usually entitled to written notice, or payment instead of notice, if their employer terminates their employment.
Pay slip	A pay slip is a document which has to be given to an employee within 1 working day of pay day, even if an employee is on leave. Pay slips have to be in either electronic form or hard copy. Electronic pay slips must have the same information as paper pay slips. Pay slips must meet the requirements outlined by Fair Work Australia .
Payment schedule	Sets out the timing of payments and payment amounts by the Department to the successful applicant as outlined in the Grant Agreement.
Priority groups	Priority groups for the Jobs Tasmania Fund are: <ol style="list-style-type: none"> a. people registered with Centrelink as unemployed for at least six months b. people with disability who are registered with a Disability Employment Service provider or the National Disability Insurance Scheme c. parents returning to work after 6 months or more out of the workforce d. people aged over 45 years at the time of employment and returning to work after 6 months or more out of the workforce
Private sector business	An organisation that is run by individuals for profit and is not controlled by the State.
Project site	The location in Tasmania where the eligible employees work.
Recipient	An applicant that has secured grant funding.
Recruitment	The process of actively seeking out, finding and hiring individuals for a specific job.
Residency status	Refers to an individual's legal status in Australia (e.g. Australian citizens; holders of Australian permanent residence visas with work entitlements; holders of Australian temporary work visas; holders of student visas who are enrolled in an eligible course of study in Australia; or holders of Australian refugee and humanitarian visas with work entitlements).
Statutory declaration	A legal document that contains a signed written statement declaring something to be true. It must be witnessed by an authorised statutory declaration witness.
Sole trader	An individual who is the exclusive/only owner of a business. A sole trader is entitled to keep all the profits after tax has been paid and is accountable for all losses.

Term	Definition
Training	<p>Training includes employees completing one or more of the following activities which must be relevant to their job:</p> <ul style="list-style-type: none"> • Informal upskilling, e.g., on-the-job training • Micro-credentialing, i.e., a short competency-based recognition for the enterprise (soft) skills employees currently use in the workplace. • Formal qualifications, e.g., TAFE certificate, diploma, graduate certificate or degree.
Unemployed	<p>A person who is unemployed, is not working for one hour or more per week, is actively seeking work and is currently available for work.</p>
Wages	<p>Base rates of pay payable to employees for their ordinary hours of work (and related on-costs such as superannuation, annual leave and personal leave, payroll tax or workers compensation insurance costs) and including loadings, penalties and monetary allowances (e.g., dirty-work allowance, first aid allowance, adverse working conditions allowance). Wages do not include incentive-based payments, bonuses or overtime.</p>



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