

JOBKEEPER PAYMENT

HOSPITALITY EMPLOYMENT Q&A Information Guide



15 APRIL 2020

The information contained in this Q&A document is provided as general information.

Hospitality NT Members are encouraged to contact the Office to discuss their own specific workplace situation.

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ABOUT THIS Q&A INFORMATION GUIDE

This Q&A Information Guide contains information about:

- JobKeeper Payment scheme
- Legislative instruments to enable JobKeeper
- Eligibility to participate in JobKeeper:
- The application process
 1. Employer eligibility
 2. Employee eligibility
 3. Company Directors
 4. Self-employed eligibility
 5. A Partnership
 6. A Trust
 7. A business that has been trading for less than 12 months
 8. Shareholders of a business
- Common questions and answers

JOBKEEPER PAYMENT SCHEME

The JobKeeper Payment scheme ('JobKeeper') is a wage subsidy from the Government to eligible businesses and not-for-profits affected by the COVID-19 pandemic to support them in retaining employees that were employed as at 1 March 2020, and who remain employed. This includes employees who are on leave, or have been stood down from their employment.

NOTE An employee engaged by an employer after 1 March 2020 will not be eligible for JobKeeper, nor will an employee who is no longer employed by the employer (even if employed at 1 March).

Affected employers will be able to claim a payment of \$1,500 per fortnight (before tax) per eligible employee from 30 March 2020 until 27 September 2020.

Businesses must have paid their employees \$1,500 per fortnight starting from 30 March 2020, before they are entitled to receive the JobKeeper payment.

For the first two fortnights (30 March – 12 April, 13 April – 26 April), the ATO will accept the minimum \$1,500 payment for each fortnight has been paid by you even if it has been paid late, provided it is paid by you by the end of April.

This means that you can make two fortnightly payments of at least \$1,500 per fortnight before the end of April, or a combined payment of at least \$3,000 before the end of April. In this instance employers will be reimbursed by the Government for all April expenditure by 14 May.

Where an employee's total remuneration is less than \$1,500 per fortnight (before tax), or has been stood down, the employer must provide the employee at least \$1,500 per fortnight (before tax) to be eligible for reimbursement.

Where an employee earns more than \$1,500 per fortnight (before tax), employers can use the payment to subsidise the employee's wages. Self-employed individuals will also be eligible to receive the JobKeeper payment.

IS THE JOBKEEPER PAYMENT A 'ONE IN, ALL IN' SCHEME?

Yes. All eligible employees must be nominated by their employer to participate.

The Explanatory Memorandum to the JobKeeper Rules states on page 5:

Once an employer decides to participate in the JobKeeper scheme and their eligible employees have agreed to be nominated by the employer, the employer must ensure that all of these eligible employees are covered by their participation in the scheme. This includes all eligible employees who are undertaking work for the employer or have been stood down. The employer cannot select which eligible employees will participate in the scheme. This 'one in, all in' rule is a key feature of the scheme.

(emphasis added)

WHEN WILL THE JOBKEEPER PAYMENT COMMENCE?

The JobKeeper Payment will be available from 30 March 2020.

HOW LONG WILL THE JOBKEEPER PAYMENT LAST FOR?

The JobKeeper Payment will be available until 27 September 2020.

DOES AN EMPLOYER HAVE TO PARTICIPATE IN JOBKEEPER?

No, an employer elects to participate, and can also elect not to participate.

DOES AN EMPLOYER HAVE TO PARTICIPATE FOR THE ENTIRE JOBKEEPER PERIOD?

Employers do not have to be part of JobKeeper for the duration of the scheme.

Employers can join at any time provided the employer submits the approved forms prior to the end of the relevant fortnightly period from which they intend to participate. The exception to this rule is in relation to the first two JobKeeper fortnights, commencing on 30 March 2020 and 13 April 2020 - for these time periods the employer has until 26 April to provide notice of its election to participate.

JOBKEEPER LEGISLATION

Further to the Government's announcement regarding JobKeeper payments on 30 March 2020, on Wednesday, 8 April the following Bills were passed by the House of Representatives, and, later that evening, by the Senate:

- *Coronavirus Economic Response Package (Payments and Benefits) Bill 2020* ('the 'Payments and Benefits Bill').
- *Coronavirus Economic Response Package Omnibus (Measures No. 2) Bill 2020* (the 'Omnibus Bill').

The Rules accompanying the Payments and Benefits Bills were released the evening of 9 April. The Bills later received Royal Assent, which meant that they became Acts of Parliament.

PAYMENTS AND BENEFITS BILL

The object of this Act is to provide financial support to eligible employers, and it provides a framework for the Treasurer to make Rules about one or more kinds of payments to an entity in respect of a prescribed period.

The payment and eligibility provisions of the Act and the Rules are outlined in this Information Guide.

OMNIBUS BILL

The Omnibus Act amends the *Fair Work Act 2009* to insert a new Part 6-4C. This new Part will be automatically repealed on 28 September 2020. It also requires that an independent review of its operation begin by 28 July and report to the relevant Minister by 8 September.

New Part 6-4C will provide for new JobKeeper-related rights for employers to change employment arrangements, and give the Fair Work Commission ('FWC') the power to handle disputes.

The new job-related rights for employers relate to:

- An employer direction for an employee to work reduced hours or days;
- An employer direction for an employee to undertake alternative duties;
- An employer direction for an employee to work at an alternative location.

Certain rules, protections and provisos apply before an employer can issue one of the above directions.

The new job-related rights for employers will be detailed in a later-to-be-developed Fact Sheet.

NOTE an employer cannot utilise any of the above listed directions until they have been approved by the ATO as a participant in the scheme.

ELIGIBILITY TO PARTICIPATE IN JOBKEEPER

In this section....

1. The application process
2. Employer eligibility
3. Employee eligibility
4. Company Directors
5. Self-employed eligibility
6. A Partnership
7. A Trust
8. A business that has been trading for less than 12 months
9. Shareholders of a business

1. THE APPLICATION PROCESS

In order to participate in the JobKeeper Payment scheme, both an employer and their employee must be eligible to participate.

Step 1:

Register your interest in JobKeeper on the [ATO website](#), and subscribe for updates.

Step 2:

Assess eligibility as a business and determine which employees are eligible employees.

Step 3:

Pay your employees for each JobKeeper fortnight you plan to claim for. The first fortnight is from 30 March – 12 April and each JobKeeper fortnight follows after that.

NOTE For the first two fortnights (30 March – 12 April, 13 April – 26 April), the ATO will accept the minimum \$1,500 payment for each fortnight has been paid by you even if it has been paid late, provided it is paid by you by the end of April.

This means that you can make two fortnightly payments of at least \$1,500 per fortnight before the end of April, or a combined payment of at least \$3,000 before the end of April.

Step 4:

Notify your eligible employees that you are intending to claim the JobKeeper payment on their behalf and check they aren't claiming JobKeeper payment through another employer or have nominated through another business.

Step 5:

Ask all eligible employees to complete and return (to the employer) the prescribed [JobKeeper Employee Nomination Notice](#). This form must be completed by the end of April for employers who plan to claim JobKeeper payment for April.

Keep the completed Notice on file and provide a copy to your registered tax agent if you are using one.

Step 6:

From 20 April 2020, enrol for the JobKeeper payment using the ATO Business Portal and authenticate with myGovID. This must be done by the end of April to claim JobKeeper payments for April.

NOTE the online 'Enrol for JobKeeper Payment Employer Form' will not be available until 20/04/20.

Step 7:

In the online form, provide your bank details and indicate if you are claiming an entitlement based on business participation, for example if you are a sole trader.

Step 8:

Specify the estimated number of employees who will be eligible for the first JobKeeper fortnight (30 March – 12 April) and the second JobKeeper fortnight (13 April – 26 April).

For most businesses the ATO will use Single Touch Payroll data to pre-populate the employee details for the business.

Once approved as an eligible employer, the ATO will communicate this with you and provide additional information on the process.

If you intend to apply for the JobKeeper payment from 4 May 2020 onwards, the ATO has published a set of steps applicable from this date, click [HERE](#) to view this.

CAN AN EMPLOYER DECIDE WHICH ELIGIBLE EMPLOYEES WILL BE NOMINATED FOR THE JOBKEEPER PAYMENT?

No, as mentioned earlier, employers do not have any discretion to choose which eligible employees will participate.

2. EMPLOYER ELIGIBILITY

In order to receive the JobKeeper Payment **both** an employer and employee must meet the eligibility criteria (set out in this section of the Information Sheet).

As per the information on the ATO website, an employer will be an eligible employer if all of the following apply to the employer:

- On 1 March 2020, you carried on a business in Australia or were a not-for-profit organisation that pursued your objectives principally in Australia.
- You employed at least one eligible employee on 1 March 2020.
- Your eligible employees are currently employed by your business for the fortnights you claim for (including those who are stood down or re-hired).
- Your business has faced a
 - 30% fall in turnover (for an aggregated turnover of \$1 billion or less)
 - 50% fall in turnover (for an aggregated turnover of more than \$1 billion), or
 - 15% fall in turnover (for ACNC-registered charities other than universities and schools).
- Your business is not in one of the ineligible categories.

The ineligible categories are listed below, as reproduced from the ATO website:

- The Major Bank Levy was imposed on the entity or a member of its consolidated group for any quarter before 1 March 2020
- The entity is an Australian government agency (within the meaning of the *Income Tax Assessment Act 1997*)
- The entity is a local governing body
- The entity is wholly owned by an Australian government agency or local governing body
- The entity is a sovereign entity
- The entity is a company in liquidation
- The entity is an individual who has entered bankruptcy.

HOW IS TURNOVER DEFINED?

Turnover is calculated as it is for GST purposes and is reported on Business Activity Statements (BAS). It includes all taxable supplies and all GST free supplies but not input taxed supplies.

For registered charities, they may also include donations they have received or are likely to receive in their turnover for the purpose of determining if they have been adversely affected.

A business ONLY need to satisfy the applicable fall in turnover test once – employers do not need to retest turnover each month.

The ATO has published detailed information on turnover requirements, which can be accessed on their website [HERE](#).

**Members are encouraged to speak with their financial adviser and seek advice about their turnover situation and calculations associated with turnover.
Please note Hospitality NT is unable to provide specific advice in this area.**

3. EMPLOYEE ELIGIBILITY

In the first instance, an employer should identify if an employee is an eligible employee.

An eligible employee:

- Was employed by the (eligible) employer at 1 March 2020;
- Is currently employed by the employer (including those stood down or re-hired);
- Is:
 - A permanent full-time or part-time employee of the employer, including if on a fixed term basis;
OR
 - A long-term casual employee who has been with their employer on a regular and systematic basis for at least the previous 12 months as at 1 March 2020, and is not a permanent employee of any other employer or a sole trader;
- Was at least 16 years of age on 1 March 2020;

- Was an Australian resident as at 1 March 2020 within the meaning of the *Social Security Act 1991*, which requires that they reside in Australia, and are one of an Australian citizen, the holder of a permanent visa, or a Protected Special Category Visa Holder. More information about these requirements can be found from the Services Australia website [HERE](#). Your employee can also be an Australian tax resident who is a Special Category (Subclass 444) Visa Holder. Employees who are not permanent residents of Australia must notify you of their visa status to allow you to determine if they are eligible; **AND**
- Is not in receipt of :
 - A JobKeeper Payment from another employer,
 - Government parental leave payments or 'Dad and Partner Pay' (during the relevant JobKeeper fortnight in question – there may be other fortnights where they are not receiving the payment and therefore may still be eligible at other times),
 - A payment in accordance with Australian worker compensation law for an individual' s total incapacity for work (during the relevant JobKeeper fortnight in question – there may be other fortnights where they are not receiving the payment and therefore may still be eligible at other times).

NOTE there is no income cap test regarding eligibility.

THERE HAS BEEN A TRANSFER OF BUSINESS

Employers must assess whether their casual employees satisfy the test of working for 12 months on a regular and systemic basis. A casual may still meet this condition even if the entity operating the business has changed recently.

CASUAL EMPLOYMENT TEST

For a casual employee to be eligible, they must have been employed on a regular and systematic basis for longer than 12 months as at 1 March 2020.

The *Fair Work Act 2009* defines a long term casual employee for certain benefits, and this JobKeeper eligibility requirement is taken from the *Fair Work Act 2009*. Contact the Hospitality NT Office for more information and to discuss any specific situation in your workplace.

4. COMPANY DIRECTORS

If company directors receive directors' fees, an eligible business can nominate ONE director (in their director capacity) to receive the JobKeeper Payment.

This is an addition to the employer receiving the subsidy for its eligible employees. The ATO has stated that they will provide more information soon about the eligibility requirements for this scenario.

A director who receives the payment cannot also receive the payment as an employee.

5. SELF-EMPLOYED ELIGIBILITY

People who are self-employed will be eligible for the JobKeeper Payment provided they:

- Can estimate their turnover has or will fall by 30% or more;
- Had an ABN on or before 12 March 2020, and either had an amount included in its assessable income for the 2018-19 year and it was included in their income tax return lodged on or before

12 March 2020 (or such later time as allowed by the Commissioner), or made a supply during the period 1 July 2018 to 12 March 2020 and provided this information to the Commissioner on or before 12 March 2020 (or such later time as allowed by the Commissioner);

- Are actively engaged in the business;
- Are not entitled to, or receiving, another JobKeeper Payment (either a nominated business participant of another business or as an eligible employee);
- Are not a permanent employee of any other employer*;
- Were aged at least 16 years of age as at 1 March 2020; AND
- Are an Australian citizen, the holder of a permanent visa, or a Special Category (Subclass 444) Visa Holder at 1 March 2020.

Once approved as eligible by the ATO a self-employed person will need to provide a monthly update to the ATO.

** Whilst receiving the JobKeeper Payment, a self-employed individual can also receive income from other sources including another job.*

6. A PARTNERSHIP

In a partnership ONLY one person can be nominated (as the entrepreneur) to receive the JobKeeper Payment, along with any eligible employees, noting a partner cannot be an employee.

The other partner may be entitled to some other form of income support from Services Australia eg JobSeeker allowance.

7. A TRUST

Trusts can receive the JobKeeper Payments for any eligible employees.

Where beneficiaries of a trust only receive distributions, rather than being paid salary and wages for work done, only ONE individual adult beneficiary (that is, not a corporate beneficiary) can be nominated to receive the JobKeeper Payment.

A beneficiary who receives the payment cannot also receive the payment as an employee.

8. A BUSINESS THAT HAS BEEN TRADING FOR LESS THAN 12 MONTHS

Where a business has not been in operation for a year, and will not be able to show that turnover has fallen as per the employer eligibility test, the Tax Commissioner will have discretion to consider additional information that the business can provide to establish they have been significantly affected by the impacts of COVID-19.

9. SHAREHOLDERS OF A BUSINESS

An eligible business that pays shareholders that provide labour in the form of dividends can nominate only ONE shareholder to receive the JobKeeper Payment.

A shareholder who receives the payment cannot also receive the payment as an employee.

GENERAL QUESTIONS AND ANSWERS

PAYMENT GENERALLY

WHEN AND HOW WILL THE JOBKEEPER PAYMENT BE PAID TO EMPLOYERS?

The first JobKeeper Payment will be reimbursed by the ATO from the first week in May but will be backdated to 30 March 2020. Payments will be made to the employer monthly in arrears by the ATO.

ARE THERE ANY JOBKEEPER SCHEME CUT OFF DATES THAT EMPLOYERS NEED TO BE AWARE OF?

Yes, if an employer wishes to be paid the JobKeeper Payment for the first two fortnight periods between 30 March and 26 April, the employer **MUST** elect to participate in the scheme at or before 26 April 2020.

For participation a fortnight period after 26 April an employer must notify the ATO before the end of the fortnight.

The following table sets out the relevant payment periods and minimum amounts payable under JobKeeper:

Payment date (Reimbursement to Employer)	Amount <u>per employee</u>
By 14 May	\$3,000 (for fortnights starting 30 March and 13 April)
By 14 June	\$3,000 (for fortnights starting 27 April and 11 May)
By 14 July	\$3,000 (for fortnights starting 25 May and 8 June)
By 14 August	\$3,000 (for fortnights starting 22 June and 6 July)
By 14 September	\$4,500 (for fortnights starting 20 July, 3 August and 17 August)
By 14 October	\$3,000 (for fortnights starting 31 August and 14 September)

I PAY WEEKLY, CAN I CONTINUE TO DO SO?

Yes, provided the eligible employee is paid \$750 each week, amounting to a total of \$1,500 for each of the JobKeeper payment fortnights.

WHAT IF I PAY EMPLOYEES MONTHLY?

Where an employer pays their staff monthly, the ATO will be able to reallocate payments between periods. However, overall an employee must have received the equivalent \$1,500 per fortnight.

CAN I USE MY NORMAL PAYROLL CYCLE EVEN IF IT MEANS THE PAYMENT FOR A JOBKEEPER FORTNIGHT IS MADE JUST AFTER THE FORTNIGHT ENDS?

Employers can make the payments through the continuation of their existing pay cycle and using their existing payroll mechanisms. Employers need to ensure that an eligible employee receives \$1,500 for each JobKeeper fortnight, and the payment should be clearly linked to the fortnight period that the payment relates to.

EMPLOYEE IS ABSENT FROM THE WORKPLACE EG STAND DOWN, ON LEAVE ETC

WILL AN EMPLOYEE RECEIVING THE GOVERNMENT'S PAID PARENTAL LEAVE PAY OR DAD AND PARTNER PAY BE ELIGIBLE?

An employee will not be eligible for the JobKeeper Payment if they are receiving paid Parental Leave Pay or Dad And Partner Pay from Services Australia during the relevant JobKeeper fortnight.

However, an employee will be eligible if they are on unpaid parental leave from their employer, and they are receiving *employer funded* paid parental leave (not associated with the Government scheme).

WILL AN EMPLOYEE IN RECEIPT OF WORKERS' COMPENSATION BE ELIGIBLE?

An employee receiving workers' compensation will be eligible for the JobKeeper Payment if the employee is working, for example, on reduced hours.

Generally they will not be eligible if they are not working (ie the employee is totally incapacitated from work) during the relevant JobKeeper fortnight.

WILL AN EMPLOYEE WHO IS ON LEAVE BE ELIGIBLE?

Employees are eligible to receive the JobKeeper Payment when they are on paid leave, such as annual leave, long service leave or personal/carer's leave, or on a period of unpaid leave.

The JobKeeper subsidy will go towards the cost of the leave paid to the eligible employee – it is not paid on top of the leave payment.

CASUAL EMPLOYMENT

IS A CASUAL EMPLOYEE WHO HAS MOVED BETWEEN DIFFERENT BUSINESSES WITHIN THE SAME CORPORATE GROUP ELIGIBLE?

A casual can still meet the test of working for 12 months on a regular and basis if they were transferred from one member of a wholly-owned corporate group to another member in the same group within the last 12 months.

HOW DOES THE CASUAL EMPLOYEE TEST APPLY IF A BUSINESS HAS CHANGED OWNERSHIP WITHIN THE LAST 12 MONTHS OR SINCE 1 MARCH 2020?

A casual employee is still eligible for JobKeeper where a business has changed ownership within the last 12 months so long as the casual has been working for the same business (despite the ownership change).

The other eligibility requirements must also be met too.

END OF EMPLOYMENT

WHAT HAPPENS IF MY EMPLOYEE RESIGNS?

If an employee for whom you are receiving the JobKeeper Payment resigns, you must notify the ATO. Depending on the timing of the resignation, an employer may need to refund some money to the ATO.

WHAT ABOUT AN ELIGIBLE EMPLOYEE WHO HAS BEEN ON A FIXED TERM CONTRACT, AND THE CONTRACT ENDS WHILE THE EMPLOYEE IS RECEIVING JOBKEEPER?

In this situation the employer must notify the ATO as the employee is no longer an employee.

OTHER EMPLOYMENT QUESTIONS

WHAT ABOUT AN EMPLOYEE WHO HAS A SECOND JOB?

Where an eligible employee has more than one job, they can only be nominated for one JobKeeper Payment from one employer.

The employee will need to notify their primary employer to claim the JobKeeper Payment on their behalf. If one job is casual and the other is permanent part-time or permanent full time, they must nominate the employer at their permanent job to be their primary employer.

Similarly, if an employee derives income from both work and self-employment (for example as a sole trader) they must nominate the work to which the JobKeeper Payment will apply.

The claiming of the tax-free threshold will in most cases be sufficient notification that an employer is the employee's primary employer. The ATO will be providing additional guidance to assist employees in determining which employer to notify.

I'VE HIRED AN NEW EMPLOYEE (POST 1/3/20). WHAT DO I PAY THEM?

A new employee hired after 1 March 2020 is not eligible for the JobKeeper payment.

If a person had accepted an offer of employment prior to or on 1 March 2020 (eg they signed and returned an employment contract), but they did not actually commence employment until after 1 March 2020, then they will not be eligible. Employers should review any employment contract documentation provided to the employee, to confirm when the employment was actually going to commence.

THE JOBKEEPER SCHEME REFERS TO RE-ENGAGED EMPLOYEES POTENTIALLY BEING ELIGIBLE TO RECEIVE PAYMENTS. SHOULD I CONSIDER RE-HIRING PEOPLE?

Whilst there is the potential for a person who was employed on 1 March 2020, later dismissed, but re-hired, to be able to receive JobKeeper, please note this concept does create some difficulties in relation to employment relations entitlements e.g. redundancy pay, if this was previously paid to the former employee.

Further, if the employee was previously employed as a casual, they must have met the definition of a 'long term casual' as at 1 March 2020.

Please contact Hospitality NT to discuss your specific circumstances, if you are considering whether you might re-engage a previously dismissed employee due to the JobKeeper scheme.

WHAT ABOUT AN EMPLOYEE ALREADY IN RECEIPT OF OTHER SERVICES AUSTRALIA INCOME SUPPORT PAYMENTS, SUCH AS JOBSEEKER?

If an employee is receiving a Services Australia income support payment, like the JobSeeker Payment, and they have been told by their employer that they are receiving the JobKeeper Payment, the employee must report that income to Services Australia.

The employee may need to cancel their JobSeeker Payment. If they do not report the income or, cancel their JobSeeker Payment, an employee may incur a debt that they will be required to pay back to the relevant authority.

HOW THE PAYMENT WORKS BASED ON USUAL EARNINGS (EG BEFORE TAX)

WHAT IF MY EMPLOYEE USUALLY EARNS LESS THAN \$1,500 PER FORTNIGHT?

If any eligible employee currently earns less than \$1,500 before tax per fortnight, the employer will need to pay them the full \$1,500 per fortnight before tax to receive the JobKeeper Payment reimbursement.

WHAT IF MY EMPLOYEE USUALLY EARNS MORE THAN \$1,500 PER FORTNIGHT?

If an employee is paid \$1,500 or more a fortnight (under an award, enterprise agreement or contract of employment), an employer is still liable to pay that amount*.

For example, where an eligible employee ordinarily receives \$2,500 before tax in income per fortnight, their employer will now receive the \$1,500 JobKeeper Payment toward their salary but will need to continue paying their regular income amount – and make up their pay to \$2,500 for the fortnight.

** unless another arrangement has been entered into via mutual agreement to reduce ordinary hours of work, a reduction direction has been given in accordance with Schedule L of the Hospitality Industry (General) Award 2010, or a reduction direction has been given in accordance with the Omnibus Bill.*

VISA WORKERS

THE TYPE OF VISA FOR MY EMPLOYEE IS NOT LISTED IN THE EMPLOYEE ELIGIBILITY SECTION. HOW DO I CHECK THIS?

Employers are encouraged to talk to their migration agent / solicitor or Migration NT on eligibility and other options for a visa worker not eligible for the JobKeeper payment.

LABOUR HIRE BUSINESS INTERACTIONS

I RUN A LABOUR HIRE COMPANY. WILL EMPLOYEES BE ELIGIBLE IF THEIR 'HOST EMPLOYER' CLAIMS THE JOBKEEPER PAYMENT?

Employees are only eligible in respect of their direct employer.

SUPERANNUATION AND JOBKEEPER

HOW DOES SUPERANNUATION WORK?

Scenario 1: Employee Working and Earns More Than \$1,500 Per Fortnight

If an employee ordinarily earns \$2,000 per fortnight, and is still working hours to earn those wages at a business, the employer's superannuation contribution is based on \$2,000.

Scenario 2: Employee Working and Earns Less Than \$1,500 Per Fortnight

If an employee ordinarily earns \$1,000 per fortnight and is still working hours to earn those wages at a business, the full \$1,500 JobKeeper subsidy is paid to the employee – so they get an additional \$500 in their pay.

The employer's superannuation contribution is based on \$1,000, unless they choose to base it on the \$1,500 (incorporating the extra \$500)

Scenario 3: Employee on Stand Down

If an employee is on stand down, they receive \$1,500 per fortnight for the job keeper payment. No superannuation contributions need to be made by the employer.

EMPLOYER CASH FLOW CONCERNS

I DON'T HAVE ENOUGH CASH FLOW TO MAKE JOBKEEPER PAYMENTS BEFORE MAY– WILL THAT MEAN I CANNOT PARTICIPATE?

Payments from the ATO back to the business under this scheme will not be made until the first two weeks in May. This lag time in repayments will continue throughout the course of the scheme.

Employers must bear this in mind in determining whether they wish to participate in the scheme.

Employers with cash flow concerns should speak with their accountant and/or financial institution in the event that they may need to consider options to assist managing cash flow while operating the scheme. The ER Department is unable to provide advice on the issue of cash flow.

An employer does not need to opt in to the scheme immediately. You can do so at any point in the course of the six month period of operation of the scheme.

For those employers for whom the scheme is not a viable option at the present time, this may be a relevant consideration in terms of delaying participation in the scheme. Again, Hospitality NT recommends professional financial advice around the viability of participating in the scheme be sought - whether that is commencing immediately or at some later date.

MAKING JOB KEEPER PAYMENTS PRIOR TO ATO APPROVAL AS ELIGIBLE

IF I MAKE PAYMENTS FOR EMPLOYEES AS PART OF THIS SCHEME, BEFORE THE ATO HAS CONFIRMED THAT I (AND THE EMPLOYEES I'VE MADE JOBKEEPER PAYMENTS TO) MEET THE ELIGIBILITY CRITERIA, IS THERE A RISK THAT I WON'T BE REIMBURSED?

Hospitality NT has provided the information in this Guide sheet to assist you with understanding the JobKeeper scheme, however Hospitality NT cannot *guarantee* that you (and the relevant employees) will be deemed eligible for the scheme – only the ATO can make this decision.

Employers should weigh up this issue when deciding whether to participate in the scheme.

Further Assistance

Hospitality NT Members are encouraged to contact our office (details below) for a confidential discussion about the information in this Fact Sheet, or to discuss any queries relating to specific workplace matters:

Ph: 89813650

Email: admin@hospitalitynt.com.au

Non-Members are encouraged to contact our Office to speak to us about membership options. We are keen to assist as many hospitality businesses as possible.

The information contained in this document is intended for general information only. Whilst due care has been taken in preparing this document, no responsibility is accepted by the author for the accuracy of the information therein contained.

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Hospitality NT
15 April 2020