

General Eligibility

Your employee is eligible for the JobKeeper Payment scheme if they:

- are employed by you (including those stood down or re-hired);
- were either a:
 - permanent full-time or part-time employee at 1 March 2020;
 - long-term casual employee (employed on a regular and systematic basis for at least 12 months) as at 1 March 2020 and not a permanent employee of any other employer ;
- were at least 16 years of age on 1 March 2020;
- were 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. 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;
- were not in receipt of any of these payments during the JobKeeper fortnight:
 - government parental leave or Dad and partner pay;
 - a payment in accordance with Australian worker compensation law for an individual's total incapacity for work;
- agree to be nominated by you

Where a long term casual employee is a permanent employee of another employer, that employee can only be nominated by the permanent employer. Employees with multiple permanent employers can only nominate to receive JobKeeper through one employer.

Nominating an employee

Before you enrol to receive JobKeeper payments, you need to notify each eligible employee that you intend to nominate them as an eligible employee of your business under the JobKeeper scheme.

You must tell those employees that you have nominated them as an eligible employee to claim the JobKeeper payment. They must agree to be nominated by you by completing the [JobKeeper employee nomination notice](#) and returning it to you for your records.

The nomination form does not need to be provided to the ATO however employers are required to keep a copy of the completed form as part of their record keeping obligations under the law.

Employee Eligibility: Stood Down & Terminated Employees – JobKeeper

Employees Stood Down Without Pay

Employees who have been stood down from work under the *Fair Work Act 2009* without pay may still be eligible employees as long as they were in your employment and met the eligibility criteria on 1 March 2020.

You will need to have paid them at least the minimum amount of \$1,500 for each fortnight you claim for, to receive the JobKeeper payment.

For the first two fortnights (30 March – 12 April, 13 April – 26 April), 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.

Employees Who Have Been Terminated

If you terminated an employee after 1 March 2020, you can re-engage them and they will be eligible if they met the eligibility criteria on 1 March 2020.

If you want to claim the JobKeeper payment for employees you have re-engaged, you will need to:

- confirm they want to be re-hired and participate in the JobKeeper scheme with you
- re-engage the employees you want to claim for
- ask them to complete the [JobKeeper employee nomination notice](#) and return it to you. You are required to keep this form as part of your records keeping obligations under the law
- start paying them a minimum of \$1,500 (before tax) for each fortnight they are employed and you claim for.

You will only be paid a JobKeeper payment for employees from the fortnight they were re-engaged. You cannot claim retrospectively for employees you re-engage.

After you have worked out you and your employees are eligible

If you meet the eligibility criteria and want to start claiming the JobKeeper payment on behalf of your employees, you need to start paying them at least \$1,500 per fortnight (before tax) for each fortnight that you wish to claim the JobKeeper Payment and continue to pay them for as long as you keep claiming.

From April 20th, you will be able to enrol your business for the JobKeeper Payment program with the ATO. Enrolments must be made by the end of April to receive the subsidy for the first two fortnights (30 MAR – 12 APR & 13 APR – 26 APR)