

## ***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 20<sup>th</sup>, 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)