# Attachment 3 – Jobkeeper enabling directions checklist – employers previously entitled to jobkeeper payments

Use this checklist to check that a jobkeeper enabling direction under sections 789GJA, 789GJB or 789GJC is authorised, has effect and applies to an employee under the Fair Work Act.

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| * The relevant period of the direction begins on or after 28 September 2020 |  |
| * The employer was entitled to a jobkeeper payment for the employee prior to 28 September 2020 |  |
| * The employer is not entitled to jobkeeper payments for the employee for the period of the direction |  |
| * The employer holds a 10% decline in turnover certificate for the designated quarter |  |
| * The employer has given the employee at least 7 days’ **written notice** before giving the direction, or the employee has genuinely agreed to less than 7 days’ notice |  |
| * The employer has **consulted** the employee (or their representative) about the direction |  |
| * The direction is not **unreasonable** in all the circumstances |  |
| For a jobkeeper enabling stand down direction: | |
| * The employee cannot usefully be employed for their normal days or hours during the period of the direction because of changes to the business attributable to the COVID-19 pandemic or government initiatives to slow the transmission of COVID-19 |  |
| * The implementation of the direction is safe, having regard to (without limitation) the nature and spread of COVID-19 |  |
| * The direction does not reduce the employee’s hours to less than 60% of the employee’s ordinary hours as of 1 March 2020 |  |
| * The direction does not require the employee to work less than two hours in a day on which the employee will perform work |  |
| For a jobkeeper enabling direction about duties of work: | |
| * If the employee is required to have a licence or qualification in order to perform the duties, the employee has that licence or qualification |  |
| * The duties are reasonably within the scope of the employer’s business operations |  |
| * The duties are safe, having regard to (without limitation) the nature and spread of COVID-19 |  |
| * The employer has information leading it to reasonably believe the direction is necessary to continue the employment of one or more employees of the employer |  |
| For a jobkeeper enabling direction about location of work: | |
| * The place is suitable for the employee’s duties |  |
| * If the place is not the employee’s home, the employee does not have to travel a distance that is unreasonable in all the circumstances, including the circumstances surrounding the COVID-19 pandemic |  |
| * Performing the duties at the location is safe, having regard to (without limitation) the nature and spread of COVID-19, and reasonably within the scope of the employer’s business operations |  |
| * The employer has information leading it to reasonably believe the direction is necessary to continue the employment of one or more employees of the employer |  |