[Date]

***Strictly private and confidential***

[Employee Name]

[Employee Address]

[Employee Address]

Dear [Employee Name]**,**

**JobKeeper implications**

We write to you to confirm [Employer name]’s position in respect of the JobKeeper scheme, and consequential impact of this on your employment with us.

Payment under the JobKeeper scheme

We are pleased to confirm that the business has now successfully enrolled in the JobKeeper scheme. Payments applicable to your employment with [Employer] will now be eligible for reimbursement through the scheme, subject to you remaining employed by us and continuing to meet the eligibility and nomination criteria to participate.

Please note that should your employment circumstances change, this may affect your eligibility to continue to participate in the JobKeeper scheme with us. Importantly, if you commence part-time or full-time work elsewhere or nominate to participate in the JobKeeper scheme through another business, you must let us know immediately.

The JobKeeper rules require [Employer] to ensure that you receive no less than $1,500 gross in each fortnight during the period of the scheme that the payment is claimed (currently, up to 27 September 2020). This payment may include wages for hours worked by you and/or paid leave taken by you, during the fortnight. Where these amounts are less than $1,500 gross, we will make a top up payment to you to meet the requirements under the scheme.

JobKeeper directive

The JobKeeper payments are helping to support our business, including by easing some of the significant economic impact caused by the Coronavirus and thereby assisting us to [return staff to work/continuing to offer staff working hours].

Whilst the existing Government business directives restrict [some/much] of our operations, [*insert what the business proposes to do in respect of its operations during this time as it might relate to any directive to the employee to return to work or varied terms*].

Pursuant to the temporary measures available under Part 6-4C of the *Fair Work Act 2009* (Cth) (**FW Act**), [Employer] makes the following direction to you, in respect of your work with us:

***#Amend/delete as appropriate***

|  |  |
| --- | --- |
| ***Hours of Work*** | Pursuant to s.789GDC of the FW Act [*outline variation to hours / days to be worked by employee – noting that the variation cannot require the employee to work MORE than their ordinary hours, or on days that they would not normally work – other than by agreement*] |
| ***Duties*** | [*outline any variation to the employee’s duties – noting the obligations that exist under s.789GE of the FW Act*] |
| ***Location*** | [*confirm whether duties are to be performed on site, at home or elsewhere – noting the obligations that exist under s.789GF of the FW Act*] |

Subject to our further consultation with you, our directive as set out above will take effect from [**insert date** *– which cannot be less than 3 full days from the date the written communication is received*].

The remaining terms and conditions of your employment [as set out in your [written contract/letter of offer] dated DATE] shall otherwise continue to apply.

To that end, we confirm that under the rules of Part 6-4C of the FW Act whilst you are subject to the above directive:

* your existing base rate of pay (worked out on an hourly basis) will not reduce – although your take home pay referable to hours worked will be affected where you are directed to work less than your ‘ordinary’ hours; and
* you will continue to accrue leave entitlements as if the direction had not been given.

Next steps

We would like to hear from you in respect of the above, and have scheduled a time for us to discuss on [**DATE at TIME**]. Please use this time to raise any questions or concerns you may have in respect of the above direction.

[Employer] takes its safety obligations very seriously and under no circumstances does it propose to return staff to work in circumstances where it would be unsafe to do so. As such, we wish to reassure you that whilst on-site all staff will be required to adhere to health and safety precautions (eg. hand washing, cleanliness and non-attendance if unwell/fever or required to self-isolate) as well complying with COVID government directives, such as physical distancing and maximum occupancy requirements.

***OPTION #1*** Staff requiring additional support at this time can access Employee Assistance Program, which is a confidential and free counselling service then please call [insert number].

***OPTION #2*** Staff requiring additional support at this time may wish to access the Government’s mental health online resource and referral system [Head to Health](https://headtohealth.gov.au/) ([www.headtohealth.gov.au](http://www.headtohealth.gov.au)).

We look forward to [welcoming you back to work and] continuing to work together with you during these challenging times.

Yours sincerely,

**#MANAGERFIRSTNAME #MANAGERLASTNAME**

**#MANAGERTITLE**