



Australian Government



jobactive

Guideline:

# ASC Shipbuilding Structural Adjustment Programme Guide

This Guideline details the core elements and requirements for Employment Services Providers (Providers) in managing participants who are eligible for the ASC Shipbuilding Structural Adjustment Programme (ASC Shipbuilding SAP). Note that these participants are eligible for immediate access to Stream B. Any relevant Guidelines or materials that apply to other Stream B participants apply to participants receiving support under ASC Shipbuilding SAP unless otherwise specified.

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**Policy changes:**

Introduction of ASC Shipbuilding Structural Adjustment Programme from 20 February 2019.

**Wording changes:**

N/A

A full document history is available at [Provider Portal](#).

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## Related documents and references

- [Direct Registration Guideline](#)
- [Eligibility Referral and Commencement Guideline](#)
- [Structural Adjustment Programme Guideline](#)
- [Stronger Transitions Guideline](#)
- [Using the Employment Fund General Account Guideline](#)

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## 1. Policy Intent

ASC Shipbuilding SAP assists people if they have been retrenched, or are the partner of a retrenched worker, from ASC Shipbuilding Pty Ltd (including direct supply chain businesses) by providing them with immediate access to Stream B jobactive employment support services and giving them access to additional Employment Fund credits.

## 2. Registering participants in a Structural Adjustment Programme

Participants who are eligible under a Structural Adjustment Programme can register directly with a Provider. Eligible participants may also be referred from the Department of Human Services (DHS). For more information, refer to the Direct Registration Guideline.

It is recommended that Providers conduct the Participant Classification Instrument (JSCI) for SAP participants to gain a more comprehensive understanding of their circumstances relevant to the labour market. However, a SAP job does not require an initial JSCI Assessment before being commenced in Stream B.

If the Employment Provider determines that a SAP participant requires an Employment Services Assessment (ESAt), they should refer the participant to DHS for further Assessment.

## 3. Eligibility must be assessed

To be eligible for support under ASC Shipbuilding SAP, a retrenched participant **must:**

- have been retrenched (including contractors) from ASC Shipbuilding Pty Ltd after 1 July 2018 or eligible supply chain businesses and
- have evidence of retrenchment that specifies an exit date and
- register with a Provider no later than six months after their retrenchment exit date.

To be eligible for support under ASC Shipbuilding SAP, the partner of a retrenched participant **must:**

- have a current partner who has been made redundant from ASC Shipbuilding Pty Ltd, including eligible supply chain businesses and
- be living with their partner and
- have evidence of their partner's retrenchment that specifies an exit date and
- register with a Provider no later than six months after their partner's retrenchment exit date.

Evidence of retrenchment can include a retrenchment letter, certificate of separation or other documentation endorsed by their employer.

Participants do not need to have left work before receiving assistance, but they need to have been provided with evidence of retrenchment from an eligible company that includes their exit date.

Participants who access the program and find but then lose employment can regain access to the program within six months of their original retrenchment from an eligible company. The program will be closed to new participants from 30 June 2020.

If there were extenuating circumstances preventing the participant from registering within six months, Providers **should** contact their local Contract Manager to confirm their eligibility.

A partner and a retrenched worker will be considered to be in a relationship if they are legally married; in a registered relationship (whether of the same sex or a different sex); or in a de facto relationship (whether of the same sex or a different sex). Evidence of partnership and/or cohabitation can include at least one of the following:

- current evidence of living together (example: lease agreements, joint local authority registration under the same address, mortgage documents, council rate notices, utility bills)
- marriage certificate or evidence that the relationship has been declared to any relevant government bodies (example: Centrelink or the Australian Taxation Office)
- evidence of joint financial obligations (example: insurance policies, joint bank account statements).

Notes:

- A list of eligible companies/businesses will be available on the 'Adjustment Packages' page on the Provider Portal. If a company is not on this list and the Provider would like eligibility to be assessed, the Provider should contact their local Contract Manager to confirm eligibility
- Eligible companies/businesses include those companies/businesses that directly supply ASC Shipbuilding Pty Ltd.
- Participants eligible for the ASC Shipbuilding Structural Adjustment Programme cannot register for support under the Stronger Transitions program.

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## 4. Stream

Eligible participants will have immediate access to Stream B unless an ESAt indicates Stream C assistance is needed.

### Conducting Initial Interview and commencing the participant in Employment Provider Services

The Employment Provider must conduct an initial interview for all participants who are eligible for support under a SAP.

At the Initial Interview the Employment Provider must explain to the participant the services they will receive. This includes:

- explaining the specific Services that the Employment Provider will offer in accordance with their Service Delivery Plan
- explaining the assistance that the participant can receive under the relevant SAP
- providing access to the Service Guarantee and the Employment Provider's Service Delivery Plan
- identify the participant's strengths and any issues they may have finding a job
- preparing a Job Plan with the participant which sets out the voluntary activities that a participant agrees to undertake
- provide access to Self-help Facilities to enable the participant to undertake job search and prepare a résumé
- provide advice about the best ways to look for and find work

- provide advice on the labour market, including employer needs and skill shortage areas and
- provide access to suitable Vacancies and assistance to apply for jobs where required.

Participants who are eligible for support under a SAP are automatically commenced once the Employment Provider records attendance at the Initial Interview and they have an approved Job Plan.

Once the participant is commenced, the Employment Provider must deliver Employment Provider Services to the SAP participant as a Fully Eligible Participant in accordance with the Deed.

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## 5. Information technology requirements



**System Step:** Providers must apply the relevant Structural Adjustment Program Special Placement Indicator in the Special Client Type field to the record of any participant who is eligible for a SAP. There will be a Special Placement Indicator for ASC Shipbuilding Pty Ltd and supply chain workers and another for partners.



**System Step:** If the participant is referred from DHS, Providers must confirm the status of the participant's registration and attach the Special Placement Indicator.

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## 6. Servicing participants

SAP participants may be eligible for pre-retrenchment assistance. Employment Providers should check if SAP participants have accessed pre-retrenchment assistance to avoid duplication and ensure complementary servicing.

Employment Providers must continue to provide Services to the participant registered under a SAP until they Exit. Though these participants do not have Mutual Obligation Requirements, the Employment Provider is required to deliver Services to the participant as a Fully Eligible Participant with voluntary requirements in accordance with the participant's Job Plan, Stream of Service, the Deed, the Employment Provider's Service Delivery Plan and the tender response.

The provider must ensure that the participant is provided appropriate assistance to undertake activities to help them find and keep employment depending on the participant's individual circumstances, skills and the labour market. This may include monitoring the SAP participant's job search, placing them in appropriate activities such as training or Work for the Dole and monitoring their participation, holding Appointments with them to monitor their progress, or assisting them to access interventions to address any non-vocational barriers.

Although SAP participants do not have an Annual Activity Requirement, participants who are eligible for support under a SAP may be placed into Work for the Dole. This must be specified in the participant's Job Plan and agreed to by the Employment Provider.

Note: In placing participants into Activities, including Work for the Dole, the Employment Provider must give priority to Fully Eligible Participants (Mutual Obligation) over other participants (see clause 107 of the Deed).

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## 7. Payments

Participants who are eligible for support under a SAP will attract Payments and Employment Fund credits. This includes:

- an Administration Fee which is paid at the start of each six month Period of Service
- Outcome Payments payable where they commence in eligible Employment and meet the requirements for a 4 Week, 12 Week, or 26 Week Outcome and
- an Employment Fund credit (including an additional SAP credit—see below)

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## 8. Managing structural adjustment credits

Under ASC Shipbuilding SAP, the Employment Fund will be credited with a total of \$2000. This comprises:

- The usual Stream B credit will be made to the General Account upon the Stream Participant's initial Commencement in Stream B: \$850
- Additional Structural Adjustment Program (SAP) Employment Fund credits will also be made as a one-off credit to the General Account into a separate SAP fund: \$1150.

Notes:

- Additional SAP credits are only permitted to be used for participants identified as being eligible for additional support under any SAP
- The Department's IT Systems will display the balance of the additional SAP credits separately under the heading 'SAP Balance Remaining' for Providers to view. Providers are expected to manage their SAP balance
- If the Employment Services Assessment assesses the level of disadvantage and indicates a Stream C level of service then the Stream C credit of \$1200 will apply with the additional SAP Employment Fund credit of \$1150, if not already credited in respect of that Participant.

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## 9. Transferring of SAP Employment Fund credits

Credits can be transferred between a Provider's individual Sites, and when a SAP participant transfers to another Provider.

### Transferring Credits between Sites

A Provider can transfer Employment Fund credits between any of its Sites within or across any Employment Region unless:

- the Department has quarantined or reserved those credits for a particular purpose

or

- the Department has placed limits on or restricted a Provider's ability to transfer credits between its Sites.

### Transferring Credits to another Provider

When a SAP participant is transferred to a different Provider (with the exception of where the transfer related to maximum time with a Provider), the transfer of SAP credits will be negotiated between the relinquishing and receiving Providers, consistent with arrangements for the general Employment Fund pool.

When a SAP participant is automatically transferred to another Provider via Maximum Time Transfer, 50 per cent of the SAP credit that the participant received will be allocated to the gaining Provider automatically by the IT System, consistent with arrangements for the general Employment Fund pool.

The SAP fund will not be allowed to go into the negative:

- If the SAP fund is less than 50 per cent of the credit for the transferring participant, then the remainder will be transferred with the participant

If multiple SAP participants are transferring at the same time and the remaining SAP funds are less than the sum of 50 per cent of the original SAP credits for each participant transferring, then the remaining funds will be distributed evenly between the transferring participants.

For more information on transfers due to a participant reaching their maximum time with a Provider, refer to the [Maximum Time Transfers Guideline](#) and the [Transfers Guideline](#).

### Transferring Credits due to Site Closure or Reduction of Business Share

The Department may restrict a Provider from transferring SAP credits between its Sites when a Site is being closed or the Business Share of that Site is being reduced and SAP participants are being transferred to another Provider.

The Department will determine the total amount of SAP credits to be transferred from the reduced or closed Site to the gaining Provider's Site.

For more information on transfers, refer to the [Transfers Guideline](#).

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## 10. Further information

Providers who have any questions about the program should contact their local Contract Manager or email [industryadjustment@jobs.gov.au](mailto:industryadjustment@jobs.gov.au).

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## Summary of required Documentary Evidence

Evidence of retrenchment can include a retrenchment letter, certificate of separation or other documentation endorsed by their employer. Participants do not need to have left work before receiving assistance, but they need to have been provided with evidence of retrenchment from an eligible company that includes their exit date.

A partner and a retrenched worker will be considered to be in a relationship if they are legally married; in a registered relationship (whether of the same sex or a different sex); or in a de facto relationship (whether of the same sex or a different sex). Evidence of partnership and/or cohabitation can include at least one of the following:



**Documentary evidence:** current evidence of living together (example: lease agreements, joint local authority registration under the same address, mortgage documents, council rate notices, utility bills)



**Documentary evidence:** marriage certificate or evidence that the relationship has been declared to any relevant government bodies (example: Centrelink or the Australian Taxation Office)



**Documentary evidence:** evidence of joint financial obligations (example: insurance policies, joint bank account statements).

All capitalised terms in this guideline have the same meaning as in the jobactive Deed 2015–2020 (the Deed).

This Guideline is not a stand-alone document and does not contain the entirety of Employment Services Providers' obligations. It must be read in conjunction with the Deed and any relevant Guidelines or reference material issued by Department of Jobs and Small Business under or in connection with the Deed.