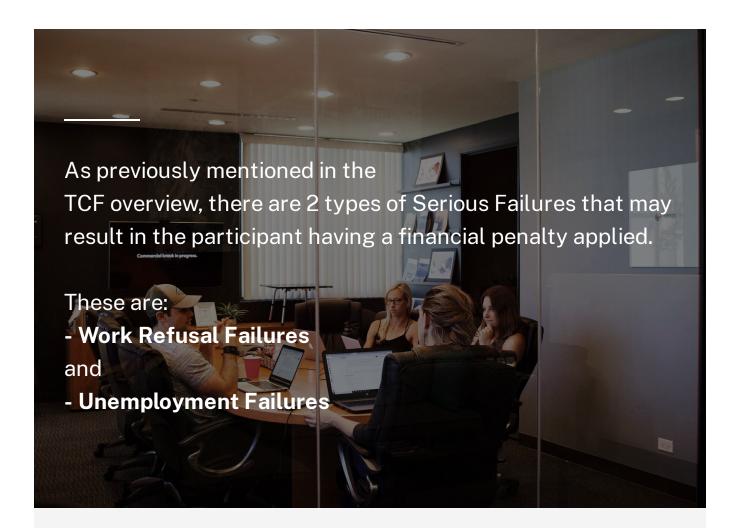
Workforce Australia_Module 6: Serious Failures



MODULE 6 Introduction CHAPTER 6A Work Refusal Failures Quiz 1 - Multiple choice Quiz 2 - Scenarios Chapter conclusion CHAPTER 6B Unemployment Failures

=	Module conclusion				
CONCLUSION					
=	Chapter conclusion				
?	Quiz 4 - Scenarios				

Introduction



To receive an income support payment, participants are expected to accept any offer of suitable paid work.

Where a participant gains paid employment, the expectation

is that they will remain in the workforce.

There are serious financial consequences for:

- refusing a job
- failing to commence a job
- voluntarily leaving a suitable job
- being dismissed from a job due to misconduct.

The lessons in this chapter discuss Work Refusal Failures and Unemployment Failures, including:

- How to assess if a participant has committed a Work Refusal Failure or an Unemployment Failure
- 2 How you report them
- What Services Australia do when they receive a Work Refusal Failure Report or Unemployment Failure Report that you have reported
- The penalties for these Serious Failures.
 - (i) All Work Refusal Failures and Unemployment Failures you report are investigated by Services Australia, as only Services Australia have the power to apply financial

penalties.		

CONTINUE

Work Refusal Failures

At the end of this chapter you will be able to:

- 1 Describe a Work Refusal Failure
- 2 Identify when you must report a Work Refusal Failure
- 3 Assess whether a participant has committed a Work Refusal Failure
- 4 Report a Work Refusal Failure

What is a Work Refusal Failure?



A Work Refusal Failure is a Serious Failure

It means the participant has:

- refused or failed to accept an offer of suitable employment, or
- failed to commence work on the agreed start date

without a Reasonable Excuse.

When you become aware that a participant may have committed a Work Refusal Failure, you must report it by submitting a Work Refusal Failure Report in the IT system. It doesn't matter what TCF zone the participant is in.

The things you must consider before you report a Work Refusal Failure are:

Was the participant offered the job?

You must must be sure that a job was actually offered to the participant.

Participants can only commit a Work Refusal Failure if they:

- were offered a job that they turned down, or
- accepted a job, but didn't start on the agreed start date.

I understand (Click to continue)

Was it suitable work?

Was it suitable work?

You must be sure that:

- 1. The participant could travel to the workplace within appropriate timeframes, which are:
- 60 minutes one way for Principal Carer Parents and participants with a Partial Capacity to Work
- 90 minutes one way for all other participants
- 1. The job type, and the pay and conditions were appropriate and met the standards required by law
- 2. If the participant is a Principal Carer Parent or has a partial capacity to work that the job did not exceed 15 hours per week
- 3. They had the required capacity for the job
- 4. They would be financially better off by taking up the job (as per financial suitability test)

I understand (Click to continue)

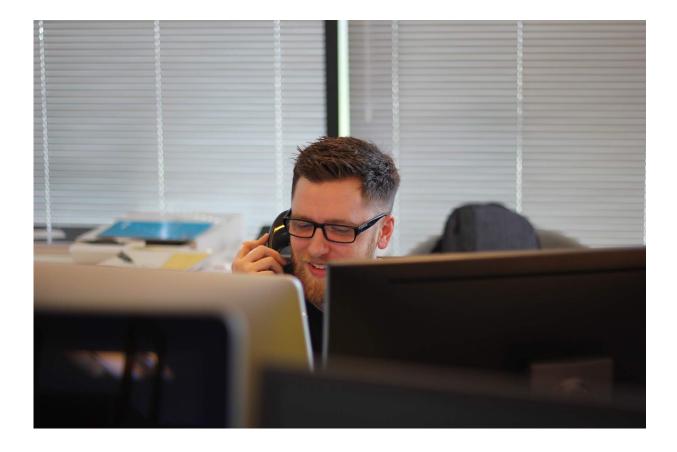
For information on suitable work, refer to the following resources:

• **Social Security Guide** - guides.dss.gov.au/guide-social-security-law - search for 'suitable work'

• Suitable Work Fact Sheet - TCF Learning Centre page / Supporting Materials section

Contacting the participant

As for most non-compliance, when you become aware that a participant may have committed a Work Refusal Failure, you must attempt to contact the participant the same day you become aware to discuss Valid Reason with them.



If they have a Valid Reason:

You don't need to do anything further here

If they do not have a Valid Reason:

Then you have assessed that they have committed a Work Refusal Failure.

You must:

• Create a Work Refusal Failure Report in the IT system, including recording the reason they gave that you do not accept.

When you submit the report, the IT system will send it to Services Australia.

• Advise the participant that they need to discuss the Work Refusal Failure with Services Australia the next time they report.

You don't need to do anything further here

Just like for a failure to attend, say, a Compulsory Appointment with you, if your attempt to contact the participant was not successful, you record the non-compliance in the IT system and that you are not in contact with them.

For a Work Refusal Failure, you create the Work Refusal Failure Report in the IT system, including recording that you are not in contact with the participant.

Just like for other non-compliance, when you create the report, the participant will be notified that they must take action.

As you know, they must contact you within 2 business days to avoid their payment being put on hold.

If the participant contacts you, during the discussion you assess if they have a Valid Reason.

If they have a Valid Reason: __

Then you have assessed that they have not committed a Work Refusal Failure.

Record the reason the participant gave and that you accepted as valid in the IT system.

Doing this means:

- If they are within Resolution Time, the participant has avoided payment suspension.
- If Resolution Time has passed, their payment has been restored.

The IT system will finalise the Work Refusal Failure Report.

You don't need to do anything further here

If they do not have a Valid Reason:

Then you have assessed that they have committed a Work Refusal Failure.

Update the Work Refusal Failure Report by recording the reason the participant gave and that you did not accept as valid in the IT system.

As the participant's re-engagement requirement was to contact you, doing this means:

- If they are within Resolution Time, the participant has avoided payment suspension
- If Resolution Time has passed, their payment has been restored.

When you submit the updated report, the IT system will send it to Services Australia.

Advise the participant that they need to discuss it with Services Australia the next time they report.

You don't need to do anything further here

Important information about submitting a Work Refusal Failure Report

You must **create and finalise** a Work Refusal Failure Report in the IT system within **10 business days** of the incident date.

It's crucial that you record the correct incident date.

Services Australia will reject the report if the incident date is incorrect.



I understand (Click to continue)

The incident date is:



For failure to accept a job offer, the incident date is the date the participant is deemed to have failed to accept the job offer



For example, if on Monday 11 July they were offered a job and they do not accept the offer, the incident date is Monday 11 July.

As another example, if on Monday 11 July the participant is offered a job and told they must accept it by Friday 15 July and they do not accept the offer, the incident date is Friday 15 July.

For refusal of a job offer, the incident date is the date they refused the job offer



For example, if they were offered a job on Monday 11 July and refused that offer on the same day, the incident date is Monday 11 July.

For failure to commence a job, the incident date is the agreed start date



For example, if they accepted a job offer and agreed to start Monday 11 July, but did not commence work on that date, the incident date is Monday 11 July.

I understand (Click to continue)

Services Australia investigation of Work Refusal Failures

Services Australia is notified when you submit a Work Refusal Failure Report.

Services Australia will discuss the failure with the participant when they next report to determine if they have a 'Reasonable Excuse'.

A Reasonable Excuse is the same as a Valid Reason, but is a legislated term.

If the participant:

Services Australia will cancel their payment They will not receive any income support payments for 4 weeks. This is called a preclusion period Prior to receiving employment services again, they must re-apply for income support payment from Services Australia HAS NO REASONABLE EXCUSE HAS A REASONABLE EXCUSE

- Services Australia will reject the Work Refusal Failure Report
- The participant's payment won't be cancelled and they won't have to serve a preclusion period

• You will be advised via a message on the home dashboard in the IT system of any rejected reports

(1) IMPORTANT INFORMATION:

Services Australia will reject reports you submit that don't meet the definition of a

Work Refusal Failure, including:

- · when a participant was never offered a job
- for a participant's failure to attend or behave appropriately at a Job Interview
- for a participant's failure to apply for a job or provide details to an employer.

You will be advised via a message on the home dashboard in the IT system of any rejected reports.

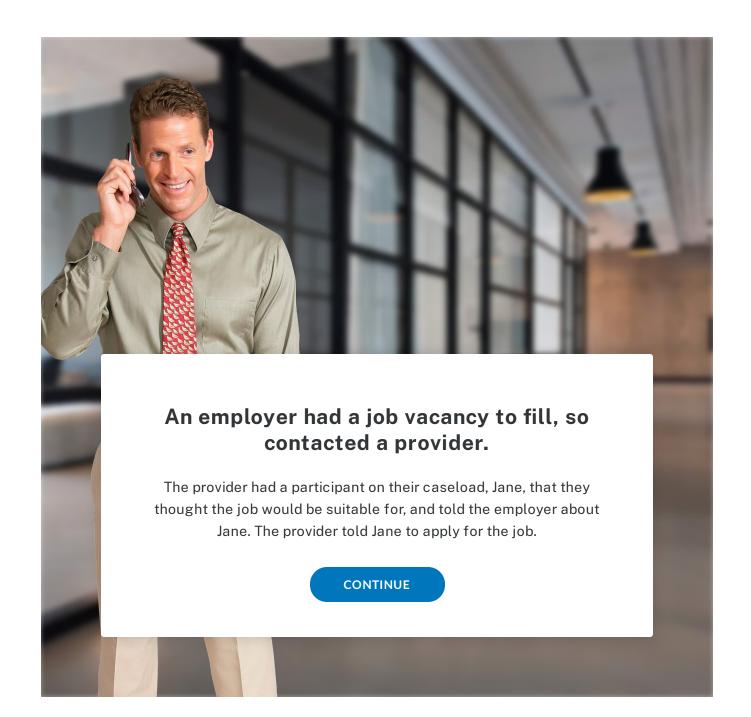
I understand (Click to continue)

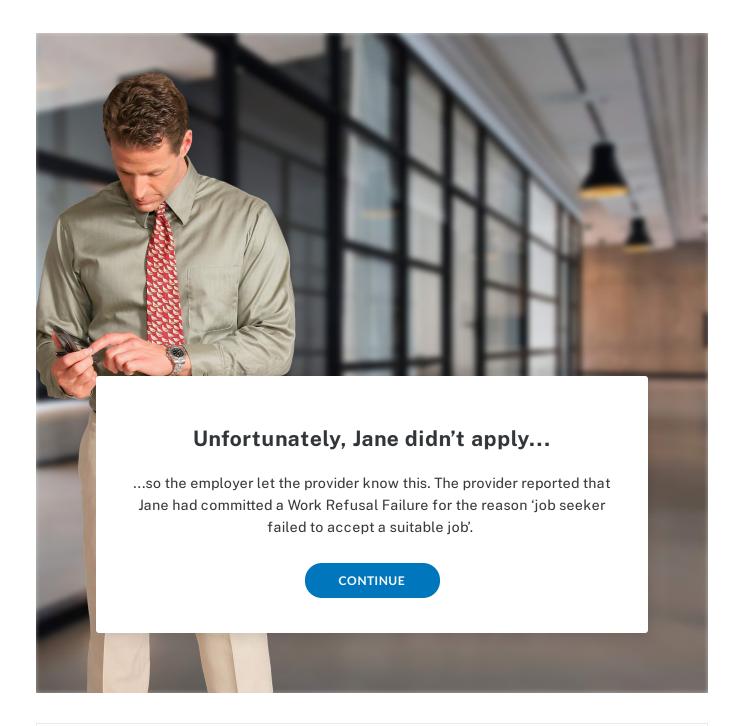
Case Studies

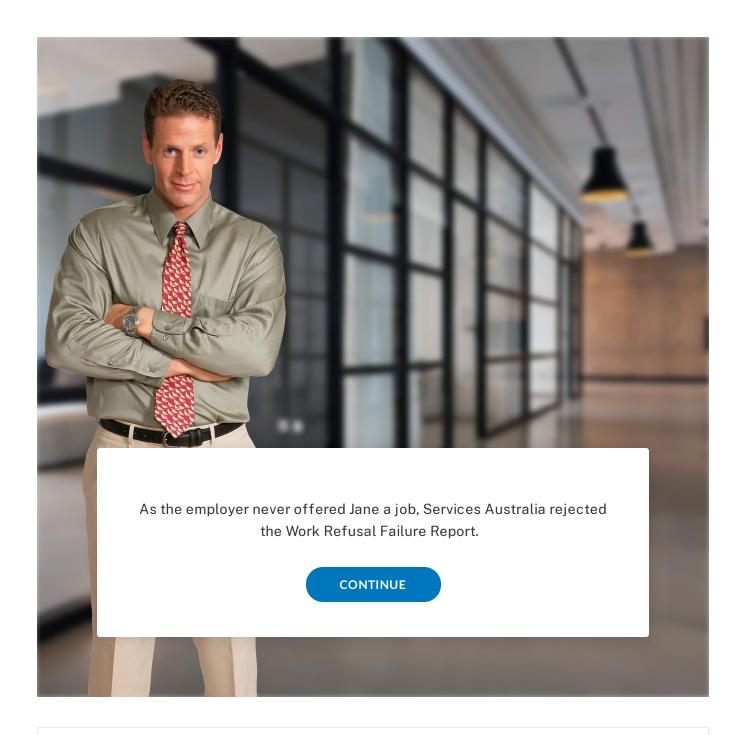
To help you better understand Work Refusal Failures, we'll now look at some

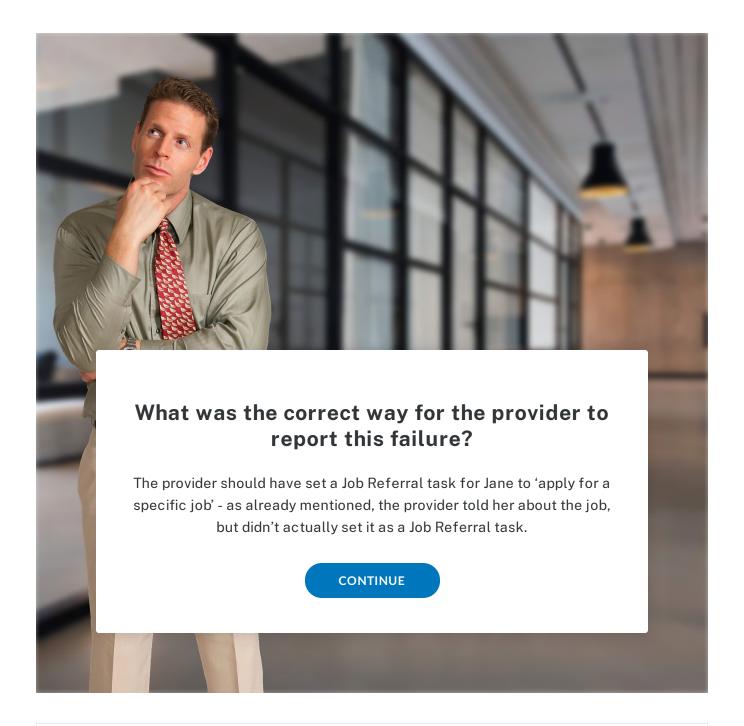
case studies that demonstrate **how Work Refusal Failures were inappropriately reported** and therefore rejected by Services Australia.

Case Study 1

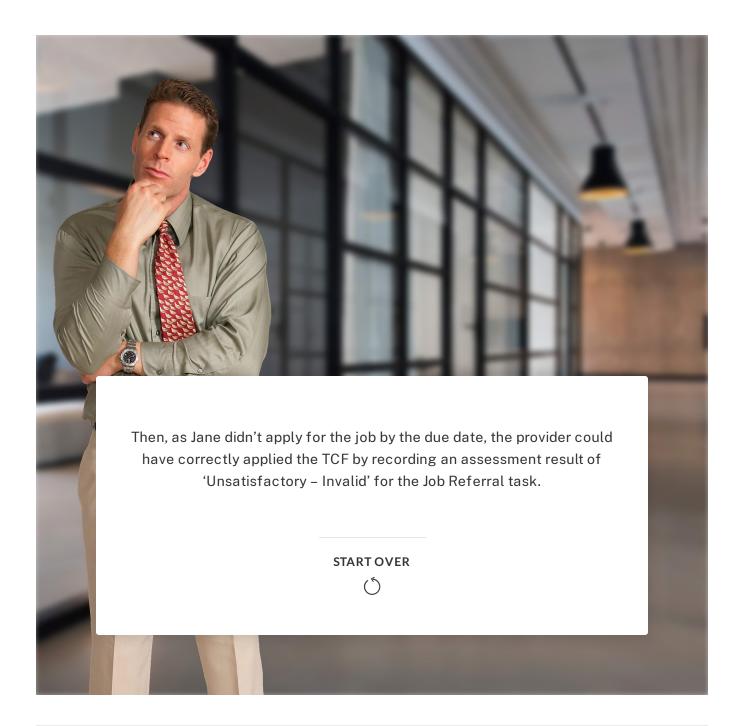






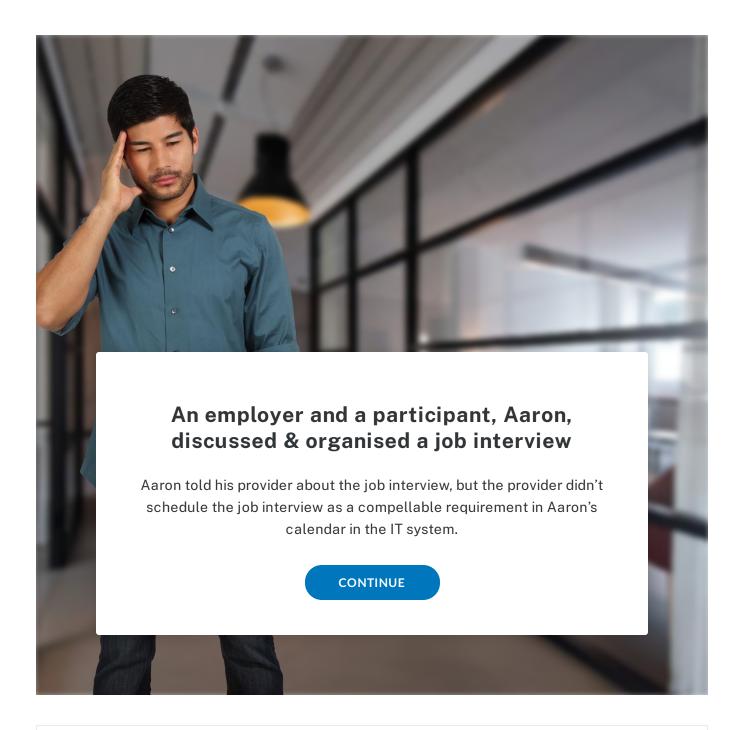


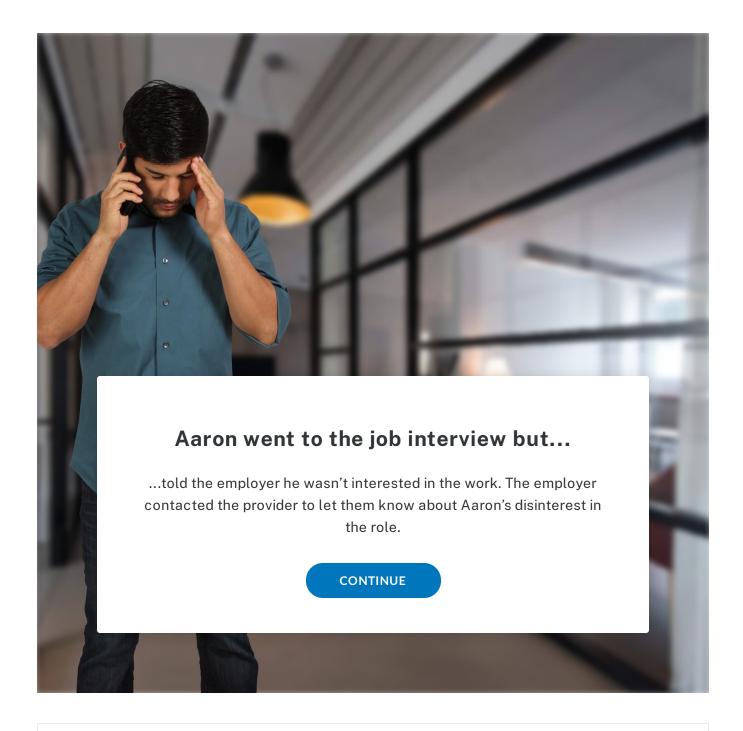
Continue → Scene 1 Slide 5

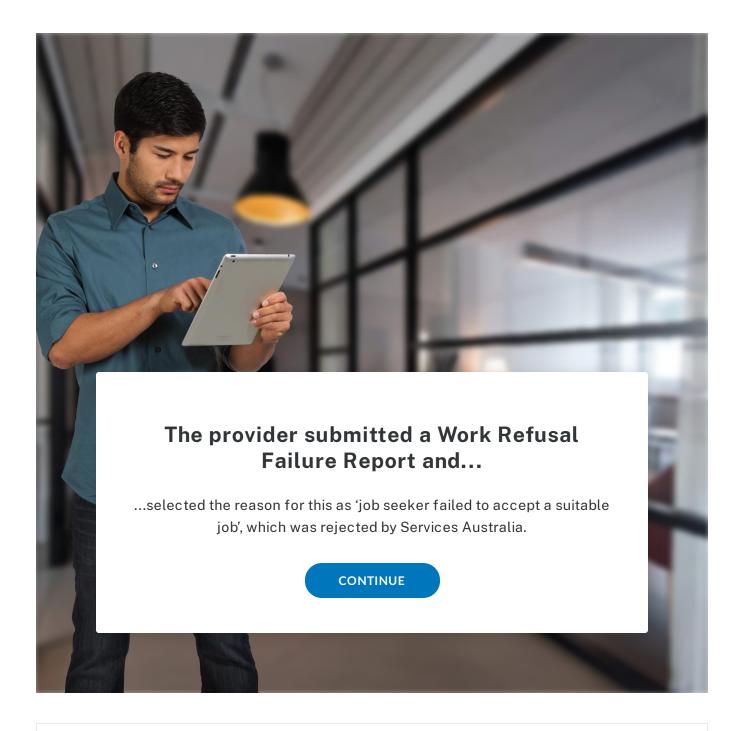


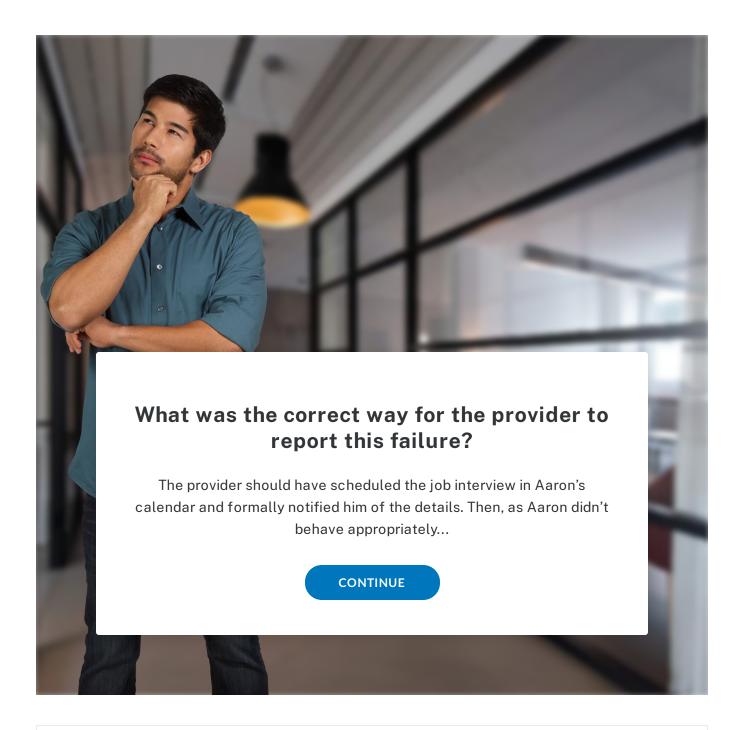
Continue \rightarrow End of Scenario

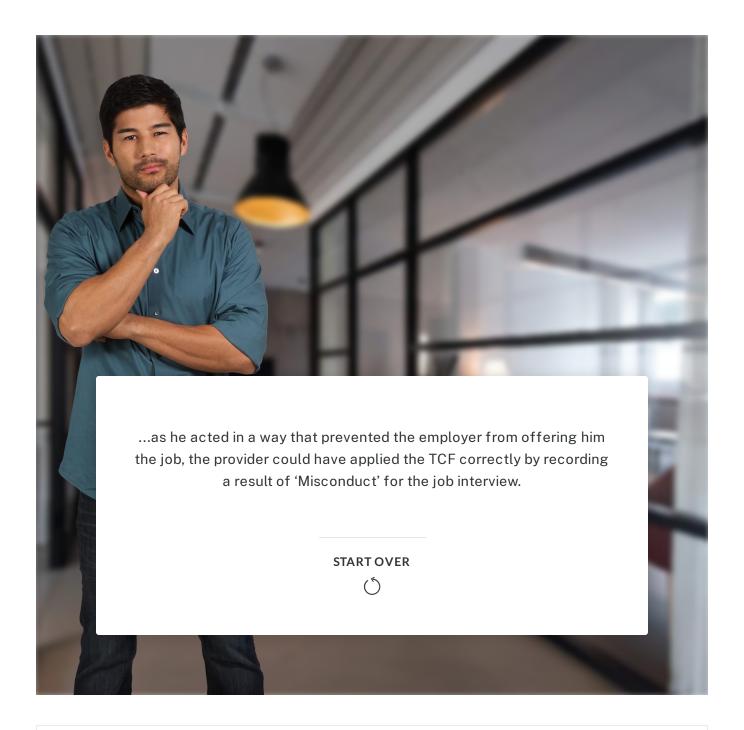
Case Study 2





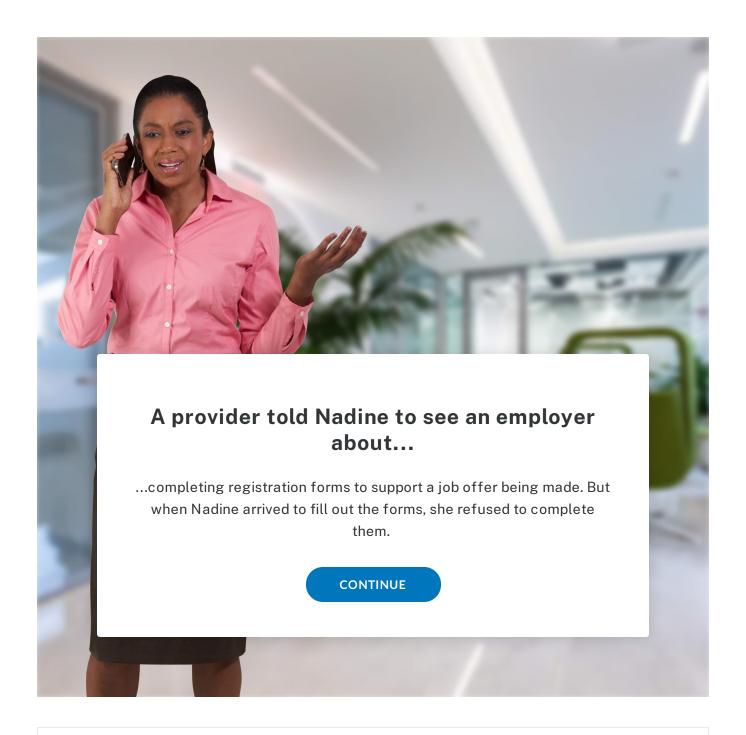


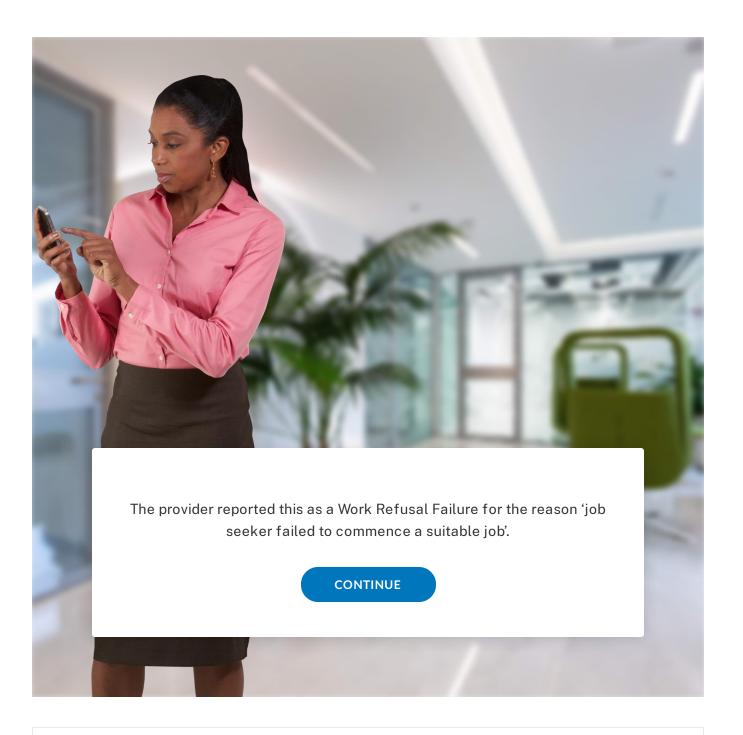


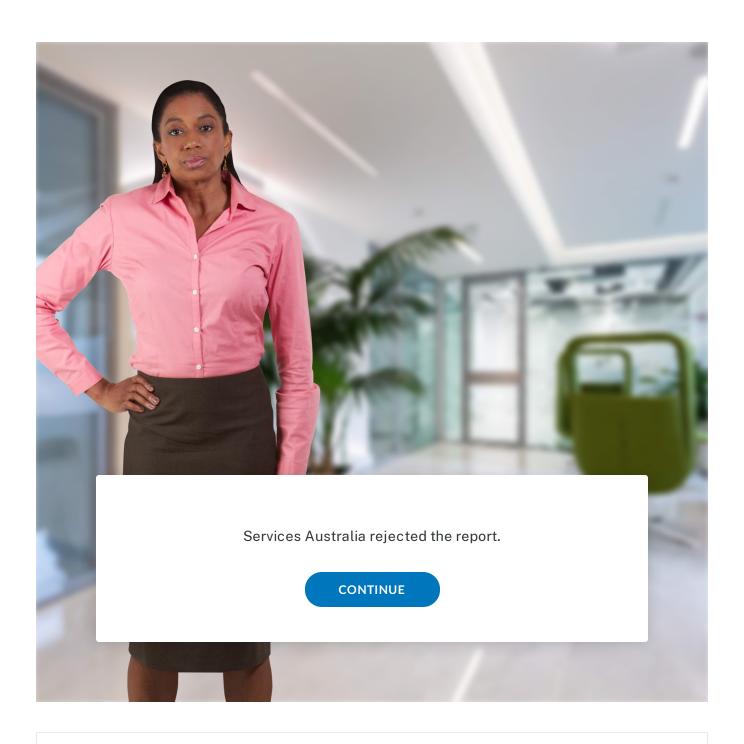


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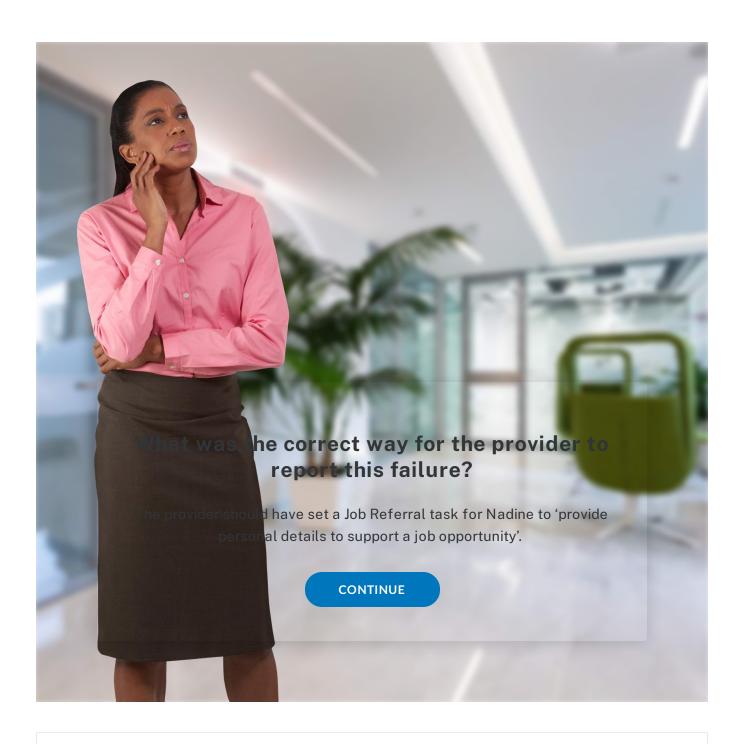
Case Study 3

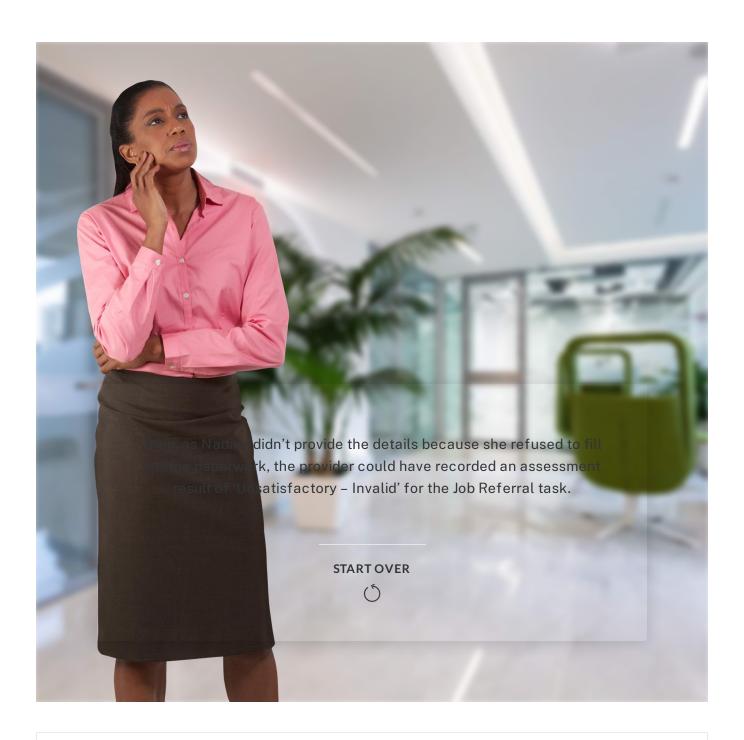






Continue → Next Slide





Continue \rightarrow End of Scenario

There's a great resource available that will assist you to determine if a

Work Refusal Failure may have occurred. This resource is "What type of failure is it? Job opportunities workflow map" and you can find it in the Supporting Materials section on the Targeted Compliance Framework Learning Centre page.

i Did you know?

The department monitors Work Refusal Failure Reports rejected by Services Australia for administrative errors.

When you submit a Work Refusal Failure Report that doesn't meet the definition of

a Work Refusal Failure, approximately 30 minutes of time has been wasted: 15 minutes of your time creating the Work Refusal Failure Report, and 15 minutes of time for Services Australia to investigate the report.

Taking a few extra minutes to ensure the report is correct - and being correctly submitted - will save you a lot of time in the long run.

Got it! Click to continue to the Quiz

Quiz 1 - Multiple choice

There are 2 questions. When you obtain 100% please click the continue button.

Question

01/02

Work Refusal Failures can only be reported when a participant:			
(select m	ultiple correct answers)		
	refuses or does not accept an offer of suitable employment		
	fails to behave appropriately at a Job Interview		
	accepts an offer of suitable employment, but does not commence work on the agreed start date		
	fails to apply for a specific job		

Question

02/02

True or False? A Work Refusal Failure Report must be created and finalised in the IT				
system within 10 business days of the incident date				
	True			
	False			

Quiz 2 - Scenarios

There are 2 Quiz scenario questions. When you obtain 100% please click the continue button.

Question

01/02

A participant, Jeff, attended a job interview on Wednesday 10 August with a potential employer that his provider scheduled for him during his Compulsory Appointment last week.

The job Jeff interviewed for was a retail position at his local supermarket, who paid award wages and would provide 2 weeks' training to the successful candidate.

Jeff has previous retail experience and had practised his interviewing technique, so Jeff did well at the interview. As the interview ended, the employer told Jeff that he had several positions open but as they were still interviewing today and tomorrow, he would be able to let Jeff know about the job on Friday.

The following Monday, the employer contacted Jeff's provider to advise that Jeff is not picking up his phone. The provider attempts to contact Jeff, but he doesn't pick up. The provider leaves Jeff a message to call them back, creates a Work Refusal Failure Report in the IT system with an incident date of Friday 12 August, and records that they are not in contact with Jeff.

When Jeff is notified he must take action, he contacts his provider to discuss the failure. Jeff explains that he ran out of phone credit on Thursday. The provider does not accept this reason, so records this in the IT system and tells Jeff he will need to speak to Services Australia about his failure to accept a suitable job.

Did the provider report the failure correctly?				
	Yes			
\bigcirc	No			

Question

02/02

At her provider's direction, Amelia submitted a job application online for a night-time shelf packing job at a major supermarket. She recorded this application to contribute towards her monthly Points Target and the provider assessed the application was satisfactory.

On Friday 9 September, just after her Points Reporting Period ended, the supermarket contacted her to tell her she was successful and they would immediately email her the details of her roster, with her first paid shift scheduled for Wednesday 14 September.

Amelia responded back to the email to thank the employer for the opportunity and said she looked forward to her first shift on Wednesday.

But on Thursday, the provider is in contact with the supermarket's HR about some upcoming cashier positions, and the lady the provider is speaking with advises that Amelia did not arrive for her shift last night.

The provider attempts to contact Amelia and is successful. Amelia tells the provider that she woke up feeling unwell on Wednesday so didn't go to her shift but has emailed the supermarket to advise them she would be there for her next scheduled shift on Friday 16 September.

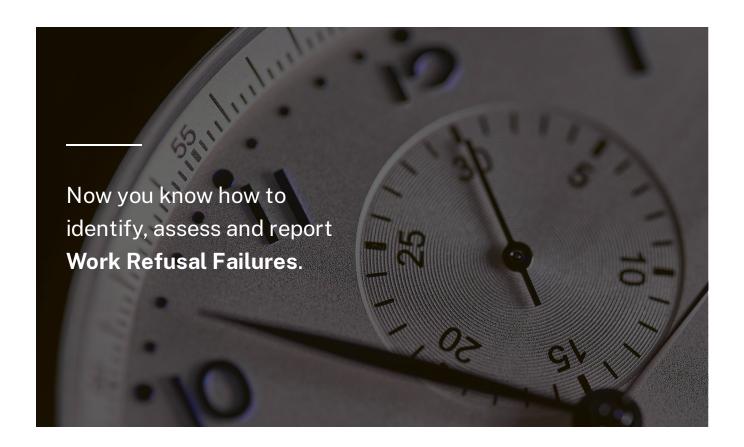
The provider does not accept this reason, so creates a Work Refusal Failure Report in the IT system with an incident date of 14 September and tells Amelia she will need to

Did the provider report the failure correctly?			
	Yes		

speak to Services Australia about her failure to commence a suitable job.

No

Chapter conclusion



In the next chapter, you will learn about

Unemployment Failures.

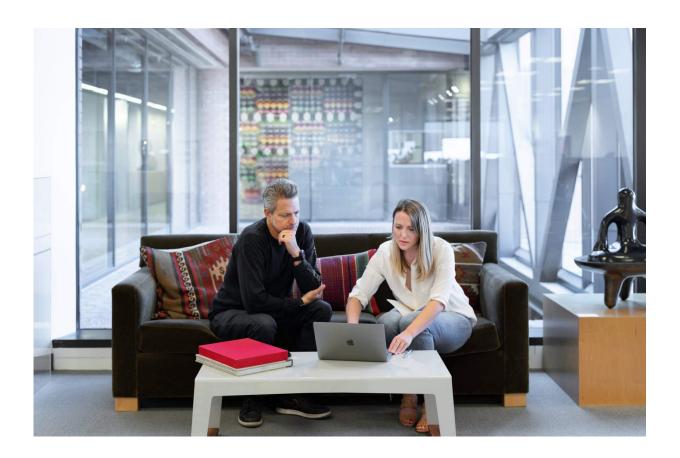
CONTINUE

Unemployment Failures

Learning Outcome

At the end of this chapter you will be able to:

- 1 Describe an Unemployment Failure
- 2 Identify when you must report an Unemployment Failure
- 3 Assess whether a participant has committed an Unemployment Failure
- 4 Report an Unemployment Failure



An **Unemployment Failure** is a Serious Failure.

It means the participant has:

been dismissed from a suitable job due to misconduct, or voluntarily left a suitable job

without a Reasonable Excuse.

When you become aware that a participant may have committed an Unemployment Failure,

you must report it by submitting an Unemployment Failure Report.

As for Work Refusal Failures, it doesn't matter what zone the participant is in.

The things you must consider before you report an Unemployment Failure:

Did the participant start the job?

You must be certain that the participant started the job, even if it was only for half an hour.

Participants can only commit an Unemployment Failure if they:

were dismissed from a suitable job due to misconduct, or voluntarily left a suitable job

I understand

Was it suitable work?

Was it suitable work?

You must be certain that:

the participant could travel to the workplace within appropriate timeframes, which are:

60 minutes one way for Principal Carer Parents and participants with a Partial Capacity to Work

90 minutes one way for all other participants.

the job type, pay and conditions were appropriate and met the standards required by law

If the participant is a Principal Carer Parent or has a partial capacity to work, that the job did not exceed 15 hours per week

they had the required capacity for the job

they were financially better off (as per the financial suitability test)

I understand

For information on suitable work, refer to the following resources:

As for most non-compliance, when you become

aware that a participant may have committed an Unemployment Failure, you must attempt to contact

the participant the same day you become aware to discuss Valid Reason with them

If they have a Valid Reason:

If they do not have a Valid Reason

If they have a Valid Reason:	If they do not have a Valid Reason	
Then you have assessed that they have not committed an Unemployment Failure. You don't need to do anything	Then you have assessed that they have committed an Unemployment Failure. You must:	
further here	Create an Unemployment Failure Report in the IT system, including recording the reason they gave that you do not accept. When you submit the report, the IT system will send it to Services Australia. Advise the participant that they need to discuss the Unemployment Failure with Services Australia the next time they report.	
	You don't need to do anything further here	

As for other non-compliance, if your attempt to contact the participant was not successful, you must create an Unemployment Failure Report in the IT system, including recording that you are not in contact with the participant.

Reporting an Unemployment Failure Report does not suspend the participant's payment.

So, to prompt the participant to discuss the apparent Unemployment Failure, you should schedule a Compulsory Appointment for them to attend within the next 10 business days.

If they:

- attend the appointment, then you discuss the apparent
 Unemployment Failure and Valid Reason at that appointment.
- do not attend the appointment, you manage the non-attendance as you normally would. Once contact is made to discuss their nonattendance at the Compulsory Appointment, you must also discuss the apparent Unemployment Failure and Valid Reason in the same conversation.

If they have a Valid Reason:

Then you have assessed that they have not committed an Unemployment Failure.

Record the reason the participant gave and that you accepted as valid in the IT system.

The IT system will finalise the Unemployment Failure Report.

You don't need to do anything further here

If they do not have a Valid Reason:

Then you have assessed that **they have committed an Unemployment Failure**.

Update the Unemployment Failure Report by recording the reason the participant gave and that you did not accept as valid in the IT system.

When you submit the updated report, the IT system will send it to Services Australia.

Advise the participant that they need to discuss it with Services Australia the next time they report.

You don't need to do anything further here

Important information about submitting an Unemployment Failure Report

You **must create and finalise** an Unemployment Failure Report in the IT system within **20 business days** of the incident date.

It's crucial that you record the correct incident date.

Services Australia will reject the report if the incident date is incorrect.

If the participant was dismissed from a job for misconduct - the incident date is the first full day they were unemployed, not the date they were dismissed.

For example, if they were dismissed on Wednesday 10 July, the incident date is Thursday 11 July - the first full day they are unemployed.

If the participant voluntarily left a suitable job - the incident date is the first full day they were unemployed, not the date they left.

For example, if they left on Wednesday 10 July, the incident date is Thursday 11 July - the first full day they are unemployed.

I understand (Click to continue)

Services Australia investigation of Unemployment Failure Reports

Services Australia is notified when you submit an Unemployment Failure Report.

Services Australia will discuss the failure with the participant when they next report to determine if they have a 'Reasonable Excuse'.

A Reasonable Excuse is the same as a Valid Reason, but is a legislated term.



If the participant:

Does not have a Reasonable Excuse

Has a Reasonable Excuse

Does not have a Reasonable Excuse

Has a Reasonable Excuse

Services Australia will cancel their payment

They will not receive any income support payments for 4 weeks.

This is called a preclusion period

Prior to receiving
employment services again,
they must re-apply for
income support payment
from Services Australia

Services Australia will **reject the Unemployment Failure Report**

The participants payment won't be cancelled, and they won't have to serve a preclusion period

You will be advised via a message on the home dashboard in the IT system of any rejected reports

(1) IMPORTANT INFORMATION:

Services Australia will reject reports you submit that don't meet the definition of an Unemployment Failure, including:

when a participant was never offered a job

when a participant never started the job

when a participant failed to accept or commence a job they were offered

for a participant's failure to attend or behave appropriately at a Job Interview

for a participant's failure to apply for a job or provider details to an employer.

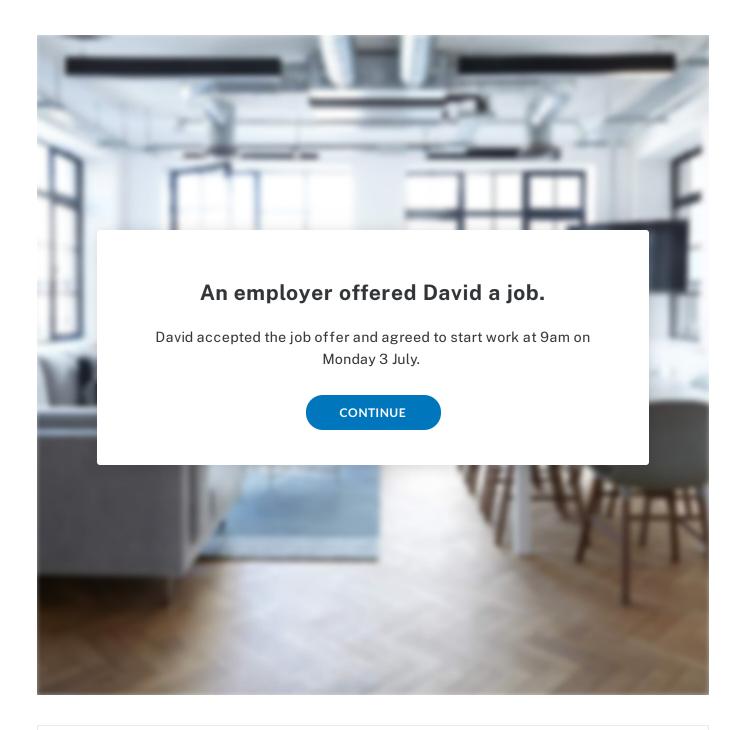
You will be advised via a message on the home dashboard in the IT system of any rejected reports.

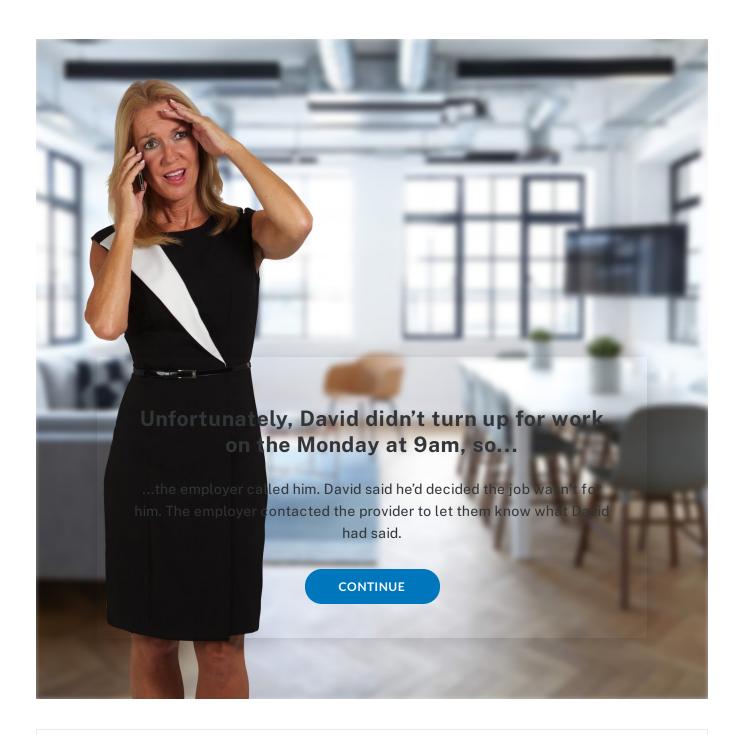
I understand (Click to continue)

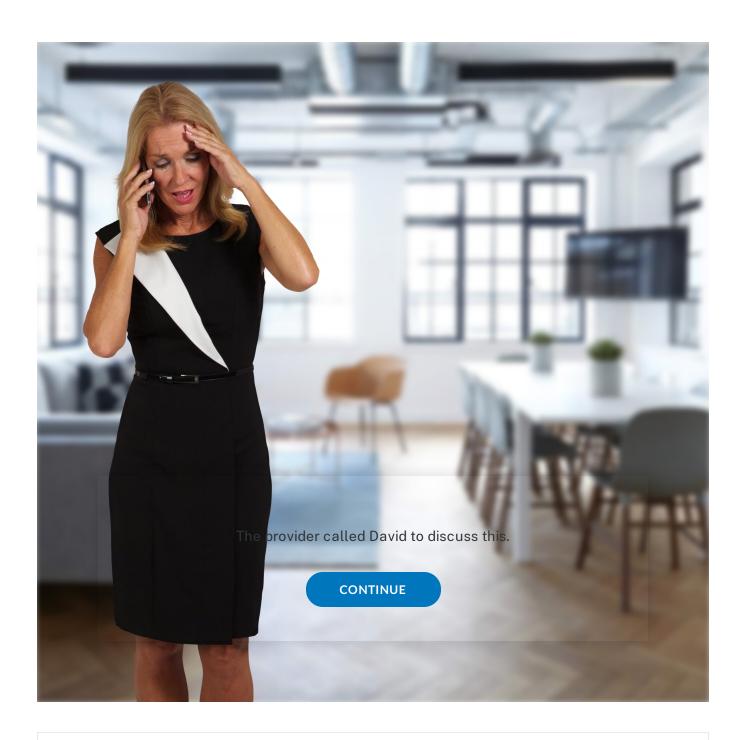
Case Studies

To help you better understand Unemployment Failures, we'll now look at some case studies that demonstrate how **Unemployment Failures were inappropriately reported** and therefore rejected by Services Australia.

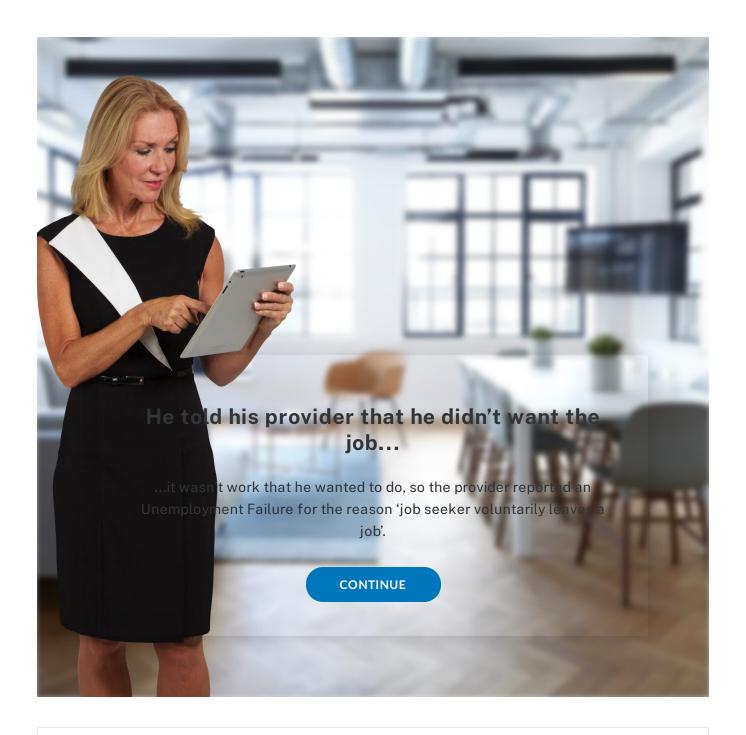
Case Study 1

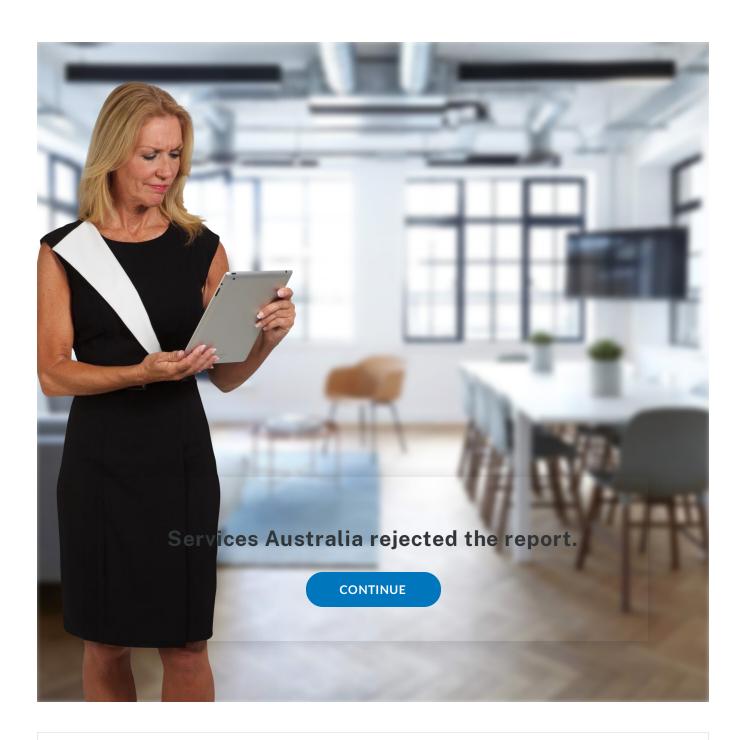


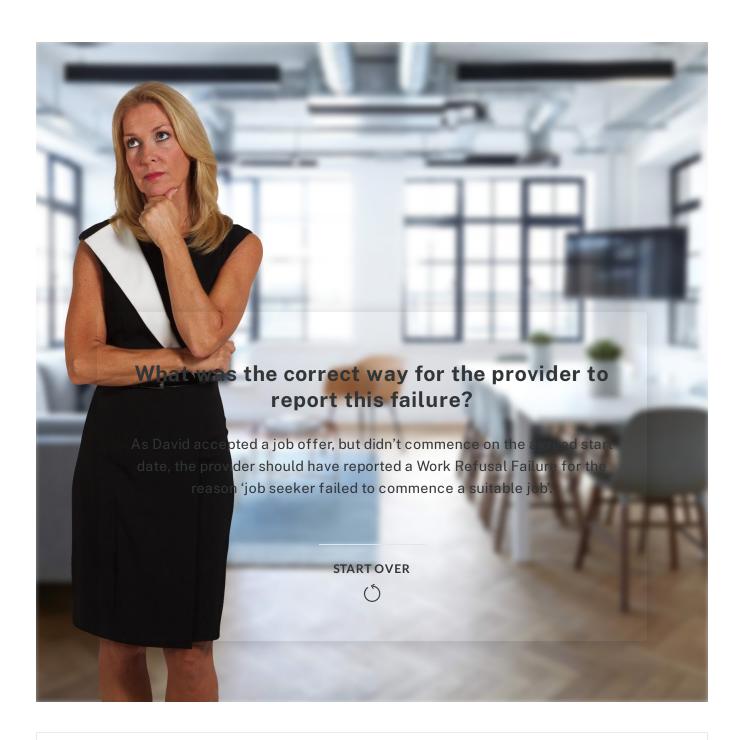




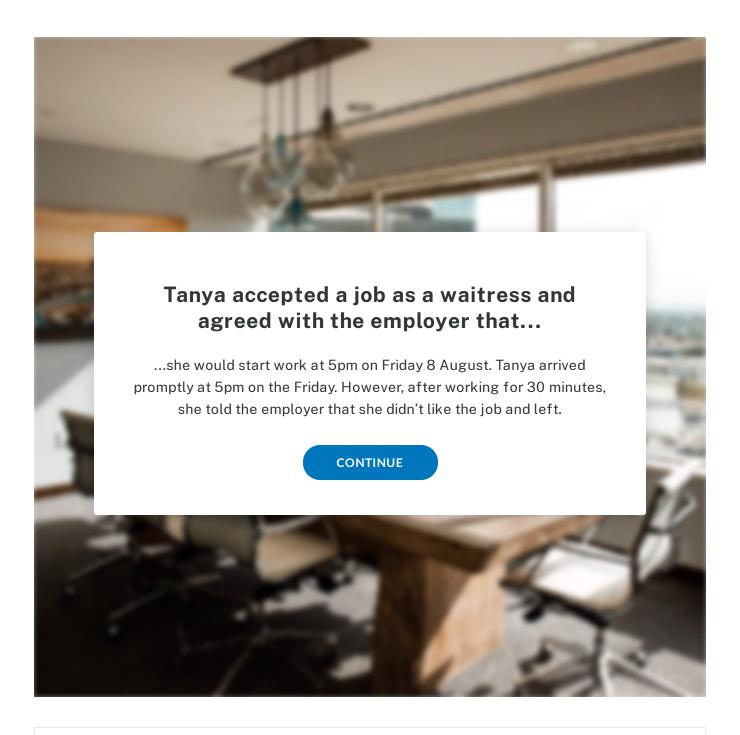
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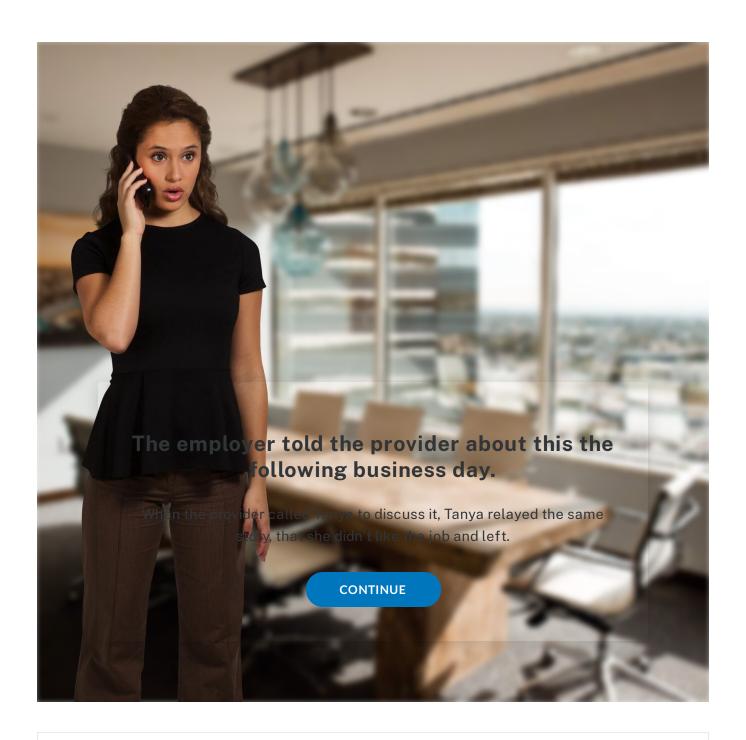


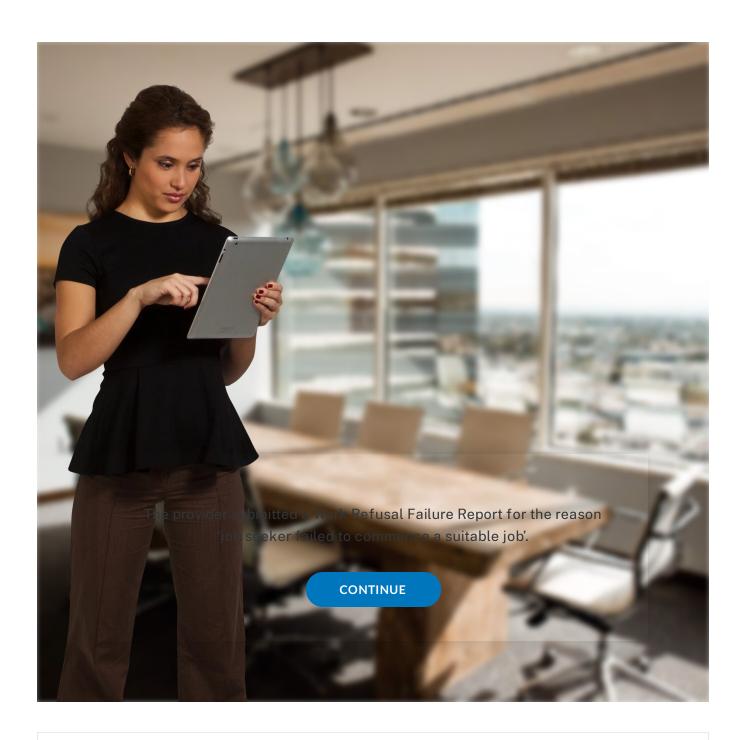




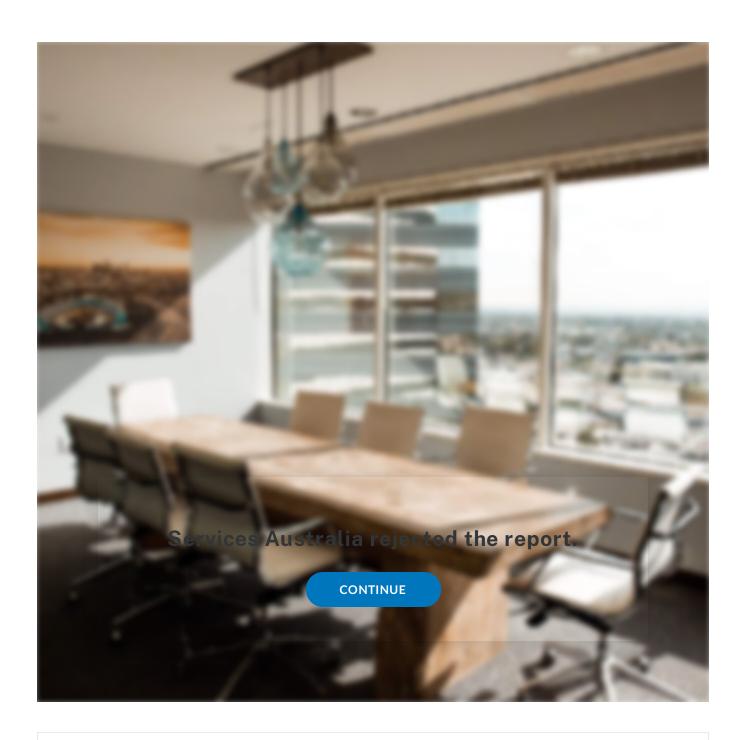
Continue → End of Scenario



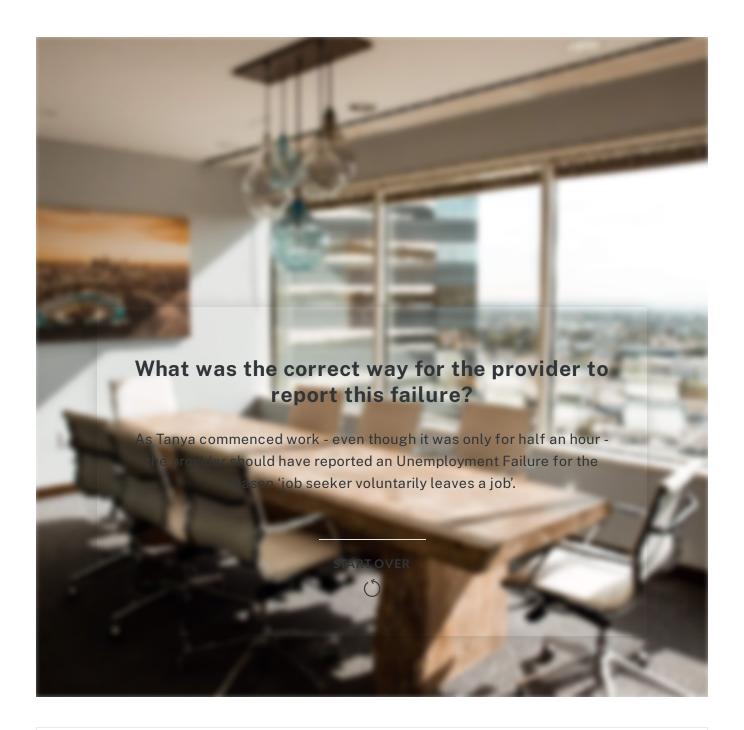




Scene 1 Slide 3



Continue → Next Slide



Continue → End of Scenario

There's a great resource available that will assist you to determine if an Unemployment Failure may have occurred.

This resource is "What type of failure is it? Job opportunities workflow map"

and you can find it in the Supporting Materials section on the Targeted Compliance Framework Learning Centre page.

Got it! Click to continue to the Quiz

Quiz 3 - Multiple choice

There are 3 questions. When you obtain 100% please click the continue button.

01/03

Unemployment Failures can only be reported when a participant:					
(select multiple correct answers)					
	refuses or does not accept a job offer				
	is dismissed from a suitable job due to misconduct				
	accepts an offer of suitable employment, but does not commence on the agreed start date				
	voluntarily leaves a suitable job				

02/03

An Unemployment Failure Report must be created and finalised in the IT system within 20 business days of the incident date						
	True					
\bigcirc	False					

03/03

What is th	ne correct incident date you must record in an Unemployment Failure
	The date the participant commenced in the job
	The date the participant was dismissed from the job because of misconduct
	The first full day the participant was unemployed

Quiz 4 - Scenarios

There are 2 Quiz scenario questions. When you obtain 100% please click the continue button.

01/02

Scenario 1:

Karla was successful in securing a cashier position at a service station and has been working there for the last 2 weeks. She doesn't mind the work, but she doesn't enjoy getting up for her 6am shift.

On Wednesday 21 September, her supervisor calls the service station to talk to Karla about delays to an expected delivery today, but Karla does not pick up.

When her supervisor arrives at the service station later that morning, Karla admits she did not pick up because she took an unofficial tea break, leaving the station

unattended. Her supervisor gives her a warning for her behaviour and advises that any further breach of her duties will mean she will be dismissed.

But the following day, Karla clocks on an hour late for her shift because she overslept. Her supervisor contacts her as soon as she clocks on and dismisses her from the job. The employer contacts the provider to let them know.

Karla's provider contacts her and following a discussion with her, decides Karla does not have a Valid Reason. The provider creates the Unemployment Failure Report in the IT system with an incident date of 22 September, along with the reason Karla gave that they did not accept.

The provider tells Karla she will need to speak to Services Australia about being	g
dismissed from suitable work because of misconduct.	

Did the provider report the failure correctly?						
	Yes					
	No					

02/02

Scenario 2:

Ahmed secured a suitable job as a full-time road construction worker. He finished his induction and training and is now on a 3-month probationary period. He has been out on jobs repairing roads with his crew for about a month and his team supervisor is happy with Ahmed's work.

On Thursday 11 August, Ahmed is due at work at 8:00am. At 8:30am, Ahmed calls his team supervisor to tell him he is not coming in. He has found a part-time job at a café, which suits him perfectly as he has been trying to get into the hospitality industry. Ahmed's first shift starts at the café today at 9:30am. Ahmed thanks his team supervisor for the job opportunity and wishes him the best of luck.

When Ahmed's provider becomes aware of this, he attempts to contact Ahmed, but Ahmed does not pick up. The provider schedules Ahmed a compulsory appointment to attend on Thursday 25 August, and formally notifies him of the requirement by mail.

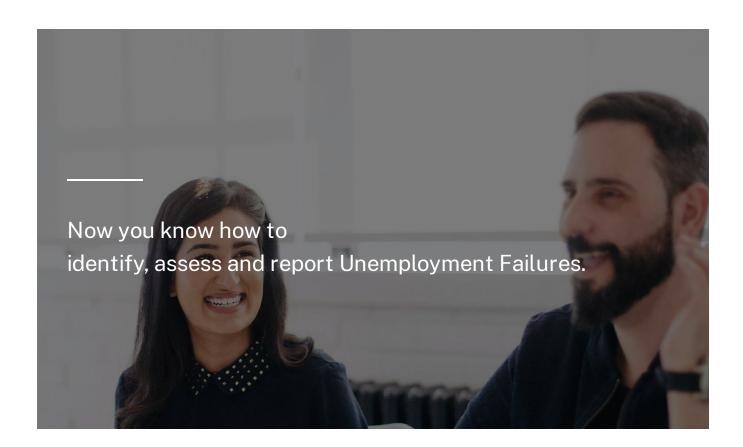
At the appointment, the provider discusses with Ahmed whether he had a Valid Reason for the Unemployment Failure. The provider does not accept the reason Ahmed gave, so created an Unemployment Failure Report in the IT system with an incident date of 11 August and recorded the reason Ahmed gave that they did not accept.

Did the provider report the failure correctly?

Yes

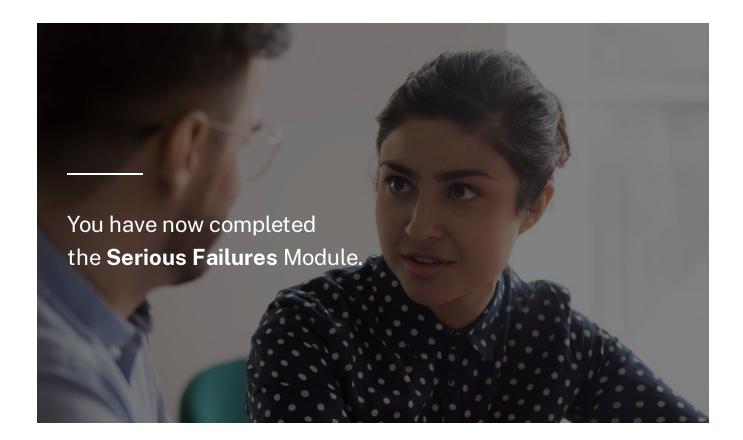
No

Chapter conclusion



CONTINUE

Module conclusion



Please navigate to the next

Module - Tools and Functionality to

Assist in Supporting Participants.

Exit the module

To confirm you have completed the module, click the Close button.

CLOSE