



TCF contract outworkers scheme

This factsheet provides general information about a special scheme of financial assistance for contract outworkers in the textile, clothing and footwear industry (TCF contract outworkers) under the Fair Entitlements Guarantee (FEG). You may be eligible for financial assistance under this special scheme if:

- you performed work for a person in your capacity as a TCF contract outworker
- the person is insolvent, and
- the person owes you entitlements for the work you performed for them.

A TCF contract outworker is a person who performs work in the textile, clothing and footwear industry under a contract for services at premises that would not normally be regarded as business premises.

FEG and the TCF contract outworkers scheme

FEG is a scheme designed to assist employees whose employment has ended due to the insolvency of their employer. FEG can provide financial assistance, called an advance, to cover certain unpaid employment entitlements for eligible employees affected by the insolvency of their employer.

FEG is a legislative scheme established under the [Fair Entitlements Guarantee Act 2012](#) (the FEG Act).

A regulation has been made under the FEG Act to create a special scheme to cover TCF contract outworkers. The [Fair Entitlements Guarantee Regulations 2022](#) (the Regulations) commenced on 29 March 2023, to replace the scheme of assistance established under earlier regulations.

What assistance is available?

Under the TCF contract outworker scheme, TCF contract outworkers may be eligible for financial assistance for the following unpaid entitlements (TCF contract outworker entitlements):

- **wages** – up to 13 weeks
- **annual leave**
- **long service leave**
- **payment in lieu of notice** – up to 5 weeks
- **redundancy pay** – up to 4 weeks per full year of service

Am I eligible?

Subject to certain exclusions, you may be eligible for financial assistance under the TCF contract outworker scheme if you meet the following conditions of eligibility. These conditions are:

- that you have ceased to do work for the person you worked for in your capacity as a TCF contract outworker (the specified person)
- that an insolvency event (liquidation or bankruptcy) happened to the specified person on or after 15 May 2013

- that you are owed one or more TCF contract outworker entitlements by the specified person
- that before making a claim under the TCF contract outworker scheme, you took reasonable steps to prove your unpaid TCF contract outworker entitlements in the winding up or bankruptcy of the specified person
- that before making a claim under the TCF contract outworker scheme, and if you were owed TCF contract outworker entitlements before the insolvency event happened to the specified person, you took reasonable steps before that insolvency event to have those entitlements paid
- at the time you ceased to do work for the specified person, you were an Australian citizen or the holder of a permanent or special category visa under the *Migration Act 1958*
- you, or a person on your behalf, have made an effective claim for financial assistance under the TCF contract outworker scheme.

It is important to note that persons with a personal connection to the specified person are not eligible for assistance under the TCF contract outworker scheme.

Making an effective claim

To make an effective claim under the TCF contract outworker scheme, you must lodge a FEG claim form and include all mandatory information and documentation required by that claim form.

In addition, your claim under the TCF contract outworker scheme must be made no more than 12 months after the date you ceased to do work for the specified person, or the date the insolvency event happened to the specified person (whichever is later) and before the discharge of the specified person's bankruptcy (if the specified person is or was a bankrupt).

If your claim is not made within this timeframe, or does not include all mandatory information and documentation, it will not be effective.

Mandatory documents

The provision of documentary evidence of your citizenship or migration status is a mandatory part of making an effective FEG claim and must be provided with your FEG claim form.

Completing your claim form

If you think you may be eligible for financial assistance under the TCF contract outworker scheme then you must complete and lodge a FEG claim form.

In order for us to accept your FEG claim form you must answer all questions on the claim form marked with an asterisk (*).

The FEG claim form and TCF contract outworkers

There are some important things you need to keep in mind when completing a FEG claim form.

Firstly, when you are completing the FEG claim form you should understand any reference to 'employer' or 'employment' to mean a reference to the specified person you performed work for and the type of work you performed for that person.

For example, where you are asked to include the details of your former employer, you should provide the details of the specified person you performed work for. Similarly, you should provide information about when you started and finished performing work for that person where you are asked for information about when your employment started and ended.

You will also need to make it clear in your claim form that you are a TCF contract outworker. You will need to do this at Part B (i.e. the basis of your employment at the time your employment ended) and at any other question that requires you to describe your employment.

How do I apply?

Online lodgement is the preferred way to lodge a FEG claim form.

Just register for [FEG Online Services](#) to complete and lodge your form.

Using FEG Online Services means that we will receive your FEG claim form within 24 hours after it is submitted. FEG Online Services also allows you to upload and submit supporting documentation. For more information about how to lodge your claim online please refer to the [How do I access FEG Online Services](#) fact sheet available on the [FEG website](#) (www.dewr.gov.au/fair-entitlements-guarantee).

If you are unable to lodge an online FEG claim form, you can submit a [paper based form](#) available on the [FEG website](#) (www.ag.gov.au/FEG). Paper based FEG claim forms must be lodged by:

- sending it to:
Fair Entitlements Guarantee Branch
Department of Employment and Workplace Relations
GPO Box 9828
CANBERRA ACT 2601
- emailing it to FEG@dewr.gov.au

Want more information?

You can contact the FEG Hotline if you would like more information about FEG assistance for TCF contract outworkers or if you need help to make a claim.

To contact the FEG Hotline:

- phone 1300 135 040
Mon - Fri, 9 am - 5 pm (AEST/ADST)
- email FEG@dewr.gov.au

If you speak a language other than English, please call the Translating and Interpreting Service (TIS) on 13 14 50 for assistance. If you speak an Indigenous language, call the Aboriginal Interpreter Service on 1800 334 944.

The following fact sheets available on the [FEG website](#) may also provide useful information:

- [How do I apply for FEG assistance?](#)
- [How we assess FEG claims](#)
- [Reviewing a FEG decision](#)

The information contained in this fact sheet is of a general nature and explains, in summary form, the intended operation of the TCF contract outworker scheme under the *Fair Entitlements Guarantee Act 2012* – this fact sheet is not legal advice. Where necessary, you should seek your own independent legal advice relevant to your particular circumstances. The Commonwealth does not make any representation or warranty about the accuracy, reliability, currency or completeness of the information contained in this fact sheet and is not liable for any loss resulting from any action taken or reliance made by you on the information contained in this fact sheet.