

Getting the most out of your Employment Pathway Plan

Employment Services Providers play a significant role in the Social Security System. Firstly they provide job search and employment assistance to job seekers, but they also have a role in the Centrelink compliance regime through the creation and/or monitoring of Employment Pathway Plans (EPPs).

An EPP (formerly called an 'Activity Agreement') lists your obligations to your Employment Service Provider and Centrelink and the provider's obligations to you. You will be required to sign the EPP to say that you agree to them. If you fail to complete the activities listed in the EPP, you may face financial penalties.

When deciding the terms of an EPP, the Employment Service Provider must have regard to your capacity to comply with the proposed terms and your needs.

If you are a voluntary client (one that does not have a requirement to look for work) you will still have an EPP that outlines expected activities but you will not be penalised for not completing them.

Employment Services must provide evidence to the Department of Employment and Department of Social Services that they are tailoring services to individuals through the EPPs for job seekers.

Tell them what you want

Employment Service Providers can only work with what they know and the best person to tell them about you is you. It is in your best interests to be honest and upfront about what job areas you are interested in, the skills you currently have and what training you believe will help you to get a job that is right for you.

Employment Service Providers often actively market particular job seekers to potential employers. If they know your skills and interests they will be able to target the right

jobs and industries for you.

You can suggest what activities you would like included in the agreement, but the ultimate decision rests with Centrelink or the Employment Service Provider. EPPs can be changed at any time and should be updated any time your situation changes.

You can appeal your EPP if you believe it is unfair to the Department of Employment Customer Service Line: 1800 805 260 (free call from landlines). This line will service both Job Services Australia and Disability Employment Services clients.

Let them know when something changes

If anything happens in your life to make it more difficult to look for work it is important to let your Employment Service Provider and Centrelink know. It is possible for your EPP to be renegotiated and/or for you to be transferred into a program where you can receive more support (this could be with the same provider).

If your change in circumstances has affected your ability to follow your EPP, letting your Employment Service Provider know your situation has changed will also make you less likely to incur a penalty for non-compliance.

The law says

The Social Security Act states that an EPP must consider the following factors:

- your education, experience, skills and age;
- the impact of any disability, illness, mental condition or physical condition on your ability to work, look for work, or to participate in training activities;
- the state of the local labour market and the transport options available where you live;

- the participation opportunities available to you;
- your family and caring responsibilities;
- the length of travel time required for compliance with the agreement;
- the financial costs of compliance with the agreement, such as travel costs and the capacity to pay for such compliance; and
- any other matters that Centrelink or you considers relevant in the circumstances.

Some specific terms that the EPP may include:

- a specified number of job searches per fortnight;
- formal or informal voluntary work;
- work experience;
- vocational or pre-vocational training course;
- participation in a rehabilitation program; and
- other activities designed to eliminate or reduce any disadvantage you may have in the labour market.

A person must be capable of complying with any term included in an EPP. If a person is not capable of undertaking an activity (or a combination of activities) they cannot be included in an EPP.

Your EPP can be changed at any time. Where your circumstances change or you are referred to a new Employment Service Australia provider, your EPP may be varied to reflect those changed circumstances.

Compliance Obligations

The activities you agree to in your EPP are subject to penalties for non-compliance. That means if you do not turn up for appointments and interviews (and don't have a reasonable excuse) you could be frustrating your caseworker and their level of trust and support for you could deteriorate. It is your responsibility to get in contact with your Employment Services Provider if you are unable

to attend an appointment or activity.

Please see the Fact Sheet Penalties Fact Sheet for more information.

Reports to Centrelink

Employment Services Providers are required to report any non-compliance with your EPP to Centrelink through a Participation Report. Centrelink will then automatically impose penalties such a non-payment periods (please see the Penalties Fact Sheet for more information).

Employment Services Providers should not submit a Participation Report until they have attempted to talk with you to find out if you had a reasonable excuse for failing to meet your requirements.

Employment Service Providers can choose to make a Contact Request to Centrelink instead of a Participation Report. The Contact Request asks Centrelink to establish contact with you when you have failed to meet an Employment Pathway Plan requirement. It is an alternative to compliance action and does not result in any penalty.

If you are aware that you have not done something required of you it is advisable to get in contact with your Employment Service Provider as soon as possible as this may prevent any compliance action.



Please Note:

This Fact Sheet contains general information only. It does not constitute legal advice. If you need legal advice please contact Basic Rights Queensland on 3421 2510 or if outside of Brisbane on 1800 358 511.

Basic Rights Queensland is a community legal centre, which provides specialist advocacy and legal services in Social Security law, administration and policy. We are independent of Centrelink. All assistance is free.

This Fact Sheet was updated in Nov 2013.

www.brq.org.au