

August 20, 2020: The Government has amended the JobKeeper rules to allow more employees to qualify for the JobKeeper payment.

This is achieved by extending the eligible employee test to also include eligible employees who were employed on 1 July 2020 (in addition to those employed on the original 1 March 2020 employment date), where they are not currently nominated for JobKeeper payments with another entity.

As a result, more employees may qualify for JobKeeper payments from 3 August 2020 (i.e., JobKeeper fortnight 10), if they were employed on 1 July 2020 and meet the other eligibility criteria.

This includes employees who:

- were hired after 1 March 2020 (and are still employed on 1 July 2020);
- satisfied the 12-month employment requirement under the definition of a 'long-term casual employee' for JobKeeper purposes by 1 July 2020 (where they had not previously satisfied this requirement by 1 March 2020); or
- did not qualify on 1 March 2020 due to their age or visa status but have since met the relevant requirements by 1 July 2020 (e.g., employees who have since obtained the necessary visas).

Importantly, as part of these recent modifications to the JobKeeper scheme, participating employers must take action immediately to ensure that any newly eligible employees (as a result of these recent changes) are provided with an [employee nomination form](#) by Monday 24 August 2020. This is to ensure compliance with the 'one in, all in' principle, which broadly requires all eligible employees to be offered the opportunity to receive JobKeeper payments via their eligible employer who has opted to participate in the JobKeeper scheme.

Ultimately, the onus is on employers to ensure that all of their employees who are now eligible for JobKeeper payments as a result of the new 1 July 2020 test date are given the opportunity to be included. However, interestingly, despite the fixed date to provide the employee nomination form, the [ATO is currently advising](#) that if an employer does not do this within the required time, they will need to do so as soon as possible.

The following checklist provides a summary of the key dates (and actions) that participating JobKeeper employers must consider in relation to their newly eligible employees as a result of the new 1 July 2020 eligible employee test.

For more information call Rosenfeld Kant on 02 9375 1200.

| Applicable Date | Action Required |
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| By Monday 24 August, 2020 | Provide all newly eligible employees under the 1 July 2020 eligible employee test with an employee nomination form . |
| By Monday 31 August 2020 | Satisfy the \$1,500 'wage condition' for each newly eligible employee (where they have nominated with the employer) for JobKeeper fortnights commencing 3 August 2020 and 17 August 2020 (i.e., JobKeeper fortnights 10 and 11). |
| From 1 September 2020 (the August monthly declaration must be lodged by 14 August, 2020) | Claim JobKeeper payments for the newly eligible employees who have agreed to be nominated for the JobKeeper scheme with the employer (along with existing employees) by lodging the August 2020 monthly declaration. |