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Issue 20.0

In Tuesday's Update we provided additional resources to help members navigate the next phase of the JobKeeper payment – now open to enrolments. We understand there is a lot of information to take in, and so encourage you to reach out to our team to assist you at any stage.

If you've had an opportunity to read the most recent JobKeeper Employer Guide (5th Ed), there's a helpful calendar of cut off dates and an 'Enabling Direction' checklist for members to utilise. These are discussed in further segments below.

For something non JobKeeper related, I draw your attention to the segment: "Auto is open – tell your customers". VACC has been working hard raising awareness that 'Auto is Open' through a coordinated campaign and we encourage you to do the same with your customer base should you still be operating. VACC has provided practical tips on how this can be done easily and effectively in this Update.

As always, VACC is here to help. Please continue to reach out to the team.

1. INDUSTRIAL RELATIONS

JobKeeper cut off dates

Members should be aware that if an employer wishes to be paid the JobKeeper payment for the **first two fortnight periods between 30 March and 26 April**, then the employer **MUST** elect to participate in the JobKeeper scheme at or before 26 April 2020.

For a fortnight period after 26 April, an employer must notify the ATO before the end of the fortnight.

To make life easier – a calendar is available inside the [5th Edition Employer Guide](#) released on Tuesday that outlines key cut off dates. Click on image below or [HERE](#).

The calendar is part of ANNEXURE A – JobKeeper Calendar on pages 28-29.

Annexure A - JobKeeper Calendar

*Last day for an employer to nominate for the JobKeeper Program if an employer wishes to apply for first two JobKeeper payment fortnights (March 30 to 12 April and 13 April to 26 April).



Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
March 30 <i>Start of Fortnight 1</i>	March 31	April 1	April 2	April 3	April 4	April 5
April 6	April 7	April 8	April 9	April 10	April 11	April 12 <i>End of Fortnight 1</i>
April 13 <i>Start of Fortnight 2</i>	April 14	April 15	April 16	April 17	April 18	April 19
April 20	April 21	April 22	April 23	April 24	April 25	April 26* <i>End of Fortnight 2</i>
April 27 <i>Start of Fortnight 3</i>	April 28	April 29	April 30	May 1	May 2	May 3
May 4 <i>ATO payments commence this</i>	May 5	May 6	May 7	May 8	May 9	May 10 <i>End of Fortnight 3</i>

Employer JobKeeper Enabling Direction Checklist

If you believe you are eligible and you are thinking about utilising the Fair Work Act changes through issuing of a JobKeeper enabling direction, please refer to the checklist below (which is also contained in Annexure B of the JobKeeper Guide, page 30).

Annexure B - Employer JobKeeper Enabling Direction checklist

This checklist is for employers who wish to issue a JobKeeper enabling direction to employees to:

- Work reduced hours or days (a JobKeeper enabling stand down direction) for any period they cannot be usefully employed
- Undertake alternative duties, or
- Work at an alternative location



Preliminary matters

- Establish Eligibility:** Are you eligible as an employer (or business participant) and have you qualified for the JobKeeper scheme? Which of your employees are eligible and entitled to JobKeeper payment/s? (See Part 1 - 3 of the Guide to check)
- Check pre-requisites:** Have you met all the pre-requisites which allow you to issue a JobKeeper enabling direction? (See Part 5 of the Guide to check)



For example, is a direction to perform different duties or duties at a different location necessary to maintain the employment of the employee?

Before issuing a JobKeeper enabling direction

- Give written notice:** Give the employee at least 3 days' written notice before giving the JobKeeper enabling direction (or less if the employee agrees)



- This can be by electronic means
- The notice may be required to be in a prescribed form set out in the regulations (none yet published/prescribed)

- Consult:** Consult with the employee/s (or their representative) about the direction
- Keep records:** Keep a written record of the consultation
- Check whether the direction is 'reasonable':** Consider whether the direction is reasonable, including taking into account the employee's response during consultation



Where a direction is unreasonable in all the circumstances, it will not apply to the employee. You need to consider anything relevant, including the personal circumstances of the employee (including for example, the impact on an employee's caring responsibilities)

- Monitor expiry:** Monitor circumstances to ensure the JobKeeper direction still applies (see Part 5.1.3 of the Guide to check)



For example, a JobKeeper enabling direction no longer operates when there are no further JobKeeper payments, if it is replaced by a new direction, etc

Update: Temporary visa holders

The Coronavirus has affected both Australian visa holders and those who are waiting to be issued their Australian visas. The [Department of Home Affairs \(the Department\)](#) is responsible for immigration and customs border policy, which includes the issuing and monitoring of visa applications.

The Department has developed a comprehensive FAQ page relating to temporary visa holders. For members requiring further information for an employee holding a temporary visa they can visit the [Department of Home Affairs FAQs page](#).

2. MEMBER SERVICES

Auto is open – tell your customers

Lack of work and cashflow are likely to be serious problems for you right now. But there are things you can do to help your situation – and they don't cost a cent. Most automotive businesses in the industry remain open (publicly held vehicle auctions are an exception) and **if your business is open too then you should tell your customers about it** – don't assume that they know. Click [HERE](#) for three simple and practical tips to help you get the message out there...

3. HEAVY AND COMMERCIAL VEHICLES

NHVR updates vehicle inspection guide as RBT rules relaxed

The National Heavy Vehicle Regulator's (NHVR's) next step in its Covid-19 response is to grant temporary relaxation of calibration requirements for roller-brake testing (RBT) equipment.

The NHVR's National Roller Brake Test Procedure required that machines used to conduct tests are calibrated in accordance with the manufacturers' standards every 12 or 24 months.

Manufacturers reported difficulty in achieving some of the calibration requirements because of the current travel restrictions.

In response to this feedback, the NHVR has updated the [Vehicle Standards Guides 21 – National Roller Brake Testing Procedure](#) to ensure ongoing testing is reliable while travel restrictions are in place.

Vehicle Standards Guide 21 (VSG – 21)

National roller brake testing procedure

Revised April 2020

This guide provides information for inspectors who operate roller brake test (RBT) machines, about the *National roller brake testing procedure* (RBT procedure).

This VSG has been updated to provide guidance on calibration schedules during the COVID-19 outbreak.

Background

A heavy vehicle's ability to brake effectively and efficiently is critical to the safe operation of the vehicle on roads. Given the importance of a vehicle's brakes, regulators, operators, drivers and the community have an interest in ensuring rigorous assurance processes are in place to verify brake performance.

Considering the location, time and safety limitations of the roadside or workshop, the National Heavy Vehicle Regulator (NHVR) and industry use various brake testing methods that provide an indication of brake performance. Testing methods include decelerometer testing, skid plate testing or roller brake testing (RBT). Collectively, these testing methods are referred to as in-service brake tests.

Roller brake testing, like all in-service brake tests, is intended as a screening tool to:

- verify that a vehicle's braking system is functioning
- provide information that highlights potential issues relating to non-compliances and/or system performance.

This information can then be used to determine if inspection of specific brake components is needed.

National RBT procedure

The NHVR developed an RBT procedure to ensure that all in-service brake tests of heavy vehicles are safe, fair and repeatable, enabling accurate assessment of a vehicle's brake system.

The NHVR conducted a series of trials, in conjunction with NSW Roads and Maritime Services (RMS), Heavy Vehicle Industry Australia (HVIA) and the Australian Trucking Association (ATA) to gain a better understanding of how real-world heavy vehicle brake performance relates to test results for roller brake machines. As a result of these trials, the NHVR developed a National procedure for in-service brake

testing using an RBT machine. The procedure is available [here](#).

National RBT procedure rollout

The NHVR recognised that to test brake performance using an RBT in line with the new National RBT procedure, certain equipment and software updates were required. To address this requirement, the RBT procedure was rolled out in two stages.

Note: A list of RBT machine operators that this procedure applies to can be found in Appendix D of the RBT procedure. For inspectors who do not have an RBT machine, and instead conduct in-service brake tests by a stopping distance, decelerometer or skid plate test, there is no change to how these tests are conducted.

Stage 1

Stage one of the rollout required RBT machines to be updated, where necessary, to provide both dynamic and static test results. Once stage one RBT machine updates were completed, brake performance testing were to be conducted in line with the *Alternative phasing in (AP) procedure*.

For RBT machines that do not display both test results, updates to the machine were required. The NHVR has consulted with RBT machine manufacturers who have confirmed that the necessary updates would be made as part of the next scheduled maintenance and calibration inspection or will be remotely made by the RBT machine manufacturer. The necessary updates to RBT machines were required to be made by 31 January 2019.

Where an RBT machine already provides dynamic and static results, or following the necessary updates, RBT is to be conducted using the AP procedure.

Stage 2

Stage two of the RBT procedure required a more comprehensive software update to RBT machines. These updates ensured that test results are reported correctly and will include a simplified pass/fail read-out ensuring that outcomes align the *National Heavy Vehicle Inspection Manual (NHVIM)*.

The NHVR is currently working with RBT machine manufacturers to develop the necessary software updates and has not set a date for the completion of stage two of the rollout. It is expected that stage 2 of the roll out will be completed by June 2022.

PBS Vehicle Certification and COVID-19

Vehicle Certification Rules allow, in some instances, certifiers to engage a third party to conduct the physical inspection on their behalf. Where a third party is used as part of the certification process, the certifier remains responsible for certifications and must be in control of each certification.

The NHVR considers physical inspections carried out by the certifier to be best practice, and acknowledges that there may be some risk in engaging a third party to perform these tasks. Where a third party is engaged to perform the inspection, the certifier must understand that they remain responsible for the certification, just as they would had they carried out the inspection themselves.

Please note: Some insurers require the certifier to be at every certification. Certifiers are encouraged to contact their insurer to ensure they remain covered in the event of a third party inspection.

For more information see [Information for PBS Assessors and Certifiers - Vehicle Certification and COVID-19](#).

4. NEWS

Government looks for new tax ideas as business press for corporate cut

Cutting company taxes and increasing the GST are not in the Morrison government's plans to recover from the coronavirus, with the man appointed to guide the recovery instead pushing for fresh incentives for businesses to invest in Australia. Within the top levels of the government there is a belief new ideas will have a better chance of winning community support rather than old ones that have dominated political debate for the past decade.

Read the full story in the Sydney Morning Herald [HERE](#).

Coronavirus restrictions likely to be eased in reverse order, political sources say

As the nation's leaders begin charting a path out of the COVID-19 crisis — the curve having been sufficiently flattened — sources tell the ABC they're likely to wind back restrictions starting with the last ones imposed.

Read the full story on ABC Online [HERE](#).

5. PREVIOUS UPDATE ISSUES

You can read previous Updates of COVID-19 [HERE](#).

Geoff Gwilym
Chief Executive Officer

Disclaimer: *The information gathered has been drawn from a number of sources and VACC strongly recommends that members revert to the primary source of information for any clarification.*