
Reference No: JobKeeper survey/dh-9-20

Date issued: 23/09/2020

Urgent Survey request to businesses which are not eligible for JobKeeper

Please complete short survey in attached link below

VACC has sent out a number of bulletins and surveys to members regarding the interim flexibility award provisions in [Schedule I – Award Flexibility during the COVID – 19 Pandemic](#), that has been inserted in the **Vehicle Repair, Services and Retail Award 2020 (VRSR Award)**. On the evidence provided to date, the ACTU and other unions have not objected to a number of extensions to **Schedule I**, most [recently](#) from 31 August 2020 to **30 September 2020**.

Recently, the Fair Work Commission (**FWC**) has issued a [Statement](#) in relation to **Schedule X-Additional measures during the COVID-19 pandemic**; and released a **Draft Award Flexibility Schedule** as part of a COVID-19 update [Statement](#) by Justice Ross, President of the FWC. Members may recall that Schedule X provides for an entitlement to unpaid 'pandemic leave' and the flexibility to take twice as much annual leave at half pay. FWC has formed the provisional view that it will extend the operation of Schedule X in 71 modern awards (including the VRSR Award) until 29 March 2021.

The FWC has indicated that Schedule I may also be further extended if it can be demonstrated that businesses in the repair, services and retail sector continue to be adversely affected by the pandemic and are utilising the flexibilities set out in the Schedule.

Schedule I only applies to:

- businesses who are not eligible for JobKeeper; and
- non-eligible employees (i.e. employees employed after 1 July 2020) employed by a business qualified to receive the JobKeeper payment; and
- businesses covered by the VRSR Award.

Schedule I flexibilities

Schedule I allows for the following changes to the VRSR Award:

- for employers who first implemented before 30 June 2020, a temporary reduction of hours of work for full-time and part-time employees;
- an ability for an employer to request an employee to take paid annual leave, provided the employer provides a minimum 72 hours' notice and the employee retains a balance of at least 2 weeks annual leave; and
- an ability to agree with an employee to take up to twice as much annual leave at a proportionately reduced rate of pay for all or part of any agreed or directed period away from work, including any close-down (**Note:** a similar flexibility is provided in Schedule X).

Please take this link [here](#) which leads you to a very short survey seeking your input. Can you please respond by **Friday, 25 September 2020**.

If you have any questions or would like to have a more detailed discussion, please get in touch with the Workplace Relations team at ir@vacc.com.au or 03 9829 1123.

Thank you for participating in the survey which will assist us in the objective of continuing to give businesses the award flexibilities contained in Schedule I beyond 30 September 2020.

Any personal information provided in the survey will remain strictly confidential.

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