

**SENATE LEGISLATION COMMITTEE ON  
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE**

**Inquiry into the Social Security Amendment (Income Support for Regional Students)  
Bill 2010**

**DEEWR Question No. SIH – H9**

**Senator Nash asked on 17 December 2010, EEWL Hansard page 55.**

**Question**

Ms Sykes – Where a young person does have irregular patterns of work, whether that is seasonal or some other reason, the hours of work are averaged, but they still to have engaged in full-time employment over a total period of 18 months. It can be broken down into different criteria – for example, at least a 120 hours of work in each of 19 periods of four weeks. So it can be accommodated in terms of seasonal work. CHAIR – The example that was put to the committee today was that due to the floods – I think it might have been in Dubbo – the shops have actually shut down for the last three weeks. Because of that, and through circumstances completely out of their control, a person who may have had employment in one of those shops will now not be eligible. But you are saying that is not the case because of the averaging effect? Ms Sykes – Potentially. Senator NASH - What if they had done their averaging to include those three weeks within one of those blocked time frames? If they had worked out their timeline so that those three weeks were part of the 12 weeks or whatever it is with a block with two separate ones and they then could not finish off that particular block through no fault of their own, it means they would not qualify. This was put to us by a witness earlier, and I think it is quite correct. Chair - Again, maybe they can respond on notice to that because we are now out of time.

**Answer**

The following activities may be considered paid employment for the purposes of assessing the self-supporting criterion for independence for Youth Allowance as outlined in Section 3.2.5.80 of the Guide to Social Security Law:

- periods of paid leave,
- periods of unpaid leave due to employer shutdown that are outside the control of the young person (e.g. mandatory Christmas shutdown),
- periods engaged in a full-time apprenticeship or traineeship,
- periods of overseas employment,
- periods of full-time participation in a CDEP program.

Assessments under the 30 hours per week element of the workforce participation criterion are made on a case-by-case basis.

The Department is considering a range of responses to ensure individuals are not disadvantaged by their particular circumstances as a direct result of the December-January floods.