

# Australian Defence Force Reserves Employer Support Payment Scheme

Registration number  
(Office use only)

Date received by  
ESPS office  
(Office use only)

## Employer's claim form

### Privacy statement

Defence is collecting the information on this form to determine your eligibility for payment under the ADF Reserves Employer Support Payment Scheme (ESPS). This payment is authorised by the current Defence Determination, 2012/68 Reserve employer support payments made under Section 58B of the [Defence Act \(1903\)](#). Information provided in this ESPS claim form will be used for the administration of the ESPS. This information may be used to detect or prevent fraud and/or recover overpayments. The information may also be used in the organisation or conduct of employer support activities, to assist Service personnel staff with managing the employment of Reservists and by the Office of Reserve Service Protection in investigating breaches pertaining to the [Defence Reserve Service \(Protection\) Act 2001](#). This information is safeguarded by the [Privacy Act \(1988\)](#) (Cwth) which prohibits the information from being used for unauthorised purposes.

**Completion instructions:** Please refer to the Instructions for completion located at the end of this form for details on how to complete this claim form. For further information or to lodge your ESPS claim online, please visit [www.defencereservessupport.gov.au](http://www.defencereservessupport.gov.au).

Employer details		Employee/Reservist details (Your employee/Reservist will be able to help you fill these in)	
1. Name of organisation or business		10. Fax number (Including area code)	
2. ABN/ACN [ ] [ ] [ ] - [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]		11. Email	
3. Trading name		12. Mailing address (Leave blank if same as question 4)	
4. Physical address of organisation (This is required and cannot be a PO Box address)		State	
State		Postcode	
5. Industry type		13. <input type="checkbox"/> Tick this box if you authorise the Department of Defence to discuss details of this claim with the employee/Reservist detailed on this form.	
6. Organisation size (Number of employees including part/full-time, casual and contractors).		14. Family name	
<input type="checkbox"/> Micro (0-4) <input type="checkbox"/> Medium (20-199)		15. Given name(s)	
<input type="checkbox"/> Small (5-19) <input type="checkbox"/> Large (>200)		16. Rank	
7. Contact name of the person submitting this claim		17. Employee ID number	
8. Contact's position within the organisation		18. Service	
9. Phone number (Including area code)		<input type="checkbox"/> Navy <input type="checkbox"/> Army <input type="checkbox"/> Air Force	
		19. Employee/Reservist's Defence unit	

**Employment details**

20. Date employee/Reservist commenced employment with the organisation

21. Employee/Reservist position within the organisation

22. Is your employee/Reservist employed in the organisation on a full-time basis?

Yes

No

23. My employee/Reservist normally works for  hours per week in the organisation

24. Details of any other employment of the employee/Reservist (if known).

Name of employer	Average hours per week

**Employment evidence**

25. In this financial year, have you previously submitted documentation relating to the employee/Reservist outlined on this form?

Yes ➔ Go to question 26

No ➔ Go to question 27


26. Have the details of your employee/Reservist changed since you last submitted a claim?


Yes ➔ Go to question 27

No ➔ Go to question 28

27. You need to attach the following evidence:

**Note:** Evidence must relate to the period **immediately prior** to the claim dates.

 Evidence that you have employed the Reservist for at least 3 months eg payroll slip, payment summary, group certificate, or superannuation guarantee levy.

 Evidence showing the Reservist's normal working hours eg roster, timesheets, payment details showing working hours.

**Note:** If the Reservist is working part-time, 3 months evidence must be provided.

**Ownership**

28. Does your employee/Reservist or any member of your employee/Reservist's family have any form of ownership of this organisation including:

- any shares
- any right to receive dividends or distribution of capital
- any ability to control the exercise of voting power in the organisation


No

Previously submitted and no change

Not applicable

Yes



 If 'Yes', you need to provide a written explanation detailing the extent of this ownership.

**Note:** This question does not apply to public sector employers (Federal, State or Local Governments) or to companies listed on the Australian Stock Exchange (Tick 'Not applicable').

Ownership details

**Qualifying Period**

29. A Reservist must complete a qualifying Period (QP) of two weeks of eligible Defence service each financial year. The first two weeks of eligible service will be recognised to be the QP. The claim dates for QP should be included in each claim. QP does not attract ESPS payments.

**Claim dates**

Defence Service must be at a minimum, periods of at least five consecutive days.

Special provisions exist where there is a public holiday, part-day of service or if a day has been used for travel purposes.

Date from	Date to	Activity undertaken (Specify activity you were undertaking eg Ex Hamel 13 or driver training course etc.)

You are not eligible to receive an ESPS payment for any day when your employee worked in your business on that day (including working in off-duty hours), unless the work was in an emergency or was performed with written permission from the Reservist's Commanding Officer or Branch Head. An ineligible day may render a whole period of service ineligible.

**Late waiver**

30. A claim should be made within six months of the first date of claimed service.

Claims made between six and twelve months may only be considered if a waiver is sought and approved.

Claims submitted twelve months or more after the first date of claimed service will be rejected.

Late waiver justification

**Business account details**

31. Nominate your organisation's bank account details for ESPS payments to be paid into.  
(To be completed by bank signatory or company human resource manager)

Name of bank, building society or credit union
Branch where account is held
BSB number
Account number
Account name

I hereby authorise the Department of Defence to record and use the details provided for the purpose of Direct Credit payment.

Signature	
Printed name	Date

**Remittance advice**

32. Defence will issue a Remittance Advice Slip when making an ESPS payment. You may nominate an email address for this advice. Eg if the organisation's Finance Department requires the remittance advice in order to match the payments, nominate the Finance contact email address.

If no email address is nominated, the remittance advice will be sent to the contact person's email address as detailed at question 11.

Email address
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## Sensitive: Personal (After first entry)

### Checklist

33. Have you provided the following: (Tick as appropriate)

- Evidence you employ the employee/Reservist (and have done for at least 3 months)
- Evidence of the normal working hours of the employee/Reservist
- Explanation of employee/Reservist's (or family member's) ownership of the organisation (if required)
- Justification for a late waiver (if required)

34. Have you confirmed?

- The employee/Reservist is paid at least the national minimum wage as set in a national wage order under the [Fair Work Act 2009](#), (or receives an equally favourable outcome through a salary sacrifice or other arrangement).
- Each period of Defence service is at least five consecutive days in duration. If claiming for a period including a public holiday, authorised stand-down day or sick day, note this on the claim form. **Note:** There are special provisions for public holidays, authorised stand-down days and sick days.
- Full days of Defence service were rendered. If claiming for a part day of Defence service, note this on the claim form. **Note:** There are special provisions for travel and rest days.
- The claimed days of Defence service were not rendered utilising annual leave, long service leave or any other forms of accrued leave.
- The Reservist did not/will not engage in any activities related to their civilian employment while on any days of Defence service detailed on this claim form, except in emergency situations or with prior written approval from the Reservist's Commanding Officer or Branch Head.
- The Reservist is not conducting this business as a sole trader, director or partner, nor does the Reservist have a controlling interest in this organisation or trust (See the 'Instructions for completion' for more information).
- The organisation has not submitted a previous claim for the periods of Defence service undertaken by the employee/Reservist as detailed on this claim.

### Employer's declaration

#### I declare that:

- I have provided an undertaking to the Reservist to whom this claim relates that I will provide the employment protection benefits of the [Defence Reserve Service \(Protection\) Act \(2001\)](#) to the Reservist.

#### I confirm that:

- The employee/Reservist is paid at least the national minimum wage as set in a national wage order under the [Fair Work Act 2009](#), (or receives an equally favourable outcome through a salary sacrifice or other arrangement).
- The employee/Reservist did not undertake any of the claimed days of Defence service on this claim form utilising annual leave, long service leave or any other forms of accrued leave entitlement.
- I have provided details on the claim form of any activities that the Reservist undertook related to their civilian employment while on any days of Defence service detailed on this claim form.

**Note:** You are not eligible to receive an ESPS payment for any day of Defence service when your Reservist also undertook work in your business, unless the work was in an emergency situation or with written permission from the Reservist's commanding officer or branch head.

- The Reservist is not conducting this business as a sole trader (or an employee of a family member who is a sole trader), a director, a trustee or a partner, nor does the Reservist have a controlling interest in the company or have the power to appoint a trustee of the trust.
- I understand that I must advise the ESPS decision-maker, in writing as soon as practicable, if any of the following circumstances occur:
  - The Reservist to whom this claim relates does not complete any period of Defence service detailed on this claim form.
  - The Reservist to whom this claim relates leaves my employment while I am receiving ESPS payments for a continuing period of eligible service.
  - There is any change to the employment status of the Reservist to whom this claim relates (including if the Reservist becomes a director, trustee or partner, or gains a controlling interest in the business).
  - The business is disposed of or ceases to trade/operate on any basis, whether temporary or permanent.

In this event, my entitlement to ESPS payments will cease immediately if the event occurs (except in relation to a temporary cessation of business for less than 26 weeks or when the Reservist continues to be an employee following a change in employment status).

Signature	Printed name	Date

# Australian Defence Force Reserves Employer Support Payment Scheme

## Employer's Claim Form

### Instructions for completion

- Introduction** This ESPS claim form must be completed to claim an employer support payment for Defence service rendered by a Reservist. **Do not submit these instructions with your claim.**
- Assistance** For assistance completing this form or further information regarding any ESPS matter, please refer to [www.defencereservessupport.gov.au](http://www.defencereservessupport.gov.au), contact the help-line on 1800 001 696 or email [esp@defence.gov.au](mailto:esp@defence.gov.au).
- Submission details** The postal address of ESPS staff are on the website at [www.defencereservessupport.gov.au](http://www.defencereservessupport.gov.au). Reservists should submit the claim form to the relevant ESPS staff within their service.

### Guidance to complete questions

- Question 5** List of industry types:
- Agriculture, forestry and fishing
  - Electricity, gas, water and waste services
  - Manufacturing
  - Wholesale trade
  - Construction
  - Accommodation and food services
  - Retail trade
  - Information media and telecommunications
  - Transport, postal and warehousing
  - Rental, hiring and real estate services
  - Financial and insurance services
  - Administrative and support services
  - Professional, scientific and technical services
  - Education and training
  - Health care and social assistance
  - Public administration and safety
  - Other services
  - Arts and recreation services
  - Mining
- Question 13** In order for Defence to be able to discuss your claim with your employee/Reservist we need your permission. We would use this information to contact the employee/Reservist regarding information such as service details etc that you as the claimant may not be able to answer.
- Question 22** **Full-time work.** A Reservist is in full-time work if employed to perform at least 35 hours work per week (or to work the number of hours specified as full-time work hours in a workplace instrument made or certified by a Commonwealth or State industrial tribunal). The member's normal working hours must, on a weekly average, also be at least 80% of 35 hours per week (or 80% of the hours specified in the workplace instrument).  
**Part-time employment.** A Reservist is in part-time work if in regular or reliable employment that is not full-time work.
- Question 24** If the Reservist is employed part-time they should provide details of any other employment they may have.  
**Note - If this information is not provided, any ESPS entitlement may be calculated incorrectly, this could lead to recovery action.**
- Question 28** You must complete this ownership question each time you submit an ESPS claim. Tick 'Not applicable' if you are a public sector employer (Federal, State or Local Government) or are a company listed on the Australian stock exchange. If you tick 'Yes', please submit a written explanation outlining:
- Details of the shareholdings or other ownership rights in the organisation/business held by the Reservist and each member of the Reservist's family;
  - Details of the percentage of ownership of the organisation/business held by the Reservist and each member of the Reservist's family;
  - Details of the position, role and duties of the Reservist in the organisation/business and for each member of the Reservist's family; and
  - Any further information that may help to confirm whether the Reservist has a controlling interest in the organisation/business.
- Question 29** **Eligible service**
- Only days of service on which the Reservist worked a full day can be counted (Unless the part day was also used for approved travel or rest purposes or the member was authorised to stand-down on that day).
  - If a period of service is less than five consecutive days, it is not eligible for an ESPS payment (Unless linked with a public holiday, an authorised stand-down day, a sick day or a part day used for approved travel or rest purposes).
  - If your employee/Reservist worked in your business (including working in off-duty hours), that day is not eligible for an ESPS payment unless it was in an emergency or performed with written permission from the Reservist's Commanding Officer or Branch Head.
  - Each period of service must be shown separately (Eg service from 12-16 August, 19-23 August and 2-6 September must be shown in three separate blocks; not as 12 August - 6 September).
- Question 30** **Late waiver**
- A claim must be made within 6 months from the start of the period for which payment is sought. Defence service that was undertaken more than 12 months before the claim is made will be rejected.