

FACT SHEET

Eligibility of backfilling employees

The DRFAWA provides for the reimbursement of a range of extraordinary costs incurred by local governments and state government agencies (LG/SGA) when undertaking eligible disaster activities as a direct result of an eligible disaster event.

An eligible disaster activity is a relief and recovery assistance measure identified in the DRFAWA as:

- Category A - Emergency assistance for individuals,
- Category B - Essential public asset reconstruction works, counter disaster operations (CDO), assistance for small business and primary producers,
- Category C - Community recovery packages, and
- Category D - Exceptional circumstance measures

Category C and D assistance measures may be activated when specific criteria have been met and agreement has been reached between the State and Commonwealth.

Backfilling staff

Where a LG/SGA employee has been seconded to directly assist with eligible disaster activities under the DRFAWA, the normal costs associated with their employment are not considered to be an additional cost to the LG/SGA, as these costs would have been incurred irrespective of the eligible disaster event occurring.

However, in certain circumstances, extraordinary costs associated with the backfilling of an employee may be claimed for reimbursement.

***PLEASE NOTE:** The DRFAWA team is working with the Commonwealth to clarify several issues in relation to eligibility of backfilling costs. To minimise the financial risks to a LG/SGA please contact the DRFAWA team prior to finalising any backfilling arrangements.*

Principles of backfilling staff

- The additional costs being claimed must be extraordinary, that is, the additional cost has only been incurred as a direct result of the eligible disaster event.
- The backfill arrangement must be reasonable and consistent with an LG/SGA business-as-usual approach to maintain business continuity.
- The process to backfill an employee has been undertaken in accordance with the LG/SGA's financial, human resource and procurement policies.

Expenditure eligibility

Backfilling expenditure is only eligible where an LG/SGA employee has been seconded to directly assist with eligible disaster activities and their position is backfilled.

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Eligible expenditure is limited to the following:

- If an external contractor is employed to backfill the position, all costs (e.g. ordinary time payroll, travel allowances, accommodation) are considered extraordinary and may be claimed.
- If an existing employee backfills the position of the seconded employee, then only a higher duties allowance may be claimed, if it applies.
- Extraordinary costs including overtime, travel expenses, allowances and accommodation may be claimed for the employee seconded to directly assist with eligible disaster activities away from their base LG/SGA.
- Backfilling may be applied on a pro-rata basis where the backfill arrangement is not on a full time (100% FTE) basis.

Expenditure not covered by the backfilling arrangement includes:

- Any overtime undertaken by the person engaged to backfill the position of the officer seconded to directly assist with eligible disaster activities. This applies to both existing employees, additional temporary or contracted staff.
- Normal administrative and operational expenditure of the LG/SGA that would have been incurred irrespective of the eligible disaster event occurring.

Evidence required to make a claim

Claims must be able to demonstrate that the eligible event resulted in the need for the assistance measure.

Submitted claims should include all of the following:

- Completed 'Claim Template'
- Confirmation of the need for the secondment of an employee to work on the eligible assistance measure, e.g. council minutes, emails advising of additional resource requirements
- Evidence that demonstrates that the backfilling arrangement has been put in place in accordance with the LG/SGA's financial, human resource and procurement policies. This may include documents relating to the recruitment and/or procurement processes followed, letters/contracts of engagement, job description forms, HDA forms that clearly outline the changed staffing arrangements over the period being claimed.
- Evidence that demonstrates the seconded employee has only undertaken duties to directly assist with eligible disaster activities. This may be provided through details recorded on timesheets.
- Financial evidence requirements:
 - Remittance advice related to the expenditure or general ledger or transaction reports showing all expenditure being claimed.
 - Timesheets relating to each resource being claimed.

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- Compliant tax invoices for all additional employee expenditure, clearly detailing the goods/services provided and date of supply and all the supporting evidence.

Scenario:

An existing employee of a LG/SGA has been seconded to directly assist with eligible disaster activities.

What are the backfilling options?

a) using a current employee of an LG/SGA

- If the pay level of the employee backfilling the position is lower than the level of the position being backfilled, the higher duties component may be claimed through the DRFAWA.
- If the pay level of the employee backfilling the position is the same or higher than the pay level of the position being backfilled, no costs are eligible to be claimed through the DRFAWA.
- Extraordinary costs associated with temporarily relocating the employee to backfill the position and/or the seconded employee may be eligible to be claimed through the DRFAWA. This may include travel allowances, travel expenses, and accommodation.

b) contractor/temporary personal service (contractor)

- ordinary time payroll costs (including superannuation and workers compensation insurance) may be eligible to be claimed through the DRFAWA.
- extraordinary costs associated with temporarily relocating the contractor to backfill the position may be eligible to be claimed through the DRFAWA. This could include travel allowances, travel expenses, and accommodation.

More information and advice

This fact sheet should be read in conjunction with “Eligibility of salaries, wages and associated on-costs” and “Engagement of temporary employees and contractors” that are available on the DFES Recovery website (<https://www.dfes.wa.gov.au/recovery/Pages/default.aspx>).

The full suite of DRFAWA fact sheets and other related documents are also available on the DFES Recovery website.

If you have any questions or need additional support, contact the Disaster Recovery Funding team at drfawa@dfes.wa.gov.au.

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