

Pandemics and COVID-19 — Jobkeeper disputes benchbook published by Fair Work Commission

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The *Fair Work Act 2009* (Cth) has been varied to insert Part 6-4C, which assists employers who qualify for the Jobkeeper payment in dealing with the economic impact of COVID-19. This variation applies until 28 September 2020.

Part 6-4C enables employers of Jobkeeper employees to implement:

- enabling directions to stand down and/or alter duties and work location;
- flexibility agreements regarding days and times of work and using annual leave.

The Fair Work Commission can assist parties in resolving disputes about enabling directions or flexibility agreements, including by mediating, conciliating, making recommendations, arbitrating or making appropriate orders.

Unsurprisingly, there have now been a large number of [applications](#) filed under section 789GV of the *Fair Work Act 2009* (Cth) asking the Fair Work Commission (Commission) to deal with Jobkeepers disputes.

To assist parties involved in a Jobkeeper dispute, the Commission has prepared a Jobkeeper disputes benchbook. The benchbook provides information about directions, flexibility agreements, payment obligations, protections, disputes, the application process, evidence and outcomes.

The Jobkeeper disputes benchbook can be found [here](#)

See also our previous article: [Jobkeeper disputes and the Fair Work Commission](#), our Guidance Note: [Jobkeeper scheme – jobkeeper payment and amendments to the Fair Work Act 2009 \(Cth\)](#) and the [FWC Jobkeeper disputes page](#)