



# FEG assistance: Am I eligible?

The Fair Entitlements Guarantee (FEG) is a legislative safety net for eligible employees who have lost their job due to their employer's liquidation or bankruptcy and have unpaid entitlements that cannot be paid through other means.

## Am I eligible?

You may be eligible for assistance under FEG if all the following apply:

- your employment has ended and your employer is now in liquidation or bankrupt
- the end of your employment:
  - was due to the insolvency of your employer, or
  - occurred less than 6 months before the appointment of an insolvency practitioner, or
  - occurred on or after the appointment of an insolvency practitioner
- you are owed employment entitlements and have taken reasonable steps to be paid those debts
- at the time your employment ended, you were:
  - an Australian citizen, or
  - the holder of a permanent visa or special category visa
- you lodge an effective claim within 12 months of which ever date is later:
  - the date your employment ended, or
  - the date your employer went into liquidation or bankruptcy

You are **not eligible** for assistance under FEG if you:

- were a contractor (except certain textile, clothing and footwear outworkers)
- are an excluded employee under the *Corporations Act 2001*
- converted from a contractor to an employee within 6 months of your employment ending or the insolvency practitioner being appointed

Decisions about eligibility for FEG assistance are made in accordance with the *Fair Entitlements Guarantee Act 2012*.

## What assistance could I get if I am eligible?

FEG may cover the following unpaid entitlements for eligible employees:

- Unpaid wages – up to 13 weeks
- Annual leave
- Long service leave
- Pay in lieu of notice – capped at 5 weeks
- Redundancy pay – capped at a maximum of 4 weeks for each full year you worked

FEG **does not** cover unpaid superannuation guarantee amounts required to be paid by employers. For superannuation issues, contact the Australian Taxation Office.

## What do I do if I am eligible?

FEG has strict cut off times. If your job ended because your employer became insolvent and you may be eligible for FEG assistance, submit your claim as soon as possible.

More information about applying for FEG and the timelines for applying can be found on the Department of Employment and Workplace Relations (the department) [website](#) or in the [FEG Assistance: How do I apply?](#) fact sheet.

## What do I do if I am not eligible?

If your job ended because your employer became insolvent and you're not eligible for FEG, you can contact the insolvency practitioner handling your employer's affairs. They can guide you through lodging a "proof of debt", which is how you register as a creditor and claim what you're owed.

If your employer has not gone into liquidation and you believe the company has been abandoned by the Directors, the Australian Securities and Investments Commission (ASIC) may be able to place the company into liquidation. Visit the [ASIC website](#) to learn what ASIC can do and how to request a company be wound up.

## Accessibility and support

- **Interpreting:** call TIS National on 131 450 and ask them to contact the FEG Hotline on 1300 135 040.
- **Interpreter services for First Nations people:** visit the [National Indigenous Australians Agency website](#) to find a service that is right for you.
- **Hearing or speech:** contact us through [the National Relay Service](#) (NRS) and provide our contact phone number 1300 135 040 when asked by the relay officer.
- **Support person:** you may nominate someone as an alternative contact or agent to assist you. More information can be found on the [department's website](#).

## Need help or more information?

More information about FEG can be found on the [department's website](#).

If you still have questions about eligibility for FEG assistance, contact the FEG Hotline:

**Phone:** 1300 135 040 (Monday - Friday, 9am — 5pm, Canberra time)

**Email:** [FEG@dewr.gov.au](mailto:FEG@dewr.gov.au)

The information contained in this fact sheet is of a general nature and is not legal advice. You should seek your own independent legal advice for your circumstances. The Commonwealth makes no representation or warranty as to the accuracy, reliability, currency or completeness of this information and is not liable for any loss resulting from any action taken or reliance made on it.