

# Access to Employment (A2E) Scheme

## Frequently Asked Questions related to A2E Scheme. 06.07.2020 – Version 3

1. *Can an employer change the conditions of work of his/her employee participating in the A2E Scheme (mainly reducing the number of hours – from 40 hours to 20 hours weekly)?*

In such circumstances the employer should inform the A2E Unit before such change is affected. Copy of the correspondence between the employer and the Director of Employment and Industrial Relations is also required. The A2E will assess the request on a case by case basis and will inform the employer accordingly. If such request is approved an addendum to the original A2E contract is developed whilst the employer will be obliged to submit the relevant termination and engagement forms to Jobsplus. The minimum hours of the new contract cannot be less than 20 hours weekly.

2. *Can an employer reduce the hours of a part-time employee (less than 20 hours per week)?*

In case of part-time employment, the participant may work a minimum of 20 hours per week or more, however the grant will always be based on 20 hours per week. The A2E Scheme cannot provide subsidy for less than 20 hours.

3. *Can an employer benefit again from the scheme if they had to apply for the same A2E participants which were terminated due to redundancies?*

The applicant can only benefit once for a participant irrelevant to the termination reason.

Article 2.2.2g of the A2E Guidance Notes – *“A participant can apply only once under the A2E Scheme with the same Undertaking”.*

4. *With regards to the social measures being offered in respect to Persons with Disability who work in the private sector “COVID-19 – Person with Disability Benefit”, Parents who both work in the private sector “COVID-19 – Parent Benefit” and Vulnerable Persons who work in the private sector “COVID-19 – Medical Benefit”- will such funds affect the A2E scheme payments since the employees themselves have to apply for such benefits through social security?*

The employer cannot claim for any A2E Scheme wage subsidy for any employee/s if such wage is not incurred. If the person with disability and/or Parents working from home and/or Vulnerable persons are found eligible for the DSS Covid-19 initiatives, they will not be receiving any wage from their employer. Thus, the employer cannot be subsidized for any unpaid wages.

Jobsplus reserves the right to verify with the Ministry for Family, Children’s Rights and Social Solidarity.

5. *If an employer applies for the COVID Wage Supplement being offered by Malta Enterprise will s/he be eligible to receive the subsidy from the A2E Scheme?*

- Annex A

Organisations which fits in **Annex A** (refer to <https://covid19.maltaenterprise.com/employee-wage-support?application-forms-added>) will **not** be eligible for the A2E subsidy. The Employer would be eligible to continue receiving A2E wage subsidy after the COVID wage supplement is over.

- Annex B

An employer, already receiving 50% of the wage cost of a particular employee under the A2E scheme, **can also receive** support in respect of wage costs of that same employee under the COVID Wage Supplement (Annex B) <https://covid19.maltaenterprise.com/wp-content/uploads/2020/03/Annex-B.pdf> for the same employee

The above however is subject to the condition that the combined support does not lead to overcompensation of the wage costs of the personnel concerned.

For both case scenarios (Annex A and Annex B) to avoid double funding of wage costs by other Community or National schemes the Corporation reserves the right to share all A2E information with other public entities/public authorities to ensure that no over compensation is made available to the beneficiary in respect of the same employment.

In case Malta Enterprise Wage Supplement application is rejected the employer will be given the possibility to apply for the A2E reimbursement for the COVID period.

6. *Will, the employer be subsidised if s/he pays the difference in wage i.e. the participant has a wage of €1,200, the government pays €800 and the employer pays €400?*

No, an employer cannot get A2E subsidy and the COVID wage supplement Annex A at the same time.

7. *In case an employer is not eligible for COVID wage supplement and is not forking out any salary but keeps the A2E employee as part of its workforce will the employer be reimbursed from the A2E Scheme?*

No, the A2E Employer will not be eligible for any subsidy from the A2E Scheme since as per GBER 'wage cost' means the total amount payable by the beneficiary of the aid in respect of the employment concerned. The A2E Scheme will only subsidise those employers who have issued a salary to their employee/s.

8. *How can an employer submit an A2E application during the COVID period?*

Prospective applicants and beneficiaries are to note that given the evolving nature of the COVID-19 outbreak, **only soft copies sent via email will be accepted**; no hard copy of applications or claims for reimbursement, whether submitted by mail, by hand or any other means, will be accepted until further notice.

Likewise, no pen-drives, cd's etc will be accepted. This applies to submissions of any A2E documents at Hal Far and other Jobsplus Offices in Malta and Gozo.

Only applications and claims for reimbursement that successfully reach the working mailbox by the close of the applicable deadline, will be considered. It remains the responsibility of the applicant to ensure that the application and claim for reimbursement was successfully delivered.

All documents need to have an electronic signature or email from the person authorised to sign the document.

Documentation must be submitted to the following email addresses:

- Access to Employment (A2E) Scheme on [a2e.jobsplus@gov.mt](mailto:a2e.jobsplus@gov.mt)

More information is available on <https://jobsplus.gov.mt/announcement-coronavirus>.

*9. My firm was established in the last 12 months. Can I apply for the A2E Scheme if through such new recruitment there is a net increase in the number of employees?*

The condition in paragraph (3) of Article 32 is meant to ensure that no employees are made redundant with the objective of re-hire of disadvantaged workers in order to benefit from the State aid. If the company is in existence for less than 12 months, the average number of workers shall be calculated over the period for which the company was in existence. The firm may thus acquire grants for the recruitment of disadvantaged workers if there is a net increase in the number of employees.

*10. Why I need to register a net increase in the number of employees?*

Article 32 (3) and Article 33 (3) of the GBER regulation intend to clarify in what circumstances the recruitment or wage costs of newly employed personnel shall be eligible for support, even in case of no net increase in the number of total employees of the undertaking (and without prejudice to the net increase in another establishment of that undertaking).

Therefore, as the beneficiary of the aid will be the undertaking, the conditions concerning the net increase should apply at the level of the undertaking.

In case of newly-established enterprises which have commenced operations within the previous three years and whose accounts have not yet been submitted, the data to be applied is to be derived from a bona fide estimate made in the course of the financial year. These will be obtained from estimates evidencing that they originated from the accountant of the company.

*11. Premature Termination Cases*

Upon premature termination of the grant agreement, both the Employer and the Participant must complete the appropriate A2E Scheme Justification Forms. The below scenarios mentioned to guide the Employer and/or participant on how to proceed in particular circumstances. There may, of course be different scenarios.

*a. Case 1: Termination during Probation Period:*

If the employment is terminated during probation, the Employer will be entitled to claim the subsidy due for the actual employment grant period of the participant.

*b. Case 2: Participant terminated or resigned during the grant subsidy period or retention period:*

In line with Article 32 para 5 of the General Block Exemption Regulation COMMISSION REGULATION (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty if the period of employment is shorter than 12 months, or 24 months in the case of severely disadvantaged workers, the aid shall be reduced pro rata accordingly. In this regard the IB will retain the prerogative to reimburse the undertaking only for the weeks completed in full on the A2E scheme in case the grant period or the retention period is not respected.

In case of workers with disabilities, according to Article 33 para 2 the eligible costs shall be the wage costs over any given period during which the worker with disabilities is employed.

The above is without prejudice to any other conditions laid down in the grant agreement.

*c. Case 3: Participant's employment terminated during the grant subsidy period or grant retention period of the A2E Scheme due to pensionable age:*

In the case that the employer terminates the employment of the participant due to pensionable age, no reimbursement will be due.

*d. Case 4: Participant made redundant during the grant subsidy period or grant retention period of the A2E Scheme:*

In case of redundancy of the participant, no reimbursement will be due.