

Voluntary Work

Ladies/Gents

How news travels quickly – I have had four enquiries to date regarding what constitutes “unpaid work” (voluntary work).

There is no legislative definition of voluntary work in the scores of various Act and Regulations that effect military pensions. However in policy terms, voluntary work is defined as unpaid work for a recognized community or welfare organization. Voluntary work for a recognized community or welfare organization does necessarily mean that the person has the capacity to do paid work.

Unpaid work for friends or a business enterprise formed for the purpose of making a profit is not classified as voluntary work

For example, a recipient of incapacity payments and/or certain disability pensions who works several hours in a job that aims to make a profit may be found to be able to undertake paid work, and therefore ineligible for their current rate of payment. The same person volunteering as an advocate, pension or welfare officer would not be deemed capable of paid work purely on the basis of that voluntary work alone.

Secretary
Victorian State Branch (VVAA)

Subject: SOME OLD CHESTNUTS ARE DOING THE ROUNDS AGAIN.....

Ladies/Gents

As the subject heading says – there are some hoary old chestnuts doing the rounds again

(rumour travels faster, but it don't stay put as long as truth but for some reason, they keep on coming back)

Please distribute to members to ensure there is no unwanted alarm amongst veterans.

No 1

DVA is reviewing TPI's to see if they are taking medications and if they are not taking medications then they might have their entitlements removed.

FALSE! - DVA are not reviewing entitlements and have no intentions of doing so.

No 2

DVA are checking up on volunteers who are TPI working more than 8 hours.

FALSE! DVA are not checking up on TPI's doing voluntary work - excerpts from the following documents clearly indicate the department's position:

Document - National Manager Compensation Policy, 31 Jan 2008:

Clarifying the definition of voluntary work for policy purposes and its impact on the special rate pension:

“Under the VEA, the Repatriation Commission has the general policy approach that voluntary work does not have the same pressure or stress that is inherent in paid employment.....”

“NOTE: There is no defined upper limit to the hours of voluntary work a person may undertake, and the hours worked are not linked at all to the eight hour limit imposed on remunerative work”.

Document - Training and Information (TIP) National Training Advice 2008

Volunteering & DVA Pensions (Distribution of the current Minister for Veterans Affairs decision on the subject)

“Voluntary work for an ex-service organisation does not mean that the person has a capacity to do paid work”.

“No Special Rate (T&PI) Pensioner undertaking voluntary work has been affected by action taken by the DVA-confirmed by a review of the department’s records back to July 2005”.

“Unpaid work for family, friends or a business enterprise formed for the purposes of making a profit is not classified as voluntary work”.

“Where a person has been reviewed both medically and undertaken a rehabilitation assessment and is subsequently seen as capable of undertaking paid work, a decision to undertake voluntary work in lieu of paid work is not seen as a way of diminishing the intent of the rehabilitation process or as a way of preserving incapacity payments”.

Document - Repatriation Commissioner Feb 2009:

Voluntary work under the VEA, SRCA and MRCA

“DVA regards voluntary work in the same way for all three acts it administers, the VEA, the SRCA and the MRCA”

“DVA encourages veterans and members of the ex-service community to volunteer to assist community or welfare groups”.

Document - Department of Veterans’ Affairs Minute Feb 2009:

Voluntary Work Policy

“Undertaking voluntary work of this nature does not trigger reassessment of incapacity payments under either SRCA or MRCA”.

“Under the MRCA and SRCA incapacity payments are regularly reviewed” “The assessments take into account physical and mental capacities, skills and training, work history and so on. Voluntary work is not a trigger for the review and does not of itself imply that someone is able to undertake remunerative work”.

“References in SRCA and MRCA legislation to “capacity for rehabilitation” or “capacity for work” do not automatically translate to mean that a person who is undertaking voluntary work has a capacity to do paid work”

The department position is clear:

A person in receipt of Special Rate (T&PI) payments may engage in voluntary work. Restrictions do apply to the amount of paid work a recipient of Special Rate (T&PI) Payments may undertake.

Peter Bright
Secretary
Victorian State Branch (VVAA)