



Long Service Leave

Portable LSL

6 September 2019

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Neighbourhood Houses Victoria acknowledges the Aboriginal custodians of this land and we pay our respects to their culture, their people and elders past, present and future.



About the Portable LSL

- The Long Service Benefits Portability Act 2019 (Act) received Royal Assent on 18 September 2018.
- The Act applies to workers in the contract cleaning, security and community services sectors.
- The act provides for the survival of accrued Long Service Leave (LSL) where an employee changes employer but does not move out of the sector.

More about Portable LSL



- The Portable Long Service Authority (PLSA) has been established to administer the Act.
- Employers will need to register with the PLSA this year.
- Registrations open 1 July and must be completed by 30 September 2019.
- Reporting and payment to the authority will be quarterly.
- The quarterly returns must include information about all workers who have worked in that quarter, the hours they have worked and the pay received during the quarter.

Some more on Portable LSL



- The PLSA sets the LSL levy which has been calculated as 1.65% of ordinary earnings for the community sector.
- For example if the Gross ordinary pay for a quarter is \$20,000 the levy would be \$330.00.

Regulation



- A core factor of the Act is the no double-dipping rule.
- An employer of a registered worker may claim reimbursement from the Authority if:
 - The employer is required to pay LSL under a fair work instrument in relation to the same service period.
 - The Authority has not made any payment of LSL to the worker under this Act in relation to the same claim period.

Ongoing



- The Act and Regulations have been poorly interpreted and applied.
- NHVic, amongst other sector bodies, have been pushing back against a poor interpretation that would see only 'frontline' hours generating Portable LSL.
- The PLSA is talking with NHVic and has been updating the regulations, slowly, but in our favour.



Discussion

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