

Portable Long Service Leave Scheme - FAQs (staff)

How will workers benefit from the Scheme?

The Scheme will support Community Sector workers in a number of ways:

- provide a basic benefit of 4.33 weeks paid leave after five years service in the sector.
- protect the basic entitlement to long service leave for all ACT Community Sector workers even where this is accrued by employment in multiple organisations.
- assist in the development of career options for workers and provide work opportunities and greater prospects for promotion.

Who is eligible, and how was this determined?

The Scheme covers various working arrangements (full-time, part-time, casual and short tenure including contracting), and organisational structures (for profit, not for profit, and ACT and Commonwealth Government funded). The aim is to recognise the nature of employment in the Sector, which is characterised by short-term employment, high mobility and part-time and casual employment.

How long can I, as a worker, remain eligible for the Scheme if I take extended breaks between positions, such as to start a family or travel overseas?

Eligible staff can remain on the register of the Long Service Leave Authority as long as they are credited with at least one day's relevant service over four consecutive years.

Can staff opt to cash out their entitlement to portable long service leave?

This is allowable under ACT legislation in limited circumstances. These relate to where LSL is not accessible due to circumstances that make leave irrelevant such as separation from the sector, or when a worker is incapacitated or has died. In all such situations the entitlement cannot be claimed on a *pro rata* basis for intervals below the 5 year minimum under the PLSL Scheme.

Can a cash payment be made to a worker who has accrued the five years service required under the PLSL for the ACT Community Sector if they leave the sector?

Voluntarily de-registering does not affect the eligibility for cashing out described above.

Can a cash payment be made to a worker who has accrued the five years service required under the PLSL for the ACT Community Sector under one employer after the new portable Scheme has commenced?

Yes, but they would need to apply under the provisions of the *Long Service Leave Act 1976*.

How will the Scheme apply to casual staff?

The Scheme will be made available across different working arrangements, including full-time, part-time, casual and short tenure arrangements such as contracting. Under the legislation (*Long Service Leave Act 1976*) the entitlement is calculated as: “one fifth of a month’s leave for every year of service” (S.4).

What if I take some time off between positions to further my career or pursue other life options?

The Scheme will assist eligible workers to optimise work-life balance by enabling them to take breaks between positions while retaining their attachment to the sector.

If, as an employee, I have already started building up the five years service required for eligibility, would I have to start again when the new Scheme starts?

No. Employees will maintain their eligibility and status for long service leave from previous service once the Scheme has commenced. Pre-existing accrual will not be taken away, and can be amalgamated with that accrued under the PLSL Scheme to reach a five year total. Portability begins from the new Scheme’s commencement. For their prior service’s entitlement, the employee would need to seek funds from the relevant employer. The Scheme’s administrator, the Long Service Leave Authority, will have responsibility from the date of the Scheme’s commencement, expected to be 1 July 2010.