

Webinar #2

Recap and FAQs



Hello all





Today's session

We are here to help you







RECAP: What is Portable Long Service Leave



So, who's covered?

- If you employ people who work in the Community Services sector or support the delivery of community services, they're likely eligible.
- Eligibility is based on two things:
 - The type of role it must be a role covered by the SCHADS Award or the ALRM Award, even if the worker is not paid under that Award.
 - The service delivered it must be one listed in Schedule 2 of the Act
- It's important to know: a worker doesn't have to be paid under these awards it's about the type of work they perform.
- If you are a self-employed Contractor or Working Director and working in the community services sector (as defined in the Act), you can accrue long service leave by making voluntary contributions.
- Visit our website where we have a dedicated FAQ section on eligibility.



Who is eligible?





Regulations Update





Frequently Asked Questions



Is this scheme compulsory?

Answer

It is compulsory for employers who are employing eligible workers to register as an employer with the scheme, register any eligible workers, report on a quarterly basis, and pay any applicable levies.





Answer



We need the guidance about what is the applicable remuneration as we are setting budgets for next year now.

The definition of Remuneration for the purposes of calculating levies is in the Regulations, and unfortunately, we are not able to provide that information until they have been finalised.



Answer

Can you clarify on employees supporting community services please? Does this include corporate roles like HR, payroll, finance, WHS, rostering and admin roles?

As well as covering community services workers themselves, the scheme covers administrative or managerial staff that are predominantly (at least half their time) supporting the provision of community services.

This includes HR, payroll, finance, and other admin roles who are supporting those providing the community services directly.

Answer



We will be providing lots of information about how to use our online portals in the coming months, including a webinar to show you how it all works.

Guides will also be available for download through our website.





Answer

What about existing accrued long service leave will this be somehow ported into the new scheme?

If your worker already has 7+ years of service before the scheme starts, they've already met the minimum for a LSL entitlement under the *Long Service Leave Act 1987*. When the worker claims, the scheme will pay them and then recover the amount from the *Long Service Leave Act 1987* entitlement from you.



If your worker doesn't yet have 7 years before the scheme starts, but they do reach 7+ years after registration, you'll still need to cover the portion of LSL earned before 1 October 2025. That liability will be calculated when they claim.



Answer

Who manages payment to employees for the LSL and what happens to the provisions that organisations have already put aside for eligible employees?

Workers claim long service leave through SAPLSL using their Worker Portal. Employers must approve all claims for their employee's long service leave prior to the worker receiving a payment, and we encourage workers to discuss their requests with their employer before lodgment.



SAPLSL will pay the worker directly for their long service leave and seek reimbursement from employers for their portion.



We have registered nurses staff working under Nurse Award for the role of in-home Aged Care clinical assessment.

Are they eligible to this portable LSL?

Answer

Nurses and other health professionals (such as chiropractors, podiatrists or pharmacists) are not eligible for portable long service leave.





Answer



For those employees who can Salary Sacrifice, will that get paid through the scheme?

The Act includes provisions for salary sacrifice payments to be deducted from long service leave claims if an existing arrangement between a registered worker and registered employer is in place.

The amount to be salary sacrificed will be deducted from the payment and paid to the employer, and the remaining amount paid directly to the worker.



Answer

Could you provide details about workers registration - what sort of information will be required?

Employers will need to provide general information about each eligible worker including their full name, date of birth, mobile, email and postal addresses and employment start dates.

Employers will not be asked to provide information such as Tax File Numbers or bank details upon registration.



An information pack will be available for employers before commencement of the scheme with recommended steps to prepare for the introduction of the scheme.



Answer



Facilities will be available in the Employer Portal to "bulk upload" workers using a spreadsheet template.

A spreadsheet template will also be available for return lodgment. Step by step instructions will be available for download through our website.





Answer

Could an employee who is on unpaid parental leave, work one day in the quarter and LSL would accrue without a break?

Yes, if a worker works one or more days in a quarter they are credited with 3 months of service.

However, if a worker performed a reduced workload within a quarter, this could affect their weekly rate of pay when they claim their long service leave.





Answer



Workers need to be in a role covered by the SCHADS Award or ALRM Award and delivering a service listed in Schedule 2 of the Act.



If the worker is supporting the provision of community services, they just need to be supporting people who are providing the service to be eligible.

Answer

Can employees that have attained 7 years of continuous service and they leave the community service sector - will they be able to apply and be paid their LSL entitlement?

Yes, if a worker has accrued 7 or more years of service, leaves the sector and does not intend to return within the next 12 months, they are able to claim a pro-rata payment.

A worker may claim the payment immediately upon leaving the sector if they are not intending to start a new job within the sector.



Answer



Would employees performing employment services work on the LMAIA be included?

Workers who are providing employment services and are covered by the Labour Market Assistance Industry Award (whether receiving the Award wage or not) are not required to be registered with SA Portable Long Service Leave.

However, a worker who is providing employment services with a Community Services sector employer and is covered by the Social, Community, Home Care and Disability Services Industry Award is eligible for portable long service leave.



Does it include staff under casual employment?

Answer

Yes, casual workers who are employed in the community services sector are eligible for portable long service leave.





Answer



How will we as the employer know the amount of LSL an employee has accrued from other employers prior to commencement please?

An employer will be able to see the overall balance of their employees through the Employer Portal.

They will not be able to see details of previous employers that worker has been employed by, including employer names, dates of employment or rates of pay.



Answer



If an employee and employer agrees that the employee can cash out their LSL prior to the scheme commencing, how are these records passed on to the scheme?

Details of the worker's existing long service leave entitlements (including both accrued service and claimed leave) will be required to be provided by the employer.

More details about the information required and the format to be submitted will be available closer to commencement.



Answer



Can a worker "cash out" PLSL? And what happens when staff leave the sector?

Yes, staff can claim a cash payment in lieu of leave if they wish.

Employers will need to approve all claim requests prior to payment, including a "cash out" of leave entitlements.

Workers who have accrued at least 7 years of service and leave the sector will be entitled to a pro-rata payment.



Answer



Will the pre-PLSL service liability, as of 30 September, stay at that \$\$ value or will we be billed for the current salary rate of the employee (they may be in higher levels or new pay rates).

Some of the liability calculations for long service leave entitlements are determined in the Regulations and we are unable to provide definitive advice around this right now.

However, for workers who have already reached a long service leave entitlement (at least 7 years of service) with their employer prior to 1 October 2025, the employer's liability (in dollars) will remain static at the amount owing on 30 September 2025.



Answer



Workers who work in South Australia are covered by the Portable Long Service Leave Act 2024 for any work performed in South Australia.

Workers do not need to reside in South Australia to be covered by the PLSL Act.



Employers may seek exemption from registering workers who work predominantly in another state, provided the worker is accruing long service leave under corresponding portable long service leave legislation in their predominant state.



Answer

Do we have to calculate and pay levies for previous 4 years as well?

Levies will apply for service accrued from 1 October 2025 onwards.

No levies are payable for service prior to 1 October 2025; however, employers remain liable for long service leave entitlements accrued under the State Act up to 30 September 2025.





Answer



How will changes in working hours (moving from full time to part time etc.) work?

A worker will receive 3 months of service credited for each quarter where they work one eligible shift. Changes in hours will not affect the amount of service accrued.

However, a worker's rate of pay is determined based on their average weekly rate of pay over the 3-years prior to their claim. If the worker changes the amount of hours they work within that 3year period, it will affect their weekly rate of pay for their claim payment.





Key Dates

1 October 2025

Scheme commences Employer Registrations commence (28 days for all Employers to register)

1 October – 31 December 2025

First reporting quarter Worker Registrations commence (to be completed by end of first quarter)

21 January 2026 First quarterly report due Levy payment due





What's Next

Visit: <u>https://saplsl-community.org.au</u> for more information

Scheme Registration and compliance resources coming soon - join our mailing list to stay informed.

More webinars:

- Understanding the Regulations
- Eligibility deep dive





Thank you – see you next time

