



# Worker Information

## Portable Long Service Leave Benefits for the Construction Industry

November 2010

In February 2005 Parliament passed the *Construction Industry Long Service Leave and Benefits Act* (the Act) enabling building and construction workers in the Northern Territory to benefit from the introduction of a portable long service leave scheme. The Act was passed after consultation with industry.

The scheme came into effect on 1 July 2005. A Government appointed Board is responsible for administering the scheme. The Board called NT Build consists of industry members who represent organisations that represent the interests of both employees and employers.

### What is portable long service leave?

The new scheme enables workers to qualify for long service leave based on their service to the industry rather than service with the one employer. The portability extends across state borders under the National Reciprocal Agreement.

Workers long service leave is paid from the scheme.

### What are the benefits?

A registered worker can be credited with a maximum of 260 days of qualifying service each financial year. A total of 6.5 days long service leave credit is accrued for each 260 days.

Once a worker has accrued 65 days long service leave credit (ie; 10 years service), they can apply for 13 weeks (ie; 65 days) long service leave, or with the agreement of their employer, take leave in separate periods of not less than 5 days.

Workers need to accrue a further 32.5 days long service leave credit before they can apply for further leave.

The Act contains special provisions for workers who die, retire or cease to perform construction work.

### Employment Interstate

Every State and Territory in Australia has a portable long service leave scheme operating within their construction industry.

Under the National Reciprocal Agreement, registered Northern Territory workers are able to have service accrued in any State or Territory combined towards a long service leave entitlement.

### Eligibility

To be eligible for registration under the scheme a worker must:

- Be employed to carry out construction work in the Territory;
- Must work on a construction site for greater than 50% of their time;
- Work for the private sector i.e. not for the government; and
- Not be working in an administrative, clerical, managerial or professional capacity.

Workers employed either full-time, part-time, as a casual or as a labour only contractor, are eligible to register.

### Construction work

For the purposes of this scheme, construction work includes commercial, domestic, industrial and civil construction work. Construction work covers workers performing repair, maintenance, extension and demolition work.

For more information on the definition of construction work, please visit our website – [www.ntbuild.com.au](http://www.ntbuild.com.au) or call NT Build on **1300 795 855**.

### Registration

To register under the scheme, a worker should complete the Worker Registration Application Form and return it to NT Build's office. Once registered:

- Your employer will lodge an Employer Return with NT Build every 6 months. Employment data on this form will be used to update your work history, with "qualifying service days" credited towards your long service leave credit.
- Labour only contractors complete their own returns. A contractor return form will be sent every 6 months.
- Workers will receive an Annual Statement at the end of each financial year providing details of service credited with all relevant employers.

### Arrangements for work prior to the commencement of the scheme

If a worker commenced employment with their current employer prior to 1 January 2005 and has since been continuously employed with that same employer, the employer may apply to have service prior to 1 January 2005 credited with NT Build.

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