Long Service Leave Act 1987 (SA)



Complete this form if you:

- are a South Australian worker, and
- have completed at least seven (7) years of continuous service

OR

- are a South Australian employer, and
- require assistance to work out a long service leave entitlement.

Continuous service

A worker's continuity of service is not affected by:

- absence in accordance with contract of service (e.g. Christmas closure)
- absence on account of illness or injury
- absence on account of long service leave or annual leave
- absence on account of any other approved leave (e.g. parental leave, approved leave without pay)
- the standing down of the worker due to slackness in trade where the worker is re-employed by the same employer
- a break in service brought about by the employer where the worker returns or is re-employed by the same employer within two months.

Continuous service is not the same as Service. Continuous service means that your service is not broken, however some types of leave do not count as service when calculating your entitlement. For example, unpaid leave does not count towards your service but does not necessarily break your continuous service.

The Long Service Leave Act 1987 (SA) may not apply to:

- Construction industry workers who are predominately employed 'on-site'. For more information contact Portable Long Service Leave on 8362 8111.
- The South Australian Public Sector. Long service leave entitlements are governed by the *Public Sector Act* 2009 and any determinations of the Commissioner for Public Sector Employment.
- Workers whom, as of 31 December 2009, had award-derived long service leave terms set out in relevant industrial instruments (e.g. Enterprise Agreement, Australian Workplace Agreement [unless cancelled or rescinded], or Federal Award). For example, workers in the vehicle industry where their employers are members of the Motor Trade Association and where membership commenced prior to March 2006.
- Workers employed within the Commonwealth Public Sector.

Submitting your form

Please submit your completed form and supporting documents to SafeWork SA:

Email: <u>DTFSWSAInspectorate@sa.gov.au</u>

Post: GPO Box 465 Adelaide SA 5001

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Please answer all questions in full so that we can get back to you as quickly as possible.

Are you raising this matter as the:	Employee	Employer				
Employee details						
Name:		Date of birth:				
Address:		Suburb:		Postcode:		
Contact number:		Email:				
Employer details						
Company Name:		Trading name,	if applicable:			
Industry of business:		J. J. J.				
Address:		Suburb:		Postcode:		
ABN (as per payslip):						
Contact person at business:						
Contact phone number:		Email:				
Employment details						
Date employee commenced work with	the above employer:					
Most recent employment status with the	e above employer:	Full-time	Part-time	Casual		
Completed years of service with employer: Current hourly rate of pay (before tax)? \$						
Did the employee take any maternity/p If yes, please list the dates and the		during this time?	Yes	No		
Is the employee still employed by the a	bove employer?	Yes No				
Date employee finished work	with the above employe	er:				
Who terminated the employr	nent? Employer	Employee				
Was notice given? Yes	No If yes,	how much?				
	Was t	he notice given in v	vriting?	Yes No		
What was the reason for term	nination?					
Did the employee receive a le	tter of termination?	Yes No	(If yes, please	e attach a copy)		
Did the employee receive a fi	nal navslin? Yes	No (If ve	s inlease attach a	conv)		

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s there a disagreement over a long service leave entitlement between employee and employer?		Yes	No	
If yes, have you attempted to resolve your claim with your employer/employee?	Yes	N	0	

Please provide a commentary of the dispute with your employer/employee with regard to long service leave.

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Are there any further points that you would like us to clarify with regard to long service leave?

5. Declaration

I certify that the details I have provided are correct to the best of my knowledge.

Date:

In the course of managing your claim, SafeWork SA may need to contact your employer/employee to request specific information and/or discuss the issues you have raised. This will result in the other party being provided with the details of this form.

I give permission for SafeWork SA to contact my employer/employee for the purpose detailed above.

I do not give permission for SafeWork SA to contact my employer/employee for the purpose detailed above.

If you do not grant us permission to discuss your claim with the other party, we may not be able to help resolve any dispute.