

Frequently Asked Questions - Employers

New Services Industry Scheme – Incorporating the existing Contract Cleaning Industry Scheme and new industries of Hairdressing and Beauty Services and Accommodation and Food Services (including hospitality services)

What is portable long service leave?

Portable long service leave allows workers to accrue long service leave entitlements, even when they move from employer to employer within an established portable long service leave scheme without losing credit for the period of time worked (credited service days) in the covered industries.

Workers who have not yet reached a portable long service leave entitlement are also able to have up to a continuous non-service break of four years before their entitlement accrual is affected.

Which employers will the new Services Industry Scheme cover?

The new Services Industry Scheme will cover:

- existing and new contract cleaning services employers, including employers who provide waste collection and waste sorting services at specified waste management facilities in the ACT.
- hairdressing and beauty services employers who provide services classified under ANZSIC Division S Class 9511 – this includes hairdressing services (hairdressers and barbers), beauty services (applying make-up, facials, non-medical skin care services, non-medical or physiotherapy treatment massage services, electrolysis and waxing (hair removal) services, and tanning (spray) services).
- accommodation, food, beverage and hospitality services employers who provide services classified under ANZSIC Division H – this includes providing short-term accommodation for visitors, such as hotels, motels and camping group operators and food services (providing meals, snacks, beverages for consumption by customers). Primary business activities include:
 - Caravan Park operation
 - Holiday house and flat operation
 - Hotels and motels
 - Resort operations
 - Services apartments
 - Ski-lodge operations
 - Student residences (except boarding schools) and
 - Youth hostels
 - Cafes and restaurants
 - Takeaway food services – including juice bars and mobile food vans
 - Catering services (mainly engaged in providing catering services at specified locations or events – including airline food catering services)
 - Selling alcoholic beverages for on and off premises consumption (pubs, taverns, bars and night clubs)
 - Hospitality clubs mainly engaged in providing hospitality services to members such as gambling, sporting or other social or entertainment facilities

What employers will the new Services Industry Scheme NOT cover?

The new Services Industry Scheme will not cover employers who provide the following services:

- Businesses offering only tattooing and piercing services
- Businesses operating massage parlour operations under brothel services
- Residential property operators – including providing long-term (residential) caravan accommodation
- Retail trade operations that are primarily engaged in the purchase/on selling of goods to the general public
- Retailing baked goods manufactured on the same or different premises
- Retailing beer, wine or spirits for consumption off premises only
- Gambling institutions (casinos)
- Amusement and recreation parks
- Theatre restaurants providing live theatrical productions with food and beverages
- Operating sporting clubs, and other recreation or entertainment facilities providing food, beverage and accommodation services which are covered by other ANZSIC Divisions such as Division R – Arts and Recreation Services

Which workers will be eligible to be part of the new Services Industry Scheme?

To be eligible to register as a worker in the Services Industry Scheme, a worker must be:

1. an employee of a business that must be registered in the new Services Industry Scheme;
2. actually working for their employer; and
3. working fulltime, part time or casual (apprentices are also included).

Who will administer the new Services Industry Scheme?

All portable long service leave schemes in the ACT are administered by the ACT Long Service Leave Authority (“ACT Leave”). ACT Leave can be contacted by emailing enquiry@actleave.act.gov.au or phoning on (02) 6247 3900, 8.30am to 4.30pm Monday to Friday.

When does the new Services Industry Scheme start?

The new Services Industry Scheme commences in 2025.

The first quarterly return is due on 31 October 2025 for the quarter 1 July to 30 September 2025.

How do I register with ACT Leave?

ACT Leave will be initially contacting potential employers in the coming months to provide information and support on registration. General information on scheme arrangements, coverage and registration will be progressively added to the ACT Leave website prior to the commencement of the new Services Industry Scheme.

How much does it cost?

The Scheme is funded by a levy that is charged to all employers, payable to ACT Leave each quarter. The levy rate is currently estimated at 1.07% of ordinary remuneration. Ordinary remuneration is the amount that was paid (or should have been paid) to the employee for their work, each quarter. Ordinary remuneration does not include overtime, expenses or payment for the use of materials, equipment or a motor vehicle that an employee has been provided.

How is the levy rate determined?

The Minister for Industrial Relations and Workplace Safety has portfolio responsibility for determining the levy payable by employers for a covered industry. The governing board of ACT Leave is also able to make minor changes to the levy rate within each 12-month period.

ACT Leave and its governing board monitor the assets and liabilities of each scheme and assess the adequacy of the employer levy rates to ensure that long term scheme liabilities are able to be met. This is informed by in-depth actuarial reports that ACT Leave commissions once every three years (triennial actuarial reports), as well as annual valuation and projection reports. These reports take into consideration:

- the number of workers covered by each scheme;
- the observed growth rate within the covered industries;
- active worker assumptions, and accrual of service credits;
- industry demographics and wages;
- number of ceased workers across all of the portable schemes/comparative growth in cessation;
- projections for settlement costs;
- operational and administrative costs for the Authority; and
- earning rates and returns on investments.

The new Services Industry Scheme levy rate is currently estimated to be 1.07% (employers will be advised of the levy rate prior to the commencement of the new scheme).

Transition arrangements – Contract Cleaning (Cleaning Services Industry) employers

Employers in the contract cleaning industry currently registered with ACT Leave will not have to re-register. All employers already registered with ACT Leave will automatically be transferred to the new Services Industry Scheme when it commences. New contract cleaning industry employers not previously registered with ACT Leave will need to register.

What happens after I register as an employer?

Employers must register themselves and their eligible workers for the new Services Industry Scheme with the Authority from the commencement of the new Scheme. They will then receive a certificate of registration from the ACT Leave. Every quarter employer's will need to provide a report to the ACT Leave (in the form of a quarterly return) that lists the people who worked for them in that period, their contact details and the ordinary remuneration paid during the period. Employers also need to pay the required levy to ACT Leave each quarter. In accordance with Section 57 of the Long Service Leave (Portable Schemes) Act 2009, employers must also keep certain written records for each worker (for up to 7 years after they leave).

What are the benefits for workers?

The new Services Industry Scheme allows eligible workers to obtain a long service leave benefit after working in the industries covered under the scheme for seven years regardless of how many employers they've had during that period.

How do I access an employer reimbursement?

Reimbursements are available to employers where a payment has been made to an employee under the *Long Service Leave Act 1976* or a law prescribed by regulation, and the employee's service period is a combination of service accrued both prior and post the commencement of coverage under the new Services Industry Scheme. ACT Leave will reimburse employers for the portion of the long service leave entitlement payment made to their employee which relates to the long service leave accrued after the commencement of coverage under the portable scheme's legislation.

All long service leave entitlement payments to employees based solely on service accrued after commencement of coverage under the new services industry portable schemes legislation will be made directly to the employee by ACT Leave.

Where can I get further information?

There are a number of options for obtaining further information:

- by emailing enquiry@actleave.act.gov.au;
- by visiting the ACT Leave website at www.actleave.act.gov.au; or
- by phoning ACT Leave on (02) 6247 3900, 8.30am to 4.30pm Monday to Friday

If you require assistance in registering as an employer, submitting quarterly returns or you would like further information on the operation of the new Services Industry Scheme, ACT Leave staff are available to assist you on the number listed above.

Frequently Asked Questions - Employees

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Which employees will the new Services Industry Scheme cover?

The new Services Industry Scheme will cover employees who perform work in the following industries:

- contract cleaning services industry (from 1 July 2016 waste collection and waste sorting services at specified waste management facilities in the ACT).
- hairdressing and beauty services industry classified under ANZSIC Division S Class 9511 – this includes hairdressing services (hairdressers, barbers and hairdressing apprentices), beauty services (applying make-up, facials, non-medical skin care services, non-medical or physiotherapy treatment massage services, electrolysis and waxing (hair removal) services, and tanning (spray) services).
- accommodation, food, beverage and hospitality services industry classified under ANZSIC Division H – this includes providing short-term accommodation for visitors, such as hotels, motels and camping group operators and food services, including apprentice chefs (providing meals, snacks, beverages for consumption by customers). Primary business activities include:
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 - Hospitality clubs mainly engaged in providing hospitality services to members such as gambling, sporting or other social or entertainment facilities

Which employees will the new Services Industry Scheme NOT cover?

The new Services Industry Scheme does not cover employees who work for employers that provide the following services:

- Businesses offering only tattooing and piercing services
- Businesses operating massage parlour operations under brothel services
- Residential property operators – including providing long term (residential) caravan accommodation
- Retail trade operations that are primarily engaged in the purchase/on selling of goods to the general public
- Retailing baked goods manufactured on the same or different premises
- Retailing beer, wine or spirits for consumption off premises only
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Who will administer the new Services Industry Scheme?

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When does the new Services Industry Scheme start?

The new Services Industry Scheme commences in 2025.

How much does it cost?

As an employee no payment is required. The new Services Industry Scheme is funded by a levy payable by your employer.

Transition Arrangements - I'm already a member of the Contract Cleaning Scheme, do I need to do anything?

No, contract cleaning employees currently registered with ACT Leave will not have to re-register. All existing employees already registered with ACT Leave will automatically be transferred to the new Services Industry Scheme. Your employer will record your service and wages and provide this information to ACT Leave in the same manner they have done in the past.

How long do I need to wait before I can get portable Long Service Leave?

Once you have reached seven years or more of service under the new Services Industry Scheme you are able to access an entitlement. Existing contract cleaning employees registered with the Authority who have already reached seven years' service, will automatically be entitled to access their entitlement (periods of leave must be taken in a minimum of 2 weeks – 14 days).

For any long service leave accrued before the commencement of the portable long service leave scheme, the provisions of the *Long Service Leave Act 1976* (the *1976 Act*) and/or your employment contract apply. A basic entitlement prescribed in the *1976 Act* requires a minimum of 7 years of service with one employer before you can access your long service leave entitlement. Exceptions under limited circumstances apply within the *1976 Act*. Please contact your employer and/or WorkSafeACT by emailing worksafe@worksafe.act.gov.au or phoning 13 22 81 for further details and/or clarification.

How do I know if my employer has registered me in the new Services Industry Scheme?

You will be sent a confirmation of registration from ACT Leave as soon as your employer reports your details on their first quarterly return after the commencement of the new Services Industry Scheme (unless you are an existing contract cleaning employee already registered with ACT Leave).

ACT Leave will also send you an Annual Activity Statement, usually in September each year, which lists your employer/s and credited service days recorded for you. When you receive your Annual Activity Statement you should check it carefully to make sure all of your service has been reported correctly by your employer/s. If you have any queries, please contact ACT Leave.

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There are a number of options for obtaining further information:

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- by visiting the ACT Leave website at www.actleave.act.gov.au; or
- by phoning ACT Leave on (02) 6247 3900, 8.30am to 4.30pm Monday to Friday