



# COALSL

## SERVICE REVIEW HANDBOOK



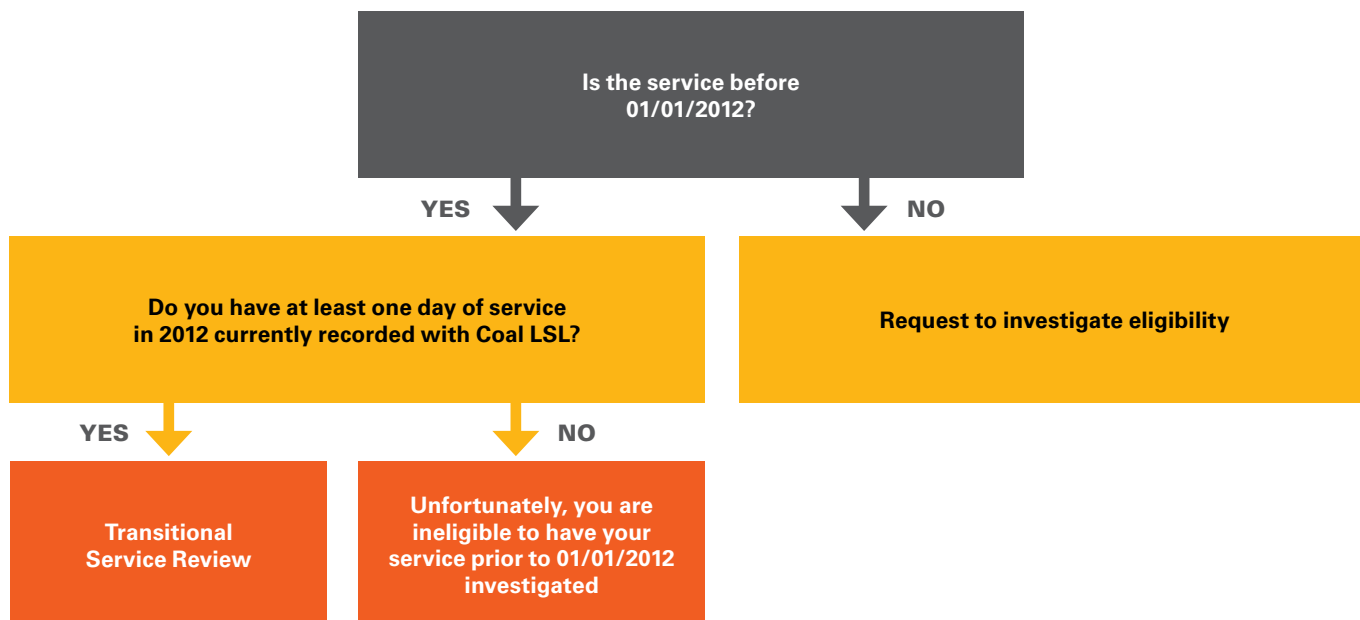
Australian Government  
Coal Mining Industry  
(Long Service Leave Funding) Corporation

# MISSING SERVICE HISTORY

## MISSING SERVICE

Missing service is any service you have worked as an eligible employee which is not reflected in your Statement of Service held by Coal LSL.

If you believe your service history record is missing periods of qualifying service, you can apply to have this matter investigated by Coal LSL. Depending on the period of qualifying service and your current service history record, as held by Coal LSL, different criteria must be met for eligibility to apply.



## SUBMITTING AN APPLICATION

You can apply to Coal LSL by completing an Application for Recognition of Eligible Service. Evidence is required to substantiate your application. Types of evidence that can be provided are outlined in the application form.

## ELIGIBILITY

To accrue a black coal mining industry long service entitlement, you must be considered an eligible employee as prescribed by the Coal Mining Industry (Long Service Leave) Administration Act 1992 (the Administration Act). Under section four of the Administration Act, an eligible employee is defined as:

- a) an employee who is employed in the black coal mining industry by an employer engaged in the black coal mining industry, whose duties are directly connected with the day to day operation of a black coal mine; or
- b) an employee who is employed in the black coal mining industry, whose duties are carried out at or about a place where black coal is mined and are directly connected with the day to day operation of a black coal mine; or
- c) an employee permanently employed with a mine rescue service for the purposes of the black coal mining industry; or
- d) a prescribed person who is employed in the black coal mining industry; but does not include a person declared by the regulations not to be an eligible employee for the purposes of this Act.

# TRANSITIONAL SERVICE REVIEW

## AM I ELIGIBLE TO APPLY?

If your record is missing service that took place prior to 1 January 2012, you must have at least one day of service in the 2012 calendar year (recognised by Coal LSL) to be eligible to apply.

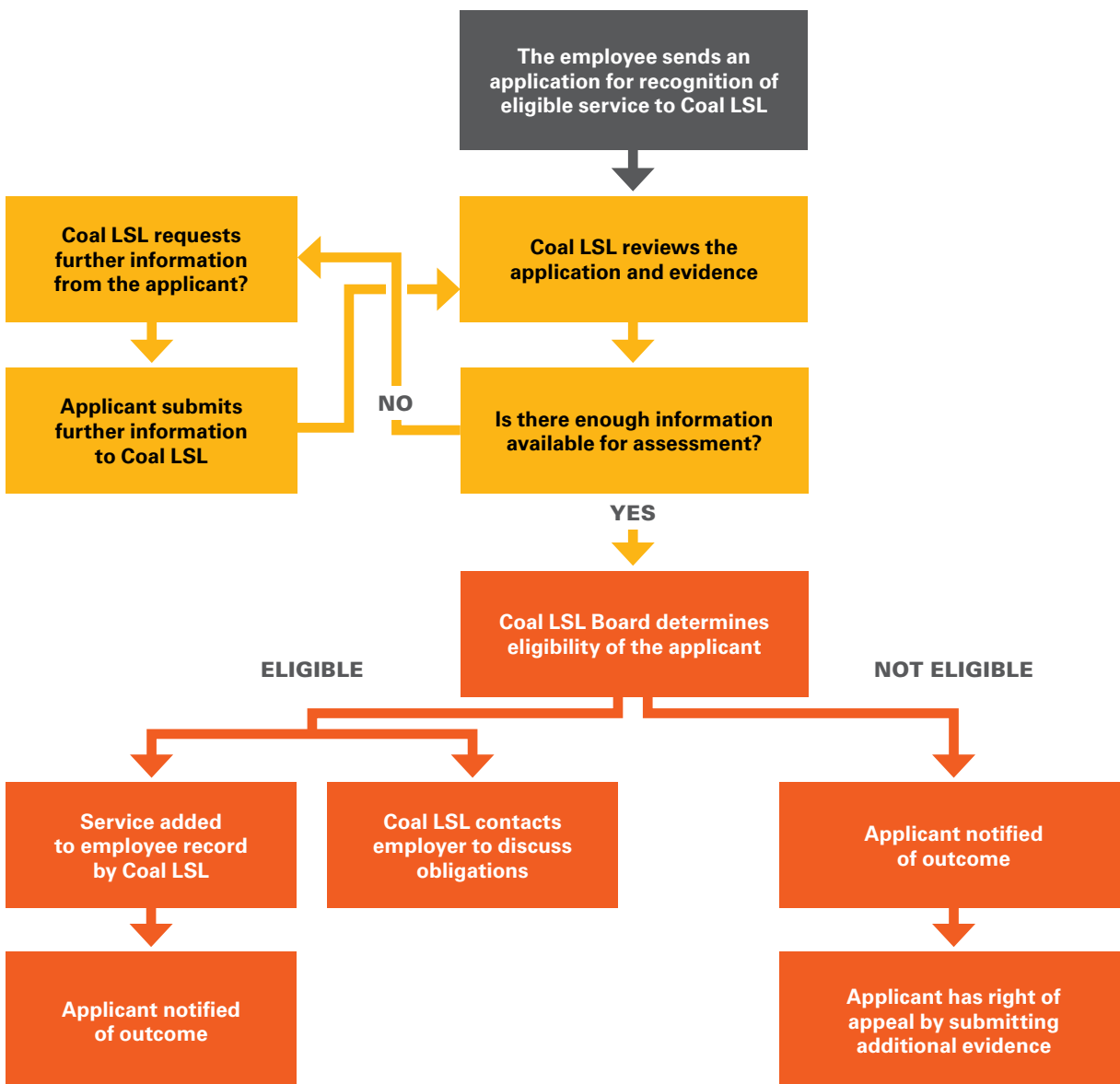
This is a requirement of the Coal Mining Industry (Long Service Leave) Legislation Amendment Act 2011 (the Amendment Act). If you do not have one day of service in the 2012 calendar year, you cannot apply to have your pre-1 January 2012 service recognised.

Should Coal LSL investigate, and subsequently recognise, missing service for you in the 2012 calendar year, any service prior to this date will then be considered.

## WHICH PERIODS OF SERVICE CAN BE INVESTIGATED?

Provided you are eligible to apply to have your service recognised, the Amendment Act allows Coal LSL to investigate any missing service retrospectively to 1 January 2000 (inclusive).

## WHAT IS THE PROCESS?

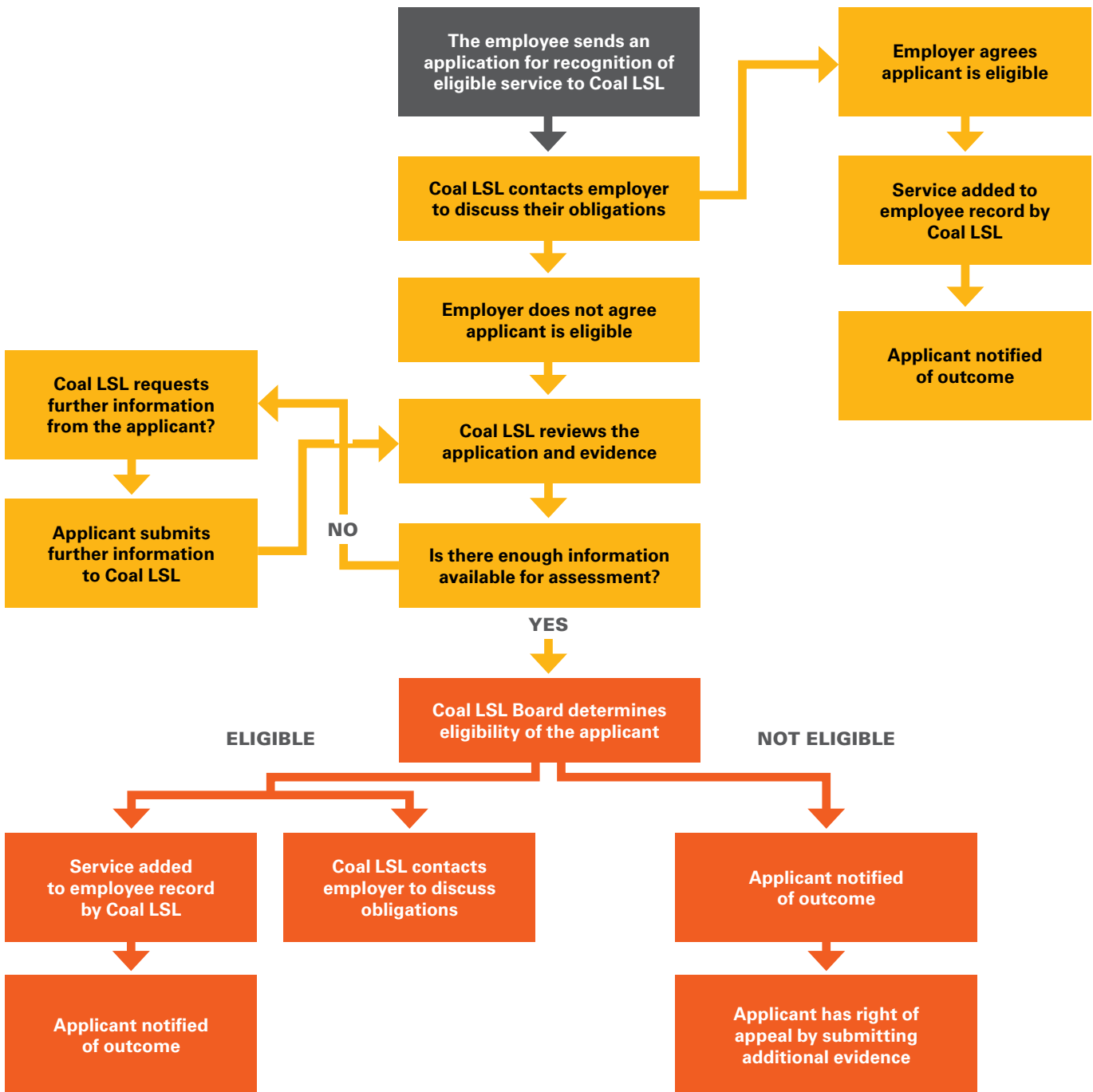


# REQUEST TO INVESTIGATE ELIGIBILITY

## WHICH PERIODS OF SERVICE CAN BE INVESTIGATED?

Requests to investigate eligibility are for any periods of service from 1 January 2012.

### WHAT IS THE PROCESS?





# APPLICATION PROCESS

If, after reading this information, you've identified that you're eligible for a missing service review, you can ask Coal LSL to investigate by completing an Application for Recognition of Eligible Service. This form is accessible from our website: [coallsl.com.au/employees/missing-service-review](https://coallsl.com.au/employees/missing-service-review)

Every application for eligibility is considered through a consistent and thorough process in accordance with the legislation. The process can be lengthy and, at times, we may need to request further information. This is critical to the assessment of an eligible employee as defined under the legislation.

Once the eligibility assessment has been completed, all applicants are notified of the outcome of your application.

To substantiate your application, you'll need to provide evidence to Coal LSL.

## DIRECT EVIDENCE

In considering an application, Coal LSL will give more weight to direct evidence of any service applied for. Direct evidence is information or documentation that directly relates to your employment in the black coal mining industry, and that may have been issued by your employer or another person for the purposes of your employment.

Documents that may be treated as direct evidence include:

- certificates of employment service from the employer
- letters of appointment or termination from the employer
- contracts of employment
- Australian Workplace Agreements
- original pay slips or statements
- employer time and wage records
- NSW coal mining industry workers' compensation records.

## INDIRECT EVIDENCE

Coal LSL may give some weight to indirect evidence of employment in the black coal mining industry. Indirect evidence is information or documentation that may have been created for another purpose (e.g. to complete a tax return, statements of the transactions on a bank account) or that refers to your employment but does not directly relate to whether it was employment in the black coal mining industry.

Documents that will be treated as indirect evidence include:

- statutory declarations
- personal tax records and group certificates
- personal superannuation records
- accounting records
- bank account records
- mine site induction records
- other workers' compensation records
- apprenticeship indentures
- separation certificates.

# APPEALS PROCESS

## CAN I APPEAL THE OUTCOME OF MY APPLICATION?

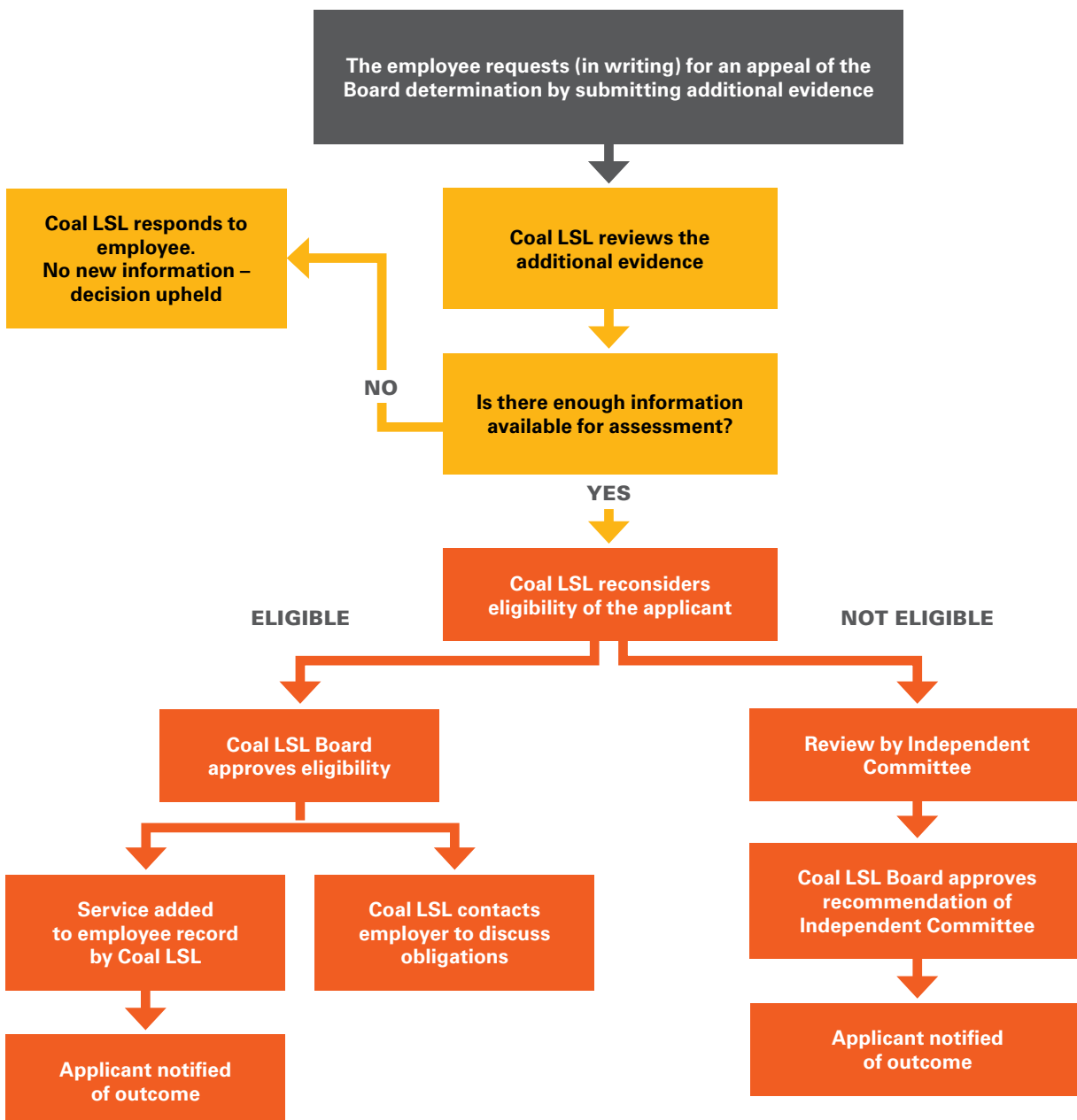
You can request that Coal LSL reconsider the periods of service it has not recognised.

To appeal, you need to:

- Submit a request in writing to Coal LSL
- Provide Coal LSL further information or documentation to support your appeal.

Requests for a review can be forwarded to [servicereview@coallsl.com.au](mailto:servicereview@coallsl.com.au) or to Locked Bag 2021, Newcastle NSW 2300.

## WHAT IS THE PROCESS?



# EMPLOYER APPEALS PROCESS

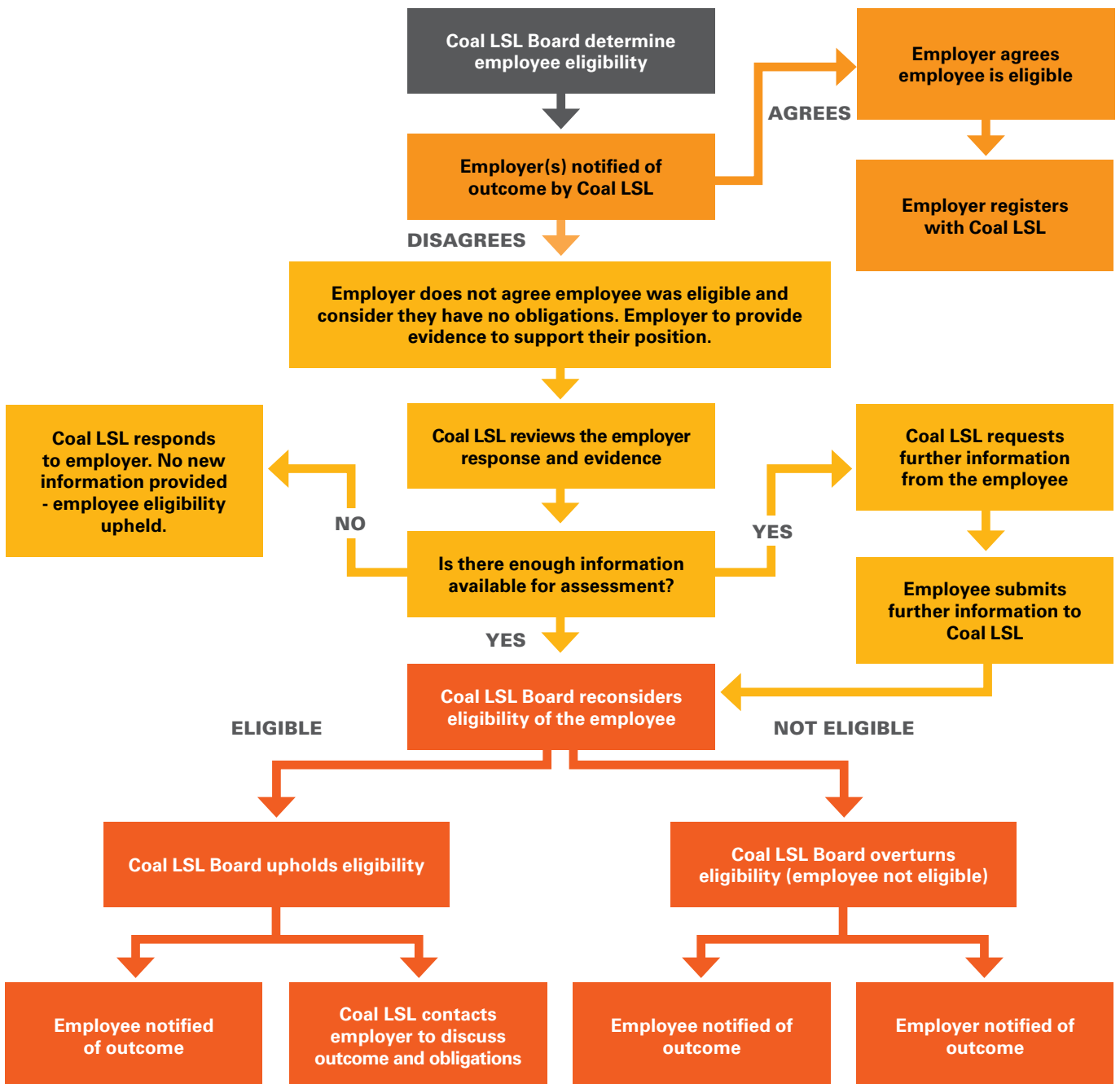
## CAN I APPEAL THE OUTCOME OF A COAL LSL ELIGIBILITY ASSESSMENT?

You can request that Coal LSL reconsider the periods of service it has recognised for an employee. To appeal, you need to:

- Submit a request in writing to Coal LSL
- Provide Coal LSL information or documentation to support your position.

Requests for a review can be forwarded to [engage@coallsl.com.au](mailto:engage@coallsl.com.au) or to Locked Bag 2021, Newcastle NSW 2300.

### WHAT IS THE PROCESS?





#### **MORE INFORMATION**

You can contact Coal LSL from Monday to Friday  
between 8:30am and 5:00pm (AEST)

**M** Locked Bag 2021, Newcastle NSW 2300

**A** Level 3, 18 Honeysuckle Drive  
Newcastle NSW 2300

**Toll free** 1300 852 625 **Intl** +61 (2) 4040 0040

**F** +61 (2) 4040 0010 **E** [query@coallsl.com.au](mailto:query@coallsl.com.au)

**[www.coallsl.com.au](http://www.coallsl.com.au)**