

CLAIMING LONG SERVICE LEAVE WHEN YOUR EMPLOYER IS INSOLVENT, CLOSING OR CEASES TO EXIST

If you think you may be entitled to apply for long service leave but your employer is insolvent, closing or ceases to exist, please contact us in the first instance.

We will verify your eligibility and leave balance.

We will also advise the status of your employer and, if you're eligible to apply for leave, which application pathway to take.

APPLYING FOR LEAVE

If we verify that you're eligible to apply for leave, there will be some documentation you'll be required to supply to us, your employer or the appointed administrator.

If we advise you to apply through your employer or administrator, you'll need to submit a leave application form. We'll supply the correct form to use, based on your individual circumstance.

If we advise you to apply through Coal LSL, you'll be asked to provide:

- A completed application form.
- A Personal Information Form (for payment).
- Your last pay slip.
- A signed Tax File Number (TFN) Declaration.

We will provide access to these forms for you.

Once we receive your documents, we'll send a confirmation email advising an estimated date for payment.

Payment will be made to your nominated bank account and a tax receipt will be mailed to you.

CONTACT US

If you have further questions or wish to enquire about your eligibility for leave, please email query@coallsl.com.au or call us on **1300 852 625** from Monday to Friday between 8:30am and 5:00pm (AEST or AEDT when in operation).

THE LEGISLATION

Section 48 of the Coal Mining Industry (Long Service Leave) Administration Act 1992 provides that "an eligible employee, or a former eligible employee, may apply, in writing, to the Corporation for a payment in respect of a period of untaken long service leave under Part 5A if the employee's employer is insolvent, is being wound up or has ceased to exist."

COMMON QUESTIONS

Who is entitled to long service leave?

Eligible employees are entitled to take leave after completing eight years of qualifying service.

There are exceptions to this timeframe when being made redundant or ceasing work due to ill health or retirement.

What is qualifying service?

Qualifying service is service as an eligible employee for one or more employers. It does not include certain absences such as unpaid or unauthorised leave.

Since 1 January 2000 all service as an eligible employee counts towards your qualifying service unless you stopped being an eligible employee for eight continuous years or more (a break period).

For service prior to 1 January 2000 to count towards your qualifying service it must be continuous service (break periods must be less than 3 months).

Can I apply for leave at a later date?

Yes, if you are eligible you can apply for your leave at any date in the future.

Do I have to take all my leave entitlement when I claim?

No, you can specify the amount of hours you wish to claim on your leave application form.

Do I need to leave some hours remaining in my entitlement to keep my leave record active?

No, you will retain continuity of service, even with a nil leave accrual balance, as long as you recommence employment in the black coal mining industry as an eligible employee within eight years of your redundancy date.

How long do I have to recommence employment?

You have up to eight years to recommence employment in the black coal mining industry (this is referred to as a break period) to retain continuity of service.

What if my record is missing periods of service?

If you think your service history record is missing periods of qualifying service, please refer to the Missing Service Review information on our website at www.coalsisl.com.au/employee/service-review/. Alternatively, you can contact us to discuss this.