



Australian Government

Coal Mining Industry
(Long Service Leave Funding) Corporation

EMPLOYEE CONNECT

27 October 2025

COAL LSL



Acknowledgement of Country

Coal LSL acknowledges the Traditional Owners of Country throughout Australia and recognises their continuing connection to land, waters and community.

We pay our respects to the people, the cultures and the Elders past and present.



How today will flow

Key times

- Light lunch from **12:30pm**
- Session starts **1:00pm**
- Session finishes **2:30pm**

What's involved



Face-to-face and virtual attendees



We want to hear from you



Session intent

Provide an opportunity to engage directly with our executives and senior leaders as well as connect with industry peers



Introduction



Findings: Debiting of Leave review



Education: Guidance Notes



Update: Digital leave submissions



Opportunities: Engagement team



Your presenters for today



Sharife Rahmani

Chief Regulatory
Officer



Imrie Relf

GM, Regulatory
Insight



Scott Woods

GM, Education and
Engagement



Rodrigo Redante

Product
Manager

Industry at a glance



Queensland

- 921 employers
- 38,654 active employees

All other

- 21 employers
- 413 active employees

New employee registrations

2024-25*	8,904
2023-24	10,484
2022-23	10,548
2021-22	8,134
2020-21	6,150
2019-20	6,578
2018-19	7,692

*correct as of 30 June 2025



New South Wales

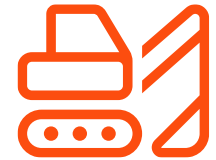
- 519 employers
- 25,106 active employees



Western Australia

- 61 employers
- 973 active employees

Total across Australia



1,522*
registered
employers



65,146*
active
employees

*correct as of 30 June 2025



External stakeholders

Legend

ART	Administrative Review Tribunal
ACTU	Australian Council of Trade Unions
AIG	Australian Industry Group
AMWU	Australian Manufacturing Workers' Union
ANAO	Australian National Audit Office
APESMA	Professionals Australia (Union)
APSC	Australian Public Service Commission
CMIEG	Coal Mining Industry Employer Group
DTA	Digital Transformation Agency
DEWR	Department of Employment & Workplace Relations
ETU	Electrical Trades Union
FCA	Federal Court of Australia
HR	Human Resources
MCA	Minerals Council of Australia
MEU	Mining & Energy Union
NACC	National Anti-Corruption Commission
NSWMC	NSW Minerals Council
OAIC	Office of the Australian Information Commissioner
QRC	Queensland Resources Council




Updates from Coal LSL



New legislation



Orica appeal

 **MINISTERS' MEDIA CENTRE**
Ministers of the Employment and Workplace Relations Portfolio

HOME AMANDA RISHWORTH ANDREW GILES PATRICK GORMAN

Home > The Hon Amanda Rishworth MP > Orica decision clarifies operation of coal long service leave scheme.

Media Release | 24 June 2025

Orica decision clarifies operation of coal long service leave scheme


[The Hon Amanda Rishworth MP](#)
Minister for Employment and Workplace Relations

On 15 May 2025, the Full Court of the Federal Court decided Orica's appeal in *Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding) Corporation* [2025] FCAFC 65.

The Federal Court's decision provides further clarity about coverage in the Coal Mining Industry Long Service Leave Scheme (Coal LSL scheme). It follows the dismissal of Hitachi's appeal in December 2024 in *Hitachi Construction Machinery (Australia) Pty Ltd v Coal Mining Industry (Long Service Leave Funding) Corporation* [2024] FCAFC 166, where the court determined the relevant employees were eligible for the Coal LSL scheme.

The Australian Government acknowledges the impact of the decisions in *Hitachi* and *Orica* on some employers in the coal mining industry. To address these impacts, the Government will progress legislation for a repayment plan, which includes a debt waiver component, for employers with historical levy debts. We will consult with industry representatives about this.

The Government is committed to supporting employers and workers impacted by these decisions and will continue working with the Coal Mining Industry (Long Service Leave Funding) Corporation (Coal LSL) and industry representatives on a balanced approach that supports employers to meet their financial obligations.

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

COAL LSL EMPLOYEE EMPLOYER ABOUT US NEWS

HOME > NEWS > MEDIA STATEMENT 21 AUGUST 2025

21st August 2025

MEDIA STATEMENT 21 AUGUST 2025

The Coal Mining Industry (Long Service Leave Funding) Corporation (Coal LSL) has applied for special leave to appeal to the High Court of Australia following a recent decision by the Full Federal Court in *Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding) Corporation* (No 2) [2025] FCAFC 90.

The Court partially upheld Orica's appeal, limiting the eligibility of shotfiring and explosive services employees under the Coal Mining Industry (Long Service Leave) Administration Act 1992 to a defined period. The decision was based on Orica's corporate structure, despite no substantive change to the employees' duties, skills, or work locations.

Coal LSL CEO Darlene Perks said the ruling meant some employees at Orica and at similar companies providing shotfiring and explosive services on black coal mines still faced uncertainty about their eligibility for the Scheme.

'Some employees may now have only part of their service recognised under the Scheme, even though their roles and responsibilities remain unchanged,' Ms Perks said. 'This has implications for consistency in how the Scheme is applied and how it impacts affected employees.'

The decision affects a significant number of current employees performing shotfiring or other explosive services on black coal mines.

In light of these implications, Coal LSL's Board has sought leave to appeal to the High Court to clarify the application of the legislation and ensure consistent treatment of employees across the sector.

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Updates from Coal LSL



Onboarding employers

We have established a dedicated onboarding team to support major employers



Additional levies

Coal LSL will reintroduce the application of additional levies for late levy payments from 1 January 2026





Debiting of Leave review

Imrie Relf



Area of focus

What is it?

- When Coal LSL seeks to understand how the industry is applying a part of the legislation, we will undertake **a focussed review of stakeholder practices, experience and understanding in that area**

Why debiting of leave?

- We became aware of some **confusion amongst our stakeholders about what the legislation requires** and sought to clear it up
- To better understand how things are currently being done, where the pain points are, and how we can **improve support for employers and build trust with employees around the accuracy of their leave records**

What did we do?

Key areas of interest:



Alignment with employment arrangements



Exclusion of public holidays when calculating hours to be debited



Mutual agreement between employees and employers



How did we do it?

Approach:

- We looked at in-service leave applications submitted in February 2025 and focused on employers who reported more hours than expected for the length of leave taken
- We reached out to those employers to ask for more details and evidence
- We contacted employees to confirm their understanding of what was deducted and why





What we found



84%

of employees agreed with their employer on the number of hours deducted, and that it matched their employment agreement



17%

of employees relied on their employer to tell them how many hours should be debited

There were different approaches across the industry for calculating leave hours

Some employers incorrectly included public holidays in their leave calculations



Next steps



Working with those **employers** who made errors to correct them



Updating our **Guidance Note** and **website content** to make the rules clearer



Looking at **enhancements to processes** that will support employers and employees



We will do a **follow-up review** to see how things are going





Guidance Notes

Scott Woods

What are Guidance Notes?

What they are?

- Coal LSL Guidance Notes aim to assist employees and employers to understand key aspects of Australia's black coal mining industry long service leave legislation Coal LSL scheme

Why are we reviewing?

- We want to ensure that our Guidance Notes are achieving their aim of assisting employers and employees to understand the Coal LSL scheme





We listened to your feedback

We've updated our website

- You can now easily navigate to the Guidance Notes from either the Employee or Employer menu

You can now download PDF versions

- All Guidance Notes are now available to download and print from our website

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

1300 852 625 CONTACT

COALLSL EMPLOYEE EMPLOYER ABOUT US NEWS

SEARCH LOGIN

EMPLOYEE BROCHURE
AM I ELIGIBLE?
APPLY FOR LEAVE
INFORMATION FOR CASUALS

How do I accrue leave?
My record is missing service
Frequently asked questions
Guidance Notes
Newsletter

LONG SERVICE DOESN'T LEAVE

EMPLOYEE EMPLOYER

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

GUIDANCE NOTE ON SCHEME COVERAGE

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GUIDANCE NOTE ON ACCRUING AND ACCESSING LEAVE

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Casual employees	03
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COALLSL

Today's Guidance Notes focus



Determining Eligible Wages



Audit Report Requirements



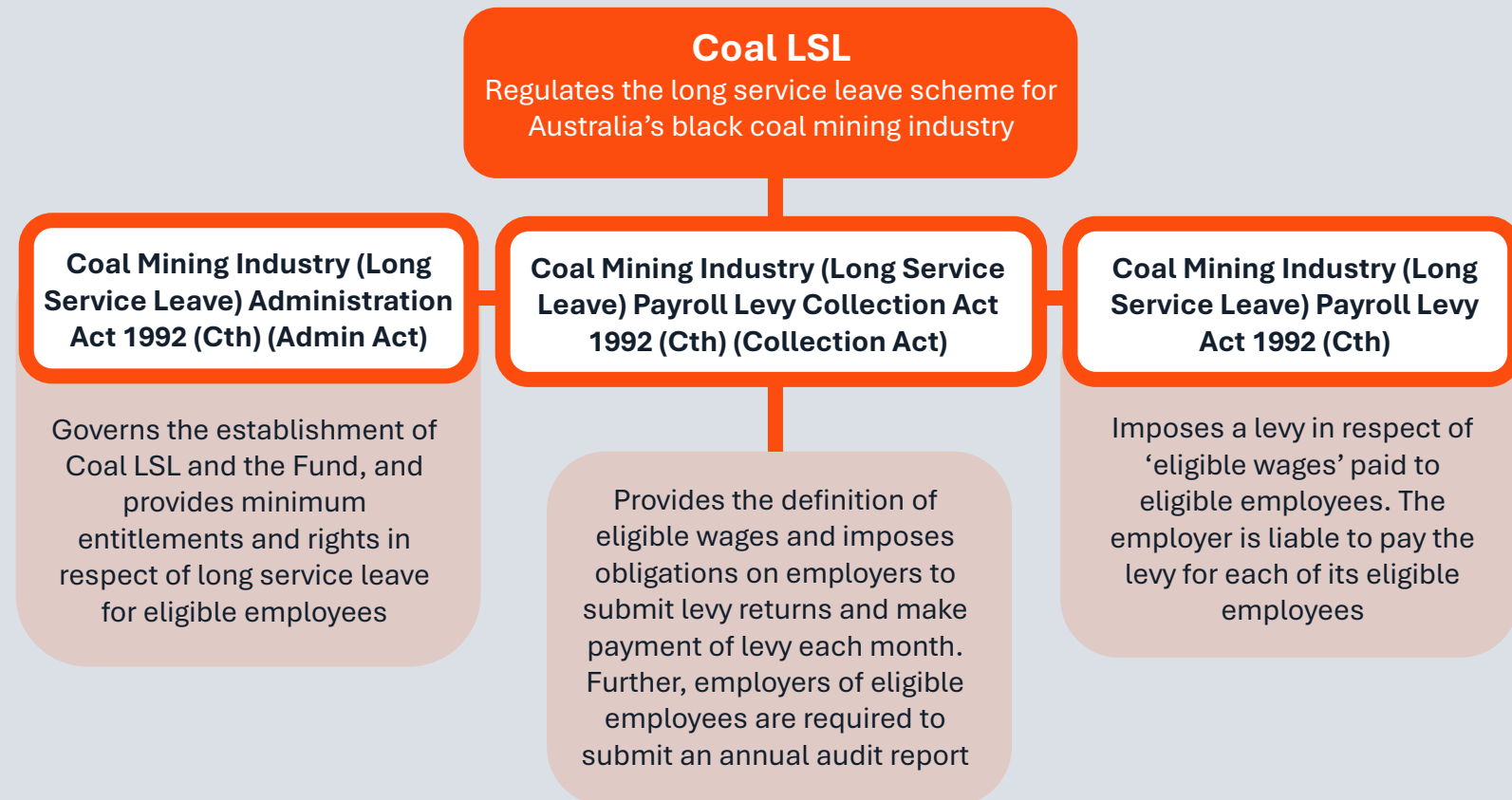
Guidance Note: Determining Eligible Wages



Topics covered

- What are eligible wages and how are they calculated?
 - Base rate of pay (not casual) (formula A and formula B)
 - Annual salary
 - Casual (formula A and formula B)
- When are eligible wages calculated?
- Workers compensation or other income protection payments

Overview of the long service leave scheme



Guidance Note: Audit Report Requirements



Topics covered

- No exemptions
- When must an audit report be provided?
- Who qualifies as an auditor?
- Requirements for an audit report
- Audit report template
- Details required for audit reports
- Coal LSL's power to require an audit report
- Non-compliance and civil and criminal penalties





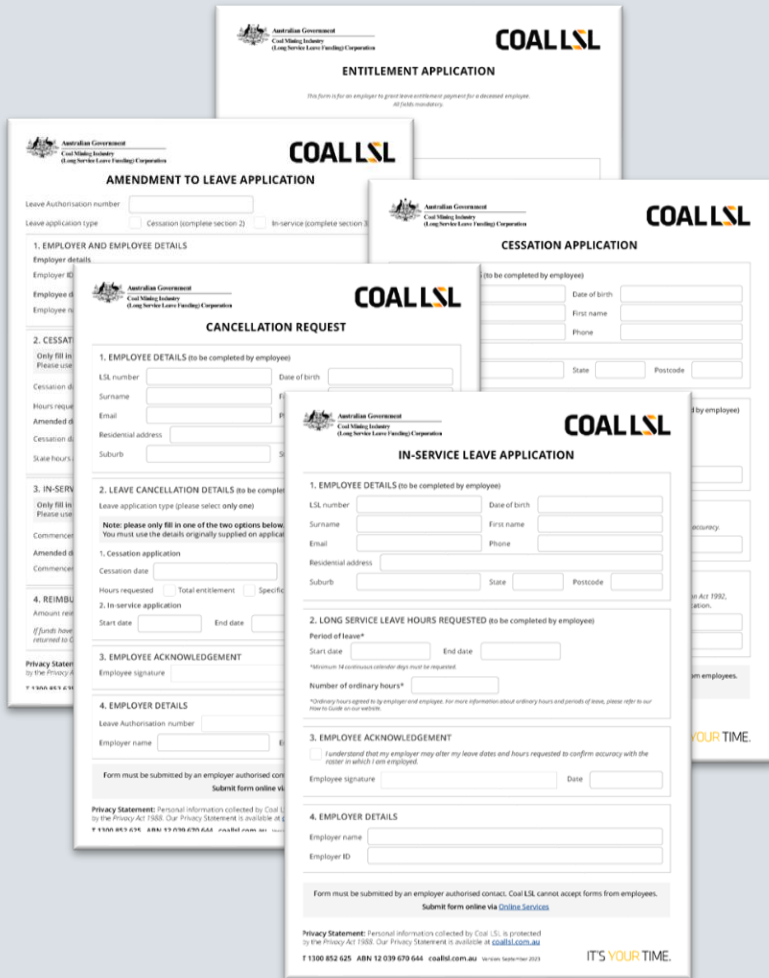
Digital leave submissions

Rodrigo Redante




Digital leave submissions refresh


The way employers submit leave applications to us has changed

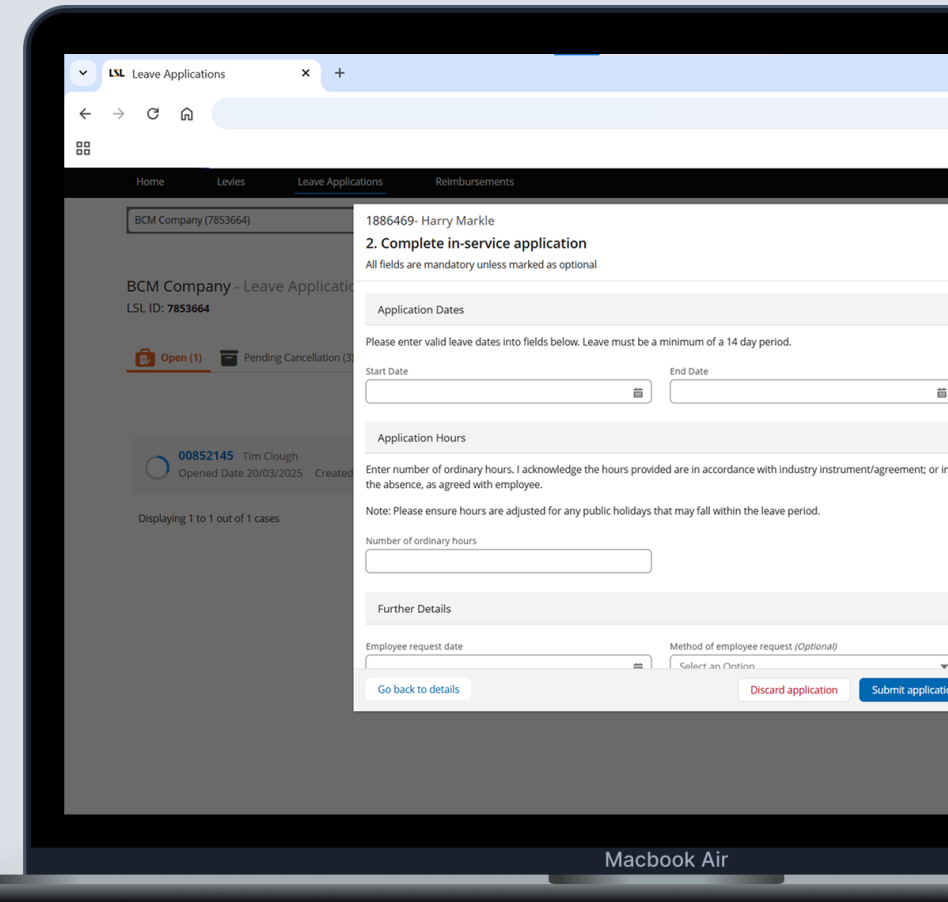


 Paper form

 Manual review and data entry

 Low employee visibility

 Poor user experience



What changed



Successfully launched on **24 June 2025**



Employers

- Simplified and more user-friendly process
- Better data validation
- Greater visibility of applications
- Easy cancellation request process



Employees

- Visibility of long service leave details
- Opportunity to identify inconsistencies earlier in the process



What stayed the same

The legislative requirements and obligations for employers and employees are unchanged

Overview of DLS since launch



325
Employers



4,133
Employees

Success of DLS at a glance

Overall process improvements




>92%
of leave applications **closed within 1 day**



34%
reduction in declined leave applications

Employee feedback



73%
found the emails **'very helpful to extremely helpful'**




79%
found the emails **'very easy to extremely easy to understand'**

Employer feedback



100%
found the new process **'very simple to extremely simple'**



>92%
found the new process **better than the previous process**

We value your feedback

Scan the QR code below and let us know what you thought about today's session.



Key contacts

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