



## Application for recognition of eligible service

### Am I eligible to apply?

If your record is missing service that relates to periods of employment **after 1 January 2012**, you can apply to have the matter investigated by Coal LSL by completing the application form.

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) 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.

**Evidence is required to substantiate your application. For information about the types of evidence you should provide, please refer to the guide attached to this form.**

### 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). 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.

For any missing service prior to 1 January 2000, you must provide proof of employment under a black coal mining award that provided long service leave entitlements for service in the industry, in order to have this period of service added to your Statement of Service.

### Section 1 – Personal details

Name	
LSL number (if known)	
Address	
Date of birth	
Email address	
Phone	

If your current record with Coal LSL does not match the above information we will update your Coal LSL record accordingly. **Please include a copy of your driver's licence or photo ID with your application to verify your identity.**

If you have prior service under a different name, please detail this below and attach relevant documentation (e.g. marriage or change of name certificates):

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Current employment details:

Employer	
Location (incl. mine or site)	
Job title/classification	
Employer ABN	
Employer postal address	
Employer email address	

**Section 2 – Previous periods of long service leave taken or paid for (if any)**

I have taken, or was paid for, the following periods of long service leave:

Item	Employer	Amount of leave taken or paid for (in days or weeks)	Date leave taken or paid for	Source of leave (e.g. award, enterprise agreement, employment contract, state long service leave legislation)
1				
2				
3				
4				
5				

## DECLARATION

### Section 3 – Supporting documentation

I have provided the supporting documentation in relation to the periods, or details, of employment I would like Coal LSL to investigate.

### Section 4 – Authority to use and disclose information provided

I authorise Coal LSL, its officers, employees, agents and contractors to use and disclose the information provided in this application for the purposes of:

- Coal LSL investigating my eligibility and long service leave entitlements (if any); and
- Coal LSL performing its ongoing functions under the *Coal Mining Industry (Long Service Leave) Administration Act 1992*.

I understand that any personal information I provide to Coal LSL will be collected, used and disclosed in accordance with Coal LSL's Privacy Statement which can be found on the website ([www.coallsl.com.au](http://www.coallsl.com.au)).

### Section 5 – Statement of application and declaration

I have been employed in the black coal mining industry for the periods set out in Schedule A, being periods or types of service that are not recorded in my Statement of Service held by Coal LSL.

I apply to Coal LSL to recognise my service and calculate my qualifying service and long service leave (if any) under the current legislation, based on the information provided in this application and any information provided by my employer/s or held by Coal LSL.

I declare that the information and documentation provided in this application is true and correct and is not misleading by way of any inclusion or omission. I am aware that Coal LSL is a Commonwealth entity and it is an offence under part 7.4 of the *Criminal Code Act 1995* to knowingly make a false or misleading statement in an application/statement made to a Commonwealth entity.

Please ensure you have included the following before submission:

- **Any relevant evidence to support your claim**
- **A copy of your driver's licence or photo ID**
- **Marriage or change of name forms if applicable**

Signed: .....

Date: .....

### Privacy Statement

Personal information collected by Coal LSL is protected by the *Privacy Act 1988*. Your personal information will be used for the purposes for which you have provided it and your email address will not be added to a mailing list unless you ask us to do so. We will not use your personal information for any other purpose or disclose it to another person except where it is necessary for the performance of Coal LSL's functions, where otherwise authorised or required by law or with your consent.

**Schedule A: Periods of service to be investigated by Coal LSL.**

Please see '**Notes for completing your application**' for a description of what periods or details of service you should include in this Schedule.

**Please send forms and evidence to Locked Bag 2021, Newcastle NSW 2300 or [servicereview@coallsl.com.au](mailto:servicereview@coallsl.com.au).**

Item	From (dd/mm/yy)	To (dd/mm/yy)	Employer	Employer ABN	Employer postal address	Employer email address	Location of work (incl. mine or site)	Job title or classification	Type of employment (full-time, part time, casual and ordinary hours)
A1									
A2									
A3									
A4									
A5									
A6									

## Notes for completing your application

### Background on accruing an entitlement

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 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.

In the first instance, information on your employment status is usually provided to Coal LSL by your employer. However, if your employer has not registered with us (and therefore has not provided details of your employment to us), you can apply to have your missing service investigated by filling out the application form.

Before filling out the application form, it may be necessary to check the information Coal LSL currently holds about your qualifying service and/or accrued long service leave. To do so, you can request a Statement of Service by phoning 1300 852 625 or emailing [query@coallsl.com.au](mailto:query@coallsl.com.au).

### Eligibility to apply

If your record is missing service that relates to periods of employment **after 1 January 2012**, you can apply to have the matter investigated by Coal LSL by completing the Application for Recognition of Eligible Service Form.

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) 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.

### Periods of service that 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, back to **1 January 2000** (inclusive). 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.

For any missing service prior to 1 January 2000, you must provide proof of employment under a black coal mining award that provided long service leave entitlements for service in the industry, in order to have this period of service added to your Statement of Service.

## Section details

### Section 1 – Personal details

Please include your current personal contact details.

Please provide a copy of your driver's licence or photo ID with your application to allow Coal LSL to verify your details.

If you have previously used a different name when employed in the black coal mining industry, please provide details of this in the box.

### Section 2 – Previous periods of long service leave taken or paid for (if any)

To allow Coal LSL to properly calculate your long service leave entitlement (if any), you should include in Section 3 any periods of long service leave taken or paid for which relate to the periods of employment that you would like Coal LSL to consider.

You should also include here any periods of long service leave taken or paid for that you think Coal LSL may not have recorded correctly, or at all.

This should include periods of long service leave that you may have taken under a state-based long service leave legislation.

### Section 3 – Supporting documentation

For each period of employment that you want Coal LSL to consider, please include information or documents which demonstrate:

- employment with an employer in the black coal mining industry;
- employment that is directly connected to the day to day operation of a black coal mine;
- employment that occurred at or about a place where black coal is mined; and
- work status and regular hours worked (i.e. full time, part time or casual).

Please see the **Providing information or documents in your application** section below for more information on types of documentation you should provide, whether Coal LSL requires certified copies, and how the documentation will be considered when it is used as evidence of your missing service.

### Section 4 – Authority to use or disclose information

On receipt of your application, Coal LSL is required to verify the information you have provided and determine whether it is correct. In doing so, Coal LSL may need to contact employers or other persons and disclose your personal and employment details to them.

If Coal LSL is unable to use and disclose your personal information in this way, we may be unable to verify that the information or documents provided in your application are correct, and your service may not be recognised.

The information provided in your application will also be used to assist Coal LSL to undertake its long service leave functions under the Administration Act now and into the future.

## Section 5 – Statement of application and declaration

It is important that the information and documentation provided in this application is, to the best of your knowledge, true and correct.

Coal LSL is a Commonwealth entity and hence the *Criminal Code Act 1995* applies to any statements made to Coal LSL. The maximum penalty for giving false or misleading information or documents under the *Criminal Code Act 1995* is 12 months' imprisonment.

## Providing information or documents in your application

In providing information to Coal LSL, you should:

- be as precise as possible (i.e. include dates, names, locations etc.);
- provide **originals** of any statutory declarations submitted;
- provide true copies rather than originals of any document which is not a statutory declaration;
- make copies of any original documentation before sending the original documentation to Coal LSL; and
- ensure that any documents being provided to Coal LSL are complete.

### Statutory declarations

Applicants are encouraged to provide a statutory declaration in the following circumstances:

- where a document which is being provided as part of an application is not the original document or a certified true copy of the original; and
- where you are providing details of employment which are not contained in any other form of evidence.

### True copies

A true copy of an original document is a copy which has been certified by a prescribed person (i.e. a Justice of the Peace) as being a true copy of the original document. Before the prescribed person certifies the true copy, they must be satisfied that the copy is an unaltered copy of the unaltered original.

### Return of documents

If you would like Coal LSL to return the documents provided in your application, please include a stamped, self-addressed A4 envelope with your application.

Coal LSL will endeavour to respond to all requests for the return of documents.

## Types of Evidence

### 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 relate 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; and
- 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 etc.) or that refer to your employment, but do 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; and
- separation certificates.

It is important to note that the information contained in this guide is designed to assist applicants and is of a general nature and subject to change. Further information can be found on the Coal LSL website [www.coallsl.com.au](http://www.coallsl.com.au), by calling 1300 852 625 or sending an email to [servicereview@coallsl.com.au](mailto:servicereview@coallsl.com.au).

You should consider seeking legal advice before acting on this information or completing the application form.