



FACT SHEET Remediation process for employers

YOUR RESPONSIBILITY

If you are an employer of eligible employees employed in the black coal mining industry or mine rescue service, it is your responsibility to understand and fulfil your legal obligations to ensure your current and former employees can access their long service leave entitlements.

Our remediation process

When we investigate and identify that you have repeatedly failed to act in accordance with our governing legislation, we will work with you to meet required standards and achieve compliance. For example, we may contact you when we notice one of the following:

- ▶ ongoing and constant issues with data quality, calculation of entitlements or recurring processing errors
- ▶ constant compliance issues identified from your annual audit reports.

We will actively engage with you to ensure you can implement the changes required to ensure ongoing compliance. Together, we will scope and agree on a Remedial Action Plan, an ongoing management plan to correct inaccurate records and resolve areas of non-compliance.

We will do this by:

- ▶ holding meetings with you
- ▶ providing guidance material and other educational resources
- ▶ gathering relevant information
- ▶ determining gaps in knowledge
- ▶ discussing requirements, expectations, resource availability and timeframes
- ▶ undertaking continuous monitoring.

Regulatory action

As the custodian and regulator of the Australian Government's portable long service leave scheme for employees within the black coal mining industry, it is our responsibility to record and maintain accurate information on employees' entitlements and enforce compliance with the *Coal Mining Industry (Long Service Leave) Administration Act 1992*, *Coal Mining Industry (Long Service Leave) Payroll Levy Act 1992*, *Coal Mining Industry (Long Service Leave) Payroll Levy Collection Act 1992* and Employer Reimbursement Rules 2017.

We have broad powers under the legislation to obtain information and evidence if an employer does not cooperate. Civil penalties may apply when employers do not comply with their obligations.

For more information

- ▶ Visit our website coallsl.com.au/employer
- ▶ Email query@coallsl.com.au
- ▶ Call **1300 852 625** from Monday to Friday between 8:30am and 5:00pm AEST/AEDT.