



EMPLOYER WAIVER AGREEMENT NOTICE

Waiver agreements

The *Coal Mining Industry (Long Service Leave) Administration Act 1992* allows employers and certain eligible employees to enter into waiver agreements.

A waiver agreement operates to "waive" the employees right to long service leave (for the period of the agreement) in exchange for an increase in pay or additional superannuation benefit of at least equivalent value *to (or greater than) the long service leave payroll levy paid by the employer to Coal LSL*. The types of black coal mining employees able to enter into a waiver agreement are:

- An eligible employee who is at least 55 and has no qualifying service for the purposes of section 39A of the Act
- An eligible employee who is at least 55 and has at least 8 years of qualifying service for the purposes of section 39A of the Act
- An eligible employee who is a manager of a corporation that is an employer of eligible employees in the black coal mining industry
- An eligible employee who is a senior professional employee engaged in the management of a corporation that is an employer of eligible employees in the black coal mining industry
- An eligible employee whose annual salary (including allowances) is: in 2017 — at least \$174,700; and
in a subsequent year — \$174,700, as adjusted by the annual rate of the Consumer Price Index for 2017 and then for each completed year (if any) after 2017
- An eligible employee who is employed under an under-graduate placement or a work training placement

A waiver agreement will cease to have effect if Coal LSL does not approve it. Accordingly, to assist Coal LSL to be able to consider a waiver agreement in a timely and consistent way, employees and employers should use one of the following approved waiver agreement forms:

- Combined Additional Remuneration and Additional Superannuation Contribution
- Additional Superannuation Contribution
- Additional Remuneration

Completed waiver agreements can be scanned and emailed to Coal LSL (admin@coallsl.com.au). Coal LSL will notify the employer and employee whether or not the waiver agreement has been approved.

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