

Building and Construction Industry Long Service Payment Committee

WORKER APPEAL GUIDE

Your appeal rights

If you are not satisfied with the decision made by the Long Service Corporation (LSC), you can appeal directly to the independent Building and Construction Industry Long Service Payments Committee (the Committee).

The decisions you may appeal, are:

- Refusal of a worker registration
- Cancellation of a worker registration
- Refusal of service credits after a worker's registration date.

Note: Employers have no appeal rights against decisions affecting their workers.

The Committee

The Committee has the authority to confirm or overrule certain decisions made by LSC. Committee members are representatives of employer associations and unions in the building and construction industry in NSW, and are appointed by the Minister.

The appeal process

An appeal must be lodged with the Committee within 42 days of the date you are notified of the original decision by LSC. However, the Committee may accept an appeal within 6 months of the date you are notified, if they consider that exceptional circumstances exist.*

You will be contacted if any further information is required.

The Committee will review the information used by LSC when making the original decision, along with any information provided in your appeal application.

The Committee Secretary will let you know the Committee's decision once the appeal has been considered.

***Exceptional circumstances** - there must be circumstances which are out of the ordinary course or unusual. They may consist of an incident, matter, condition or state of affairs not commonly faced by appellants.

How to lodge an appeal

1. Enter <https://www.longservice.nsw.gov.au/bci/workers/appeal> into a web browser
2. Complete the online Appeal Form Request, then click **Submit**
3. Download, print and return your completed appeal form to info@longservice.nsw.gov.au

An appeal must include:

- An explanation on where the decision was incorrect or where information was interpreted incorrectly.
- Documents to support the original decision made by LSC was incorrect.*

***Documentation** – may include work diaries, a letter from your employer detailing work performed and the period of employment, a position description, references, statutory declarations or invoices showing the work performed etc.