

Building and Construction Industry Long Service Payments Scheme

General overview of coverage in the NSW scheme

The NSW portable long service payments scheme covers building and construction workers who carry out building and construction work in construction, reconstruction, renovation, alteration, demolition or maintenance or repairs of or to:

- a. buildings;
- b. swimming pools;
- c. fences;
- d. paths, roads, railways, airfields or other works for the carriage of persons, animals or vehicles;
- e. breakwaters, docks, jetties, piers, wharves, or works for the improvement or alteration of any harbour, river and watercourse for the purpose of navigation;
- f. works for the storage or supply of water or for the irrigation of land;
- g. works for the conveyance, treatment or disposal of sewage or of the effluent from any premises;
- h. bridges, viaducts, aqueducts or tunnels;
- i. chimney stacks, cooling towers, drilling rigs, gas holders or silos;
- j. pipelines;
- k. structures, fixtures or works for use in or in conjunction with any building or other works referred to in paragraphs (a) to (j) inclusive;
- l. navigational lights, beacons or markers;
- m. works for the drainage of land;
- n. works for the storage of liquids, other than water, or of gases;
- o. works for the transmission of electric power;
- p. works for the transmission of wireless or telegraphic communication

and includes pile driving and the preparation of the site for any building or other works referred to in paragraphs (a) to (p) inclusive.

Only workers doing work classified in prescribed Awards **and** which is within the defined building and construction Industry are covered. **Note:** *It isn't necessary to be paid under one of the prescribed awards to be covered eg. a bricklayer paid at a rate of pay agreed by both the employer and worker which is higher than the award rate of pay for a bricklayer would still be covered.*

Labourers, apprentices (including school-based apprentices) doing building and construction industry work are covered by the scheme.

Workers who are employed to directly supervise building and construction work may be covered. For more information see [Coverage of Supervisors](#) document.

Work for a building company in the office is not covered by the scheme.

BUILDING TRADES AND BUILDING TRADES LABOURING (construction, reconstruction or renovation, alteration, demolition or maintenance and repairs to buildings, structures and fixtures)

- Bricklayer
- Builders labourer
- Carpenter including bridge, wharf and underwater
- Ceiling fixing and partition construction/fixing
- Concretor
- Construction worker (residential, commercial and civil)
- Crane driver/dogman including mobile cranes on construction sites
- Fire sprinkler fitting
- Fixtures fitting (eg garage doors, balustrades, handrails etc)
- Floor laying, finishing and covering
- Hard landscaping, paving, concreting, retaining walls and decks
- Painter and decorator
- Pipe laying and trenching
- Plant operator
- Plasterer
- Plumber, drainer and gas fitter
- Pool and spa construction worker
- Road works including traffic control on sites
- Roofer, including metal, and roof tiler/slater
- Scaffolder
- Shopfitter and joiner in a workshop (fixtures such as kitchens, window frames, vanities, shower screens, built in wardrobes, shop and office fit-outs)
- Stone masonry and dimension stone quarrying (does not include monumental stonemasons)
- Tile layer ceramic and terrazzo

METAL TRADES on construction site

- Air conditioning ducting installation
- Boilermaker
- Cable jointing
- Fitting - construction site metal trades
- Lagging installation
- Lifts and escalators installation and service
- Refrigeration mechanic (site service and maintenance)
- Sheet metal work - construction site
- Trades assistant (construction site)
- Welder (construction site)

ELECTRICAL TRADES on construction site, reconstruction or renovation, alteration, demolition or maintenance and repairs to electrical systems and equipment

- Electrical worker (light and power supply)
- Electrical worker (security and surveillance/data and telecommunications/including cabling)
- Electrical worker (electrical fitting and mechanical work on-site including hot water, instrumentation, fire alarms, refrigeration and switchboards)
- Linesperson electrical
- Trades assistants electrical
- Refrigeration mechanic (Installation and maintenance)

PLANT OPERATORS on construction site, reconstruction or renovation, alteration, demolition or maintenance and repairs to buildings, structures

- Earth moving, excavation, drilling and digging equipment
- Earth compacting, grading and rolling equipment
- Cranes, tower and floating
- Hired equipment with operators
- Mobile hydraulic platforms
- Concrete pumping and boom and line hose operation

MINING (for more information, see [Mining Eligibility Guidelines](#) document)

- New construction work on mine sites (including expansion projects and new infrastructure)
- Painting, concreting, steel-fixing, sprinkler pipe-fitting
- Administration buildings, access roads, kerb and guttering, paths and fences
- Stackers and reclaimers
- Washing plant, washing bays and mine portals
- Installation of lift shafts or ventilation shafts from the mine
- Dragline towers and stanchions (**NOT ELIGIBLE** draglines are not covered)
- Coal handling and preparation plant
- Earthworks for borehole gas monitoring (**NOT ELIGIBLE** the act of taking readings to monitor the gas releases)
- Earthmoving within mine sites for the rehabilitation of the site
- Pile driving and site preparation for any building or other works
- Works for the storage or supply of water or for the irrigation of land
- Works for the conveyance, treatment or disposal of sewage or of the effluent from any premises
- Bridges, viaducts, aqueducts, pipelines or tunnels
- Chimney stacks, cooling towers, drilling rigs, gas holders or silos
- Works for the drainage of land
- Works for the storage of liquids, other than water, or of gases
- Polythene pipe butt fusion (the pipes are installed to drain liquid away as part of the mining process)
- Works for the transmission of electric power (**OVERLAPS WITH COAL LSL**)
- Mine extraction conveyors, holding, washing, storage and loading structures/facilities (**OVERLAPS WITH COAL LSL**)
- Construction of railway lines in and around the mine and railway loops (**OVERLAPS WITH COAL LSL**).

PARTIALLY COVERED WORK

If engaged in any of these types of work, may be covered for only part of the work performed.

Type of Work	Covered	Not Covered
Cleaners	Cleaning on site as part of pre or post construction clean-up (final clean) is covered.	After that, all Contract/Office cleaning work is not covered.
Joiners and Cabinetmakers	Installation on construction site. Work in the Joinery shop and manufacture of made to measure kitchens and fittings.	Free standing furniture and flat pack kitchens are not covered.
Metal Trades	Onsite work on buildings and structures.	Servicing work on construction sites (except lifts) and work in metal shops.
Mining	Works for the transmission of electric power; mine extraction conveyors, holding, washing, storage and loading structures/facilities; railway lines in and around the mine and railway loops.	In direct connection with the day-to-day operation of the mine; Works involved with actual mining operation; direct employees of the mine operator; work/ers covered under Coal LSL scheme (black coal mining).
Pools and Spas	Construction of pools and spas, and <i>non-routine</i> maintenance such as repair of major cracks.	Maintenance of pools and spas, eg cleaning and chlorination.
Shopfitters	Covered when engaged as a carpenter/joiner to construct shop fronts, fittings and fixtures. Factory work by Machinists, Shophands, assemblers and Setters Out is covered if the work is made to order and is intended to be fixed.	Free standing furniture is not covered.
Signwriters	Manufacture install or paint signs for buildings or structures. This includes light boxes and neon signs as well as large signs attached to buildings.	Manufacturing and supply of computer graphic vinyl signage, banners, poster stands, vehicles, boats and sails etc is not eligible.
Staircase Builders	Installation of staircases or manufacture of staircases in a joinery.	
Yardmen	Work in yard of a scaffolding employer, eg repair and maintenance or scaffolding.	

WORK NOT COVERED BY THE SCHEME

Landscape Gardeners: Soft landscaping comprising of planting and grassing

Contract Cleaners: Office cleaning

Surveyors, Engineers, Architects, Designers

Office Furniture: desks, chairs, tables, etc.

Note: This is only a general overview of coverage and is prepared for the purposes of comparisons with similar schemes operating throughout Australia. For further information or advice on eligible building and construction work, please contact our Helpline on 13 14 41.

PRESCRIBED AWARDS defining work covered by the scheme

The following are the awards prescribed by the Building and Construction Industry Long Service Payments Act 1986 for the purposes of coverage by the portable long service payments scheme. The awards describe work classifications which are considered to be work in the building and construction industry. It is not necessary to be paid under one of these awards as self-employed contractors are also eligible for coverage by the scheme provided the work they do is classified in one of the awards.

1. The following modern awards under the *Fair Work Act 2009* of the Commonwealth:
 - *Asphalt Industry Award 2010* [MA000054]
 - *Building and Construction General On-site Award 2010* [MA000020]
 - *Electrical, Electronic and Communications Contracting Award 2010* [MA000025]
 - *Joinery and Building Trades Award 2010* [MA000029]
 - *Mobile Crane Hiring Award 2010* [MA000032]
 - *Plumbing and Fire Sprinklers Award 2010* [MA000036], and
2. the *Manufacturing and Associated Industries and Occupations Award 2010* [MA000010] as in force on 3 March 2011 (but only to the extent to which it relates to performance of work as a carpet layer), and
3. the following awards made (or taken to be made) under the *Industrial Relations Act 1996* (but only in relation to contracts entered into before 28 November 2011):
 - *Building and Construction Industry (State) Award published 31 August 2001*
 - *Building Crane Drivers (State) Award published 22 April 2005*
 - *Electrical, Electronic and Communications Contracting Industry (State) Award published 28 November 2008,*
 - *Gangers (State) Award published 25 January 2002,*
 - *General Construction and Maintenance, Civil and Mechanical Engineering &c. (State) Award published 24 March 2006,*
 - *Glass Workers (State) Award published 20 April 2001,*
 - *Joiners (State) Award published 23 May 2003,*
 - *Plant, &c., Operators on Construction (State) Award published 16 November 2001,*
 - *Plumbers and Gasfitters (State) Award published 25 February 2000.*