## **Industry Toolkit**



Community Services Industry (CSI) Portable Long Service Leave Scheme Implementation

**Long Service Corporation**June 2025



### Acknowledgement of Country

The Department of Customer Service acknowledges, respects and values Aboriginal peoples as the Traditional Custodians of the lands on which we live, walk and work. We pay our respects to Elders past and present. We recognise and remain committed to honouring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships, and continuing connection to their lands, waters and seas. We acknowledge their history here on these lands and their rich contribution to our society.

We also acknowledge Aboriginal employees who are an integral part of our diverse workforce, and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and cultures.

The 'Connecting Communities' artwork used here is by Alison Williams, a proud Gumbaynggirr woman.



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### About the scheme

CSI portable long service leave scheme

### What is portable long service leave?



Traditionally, workers in Australia are entitled to long service leave after a period of working for the same employer. In NSW employers are responsible for paying their workers for this leave.

Under a portable long service scheme, workers accrue long service benefits for their paid work in a single industry, rather than with a single employer. Eligible employers must contribute to a fund managed by the Long Service Corporation (LSC), which is used to pay long service entitlements to eligible workers.

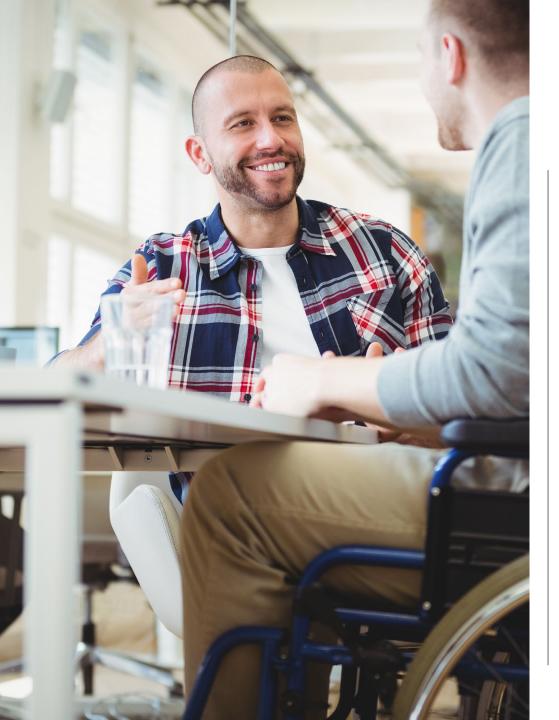
In NSW, there are portable long service schemes, administered by LSC, in operation for the building and construction industry and the contract cleaning industry.

From 1 July 2025, LSC will commence a new portable long service leave scheme, covering workers and employers in the community services industry.

The registration of eligible employers and workers in the new scheme is mandatory.

Employers captured under the scheme (eligible employers) are responsible for registering themselves and their eligible workers with LSC.

Contractors (self-employed workers) can opt-in to the scheme by registering themselves as workers.



# The scheme for the community services industry



The new Community Services Industry (CSI) scheme will allow eligible workers to claim up to six weeks' long service leave after completing seven years (2,555 days) of recognised service in the industry with one or more employers. This entitlement must be taken as paid leave but doesn't need to be taken straight away or all at once.

In some cases, such as a worker leaving the industry, workers may be eligible to apply for a pay-out of their long service leave.

Registered workers who were working in the first six months of the scheme's commencement (1 July 2025 to 31 December 2025), will receive a bonus year (365 days) of service. These workers are recognised as foundation workers under the scheme.

The scheme will be supported by a quarterly levy paid by eligible employers, which will be 1.7% of the total gross ordinary wages of eligible workers.

It's anticipated the scheme will benefit employers by increasing staff attraction and retention, keeping valuable skills and experience in the sector with positive impacts for services, their clients and communities.

For more information on the CSI scheme, visit the LSC website.

### Long service leave vs portable long service leave



The CSI scheme doesn't override the requirements of the <u>Long Service Leave Act 1955</u>. Under this Act, employees are entitled to long service leave if they work for one employer for 10 consecutive years.

Once the <u>Community Services Sector (Portable Long Service Leave) Act 2024</u> commences, eligible employers must record the recognised service of their eligible workers and pay a quarterly levy to LSC based on the total gross ordinary wages of those workers.

However, if an employer pays a long service leave benefit to a worker under the Long Service Leave Act 1955 after 10 consecutive years of service, they can apply to LSC for reimbursement of the portion of long service leave that corresponds to the worker's service accrued under the CSI scheme.

For example, if a worker has already accrued six years of service before the CSI scheme commences and then takes long service leave after 10 years with the same employer, the employer can apply to LSC to be reimbursed for a portion of the long service leave entitlement they paid to the worker. In this case, it would be the portion of leave accrued during the four years the worker was registered with LSC. If the employer is reimbursed, LSC will remove the worker's credits for this four-year period from the register.

If the same worker changes employers one year after the CSI scheme commences, their former employer cannot make an application to LSC for reimbursement as they haven't paid a long service leave entitlement to that worker. The worker's long service leave entitlement will continue to accumulate based on their recorded service under the CSI scheme (from 1 July 2025), rather than being tied to a single employer.

**Note:** If an employer intends to pay long service leave (under the Long Service Leave Act 1955) to a worker registered with LSC, the employer must advise LSC before the payment is made.

### Who is covered by the scheme?



#### **Employers**

#### Eligible employers are:

A person who employs one or more persons to do community service work.

#### Workers

#### Eligible workers are:

Paid staff employed on a full-time, part-time and casual basis to do community service work.

**Note:** Contractors (self-employed workers) doing community service work can opt-in to the scheme by registering themselves as workers.

#### Key definitions

The Community Services Sector (Portable Long Service Leave) Act 2024 outlines 31 different types of community services (see slide 9) with descriptions of each service type available on the LSC website.

Resources are available on the LSC website to assist in assessing eligibility under the CSI scheme.

### What is community service work?

The Act defines community service work as:

- work to provide a community service, or
- work for an employer, if the predominant purpose of the employer is to provide a community service.

### Who is covered by the scheme?



#### Community services are outlined in the Act, including 31 types\* as follows:

Aboriginal and Torres Strait Islander community services

Accommodation support services

Alcohol and other drug services

Child safety and support services

Community advocacy services, including education and

other services provided by peak bodies

Community development services

Community care services

Community legal services

Community mental health support services

Community recreation services

Community transport services

Community welfare services

Disability supports and services

**Employment services** 

Family and domestic violence services

Family support services

Financial counselling services

Foster care services

Homelessness support services

Lesbian, gay, bisexual, transgender and intersex services

Migrant and multicultural support services

Neighbourhood and local community services

Out-of-home care services

Respite care services

Settlement and refugee services

Sexual assault services

Social housing services

Social work

Women's health support services

Youth justice services

Youth support services

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<sup>\*</sup> this list may be subject to change



### Preparing for the scheme

CSI portable long service leave scheme

### Key dates





<sup>\*</sup>The service return and levy deadline is 14 days after the end of the service return period (quarterly). The NSW Government is extending this deadline for the first return and levy payment after scheme commencement, to enable more time for businesses to prepare their returns. The first service return – due on a to be announced date from April 2026 – will be back dated to cover worker service from 1 July 2025.

### Scheme compliance and registration



Responsibility	Action required under legislation	Timing
Eligible employer	Register online with LSC	From 1 July 2025
Eligible employer	Submit first service return, recording worker service from 1 July 2025	From April 2026
Eligible employer	Submit first levy payment, back dated to 1 July 2025	From April 2026

**Note:** If eligible employers don't comply, penalties may apply. Penalties are outlined in the Community Services Sector (Portable Long Service Leave) Regulation 2025, which will be available on the NSW legislation website.

### Who is eligible?



#### Eligible workers

- Workers delivering community services work on a full-time, part-time or casual basis.
- All employers who employ community services workers must register them with the scheme.

#### Eligible employers

- Employers whose **predominant purpose** is the delivery of community services work.
- All workers within these organisations must be registered with the scheme.

#### Contractors (self-employed workers)

• Contractors performing community service work can opt-in to the scheme by registering themselves as workers. Their participation isn't mandatory.

#### Out of scope

- Federal, State or Local Government employees.
- Partners, where the employer is a business partnership.
- Directors, where the employer is a corporation.

### Determining predominant purpose



Employers must determine **predominant purpose** through a self-evaluation process.

Employers will need to apply a **multi-factor** test:

- giving greatest weight to:
  - core activities
  - resource allocation, and
- secondary factors such as the:
  - organisation's mission statement
  - constitution
  - strategic objectives
  - key performance indicators, etc.

Descriptions of the scope of work included in the 31 categories are available on the LSC website.

Guidelines to support employers make the determination on their predominant purpose with confidence are available on the LSC website.



### Scheme registration



#### Registering with LSC

Self-service online portals will be created for employers and workers to manage their portable long service leave.

From 1 July 2025, a registration function built via Service NSW's Business Bureau portal will be available for eligible employers to register with LSC. A direct link to access registration will be available on the LSC website from 1 July 2025.

Online portals delivered from April 2026 will enable employers to complete functions such as registering eligible workers, managing service returns and paying the levy.

From April 2026, eligible workers will be able to create a login to the LSC online portal to view their service.

The **foundation worker** bonus will automatically be applied to workers who are included on the first two service returns covering July – December 2025.

More information will be available on the LSC website later this year.

# Levy payments, tracking service and payroll considerations



#### Tracking and recording service of workers

Employers are required to track the service of eligible workers from 1 July 2025.

An optional spreadsheet template will be provided on the LSC website to support tracking of service. Employers are required to budget for the 1.7% levy payments and prepare for the April 2026 reporting.

#### Payroll considerations

- Superannuation is **not** included in the gross ordinary wages of workers when calculating the levy payment.
- There's no employer/employee relationship between LSC and a worker.
- Superannuation isn't included in the reimbursement of an employer claim or included in a worker claim.
- LSC recommends employers seek independent financial advice on how to treat superannuation on long service leave.
- Tax is withheld from a worker claim and reported to the ATO through Single Touch Payroll by LSC.

### What are gross ordinary wages?



Wages must be a gross figure – before tax or other deductions including salary sacrificing.

Included		Not included
<ul> <li>Award rate of pay</li> <li>Over award payments</li> <li>Shiftwork; weekend work and public holiday penalty rates on normal rostered shifts forming ordinary hours of duty (other than overtime)</li> <li>Casual loading</li> <li>On-call allowance</li> <li>Sleepover allowance</li> <li>Broken shift allowance</li> <li>First aid; medication administration allowance</li> <li>Nauseous work allowance</li> <li>Bilingual qualification; occasional interpreting allowance</li> <li>All-purpose allowance</li> </ul>	<ul> <li>Annual leave (where taken as leave)</li> <li>Sick leave</li> <li>Personal/carer's leave</li> <li>Bereavement leave</li> <li>Family and domestic violence leave</li> <li>Community service leave</li> <li>Ceremonial leave</li> <li>Public holidays</li> <li>Paid maternity/paternity leave; parental leave (where paid directly by the employer)</li> <li>Workers' compensation payments (when made by the employer in the first instance and the employer is then reimbursed by the insurance company)</li> <li>Jury service</li> </ul>	<ul> <li>Overtime (for full-time staff); leave loading; lump sum payments for accrued annual leave; sick leave or long service leave paid on termination; payments in lieu of notice</li> <li>Christmas bonuses and ex-gratia payments; one-off bonuses</li> <li>Travel allowance; meal allowance; protective clothing allowance; payment for materials and equipment</li> <li>Workers' compensation payments where they are paid directly by the insurance company to the worker and redundancy payments</li> <li>Australian Government Paid Parental Leave scheme</li> <li>Superannuation</li> </ul>

## What if a worker has breaks in service or leaves the industry?

#### Breaks in service

Workers can have a gap of up to four years in their service records without losing their entitlements held in the fund.

Prescribed non-service days may be added to a worker's record to cover absences from work include community work, pregnancy, caregiving, illness or injury, and domestic or family violence.

Serious issues affecting immediate family members are also included.

### Leaving the industry

In certain circumstances, workers who have five years of recognised service in the scheme and decide to leave the industry permanently, can request a pro-rata payment instead of taking their long service leave.



### Transitional arrangements



What are the transitional arrangements between the 1955 Act/EBAs and this scheme?

#### 1 July 2025

Employers remain responsible for long service leave entitlements accrued before 1 July 2025

Long Service Leave Act 1955

Enterprise Bargaining Agreement (EBA)

Employers start contributing to the long service leave fund instead of retaining funds for future worker claims

Community Services Sector (Portable Long Service Leave) Act 2024

Community Services Sector (Portable Long Service Leave) Act 2024

Workers with an existing entitlement can take their leave as they become eligible. Examples of eligibility scenarios will be available on the LSC website.

### Transitional arrangements example 1



Sue has worked with her employer for 8 years – When can Sue claim her entitlements?



Sue will accrue 10 years of service under the Long Service Act 1955 in 2027.

Sue's employer will pay her long service leave entitlements directly to Sue and claim back the 2-year portion from the LSC fund.

### Transitional arrangements example 2



Jill started with her current employer 3 years ago under an Enterprise Bargaining Agreement (EBA) – When can Jill claim her entitlements?



Jill will be eligible for long service leave in 2027 under an EBA that allows her to claim after 5 years of work with her employer. Jill's employer will pay her long service leave entitlements directly to Jill and claim back the 2-year portion from the LSC fund.

### Transitional arrangements example 3



Stevie started work with their employer in August 2025 – When can they claim entitlements?





Stevie gets the foundation worker bonus, allowing them to claim 365 days early. They will be eligible to claim their long service leave entitlements from LSC in 2031.



### Preparing for the new scheme



### From 1 July 2025, employers will need to:



Have determined their **predominant purpose** and understand if they need to register all or only some of their workers.



Subscribe to the LSC newsletter for further instructions on online **employer registration**.



Track their eligible worker's service, keeping records of the:

- ✓ worker's period of employment
- ✓ worker's date of birth, contact number and email address
- ✓ total gross ordinary wages paid to each eligible worker during the return period.



Budget for **levy payments** of 1.7% of their worker's gross ordinary wages per quarter, with payments to start **from April 2026**.





## Supporting the scheme

CSI portable long service leave scheme

### Ways you can help



Share updates on your Website or newsletters Invite LSC to visit your workplace or meeting

> Direct employees or stakeholders to the LSC website

Tell colleagues and friends about the new scheme

We're asking the industry to help introduce the scheme, by ensuring employers and workers are informed and supported.





Sign up to our free email newsletter to stay up-to-date

### Available resources



LSC has resources to assist employers and workers in adopting the CSI scheme.

Resource	Location
For a detailed overview of the scheme and latest news	https://www.longservice.nsw.gov.au/community -services-industry
Subscription to regular email newsletter scheme updates	https://www.longservice.nsw.gov.au/community -services-industry/subscribe
Industry outreach services	See next slide for details
Contact LSC	Call 13 14 41 Weekdays 8.30am – 5pm

Follow us on social media to receive updates



https://www.facebook.com/longservicensw https://www.facebook.com/NSWGovernment



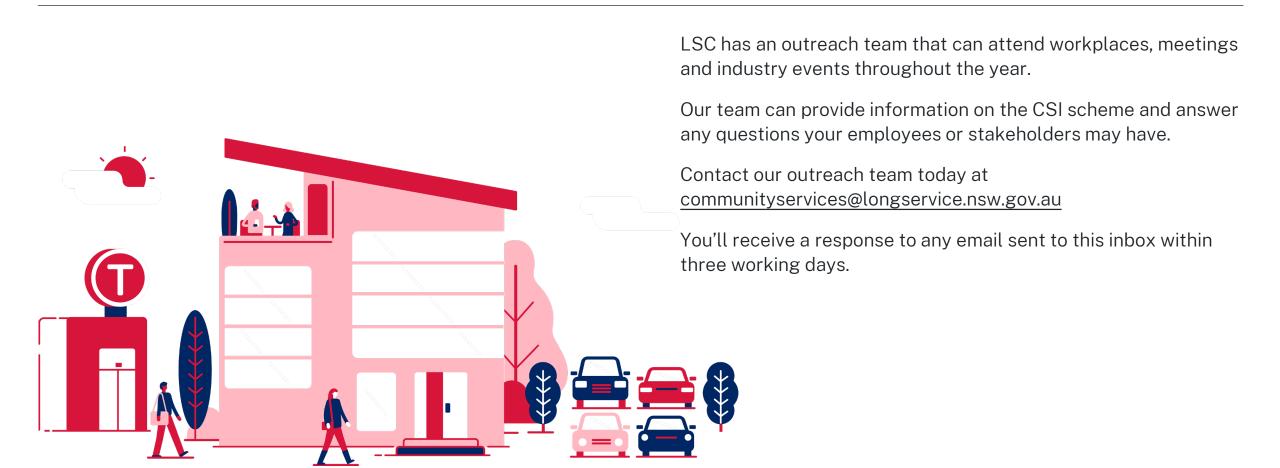
https://www.linkedin.com/company/nswgovernment



https://www.youtube.com/@LongServiceCorporation

### Invite us to your workplace, meeting or event







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### Channel content

CSI portable long service leave scheme

### Terminology and calls to action



#### Ways to refer to the CSI scheme

The first time the scheme is referenced in a communication, it should be with the full title – **Community Services Industry portable long** service leave scheme.

If the scheme is mentioned again in the same communication, it can be with any of these abbreviated titles, depending on the context:

- CSI portable long service leave scheme
- CSI scheme
- · the new scheme
- · the scheme.

#### LSC communications

LSC will be issuing communications industry-wide from January 2025.

#### These activities include:

- Regular subscriber email newsletters on the development of the CSI scheme
- Emails to employers, workers, unions, industry groups, representative bodies and other industry contacts
- Information at: longservice.nsw.gov.au
- Social media content
- Government-issued email newsletters.

#### Calls to action

At different times we will be asking stakeholders to take certain actions, as follows:

#### Up to 1 July 2025:

The new portable long service scheme for the community services industry will start on 1 July. Visit the LSC website to find out more about the scheme and what it means for you.

#### After 1 July 2025:

The CSI scheme has commenced, and eligible employers should register online with LSC.

### Newsletters and articles



#### Sample newsletter or news article

#### New long service scheme to launch in July

The new portable long service leave scheme for community services will commence in NSW on 1 July 2025, providing benefits across the sector.

Administered by the Long Service Corporation (LSC), the scheme will offer eligible workers the opportunity to claim up to six weeks' paid leave after completing seven years of recognised community service work. This work could be with one or more employers and carried out on a full-time, part-time or casual basis.

Eligible employers under the Community Services Industry (CSI) portable long service leave scheme will be required to register with LSC from 1 July 2025. Employers are also responsible for registering eligible workers in the scheme.

Contractors (self-employed workers) can opt-in to the CSI scheme by registering as workers.

The new scheme will be supported by a levy paid to LSC by eligible employers and contractors. The levy will be 1.7% of the total gross ordinary wages paid to registered workers, or 1.7% of what registered contractors would ordinarily be paid for their work.

It's anticipated the scheme will benefit employers by increasing staff attraction and retention, keeping valuable skills and experience in the sector with positive impacts for services, their clients and communities.

The new scheme applies to both not-for-profit and for-profit organisations offering a range of community work as outlined on the <u>LSC website</u>. The scheme doesn't currently cover work in residential aged care or early childhood care and education.

More information will be available in the coming months on how to register with the CSI scheme and manage levy payments.

For more information, visit the LSC website.

### Website content



#### Example of a short update

#### New scheme coming in July

A new portable long service leave scheme for the community services sector will commence in NSW on 1 July 2025.

It's important to understand how the scheme may apply to your organisation and staff, as registration is required for eligible employers and workers.

Visit the <u>Long Service Corporation</u> website for information and self-assessment tools for employers.

#### Example of a long update

#### New long service scheme to launch in July

A new portable long service leave scheme for community services will commence in NSW on 1 July 2025, providing benefits across the sector.

Administered by the Long Service Corporation (LSC), the scheme will offer eligible workers the opportunity to claim up to six weeks' paid leave after completing seven years of recognised community service work. This work could be with one or more employers and carried out on a full-time, part-time or casual basis.

Eligible employers under the Community Services Industry (CSI) portable long service leave scheme will be required to register with LSC from 1 July 2025. They will also be required to pay a levy to LSC from April 2026, which will be 1.7% of the total gross ordinary wages paid to eligible workers.

More information will be available in the coming months on how to register with the scheme and manage levy payments.

For more information, visit the LSC website.

### Social media content – Facebook/Instagram



#### Example of a Facebook/Instagram post

Pre-1 July 2025

A new portable long service leave scheme for the community services sector will commence in NSW on 1 July 2025.

It's important to understand how the scheme may apply to your organisation and staff, as registration is required for eligible employers and workers.

Visit the Long Service Corporation website for more information at <a href="https://www.longservice.nsw.gov.au">https://www.longservice.nsw.gov.au</a>.

#### Example of a Facebook/Instagram post

Post-1 July 2025

It's time for all eligible employers in NSW to register with the new Community Services Industry portable long service leave scheme.

Registration is available online from 1 July 2025.

You can find more information on the Long Service Corporation website about how to register and manage your portable long service leave at <a href="https://www.longservice.nsw.gov.au">https://www.longservice.nsw.gov.au</a>.

All eligible employers and workers are required to be registered with the scheme.

### Social media content - LinkedIn



#### Example of a LinkedIn post

Pre-1 July 2025

A new portable long service leave scheme for community services will commence in NSW on 1 July 2025, providing benefits across the sector.

It's important to understand how the scheme may apply to your organisation and staff, as registration is required for eligible employers and workers.

The Community Services Industry portable long service leave scheme will give eligible workers the opportunity to claim up to six weeks' paid leave after completing seven years of recognised community work. This work could be with one or more employers and carried out on a full-time, part-time or casual basis.

Eligible employers under the scheme must register with the Long Service Corporation (LSC) from 1 July 2025. They will also be required to pay a quarterly levy to LSC from 2026.

For more information, visit the LSC website at <a href="https://www.longservice.nsw.gov.au">https://www.longservice.nsw.gov.au</a>.

#### Example of a LinkedIn post

Post-1 July 2025

It's time for all eligible employers in NSW to register with the new Community Services Industry portable long service leave scheme.

Registration is available online from 1 July 2025. Visit the Long Service Corporation (LSC) website to assess whether you're an eligible employer under the scheme and how many of your workers are covered.

It's mandatory for all eligible employers and workers to be registered with the scheme.

The first returns and levy payments to LSC are due from April 2026.

You can find more information on the LSC website, including how to register with the scheme at https://www.longservice.nsw.gov.au.



### Graphics and images



LSC has creative assets available for industry partners to use when communicating about the CSI scheme.

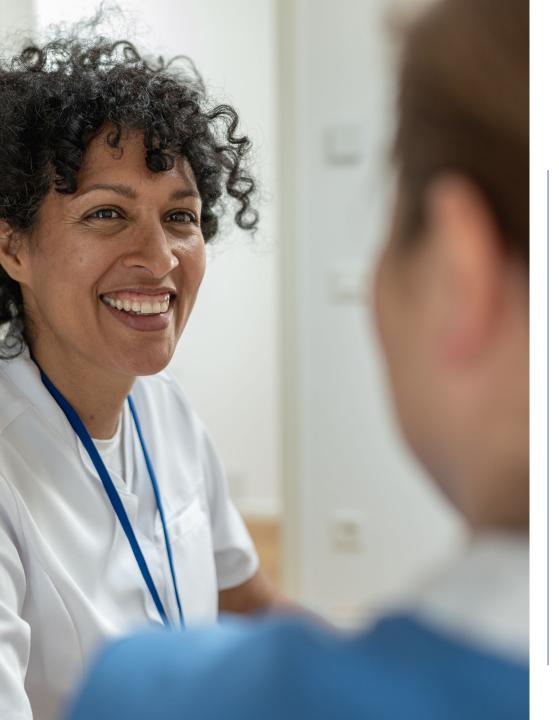
- Royalty-free images and graphics are available to download online by request at <a href="mailto:communityservices@longservice.nsw.gov.au">communityservices@longservice.nsw.gov.au</a>

  Note: You'll receive a response to any email sent to this inbox within one working day.
- If you require graphics or images that are not currently available, please let us know. We can provide content to suit your needs.



### Contact us

CSI portable long service leave scheme



### Need help?



- The CSI team within LSC is available to answer any questions via email at communityservices@longservice.nsw.gov.au
- Visit the LSC website for updated information on the CSI scheme at <a href="https://www.longservice.nsw.gov.au">https://www.longservice.nsw.gov.au</a>.
- Subscribe to our stakeholder email newsletter at longservice.nsw.gov.au/community-services-industry/subscribe.