

Review of long service leave entitlement form

Long Service Leave Act 1987 (SA)

Complete this form if you:

- are a South Australian worker, and
- have completed at least seven (7) years of continuous service

OR

- are a South Australian employer, and
- require assistance to work out a long service leave entitlement.

Continuous service

A worker's continuity of service is not affected by:

- absence in accordance with contract of service (e.g. Christmas closure)
- absence on account of illness or injury
- absence on account of long service leave or annual leave
- absence on account of any other approved leave (e.g. parental leave, approved leave without pay)
- the standing down of the worker due to slackness in trade where the worker is re-employed by the same employer
- a break in service brought about by the employer where the worker returns or is re-employed by the same employer within two months.

Continuous service is not the same as Service. Continuous service means that your service is not broken, however some types of leave do not count as service when calculating your entitlement. For example, unpaid leave does not count towards your service but does not necessarily break your continuous service.

The *Long Service Leave Act 1987 (SA)* may not apply to:

- Construction industry workers who are predominately employed 'on-site'. For more information contact [Portable Long Service Leave](#) on 8362 8111.
- The South Australian Public Sector. Long service leave entitlements are governed by the *Public Sector Act 2009* and any determinations of the Commissioner for Public Sector Employment.
- Workers whom, as of 31 December 2009, had award-derived long service leave terms set out in relevant industrial instruments (e.g. Enterprise Agreement, Australian Workplace Agreement [unless cancelled or rescinded], or Federal Award). For example, workers in the vehicle industry where their employers are members of the Motor Trade Association and where membership commenced prior to March 2006.
- Workers employed within the Commonwealth Public Sector.

Submitting your form

Please submit your completed form and supporting documents to SafeWork SA:

Email: DTFSWSAInspectorate@sa.gov.au

Post: GPO Box 465
Adelaide SA 5001

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Government
of South Australia

SafeWork SA

Is there a disagreement over a long service leave entitlement between employee and employer?

Yes

No

If yes, have you attempted to resolve your claim with your employer/employee?

Yes

No

Please provide a commentary of the dispute with your employer/employee with regard to long service leave.

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Are there any further points that you would like us to clarify with regard to long service leave?

5. Declaration

I _____ certify that the details I have provided are correct to the best of my knowledge.

Date:

In the course of managing your claim, SafeWork SA may need to contact your employer/employee to request specific information and/or discuss the issues you have raised. This will result in the other party being provided with the details of this form.

I give permission for SafeWork SA to contact my employer/employee for the purpose detailed above.

I do not give permission for SafeWork SA to contact my employer/employee for the purpose detailed above.

If you do not grant us permission to discuss your claim with the other party, we may not be able to help resolve any dispute.