



KPMG  
PERTH WA 6000

[portableleave.org.au](http://portableleave.org.au)

30 June 2023

### **WA Portable Long Service Leave Act Review**

Dear KPMG

Further to the announcement that KPMG has been engaged to undertake an independent review of the *Construction Industry Portable Paid Long Service Leave Act 1985* (the Review) please find attached some feedback from the South Australian Portable Long Service Leave business.

This feedback is being provided to help improve a number of administrative items in relation to the way the current Act works :

- Currently an employed worker is able to take their long service leave in a multiple of weeks under the WA scheme.

For a worker who is not currently employed in the industry they are not able to apply for weeks of leave but must instead claim all of their entitlement in one hit (as a termination claim), even though their next role may be back in the construction industry.

Making a termination claim means that they break their service (for long service leave purposes) and must accrue an additional 7 years of service before they are once again eligible for LSL.

- The WA scheme does not allow "split payments" to be made (where most other interstate schemes do).

An example of this is that if a worker has accrued 2 weeks of leave in SA and is currently working in SA, and the worker also has 8 weeks of leave accrued in WA and they make a claim for 4 weeks of long service leave.

In this instance, the WA Act requires the worker to claim their full 8 weeks of entitlements even though the worker may only want to claim 2 weeks at that particular point in time.

If you would like to discuss this feedback please feel free to contact me on 0421 390 767 or at [anthony@portableleave.org.au](mailto:anthony@portableleave.org.au). We wish you well with your review.

Regards

Anthony Mackay  
**Chief Executive Officer**  
**Portable Long Service Leave**