



## Long Service Leave

### Overview

The NES details your entitlement to long service leave. This is a transitional entitlement pending the development of a uniform national long service standard.

### What entitlements to long service leave will apply?

Under the NES, you may be entitled to long service leave according to your premodernised award, or one of the following types of agreements:

- Various Agreements (collective, enterprise, preserved State, certified)
- Australian Workplace Agreement (AWA)
- Individual Transitional Employment Agreement (ITEA)



### What if I have no applicable award or agreement for long service leave?

If you have no award or agreement terms regarding long service leave, the entitlement comes from State and Territory laws. These laws are subject to the interaction with any transitional instrument that may apply to you.

Most United Voice members in Queensland are covered by State Legislation for Long Service Leave.

*(Industrial Relations Act 1999 (Qld.)*

### What are the minimum long service leave entitlements?

In Queensland if you have completed continuous service (with the same employer), your minimum long service entitlements are:

- for the first 10 years — 8.6 weeks on full pay
- if you complete at least a further 5 years - 0.86 weeks per year
- if you have completed at least 7 years, you may be entitled to a proportionate payment for long service leave on your termination
- if you are terminated before completing 10 years of service, you will only be entitled to proportionate payment if:
  - you die
  - you become ill or incapacitated
  - you are going through personal difficulties that would enable you to access long service leave
  - you are not dismissed based on conduct, capacity or performance
  - you have been unfairly dismissed

### Other relevant issues

Other issues which may be of interest to you regarding long service leave are:

- In most cases, long service leave is usually paid on termination
- You may be able to receive payment instead of long service leave if your relevant agreement provides for it
- If you do not have an agreement that provides for payment of long service leave, you may to the Industrial Relations Commission to receive payment instead of long service leave based on demonstrable compassionate or financial hardship grounds
- LHMU does not generally support cashing out of leave.

### Contact us

For more information on any of these topics, please see the other United Voice fact sheets. If you are unsure or require further advice, please contact your union delegate or call United Voice Member Assist on 3291 4600 or 1800 065 885 outside of the Brisbane area. Alternatively you can now lodge a request for information or assistance at [www.memberassist.org.au](http://www.memberassist.org.au)

Phone: (07) 3291 4600 or 1800 065 885 (outside Brisbane) Member Assist: [www.memberassist.org.au](http://www.memberassist.org.au) Website: [www.unitedvoice.org.au](http://www.unitedvoice.org.au)