

# Your frequently asked questions **answered**

## EMPLOYER

### **Q. Who is QLeave?**

The Queensland Government has introduced legislation that allows community services workers to accrue portable long service leave entitlements. QLeave is the statutory authority that will administer the portable long service leave scheme for workers and employers.

### **Q. What is portable long service leave?**

The community services industry experiences high rates of insecure employment and employee mobility, due to work that is reliant on funding. This means that workers often miss out on accessing paid leave and taking a well-earned break.

Under the *Community Services Industry (Portable Long Service Leave) Act 2020*, community service workers can accrue long service leave benefits based on their service across the industry, not the length of time with a single employer.

### **Q. Who is a community services employer?**

**You're an employer in the community services industry if:**

- your organisation is established, or has a purpose, to provide community services in Queensland
- you're a labour hire provider that supplies an organisation with a community services worker in Queensland
- you're an individual who is self-employed and provides community services in Queensland (registration optional)

Please note, an employer does not include the Commonwealth, State or local government.



## Q. How does the scheme work?

From 1 January 2021, industry employers need to register with QLeave. From April 2021, registered employers will need to submit quarterly returns and pay the levy. The collected levies are invested, and the accumulated funds are used to pay the workers' long service leave claims.

### Employer registration

- Employers can register online at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au)

### Quarterly returns

- Each quarter, employers need to submit a return with details of their workers and the ordinary wages paid. These details are recorded against the worker's QLeave membership and count towards their long service leave benefit.
- The first quarterly return is due on 14 April 2021.
- The quarterly return is submitted online. Once the return is submitted an invoice will be raised based on the details provided.

### Levy payments

- You can pay the levy online with a credit card or using BPay or EFT.
- The levy rate is 1.35% of ordinary wages paid. This rate is determined by an actuary, who undertakes an investigation using a specific formula, every two years.

### Claim back long service leave payments

- If you pay a worker's long service leave, under their industrial instrument, you can claim reimbursement for long service you have recorded with QLeave after 1 January 2021.

More information about ordinary wages, quarterly returns, paying the levy and claiming reimbursements can be found at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au)

## Q. What do my workers need to know?

Your workers will be covered by the scheme if they perform community services work. The scheme also covers those workers who support, supervise or manage the provision of community services.

### This includes workers who:

- are engaged as a full-time, part-time or casual employee
- are engaged under a contract for service, including labour hire workers
- operate as a sole trader
- work for both for-profit and not-for-profit organisations.

### It does not include:

- Commonwealth, State and local government workers
- workers engaged to perform work unrelated to the purpose of providing community services
- workers in standalone childcare and early childhood education centres, kindergartens and school-based childcare services
- workers employed in aged care, in a nursing home or retirement village delivered by a standalone aged care provider or service.

After you have completed your first quarterly return, QLeave will contact your workers to advise them they are registered with the scheme. They will have access to QLeave's online services so they can check their service is recorded correctly.







## Scenarios for employers

### Community service provider

My organisation provides home and community care services. We need to register as an employer as we were established to provide community services.

We will register our workers who perform community services work, and those who support, supervise, or manage the provision of community services.

For administrative ease, we may also register our corporate staff.

### Multi-service provider

My organisation provides home care, residential aged care, and disability support services. We need to register as an employer as at least one of our purposes is providing community services.

We will register our workers who perform community services work, and those who support, supervise, or manage the provision of community services.

For administrative ease, we may also register our corporate staff and workers who perform, support, supervise or manage residential aged care or other services that are not on the list of eligible community services as our organisation is **not a standalone aged care facility**. For more information, see Schedule 1 of the [Community Services Industry \(Portable Long Service Leave\) Act 2020](#).

### Allied health and disability support

My organisation provides allied health services to the disability support sector. We need to register as an employer as one of our purposes is providing community services.

We will register our workers who perform community services work, and those who support, supervise, or manage the provision of community services. For more information, see Schedule 1 of the [Community Services Industry \(Portable Long Service Leave\) Act 2020](#).

For administrative ease, we may also register our corporate staff.

QLeave does not decide if a worker supports, supervises, or manages the provision of community services. This is the decision of the employer. Employers are encouraged to keep records of their decisions concerning their workers' eligibility.





The information provided in this publication is general in nature and provided to assist you understand the *Community Services Industry (Portable Long Service Leave) Act 2020*. The information does not constitute legal advice and should not be relied upon as such. You should obtain legal advice about your obligations or benefits under the *Community Services Industry (Portable Long Service Leave) Act 2020* and the *Community Services Industry (Portable Long Service Leave) Regulation 2020* and how this legislation applies to you.

## Contact us

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