



# ONSITE

The Official Newsletter of MyLeave



## WORKERS

### Your Long Service Leave is in good hands

Our 2025 Annual Report tabled in Parliament shows that we maintain a strong financial position. This enables the costs to construction industry employers to be kept low whilst ensuring that long service leave benefits are provided for workers.

Last year **\$46.7 million** in long service leave entitlements were paid so workers like you could take well-earned holidays.



**4,888** workers took a long service leave benefit.

### New MyLeave Portal

MyLeave's new Employer and Worker portals are now live! The upgraded portals deliver a range of important enhancements, including a new design, 24/7 access, enhanced security, and improved self service functionality.



#### Key changes include:

- **Submitting Online Claims** - Workers can now submit new long service leave claims directly through their Worker Portal and track their progress through to finalisation. A Verification of Identity (VOI) check is required to ensure that payments are securely made to the correct person. Once a claim is lodged, the employer will automatically receive an email notifying them that a claim is awaiting their review.
- **Viewing and Exporting Your Statement of Service** which includes itemised quarterly returns and any periods of de-registered service for times when you were inactive in the Western Australian construction industry.
- **Uploading Your Interstate Service Online** helping MyLeave review your service history and preserve your account if required.
- **Lodging a Missing Service Enquiry** allowing MyLeave to capture the necessary information and investigate potential gaps in your recorded service.

More details about the changes in the new portal are available on our website at [www.myleave.wa.gov.au](http://www.myleave.wa.gov.au).

#### What happens next

If you haven't already, check your inbox and junk folders for an email with your **invitation link**.

If you haven't received it, get in touch at [hi@myleave.wa.gov.au](mailto:hi@myleave.wa.gov.au) and we can send it to you.

Upon redeeming your invite, you will be asked to verify your email address, mobile number, and to set up a new password.

To help you get started, we've prepared comprehensive training materials and resources that can be found on the **Worker/Employer Login** page of our website.

### What happened in 2025



**145,472**

registered workers



**\$46.7 million**

paid in worker benefits



**\$537 million**

accrued long service leave liability



**4,888**

workers received a benefit from MyLeave



**\$34.4 million**

contribution levy income generated from employers



**\$673 million**

in cash and investments



**5,732**

number of registered employers



**\$5.3 billion**

construction worker wages



**10.8%** investment return



Scan the QR code to access a full copy of the 2025 Annual Report

# GOOD TO KNOW...

## Common questions

### Legislation Changes (Effective 1 January 2026)

Amendments to the *Construction Industry Portable Paid Long Service Leave Act 1985* will:

- Include construction work on or from vessels under the long service leave scheme.
- Allow eligible workers with at least 55 days of service to access pro rata leave early in cases of total and permanent incapacity, terminal illness, or death.
- Count service days while workers are stood down or on workers' compensation, addressing a previous gap where contributions were paid but service was not accrued.

### Ordinary Pay for Casual Workers

The MyLeave Board has updated how ordinary pay and ordinary hours are calculated under the *Construction Industry Portable Paid Long Service Leave Act 1985* for casual workers.

Where a rostered work cycle does not apply, ordinary hours are usually 38 hours per week unless terms of employment state differently.

Where a rostered work cycle applies, ordinary hours are averaged over the work cycle.

Allowances paid for working ordinary hours are also now included as ordinary pay.

MyLeave will reassess claims that are dated back to December 2016 to ensure correct entitlements have been paid to workers.

These changes ensure leave and contributions accurately reflect the "work and pay of a casual employee.

### Employer Refunds for Direct Payments to Workers

A review of the interaction of MyLeave's legislation with the *Long Service Leave Act 1958* has been completed.

Where a worker is registered with MyLeave working in an eligible job-role, long service leave claims must be made by the worker through MyLeave, and employers who pay workers directly cannot be reimbursed, except in limited circumstances.

Please ensure that if you have a long service leave entitlement with MyLeave it is claimed directly through MyLeave and not with your employer.

### Which workers are eligible for MyLeave?

Only workers working on-site in classifications of work listed in a prescribed award are eligible for MyLeave. Workers employed in an employer's own workshop or yard, and administration, clerical and managerial workers are not eligible for MyLeave.

Please note that from **1 January 2026**, construction work carried out on or from vessels will be included under the long service leave scheme, meaning these workers will now accrue service and entitlements under the Act.

If you are unsure of your eligibility, please contact the MyLeave compliance and advisory team.

### Left the industry? No longer eligible? No longer accumulating service days? What happens to my accumulated service days?

Under MyLeave legislation, 1 year of service = 220 service days in an eligible construction role, so 1 year of employment may not equal 1 year of service.

If a worker has not reached long service leave entitlement (7 years / 1,540 service days), the following break-in-service rules apply:

- 1,100 service days or less: service is held for 2 years.
- 1,101-1,539 service days: service is held for 4 years.

If the worker re-enters the industry within this period, accumulated service is retained. If not, service days are removed from their record. As this is legislated, MyLeave has no discretion when it comes to de-registration.

### Changing roles within the same employer:

- If moving to a role not eligible for MyLeave (e.g., administrative or managerial), contributions stop and service days cease to accrue.
- Long service leave accrual then becomes the employer's responsibility under the *Long Service Leave Act 1958* (WA).

### Service from prior employers:

- If no prior standalone entitlement existed, those days are extinguished after the 2 or 4 year period (whichever applies).

- If a prior entitlement exists, MyLeave will pay any accrued leave from previously reported service days.

Termination from an employer triggers the same 2 or 4 year rules for cancellation of service days.

### Can I take long service leave in multiple periods, and what are the conditions?

Yes, a worker can take long service leave in multiple periods.

However, there are specific conditions:

1. **Accrued Balance:** You can only take the amount of long service leave you have accrued. You cannot take more leave than you have in your entitlement.
2. **Minimum Duration:** Each period of leave must be no less than one week (5 days).

### Is there a maximum number of claims a person can make?

Yes, a worker can only make 3 long service leave claims for the first 10 years of service and a further 3 claims for each 5 years of service after that.

### What happens to the monies paid in by my employers if I leave the industry?

MyLeave is not like superannuation. Workers accumulate service days, not funds, and no money is held in individual accounts.

- **Benefit payout:** Once a worker reaches 7 years / 1,540 service days, long service leave is paid based on the average weekly ordinary pay over the last 220 service days, not on employer contributions.
- **Leaving before entitlement:** Service days are lost after the 2 or 4 year break-in-service period if the worker does not return to the industry.
- **Surpluses:** Any surplus funds are pooled and used to meet total long service leave liabilities of all workers and help reduce the employer contribution levy.

### I am an apprentice, am I eligible for MyLeave?

Yes, apprentices in an eligible job role should be included on employer returns with service days accruing towards an entitlement. There is no cost to your employer while you are an apprentice.

### When can I apply for long service leave?

Workers in WA are entitled to 8 $\frac{2}{3}$  weeks of paid long service leave after accumulating 2,200 service days, equivalent to 10 years of service. Pro rata leave can be requested after 7 years (1,540 service days) with employer approval. Claiming a payment on termination breaks your service, requiring a further 7 years in the construction industry before qualifying for another benefit.

WA service also counts towards long service leave if you move to another State or Territory. Claims usually take 10 to 15 business days to process and pay.

### Can I cash in my long service leave by applying for my long service leave and then continue working?

No. But if you have reached an entitlement by accruing seven years of service with us, you can be paid out your accumulated entitlement on termination of your employment.

### Audit of entitlement

Please be aware that your entitlement information is subject to final verification with your employers at the time of processing your claim for long service leave payment.

### Working Directors

Are you a working director?

Working Directors are a special category of employee for MyLeave and can accrue portable long service leave, but strict eligibility rules apply.

To qualify, a Working Director must:

- Perform on-site construction work;
- Be paid a comparable wage for their on-site labour (not payments linked to business ownership); and
- Receive regular wages (at least monthly) through PAYG, with payslips, ATO reporting, and payment from the business account to their personal account.

One-off payments or end-of-year adjustments are not considered to be 'ordinary pay' and cannot be averaged.

If pay is significantly above industry averages, MyLeave may audit the arrangement to confirm it reflects genuine employment. Payments relating to activities such as business development, project management, administration, or other management functions are not considered as 'ordinary pay'.

Working Directors who do not receive regular wages, or who substantially increase their pay, may not meet eligibility requirements. If your role or pay has changed, contact MyLeave's Compliance and Advisory team.

### Supervisors

Supervisor eligibility for MyLeave is based on the work performed - not job title.

Eligibility is assessed based on whether a Supervisor:

- Spends most of their time on-site supervising employees doing construction work; and
- Performs duties aligned with a Foreman under the *Foreman (Building Trades) Award 1991* or Schedule A of the *Building and Construction General On-site Award 2020*.

Supervisors who mainly work off-site or perform managerial duties (e.g., Manager, Project Manager, Superintendent) are not eligible.

### Subcontractor or Employee?

MyLeave provides guidelines to help determine if a worker is an employee or subcontractor.

Decisions are based on documentation, answers to key questions, and factors drawn from legal precedents.

If unsure, first review the guidance under the "Employer" section on our website. If still in doubt, contact MyLeave for advice.

[www.myleave.wa.gov.au](http://www.myleave.wa.gov.au)



# Manage your long service leave online

### Track your Service Records

View your recorded days of service online to ensure your employer is correctly contributing for you. Records are updated quarterly, and an Annual Notice is sent in March each year.

### Check your Annual Notice is correct.

Carefully review your Annual Notice and notify MyLeave immediately if there are any issues. Employers only keep pay records for seven years, so unverified past service cannot be accepted.

### Start your long service leave application.

You can make a claim for long service leave via your new worker portal. Submit your application early, especially during peak periods, as processing can take more than 15 business days.

### Update your Contact details.

Always advise MyLeave of any changes to your contact details to ensure you receive your Annual Notice and other important correspondence. This can be done in your new worker portal.

## Follow us on Instagram, Facebook and LinkedIn!

We are trying to connect with you in more dynamic and interactive ways.



Be the first to know about the latest updates.

Find helpful reminders, tips, and advice for all your MyLeave activities.

Quick and efficient way to get in touch.

Search "MyLeave" on Instagram, Facebook and LinkedIn to like and follow our pages.

# Hot topics



## What do I do if I think that I have missing service?

Please lodge a days of service query through your online portal or using a days of service query form from our website. Service older than 7 years is unlikely to be located and verified so please let us know about missing service as soon as possible so that we have the best chance of ensuring that you get your full entitlement.



## Interstate service - Portability between States

There are construction industry long service schemes in all States and Territories in Australia (except the Christmas and Cocos Keeling Islands, contact MyLeave if your service includes these locations). We all acknowledge each other's service for the purposes of determining 'continuous service' which addresses breaks-in-service where a worker has moved from state to state.

This arrangement lets you accumulate service across States. When eligible for a payment in the State you are currently working in, you claim through that State. For example, if you work in WA but have prior service interstate, and your combined service meets the minimum 7 years and is deemed continuous under each State's rules, you can make a claim via WA.

If you are working in another State, note that minimum service requirements and rules for breaks in service vary, so check the current State's requirements before claiming.



### Number of Registered Workers

2019	107,873	
2020	106,392	
2021	106,287	
2022	111,281	
2023	123,100	
2024	135,700	
2025	145,472	

### Number of LSL Claims Paid

2019	5,808	
2020	5,275	
2021	3,670	
2022	4,242	
2023	4,540	
2024	4,864	
2025	4,888	

### Value of LSL Claims Paid

2019	\$44.5 million	
2020	\$40.9 million	
2021	\$29.1 million	
2022	\$36.1 million	
2023	\$39.8 million	
2024	\$44.5 million	
2025	\$46.7 million	

## Contact Us

Website:	<a href="http://www.myleave.wa.gov.au">www.myleave.wa.gov.au</a>
Email:	<a href="mailto:hi@myleave.wa.gov.au">hi@myleave.wa.gov.au</a>
Telephone:	(08) 9476 5400 Mon - Fri 8:00am to 4:30pm
Freecall:	1800 198 136 Mon - Fri 8:00am to 4:30pm
Address:	Level 1, 503 Murray Street Perth WA 6000
Postal Address:	PO Box 1333 West Perth WA 6872

## Interstate Scheme websites

Northern Territory	<a href="http://www.ntbuild.com.au">www.ntbuild.com.au</a>
Queensland	<a href="http://www.qleave.qld.gov.au">www.qleave.qld.gov.au</a>
New South Wales	<a href="http://www.longservice.nsw.gov.au">www.longservice.nsw.gov.au</a>
Australian Capital Territory	<a href="http://www.actleave.act.gov.au">www.actleave.act.gov.au</a>
Victoria	<a href="http://www.leaveplus.com.au">www.leaveplus.com.au</a>
Tasmania	<a href="http://www.tasbuild.com.au">www.tasbuild.com.au</a>
South Australia	<a href="http://www.portableleave.org.au">www.portableleave.org.au</a>

## Who's on the Board

**Susan Barrera**  
Chair

**Representing Workers**  
Steve McCartney  
Kari Phacek  
Sandro Kolar

**Representing Employers**  
Jo Alilovic  
Kate Schick  
Paula West

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