

Long service leave

An employee gets long service leave after a long period of working for the same employer.

Most employees' entitlement to long service leave comes from long service leave laws in each state or territory. These laws set out:

- how long an employee has to be working to get long service leave (eg. after 7 years)
- how much long service leave the employee gets.

In some states and territories long serving casuals are eligible for long service leave.

To find out about long service leave entitlements, contact the long service leave agency in your state or territory:

- ACT - Access Canberra [☞](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/3008/) (https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/3008/)
- NSW - NSW Industrial Relations [☞](https://www.industrialrelations.nsw.gov.au/leave/long-service-leave) (<https://www.industrialrelations.nsw.gov.au/leave/long-service-leave>)
- NT - NT Government [☞](https://nt.gov.au/employ/for-employees-in-nt/long-service-leave) (<https://nt.gov.au/employ/for-employees-in-nt/long-service-leave>)
- Qld - Queensland Industrial Relations [☞](https://www.business.qld.gov.au/running-business/employing/employee-rights/long-service-leave) (<https://www.business.qld.gov.au/running-business/employing/employee-rights/long-service-leave>)
- SA - SafeWork SA [☞](http://www.safework.sa.gov.au/show_page.jsp?id=2477) (http://www.safework.sa.gov.au/show_page.jsp?id=2477)
- Tas. - WorkSafe Tasmania [☞](http://worksafe.tas.gov.au/laws/long_service_leave) (http://worksafe.tas.gov.au/laws/long_service_leave)
- Vic. - Business Victoria [☞](https://www.business.vic.gov.au/hiring-and-managing-staff/long-service-leave-victoria/long-service-leave-an-overview) (<https://www.business.vic.gov.au/hiring-and-managing-staff/long-service-leave-victoria/long-service-leave-an-overview>)
- WA - Department of Mines, Industry Regulation and Safety [☞](http://www.commerce.wa.gov.au/labour-relations/long-service-leave-0) (<http://www.commerce.wa.gov.au/labour-relations/long-service-leave-0>)

Long service leave in pre-modern awards

The state and territory long service leave laws don't apply when there are long service leave entitlements in a federal pre-modern award (www.fairwork.gov.au/Dictionary.aspx?TermID=2077) that would have covered an employer and their employees before 1 January 2010.

In this case the long service leave entitlement comes from the pre-modern award which will set out:

- how long an employee has to be working to get long service leave (eg. after 7 years)
- how much long service leave the employee gets.

Example: Long service leave in a pre-modern award

Real Meats Butchers has a number of shops throughout Melbourne, Victoria, and is covered by the Meat Award. Lesley has been working part-time for 12 years.

There was a clause covering long service leave under Lesley's federal pre-modern award. This means that Lesley's long service leave entitlement comes from her federal pre-modern award, not the Victorian long service leave legislation.

To find long service leave entitlements in a federal pre-modern award:

- search the Fair Work Commission Award database [☞](https://www.fwc.gov.au/search/document/award) (<https://www.fwc.gov.au/search/document/award>) if you know the award or
- call us for help finding out about federal pre-modern awards and long service leave entitlements.

Before you call, please look at our Before you call page (www.fairwork.gov.au/contact-us/call-us/before-you-call) .

Portable long service leave

Some Australian states and territories have legislation to provide employees in the security, community services, building and construction, coal mining, and contract cleaning industries with access to portable long service leave.

This means an employee keeps their long service leave entitlement even if they work on different projects for one or more employers.

For portable long service leave in the:

- security and community services industries in Victoria go to [Portable long service \(https://www.vic.gov.au/portable-long-service\)](https://www.vic.gov.au/portable-long-service) 
- building and construction industry go to [AusLeave \(http://www.ausleave.com.au/\)](http://www.ausleave.com.au/) 
- coal mining industry go to [Coal Mining Industry LSL Funding Corporation \(http://coallslcorp.com.au/\)](http://coallslcorp.com.au/) 
- contract cleaning industry go to:
 - ACT – [ACT Leave \(http://www.actleave.act.gov.au/\)](http://www.actleave.act.gov.au/) 
 - NSW – [New South Wales Long Service \(http://www.longservice.nsw.gov.au/about-us\)](http://www.longservice.nsw.gov.au/about-us) 
 - Queensland – [QLLeave \(http://www.qleave.qld.gov.au/\)](http://www.qleave.qld.gov.au/) 
 - Victoria – [Portable long service \(https://www.vic.gov.au/portable-long-service\)](https://www.vic.gov.au/portable-long-service) 

Source reference: [Fair Work Act 2009 s.113 !\[\]\(3dfb8d66e81160ad61421a3452093d1b_img.jpg\) \(http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200941262?OpenDocument&VIEW=compilations&COUNT=25&START=1\)](http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200941262?OpenDocument&VIEW=compilations&COUNT=25&START=1)

Think a mistake might have been made?

Mistakes can happen. The best way to fix them usually starts with talking.

Check out our [Help resolving workplace issues \(www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default\)](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default) section for practical advice on:

- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can't resolve it.

What to do next

- Find information on [Payment for long service leave \(www.fairwork.gov.au/leave/long-service-leave/payment-of-long-service-leave\)](http://www.fairwork.gov.au/leave/long-service-leave/payment-of-long-service-leave)

Help for small business

- Find tools, resources and information you might need on our [Small business page \(www.fairwork.gov.au/Find-help-for/Small-business/default\)](http://www.fairwork.gov.au/Find-help-for/Small-business/default) .

You might also be interested in

- Long service leave in [Not working on public holidays \(www.fairwork.gov.au/Leave/Public-holidays/not-working-on-public-holidays\)](http://www.fairwork.gov.au/Leave/Public-holidays/not-working-on-public-holidays)
- Long service leave entitlements in [Final pay \(www.fairwork.gov.au/Ending-employment/notice-and-final-pay/final-pay\)](http://www.fairwork.gov.au/Ending-employment/notice-and-final-pay/final-pay)
- Long service leave fact sheet (www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/long-service-leave)

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.