

Long Service Leave for Casuals

Frequently Asked Questions

1. Why are casuals only getting an entitlement to LSL now?

The long standing position was casuals in the WA public sector were not entitled to accrue Long Service Leave (LSL) under the *Long Service Leave Act 1958 (WA)*.

Advice from government was received on 16 September 2019 which changed the application of the LSL Act.

2. Why has there been a delay in providing my entitlement?

Several matters, including the establishment of accrual rules require finalisation, with government approval, and are the subject of ongoing discussions between WA Health, central government and unions.

Following resolution of these matters, Health Support Services (HSS) will have the business rules required to make the necessary reconfigurations to Payroll systems to progress implementation of LSL entitlements.

3. Who will be eligible for a historical leave balance?

All current casual, or permanent and fixed term employees with current or historical casual employment, may be eligible for an entitlement.

To avoid individuals having to make a claim, HSS will arrangement payment for employees who have left the WA Health system.

In accordance with the statute of limitations, employees who are no longer employed have the right to be paid their entitlement six years after the date on which their employment ceased.

Approval is being sought to pay an LSL entitlement to any casual employee who terminated their employment with WA Health on or after 16 September 2013; this is six years prior to the date the changed advice was received (as per question 1).

4. How far back will accruals go?

Subject to question 3, service since January 1996 will count towards an employee's accrual. At that date, changes were made to the LSL Act which expanded the scope of the legislation to apply to public sector employees.

5. How do I know if I am entitled to a historical LSL balance?

Subject to question 2, all current casual employees are potentially impacted by this change. You will be contacted by HSS if you have an entitlement.

Entitlements will be subject to meeting certain criteria, including whether an employee has continuous employment throughout the accrual period.

6. How can I work out what my historical balance is? How do I know what my balance as a casual is / was?

Advice from Government received in February 2022 will enable HSS to conduct an audit of historic payroll data to establish hours worked as a casual.

7. When will I receive my historical balance?

Once the payroll systems are reconfigured following the establishment of accrual rules, historical data can be used to determine your balance. We will continue to regularly update you as implementation progresses which will include project timelines.

8. How can I apply for, and take, LSL as a casual (once the required entitlement period has been reached)?

For a current casual to apply to take LSL, HSS will need to reconfigure payroll systems following the establishment of accrual rules.

Once we have received confirmation from government on the establishment of the accrual rules, we will apply these to your LSL balance and contact you. This will include information on how leave can be accessed.

9. When I take my leave, at what rate will I be paid?

You will be paid your base rate current at the time of taking the leave.

10. Does my industrial agreement effect my entitlement to LSL?

The following industrial agreements now provide an entitlement:

- WA Health System – Australian Nursing Federation – Registered Nurses, Midwives, Enrolled (Mental Health) and Enrolled (Mothercraft) Nurses – Industrial Agreement 2020

- WA Health System - Engineering and Building Services Industrial Agreement 2021
- Government Services (Miscellaneous) General Agreement 2021
- Dental Health Services – Dental Officers – CSA Industrial Agreement 2019
- Dental Health Services – Dental Technicians – CSA Industrial Agreement 2020
- WA Health Systems – United Workers Union (WA) – Enrolled Nurses, Assistants in Nursing, Aboriginal and Ethnic Health Workers Industrial Agreement 2020
- WA Health – HSUWA – PACTS – Industrial Agreement 2020
- WA Health System – United Workers Union (WA) – Hospital Support Workers Industrial Agreement 2020
- Public Sector CSA General Agreement 2021

The interaction between the LSL Act and industrial agreement entitlements are the subject of ongoing discussion between WA Health, central government and unions.

HSS will subsequently apply the business rules required to make the necessary configurations to payroll systems to progress implementation of LSL entitlements.

11. Will my LSL entitlements be carried over if I change my mode of employment, e.g. change from permanent or fixed term employee to casual or vice versa, or change employer, e.g. one hospital to another within WA Health?

Yes, LSL will be portable if you change mode of employment or move across the WA Health system and/or the State public sector.

The specific accrual rules for portability require finalisation and are the subject of ongoing discussions between WA Health, central government and unions. Once these rules are finalised, you will be notified of your accrued entitlement.

For further information, see [Government Sector Labour Relations](#)