

Contract Cleaning Industry EMPLOYER GUIDE

What is the portable long service scheme?

The [Contract Cleaning Industry \(Portable Long Service Leave Scheme\) Act 2010](#) (the Act) commenced on 1 July 2011. The scheme provides a portable long service entitlement to workers who have performed eligible cleaning work in NSW, regardless of whether they have worked for multiple employers or as a contractor. The Long Service Corporation (LSC) is the statutory body established by the NSW Government to administer the portable long service scheme.

Who is covered by the act?

The scheme covers full-time, part-time and casual workers employed by a contract of service or self-employed as a contractor to perform eligible cleaning work in the industry. A worker includes a person who is engaged both to perform cleaning work and to supervise other workers. For further information regarding scheme eligibility, see [Type of work covered by the scheme](#).

Who is not covered by the act?

The scheme does not cover workers who are: office staff; a partner in a partnership, a director of a company, a trustee of a trust; employees of Commonwealth, State, Territory or Local Government bodies; workers who clean their employer's premises. For further information, see [Type of work covered by the scheme](#).

Note: Currently, work conducted on Commonwealth places cannot be credited under the NSW Contract Cleaning Industry Long Service Leave (CCI LSL) scheme, administered by LSC. For further information, see [Commonwealth places](#).

Who is an employer?

You are an employer if you engage one or more employees to perform cleaning work in NSW.

Employer registration

Employers must register with LSC within one month of becoming an employer. Complete the [Employer Registration Application](#) form and return it to LSC.

Employer return

Employers are required to lodge returns on a quarterly basis. The return must contain the total gross ordinary wages paid to each eligible worker during the return period, the type of cleaning work performed by the worker, plus their email address and phone number. The period of employment and wages paid are recorded as service credits which accrue towards a long service leave entitlement for the worker. Employer returns can be completed via the [employer portal](#). For further information, see [Employer returns](#).

Paying the levy

Employers must pay a levy based on the gross ordinary wages reported on the employer return. The levy collected is invested and the accumulated funds pay long service leave claims. For further information on the current levy rate and the definition of ordinary wages, see [Employer returns](#).

Working outside of NSW

The scheme only covers work performed in NSW. All work performed interstate should be recorded with the scheme in that state or territory (where applicable). Details for each state and territory's scheme can be found on the [AusLeave](#) website.

Long Service Corporation

Paying long service to a worker

Before making a payment to a worker under the [Long Service Leave Act 1955](#), the employer must notify LSC. An [Employer Claim](#) form will then be issued for the employer to complete and return with evidence of payment for that period. For information about an employer's obligations under the Long Service Leave Act 1955 contact the [NSW Office of Industrial Relations](#) on 13 16 28.

A worker cannot receive a payment from LSC for the same period that has been paid to them by their employer. For further information, see [Before you make a payment](#).

Appeals

An employer can appeal to the independent Contract Cleaning Industry Long Service Leave Committee if LSC has: refused an application for registration as an employer; cancelled an employer's registration; refused an application to register a worker; refused to grant an exemption or revoked an exemption from lodging a return; refused to grant an extension of time to pay a levy; refused to waive or reduce interest on unpaid levies; made an assessment on an unpaid levy. For further information, see [Appealing the corporation's decisions](#).

Keeping books and records

Records must be kept for each worker including: name, date of birth, email address and registration number; work performed; worker's gross ordinary wages for each return period; date worker commenced service/ceased service; records of any long service leave provided to the worker. For further information, see [Keeping records](#).

Records must be retained for eligible workers for seven years after the worker ceases employment. Inspectors from LSC are authorised to enter business premises to audit books and records.

Penalties under the act

Penalties between \$2,200 to \$11,000 may apply to: employers who do not comply with the Act, provide misleading information; obstruct an Inspector from carrying out their duties. For further information, see [Penalties](#).