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CONSTRUCTION INDUSTRY  
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**IMPORTANT NOTICE**

**AMENDMENTS TO THE CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE LEAVE ACT 1985**

The Board has previously advised the recent changes to the *Construction Industry Portable Paid Long Service Leave Act 1985* (WA) ("the Act").

As your organisation has Members which may be affected by the Act, we specifically draw your attention to amendments to section 30(1) of the Act that requires every employer as defined in the Act (rather than only employers in the construction industry as was previously the case) to register as an employer under the Act. This amendment provides clarity for labour hire agencies.

1. the definition of "employer" for the purposes of the Act [refer section 3(1)] now expressly includes labour hire agencies by providing that "employer" means, among other things:

*"a labour hire agency which arranges for a person who is a party to a contract of service with the agency (person A) to do work in the construction industry for another person (person B), even though person A is working for person B under an arrangement between the agency and person B."*

2. all employers that engage employees in the construction industry (as defined in the Act) are required to register with the Board (section 30);
3. those employers are required to file returns with the Board every 3 months, identifying the relevant employees they have employed and stating the number of days work undertaken by each of those employees during that period; and
4. those employers are required to pay a contribution to a fund maintained by the Board (currently at the rate of 2.00% of the employee's ordinary rate of pay) towards payment of employee long service leave entitlements.

A full copy of the Act (as amended by the *Industrial Legislation Amendment Bill 2011*) is available to be viewed at: [www.lslboard.com.au/theboard-actsandregulations.html](http://www.lslboard.com.au/theboard-actsandregulations.html)

The Board employs inspectors who are able to assist you with regard to the application of the Act and the steps needed to take to comply with its provisions. They may be contacted on (08) 9476 5400 or [staff@walsboard.com.au](mailto:staff@walsboard.com.au).

