



Update - January 2021

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Happy New Year!

Best wishes to one and all for a fantastic 2021. We hope your year is prosperous and brings you the rewards you deserve for your hard work.

We are hoping that 2021 will see a continued recovery from the impacts of COVID-19 and we return to a year of growth for the industry in Tasmania.

Michael Irwin CEO

Public Holidays—TasBuild's Obligations

TasBuild processes entitlement claims and pay individuals to fund long service leave for the number of days applied for. How the worker utilises the payment is their decision.

The employer still has responsibility for managing the leave of the employee not TasBuild. If a Public Holiday falls in that period of leave it is the employer's responsibility to comply with Fair Work Australia requirements as the employer has the employment relationship with the worker not TasBuild.

Employer Return Lodgement

In keeping with previous years, we will be taking a lenient approach to the lodgement of your December 2020 and January 2021 Employer Returns.

Whilst we would like everyone to lodge their Returns by the 14th day of the month following the Return Month, we understand that the Construction Industry traditionally closes over the Christmas and New Year period. We will allow a level of leniency where the above Returns are lodged a little later than specified and we will be applying a reasonableness test in this area.

Please note this leniency does not extend to Payments and/or Returns that are due or overdue for prior months or for Employers that have a poor history of lodgement and/or payment of returns.

When do I need to register a worker?

There exists a legal obligation for any Employer to register and submit long service contributions for any workers (regardless of age, residency status etc) working within the Construction Industry in relevant employment (including casually employed, labour only sub-contractors and working directors) with TasBuild if they work at least 7.6 hours in the period in which they are reporting. This includes probationary and trial periods. If the hours worked are less than this, then you do not need to contribute for these workers (as information overleaf)

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The information contained in this Update is of a general nature and does not constitute legal advice. We encourage you to seek your own professional advice to find out how the Construction Industry (Long Service) Act applies to you.

Entitlement Statistics for:

December 2020

- Total entitlements paid: **143**
- Total value of entitlements paid: **\$1,036,805.58**
- Average weekly rate paid for all entitlements: **\$1,266.16**

Average weekly rates paid to specific trades:

Boilermaker/Welder (6):	\$1,140.69
Bricklayer (2)	\$1,355.96
Carpenter (33):	\$1,199.91
Concreter (1):	\$2,071.00
Electrician (25):	\$1,406.17
Fitter & Turner (2)	\$1,534.96
Glazier (6):	\$1,090.32
Labourer (31):	\$1,165.84
Painter (2):	\$1,085.43
Plant Operator (9):	\$1,250.42
Plasterer (6):	\$1,313.20
Plumber (13)	\$1,447.41
Refrigeration Mech (5)	\$1,605.90
Rigger/Scaffolder (3)	\$1,337.97
Technician (1)	\$1,428.55
Other (2):	\$1,760.96

The weekly rates are an average of the rates actually paid by TasBuild to employees taking an entitlement during the subject month. The weekly rates paid have been calculated in accordance with the requirements of the Act and the Rules of the Fund. In general terms the rates represent the ordinary weekly amount payable to the employee and do not include site specific or other various compensatory allowances.

When do I need to register a worker?

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'Relevant Employment' means employment on a permanent or casual basis of an employee by an Employer for the purposes of the carrying out by the employer of any Work in the Construction Industry on the site of the Work or, if he is not employed on the site of the Work, is employed by that employer in making, preparing, storing, or transporting goods or material for use in that Work, but does not include:

(i) employment of an employee by an employer who is not engaged in the Construction Industry in the maintenance of plant and equipment notwithstanding the nature of the work done by the person is similar to Work in the Construction Industry;

(ii) a period of employment of less than one full day's duration

Casually Employed Workers—Are you reporting correctly?

There exists a legal obligation for any Employer to register and submit long service contributions for casually employed workers (regardless of age, residency status etc) working within the Construction Industry in relevant employment if they work at least 7.6 hours in the period in which you are reporting.

To calculate the number of days to be included in your Employer Return, you total the number of hours the Casual Workers have worked for the period in which you are reporting and divide this by 7.6 (number of hours in a standard working day based on a 38 hour week) or 8 (if based on working a 40 hour week). The result is the number of working days to be reported on the Employer Return.

You do not need to contribute on casual loading just the base hourly rate multiplied by the number of hours worked to get the Period Pay figure. Only whole days need to be reported so you may need to round the number up if over 0.5 or down if under 0.5. Please see following example;

Employee A has an hourly rate of \$23.00 minus the 25% casual loading is \$18.40, thus his Daily Rate is \$139.84.

Calculated as \$23 divided by 1.25 = \$18.40. \$18.40 x 7.6 = \$139.84

Employee A worked 144 hours for the Month.

Calculated as 144 ÷ 7.6 = 18.94 days therefore Paid Days rounded UP to 19.

Period Pay of 19 x \$139.84 = \$2,656.96

When is a worker eligible for a long service entitlement?

To be eligible for a long service entitlement a worker requires 10 working years of long service contributions (2600 working days). A worker's entitlement is not reached based on calendar years, it is based on accruing 260 working days each calendar year if a worker is full time and has had no days off without pay. If a worker is casually employed, it will take him/her longer to achieve an entitlement.

Direct Debit for Payments

Remembering to make your TasBuild payment for the Tax Invoice that is generated after you have submitted your Employer Return can become a thing of the past by signing up to have your payment direct debited from your account.

If you haven't already registered and wish to make payments by Direct Debit, please register your interest by sending an email to: secretary@tasbuild.com.au quoting your **Employer Number** and we will forward to you the relevant form for completion.

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