



Update - April 2021

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TasBuild Statistics

Entitlements

March 2021

Total entitlements paid: **210**

Total value of entitlements paid:
\$1 420 482

1st July 2020 - 31 March 2021 (Year to Date)

Total entitlements paid: **1096**

Total value of entitlements paid:
\$8 364 289

1st July 2019 - 30 June 2020 (Last Financial Year)

Total entitlements paid: **1167**

Total value of entitlements paid:
\$10 357 337

Registrations

Workers

Current Registered Workers:
23508

Workers Employed in last
12 months:
15922

Employers

Current Registered Employers:
2106

Sole Traders

Following ongoing review and work to update the TasBuild membership database, the Rules of the Construction Industry Long Service Fund have been amended to remove uncertainty and ambiguity in relation to Sole Traders. As a result Sole Traders operating in the Construction Industry will start receiving communication from TasBuild in the coming weeks.

The term Sole Trader, has been adopted to categorise people operating in the Construction Industry as an individual. These people may be labour only contractors or may be legitimate businesses that may or may not be employing staff.

The contact with the Sole Trader will explore 4 options, (excerpt from letter):

- **Register your business** - you may have a legal obligation to register your business with TasBuild even if you do not employ any workers; or
- **Submit an unrecorded service claim** - if you think you may be a labour only sub-contractor undertaking relevant employment for an employer; or
- **Self-employed registration** - if you already have recorded relevant employment and are now self-employed you can register as a Self-Employed member which may preserve your entitlement to any existing recorded relevant employment; or
- **Opt Out** – we respect your right to opt out if you do not employ any workers but you will lose the right to recognition of any potential unrecorded service as a worker while operating your business if you do not contact us within the specified number of days from the date of this letter.

Due to the range of scenarios that exist we are requesting the Sole Trader to contact TasBuild so we can provide advice tailored specifically to their circumstances.

For more information in this regard please contact us directly or a revised version of the Rules can be found on the TasBuild website at:

<https://tasbuild.com.au/rules-of-the-long-service-industry-fund/>

Abnormal Wage Increases

TasBuild conducts a very detailed review of employment and payroll records prior to making an entitlement payment. The purpose of this review is to ensure that entitlements are paid in a manner that is consistent with actual wage payments and the employer contributions made.

Normally the majority of workers are paid long service leave at the

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Abnormal Wage Increases

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rate of pay earned at the time they take the leave. There are some exceptions as noted below.

Where an employee's wage rate changes by an abnormal amount (generally in excess of 10%), when compared with other employees within any 12 month period, the increase will be carefully reviewed. When it comes time to take long service leave, TasBuild will take a number of factors into account when determining the wage rate to be applied to the entitlement, including when the wage variation occurred and for how long, and the circumstances surrounding the variation.

TasBuild recognises there may be valid reasons for such a variation and where possible will incorporate a pro rata component of the abnormal wage rate in the entitlement payment. Discretion has been built into the entitlement process so individual circumstances can be taken into account. The bottom line is that long service accrued during periods of high wages will be preserved and that accrued service will be paid at the rate that applied at that time. If the entitlement payment includes periods of pay where the wage was not abnormal, the pay for those periods will be indexed up to either the date of termination or date of payment.

If the employee's rate of pay at the time of lodging an application for an entitlement has actually decreased, the wage rate that applied whilst accruing the entitlement will still be used to calculate the entitlement payment

Checklist for Employer Returns and Contributions

Please see the below Do's and Don'ts checklist for Employer Returns and Contributions for TasBuild Long Service Scheme. This should be considered as a guide only, please contact TasBuild on 03 62 940 807 if you would like to discuss this further.

DO CONTRIBUTE ON;

- Ordinary Pay - the weekly wage the worker receives when employed to perform duties in Relevant Employment
- Rostered Days Off
- Annual Leave (not including leave loading)
- Paid Sick Leave
- Public Holidays
- Workers Compensation Payments to worker
- Allowances—any regularly paid Allowance to a worker in addition to their Ordinary Pay such as Tool, Industry, First Aid, Productivity and Supervisor.

DON'T CONTRIBUTE ON;

- Payment for Overtime
- Casual Loading
- Annual Leave Loading
- Accumulated Annual Leave and RDO's paid out on Termination
- Bonus Payments
- Redundancy Payments
- Payment in respect of Travel to or from work, or in the course of work including payments for the use of a vehicle
- Meal, Board and/or Lodging Allowances
- The value of or any payment payable in respect of Meals and Refreshments
- Special Rates or Disability Allowance such as Height, Dirt or Wet Allowances.

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