



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC EQUALITY
Ms Leanne Castley MLA (Chair), Ms Suzanne Orr MLA, Mr Johnathan
Davis MLA

Submission Cover sheet

**Inquiry into Long Service Leave (portable
Schemes) Amendment Bill 2022**

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Minister for Planning and Land Management
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Ms Leanne Castley MLA
Chair
Standing Committee on Economy and Gender and Economic Equality
ACT Legislative Assembly
Via email: LACommitteeEGEE@parliament.act.gov.au

Dear Ms Castley *Leanne*

I write following referral of the [Long Service Leave \(Portable Schemes\) Amendment Bill 2022](#) (Amendment Bill) to the Standing Committee on Economy and Gender and Economic Equality (the Committee) following its introduction to the ACT Legislative Assembly on 22 November 2022.

[Portable long service leave](#) ensures that all workers, including women, are not disadvantaged by employment characteristics such as high mobility and insecure working arrangements, or short-term contracts and highly part-time/ casualised workforces.

In the ACT, portable long service leave has been provided to the building and construction, security, contract cleaning and community sectors for many years, with a portable scheme having operated for the building and construction industry since 1981. Support for portable leave schemes is shared with legislated portable schemes operating across all Australian jurisdictions.

To assist the Committee in its inquiry I would like to take this opportunity to refer you to the following information leading up to the Government's decision to introduce the Amendment Bill:

- in 2020, the ACT Legislative Assembly resolved a motion in favour of calling on the ACT Government to consider how the ACT [hairdressing industry](#) may be included as a covered industry;
- the 2020 Assembly resolution was expanded upon in 2021, when the Assembly moved that the Government consider inclusion of the [contract catering industry](#);
- the above calls to action are further represented in the [Parliamentary and Governing Agreement for the 10th Legislative Assembly of the ACT](#) in which this Government made a

commitment to amend the portable schemes to “ensure more workers receive fair entitlements as they move jobs in their profession”;

- a public consultation process was undertaken over June/July 2022 to understand the views of stakeholders in relation to expanding the covered industries under the ACT’s portable long service leave schemes – please refer to the CMTEDD WSIR webpage (<https://www.cmtedd.act.gov.au/industrial-relations-and-public-sector-management/wsir>) for more detail about the public consultation which includes the [consultation paper](#) that was released and [summary](#) of stakeholder feedback;
- as part of the consultation process, information sessions were also held during the consultation period with stakeholders (refer the [summary](#) of stakeholder feedback mentioned above), including stakeholders from the hairdressing and food services industries.

In addition to the views of stakeholders I would also draw the Committee’s attention to the following key factors which extend beyond the business and economic considerations to address some of the broader social and gender equality considerations in providing portable long service leave entitlements.

- Workforce mobility is high across Australia with 9.5 per cent of employed people during the year ending February 2022 changing jobs, the highest rate since 2012. The ACT is reported as having the highest job mobility rate at 12.8 per cent, followed by Western Australia and the Northern Territory.¹
- The limitations on access to traditional long service leave entitlements are particularly pronounced for women, notably because women disproportionately take on carer responsibilities,² and subsequently report work/life conflict significantly more than men.³ Women who have children are also more likely to take extended (unpaid) breaks from employment,⁴ which hinders accumulation of conventional long service leave benefits.

I hope the above information is of assistance to the Committee.

Yours sincerely


Mick Gentleman MLA
Minister for Industrial Relations and Workplace Safety

19/1/2023

¹ Australian Bureau of Statistics, *Job Mobility*, Released 24 May 2022, <https://www.abs.gov.au/statistics/labour/jobs/job-mobility/latest-release>

² Tanya Carney, ‘The Employment Disadvantage of Mothers: Evidence for Systemic Discrimination’ (2009) *Journal of Industrial Relations* 51(1), 113-130.

³ Natalie Skinner et al, *The Big Squeeze: Work, home and care in 2012* (2012); Centre for Work and Life, *Australian Work and Life Index 2012* (University of South Australia, Adelaide).

⁴ Above n 4.