

Community Sector Industry FAQ's

Employer

▪ **I am an employer in the community sector, do I need to register?**

If you have employees that have commenced work in the ACT that perform relevant work then you are required by law to register with the Authority.

▪ **What is relevant work?**

- Community sector work includes childcare, residential care (welfare, homecare, respite, social support, rehabilitation) where nursing or medical care is not provided as a major service
- As of 1 July 2016 the community sector includes residential and community aged care services
- The scheme includes interstate based companies with employees working in the ACT
- Includes employees whether they are full time, part time or casual

▪ **We are an interstate company, do I need to register?**

If you have employees performing relevant work in the ACT then you are required to be registered. Only service performed in the ACT is required to be recorded.

▪ **I am or I employ a Working Director, do they need to register?**

Working Directors are not classified as employees as of 1 July 2017 and are unable to be listed on the employer return. Working Directors have the option to register as contractors if they wish to make their own contributions. For more information on registering as a contractor, please download the Contractor FAQ sheet or contact the Authority.

▪ **How do I register?**

To register, you need to complete an employer registration application. This can be found on our website or you can request one to be emailed or posted by calling the Authority. If you have employees that require their service to be backdated, you will need to complete an employee registration form as well as an employer application. If you are unsure if you need to backdate service, please contact the Authority.

▪ **How do I record service?**

Once you are registered you will receive an email including login details to the online portal, information on how to complete your quarterly returns and a Certificate of Registration.

▪ **How often do I need to record service?**

You need to record service for your employees every quarter. You will receive reminder notifications via email when a new return is generated. You need to record the employee's total gross wages earned for the quarter.

▪ **What are gross ordinary wages?**

Please refer to the ordinary Gross wages fact sheet which can be downloaded on our website or call the Authority to request a copy.

- **I forgot my password, how do I get a new one?**

You can request a new password to be emailed to you on the online portal by clicking "forgot password" or you can contact the Authority to generate a new one.

- **I will not be able to complete my return by the due date, what do I do?**

If you are unable to meet the due date for a return, please contact the Authority before the due date to request an extension of time. If your extension of time is approved you will be advised of your new confirmed due date.

- **I have missed an employee on my returns, how do I add them on?**

If you have not registered an employee and need to backdate their service, you will need to either add them onto the current return and include their original start date (which will prompt backdating) or you can advise the Authority by phone or email of the details that need to be added.

- **I have received a penalty, can I have it removed?**

If you have penalties for late lodgment or late payment you can apply to have your penalties waived if all your returns and outstanding payments are up to date. You will need to request a penalty waiver form from the Authority and a decision will be made by the Registrar as to whether your penalties will be waived or not.

- **I no longer have employees, what do I need to do?**

If you are registered employer and no longer have employees, you will need to notify the Authority so we can stop your account. If your account is active and you have not lodged a nil return by the due date or advised us to stop the account then you may receive penalties for late lodgment.

- **My employee wants to claim under the Long Service Leave 1976 Act, can I be reimbursed?**

If you pay your employee in accordance with the 1976 Act you can seek a reimbursement from the Authority (for the service that is recorded with the Authority only). You can download a reimbursement to employer claim form from our website or request one from the Authority.

Community Sector Industry FAQ's

Employee

▪ **I work in the community sector, do I need to register?**

If you are an employee for a community sector company and you are performing relevant work, then your employer is required to register you.

▪ **Am I performing relevant work?**

Please refer to the "what is relevant work?" section on page 1.

If you are a teacher in a school you will not have your service recorded as teaching is not relevant work.

▪ **I am a working director/sole trader, do I need to register?**

If you are a contractor or working director, you are not required to be registered – however you can register as a contractor and make your own quarterly contributions if you would like to work towards a long service leave entitlement. Service can be backdated up to 1 year from the date you register, however service cannot be recorded prior to 1 July 2017.

▪ **How do I check if I am registered?**

Once you are registered a letter is posted to the address provided by your employer advising you of your registration details. If you have not received a letter and think you should be registered please contact the Authority.

▪ **How do I check how much service I have?**

To check your service, you can login to the online employee portal (<http://www.actleave.act.gov.au/>) using your registration details (if known). If you do not know your details then you can email or call the Authority to check or update your current details, service history and entitlement.

▪ **I am missing service, what do I do?**

If you think you are missing service, please ensure you were working in the relevant industry (in ACT) and performing relevant work and you were an employee of the company. If you think you meet this criteria, you can contact the Authority to obtain a missing service claim form. You will need to provide the Authority with copies of your pay slips or group certificates for the period of service you are missing. The Authority can then investigate and follow up with your employer/s and try to obtain any missing service.

▪ **I forgot my password to login to the online portal, how do I get a new one?**

You can request a new password to be emailed to you on the online portal or you can contact the Authority to generate a new one.

▪ **Why have I not received any correspondence from the Authority recently?**

If your address is not up to date and we have no phone or email address recorded for you then you will not be able to receive correspondence. To update your contact details please call or email the Authority.

- **What if my account deregisters?**

Your account will deregister if no service is recorded for 4 years. A letter is posted to your registered address approximately 3-6 months prior to the date your account is due to deregister. The letter advises you that your account has been inactive for nearly 4 years. If you do not respond to this letter and no service is recorded then your account is deregistered.

- **Can I claim?**

The community sector entitlement is 5 years. You may be eligible to claim under a different entitlement if you have left the industry, are unable to work in the industry or have retired (age 55+). Please refer to the Entitlements fact sheet which is available on our website or contact the Authority to check your eligibility.

If you have service prior to 1 July 2010 (or 1 July 2016 for aged care workers) with your current employer, you will need to contact your payroll team directly to check your full entitlement.

- **How long does it take to process a claim?**

The Authority has a pay run once a fortnight. If no further information is needed to process the claim the payment will be scheduled within 2 weeks of the date you are starting your leave.

- **I have interstate service or I am moving interstate, can I have this merged into one account?**

Interstate service cannot be merged into your ACT account. Only ACT service will go towards your entitlement.

- **I have changed my name, what do I do?**

If you have changed your name, you will need to advise the Authority by providing a copy of your change of name certificate. You may have 2 accounts if you do not provide this information.