TAFE pro-rata long service leave victory



Earlier this year, the SSTUWA learned that following advice from the Department of Training and Workforce Development, WA TAFE colleges were not recognising pro-rata long service leave entitlements for members who started work directly after working for an interstate TAFE.

This was based on department advice that pro-rata long service leave for affected employees would not be credited to them on appointment unless colleges were able to negotiate a contribution from the former employer.

The SSTUWA wrote to the department, pointing out that their approach was inconsistent with the 2023 TAFE Lecturers General Agreement and seeking an assurance that members' entitlements would be recognised without delay.

The department responded positively and affected members who had brought the issue to the union's attention were promptly credited with their ported pro-rata long service leave entitlement.

Members who have started at a WA TAFE college immediately after ceasing work with another government agency should check that their long service leave entitlements are correct.

The rules for crediting previously accrued long service leave are set out in subclause 55.10 of the Agreement. The key points are as follows:

- The member must have worked with a defined government agency, including the Commonwealth, another State or a WA public sector body as defined in the WA Public Sector Management Act.
- The member must have started employment with a WA TAFE college within one week of ceasing employment with the government agency.
- The amount credited will be the pro-rata accrual, less any leave taken or cashed out during that employment. A member who accrued a full long service leave entitlement but did not take the leave will have had this paid out by their former employer when the previous employment ended.

Please notify your delegate and contact the SSTUWA if you believe you should have received this entitlement but have not yet had it recognised by your college.

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