

Construction Industry Long Service Leave Board
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Privacy Policy

Why have a policy?

From 12 December 2001, the Federal Government will introduce new law to regulate how the private sector can collect, use, secure and disclose personal information.

As CBS is currently a "State Authority" as defined in the amended Privacy Act, the new laws do not apply.

In lieu of this, CBS has prepared a Privacy Policy to ensure client confidence and trust in our operations.

Why is information collected and kept?

CBS collects and retains information from employers and workers, as required by the Construction Industry Long Service Leave Act, 1987, to determine a worker's eligibility and entitlement to portable long service leave in the construction industry.

What information is kept?

For workers, this information includes personal data such as name, address, telephone, contact details and records of employment histories within the construction industry.

For employers, this includes personal data such as name, address, telephone, contact details, data provided to CBS on employer return forms and details of financial transactions with CBS.

No information is retained on casual visits to our website.

How long is information kept?

Records are kept indefinitely as the scheme provides for itinerant work patterns. Workers may leave and re-enter the construction industry and add to their previous entitlement. Employer records thus need to be retained in respect of prior worker service accruals.

Who may access records?

Workers

Workers can access their own personal information recorded by CBS and information supplied by any employer who has registered service days and remuneration for them on employer return forms.

Employers

Employers can access their own personal data, historical returns data and financial transactions with CBS. They can also access their current workers' service accruals but not that accrued with other employers.

CBS Staff

Authorised CBS staff may access records of employers and workers for the purpose of administering the scheme in accordance with the Construction Industry Long Service Leave Act, 1987.

Interstate Schemes

A reciprocal agreement between schemes in all States of Australia (excluding the Northern Territory) provides for the exchange of worker service details, upon the request of the worker. This allows for continuity of accrual of long service leave within the construction industry Australia wide and eventual payment of that entitlement.

Other parties

Third parties do not have access to any information retained by CBS, unless when required by law such as the Australian Taxation Office or Centrelink.

CBS will not sell or pass any information to third parties under any circumstances.

Information that is aggregated and does not identify an individual may be released for reporting purposes such as annual reporting.

How can records be accessed?

Internet

By providing a username and password to CBS, employers may enquire, amend and lodge information with CBS. Workers may use their registration number and a password they provide CBS.

Telephone/Email

Telephone or email CBS and provide proof of identity.

Counter

Visit the offices of CBS and provide proof of identity.

Obituary – David Smith

On 6th September 2001, Board member David Smith passed away suddenly.

The State Secretary, Plumbing Division of the CEPU, David was first appointed to the Board as a deputy member in July 1996.

In September 1999 he was appointed as member.

David's commitment to his role in representing the interests of workers is acknowledged.

He will be remembered for his contribution to the success of this scheme.



Fund Review

In September, the Board's actuary reported on the sufficiency of the Fund to meet its liabilities. At the 30th June, the Fund had an unfunded liability of \$0.295 million. (This has since deteriorated to \$2.9 million at 31st October, due to poor investment returns and increasing liability caused through wage growth.)

The actuary has recommended a further increase in the levy rate to meet the costs accruing in 2001/2002 and to reduce the unfunded liability.

The year in review

This edition of Insite is the first opportunity the Board has had to report to the industry on the outcomes and scheme position in 2000/2001.

In an eventful and challenging year -

- The Construction Industry Long Service Leave Act was amended in December.
- The levy rate was increased to 1.6% in November.
- The Board's investment strategy was reviewed and a new Australian equity fund manager appointed.
- The Construction Industry Fund achieved a return of 8.2% (median return for balanced growth fund managers 5.4%)
- Investment income was down 21% to \$2.4 million.
- Levy income increased 10.9% to \$2.56 million.
- The scheme had a total accrued liability of \$25.86 million.
- The Fund's total assets were \$25.57 million.
- A record 1203 claims were processed at a cost of \$5.02 million.
- Administrative expenditure was reduced by 4.1%.
- 175 new employers and 2390 new workers registered under the scheme.
- Average weekly earnings increased by 3.2% to \$639.
- The Board and its administration were reviewed by the Government.

More information on the Board's operations can be obtained by accessing the 2000/01 Annual Report through our website.

Government Review

In the June 2001 edition of Insite, information was provided on the Government's review of the Board and its operations.

Upon receiving the report on the review in February, the Minister for Workplace Relations referred that report to the Board seeking industry consultation.

In October the Board formally responded to the Minister addressing all recommendations of the review and seeking increased legislative powers and improved flexibility under the Act.

It is understood the matter will be the subject of further discussions with Government early next year.

Lodgement of Employer Returns

If you do not employ during a particular period or you only employing an Apprentice, for which no levy is payable, you must still lodge the Employer Return form by the due date.

Please refer to the back of the CBS Employer Return Calendar for details or contact the CBS office.

If you cease to employ altogether, you should apply to CBS to cancel your registration.

Stop Press – Levy Rate increase

The Government announced on Thursday 13th December 2001 that the levy rate would increase from 1.6% to 2% effective from 1st January 2002.

The increased levy will therefore apply to levies paid from the January/February 2002 return period.

Superannuation contributions during CBS long service leave

An anomaly exists regarding the requirement to make superannuation contributions during a period of long service leave paid by the Construction Industry Long Service Leave Board.

A ruling received from the Australian Taxation Office states the Board is not deemed to be the employer of a worker to whom it has made a long service leave payment. As such, the Board is not required to make superannuation contributions for the worker.

It is suggested you contact your employer association if you wish to discuss how this issue affects your employees.

Christmas office hours

Construction Benefit Services will close on Friday 21st December 2001.

We apologise for any inconvenience this may cause and would be pleased to assist with your enquiries when we reopen on Wednesday 2nd January 2002.

***Merry Christmas and
a Happy New Year***