



New South Wales

Contract Cleaning Industry (Portable Long Service Leave Scheme) Amendment Bill 2026

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010* to provide that persons employed in the contract cleaning industry who later take up employment in the Public Service will, subject to unbroken employment, have their prior service recognised for extended leave and long service leave.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122

Schedule 1[5] inserts proposed Part 10A to make provision for transferring the recognised service and accrued long service leave entitlements of certain workers in the contract cleaning industry who are later employed as cleaners by a Public Service agency. **Schedule 1[1]–[4] and [7]** make consequential amendments.

Schedule 1[6] inserts proposed Schedule 1A, which specifies the workers to whom proposed Part 10A applies and the period of time in which the workers must be employed in the Public Service after leaving the contract cleaning industry. Proposed section 114C(3), as inserted by Schedule

1[5], provides for proposed Schedule 1A to be amended by Ministerial order published on the NSW legislation website.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Contract Cleaning Industry (Portable Long Service Leave Scheme) Amendment Bill 2026

No , 2026

A Bill for

An Act to amend the *Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010* in relation to the accrued long service leave entitlements of persons leaving the contract cleaning industry to accept employment as cleaners in the Public Service; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Contract Cleaning Industry (Portable Long Service Leave Scheme) Amendment Act 2026</i> .	3
	4
2 Commencement	5
This Act commences on the date of assent to this Act.	6

Schedule 1 Amendment of Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

transfer acceptance day, for Part 10A—see section 114B.

transfer cut-off day, for Part 10A—see section 114B.

transfer day, for Part 10A—see section 114B.

transferred casual worker has the same meaning as in section 114C(2).

transferred ordinary worker has the same meaning as in section 114C(1).

transferred service means recognised service transferred to the Crown under section 114E.

transferred worker means the following—

- (a) a transferred casual worker,
- (b) a transferred ordinary worker.

[2] Section 28 Cancellation of worker's registration

Insert after section 28(8)—

(9) The Corporation may cancel the registration of a transferred worker.

(10) No levy paid for the transferred service of a transferred worker may be refunded.

[3] Section 72A

Insert after section 72—

72A No payment for recognised service transferred to Crown

Nothing in this part entitles a transferred worker to payment for transferred service.

[4] Section 109 Benefits under other laws—election

Insert after section 109(1)—

(1A) An election may not be made for transferred service.

[5] Part 10A

Insert after section 114A—

Part 10A Transfer of certain entitlements

114B Definitions

In this part—

transfer acceptance day, for a transferred worker, means the day the worker commences employment with the Public Service agency specified in Schedule 1A for the class of worker to which the worker belongs.

transfer cut-off day, for a transferred worker, means the cut-off day specified in Schedule 1A for the class of worker to which the worker belongs.

	<i>transfer day</i> , for a transferred worker, means the transfer day specified in Schedule 1A for the class of worker to which the worker belongs.	1 2
114C	Transferred workers	3
(1)	A <i>transferred ordinary worker</i> is a worker who—	4
(a)	is a member of a class of worker specified in Schedule 1A, and	5
(b)	commences employment, other than on a casual basis, with the Public Service agency specified in Schedule 1A for the class of worker—	6 7
(i)	on or after the worker's transfer day, and	8
(ii)	before the worker's transfer cut-off day.	9
(2)	A <i>transferred casual worker</i> is a worker who—	10
(a)	is a member of a class of worker specified in Schedule 1A, and	11
(b)	commences employment on a casual basis with the Public Service agency specified in Schedule 1A for the class of worker—	12 13
(i)	on or after the worker's transfer day, and	14
(ii)	before the worker's transfer cut-off day.	15
(3)	The Minister may, by order published on the NSW legislation website, amend Schedule 1A, including to specify additional classes of worker.	16 17
114D	Transfer of funds	18
(1)	The Corporation must—	19
(a)	determine the value of each transferred worker's long service leave entitlement, calculated in accordance with section 66, on the worker's transfer acceptance day, and	20 21 22
(b)	transfer the amount calculated to the Crown in the way agreed between the Corporation and the Crown.	23 24
(2)	If the Corporation incorrectly calculates a transferred worker's entitlement to long service leave—	25 26
(a)	an underpayment must be paid to the Crown, and	27
(b)	an overpayment may be recovered from the Crown.	28
114E	Transfer of recognised service	29
(1)	The Corporation must, for each transferred worker—	30
(a)	determine the worker's recognised service on the worker's transfer acceptance day, and	31 32
(b)	notify the Crown of the worker's recognised service, and	33
(c)	reset the worker's recognised service to zero.	34
(2)	On a transferred ordinary worker's transfer acceptance day, the worker is entitled to the following in accordance with the <i>Government Sector Employment Act 2013</i> as if the worker's recognised service had been undertaken as an employee of the Public Service under that Act—	35 36 37 38
(a)	extended leave,	39
(b)	the further accrual of an entitlement to extended leave.	40
(3)	On a transferred casual worker's transfer acceptance day, the worker is entitled to the following in accordance with the <i>Long Service Leave Act 1955</i> as if the worker's recognised service had been undertaken as an employee of the Crown—	41 42 43 44

	(a) long service leave,	1
	(b) the further accrual of an entitlement to long service leave.	2
114F	Retained service	3
(1)	Despite sections 114D and 114E, the Corporation may retain part, or all, of a transferred worker's recognised service (the <i>transferred worker's retained service</i>), and the value of that service is not transferred to the Crown.	4 5 6
(2)	The Corporation must ensure the workers register records a transferred worker's retained service as the worker's recognised service.	7 8
(3)	The Corporation may retain service—	9
	(a) at the request of the worker, or	10
	(b) with the written consent of the worker.	11
114G	Future recognised service	12
	Despite anything in Part 3, the Corporation must not credit a transferred worker with a day of recognised service for a day if, on that day, the worker—	13 14
	(a) does not undertake cleaning work for an employer, and	15
	(b) is employed in the Public Service and—	16
	(i) working in the Public Service, or	17
	(ii) on approved leave.	18
[6]	Schedule 1A	19
	Insert after Schedule 1—	20
	Schedule 1A Transferred workers	21
	section 114C	22

Class of worker	Public Service agency	Transfer day	Transfer cut-off day
Workers employed under the <i>Crown Employees (Department of Education) Cleaning Award 2026</i> in the Hunter and Central Coast Region	Department of Education	1 January 2026	30 June 2027

[7] Schedule 2 Savings, transitional and other provisions	1
Omit clause 1(1). Insert instead—	2
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts—	3
(a) this Act,	4
(b) another Act that amends this Act.	5
	6