

Casual Conversion

What is casual conversion?

Casual conversion is the transfer of an employee's employment status from casual to permanent (part-time or full-time).

Changing from Casual to a Permanent (part-time or full-time) role.

A casual employee can change to full-time or part-time employment at any time if the employer and employee both agree to it.

How is casual employment different to permanent full-time or part-time employment?

Permanent

Permanent full-time and part-time employees have ongoing employment and can expect to work regular hours each week. They are entitled to accrue sick leave, annual leave and access other paid leave entitlements. Permanent full-time and part-time employees must give or receive notice to end the employment.

Casual

A casual employee does not have a firm commitment in advance from an employer to ongoing work with an agreed pattern of work. Casual employees receive a casual loading to instead of the paid leave entitlements accrued by full-time employees. If a request for casual conversion is accepted, casual loading will no longer be paid as the employee will then accrue paid leave entitlements.

New pathway for Employee requesting to move to a permanent position.

To be eligible for casual conversion, a casual employee must be a "regular casual employee".

Casual employees will be able to use the new employee choice framework in the *Fair Work Act 2009 (Cth)* to request conversion to permanent employment.

Under the new pathway, a casual employee can give written notice to their employer to convert to permanent employment if they have:

- been employed for at least 6 months; and
- they believe they no longer meet the requirements of the new casual employee definition.

In keeping with the new definition of "casual employee" introduced into the Fair Work Act, an employment relationship is considered casual if:

- the employment relationship is characterised by an absence of a firm advance commitment to continuing and indefinite work; and
- the employee would be entitled to a casual loading or a specific rate of pay for casual employees.

Can an employer decide not to offer to convert a casual employee to permanent employment?

Yes, employers can decide not to offer conversion provided that:

- they have consulted with the employee;
- there are reasonable grounds to do so (see below); and
- the refusal is put in writing within 21 days of receiving the request.

What are reasonable grounds to not offer casual conversion?

Reasonable grounds can include that, in the next 12 months:

- the employee's position won't exist;

- the employee's hours of work will significantly reduce;
- the employee's days or times of work will significantly change, and that can't be accommodated within the employee's available days or times for work.

Reasonable grounds can also include:

- making the offer would not comply with a recruitment or selection process required by or under a Commonwealth, State or Territory law.
- the employer would have to make a significant adjustment to the employee's work hours for them to be employed full-time or part-time.

Fair Work details what reasonable grounds for deciding not to make an offer or denying a request. Leaders should consult People Services when determining if they meet the definitions outline by Fair Work.

Leaders should, [seek advice](#) via #TeamPossible Support Hub if they are unsure about eligibility or intend to refuse a request.

How will an employee know if their application for casual conversion has been accepted or declined?

The business has 21 days in which to respond to all requests and this must be done in writing. The employee will receive notification, from their leader in writing regarding whether their request has been accepted or declined. Before making this decision, leaders must discuss the request with their SLT member, and also with their People Partner.

What happens after an offer of a casual conversion is approved?

The manager is required to submit an Employment Status/Hours request change via the #TeamPossible Support Hub. Once processed by the People Services Team it will be updated in PeopleSoft and the staff member will become permanent as of the agreed date.

Managers will need to notify rostering (where applicable) and assign them a schedule in PeopleSoft. For more information about the payroll dates and setting up schedule visit the intranet.

<https://intranet.endeavour.com.au/departments/people-culture/me/pay-leave-benefits/pay-peoplesoft-timesheets/>

Can an employee challenge a refusal to grant casual conversion?

An employee has the right to challenge any refusal using the dispute resolution provision in the relevant Agreement or Modern Award.