

Name of Policy	Employment of Casual Staff Policy
Description of Policy	This policy sets out the arrangements for the employment of casual (non sessional) staff at ACU.
Policy applies to	<input checked="" type="checkbox"/> University-wide <input type="checkbox"/> Specific (<i>outline location, campus, organisational unit etc.</i>) <hr/>
	<input checked="" type="checkbox"/> Staff Only <input type="checkbox"/> Students Only <input type="checkbox"/> Staff and Students
Policy Status	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Revision of Existing Policy

Approval Authority	Vice-Chancellor and President
Governing Authority	Chief Operating Officer
Responsible Officer	Director, Human Resources

Approval Date	30 July 2008
Effective Date	30 July 2008
Date of Last Revision	29 August 2018
Effective Date of Last Revision	29 August 2018
Date of Policy Review*	30 September 2018

* Unless otherwise indicated, this policy will still apply beyond the review date.

Related legislation, policies, procedures, guidelines and local protocols	Compassionate Leave Policy Paid Inside Work Policy Parental Leave Policy Personal/Carer's Leave Policy Recording of Hours Worked Policy Staff Salaries Staff Induction and Orientation Policy Superannuation Policy
--	--

Table of Contents

1. Background Information.....	2
2. Policy Statement.....	2
3. Policy Purpose.....	2
4. Application of Policy.....	2
5. Approvals.....	12
6. Revisions made to this Policy	12
7. Further Assistance.....	13

1. Background Information

This policy has been developed to support the casual engagement of an academic staff member, a Professional Staff member and a teacher/tutor in a Centre at Australian Catholic University.

2. Policy Statement

The employment of casual staff is employment on a non-continuing basis for which payment is made at an hourly rate. Casual employment provides a mechanism for the University to engage staff on a casual basis to meet the University's needs at peak work periods, for identified tasks, and/or, to cover short term absences. The employment of casual staff will be in accordance with the provisions set out in this policy.

3. Policy Purpose

The purpose of this policy is to clarify the conditions that relate to the employment of casual staff at the University and the procedures for employing casual staff. This policy is also intended to inform casual staff members of their entitlements and obligations to ACU.

4. Application of Policy

- 4.1** This policy applies to all Academic Staff, Professional Staff, and Teachers/Tutors in University Centres who are employed at ACU on a casual basis; including casual staff who are covered by the provisions of the *Australian Catholic University Staff Enterprise Agreement 2013 - 2017* (the **Agreement**), but not including Sessional Academic Staff members.

4.2 Procedures

4.2.1 Approval to Fill a Position

The nominated supervisor initiates the appointment of a casual staff member by completing the Approval to Fill a Casual Staff Position form. The Approval to Fill a Casual Staff Position form must be authorised and forwarded to the Human Resources Directorate either via email to HR@acu.edu.au or by mail to the HR Advisory Service, PO Box 968, North Sydney, NSW 2060.

4.2.2 Offer of Appointment

The offer of appointment informs the staff member of the terms of engagement including the duties required, the number of hours required, the rate of pay for each class of duty required, and a statement that payment will be made for any additional duties required during the term of the engagement.

4.2.2.1 All casual staff are required to formally accept the offer of employment, in writing, prior to commencing work at the University. The offer of appointment includes provision for the staff member's acceptance, and instructions for the staff member to return their acceptance to Human Resources.

4.2.2.2 Casual Academic Staff

A casual Academic Staff member may be engaged to undertake research or other suitable academic duties as required. Following receipt of the authorised Approval to Fill a Casual Position form for Academic Staff, Human Resources makes an offer of casual employment to the prospective casual Academic Staff member.

4.2.2.3 Casual Professional Staff

Following receipt of the relevant authorised Approval to Fill a Casual Position form for Professional Staff, Human Resources makes an offer of casual employment to the prospective casual Professional Staff member.

4.2.2.4 Casual Teachers/Tutors in University Centres

Following receipt of the relevant authorised Approval to Fill a Casual Position form for Teachers/Tutors in University Centres, the delegated officer within the University Centre makes an offer of casual employment to the prospective casual teacher or tutor.

4.2.2.5 Casual Staff Employment Kit

The offer of employment to a prospective casual staff member is accompanied by the 'Casual Staff Employment Kit'. In the case of casual academic and Professional Staff, the Kit is sent to the staff member by Human Resources. In the case of casual Teachers/Tutors, the Kit is sent to the staff member by the delegated officer within the University's Centre. The Kit may be provided either in hard copy or electronically.

The Casual Staff Employment Kit includes, but is not limited to:

- Offer of Casual Staff Employment
- General Information
- Mission Statement
- Code of Conduct
- Induction Checklist
- Privacy Statement
- Brochure/Policy & Procedures for Complaints of Sexual Harassment
- Equal Opportunity Policy
- Fair Work Australia Information Statement
- Occupational Health and Safety Policy
- Tax File Number Declaration
- Payment Record form
- Calendar of Pay Periods
- Return Addressed Envelope

The contents of the Kit may vary from time to time according to legislative and other requirements that apply to the employment of casual staff. Other materials that the University considers relevant to the employment of a casual staff member may also be included.

4.3 Remuneration, Overtime and Minimum Engagements for Casual Staff

4.3.1 Remuneration for Casual Academic Staff

4.3.1.1 A casual Academic Staff member will be paid in accordance with the provisions set out at the University for the payment of casual Academic Staff. The casual academic rates are based on the annual salaries of each classification (Level A to E) divided by 52.178571 divided by 35 plus a loading of 25%. The casual loading is made in compensation for the casual nature of the appointment, and is in lieu of all paid leave entitlements

including personal leave, public holidays, annual leave and annual leave loading.

4.3.1.2 A casual Academic Staff member may also be paid, as relevant, the salary rates at Schedule 2 of the Agreement, where it is the academic activity to be paid; however this is not payment for programmed work over an academic semester or year.

4.3.1.3 Where the casual academic has a relevant doctoral qualification, the Level A/6 annual salary must be used as the minimum applicable base rate.

4.3.2 Remuneration and Minimum Engagement – Professional Staff

4.3.2.1 A casual Professional Staff member will be paid an hourly rate which is the ordinary rate per hour derived from the annual rates set out at the University for payment to Professional Staff with a loading of 25%. The loading is in compensation for the casual nature of the appointment and all paid leave entitlements including personal leave, public holidays, annual leave and annual leave loading.

4.3.2.2 The minimum engagement for casual Professional Staff is 3 hours, other than for casual Professional Staff members who are students who are expected to attend the University on that day in their capacity as a student, in which case the minimum engagement period is for 1 hour.

4.3.3 Overtime – Casual Professional Staff

4.3.3.1 All overtime worked must be authorised by the delegated officer in writing prior to the commencement of the overtime. Up to 35 hours per week worked by a casual Professional Staff member will be paid at ordinary rates. When calculating payment for overtime worked, the salary does not include the casual loading.

4.3.3.2 Overtime which has not been authorised in writing prior to the overtime being undertaken will not be paid as overtime. Casual Professional Staff members may be authorised to work flexible working arrangements.

4.3.4 Remuneration, Overtime and Minimum Engagement – Teachers/Tutors in University Centres

4.3.4.1 A casual teacher/tutor will at minimum, be paid in accordance with the provisions of the Educational Services (Post Secondary Education) Award, 2010. The rates are inclusive of a loading in compensation for the casual nature of the appointment and all paid leave entitlements including personal leave, public holidays, annual leave and annual leave loading.

4.3.4.2 A teacher and a tutor/instructor will be paid a daily rate except where the engagement is for less than five hours when payment will be at the hourly rate. Where an hourly rate is paid, it will be payable for each hour of attendance other than for timetabled tea breaks (in respect of which no more than 15 minutes will be deducted) and timetabled lunch breaks. The daily casual rate is calculated by reference to the annual salary which is divided by 261, plus 25%. The hourly casual rate is calculated by reference to the daily rate divided by 5.

4.3.4.3 For the purpose of determining the number of hours worked by a teacher or tutor the following applies:

- each contact hour of teaching delivery by a teacher will count as 1.5 hours of work, including administration, assessment and consultation; and
- each contact hour of delivery by a tutor/instructor will count as 1.25 hours of work, including administration, assessment and consultation.

4.3.4.4 A casual teacher/tutor must be allowed two 10 minute rest breaks on each day as follows:

- one 10 minute break between the time of commencing work and the usual meal break; and
- a second 10 minute break between the usual meal break and the time of ceasing work.

4.3.4.5 If a casual teacher/tutor is required to work through their normal meal break the staff member will be paid double time for all time so worked until such time as the meal break is given. A casual teacher/tutor working overtime will be allowed a meal break of 20 minutes without deduction of pay after each four hours of overtime worked.

4.3.4.6 Casual experience will be credited on the basis that 800 face-to-face teaching hours is equivalent to one year of full-time experience.

4.3.4.7 For casual teachers and tutors, the minimum payment for each engagement will be for two hours' work calculated in accordance with sub-clause 4.3.4.2 above.

4.3.5 Payment Record – All Casual Staff

Casual staff are required to complete and submit a fortnightly timesheet to record the number of hours worked, including their daily start and finishing times.

Nominated supervisors are required to ensure that a timesheet:

- is completed each fortnight;
- accurately details the hours worked; and
- is completed and submitted via Staff Connect on a fortnightly basis.

The Records will be stored by Human Resources in a safe and secure location for a period of 7 years as required by the Act.

The timesheet can only be processed if the staff member has a current contract of employment covering the period being claimed, and if the correctly completed and authorised timesheet is received by the nominated cut off dates as notified by Human Resources.

4.4 Induction

The induction and orientation process for new staff at ACU provides a mechanism for introducing new staff members to their role and responsibilities and to the University's Mission so that they become integrated into the ACU community as quickly as possible. Casual staff who commence employment with the University for the first time and who will be engaged, in the first instance, for a period of greater than one month, may be required to participate in an induction programme, subject to the provisions of the Staff Induction and Orientation Policy.

The responsibility for successful induction is shared between the nominated supervisor and the commencing staff member, supported by colleagues in the relevant organisational unit and by other areas of the University.

4.5 Meal Breaks

A casual staff member will not be required to work for more than five consecutive hours, without taking an unpaid meal break of at least 30 minutes. Time taken as a meal break is not paid for as it is not counted as time worked.

4.6 Additional Work (Regular Staff)

With written approval, a staff member employed on a continuing or fixed-term basis may engage in additional work as a casual staff member. The staff member will be paid for that work according to the arrangements approved for that employment with reference to the conditions of the Paid Inside Work Policy.

4.7 Notice Periods – Termination of Casual Engagement

A casual staff member is required to give a minimum of one hour's notice of separation from employment with the University. The University may terminate the employment of a casual staff member by giving one hour's notice.

4.8 Superannuation for Casual Staff

The management of superannuation contributions for all staff is subject to the provisions of the Superannuation Guarantee Administration Act and the University's Superannuation Policy. The University makes contributions of the minimum required superannuation guarantee rate to UniSuper on behalf of casual staff members.

In circumstances where a Superannuation Fund does not accept employer contributions made on behalf of staff members who are over 70 years of age, the University will make equivalent contributions in the form of the payment of additional monies to such staff members.

4.9 Leave Provisions for Casual Staff

4.9.1 Unpaid Personal/Carer's Leave for Casual Staff

A casual staff member is entitled to a period of up to 2 days unpaid

Personal/Carer's leave for each permissible occasion when a member of the staff member's immediate family¹ or household requires care or support during such a period because of:

- a personal illness or injury, or
- an unexpected emergency affecting the member.

¹ Immediate family means a:

- a) spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the staff member;
- b) a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the staff member.

- A casual staff member is required to give their nominated supervisor advice of their absence from the workplace as soon as possible in order for alternative arrangements to be made.

4.9.2 Unpaid Compassionate Leave for Casual Staff

A casual staff member is entitled to a period of up to 2 days unpaid compassionate leave for each occasion when a member of the staff member's immediate family or household:

- contracts or develops a personal illness that poses a serious threat to her or his life; or
- sustains a personal injury that poses a serious threat to her or his life; or
- dies.

The casual staff member may take compassionate leave for a particular permissible occasion if the leave is taken:

- (a) to spend time with the member of the staff member's immediate family or household who has contracted or developed the personal illness, or sustained the personal injury; or
- (b) after the death of the member of the casual staff member's immediate family or household.

If the permissible occasion is the contraction or development of a personal illness, or the sustaining of a personal injury, the staff member may take the compassionate leave for that occasion at any time while the illness or injury persists.

A sessional academic staff member is required to give their nominated supervisor advice of their absence from the workplace as soon as possible in order for alternative arrangements to be made.

4.9.3 Recognition of Casual Service for Unpaid Parental Leave Purposes

Casual staff will not have their service counted as service for the purpose of calculating any other entitlements except for applicable unpaid parental leave.

A casual staff member may be entitled to unpaid parental leave and to the Federal Government's Paid Parental Leave where she/he becomes an eligible casual employee as provided for in the relevant Federal legislation.

For the purposes of eligibility for unpaid parental leave, an eligible casual is a person who has been employed as a casual on a regular and systematic basis for a sequence of periods of employment for a period of at least 12 months and who, but for the expected birth or placement of a child, would have a reasonable expectation of continuing engagement on a regular and systematic basis.

4.10 Conversion from Casual to Non-casual Employment for Professional Staff

The University will issue advice to casual Professional Staff members that, after serving qualifying periods, some casual staff may have a right to apply for conversion to fixed term or continuing employment. A copy of the conversion provisions of this policy will be made available to such staff.

The University will, from time to time, take reasonable steps to inform casual Professional Staff of the conversion provisions. A staff member must not be engaged and re-engaged nor have his or her hours reduced in order to avoid any obligation under this policy.

An eligible casual staff member may apply in writing to his or her nominated supervisor for conversion to non-casual employment in accordance with these policy provisions.

4.11 Eligibility for conversion

4.11.1 To be eligible to apply for conversion, a casual staff member must be employed on a regular and systematic basis in the same or a similar and identically classified position in the same functional unit (or equivalent), either:

- (a) over the immediately preceding period of twelve months and in those immediately preceding twelve months the average weekly hours worked equalled at least 50 per cent of the ordinary weekly hours that would have been worked by an equivalent full-time staff member; or,
- (b) over the immediately preceding period of at least 24 months.

4.11.2 For the purposes of this clause occasional and short-term work performed by the staff member in another classification, job or functional unit will not:

- (a) affect the staff member's eligibility for conversion; or,
- (b) be included in determining whether the staff member meets or does not meet the eligibility requirements.

4.11.3 Conditions for Conversion:

4.11.3.1 The University will determine an application for conversion either by offering conversion to non-casual employment or by declining the application. If the University declines the application, it will provide written reasons for doing so. If the application is accepted, the staff member will be offered either a continuing appointment or a fixed-term appointment.

4.11.3.2 The University shall not unreasonably refuse an application for conversion. However, it may refuse an application on reasonable grounds. Reasonable grounds include, but are not limited to, the following:

- the staff member is a student, or has recently been a student, other than where their status as a student is irrelevant to their engagement and the work required;
- the staff member is a genuine retiree;
- the staff member is performing work which will either cease to be required or will be performed by a non-casual employee, within 26 weeks (from the date of application);
- the staff member has a primary occupation with the University or elsewhere, either as a staff member or as a self-employed person;
- the staff member does not meet the essential requirements of the position; or,
- the work is ad hoc, intermittent, unpredictable or involves hours that are irregular.

4.11.3.3 A staff member whose application for conversion is rejected is not entitled to apply again within twelve months except where:

- (a) that rejection is solely based upon the ground that the staff member is a student, or has recently been a student; and
- (b) that ground has ceased to apply.

4.11.3.4 An offer of conversion will indicate the hours and pattern of work which, subject to due consideration of the University's operational requirements and the desirability of offering the staff member work which is as regular and continuous as is reasonably practicable, shall be consistent with the staff member's casual engagement. The offer of conversion will

constitute, and include such other details as are required for, an offer of appointment.

4.11.3.5 Conversion may be, but is not required to be, to seasonal, part-year or annualised hours employment according to the requirements of the University.

4.11.3.6 An application for conversion must be submitted in writing by the casual staff member for the consideration of the appropriate delegated officer. The relevant manager/National Head of School considers the application for conversion and then makes a written recommendation to the relevant Executive staff member, specifying whether the conversion is supported or not and the reasons for the recommendation. The Executive staff member assesses the recommendation and determines whether the request for conversion is approved or declined. The Executive staff member advises Human Resources accordingly, including the reasons why conversion has been approved or otherwise. Human Resources advises the staff member of the outcome of their application for conversion.

5. Approvals

The engagement of casual staff and approval of any request for unpaid leave from a casual staff member must be approved by the delegated officer. Information on delegated officers is available in the relevant Delegations of Authority Policy & Register.

6. Revisions made to this Policy

Date	Major, Minor or Editorial	Description
8 April 2014	Major	Updated to incorporate the provisions of the Australian Catholic University Staff Enterprise Agreement, 2013 - 2017 and the Educational Services (Post Secondary Education) Award, 2010.
29 August 2018	Editorial	Updated ACU brand template and changes in line with submitting timesheets via Staff Connect to record hours worked and Service Central link for further assistance.

The University may make changes to this policy and procedures from time to time to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about this policy may forward their suggestions to Human Resources.

7. Further Assistance

Any staff member who requires assistance in understanding this policy should first consult their nominated supervisor who is responsible for the implementation and operation of these arrangements in their work area. Should further information or advice be required staff should visit [Service Central](#).