Employment of Casual Professional Staff Policy

Section 1 - Background

(1) This Policy has been developed to support the casual engagement of professional staff members at Australian Catholic University. The employment of casual staff is employment on a non-continuing basis for which payment is made at an hourly rate.

Section 2 - Purpose

(2) This Policy clarifies the conditions that relate to the employment of casual professional 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.

Section 3 - Application/Scope

(3) This Policy applies to professional staff who are employed at ACU on a casual basis, and whose employment is covered by the ACU Staff Enterprise Agreement 2022-2025 (Agreement).

Section 4 - Remuneration and Working Arrangements

Remuneration and Minimum Engagement

(4) Casual employment is employment by the hour which is paid a rate on an hourly basis. A casual staff member will be paid at an ordinary hourly rate, calculated by dividing the annual salary rate for the relevant classification by the number of weeks in a calendar year and further dividing by 35, plus a casual loading of 25%. This loading is in compensation for the casual nature of the appointment and all paid leave entitlements which casual staff members are not eligible to receive; including but not limited to personal/carer's leave, public holidays, annual leave, long service leave (other than where, in accordance with the Fair Work Act 2009 (Cth), an applicable award or a State Act provides an entitlement) and annual leave loading.

(5) The minimum engagement for casual professional staff is 3 hours, however, the following casual professional staff members have a minimum engagement period of one (1) hour:

a. casual professional staff members who are students who are expected to attend the University on that day in their capacity as a student; or
b. casual professional staff members with a primary occupation elsewhere; or
c. a staff member who has another employment contract with the University and who are expected to attend the University on that day.

(6) Where possible ACU students will be preferenced for casual professional engagements.

Overtime

(7) All overtime worked must be authorised by the Nominated Supervisor 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.

(8) 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.

(9) Staff should also refer to the Overtime for Professional Staff Policy regarding further overtime entitlements.

Additional Work (Continuing or Fixed Term Staff)

(10) With written approval from the appropriate delegate, 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.

Meal Breaks

(11) 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.

Notice periods - Termination of Casual Engagement

(12) Casual staff members are 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.

Superannuation for Casual Staff

(13) The management of superannuation contributions for all staff is subject to the provisions of the Superannuation Guarantee (Administration) Act 1992 (Cth) and the University's Superannuation Policy.

(14) The University will make employer contributions to a complying superannuation fund on behalf of casual staff members at the relevant minimum superannuation guarantee rate.

(15) In circumstances where a complying superannuation fund does not accept employer contributions made on behalf of staff members who are over 74 years of age, the University will make equivalent contributions in the form of the payment of additional monies to such staff members.

Section 5 - Leave Provisions for Casual Staff

Unpaid Personal/Carer's Leave for Casual Staff

(16) Casual staff are entitled to unpaid personal/carers leave as outlined in the Personal Leave Policy.

Unpaid Compassionate Leave for Casual Staff

(17) Casual staff are entitled to unpaid compassionate leave as outlined in the Compassionate Leave Policy.

Unpaid Parental Leave for Casual Staff

(18) Casual staff are entitled to unpaid parental leave as outlined in the Parental Leave Policy.

Long Service Leave for Casual Staff

(19) Casual staff are entitled to long service leave as outlined in the Long Service Leave Policy.

Section 6 - Conversion from Casual to Non-casual Employment for Professional Staff

(20) The University will issue advice to casual professional staff members after serving qualifying periods.

(21) 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 their hours reduced to avoid any obligation under this policy.

(22) An eligible casual staff member may apply in writing to their nominated supervisor for conversion to non-casual employment in accordance with these policy provisions.

Eligibility for Conversion

(23) 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 equaled 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.

(24) 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.

(25) Conditions for Conversion:

a. 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.
b. 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:
    i. 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;
    ii. the staff member is a genuine retiree;
    iii. 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);
    iv. the staff member has a primary occupation with the University or elsewhere, either as a staff member or as a self-employed person;
    v. the staff member does not meet the essential requirements of the position; or,
    vi. the work is ad hoc, intermittent, unpredictable or involves hours that are irregular.

c. A staff member whose application for conversion is rejected is not entitled to apply again within 12 months except where:
    i. that rejection is solely based upon the ground that the staff member is a student, or has recently been a student; and
    ii. that ground has ceased to apply.
d. An offer of conversion will indicate the hours and pattern of work. Subject to 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, the hours and pattern of work will 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.
e. Conversion may be, but is not required to be, to seasonal, part-year or annualised hours employment according to the requirements of the University.
f. 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 People and Capability accordingly, including the reasons why conversion has been approved or otherwise. People and Capability advises the staff member of the outcome of their application for conversion.

Section 7 - Related Procedures

Approval to Fill a Position

(26) The Nominated Supervisor initiates the appointment of a casual staff member, either by submitting a request via the electronic Casual Employment System (CES) or by completing the Approval to Fill a Casual Staff Position form for business units where the use of the CES is not yet in place.

(27) Requests are required to be reviewed and endorsed by the appropriate Nominated Supervisor and approved by either the:

a. Member of the Executive; or
b. Provost and Deputy Vice-Chancellor (Academic) (for casual professional staff in Faculties).

Offer of Employment

(28) The offer of employment informs the staff member of the terms of engagement including the duties required, the number of hours required (which may be stated as a range), 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 employment.

(29) All casual staff are required to accept the University's offer of employment formally, before starting work at the University. The offer of employment includes provision for the staff member's acceptance, and instructions for the staff member on how to confirm their acceptance and provide relevant personal information and documents to establish their employment with the University.

Casual Staff Employment Kit

(30) The offer of employment to a prospective casual staff member is accompanied by the 'Casual Staff Employment Kit' which includes, but is not limited to:

a. Mission and Profile of the University
b. Code of Conduct for Staff
c. Privacy Policy
d. Discrimination and Harassment Policy
e. Staff Induction Policy
f. Workplace Bullying Policy and Procedure
g. Work, Health, Safety and Wellbeing Policy
h. Learning and Teaching Policy and Learning and Teaching Procedure
i. Fair Work Australia Information Statement
j. Induction Checklist
k. Information about completing timesheets via Staff Connect (including payment calendar details) where applicable.

(31) The Casual Employment Kit is sent to the prospective staff member either via the CES or by People and Capability.

(32) 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 the University considers relevant to the employment of a casual staff member may also be included.

Induction

(33) 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 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 program, subject to the provisions of the Staff Induction Policy.

(34) 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.

Payment Record

(35) 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. Submission is either via Staff Connect or a manual timesheet. The Nominated Supervisor is responsible for ensuring that a timesheet:

a. is completed each fortnight;
b. accurately details the hours worked; and
c. is completed and submitted via Staff Connect or Service Central for manual timesheets, on a fortnightly basis.

(36) The Records will be stored by People and Capability in a safe and secure location for a period of 7 (seven) years as per the Records and Archive Management Policy.

(37) 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 People and Capability.

Section 8 - Approvals

(38) 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 Delegations of Authority Policy and Register.

Section 9 - Revisions made to this Policy

(39) The revision table includes revisions up until this document was migrated into the new policy system. Any later revisions will show in the Status and Details tab.

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 in line with submitting timesheets via Staff Connect to record hours worked.
20 January 2020	Major	Updated to incorporate the provisions of the ACU Staff Enterprise Agreement 2017-2021. Policy originally titled Employment of Casual Staff Policy and amended to include the word “Professional”.
9 Dec 2021	Major	Updated to incorporate the provisions of the Treasury Laws Amendment (Your Future, Your Super) Bill 2021.

(40) 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 People and Capability.

Section 10 - Further Assistance

(41) A staff member who requires assistance in understanding this Policy should first consult their nominated supervisor. If further information or advice is required staff should visit Service Central.

Section 11 - Associated Information

(42) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	19th December 2023
Review Date	30th April 2024
Approval Authority	Vice-Chancellor and President
Approval Date	19th December 2023
Expiry Date	Not Applicable
Responsible Executive	Angelle Laurence Chief People Officer
Responsible Manager	Angelle Laurence Chief People Officer
Enquiries Contact	Bernardine Lynch ER and Safety Committees and Policy Officer People and Capability