Professional Casual Conversion Application

This form is used by a casual staff member (who is employed as a professional staff member) to apply for conversion under one of the following pathways:

* **Section 66AAB of the Fair Work Act (NES)**: Casual staff are entitled to submit a notification (‘application’) after 6 months of employment if they believe they no longer meet the definition of a ‘casual employee’ under subsections 15A(1) to (4) of the Fair Work Act.
* **Clause 3.11.4 of the Enterprise Agreement:** Casual professional staff are entitled to apply for conversion (to fixed term or continuing employment) after 12 months of employment with the University.

A casual (who is employed as a professional staff member) can opt to submit a notification under the NES, apply for conversion under the University of Adelaide Enterprise Agreement, or both.

The staff member applying for casual conversion completes Sections 1 and 2 of this form and sends the completed form as a Word document to [casualassessment@adelaide.edu.au](mailto:casualassessment@adelaide.edu.au)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **1. STAFF MEMBER DETAILS** | | | | | | | |
| **Staff ID:** |  | **Given Name(s):** | |  | | **Family Name:** |  |
| **Faculty or Division:** | | |  | | **School or Branch:** | |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **2. APPLICATION DETAILS** | | | | | | | |
| I am applying for casual conversion for the following reasons **(select all that apply)**:  **NES Applications**  I have worked a regular pattern of work over the past 6 months  I am unable to accept or reject work  I am doing the same kind of work as fixed-term or continuing staff members.  The kind of work I am performing is reasonably likely to be available on a continuing basis in the future.  Other (please specify why you do not meet the definition of a casual employee in the space below with reference to subsections 15A(1) to (4) of the Fair Work Act).  **Enterprise Agreement Applications**  ☐ I have worked regular and systematic hours over the preceding 24 months.  ☐ I have worked at least 0.5FTE over the preceding 12 months. | | | | | | | |
| I am submitting this application in relation to the following engagement(s): | | | | | | | |
| **Task/Activity/Course:** | |  | | **Work Schedule Number(s):** *If known* | |  | |
| **Additional Information**  *Provide additional detail on why you believe you no longer meet the definition of casual employee. You may attach supporting documentation if necessary.* | | | | | | | |
|  | | | | | | | |
| **Declaration** | | | | | | | |
| I hereby apply for casual conversion and by signing below, I confirm the following:   * I understand if my application for conversion is rejected, I will not be entitled to submit an application again within 6 months from the date of this application. * Should my application be successful, I understand I will not have my casual service count for the purpose of calculating any other existing entitlements except for long service leave and applicable unpaid parental leave. | | | | | | | |
| Applicant Name: |  | | Signature: | |  | Date: | Select Date |
| *Complete Sections 1 and 2 of this form and send the form as a Word document to* ***casualassessment@adelaide.edu.au*** | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **3. HUMAN RESOURCES ASSESSMENT (Office Use Only)** | | | | | | | | | | |
| **Date Assessment Received:** | | Select Date | | | **Date Outcome Due:** | | | Select Date | | |
| **Eligible for assessment under:** | | | ☐ Enterprise Agreement | | | | ☐ National Employment Standards | | | |
| **Pattern of Work Assessment/Comment** | | | | | | | | | | |
|  | | | | | | | | | | |
| **Name & Position:** |  | | | **Signature:** | |  | | | **Date:** | Select Date |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **4. OUTCOME *Supervisor*** | | | | | | | | | | | | | | | | | | |
| * 1. **Application Accepted** | | | | | | | | | | | | | | | | | | |
| I accept the application regarding the application for conversion to continuing employment as the staff member no longer meets the definition of a casual employee.  The staff member has agreed to a later start date for continuing employment *(optional)*.  I confirm I have consulted with the staff member about the following details of their continuing employment: | | | | | | | | | | | | | | | | | | |
| **HEO Level:** | | |  | | **Step:** | |  | | | **Contract Type\*:** | | | Continuing  Fixed-Term | | | | | |
| **FTE:** |  | | | **Start Date:** | | Select start date | | | | **Days & hours of work:**  *If part-time* | | | |  | | |  | |
| **End Date[[1]](#footnote-2):** | | Select end date  N/A continuing | | | | | | | **Fixed-Term Contract Category\*:** | | | | | | Select a category | | | |
| 4.2 Application Not Accepted  *Fill out the relevant section based on the application (NES or EA). If the application is under both, complete both sections.* | | | | | | | | | | | | | | | | | | |
| **National Employment Standards Application** | | | | | | | | | | | Staff member not eligible under the NES | | | | | | | |
| I do not accept the application regarding the conversion to continuing employment on the following grounds (select all that apply):  Casual Definition:  The staff member meets the definition of a casual employee for the following reason(s):  The staff member’s pattern of work is not regular.  The staff member is able to accept or reject work.  The University is not required to offer the staff member work.  The staff member is not doing the same kind of work as a fixed-term or continuing staff member(s).  The kind of work is not reasonably likely to be available on a continuing basis in the future.  Other (please specify why the staff member meets the definition of a casual employee in the space below with reference to subsections 15A(1) to (4) of the Fair Work Act).  Fair and Reasonable Operational Grounds for Refusal:  There are fair and reasonable operational grounds for not accepting the notification:  Substantial changes would be required to the way in which work in the University is organised.  There would be significant impacts on the operation of the University.  Substantial changes to the employee’s terms and conditions of employment would be reasonably necessary to ensure the University does not contravene a term of the [Enterprise Agreement](https://www.adelaide.edu.au/hr/enterprise-agreement).  Converting to continuing employment would significantly affect the way the staff would need to work to ensure the University does not contravene a term of the Enterprise Agreement.  Accepting the application would result in the University not complying with a recruitment or selection process required by or under a law of the Commonwealth or a State or Territory. | | | | | | | | | | | | | | | | | | |
| **Enterprise Agreement Application** | | | | | | | | Staff member not eligible under Enterprise Agreement | | | | | | | | | | |
| I do not accept the application for conversion to fixed-term or continuing employment on the following grounds (select all that apply):  The staff member is a student or has recently been a student (this does not apply where the staff member’s status as a student is irrelevant to the engagement and the work required).   The staff member is a genuine retiree (this applies even if the staff member is in receipt of any form of income or benefit that is dependent upon them).   The staff member is performing work that will cease to be required or will be performed by a non-casual staff member 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 they are unable to demonstrate the capabilities to undertake duties typical of the relevant classification standard (as determined by the duty statement, position description, selection criteria and the Classification Standards for Professional Staff).  The work is ad hoc, intermittent, unpredictable or involves hours that are irregular. | | | | | | | | | | | | | | | | | | |
| Comments (optional): | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | |
| **Name & Position:** | | | |  | | | | **Signature:** | | | |  | | | | **Date:** | | Select Date |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **6. APPROVAL  *Branch Head, Head of School, Corporate Manager, COO, Institute Director, Executive Dean, Pro Vice Chancellor or Deputy Vice Chancellor.*** | | | | | |
| *By approving this request, I confirm I have reviewed the conversion application and approve the application outcome in accordance with the Fair Work Act and/or the Enterprise Agreement.* | | | | | |
| **Name & Position:** |  | **Signature:** |  | **Date:** | Select Date |

1. \* Fixed-term appointments are only permitted under Enterprise Agreement conversions (see EA clause 2.3) [↑](#footnote-ref-2)