

Casual Employment

Last updated: 23 September 2021 (administrative amendments)

Owner: Director, Human Resources
Current policy owner: Chief Human Resources Officer

Purpose

This policy sets out the guidelines and procedures for employing casual staff in accordance with the conditions of employment in the University's [Enterprise Agreement 2013–2017](#) ("the Agreement").

Scope

This policy applies to all casual staff employed by the University of Sydney.

Policy

- Casual staff are engaged and paid by the hour with no guarantee or expectation of work beyond the period of their current employment.
- Casual Academic staff may be employed and paid on an hourly or sessional basis.
- Selection of casual staff should be on the basis of merit, and be transparent, competitive and consistent with University policy.
- The hourly rate of pay for casual staff includes a loading in lieu of all forms of paid leave, paid public holidays, notice of termination of employment and severance benefits.
- Casual staff are not entitled to paid leave however, subject to providing notification and medical certificates or other documentation, casual staff are entitled to not be available to attend work, or to leave work:
 - (i) if they need to care for members of their immediate family or household who are sick and require care and support, or who require care due to an unexpected emergency, or the birth of a child; or
 - (ii) upon the death in Australia of an immediate family or household member.

The staff member and their Supervisor will agree on the period for which the casual staff member will be entitled to be unavailable to attend work. If agreement cannot be reached, the staff member will be entitled to be unavailable to attend work for up to 48 hours (i.e. two days) per occasion. No payment will be made for any period of non-attendance.

- A casual academic or professional staff member who has worked for the University on a regular and systematic basis for at least 12 months and has a reasonable expectation of ongoing employment on a regular and systematic basis, may take up to 52 consecutive weeks' unpaid parental leave in connection with the birth or adoption of a child.

The University will not fail to re-engage a casual staff member because they accessed these entitlements. The rights of the University to engage or not to engage casual staff are otherwise not affected.

- Casual staff will be paid on a fortnightly basis and within 22 days of submitting a valid and completed claim for payment in accordance with University procedures.
- Where the casual staff member has been appointed by the relevant delegated officer, claim forms for payment can be submitted to the supervisor or officer specified by the relevant delegate. The supervisor or officer is responsible for verifying that the hours, including overtime, and duties have been undertaken, as entered on the timesheet or claim form.
- Casual staff will be advised of the supervisor or officer to whom claim forms or timesheets should be submitted.
- Employer superannuation contributions for eligible casual staff will be paid in accordance with the applicable Agreement provisions.
- Except where expressly provided in the Agreement, periods of casual employment do not count as service for the purpose of determining a staff member's entitlement to any benefit which requires a minimum period of service.
- Casual employment is subject to satisfactory performance.
- Where provided for in the Agreement, casual staff may apply for conversion to non-casual employment if they have worked on a regular and systematic basis and meet the eligibility criteria. If an application is approved, the University may offer conversion to either a continuing or fixed-term appointment. The University may refuse an application on reasonable grounds and will provide written reasons for the refusal.
- Full-time and part-time staff may be engaged on a casual basis outside their usual working hours to perform work other than their normal duties provided that the arrangements are mutually agreed and there is no impact on their normal work.
- Students of the University may be employed on a casual basis.

Guidelines

Casual employment, similar to other staffing decisions, should be based on the workforce planning strategies of the Faculty or unit. Casual appointment is only one of the employment options available to managers to meet identified skill and workload needs.

Casual employment provides the University with flexibility to respond to short-term variations in workload and skill requirements. It is appropriate, where the work is unpredictable or intermittent, only needed for a short or undefined period of time, or where funding is uncertain. For example: staff absences, periods of peak workload, short-term projects or new initiatives.

Before utilising casual employment, other forms of employment and working arrangements should also be considered, for example:

- fixed-term employment (full-time or part-time) may be suitable where the work is for a defined period of time (generally beyond 6 months);

- for professional staff, seasonal, part-year or annualised hours employment arrangements may be suitable where the work is only required for part of the year or has a variable pattern of hours; or
- Post-graduate Fellowships (tailored to work and study requirements) may be used when employing currently enrolled students to undertake a range of academic or course related duties.
- Scholarly Teaching Fellowships may be established to replace casual teaching work.
- Early Career Development Fellowships may be established to create a pathway to academic careers for casual staff.

The use of casual employment should be monitored regularly taking into account the current and potentially continuing nature of the workload, skill requirements and funding. If the requirements of a position have changed, then the casual mode of employment should be re-assessed.

The duties and working arrangements of casual engagements must be consistent with the Agreement hours of work provisions, work health and safety requirements and child-related work criteria.

The University supports opportunities to provide employment for its students. The University's casual employment provisions include additional flexibility for students to balance casual employment with their study and course requirements.

Casual employment must only be offered to people who hold permanent residency status or visas that permit them to work in Australia.

Casual Employment Procedures

Workforce planning

The authority to appoint casual staff is outlined in the [University of Sydney \(Delegations of Authority – Administrative Functions\) Rule 2016](#) approved by the Senate.

Prior to approving a casual appointment, the relevant delegate should assess whether casual employment is the most appropriate mode of employment based on the skill requirements, workload, time-frame, funding and the strategic objectives and plans of the Faculty, School, University school or Administrative Area.

Appointment Procedures

Finding a suitable casual staff member

Selection of casual staff should be based on merit, ensuring that where possible, a reasonable pool of applicants is available. A register of suitable appointees may be developed to facilitate the filling of casual roles at short notice. The register should be based on individual's qualifications, experience and performance and should be reviewed at least annually. It is advisable to ask for and contact at least one referee.

Casual staff may be identified through a number of different avenues, including:

- [SydneyTalent](#) which offers Sydney University students the opportunity to gain valuable, paid, industry-specific and course-related employment while completing their studies;
- current students (postgraduate, honours, undergraduate as appropriate);

- advertisements placed internally or externally (this is optional, not a requirement);
- appropriate professional associations;
- [Unistaff](#), a temporary staffing service for University departments covering the recruitment and administration of professional staff casuals;
- former staff - there are restrictions on some categories of staff members who have previously been employed by the University, e.g., staff who have taken a voluntary redundancy are ineligible for re-employment for 18 months. Before offering a casual appointment to a former staff member their eligibility should be confirmed by the HR Service Centre.

Documents

A casual staff member must receive, and sign, an offer of employment before they commence casual employment with the University. The offer of employment will contain the casual staff member's rights and responsibilities, the duties, the number of hours required, the rate of pay for each class of duty required and a statement that any additional duties required during the term will be paid for.

The offer of employment pro formas for appointment of both academic and professional casual staff are available on the [staff intranet](#).

Once a casual staff member has been issued with an offer of employment, a Change of Appointment Details form (on the [staff intranet](#)) may be completed for subsequent periods of casual employment within the faculty/unit, at the same classification.

A [Casual Staff Pre-employment and Orientation checklist](#), outlining the casual appointment procedures and supporting documents required is available on the staff intranet.

Casual offers of employment and appointment documents are prepared by departmental staff, authorised by the relevant delegate, signed by the casual staff member and forwarded to the HR Service Centre for processing.

Induction

An orientation and induction should be provided to all new staff members, including casuals. The induction should aim to familiarise the casual staff member with the University, their local working environment, and their role, as well as arranging the practical details of starting a new job. A [Casual Staff Pre-employment and Orientation checklist](#) is available on the staff intranet.

Payment

The manager with the delegated authority to approve the casual appointment, must specify the appropriate supervisor or officer who will have the responsibility to sign-off timesheets confirming that they are correct. The supervisor or officer must be knowledgeable about the hours, including overtime, and duties being worked by the casual staff member. The name of the supervisor or officer who will sign the casual claim forms confirming the hours/duties have been worked should be included on the casual appointment documents or form.

The supervisor or officer may sign timesheets/claim forms that are consistent with the appointment, or any variation, approved by the relevant delegate. Any additional hours or duties must be consistent with the approved appointment, and any parameters for offering overtime that have been authorised by the relevant delegate.

Supervisors must advise casual staff of the casual claim procedures and deadlines operating in the School or Unit. In most areas casual staff will need to complete a timesheet (either a paper form or electronically) which must be

authorised by the specified supervisor or officer prior to being forwarded to the HR Service Centre for processing. Payment will be made via electronic funds transfer to a nominated financial institution account.

The payment arrangements for sessional casual academic staff are outlined in their offer of employment.

Superannuation

Employer superannuation contributions are paid in accordance with legislative requirements.

Employee after-tax contributions to superannuation are not routinely deducted for casual staff. However, casual staff may elect to make before-tax (salary sacrifice) contributions of a percentage of their salary (up to 100%). Inquiries should be directed to the [HR Service Centre](#).

Performance

Casual employment is subject to satisfactory performance in accordance with the expectations set by the staff member's supervisor. Regular feedback should be provided by the Supervisor.

Where a casual staff member demonstrates a high level of performance or potential, he/she may be considered for future work or staff development opportunities where available. Where a staff member's performance is assessed as unsatisfactory, the employment may be terminated.

The University's Performance and Development (P&D) Program will be used to assess the performance of casual staff after 12 month's regular and systematic employment, and may be used to assess performance after shorter periods of employment. The P&D program will also be used to determine their suitability for re-engagement (whether as a casual staff member or otherwise) and for the purposes of determining an application for conversion.

Conversion

Where provided for in the Agreement, casual staff may apply for conversion to non-casual employment. The application and assessment procedures for casual conversion are contained in [clauses 58 – 60 in the Enterprise Agreement 2013-2017](#). The casual conversion application form is available on the [staff intranet](#).

Termination

The minimum time required to provide notice of termination, by either party, is set out in the Agreement.

Casual Academic Staff

Casual academic staff are employed to perform specified teaching-related duties, such as, presenting lectures and tutorials, conducting practical classes or workshops, and marking, under the Agreement. The casual rates for academic teaching duties include both the presentation or delivery time and the associated working time (including preparation, reasonably contemporaneous marking and student consultation). Details of the casual academic rates and earnings codes are available on the [staff intranet](#).

Casual staff who have performed, or would be engaged to perform, at least 60% of a full-time teaching workload, may have access to fixed term teaching focused roles (refer to clause 86 of the Agreement).

Casual academic staff engaged on a sessional basis, receive their casual payments as set out and agreed in the schedule to their appointment. Information about sessional casual academic arrangements is contained in the [Sessional Casual Academic Employment Policy](#).

Casual Centre for English Teaching Staff

Casual staff are engaged and paid on an hourly basis. The casual language teaching rates include payment for face-to-face teaching and related duties such as preparation, lesson planning, collation of materials, marking arising from the relevant class and student consultation time.

The span of ordinary working hours and overtime provisions for language staff are set out in Schedule 5 of the Agreement.

Casual Professional Staff

Casual staff employed by the University to perform administrative or research duties are employed under the Agreement and receive casual professional staff hourly rates of pay.

The Agreement provides that the minimum engagement for casual professional staff is 3 hours except for:

<ul style="list-style-type: none">▪ Students performing work between Monday and Friday (except public holidays) during the University's main teaching weeks and any other day that they are expected to attend the University in their capacity as students▪ Retirees and persons with a primary occupation elsewhere (including with the University)▪ Examination Supervisors (invigilators) and Assistants▪ Persons engaged to perform work of a kind that is normally performed in agricultural, engineering or associated industries (including animal handlers/carers)	One hour
<ul style="list-style-type: none">▪ Persons engaged to perform work of a kind normally performed in hospitality industries or nursing services	Two hours

Casual professional staff will be entitled to penalty and overtime rates where provided for in the applicable Agreement as follows:

- shift allowances are payable to eligible casual professional staff rostered to work shifts outside the normal daily spread of hours;
- Where specified in the Agreement, overtime rates are payable to casual professional staff, who are required by their supervisor to work:
 - more than 20% of the ordinary weekly hours of an equivalent full-time staff member, on one day, (e.g., if 35 hours per week are the ordinary weekly hours, then overtime is payable for hours that are required to be worked in excess of 7 hours in one day);
 - outside the agreed ordinary span of hours; or
 - on a Sunday or public holiday (also a Saturday unless agreed within the ordinary span of hours).

Eligible casual professional staff are entitled to overtime rates or the casual loading, but not both. The University will automatically pay overtime at the overtime rates which are the higher rates.

Claims for overtime must be consistent with parameters for offering overtime authorised by the relevant delegate. All overtime payments are to be closely monitored through regular reports to the relevant delegate.

Casual Employment of Students

The University supports opportunities to provide employment for its students. The University's casual employment provisions include additional flexibility for students to balance casual employment with their study and course requirements.

Where possible the University will give priority to providing employment opportunities to students enrolled in an award course at the University. Depending upon the timeframe and duties to be performed, fixed-term or casual employment arrangements may be appropriate. Before appointing a student both these options should be considered.

If casual employment is the appropriate option, students employed by the University may be employed as:

- academic casual staff to perform teaching related duties; or
- professional casual staff to perform other duties such as research or administration.

Where students are engaged by the University as professional casual staff under the Agreement, the following conditions apply:

- minimum engagement of one hour (as outlined above);
- the normal span of hours for student casuals is from 7.00am to 7.00pm Monday to Saturday at ordinary rates. Where a student casual requests to work outside this span (e.g., casual student shelvers in the University's libraries) the University may agree, and ordinary casual rates will be paid, for work performed between the hours of 7.00pm to 10.00pm Monday to Saturday;
- student casuals working from home must be able to provide logs of computer time/email contacts if requested for audit purposes. All work performed by a student casual from home must be approved in advance by the University, and will be paid for at ordinary casual rates;
- where provided for in the Agreement, overtime and penalty rates apply based on the normal span of hours for students; and
- there is no conversion mechanism to continuing or fixed-term employment (other than where their candidature as a student was irrelevant to the casual engagement).

Note: Under Department of Home Affairs regulations, student visa holders may only work up to 40 hours per fortnight during semester. This excludes higher degree research students who have unlimited work rights once they have commenced their course in Australia.

Administration

1. Background

The Casual Employment Policy was developed following a review of casual employment procedures in 2007, and updated in 2008 and 2009 to enable the introduction of electronic timesheets with a single level of approval. This policy was amended in April 2014 to align with the Enterprise Agreement 2013-2017. References to the University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016 were made as administrative amendments in June 2017. The section on conversion from casual to non-casual employment was amended in June 2017.

2. Related Documents

- University of Sydney (Delegations of Authority - Administrative Functions) Rule 2016
- Enterprise Agreement 2013-2017
- Sessional Casual Academic Employment Policy

3. Original Management Responsibility

Director, Human Resources

Current policy owner

Chief Human Resources Officer

4. Implementation Responsibility

Heads of School/Administration

5. Dates

Approval (version 1)	31 August 2007
Effect	31 August 2007
Review	2008
Approval (version 2)	14 August 2008
Approval (version3)	6 August 2009

6. Approval

Versions 1 and 2	Mr Bob Kotic, Chief Operating Officer and Deputy Vice-Chancellor.
Version 3	Dr Michael Spence Vice-Chancellor and Principal

7. Signatures

Version 3 approved by:

Name: Dr Michael Spence
Position: Vice-Chancellor and Principal

Date 6 August 2009

Current policy approver
Vice Principal (Operations)/Provost and Deputy Vice-Chancellor