

AUSTRALIAN SERVICES UNION

LOCAL GOVERNMENT & ENERGY DELEGATES CONFERENCE 2020

EBA MODEL CLAUSE - CASUAL EMPLOYMENT

1. A casual employee is an employee who is doing work of an intermittent and/or relieving nature.
2. A casual employee shall not replace an employee of council on a permanent basis. Council will not use casual labour for the purpose of undermining the job security of ongoing Employees, for the purpose of turning over a series of casual workers to fill an ongoing employment vacancy or as a means of avoiding obligations under this Determination.
3. Extra shifts, overtime or extra hours will be offered to permanent staff prior to being offered to casuals.
4. Casual employees shall be paid the normal rate of pay plus a loading of 25% in lieu of sick leave, annual leave and public holiday payment, for all hours worked up to seven hours per day that fall within the normal hours of duty of an employee performing similar work.
5. Overtime will apply for all hours worked beyond seven hours per day that fall within the normal hours of duty of an employee performing similar work.
6. Casual employees shall:
 - a. Have access to annual reviews in accordance with the Award;
 - b. Be entitled to progress through levels of the applicable band; and
 - c. Have all service in the industry recognized as service for the purpose of calculating long service leave.
7. **Casual Conversion**
 - a. A casual employee who has been engaged by the employer for a sequence of periods of service during a period of six months shall have the right to elect to have his or her contract of employment converted to full-time employment or part-time employment.
 - b. The employer shall give the employee notice in writing of the provisions of this clause within four weeks of the employee having attained such period of six months.
 - c. Employer will not cease engaging a casual employee for the purpose of avoiding enlivening the casual's right to conversion as set out above.
8. Council will provide a list of casual employees to the relevant Union every 6 months, including name, position, the department and employee's commencement date.



By your side