Casual employment

Policy Number:  B26 (QH-POL-110)
Publication date:  April 2014
Purpose:  To outline casual employment in Queensland Health.
Application:  This policy applies to all Queensland Health employees working for:
- the Department of Health
- non-prescribed Hospital and Health Services
- prescribed Hospital and Health Services.
Delegation:  The ‘delegate’ is as listed in the Department of Health Human Resource (HR) Delegations Manual and the Hospital and Health Services Human Resource (HR) Delegations Manual – HRM Functions of the Director-General, as amended from time to time.

Legislative or other authority:
- Queensland Health Nurses and Midwives Award – State 2012
- Nurses and Midwives (Queensland Health) Certified Agreement (EB8) 2012
- Queensland Public Health Sector Certified Agreement (No. 8) 2011
- Health Practitioners (Queensland Health) Certified Agreement (No.2) 2011
- District Health Services Employees’ Award – State 2012

Related policy or documents:
- Separation of Employment HR Policy H1 (QH-POL-227)

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SCHEDULE ONE  Example casual appointment letter
1 Policy statement

Casual employment is defined as an employee, other than a part-time employee, who is engaged as such and is paid on an hourly basis to work generally for less than the ordinary weekly working hours of a full-time employee. For the purposes of this policy:

- an employee whose casual employment history is informal, irregular and uncertain with no continuing relationship between the employer and the employee, i.e. no expectation of ongoing or regular employment, is to be defined as a short term casual employee
- an employee with features of casual employment such as employment on a regular and systematic basis for several periods of employment during a period of at least one year and with a continuing relationship between the employer and the employee is to be defined as a long term casual employee.

1.1 Use of casual employment

Short term casuals are to be used as daily hire in the event of unplanned or emergent vacancies on rosters, including shift rosters. This is not to be seen to override the capacity to employ casual employees on an hourly basis to work generally for less than the ordinary weekly working hours of a full-time employee as provided in the District Health Services Employees’ Award – State 2012.

The engagement of short term or long term casual employees is not to be used to permanently fill any full-time or part-time position.

All casual employees are to be entitled to conditions of employment specified in the relevant industrial instrument including casual loading, minimum payment per engagement and overtime and penalty rates.

1.2 Checking voluntary early retirement (VER), voluntary separation program (VSP) and voluntary redundancy (VR) status

Upon re-employment within the Queensland public sector, the line manager is to check with the potential employee whether they have received a VER, VSP or VR package and take appropriate action.

If the employee is in receipt of a package, a total accumulative period not greater than 20 days can be worked without any further action being required. An employee who was paid a severance benefit and works greater than 20 working days is required to refund to the Crown that portion of the severance benefit to which the employee is not entitled. Refer Separation of Employment HR Policy H1.

1.3 Nurses and midwives

The provisions for casual engagement are as per clause 4.3 of the Queensland Health Nurses and Midwives Award – State 2012. Nurses engaged in Offender Health Services
are to refer to schedule 3 of the Nurses and Midwives (Queensland Health) Certified Agreement (EB8) 2012.

The engagement of a casual employee is not to be more than 32 hours per week. When a casual employee is to work in excess of 32 hours in any one week, they are to receive the appropriate overtime rate for all hours worked in excess of 32 hours.

Hospital and Health Services (HHSs) are to review their arrangements to restrict casual employees to 32 hours or less per week or offer the employee concerned a change of employment status from casual to temporary part-time or full-time. This allows the working of an extra shift at ordinary time by converting work previously done in that week to ordinary time without the casual loading.

Schedule One provides an example of a commencement letter of employment which a HHS may use to automatically alter a casual employee’s status if more than 32 hours are worked in a week.

History:

<table>
<thead>
<tr>
<th>Date</th>
<th>Changes</th>
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<tbody>
<tr>
<td>April 2014</td>
<td>• Policy formatted as part of the HR Policy Simplification project.</td>
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<tr>
<td></td>
<td>• Policy amended to update references and naming conventions</td>
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<tr>
<td>April 2010</td>
<td>• Protected IRM 1.4 reformatted as part of the HR policy consolidation project in accordance with EB7.</td>
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<tr>
<td>October 2004</td>
<td>• IRM 1.4 Casual Employment – (clause 26.2 of the Nurses (Queensland Health) Section 170MX Award – 2003) amended.</td>
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<tr>
<td>November 2003</td>
<td>• IRM 1.4 Casual Employment – (clause 7.2.3 of the Queensland Public Health Sector Certified Agreement (No 4) 2004).</td>
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<td>Previous</td>
<td>• IRM 1.4 Casual Employment</td>
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Casual employment – Schedule One
Example casual appointment letter

…………………………HOSPITAL AND HEALTH SERVICE
CORPORATE SERVICES

DATE

NAME
ADDRESS

Dear NAME

RE: Position title:
Location: ……………………. Hospital and Health Service
Classification:

I am pleased to offer you casual employment to the above position effective from………………, with a gross salary in the range of $xx to $xx per hour. The terms and conditions of your employment are set out in the attached terms and conditions of employment.

In accepting this position you are accepting the conditions set out in the Queensland Health Nurses and Midwives Award – State 2012 which specifies that casual employees who work more than 32 hours in any one week are to be paid at the appropriate overtime rate for all time worked in excess of 32 hours.

It is the policy of the ……………………… Hospital and Health Service (HHS) to not engage casual employees for more than 32 hours per week, unless absolutely necessary. Consequently, you as an employee of this HHS agree that if asked to work in excess of 32 hours in any one week, that your employment status will be changed from casual to temporary part-time for that week, and receive payment accordingly.

If you have any further enquiries please contact NAME on 07 xxxx xxxx.

An information package for all new employees of ………………………Hospital and Health Service is attached. To ensure you receive your correct pay entitlements from your commencement date, please return all commencement documentation in the enclosed reply paid envelope by return mail.

Any statements of service and qualifications which may affect your rate of pay are to be submitted to Employee Services/Relations within one month of your appointment, otherwise you are not entitled to receive backpay. For any further information contact Human Resources Unit on 07 xxxx xxxx.

I trust your work with us will prove to be rewarding.
Yours sincerely

Name
Manager, Human Resources Unit
............................ Hospital and Health Service

Please sign and return the following contract to:

Name
Human Resources Unit
.................... Hospital and Health Service
Town, Postcode.

I accept the terms and conditions of casual employment in the .................. Hospital and Health Service set out in my contract of employment letter dated ...../....../......

____________________________________
Name

____________________________________
Signature

____________________________________
Date