

The New Casual Conversion Process



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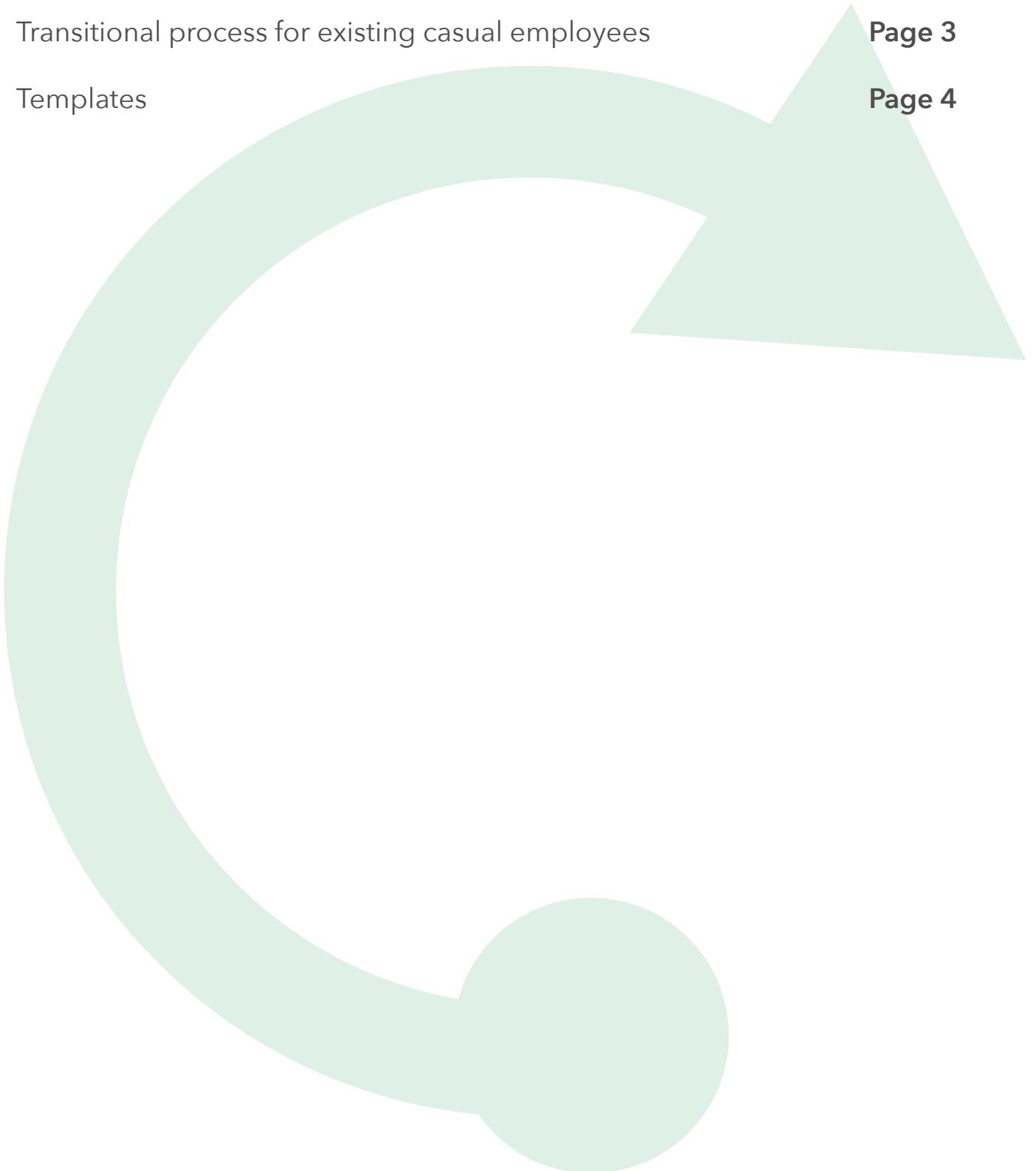
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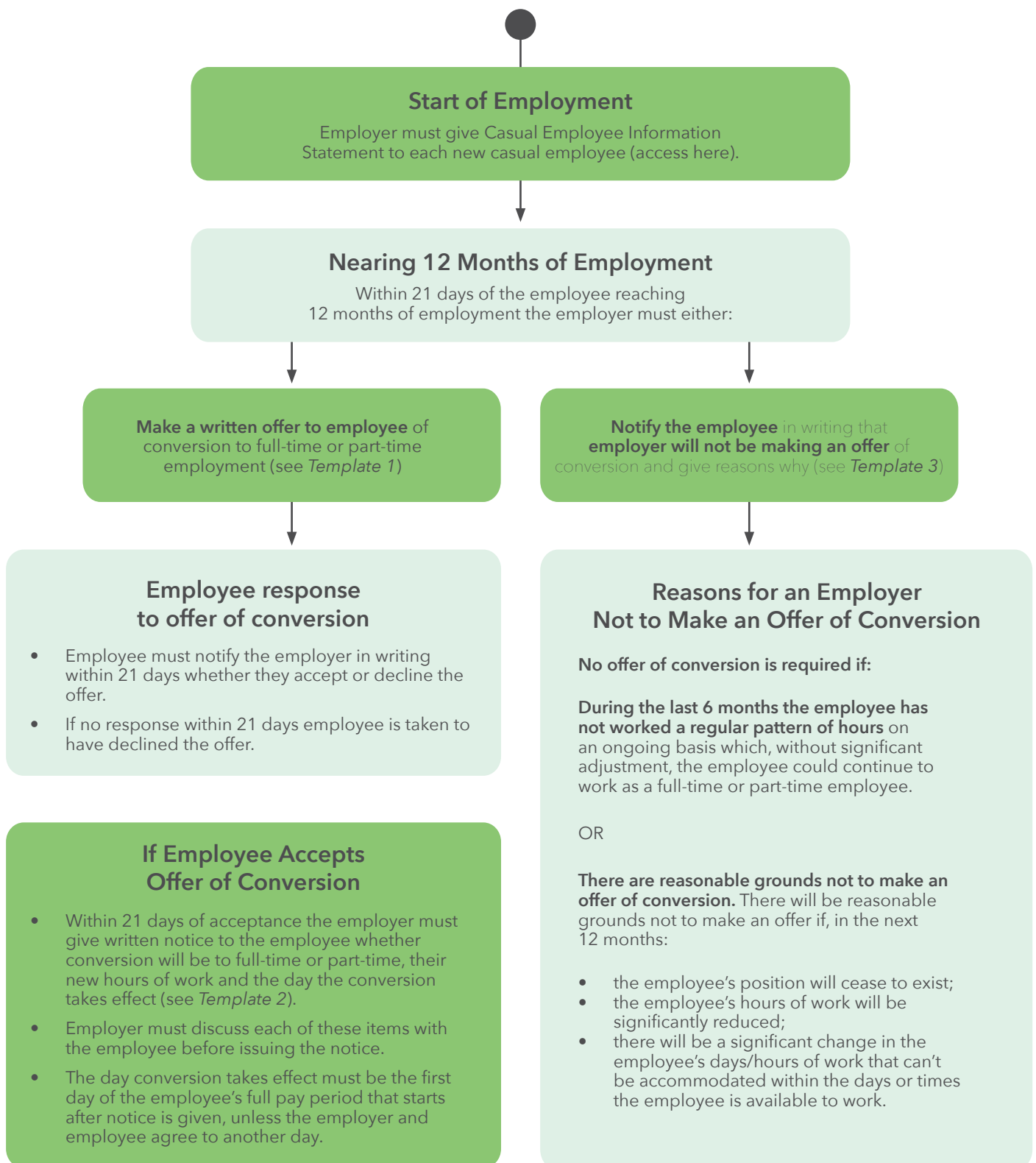
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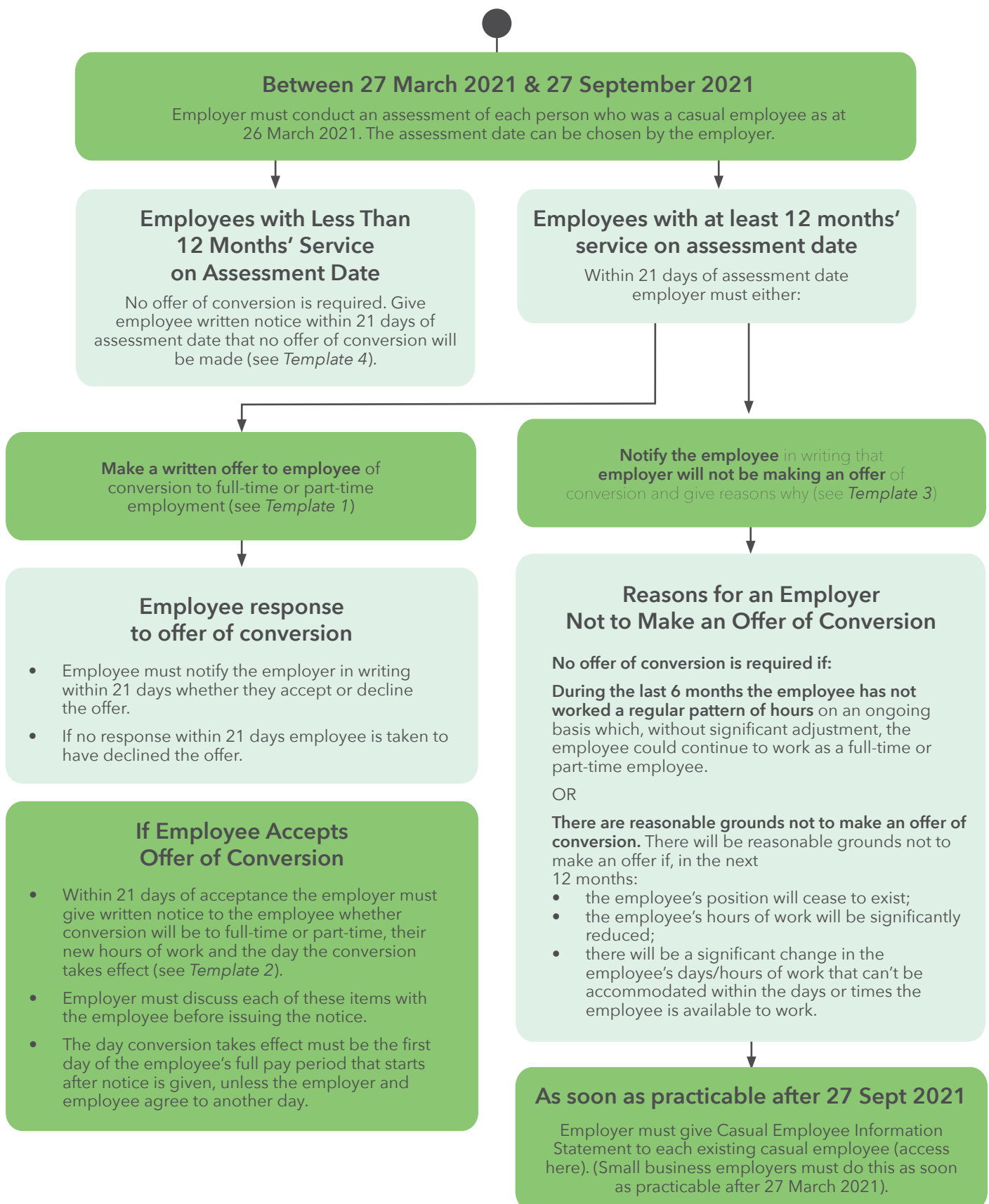
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The New Casual Conversion Process



Transitional Process for Existing Casual Employees



Template 1

Letter Offering a Casual Employee Conversion to Full-Time or Part-Time Employment

<date>
<employee name>
<employee address>
<employee address>

By email: <email address>

Dear <employee name>

Offer of conversion to <full-time/part-time> employment

We are writing to you because, as of <date>, you had been working with us as a casual employee for 12 months.

We have therefore decided to offer you employment as a <part-time/full-time>³ employee.

The terms of our offer are set out in the attached contract of employment. Please read the terms carefully and let us know if you would like to discuss any of them.

Please notify us in writing within 21 days of this letter whether you accept or decline this offer. If you do not give us a written response within 21 days you will be taken to have declined the offer.

If you decide to accept the offer, please also sign and return the attached employment contract.

Please do not hesitate to contact me if you would like to discuss anything set out in this letter.

Yours sincerely,

<name>
<employer name>

³ For an employee that has worked the equivalent of full time hours during the last 6 months—the offer should be to convert to full time employment. For an employee that has worked less than the equivalent of full time hours during the last 6 months—the offer should be to convert to part time employment that is consistent with the regular pattern of hours worked during that period.

Template 2

Letter to Employee After Accepting Offer of Conversion to Full-Time or Part-Time Employment

<date>
<employee name>
<employee address>
<employee address>

By email: <email address>

Dear <employee name>

Conversion to <full-time/part-time> employment

Thank you for your <letter/email> dated <date> in which you informed us that you have decided to accept our offer of employment as a <part-time/full-time> employee.

As we discussed on <date>⁴, I confirm that you will be converting to <part-time/full-time> employment and your conversion will take effect on <date>⁵.

<For full-time employees> Your hours of work after the conversion takes effect will be <eg 38 hours per week plus a reasonable amount of additional hours as needed to perform your role>.

<For part-time employees> After the conversion takes effect you will work ## hours per week on the following days and times:

- <eg Mondays 10am to 3pm>
- <eg Thursdays 10am to 3pm>

Please do not hesitate to contact me if you would like to discuss anything set out in this letter.

Yours sincerely,

<name>
<employer name>

⁴ Before sending this letter to the employee the employer must discuss each point set out in the letter with the employee.

⁵ The date of conversion must be the first day of the employee's first full pay period that starts after the day the notice is given, unless the employee and employer agree to another day.

Template 3

Letter notifying casual employee that employer has decided not to make an offer of conversion.

<date>
<employee name>
<employee address>
<employee address>

By email: <email address>

Dear <employee name>

Notice of decision not to make an offer of conversion

We are writing to you because, as of <date>, you had been working with us as a casual employee for 12 months.

We have therefore considered whether to offer you employment as a <part-time/full-time> employee.

<If decision is made because employee hasn't worked regular pattern of hours:> We have reviewed your employment and come to the view that you have not worked a regular pattern of hours on an ongoing basis for at least the last 6 months that, without significant adjustment, you could continue to work as a full-time or part-time employee. We have come to this view because <insert reasons>.

<If decision is made because there are reasonable grounds not to make an offer:> We have reviewed your employment and come to the view that there are reasonable grounds not to make you an offer to convert to full-time or part-time employment. The reasons for this are as follows:

- <e.g. Your position will cease to exist in the next 12 months because...>
- <e.g. The hours of work which you are required to perform will be significantly reduced in the next 12 months because...>
- <e.g. There will be a significant change in the days on which your hours of work are required to be performed in the next 12 months which cannot be accommodated within the days or times you are available to work during that period. This is because...>
- <e.g. There will be a significant change in the times at which your hours of work are required to be performed in the next 12 months which cannot be accommodated within the days or times the you are available to work during that period. This is because...>
- <e.g. Making the offer would not comply with a recruitment or selection process required by or under a law of the Commonwealth or a State or a Territory. This is because...>

Please do not hesitate to contact me if you would like to discuss anything set out in this letter.

Yours sincerely,

<name>
<employer name>

Template 4

Letter Notifying Casual Employee that no Offer of Conversion will be made as they Have Less Than 12 months' Service on Date of Assessment

<date>
<employee name>
<employee address>
<employee address>

By email: <email address>

Dear <employee name>

Notice of decision not to make an offer of conversion

Under the recent changes to the *Fair Work Act 2009*, we are required to conduct an assessment of our casual employees to determine whether an offer of conversion to full-time or part-time employment needs to be made.

An offer of conversion does not need to be made unless the casual employee has at least 12 months' service on the date the assessment is made.

On <date> we conducted an assessment of your employment. We determined that, as at the date of assessment, you had less than 12 months' service with us.

Therefore, we will not be making an offer of conversion to you at this time.

Please do not hesitate to contact me if you would like to discuss anything set out in this letter.

Yours sincerely,

<name>
<employer name>

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