

AM I A CASUAL?

YOU'RE PROBABLY BE A CASUAL IF:

- You get paid a casual loading (e.g. 25%) on top of your hourly rate. *Your payslip should show this. If it doesn't ask your employer.*
- You give your availability
- You decide what shifts you work or don't work
- Your boss sometimes gives you shifts, but sometimes doesn't
- You work different hours each week
- You're only there for a short time
- There's a 'core' number of workers and you fill in around them
- You don't get paid if you call in sick

Are you pressured or forced into working whatever shifts you're given? **Read on!**

Knowing if you're a casual can be tricky.

The legal test is whether there is a "firm advance commitment" of work, and what that means will depend on each person's circumstances.

If you're not a casual, you could be full-time or part-time.

Sometimes casuals get treated really badly at work - like cutting your shifts late, not paying on time, not paid when you're sick - because your boss controls when and therefore how much you work and get paid.

Some bosses choose to keep people on as a casual so they can take advantage of them.

What do I get as a casual?

- Higher hourly rate
- Flexibility around your availability
- Ability to work multiple jobs (if that's your thing!)

What do I get if I'm full-time or part-time?

- Job security
- Regular hours, regular pay
- At least a week's notice that they don't want you to work there anymore
- Holiday pay
- Sick pay
- Redundancy pay if your employer collapses



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CAN I CHANGE FROM BEING A CASUAL?

Maybe!

If you're not sure, contact your union or the Young Workers Centre and we can chat through your options and what to do.

First up - you can ask your boss if you can switch to permanent work at any time. Your boss can say yes or no.

But if you have worked for 6 months at a large employer or 12 months at a small employer (fewer than 15 employees), and you want to switch to full-time or part-time, your boss has to at least think about it, and talk to you about it.

If you don't think you're really a casual anymore - and your boss is maybe just exploiting you - then you can do something about it.

Everyone's situation will be different, but there are signs that you might not be a casual:

- You work the same shifts every week
- You've worked the same shifts every week for a long time
- There's heaps of work in the same job/role into the future
- You can no longer say no to shifts.

If that's you, then you can send a note to your boss that you want to be part-time or full-time. Make sure it is in writing - write an email or a letter.

Your boss can only say no in certain circumstances, otherwise they have to accept that you want to be permanent.

If they accept, then you'll be told within 21 days and consulted about whether you'll be part-time or full-time, what your hours of work will be, and when the change will start. Happy days!

We always recommend chatting with a union rep or YWC before you sign anything.

Sometimes, your boss will want to keep you as a casual. They might say that you are still a casual, or because there's some management reason not to.

But, before they say a hard no, they have to respond within 21 days, tell you the reasons why, and consult with you about it. So you might still be able to convince them to make you permanent.

If you still can't agree, you can take the case to the Fair Work Commission and ask for a third party to help you and your boss through it. Always get help from your union or the YWC!

Sounds like a lot of effort, can I stay a casual?

It's really not that much, but Yes!

What does my boss have to do if I am a casual?

- Pay you in money! And give you a payslip. Pizza is not pay.
- Pay you the casual loading (usually 25%)
- Give you a minimum number of hours per shift (e.g. for those on the Hospo award, it's 2 hours, 3 hours for fast food award)
- Give you a "Casual Employment Information Sheet" when you start (and again after 6 or 12 months, depending on how big your employer is)

The law also says that your boss can't sack you because you asked to change to permanent. And they can't change your hours or shifts just to avoid having to make you permanent.

If you think that's what's happening - contact your union or YWC ASAP.



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Workers
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