**Checklist: Responding to a Request for Casual Conversion**

**Use this checklist to help determine how you need to respond to a casual conversion request.**

|  |  |
| --- | --- |
| **Please tick each item that applies.** | |
|  | **The employee has been working for the organisation for at least 12 months and 21 days.** |
|  | **The employee has worked a regular pattern of hours on an ongoing basis for at least the last six months.** |
|  | **The employee could continue working their regular pattern of hours as a permanent employee without significant changes.**  *Significant changes could include that their hours of work would need to be significantly increased or decreased for them to become a permanent employee (for example, to meet applicable award requirements). An employer can’t reduce or change an employee’s hours of work, or terminate their employment, to avoid having to offer or grant a request for casual conversion. For example, an employer can’t deliberately change their employee’s roster so that they don’t meet the eligibility requirements*. |
|  | **There are no reasonable grounds to refuse to grant permanent employment to the employee.** |
|  | **In the last six months, the employee hasn’t:**   * **Refused an offer of casual conversion;** * **Made a request for casual conversion that was refused on reasonable grounds; or** * **Been given written notice that they won’t be offered casual conversion due to reasonable grounds.** |

*[Continued over the page]*

|  |  |  |
| --- | --- | --- |
| **Did you tick all the boxes?** | | |
|  | **Yes** — if you ticked all the boxes above, you must grant your employee’s request. Follow the Consultation and Notification Steps below. | **Granting the request**  If you are granting the employee’s request for casual conversion you need to meet with them to discuss their new conditions of employment. This includes:   * Whether they are converting to full-time or part-time employment; * Their hours of work as a permanent employee; and * Their start date as a permanent employee.   It is also a good idea to confirm in the discussions that your employee understands what their pay and conditions will be if they convert. |
|  | **No** — if you did not tick one or more of the boxes above, you can agree to your employee’s request, but you are allowed to refuse. If you are refusing the request, you must meet with the employee and tell them in writing (including the reasons). Follow the Consultation and Notification Steps below. | **Refusing the request**  If you are considering refusing casual conversion, you need to meet with the employee before making the decision to discuss your reasoning.  Remember, you can only refuse the request if the employee is not eligible to make the request, or if you have reasonable grounds to refuse.  If you and your employee disagree (for example, about whether they are eligible or whether any reasonable grounds apply), there are steps you can take to resolve it. |

|  |  |  |
| --- | --- | --- |
| **Consultation and Notification Steps** | | |
|  | **Consult the employee about your decision** | Before you respond to the employee’s request in writing, you must consult with them. |
|  | **Notify the employee of your decision in writing** | After you have consulted with your employee, you must notify them of your decision in writing within 21 days of receiving the request. |
|  | **If you are granting their request for casual conversion, your written response must include confirmation of what you discussed** | This includes:   * The type of employment they are converting to (i.e. full-time or part-time employment); * Their hours of work as a permanent employee; and * Their start date as a permanent employee. You can use the [template letter — granted response to a casual conversion request](https://www.fairwork.gov.au/starting-employment/types-of-employees/casual-employees/becoming-a-permanent-employee) to notify them. |
|  | **If you are refusing their request for casual conversion you written response must include why you’re refusing the request** | Specifically, why they weren’t eligible to make a request, or of the reasonable grounds on which you’re refusing. |