

CASUAL ENTITLEMENTS AND OBLIGATIONS GUIDE

Casual Entitlements and Obligations Guide

[Section 1](#): Applies to all employees;

[Section 2](#): Applies only to casual employees performing Academic work; and

[Section 3](#): Applies only to casual employees performing PASO work.

Introduction

This document provides whole of University guidance for casual employees.

This document must be read and applied in accordance with the University of Melbourne Enterprise Agreement 2024 (EA).

All University employees whose position involves the engagement of casual employees, rostering or requesting casual work to be performed, allocation of work, authorisation for the payment of casual hours and/or the termination of casual employment, have an important role and accountability in ensuring that:

- their actions adhere to the University's legal obligations;
- the casual employee is correctly paid for the hours worked; and
- casual employment is managed with proper care and in accordance with the EA, Operating Rules and this guide.

Please note this document deals with the application of the entitlements outlined in the EA. It does not override or replace the EA but instead provides instruction on how compliance is to be achieved with respect to the matters covered in this guide.

We encourage you to seek advice from Workplace Relations if you have any questions about the application of the EA or the contents of this guide.

Minimum Engagement

You may be entitled to a minimum engagement period depending on the category of work you are required to perform.

For the specific applicable minimum engagement periods, please refer to:

- [section 2, part 14 for casual employees performing Academic work](#); and
- [section 3, part 22 for casual employees performing Professional, Administrative and Support Occupations \(PASO\) work](#).

NOTE: The EA provides a minimum engagement period of one hour where a casual employee works remotely and is not required by the University to attend the physical workplace to perform their work/duties. However, the University will not apply the one hour minimum engagement for remote work until after the new scheduling, time and attendance system has been fully implemented and operationalised across the University.

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Engagement means an aggregate number of hours a casual employee is required to attend the physical workplace on a day where the break between Required Hours (excluding unpaid meal breaks) does not exceed two hours. Where there is a break of more than two hours (excluding unpaid meal breaks) between two periods in which you are rostered to work on a day, the second period will be considered a separate engagement.

Your Supervisor is responsible for scheduling your work to ensure minimum engagement periods are met and reviewing and approving your timecard.

Where you have multiple casual engagements across the University, your Supervisor may combine your Required Hours with other Required Hours scheduled elsewhere in the University to satisfy minimum engagement. However, one important limitation is that PASO and Academic engagements cannot be combined for the purpose of determining minimum engagement.

Casual Loadings

Under the EA, the casual loading you are entitled to receive is based on the type of work you perform and when it is performed (eg on a weekday, weekend or a public holiday).

For the avoidance of doubt, the casual loadings payable under the EA are separate from and are not to be confused with the casual PASO weekday overtime rates (see section 3 part 23 below).

For more information on the applicable casual loadings for the work you perform, please refer to:

- [section 2, part 21 for Academic employees](#); and
- [section 3, part 23 for PASO employees](#)

NOTE: As set out at [section 2, part 21](#), the application of the casual loadings to casual Academic work is conditional upon the full implementation and operationalisation of the University's scheduling, time and attendance system.

Casual Engagement for Continuing and Fixed Term Employees

If you are already engaged on either a continuing or fixed term contract, you must not be concurrently engaged on a separate casual employment contract. This applies to both part-time and full-time continuing and fixed term employment.

Additional hours of work must be addressed through: a variation of the part-time contract hours (up to 36.25 hours), reallocation of work within existing contract hours, applicable overtime (for PASO employees) or an additional hours (supplementary academic work) agreement, not through a separate casual employment contract.

Please speak to your Supervisor if you have any queries or concerns about your employment contract or how you have been engaged.

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SECTION 1: All Employees

1. Employment with the University

Although you may be engaged to perform work at a Divisional/Faculty level from time to time (sometimes with multiple engagements across the University), you have a single employer, being the University, and casual terms and conditions of employment (e.g. minimum engagement, overtime, rates of pay, rostering hours of work etc) will apply to you consistently across the University.

Each period of engagement is for discrete periods of time (e.g. a semester), without promise of continuing and indefinite work. The duration of the period and anticipated number of hours of casual work specified in your offer of casual employment are indicative only and the hours of work during the period of engagement are not guaranteed.

2. Workplace Rights

You are protected by the same workplace rights set out in the *Fair Work Act 2009* (Cth) as any other employee and it is unlawful for adverse action to be taken against you because you have (or have not) exercised your workplace rights (**General Protections**).

So even though casual employees are technically engaged on an hourly basis, it is adverse action to (for example):

- threaten you with cessation of future hours/re-engagement for raising a query/grievance about payment of work; or
- end your casual engagement because of a disclosed medical condition; or
- substantively reduce scheduled hours of work due to you being active in the Union.

For this reason, casual engagement and the allocation of hours must be based on:

- operational requirements; and/or
- performance.

3. Induction, Orientation and Training

It is the responsibility of your Supervisor to appropriately induct, train, develop and supervise you to carry out all duties and expectations of your role effectively and safely.

Induction, orientation and training will include essential information about your employment obligations and rights and other information relevant to how you will be paid for work you are required to perform (including the casuals employment entitlements, such as minimum rates of pay, minimum engagement period, the expectation that casuals record all hours of work per day and instructions on how to record additional hours of work).

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You must complete at minimum the Core Compliance online programs (Appropriate Workplace Behaviour, Health and Safety – Roles and Responsibilities, and Managing Information) every two years, or sooner if and where required. The duration of the Core Compliance online programs may change from time to time.

All induction, orientation, training and development activities you are required to complete is work and you will be paid for the time scheduled to undertake these activities.

NOTE: this type of work is subject to the minimum engagement requirements under the EA.

4. Scheduling/Record Keeping, Timecards and General Payment Information

Scheduling/Record keeping

Your Supervisor is responsible for ensuring accurate records are kept on rostered, scheduled or requested casual hours of work – by date and start/finish time.

When scheduling your hours of work, your Supervisor will advise you that:

- you are required to work, record and will be paid for the hours as scheduled (i.e. as directed); and
- you must obtain prior written authorisation from your Supervisor to perform work in excess of the scheduled hours (save for in unforeseen and urgent circumstances where payment will not be unreasonably withheld).

University email is the recommended method of communication between you and your Supervisor in order to maintain good record keeping practices, particularly where directions are given by your Supervisor to you regarding work.

Please refer to [section 2 part 16](#) for guidance on recording Sessional Lecturing and Sessional Tutoring/Teaching in timecards.

Timecards

When recording your time and attendance, you must ensure adherence to the following:

- hours worked are recorded via the University's timecard system;
- hours entered in timecards accurately align to the type of work performed and the date and time the work was performed as scheduled by your Supervisor;
- manipulating time and attendance entries is not permitted and must not occur. By way of example, you must not average out your hours (such as sessional teaching) across a certain period. Further, you must not accumulate your hours and enter them in bulk at the end of a specified period;

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- hours entered in timecards accurately align to the relevant pay code for the work performed;
- a timecard is submitted within 10 business days of the working days/time being recorded;
- purposely withholding time and attendance beyond the fortnightly cycle and submitting a single aggregated timesheet is not permitted; and
- recording artificially manipulated hours of work to conform to a dollar figure to be paid is not permitted. The hours of work you record for the purposes of time and attendance must be the hours worked and must be recorded on the days the hours are worked and as directed.

Note: Your Supervisor will check the accuracy of your timecards, in accordance with the above points, prior to approval. For example, if your Supervisor schedules you to perform PASO work on a Saturday, but you have selected the PASO rate for Monday to Friday, this will be changed to reflect the rate for working on a Saturday.

5. Managing Casual workload

Your casual employment letter of engagement will outline the ***anticipated hours*** of work for your employment. This is based on an estimated number of hours required to be performed by you across your casual engagement and is therefore indicative only. You should not rely on the anticipated hours as guaranteed hours for the purposes of payment.

Your ***Required Hours*** is the time in which you are required to perform work as scheduled and determined by your Supervisor. You are paid by reference to your Required Hours and **not** your anticipated hours.

You must **not** perform additional hours in excess of the Required Hours without prior written approval, save for in unforeseen and urgent circumstances where payment will not be unreasonably withheld.

If you consider that the Required Hours are insufficient to perform the work, you shall discuss with your Supervisor (or other person delegated to set the Required Hours) the workload and performance expectations set by the University, which might warrant authorisation of additional hours of work in excess of the Required Hours.

If following your discussion with your Supervisor, you still consider the Required Hours are insufficient to perform the work, you may raise your concerns through the Grievance and Dispute Settlement Procedure set out in clause 1.42 of the EA.

6. Access to Facilities and Resources

You will be provided with reasonable access to available facilities and resources commensurate with the work required and with the flexible nature of your employment. This includes (amongst other things authorised by the University) access to:

- on-campus facilities;
- on-campus meeting rooms for student consultation;

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- the University's wi-fi, phone network, and email systems when on campus; and
- library facilities.

7. Breaks

In accordance with the EA, you will not be required to work more than five hours continuously without an unpaid meal break of at least half an hour. Where your Supervisor schedules you to work more than five (5) continuous hours, you will receive a 30 minute unpaid break, which is self-directed and should be taken no later than 4.5 hours into your casual shift. If your Supervisor schedules you to work a full day (i.e., 7.25 hours or more), in addition to the unpaid break above, you will also receive two 10-minute paid rest breaks (to be taken as self-directed, for example one in the morning and one in the afternoon).

You may have multiple engagements in a day across the University. As such, you must advise your Supervisor what hours you have worked throughout the day and across the University, and confirm that you have taken the required breaks.

8. Meeting Attendance

Attendance at meetings required by the University falls under Other Casual Academic Activities which you will be paid for at the Level A.6 (where you have a doctoral qualification) or Level A.2 (where you do not have a doctoral qualification) hourly rate plus applicable casual loading.

Your Supervisor will also consider and verify your minimum engagement entitlement when requesting you to attend a meeting and ensure that either:

- the meeting is scheduled around other work activities to satisfy minimum engagement requirements; or
- your attendance is recorded for payment includes times at the meeting (which is not covered by the derived Sessional Lecturing or Sessional Tutoring/Teaching rates) plus any applicable minimum engagement top up.

9. Casual Working Hours | Weekly Hours

When scheduling casual hours of work, your Supervisor will ensure that your total hours of work (in all categories of work) across the University and across the week do not unreasonably exceed 38 hours. You have the right to refuse to work unreasonable additional hours in excess of 38 hours under the provisions of the *Fair Work Act 2009* (Cth).

10. Casual Working Hours | Travel Time

You will not be paid for time spent commuting to and from your usual location of work.

Where your Supervisor requires you to travel to another location to perform work (e.g. mobile medical demonstrating, field trips, and the like), you may be directed to attend your usual work location at commencement of your casual shift. From there, the University may arrange transport (which may

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include the use of your own vehicle) to take you to the external location and from the external location back to your usual location of work.

Where you are directed to commence work at a different location without attending your usual place of work first, you will not be paid for the time spent travelling to the location, but will be paid for time spent travelling to other locations during your engagement.

All hours away from your usual location of work (except where you are directed to commence work at a different location without attending your usual place of work first) are paid as casual hours inclusive of applicable minimum engagement and time in transit, but excluding an unpaid meal break (if applicable).

11. Casual Working Hours | Field Trips

The same supervisory and Occupational Health and Safety obligations exist on a field trip as in the workplace. You will only be directed by your Supervisor to perform duties commensurate with the category of work you have been engaged to perform.

Your Supervisor will state your scheduled hours of work on the field trip ahead of the trip and there will be precision about the category of work you are being engaged to perform.

Reminder: while attending a field trip you must only:

- a) perform work during the hours your Supervisor has scheduled and you have agreed to work (including within the paid minimum engagement); and
- b) record time and attendance for the performance of work as scheduled/directed.

12. Agreed Rates

The EA sets out the minimum rates of pay for categories of work performed by a casual employee. On occasion your Supervisor may offer casual employment to you at a higher hourly rate of pay than the rate published in the EA for the classification of work required to be performed.

For casual academic work, in addition to academic non-sessional activities being Content Development, Research Activities and Other Casual Academic Activities (**Academic Non-Sessional Activities**), a Supervisor may also offer an agreed rate in the form of a higher derived rate compared to the applicable rate published in the EA for the delivery of Sessional Lecturing and Sessional Tutoring/Teaching.

On all such occasions it is necessary to document and provide details on the higher agreed rate in the casual employment letter of engagement, including:

- a) the substantive classification/category of work to be performed as set out in the EA;
- b) the rate of pay set out in the EA for the classification/category of work to be performed;

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- c) the higher agreed rate; and
- d) other information/evidence in support of how you are better off overall with the payment of agreed base rate in comparison to the applicable EA base rate.

Note: The agreed rates will be applied to the actual hours required to be worked. You must not manipulate hours to derive a particular amount and agreed rates must not be offered to you in a lump sum amount.

13. Dispute Resolution

If you have any concerns and/or grievances, you are expected to address them in same manner as those for any other employee. In particular you and your Supervisor are obliged through the Grievance and Dispute Settlement Procedure at clause 1.42 of the EA to genuinely attempt to resolve a grievance.

Section 2: Academic Employees

14. Minimum Engagement

Sessional Lecturing and Sessional Tutoring/Teaching

There is no minimum engagement period for Academic Sessional Activities described in the EA as either:

- Sessional Lecturing;
- Sessional Tutoring/Teaching;
- Sessional Marking and Assessment; and
- Preparation and Associated Work arising from the delivery of sessional work (ie Sessional Lecturing and Sessional Tutoring/Teaching).

Academic Non-Sessional Activities

Where your Supervisor schedules you to perform Academic Non-Sessional Activities (ie Content Development, Research Activities and Other Casual Academic Activities) and you are required to attend the physical workplace, you will be engaged:

- for a minimum aggregate period of two hours per day as per clause 4.4.2.2 of the EA;
- at a rate of pay commensurate with the type of work to be performed.

Although Academic Sessional Activities do not require minimum engagement, your Supervisor may schedule Academic Non-Sessional Activities immediately prior to, or after, a scheduled sessional teaching activity to satisfy the minimum engagement requirement.

Examples of Academic Non-Sessional Activities include (but are not limited to):

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- providing support to individual researchers or research teams who are collecting, analysing and reporting research data and findings;
- additional consultation with students (where this is scheduled by the University, noting the derived rates for Sessional Lecturing and Sessional Tutoring/Teaching contemplate non-scheduled student consultation arising on the day of delivery); and
- attendance at lectures as required by the University.

For a full list of Academic Non-Sessional Activities, please refer to clauses 4.5.7, 4.5.8 and 4.5.9 of the EA.

Where an Academic Non-Sessional Activity has a duration of less than two hours and cannot be scheduled adjacent to another activity, your Supervisor may assign you other work to make up the two-hour minimum engagement.

15. Delivery of Sessional Lecturing and Sessional Tutoring/Teaching | Initials and Repeats

The EA sets out at clauses 4.5.3.5 and 4.5.4.4 the respective definitions of repeat lectures and repeat tutorials.

You must not record in your timecard and will not be paid the "repeat" Sessional Lecturing or Sessional Tutoring/Teaching rate without having delivered an initial lecture or tutorial/teaching in:

- substantially the same lecture or the same content;
- the same subject; and
- the same semester or term.

You must not select in your timecards the initial or repeat Sessional Lecturing or Sessional Tutoring/Teaching rates based on an assessment of the preparation time, or because you have "taught the subject before" (e.g. in an earlier semester).

Where subjects are taught in intensive mode, the correct initial or repeat Sessional Lecturing or Sessional Tutoring/Teaching rates need to be selected based on the nature of the work being performed. By way of example, if the content of an intensive subject is all new, then all delivery hours must be recorded at the initial Sessional Lecturing or Sessional Tutoring/Teaching rate. That is, the second and subsequent hours cannot be paid at "repeat" if they are covering the delivery of new content.

16. Recording Sessional Lecturing, Tutoring/Teaching

Sessional Lecturing and Tutoring/Teaching must be recorded in timecards based on actual hours of delivery. For example, the delivery of a 1.5 hour lecture should be recorded as 1.5 hours at the derived initial or repeat Sessional Lecturing rate.

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Where your Supervisor schedules you to carry out Sessional Lecturing or Sessional Tutoring/Teaching, you must record the **hours of delivery** for the Sessional Lecture or Sessional Tutorial/Teaching. You are not required to record the hours of Preparation and Associated Work (as defined in clause 4.5.5 of the EA).

You will be paid the relevant derived rate which is a loaded rate to compensate for the delivery of the Sessional Tutoring/Teaching or Sessional Lecture and Preparation and Associated Work, being duties directly associated with the preparation of, and administration arising from the delivery of sessional work (this includes non-scheduled student consultation arising on the day of delivery).

The performance of self-directed Preparation and Associated Work that is part of the derived Sessional Lecturing or Sessional Tutoring/Teaching rates is at your discretion.

17. Sessional Tutoring/Teaching Guidelines

Sessional Tutoring/Teaching should be conducted in accordance with guidelines issued by the “lecturer in charge” (typically the Subject Coordinator and/or Supervisor). These guidelines should be issued to tutors and include detailed plans for the delivery of each tutorial, assessment rubrics and/or model answers for assessment pieces, seeking to ensure consistency across tutorials and equitable outcomes for students.

Tutorial guidelines should set out what is expected of tutors in each tutorial throughout the subject.

18. Lecture Attendance

Attendance at lectures as required by the University falls under Other Casual Academic Activity which you will be paid for at the Level A.6 (where you have a doctoral qualification) or Level A.2 (where you do not have a doctoral qualification) hourly rate plus applicable casual loading.

Your Supervisor may require you to attend one or more lectures, where this is the case, you will be paid as outlined above. However, you will only be paid to attendance at lectures where you are required and scheduled by your Supervisor to do so.

The direction to attend or not attend a lecture must be clearly stated by the lecturer in charge (or subject coordinator) via University email.

It is important to note the following:

- Attendance at lectures as required and directed by your Supervisor is work for which you will be paid and is subject to the two hour minimum engagement for Other Casual Academic Activities.
- Attendance at lectures is separate from Preparation and Associated Work that is directly associated with the preparing of, and administration arising from, the delivery of Sessional Lecturing and Sessional Tutoring/Teaching.
- If you choose to attend a lecture as a part of the self-directed Preparation and Associated Work for Sessional Lecturing or Sessional Tutoring/Teaching (i.e. not directed by the University), then this is compensated by the derived sessional teaching rates and is not separately paid for.

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19. Marking

The Supervising Lecturer for your subject will set the performance standards for Marking and/or Assessment as set out in the subject or course and by relying on the relevant Faculty rubric.

Your supervisor is not required to schedule separate Required Hours for Marking/Assessment activities where this work can reasonably be undertaken during the delivery of a Sessional Lecturing or Tutoring/Teaching activity.

Where your Supervisor schedules you to perform marking, you will be advised whether the Marking or Assessment is Standard Marking/Assessment or Advanced Marking/Assessment and you will be paid for the Required Hours worked.

You must not perform Marking and/or Assessment work where the hours have not been authorised. If you have not completed the required work within the hours scheduled by your Supervisor, you must raise this with your Supervisor. Your Supervisor may then authorise in writing extra hours to be scheduled to facilitate the completion of the Marking and/or Assessment work, or assign the work to another University employee for completion. This will be communicated to you when the work is scheduled.

There is an expectation that the marking work will be performed by you on the day and hours scheduled by your Supervisor – unless otherwise authorised in writing by your Supervisor.

Performance measures such as (but not limited to) marking rubrics will not be used in any way (directly, indirectly, or passively) to determine the payment of casual marking work.

Performance expectations are set for marking so that you have a clear understanding of what is expected of you and to ensure that you are producing similar marking outputs. Your Supervisor will provide clear guidelines and any appropriate training required on how to assess and mark students' work (inclusive of rubrics) and performance expectations are there to inform supervisory/coaching discussions between you and your Supervisor. Your Supervisor will actively monitor and manage your performance.

20. Scheduling Student Consultation

Where your Supervisor schedules you to perform student consultation on a particular day and time, this is Other Casual Academic Activity. You will be paid for the time worked at an appropriate hourly rate contemplated at clause 4.5.9.3 of the EA (typically the A.2 rate and with the two-hour minimum engagement period applied, as it is non-sessional activity).

Your Supervisor may authorise extra hours to be scheduled to facilitate student consultation where the demand for student consultation reasonably exceeds the consultation contemplated in the self-directed associated work. This will be communicated in writing by your Supervisor to you when the work is scheduled.

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Your Supervisor should also take steps to minimise the number of individual queries arising from students by providing answers to Frequently Asked Questions to all students through the Learning Management System (LMS).

21. Casual Loadings

The following casual loadings apply to casual Academic employees:

- For Academic Non-Sessional Activities (being Content Development, Research Activities and Other Casual Academic Activities) required to be performed Monday to Friday – **25%**.
- For casual Academic employees engaged by the Faculty of Fine Arts and Music to undertake live performances on a Saturday – **25%**.

For Academic Non-Sessional Activities performed on weekends and public holidays, these hours do not *currently* attract casual loadings contemplated by clause 4.2.6.2 to 4.2.6.4 of the EA. The application of these loadings is conditional upon the full operationalisation and implementation of the University's new scheduling, time and attendance system.

Academic Sessional Activities being Academic Sessional Lecturing, Sessional Tutoring/Teaching, Preparation and Associated Work (within the meaning of clause 4.5.5) and Sessional Marking/Assessment do not attract additional loadings.

Section 3: PASO Employees

22. Minimum Engagement

For all PASO work scheduled by your Supervisor, you will be engaged for a minimum period of three hours, with the exception of if you are engaged in the occupation of gym or fitness instructors, where you may be engaged for a minimum period of one hour, and staff supporting students with a disability, where you may be engaged for a minimum period of two hours.

23. Casual Loadings

The following casual loadings apply to casual employees performing PASO work:

- For work required to be performed on Monday to Friday – **25%**.
- For casual employees engaged by the Faculty of Fine Arts and Music to perform PASO work at live performances on a Saturday (**Saturday Live Performances**) – **25%**.
- Except for Saturday Live Performances (as above), for work required to be performed:
 - before 12 noon on a Saturday (or the first three hours on a Saturday, whichever comes first) – **50%**

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- after 12 noon on Saturday (or after the three hours, whichever comes first) – **100%**.
- For work performed on Sunday or a public holiday – **100%**.
- For work performed by Trades and Services Casual Employees on a public holiday – **150%**.

24. Overtime

Where your Supervisor schedules or directs you to perform PASO work in excess of 36.25 hours in a week (Monday – Friday) or on a weekend or a National Employment Standards (**NES**) public holiday, then you will be paid at the relevant overtime rates set out in the EA (see clauses 4.6.1 and 3.18).

You may not accrue and take time off in lieu of casual overtime.

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