Utilisation of Casuals, Labour Hire and Fixed Term Contracts

Casuals, Labour Hire and Fixed Term Contracts in NSW Local Government

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Casuals, Labour Hire and Fixed Term Contracts

Framework

- *Local Government State Award 2017*
  - On-going employment (35/38 hours or part time)
  - Casual employment
  - Term contracts
  - Labour hire
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Framework

• *Local Government Act 1993* (NSW)
  ➢ Organisation structure: s332
  
  ➢ Advertising and merit selection: ss348 and 349
  
  ➢ Temporary appointment: s351
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Union concerns with organisation structures and employment of staff:

• Joint union correspondence February 2019
• Concerns
• Request for information
• response
Casual Employment: cl 26

- Shall not replace an employee on a permanent basis
- Shall not be offered to work overtime in a position held by a permanent employee if that employee is available.
Casual Employment: cl 26

• Secure employment:
  ➢ Federal
  ➢ NSW
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Term contracts: cl 34

Must be supported by one of the 9 situations in cl 34:

- Specific task or project;
- Externally funded position;
- Fill a vacant position pending permanent recruitment;
- Temporarily replace an employee on approved leave, secondment, workers comp, acting, or working under flexible work and leave arrangements.
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- Apprenticeship, traineeship or work experience program in conjunction with an education institution;
- Trial a new work area;
- Work in a vacant position between definite decision to introduce major change and implementation of the changes;
- Time limitations imposed by law or sought by the employee;
- To perform seasonal work
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Term contracts: cl 34

- Advertising and merit selection?
- Renewal/extension?
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Labour Hire: cl 28

- Labour hire business (LHB) definition
- Employee of LHB shall not replace an employee on a permanent basis
- Does not apply to employment of apprentices and/or trainees by a group training business