



# OPEN EMPLOYMENT

## CASUAL AND PERMANENT EMPLOYMENT

In open employment, people with and without disability work together in the same workplace.

It is the regular job market where people:

- apply for jobs
- set up their own business to earn money

Open employment wages are paid at an Award Rate. To check award rates visit [calculate.fairwork.gov.au/findyouraward](https://calculate.fairwork.gov.au/findyouraward)

Open employment can also help you be more independent. Being more independent means doing more things for yourself. You do not have to work full-time to achieve this, even working just a few hours a week in open employment can give you great results.

## CASUAL EMPLOYMENT

A person is a casual employee if they accept an offer for a job from an employer knowing that there is no firm advance commitment to ongoing work with an agreed pattern of work.

Specifically, under the Fair Work Act, a person is a casual employee if:

- the offer does not include a firm advance commitment that the work will continue indefinitely with an agreed pattern of work
- they accept the offer knowing that there is no firm advance commitment and become an employee

For example, if an employee is employed as casual, their roster may change each week to suit their employer's needs. Casual employees are also paid a casual loading – a specific pay rate for being a casual employee.



### FOR MORE INFO ON OPEN EMPLOYMENT

Visit [everyonecanwork.org.au/thinking-about-work/what-is-open-employment](https://everyonecanwork.org.au/thinking-about-work/what-is-open-employment)

## Casual Conversion

Casual employees who have worked for the same employer for 12 months may be eligible to convert to full-time or part-time (permanent) employment. Some eligibility requirements include;

- being employed by the same employer for 12 months
- having worked a regular pattern of hours on an ongoing basis for at least the last six months
- ability to continue working these hours as a full-time or part-time employee without significant changes
- employer is not casual conversion exempt – for example some small businesses may be exempt

The hours an employee has worked on a regular basis over the previous six months will determine if an employer offers full-time conversion or part-time conversion.

To accept, employees need to respond to their employer in writing within 21 days.



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### PERMANENT EMPLOYMENT

By contrast, permanent employment involves working regular hours, on an ongoing basis. Regular hours are given each week. Permanent employees are also entitled to annual leave and personal leave. Permanent employees must provide notice to cease employment.

#### Full-time and part-time:

A full-time employee will work full-time hours each week, most commonly 38 hours a week (may vary depending on the industry or individual agreements). While a part-time employee will work a set number of hours each week totalling less than a full-time employee.

#### Fixed term:

Fixed term contract employees are employed for a specific period of time. For example, a six-month contract where employment ends after six months. Fixed term employees are different to permanent employees who are employed on an ongoing basis until the employer or employee ends the employment relationship.

Fixed term contract employees are generally full-time or part-time employees. Full-time or part-time fixed term employees are generally entitled to the same wages, penalties and leave as permanent employees. An award or registered agreement may provide extra terms and conditions for a fixed term employee.



**FOR MORE INFORMATION ABOUT  
EMPLOYMENT CONTRACTS, INCLUDING  
CHANGES TO AN EMPLOYEE'S HOURS**

visit [fairwork.gov.au](http://fairwork.gov.au)

#### Changing from full-time to part-time or casual employment:

An employee and an employer can agree to end an employee's full-time position and change to part-time or casual employment if mutually beneficial.

An employer may also be able to change an employee's full-time employment to part-time or casual employment without agreement from the employee if;

- the current notice period is provided to employee
- any leave and any other entitlements owed are paid to employee

An employer can't change or end an employee's employment:

- for a discriminatory reason
- because the employee has exercised a workplace right
- for any other reason protected by law

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or visit [feroscare.com.au/ndis](http://feroscare.com.au/ndis)**



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