

## Casual Professional Minimum Engagement Information Sheet

### Purpose

The purpose of this information sheet is to:

- provide guidance on the minimum engagement rules for casual professional staff, as amended by the [University of Adelaide Enterprise Agreement 2023 – 2025](#) (Enterprise Agreement).
- provide advice to managers on how to manage staff who fail to follow a reasonable direction to work a consecutive minimum of three (3) hours per attendance.

### Q1. What has changed in the Enterprise Agreement?

The University has provided several undertakings to the Fair Work Commission as part of the approval of the new Enterprise Agreement. One of these undertakings requires the University to employ casual professional staff for a minimum of three (3) hours per attendance, unless the staff member is a student or employed elsewhere and on campus for three (3) hours on the same day.

Unless the staff member is a student or employed elsewhere on campus, they will always be paid as if they were employed for at least three (3) hours for each attendance. This includes the payment of penalties under clause 3.11.3 of the Enterprise Agreement.

**Please note:** While the wording of clause 3.11.3.4 of the Enterprise Agreement refers to staff being able to mutually agree to an attendance of less than three (3) hours, due to the undertakings provided by the University, this is no longer the case. Please refer to the undertaking at the back of the Enterprise Agreement for the revised clause wording.

### Q2. Do the three (3) hours have to be worked back-to-back?

Yes, for the purposes of clause 3.11.3.4 of the Enterprise Agreement, each “attendance” is required to be at least three consecutive (3) hours. Casual staff can take an unpaid meal break of up to one (1) hour within a single attendance without this creating a separate attendance.

**Example** if a staff member performs three (3) hours of work from 9am – 12pm, then after an unpaid break of an hour performs another hour of work from 1pm – 2pm, the second period of work will not be considered a separate attendance and the staff member will simply be paid for the hours they actually worked (i.e. four (4) hours for the day).

Day	Start	Break start	Break finish	Finish	Hrs worked	Hrs paid	Attendance
Mon	9:00am	12:00pm	1:00pm	2:00pm	4hrs	4hrs	1 attendance
Tue	9:00am	11:00am	12:15pm	1:15pm	3hrs	6hrs	2 attendances
Wed	9:00am	10:30am	12:00pm	1:30pm	3hrs	6hrs	2 attendances

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### Q3. Does this rule apply to all professional staff, including students?

No, there are different minimum engagement rules that apply to students and staff who are employed elsewhere and already on campus.

A summary of all the casual professional minimum engagement provisions is set out below:

Category	Minimum Engagement	Notes
1 Casual professional staff	Three (3) hours per attendance, unless category 2 or 3 applies.	Each separate attendance attracts a minimum engagement of three (3) hours; therefore, more than one minimum engagement period may apply in a single day.  Casual staff can take an unpaid break of up to one (1) hour within a single attendance without this creating a separate attendance.
2 Casual professional staff who are students  Provided that:  a) They are on campus (either as a student or working elsewhere for the University); <b>and</b>  b) The total period of time on campus is three (3) hours over the day	One (1) hour per day	If the student is <b>not</b> present on campus for at least three (3) hours on the day, they are subject to the same engagement rules that apply to casual professional staff under Category 1.  Time on campus includes time as a student as well as time working elsewhere for the University.  Time as a student includes any activities connected to being a student which may include (but is not limited to) attending lectures, tutorials, seminars and research.
3 Casual professional staff who are working elsewhere on the day  Provided that:  a) They are on campus performing work; <b>and</b>  b) The total period performing work on campus is three (3) hours over the day	One (1) hour per day	If the staff member is not present on campus for at least 3 hours in a day, then they are subject to the same minimum engagement rules that apply to casual professional staff under Category 1.

### Q4. What qualifies as being “present on campus”?

In assessing whether a staff member has been “present on campus” as a student and therefore can be engaged for one (1) hour, activities they undertake as a student are considered. These may include attending lectures, attending tutorials, seminars and research.

The total aggregated time working for the University on the day is also taken into account and can include work performed multiple contracts of employment with the University.

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### Q5. How can supervisors schedule work to ensure casual professional staff are performing their work in three (3) hour blocks?

In order to satisfy the three (3) hour engagement requirement, supervisors and managers should direct or schedule casual professional staff to perform work in at minimum blocks of three (3) hours.

This direction may be given in a signed agreement with the staff member or by way of other written instruction (an email to the staff member will be sufficient).

If the work is intermittent, then consideration should be given to whether the staff member can be scheduled for a single block of time even if there will be some downtime over the scheduled period.

**Example:** if a casual is required to perform one (1) hour of work from 9am - 10am, then another one (1) hour from 12pm – 1pm, this can be scheduled as a single attendance from 9am -1pm. The staff member may take a 60 min break within that time without creating a separate attendance. In this example, the staff member would be paid a single three (3) hour attendance rather than two (2) separate attendances.

### Q6. If a casual professional staff member has been directed to work in a block of three (3) hours but has claimed multiple attendances, do they still get paid the minimum engagement for each attendance?

Yes, the staff member will get paid for three (3) hours for each attendance. The University must comply with the terms and conditions contained in the Enterprise Agreement, even where a staff member fails to follow a reasonable lawful direction.

If a staff member has not complied with a reasonable lawful direction and performed work contrary to a specific direction, their supervisor or manager may engage in informal counselling or issue a formal written direction to reinforce expectations. Similarly, future additional supervision, reporting or monitoring may also be considered.

**As a general rule, work must be performed when and where the University requests and schedules the work be performed – not a time determined by, or convenient to, the staff member.**

Failure to follow a reasonable direction to perform work in a particular manner is a serious matter, and in certain circumstances a failure to follow such a direction may provide grounds for employment to be terminated in accordance with clause 3.11.1.2 of the University's Enterprise Agreement.

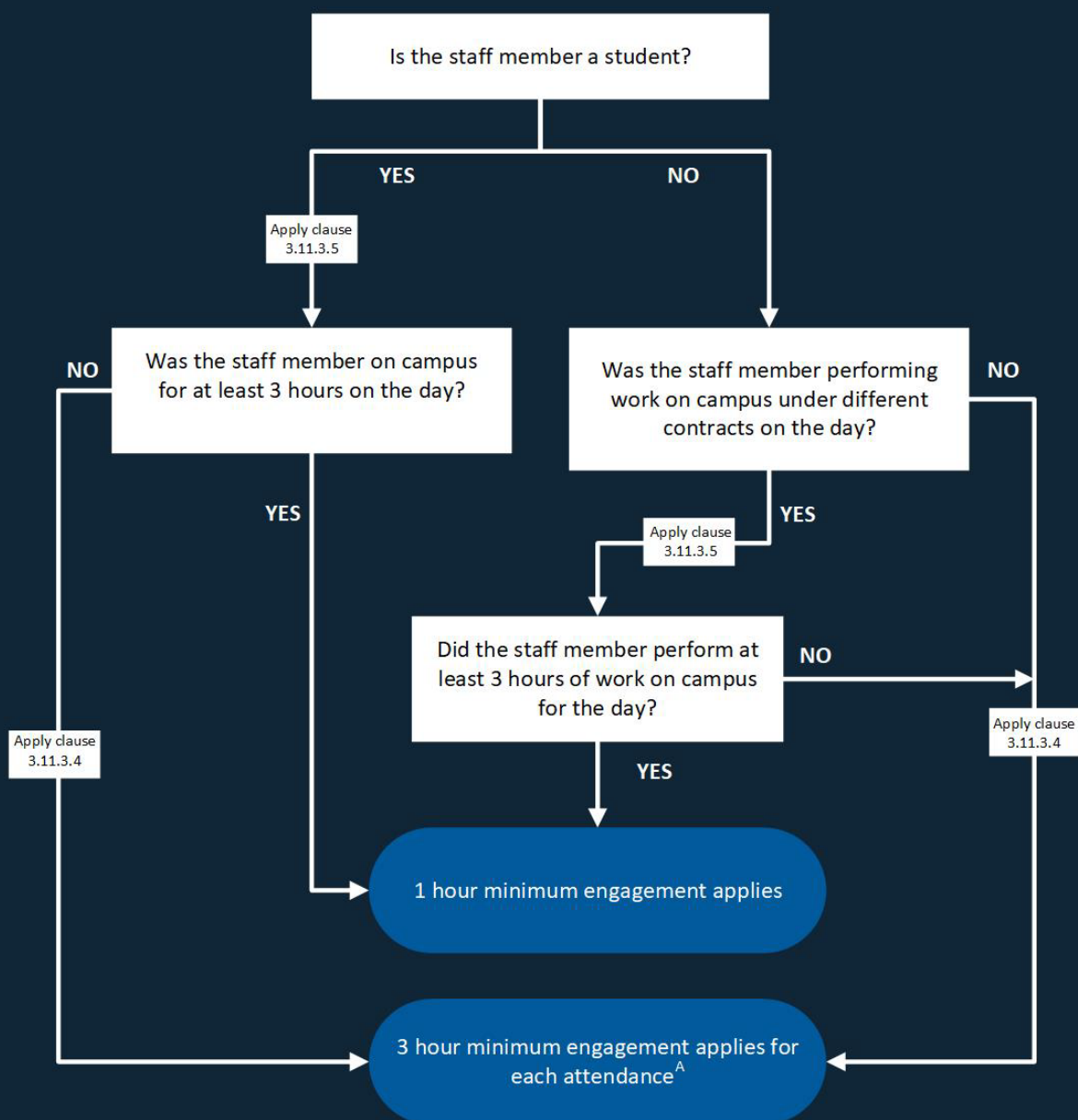
Supervisors and managers should contact their local [HR Advisor](#) if they require advice on casual professional staff generally, or have specific concerns about the way a casual staff member is performing their work.

### Q7. How will this affect the work hours limit for student visa holders?

If a staff member is a student Visa holder, they may have a limit on the number of hours they can work under the terms of their Visa. It is important to be aware that if additional hours are paid as a result of these minimum engagement rules, the additional hours will count toward this limit. For example, if a staff member works 10 hours in a week, and receives an extra 2 hours of pay as a result of the rules around minimum engagement, this will count as 12 hours work for the purpose of the terms of their Visa

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## Casual Professional Minimum Engagement Decision Tree



[A] Casual staff may be provided with an unpaid meal break of up to 1 hour within a single attendance without this creating a separate attendance.

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