

FWC - long term CASUAL WORK unhealthy

July 2017

The Fair Work Commission [FWC] has handed down a decision that will allow casual employees who have had regular hours for 12 months to request conversion to permanency. The decision applies to a broad range of Awards.

Back in 2000 the AMWU won members the right to request for conversion to permanency after 6 months. [eg Manufacturing Award 2010, clause 14 casual employment; Graphic Arts Award 2010, clause 12.5]. The AMWU's long-term advocacy and campaigning has set a new standard for casual work in other industries.

The AMWU also submitted a claim to the Commission for *automatic* conversion to permanent work for all casual workers after 6 months. Unfortunately, this was not granted.

Reasons for our claim:

Casual workers are paid a loading which is meant to compensate for the lack of access to provisions in the National Employment Standards such as request for flexible hours, annual leave, public holidays, and notice of termination. Half of casuals in manufacturing are employed by the same employer for more than a year and one in four for more than 5 years. So for many, long term casual employment, without access to some basic entitlements, is the norm. That's what the AMWU was trying to fix.

But, the FWC did concede that for many reasons, long term casual work is unhealthy - see para 7¹ of the summary decision.

Para. 7:..... These include **attending work while sick**, not taking recreational leave because of concerns about whether any absence from work will endanger future employment, the incapacity to properly balance work and attending to personal and caring responsibilities and commitments, changes in working hours without notice, and potential for the sudden loss of what had been regular work without any proper notice or adjustment payment. Additionally there are other detriments associated with casual employment of this nature, including the lack of a career path, **diminished access to training and workplace participation, poorer health and safety outcomes** and the inability to obtain loans from financial institutions.

¹ https://www.fwc.gov.au/documents/decision_summaries/2017fwcfb3541-summary.pdf

And the full decision – some 368 pages

<https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/2017fwcfb3541.pdf>

