



Can I go from being a casual worker to a permanent worker?

If you want to go from being a casual employee to being a full time or part time worker this is called casual conversion.

Your boss is required to offer you casual conversion if:

- You've been working there for at least 12 months
- For the past 6 months, you've been working a regular schedule of hours and
- You can keep working those hours without any big changes if you become a full-time or part-time worker.

However, if your boss is a 'small business employer' with less than 15 employees (not including casual workers, unless they work regular hours), they are not required to offer you casual conversion. You can still ask to have this conversation after you've worked for 12 months, but your boss won't have to say yes if it's a small business.

If you're eligible for casual conversion, your boss must offer it to you within 21 days of your 12-month work anniversary. If they don't, they have to explain why in writing.

If you decline their offer, you can ask again every 6 months. If you work for a small business and ask for casual conversion, your employer has 21 days to respond in writing. If they do not offer you a permanent position they must tell you why not. Reasons for this may include:

- Your position won't exist
- Your hours of work will significantly reduce or
- Your days or times of work will significantly change, and that can't be accommodated within your available days or times for work.

If your employer refuses to offer you casual conversion after you've asked for it, you can dispute this with the [Fair Work Commission](#) if you think their refusal is not justified.

If you are a part of a union, you can ask your union representative for advice on next steps and they may be able to give you help to deal with the issue.

If you are not part of a union, you can also contact organisations such as [YFS Legal](#) and [Youth Law Australia](#) for confidential legal advice before going to the Fair Work Commission.

If you're offered a permanent full-time or part-time job, you must reply within 21 days. If you don't, your boss might think you declined.

Once you accept, your boss should talk to you about whether you'll be full-time or part-time, your new hours, and when you'll start. They need to confirm this in writing within 21 days of your acceptance.

Your boss can't cut your hours or fire you to avoid accepting casual conversion.

If you have a disagreement with your boss about this, you can get help from the Fair Work Commission.

WHERE TO GET HELP



YFS LEGAL

Phone: (07) 3826 1599

Email: legal@yfs.org.au

Website: yfs.org.au/working-and-the-law

This Centre is accredited by



Community Legal Centres Australia

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- It is not intended to give individual legal advice.
- Each person should seek independent legal advice relating to their special circumstances.
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COMMUNITY LEGAL CENTRE

YFS Legal acknowledges Aboriginal and Torres Strait Islander people as Australia's first peoples and the traditional owners and custodians of the land on which we meet and work.

