



## Casual employment in nursing, midwifery and care work

The Australian Nursing and Midwifery Federation (ANMF) recognises that many nurses, midwives and assistants in nursing\* are engaged in casual employment.

Generally, a casual employee does not have a firm commitment in advance from an employer about how long they will be employed for, or the days (or hours) they will work. A casual employee also does not commit to all work an employer might offer.

A casual employee:

- has no guaranteed hours of work
- usually works irregular hours
- doesn't get paid personal or annual leave
- can end employment without notice, unless notice is required by a registered agreement, award or employment contract.<sup>1</sup>

Casual employment has financial, social and industrial implications, such as:

- a) casual loadings not fully compensating for loss of conditions such as paid annual leave and personal leave
- b) loss of career opportunities;
- c) lack of job security;
- d) reduced access to continuing education provided in the workplace;
- e) limited ability to secure finance due to uncertain earnings;
- f) inability to properly plan individual caring, family and community activities; and
- g) a negative effect on retirement benefits for example, superannuation.

### **It is the position of the Australian Nursing and Midwifery Federation that:**

1. Casual employment of nurses, midwives and assistants in nursing must only be used for temporary employment situations or in exceptional circumstances.
2. The use of casual employees must not undermine:
  - a) the continuity of quality care;
  - b) the knowledge and skill base of employees providing care to patients/clients/residents;
  - c) the time available for patient/client/resident care by permanent staff orientating or assisting casual employees;
  - d) the employer's duty to provide an environment in which employees can deliver safe care; or
  - e) permanent employment opportunities.

\*The term assistant in nursing also refers to care workers (however titled)



3. The number of employees employed on a casual basis must be limited to the level required to meet temporary or exceptional circumstances which cannot be met by the level of permanent staff. For example, casual employees can be engaged for such things as covering short-term leave, 'specialling' a patient/client/resident or in circumstances of exceptional demand on health or aged care services.
4. 'Banks' or 'pools' of nurses, midwives and assistants in nursing whose qualifications and competence are known, and who are familiar with the policies and environment of the health or aged care service should be developed and used as the initial response to unexpected shortages. Preference should be given to establishing a relief pool that provides ongoing employment on a permanent bases.
5. Casual nurses, midwives and assistants in nursing should be properly compensated for the loss of employment security and paid annual, personal and compassionate leave entitlements. Casual employees should have access to all other entitlements including shift allowances, penalties and overtime in conjunction with the casual loading and leave where applicable.
6. Casual employees must receive an orientation to the workplace prior to the commencement of clinical responsibilities.
7. Casual employees should have access to and the same professional development opportunities provided to permanent employees.
8. The cost of casual labour should be set sufficiently high in all enterprise agreements to properly remunerate genuine casual workers in recognition of their irregular hours, lack of paid leave entitlements and the insecure nature of their work.
9. Casual employees who perform regular casual work, including working a regular pattern of hours on an ongoing basis should be offered permanent employment and given priority for ongoing work.
10. Employers should provide incentives for employees to access and remain in permanent employment, including policies regarding:
  - a) flexibility of rosters and leave,
  - b) job-sharing;
  - c) career advancement; and
  - d) permanent part-time employment.
11. When engaging casual employees, employers should preference established 'banks' or 'pools' of experienced nurses, midwives and assistants in nursing before sourcing staff from external employment agencies. Employers should ensure casual employees engaged through employment agencies are provided with appropriate insurance, training and vetting for suitability of employment. Employers should source casual employees from reputable employment agencies that do not deduct or charge unreasonable placement fees on casual employees.



*Endorsed September 1994*  
*Reviewed and re-endorsed December 2000*  
*Reviewed and re-endorsed December 2004*  
*Reviewed and re-endorsed May 2007*  
*Reviewed and re-endorsed May 2010*  
*Reviewed and re-endorsed November 2013*  
*Reviewed and re-endorsed August 2016*  
*Reviewed and re-endorsed November 2019*

#### Reference

1. Based on <https://www.fairwork.gov.au/employee-entitlements/types-of-employees/casual-part-time-and-full-time/casual-employees>