

CHANGES IMPACTING CASUAL EMPLOYEES: CLOSING LOOPHOLES BILL 2023

06 May 2024

To: ALL AADA MEMBERS

On 26 August 2024, some of the amendments made to workplace relations laws under the *Fair Work Legislation Amendment (Closing Loopholes No. 2) Act 2024* come into effect.

Key amendments that may be relevant for dealers are related to casual workers.

- New Definition of Casual

From 26 August 2024, an employee will be a casual employee only if the employment relationship is characterised by an “absence of a firm advance commitment to continuing and indefinite work” having regard to key factors outlined in the below guidance material.

Every 6 months (12 months in a small business) a casual employee will be able to self-assess their employment relationship by virtue of the above criteria and choose to, if they believe they no longer fit within the definition of casual, notify their employer of a conversion request.

- New Conversion Stream

The new right to request conversion completely replaces the previous conversion streams including the requirement for employers to offer casual employees conversion to full-time or part-time at 12 months.

Employees, if they believe they no longer meet the definition of casual above can request conversion under this new right if they meet the criteria outlined in the below guidance material.

Employers must respond within 21 days alerting their employee to their acceptance or refusal of the conversion.

- Casual Employment Information Statement Requirements

To ensure employees are reminded of their rights and ability to change to permanent work, employers will also be required to provide the Casual Employment Information Statement to casual employees:

- for small business employers – after 12 months of employment,
- for other employers – after six and 12 months of employment, and then after every 12 months of employment.

The AADA has provided the below guidance material to assist members.

You can also view the Government's fact sheet of these amendments [here](#).

The information provided in this Bulletin is general and is intended to assist employers in understanding these changes.

The AADA encourages members to seek their own specialist advice regarding these changes.

If you have any questions or need further information, please contact:

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