



Casual employees or hidden liabilities?

Presenter: Carla Vinciullo
Date: Tuesday, 13 November 2018
Time: 8:00am – 10.00am
Venue: IPA Training Centre
Level 4, 1008 Hay Street, Perth 6000
Fee: **Member** \$170 Early Bird / \$190 Regular
Non Member \$200 Early Bird / \$220 Regular
Early bird registration ends 6 November
Includes: Tuition, notes & breakfast
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Introduction

Many businesses consider casual employees a flexible and low risk option. The cost-benefit analysis most business owners run tends to go like this (in summary):

“In exchange for the higher hourly rate, I don’t need to pay annual leave and sick leave, and they cannot claim unfair dismissal...” (or something to that effect).

In August the Full Federal Court decision in *WorkPac Pty Ltd v Skene* [2018] FCAFC 131 has got a lot of employers reconsidering their approach to casual staff. If it hasn’t, then it should. This is because the Court found that although the employee, Mr Skene, was designated “a casual” by WorkPac, he worked regular hours and, as such, was entitled to annual leave.

Businesses with even one casual employee should pause and do a self-audit of their workforce; it is imperative to know and understand the make-up and risk profile of your workforce when it comes to compliance with industrial laws.

Topics covered:

- Casual employees – what is a true casual
- The nature of casual employment
- The risks involved;
- How to minimise those risks;
- tips and tricks for businesses with (or thinking about getting) casual staff
- Case study - *WorkPac v Skene* case

Learning Objectives and Recommended for

- Identify the different types of work – contractor; casual; part time; full time; fixed/short term
- What is a true casual and what a long term casual means;
- The risks associated with long term casual or casual who work regular hours for over 12 months;
- How to manage those risks
- Delve into these issues by references to the *WorkPac v Skene* case.

Recommended for any business owner with (or thinking about) casual staff, including business advisers to those businesses such as accountants who are often asked to advise on entitlements of staff.

About the Presenter | Carla Vinciullo – Murfet Legal

Carla is a Partner – Employment and Workplace Relations and heads up this specialist practice area for the firm. For more than ten years, Carla has advised clients across a range of industries, from small businesses to multinationals, with respect to their employment, human resources, workplace, industrial relations and occupational safety and health needs. An accomplished advocate, Carla frequently appears as counsel in employment and workplace relations matters, including in the Fair Work Commission, Western Australian Industrial relations Commission, the Federal Circuit Court and the Federal Court. Carla has worked on matters throughout Australia, having worked for international and top-tier law firms in Perth and Sydney. In 2011 Carla was seconded to assist a major Australian airline in that company’s watershed industrial disputation with multiple unions. In 2015, Carla was seconded to a global engineering company to provide in-house employment and industrial relations advice. She is knowledgeable, approachable and understands each client is unique. Carla enjoys partnering with clients to find practical solutions and minimise legal risk.

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