



Gaining permanency in TAFE

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Permanent employment

The TAFE Queensland Educators Certified Agreement 2016 states that TAFE is committed to maximising permanent employment where possible. Casual or temporary forms of employment should only be utilised where permanent employment is not viable or appropriate.

The TAFE Queensland Award states that where a temporary employee has completed two years of continuous service in the same role with TAFE Queensland, a review of the temporary status will be undertaken, and the General Manager will determine whether the employee will be converted to permanent status at level. These reviews are to be undertaken annually.

Continuous service in the same role can include:

- a role which is essentially the same, for example engagement as a fixed term contract teacher in the same program area over a number of semesters at the same institute
- rotation through a range of fixed term teaching engagements in different program areas within a faculty or across faculties within an institute.

What is considered during the review?

In conducting a review of temporary employment, the General Manager or their delegate must:

- establish whether the temporary circumstances continue to exist and if the role is ongoing
- consider the availability of funding for the role
- consider permanent employees requiring placement as a result of organisational change
- ensure the employee was appointed to the temporary role through a competitive order of

merit arising from the position being advertised for no less than 10 working days

- consider whether the person satisfactorily meets the agreed performance objectives of the role.

Where the outcome of the review is a decision not to convert the temporary employee to permanent status at level, written notification to the employee must include the reasons for the decision to continue the person in a temporary role and the date of the next review.

Where the employee continues in the role on a temporary basis, the employment status of the employee is to be reviewed on the completion of each additional year of continuous service.

Conversion of a temporary employee to permanent status at level requires the employee's consent.

Where practicable, employees should receive outcome advice within 28 days of the commencement of the review process.

Nothing in this policy precludes regions and corporate office areas from considering temporary employees for appointment through the [Recruitment and Selection Procedure](#) on a case by case basis.

What should I do?

Speak to your relevant manager to find out when the annual review of temporary employment is to take place and request a copy of the relevant paperwork, so you can put in an application.

What can I do if I am not successful?

Disputes against a decision not to convert to permanent employment are to be lodged in accordance with the dispute resolution process set out in clause 7.1 of the award.

This process aims to resolve disputes by measures based on the provision of information and explanation, consultation, cooperation and negotiation.

Subject to legislation, while the dispute procedure is being followed, normal work is to continue. The status quo existing before the emergence of a dispute is to continue while the procedure is being followed. No party shall be prejudiced as to the final settlement by the continuation of work.

There is a requirement for management to provide relevant information and explanation and consult with the appropriate employee representatives.

In the event of any disagreement between the parties the following procedure applies.

1. The employee and/or union representative discuss the matter with the immediate supervisor. This discussion should take place within 24 hours and this step should not extend beyond seven days
2. If the matter is still not resolved, it is referred by the employee and/or their union representative to the appropriate management representative, who shall arrange a conference of the relevant parties to discuss the matter. This process should not extend beyond seven days
3. If the matter is still unresolved, it may then be referred to the chief executive for discussion and appropriate action. This process should not exceed seven days
4. If the matter is still not resolved, either party may refer it to the Commission.

Nothing in this dispute resolution procedure prevents the QTU or TAFE Queensland from intervening in respect of matters in dispute if this action is considered conducive to achieving resolution of the matter.

Further resources

TAFE Queensland Certified Agreement 2016

https://www.qirc.qld.gov.au/sites/default/files/2016_ca213_1.pdf?v=1542765159

TAFE Queensland Award - State 2016

https://www.qirc.qld.gov.au/sites/default/files/tafe_queensland_sw18.pdf?v=1542524872