# Operational guidelines

# Introduction

This document should be read in conjunction with FAQ22 of the Frequently Asked Questions (FAQ) for school councils available at [COVID-19 (Coronavirus) on PAL/HRWeb](https://www.education.vic.gov.au/hrweb/safetyhw/Pages/COVID-19.aspx) *(*[*https://www.education.vic.gov.au/hrweb/safetyhw/Pages/COVID-19.aspx*](https://www.education.vic.gov.au/hrweb/safetyhw/Pages/COVID-19.aspx)*).*

It has been developed as a process guide to assist schools in managing the issue related to casual employment and compensation effective from the start of Term 2 this year for as long as those arrangements continue to apply. The casual employees’ reports for both Term 2 and Term 3 are available in eduPay. Please note that the reports can be accessed only by employees with school HR administrator access. Schools People Services remain available and can be contacted on 1800 641 943 if further advice is required.

# Step 1: Preparation/review

Schools should review School Local Payroll (SLP) in eduPay to determine which casual employees worked in Term 3 of 2019, how many hours they worked in each four-week period, and what gross payment they received for that four-week period (***note***: it is important to determine the payment for hours when they were worked and not when they were paid).

The four-week periods of Term 3 last year that should be reviewed are:

* First four weeks, i.e. weeks 1–4: from 15/07/2019 to 9/08/2019
* Second four weeks, i.e. weeks 5–8: from 12/08/2019 to 6/09/2019
* Third four weeks, i.e. weeks 9–12 (including school vacation): from 9/09/2019 to 4/10/2019.

The equivalent four-week periods in Term 3 this year are:

* First four weeks, i.e. weeks 1–4: from 13/07/2020 to 07/08/2020
* Second four weeks, i.e. weeks 5–8: from 10/08/2020 to 04/09/2020
* Third four weeks, i.e. weeks 9–13 (including school vacation): from 07/09/2020 to 2/10/2020.

Whilst no longer relevant for planning and preparation purposes, Term 2 dates in 2019 and 2020 below are used when determining the eligibility and calculating the compensation:

* Weeks 1–4: from 23/04/2019 to 17/05/2019 and from 14/04/2020 to 08/05/2020
* Weeks 5–8: from 20/05/2019 to 14/06/2019 and from 11/05/2020 to 05/06/2020
* Weeks 9–12 (including school vacation): from 17/06/2019 to 12/07/2019 and from 08/06/2020 to 10/07/2020 (***note***: this period includes five weeks).

Just like for Term 2, the Department has prepared a report for each school of all casual employees who have been employed in their school during Term 3 2019 (***note***: a report is in Excel format and allows for easy sorting, filtering and data presentation). For a copy of the report for their school, employees with schools HR administrator access should log in to eduPay and navigate to *Employee Data Management -> Time Management -> SLP Casual Eligibility Report*.

A screen will present prompting the selection of either Term 2 or Term 3. For a school-wide report, enter Department ID in the following format 01XXXX – where XXXX is your school number – select **Search** and a ‘grid’ of data will load(***note:*** if ‘Search by’ field is left blank, the system will return the school(s) based on the operator’s access, i.e. single or multiple-school, in ‘Search Results’). The data grid can then be easily exported into Excel (in either .xlsx or .csv format).

# Step 2: Eligibility

A casual employee is deemed an ‘eligible employee’ as long as they worked 40 days or more in one or more schools, in either 2017, 2018 or 2019, or they are a graduate teacher in their first year of registration who has worked at least 10 days in Term 1 of 2020 (***note***: as long as the casual employee worked and was paid for any hours on a particular day it counts towards a 40-day threshold).

The report mentioned above lists all casual employees in your school, the number of days/instances of their employment in 2017, 2018 and 2019, and the confirmation of their eligibility. The schools do not need to determine the casual employees’ eligibility themselves, the report does it for them. For graduate teachers in their first year of registration who have worked during term 1 2020, schools should consult their own records to determine if they have worked 10 days/instances or more. Alternatively, Schools People Services can be contacted on 1800 641 943 to assist in determining the eligibility of these employees.

**‘Eligible-Your School’** column indicates if casual employees are eligible on the basis of the number of days/instances of employment worked in **your school** only. Those employees who worked more than 40 days in either 2017, 2018 or 2019 will appear with an indicator ‘Y’ confirming they are eligible.

For those with an indicator ‘N’, schools should then check ‘**Eligible-State-wide**’ column indicating whether casual employees are eligible on the basis of the number of days/instances of employment worked across all schools, **state-wide**. Those employees who worked more than 40 days in either 2017, 2018 or 2019 across all schools will appear with an indicator ‘Y’ in this column confirming they are eligible, based on their employment at one or more other schools. The other school(s) worked at are not listed in the report.

## Examples of eligibility

**Example 1**: a casual employee worked 40 days in School A in 2017 and 5 days in School B in 2019. They are eligible as they worked more than 40 days in one of the last three years (i.e. 2017).

**Example 2**: a casual employee worked 20 days in School A and 25 days in School B in 2019. Whilst they did not work 40 days in either School A or School B in 2019, they are eligible as they worked more than 40 days across both schools.

**Example 3**: a casual employee worked 20 days in School A and 25 days in School B via a CRT agency. Whilst they worked more than 40 days across both schools in 2019, they are not eligible as they were employed by a CRT agency and not by the school council. They should contact the agency for advice regarding the arrangements applying in that agency.

# Step 3: Employment

Once the school has determined which casual employees were employed in each four-week period of Term 3 2019 and are considered eligible, they may wish to pro-actively engage those employees and offer them employment (***note***: the recommendation is that schools offer employment to their casual employees and get value out of that employment rather than get no value and have to pay the compensation – see below).

When contacting casual employees and offering them work, the schools should continue to maintain the record of their interaction (***note***: where a casual employee declines the work offered (e.g. relocated elsewhere or is ill/injured or is already working elsewhere) on a particular day the school should keep a record of the offer declined).

# Step 4: Claims for compensation

Where an eligible casual employee can demonstrate that they have had a greater than 15 per cent reduction in the gross amount they were paid in the same four-week period in Term 3 2019 (i.e. they have received less than 85 per cent of the gross amount they received last year for the same period), and they are an ‘eligible employee’, the school would be required to pay them compensation. The same principle continues to apply for Term 2.

The report mentioned earlier lists the **hours** and **gross** amounts casual employees worked and were paid for during Term 3 2019, broken down in three four-week periods, i.e. ‘Block 1’ for **weeks 1-4** (from 15/07/2019 to 9/08/2019), ‘Block 2’ for **weeks 5-8** (from 12/08/2019 to 6/09/2019), and ‘Block 3’ for **weeks 9-12** (from 9/09/2019 to 4/10/2019, including school vacation).

Next to **2019** columns, there are corresponding **2020** columns. The 2019 columns (hours and gross amounts) will not change as hours were already worked and paid in the past, i.e. the values are ‘static’. The 2020 columns will refresh fortnightly to reflect hours worked and paid after each payroll finalisation on alternate Fridays. Unlike 2019 columns, the 2020 columns are ‘dynamic’ and are intended to assist schools with their own activities (e.g. planning, monitoring and year-to-year comparisons). Should the schools wish to access the refreshed report, they will have to log in to eduPay and follow the navigation path outlined above after each payroll finalisation.

## Examples of claims for compensation

In all four examples below, a casual employee worked in School A as a CRT in the first four-week period in Term 3 2019 and was paid a total of 60 hours at $60.77 per hour or gross $3,646.20.

**Example 1**: If School A employed them as a CRT in the first four-week period in Term 3 2020 for 42 hours at $62.76 per hour, they would receive gross $2,635.92. That would represent 72 per cent of what they earned in Term 3 2019 or 28 per cent reduction in value. In that instance, the school would be required to pay the compensation of gross $1,010.28 or the difference between the gross amount they received for the four-week period last year (gross $3,646.20), and the gross amount they received for the equivalent four-week period this year (gross $2,635.92).

**Example 2**: if School A employed them as a CRT in the first four-week period in Term 3 2020 for 50 hours at $62.76 per hour, they would receive gross $3,138.00. That would then represent 86 per cent of what they earned in Term 3 2019 or 14 per cent reduction in value. In this instance the school would discharge its obligation and would not be required to pay the compensation as the value did not decrease by 15 per cent or more.

**Example 3**: if School A employed them as a CRT in the first four-week period in Term 3 2020 for 30 hours at $62.76 per hour, they would receive gross $1,882.80. That same casual employee when offered employment on four days (6 hours each day) during the same period declined it due to e.g. not feeling well or working elsewhere. In this instance the school would discharge its obligation and would not be required to pay the compensation as they offered employment for a total of 54 hours of which 30 hours were worked and the remaining 24 hours were offered but declined by the casual employee. Had all 54 hours been worked, the casual employee would have been paid for gross $3,389.04 representing 93 per cent of what they earned in Term 3 2019 or 7 per cent reduction in value.

**Example 4**: if School A did not offer them employment at all in the first four-week period in Term 3 2020, they would be required to pay full amount or 100 per cent of what the casual employee earned in Term 3 2019 (gross $3,646.20).

In relation to graduate teachers in their first year of registration who are considered eligible, the first four weeks of Term 1 2020 and days/instances they worked and were paid in that period should be compared to first four weeks of Term 3 2020. The same goes for the second and third four-week periods in Terms 1 and 3 2020.

The onus is on a casual employee to make the claim for compensation to the school. There is no specific format, template or a form for that purpose and the written application should be sufficient.

These arrangements continue to apply until otherwise advised.

# Step 5: Payment of compensation

Where a casual employee makes a claim to the school, that school should only be concerned with the claim that pertains to their school. The school would need to assess the claim by comparing what the employee has been paid in their school for the specified four-week period in Term 3 2020 with what they were paid for the equivalent period in Term 3 2019. If the school is satisfied that in Term 3 2020 the employee has received less than 85 per cent of what they received for the same period in Term 3 2019, and that they are an ‘eligible employee’, the school would calculate and process the compensation payable on SLP in eduPay.

The compensation amount is the difference between the gross payment received by the employee for the four-week period in Term 3 2019, less the gross amount received in the equivalent four-week period in Term 3 2020.

The school should navigate to *Employee Data Management -> Payee Management -> Positive Input* and select the **SLP employment instance** for the casual employee. Add a new value for the current **SLP** (not DOE) pay period/calendar, and use the earnings element specifically designed for this purpose – ‘Casual Compensation’ (***note***: this element is specifically created for casual employees on SLP in eduPay and should only be used for a specific purpose of paying the compensation to eligible casual employees). Insert the previously calculated dollar value in the ‘Amount’ field and add a comment (e.g. ‘Compensation – T3 Wk1-4’) in the ‘PI Description’ field.

The compensation payable is included in the ordinary time earnings. EduPay will automatically calculate the taxation and any superannuation payable.

# Further information

Schools People Services can be contacted on 1800 641 943 for further help.