**A close up of a sign

Description automatically generatedIncreased Protections for Fixed and Specified Task Employees**

1. **Objectives**

**Current Clause 11.1.3 v:**

**“***Promote the engagement of ongoing employees in preference to non-ongoing employees”*

**Proposed Clause 11.1.3 v:**

*“Promote the engagement of ongoing employees in preference to non-ongoing employees and carefully monitor all non-ongoing positions to ensure the ABC is not unintentionally misusing the forms of employment provisions of this Agreement.”*

1. **Specified Task excluding Run of Show**

**Current Clause 14.3.3:**

*“An employee, other than a Run of Show employee, who has been employed on two or more consecutive specified task engagements, may request in writing that the ABC consider whether their employment should be converted to ongoing employment. Where it is demonstrated that the specified task employment is not consistent with relevant case law considering the nature of specified task employment, the ABC will offer to convert the employee to ongoing employment.”*

**Proposed Clause added as 14.3.3 (a):**

*“When the ABC decides to not convert the employee to ongoing employment, it will provide the employee with reasons in writing within 14 days of the date of its decision”.*

**Proposed Clause added as 14.3.3 (b):**

*“A specified task employee must not be engaged and re-engaged (which includes a refusal to re-engage), or have their hours reduced or varied, in order to avoid any right or obligation under this clause”.*

**Proposed Clause added as 14.3.3 (c):**

*“The ABC will notify specified task employees of their right to request conversion under this clause in writing at the following times:*

1. *for a specified task employee whose first engagement is after the commencement of this Agreement, in their contract for the specified task employment; and*
2. *for a specified task employee who is already engaged on a specified task contract at the commencement of this Agreement, within two weeks of the commencement date.”*
3. **Fixed Term**

**Current Clause 14.4.4:**

*“An employee who has been employed on two or more consecutive fixed term engagements, may request in writing that the ABC consider whether their employment should be converted to ongoing employment. Where it is demonstrated that the fixed term employment is not consistent with relevant case law considering the nature of fixed term employment, the ABC will offer to convert the employee to ongoing employment.”*

**Proposed Clause added as 14.4.4 (a):**

*“When the ABC decides to not convert the employee to ongoing employment, it will provide the employee with reasons in writing within 14 days of the date of its decision”.*

**Proposed Clause added as 14.3.3 (b):**

*“A fixed term employee must not be engaged and re-engaged (which includes a refusal to re-engage), or have their hours reduced or varied, in order to avoid any right or obligation under this clause”.*

**Proposed Clause added as 14.3.3 (c):**

*“The ABC will notify specified task employees of their right to request conversion under this clause in writing at the following times:*

1. *for a fixed term employee whose first engagement is after the commencement of this Agreement, in their contract for the fixed term employment; and*
2. *for a fixed term employee who is already engaged on a fixed term contract at the commencement of this Agreement, within two weeks of the commencement date.”*
3. **Run of Show**

**Proposed Clause to be added as xxxx**:

*“The ABC will notify Run of Show employees of their right to convert to ongoing employment and to potentially receive a severance payment under this clause in writing at the following times:*

1. *for a Run of Show employee whose first engagement is after the commencement of this Agreement - in their contract for the Run of Show employment; and*
2. *for a Run of Show employee who is already engaged on a Run of Show contract at the commencement of this Agreement – within two weeks of the commencement date of this Agreement; and*
3. *for all Run of Show employees – at the commencement of their fourth consecutive year of service.”*