**AFEI Member Letter Template:
Casual Conversion: Employer Refuses Employee Request (s66H)**

**THIS DOCUMENT IS ONLY A GUIDE**

AFEI recommends members consider their specific requirements when adopting a template document or policy to ensure the document meets the particular needs of your organisation.

For assistance, please call the AFEI Hotline on 02 9264 2000.

**How to use this document:**

1: Check with the AFEI Hotline as to its suitability for your needs.

2: Edit to meet your requirements by:

* **Add** relevant information in the [yellow highlighted] sections.
* **Delete** comments in the *[blue highlighted]* areas.

*[Place on Organisation Letterhead]*

[Insert date]

[Insert name]

[Insert address]

Dear [Insert name],

**Re: Refusal of Casual Conversion**

We refer to your request on [insert date] to us where you indicated you wished to convert to full time or part time employment. We met with you on [insert date] to consult with you regarding your request.

*Note: an employer must consult with an employee before refusing a request for casual conversion made in accordance with the Fair Work Act 2009.*

*Note: an employer must provide a written response to a casual employee that either grants or refuses a casual conversion request made in accordance with the Fair Work Act 2009.*

Upon review, we have decided to refuse your request for casual conversion because reasonable grounds exist for refusing the casual conversion request. These are: [insert details of the reason refusing the request, including reasonable ground relied upon].

*Note: If a casual conversion request is made in accordance with the Fair Work Act 2009, then an employer may only refuse the request if they have reasonable ground(s).*

*Note: the reasonable ground(s) for deciding not to make the offer must be based upon facts that are known, or reasonably foreseeable, at the time of making the decision to refuse the request.*

*Examples of reasonable grounds include:*

* *it would require a significant adjustment to the employee’s hours of work in order for the employee to be employed as a full-time employee or part-time employee;*
* *the employee’s position will cease to exist in the period of 12 months after giving the request;*
* *the hours of work which the employee is required to perform will be significantly reduced in the period of 12 months after giving the request;*
* *there will be a significant change in either or both of the following in the period of 12 months after giving the request:*

 *\* the days on which the employee’s hours of work are required to be performed;*

 *\* the times at which the employee’s hours of work are required to be performed;*

 *which cannot be accommodated within the days or times the employee is available to work during that period;*

* *granting the request would not comply with a recruitment or selection process required by or under a law of the Commonwealth or a State or a Territory.*

If you have any questions, please contact [insert contact details].

Yours sincerely,

[Insert name]

[Insert title]