

9 Casual Teachers

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9.1 Appointment of Casual Teachers

9.1.1 Application for Employment

- a) Persons desiring employment only as casual teachers must complete an *Application for Employment as a Teacher* form which is available from district offices, the School Staffing Unit or the Department's website at <http://www.det.nsw.edu.au/employment/recruit/index.htm>. The completed form should be submitted to the School Staffing Unit.
- b) Applicants who have not been employed previously by the Department should submit documentary evidence of qualifications, teaching and/or employment experience, birth certificate (or extract) or other proof of identity e.g. passport, and where appropriate an application for accreditation for child rearing. If applicable, evidence of Australian citizenship or permanent residence or visa permitting employment must also be submitted.
- c) New applicants for employment must satisfy a criminal records check, national check of employment status and attend a personal suitability interview conducted by an officer(s) as determined by the Director of Staffing Services. A medical examination may be required.
- d) Permanent teachers who resign or retire and who wish to undertake employment as a casual teacher will be issued with a letter of approval to work with the NSW Department of Education and Training in a casual capacity. The letter of approval will be issued by Teacher Services effective from the resignation/retirement date. The letter of approval will not be issued if the principal recommends that the teacher should not work in a casual capacity.

9.1.2 Approval for Employment

- a) A casual teaching approval will be issued to applicants who are personally suitable and who demonstrate that they hold an acceptable teaching qualification. The status and salary together with the teacher's approval number will be included in the letter of approval.
- b) Following the receipt of approval to teach in a casual capacity, teachers should contact school principals directly and inform them of their availability for employment.

Teachers may also use the *Casual.Direct* Casual Teacher Staffing System to register their availability for work and to find out where casual teaching work is available. Call the Casual and Temporary Teacher Programs Unit toll free on 1300 367 338 for more information or visit the *Casual.Direct* website at <http://www.det.nsw.edu.au/employment/recruit/casualteachers/cdctss.htm>.

- c) Applicants for employment who hold a recognised academic award but whose academic attainments fall marginally short of the requirements for permanent classification may be given transitional classification. Applicants in this category will be issued with a casual teaching approval, pending the completion of all academic requirements. Evidence of enrolment in the required subjects must be provided prior to the issue of an approval to teach.
- d) Applicants who do not meet the requirements for employment will be advised to this effect by letter and where appropriate, will be advised of the requirements that must be met in order to be approved for employment.

9.1.3 Appointments - General Conditions

- a) Casual teachers are engaged to fill vacancies full time for less than four weeks or part time for less than two terms. If vacancies exceed these parameters a temporary teacher must be engaged (see Chapter 8).

Note: There is no discretion, for either the principal or the teacher, to engage a casual teacher in a vacancy that exceeds the parameters as outlined above.

- b) The minimum daily engagement for casual teachers is two hours. The hours of a casual engagement must be worked continuously.
- c) Casual teachers are employed on a daily basis and are not paid for normal public holidays or for school vacations. Casual teachers are eligible for payment of salary if a special school holiday is granted or a local show day is proclaimed a public holiday on a day on which the teacher would normally be on duty.
- d) Where a casual teacher is on duty and the regular teacher returns on the same day, the casual teacher may remain on duty for three hours and be paid accordingly.
- e) Casual teachers cease duty automatically when circumstances warranting employment no longer pertain and should be given as much notice as practicable when their services are not needed, for example, a casual teacher will be required to cease duty if approval is granted for a permanent teacher to resume duty early from a period of leave.
- f) All casual appointments terminate at the end of the school year and under no circumstances should a casual teacher resume duty in the following year without authority. Principals should not engage casual teachers for the following year prior to the School Staffing Unit confirming staffing arrangements.

9.1.4 Authority to Appoint Casual Teachers

- a) No persons are to be given casual teaching appointments unless they are currently approved for employment. Principals must sight the NSW Department of Education and Training teaching approval (on departmental letterhead) before employing a casual teacher and ensure that the approval is valid and current. This should include consulting the confidential list of people not to be employed in any capacity in government schools and TAFE without approval by the Director of Staffing Services.
- b) The appointment of casual teachers is the responsibility of principals in accordance with Section 9.1.3.
- c) In primary schools where a teacher is absent on approved leave, a casual teacher may be appointed from the first day of absence.
- d) In secondary schools where the absence cannot be absorbed as provided for in the *Crown Employees (Teachers in Schools and TAFE and Related Employees) Salaries and Conditions Award* Clause 21 - Allocation of Duties in High Schools, a casual appointment may be made for the absence of teachers on approved leave as follows:
 - i) immediately when it is known that the teacher will be absent for more than one day;
 - ii) on the second day of absence when the absence has not been notified in advance.

9.1.5 Appointment as a Permanent Teacher

- a) Casual teachers who, at the time of initial approval for teaching were only issued with a casual approval, but who wish to be appointed as a permanent teacher must complete an *Application for Employment as a Teacher* form and submit it to the School Staffing Unit.
- b) A personal suitability interview is required and applicants must satisfy a criminal records check and national check of employment status. A medical examination may be required.

9.1.6 Teacher Employment Priority Scheme

- a) The Teacher Employment Priority Scheme (TEPS) provides benefits that assist casual and temporary teachers in gaining an offer of permanent employment as a teacher more quickly. Teachers must hold an 'active' or 'inactive' application for permanent employment with the Department.
- b) Depending on the schools in which the work is undertaken, for every 50 days of casual and temporary service in NSW government schools a teacher's employment priority date is advanced by 6, 12 or 18 months.
- c) Temporary and casual service is combined for the purposes of TEPS.
- d) Teachers will receive written advice annually of their new priority date for permanent employment.
- e) Lists of schools in each of the three TEPS benefit categories are available from schools and district offices. Information can also be obtained from the Department's website at <http://www.schools.nsw.edu.au/appse/staff/F5.0/casual/teacempl.htm>.

9.1.7 Casual Service - Recognition on Permanent Employment

- a) All multiples of 203 days of casual service are recognised for the purpose of determining salary on permanent employment. This applies from 1 January 1984.
- b) From 1 January 2001, casual and temporary service is combined to determine multiples of 203 days service on permanent appointment.
- c) Casual service cannot, however, be added to permanent service in order to gain an increment.

9.2 Award of Teacher's Certificate

9.2.1 Eligibility

Casual teachers will be eligible for the award of a Teacher's Certificate if they meet the following requirements:

a) **Educational Attainments**

In the majority of cases the educational requirements will have been met at the time approval to teach was issued by the Department. Teachers initially granted transitional approval must complete any outstanding academic or practicum requirements before they will be eligible. Conditionally certificated teachers and some specialist teachers such as community language teachers are not eligible for a Teacher's Certificate.

b) **Quality of Teaching**

In assessing the quality of teaching, principals will take into account teaching ability, classroom management, lesson preparation and involvement in staff development programs. In the case of teachers who have had experience in other schools, it may be necessary for the principal to contact principals of other schools before a recommendation can be made.

c) **Service Requirements**

The service requirement for the award of a Teacher's Certificate may be comprised of days worked as a temporary teacher and a casual teacher. To be eligible for the award, a casual teacher must have taught at least 195 days within the previous eighteen months. This period must include one term or the equivalent of one term of continuous teaching at one school or the equivalent of one term (in days) in the case of part time casual teachers.

9.2.2 Procedures

a) On completion of the service requirement, a casual teacher may apply for the award of a Teacher's Certificate to the principal of the school in which they are currently employed. Application should be made in writing, listing the schools and districts in which the service requirement has been met, together with dates of employment as a casual and temporary teacher.

b) Where appropriate, it is the responsibility of the teacher to accompany the application with reports relating to service in various schools. A report from the school in which the one term continuous service was attained must be obtained.

c) Verification of efficiency during the extended period of casual service is essential and the principal will write a report on the casual teacher's service (following consultation with other principals where necessary) and forward the report to the district superintendent who will arrange for the presentation of the award (see Section 1.2.3 for more details).

d) Should a casual teacher be employed in a permanent capacity prior to fulfilling the service requirement, the days of casual and temporary teaching undertaken in the previous eighteen months may be counted towards the service requirements for the award of a Teacher's Certificate. Prior casual and temporary service, however, will not count in respect of the twelve months prior service that must be completed for confirmation of permanent appointment.

9.3 Hours of Duty

- a) Casual teachers may be employed on either a daily, half daily or hourly basis. The minimum daily engagement for a casual teacher is two hours.

- b) Unless a variation of school hours has been approved, the hours of duty for casual teachers are worked within the following periods:

morning	9.00 am to 12.30 pm
afternoon	1.00 pm to 3.30 pm

- c) A principal may require a casual teacher to attend beyond these hours, if such attendance is considered to be in the interests of the school.

- d) Where casual teachers are employed on a daily basis the following arrangements, or equivalent, should apply:

9.00 am	-	9.30 am	=	½ hour (assigned duties)
9.30 am	-	11.00 am	=	1½ hours
11.00 am	-	11.15 am	=	¼ hour recess (paid)
11.15 am	-	12.30 pm	=	1¼ hours
12.30 pm	-	1.00 pm	=	½ hour lunch (unpaid)
1.00 pm	-	1.30 pm	=	½ hour (assigned duties)
1.30 pm	-	3.30 pm	=	2 hours
Total time spent at school				= 6½ hours
Total time paid				= 6 hours

- e) Casual teachers employed for less than a full day will be paid on an hourly basis or part thereof.

Casual teachers employed for a two hour period and whose time of employment is broken by the morning recess are to be paid for the entire time at school.

e.g.	9.30 am	-	11.00 am	=	1½ hours
	11.00 am	-	11.15 am	=	¼ hour (maximum recess)
	11.15 am	-	11.45 am	=	½ hour
Total time paid					= 2¼ hours

Where casual teachers are employed for less than a full day but the time spent at the school extends over the lunch break, the salary paid to the casual teacher is the total time at the school less ½ hour (as the ½ hour lunch break is unpaid).

e.g.	9.30 am	-	11.00 am	=	1½ hours
	11.00 am	-	11.15 am	=	¼ hour recess (paid)
	11.15 am	-	12.30 pm	=	1¼ hours
	12.30 pm	-	1.00 pm	=	½ hour lunch (unpaid)
	1.00 pm	-	1.30 pm	=	½ hour assigned duties
	1.30 pm	-	2.45 pm	=	1¼ hours
Total time spent at school					= 5¼ hours
Total time paid					= 4¾ hours

- f) Where authority has been given to vary school hours that result in a total duty day of less than the normal six hour day, casual teachers are paid for the full day provided they observe the same hours as teachers employed permanently at the school.

- g) Casual teachers will be paid less than the full daily rate when, because of late arrivals, early departures or other causes they work less than the normal six hour day. Payment of a full day's salary may be made, however, for the first day of a period of relief where, because of inadequate notice by the school, the casual teacher reports for duty no later than 30 minutes after the normal commencing time.
- h) Casual teachers are required to sign the attendance book and record the actual times of arrival at and departure from school.

9.4 Rates of Pay and Payment Procedures

9.4.1 General

- a) So that payment can be made, teachers are required to provide Casual Employees Payroll Services with the following:
 - i) bank account details for payment to a personal account;
 - ii) an *Employment Declaration* form which is available from any post office; and
 - iii) a copy of their teaching approval.
- b) Following initial employment and payment, Casual Employees Payroll Services will advise casual teachers of the employee number which must be quoted on all claims, correspondence and applications for leave.
- c) Casual teachers must submit a *Relief Teacher Salary Claim* form each fortnight to Casual Employees Payroll Services.
- d) The claim form must be submitted each fortnight for all days worked up to and including the Friday following the normal pay day for permanent teachers. To expedite payment, the claim form should be forwarded to Casual Employees Payroll Services at the close of the pay period i.e. the Friday on which the pay period concludes.
- e) Where a teacher works at more than one school during the pay period only one claim form should be submitted. However, if teachers work in two schools in one day they must complete two separate claim forms.
- f) Principals are required to certify as to the performance of service and should ensure that the periods of employment on the claim form are correct and coincide with information recorded in the attendance book.
- g) Following the processing and payment of a claim, a pay advice is sent to the teacher's private address setting out details of fortnightly earnings.
- h) Where undue delay occurs with payment, a duplicate claim should not be submitted without first checking with Casual Employees Payroll Services as to the procedures to be adopted.

9.4.2 Casual Teacher Daily Rates of Pay

- a) The rates of pay of casual teachers are loaded by five per cent to be inclusive of sick leave, family and community service leave, special leave and leave loading.
- b) Casual teachers' daily rates of pay as contained in the *Crown Employees (Teachers in Schools and TAFE and Related Employees) Salaries and Conditions Award 2004* are as follows:

Table 1

Trained Teachers	Rates on and from 2.7.2004	Rates on and from 14.1..2005
4YT Steps		
4	266.77	276.11
3	254.86	263.78
2*	242.96	251.46
1	231.05	239.14
3YT Steps		
5	254.86	263.78
4	242.96	251.46
3	231.05	239.14
2	219.15	226.82
1	208.35	215.64
2YT Steps		
4	231.05	239.14
3	219.15	226.82
2	208.35	215.64
1	195.32	202.16

* 5YT trained casual school teachers commence on step 2, 4YT rates of pay

Table 2

Conditionally Trained Teachers	Rates on and from 2.7.2004	Rates on and from 14.1..2005
C (5YT) Steps		
4	266.77	276.11
3	254.86	263.78
Y1-2	242.96	251.46
C (4YT) Steps		
4	254.86	263.78
3	242.96	251.46
Y1-2	231.05	239.14
C (3YT) Steps		
4	231.05	239.14
3	219.15	226.82
Y1-2	208.35	215.64
C (2YT) Steps		
3	208.35	215.64
Y1-2	195.32	202.16

- c) In the case of casual teachers relieving in PP6, teacher in charge of hospital schools and teachers in charge of environmental education centre positions as provided in Clause 29 of the *Crown Employees (Teachers in Schools and TAFE and Related Employees) Salaries and Conditions Award 2004*, the daily rate of pay is as follows:

From 2 July 2004 \$365.20

From 14 January 2005 \$377.98

9.4.3 Incremental Progression

On completion of 203 days of casual teacher service, irrespective of breaks in that service, a casual teacher progresses to the next daily rate of pay as shown in 9.4.2 b) above.

9.5 Engagement for School Excursions or Camps

The guidelines for the engagement of casual teachers are:

- a) Casual teachers may not be engaged specifically for the purpose of accompanying groups of students on excursions nor to act as supervisors in school camping or sporting programs.
- b) Casual teachers may be involved in excursions or the supervision of camping or sporting programs as part of their roles as teachers at the school.
- c) Casual teachers will be paid at their normal daily rate while engaged in the full supervisory role involved in any away from school excursion or camping or sporting program. This involvement could vary substantially the hours of duty normally associated with casual teaching. Acceptance of these conditions by a casual teacher is a prerequisite for approval for involvement in the activity.
- d) Casual teachers involved in school camps as visiting teachers, who work with groups of students at approved school camps organised in association with the Department of Sport and Recreation will receive their normal daily rate for each full day while they are so engaged, including public holidays and weekends. A full day will be regarded as one during which the casual teacher was responsible for the supervision of students during journeys to or from camps or was in camp and engaged in work with students for six hours after 7.30 am and before 11.00 pm. Any period of less than six hours will attract payment at one-sixth of the daily rate for each hour.
- e) Casual teachers paid each full day, including public holidays and weekends will not be entitled to compensatory leave regardless of the duration of the camp.

9.6 Casual Employment in Remote Areas

In order to provide incentive for casual teachers in country areas to accept vacancies of more than one day, to which they would not ordinarily be prepared to commute on a daily basis, the Department will pay accommodation costs in order to allow those teachers to fill the casual vacancy.

- a) A teacher must live more than 100 km from the vacancy.
- b) The intended vacancy must not be more than one months duration and the locality of the teacher vacancy must be at a school that is covered by Schedule 3 of the *Crown Employees (Teachers in Schools and TAFE and Related Employees) Salaries and Conditions Award 2004*.
- c) The rate of payment (accommodation and sustenance) is actual expenses less \$4.00 per week.

NB: It is very important that before accepting a position, the casual teacher inquires whether the vacancy meets the conditions outlined above and that the casual teacher keeps receipts of expenditure.

9.7 Casual Teachers' Leave Entitlements

9.7.1 Parental Leave

9.7.1.1 The *Industrial Relations Act 1996* provides an entitlement of 52 weeks unpaid parental leave to regular casual employees. This entitlement first became available from 9 October 2000.

9.7.1.2 Parental leave may be granted to a casual teacher in accordance with Part 4 of the *Industrial Relations Act 1996* as in force at the time of commencement of the leave.

9.7.1.3 Parental leave includes maternity leave, paternity leave or adoption leave.

9.7.1.4 Regular casual employees are those casual employees who work on a regular and systematic basis and who have a reasonable expectation of ongoing employment on that basis.

9.7.1.5 In order to be entitled to parental leave, casual employees must have had at least 12 months* of continuous service with the Department as a regular casual employee (or partly as a regular casual employee and partly as a full time or part time employee). The *Industrial Relations Act* defines continuous service as being work on an unbroken regular and systematic basis (including any period of authorised leave or absence).

* Note: From 9 October 2000 until 16 July 2001 the pre-service requirement under the *Industrial Relations Act* was 24 months continuous service.

9.7.2 Maternity Leave – Payment in Lieu

9.7.2.1 Eligibility

Casual teachers who become pregnant and have been employed full time for at least 40 continuous weeks prior to the anticipated date of birth of the child, may qualify for maternity leave payments.

9.7.2.2 Service Requirements

The 40 weeks continuous service includes the following:

- all periods of paid leave;
- unpaid maternity leave;
- unpaid sick leave;
- school vacations and public holidays;
- up to five days leave without pay;
- full time and part time temporary service.

The following periods are not counted towards the 40 weeks continuous service but they do not break the continuity of service:

- any absence from duty for a period or periods of leave without pay which exceeds a total accumulated period of five days;

- an absence of a casual teacher from full time service at the beginning of the school year, who was in full time employment at the end of the preceding school year and although available for full time employment, is not employed on a full time basis before the 21st calendar day of the school year.

9.7.2.3 Application

- An application for payment in lieu of maternity leave should be submitted at least four weeks prior to ceasing duty.
- The application must be accompanied by a medical certificate stating the anticipated date of birth.

9.7.2.4 Payment

- A casual teacher will not be paid more than the salary paid to a permanent teacher employed on the same status for the period commencing 40 weeks prior to the anticipated date of birth and concluding six weeks after anticipated date of birth.
- Casual teachers who qualify for payment in lieu of maternity leave will be paid in a lump sum.

9.7.2.5 Right of Return to Former Position

A casual teacher does not have right of return to any position previously occupied.

9.7.3 Long Service Leave

Long service leave is available to casual teachers as a monetary payment upon cessation of employment and may also be taken as leave in certain circumstances. Casual teaching service is recognised as follows in 9.7.3.1, 9.7.3.2, 9.7.3.3 and 9.7.3.4.

A teacher who has had his/her casual teaching service assessed for long service leave purposes under earlier conditions may apply for reassessment of their service under guidelines introduced in 1997. An "assessment" does not include the issue of a statement of service.

Casual service prior to 20 May 1985 will be assessed only in accordance with the provisions which applied prior to that date. These provisions are contained in 9.7.3.1 and 9.7.3.2.

The provisions of the *Long Service Leave Act 1955* will be applied to all service, both supply and relief casual teaching undertaken from 20 May 1985 onwards. These provisions are contained in 9.7.3.3.

The teacher's application for reassessment will be processed and, should the provisions of the *Long Service Leave Act 1955* provide an assessment to the teacher's advantage, that service will be recognised.

Should the reassessment provide an assessment that would disadvantage the teacher, the previous credit for prior service recognised will not be amended.

9.7.3.1 Full Time Supply Casual Teachers – Prior to 20 May 1985

- Prior to 20 May 1985 service will be recognised and credited as follow:
 - All full time supply service, continuous or broken;

- Permanent or temporary teaching service which precedes or follows supply casual service;
- Leave granted on full or half pay;
- Unpaid sick leave taken prior to January 1969, which would, in current terms, qualify for payment.

b) Relief casual teaching service is not recognised.

9.7.3.2 Part Time Supply Casual Teachers - Prior to 20 May 1985

- a) On cessation of employment prior to 20 May 1985, casual teachers who worked less than five days per week, but who had worked regularly on specific days of the week were eligible to be paid as a gratuity the monetary value, on a pro rata basis, of long service leave according to the provisions of the *Long Service Leave Act 1955*.
- b) Regular part time supply service as a casual teacher in the Department prior to 20 May 1985 will be recognised as service for long service leave purposes.
- c) Relief casual teaching service is not recognised.

9.7.3.3 Casual Teaching – Post 19 May 1985

- a) On and from 20 May 1985 all continuous casual service will be recognised in accordance with the provisions of the *Long Service Leave Act 1955*.
- b) Continuous service will be determined in accordance with the provisions of the *Long Service Leave Act 1955*.
- c) The following absences, where they occur during a period of casual employment, count as service for long service leave purposes:
 - absences caused by the casual teacher under the terms of their employment, for instance, all periods of approved, paid leave;
 - absences due to illness or injury, including unpaid sick leave. In terms of unpaid sick leave, the casual teacher must, in each case that absence on account of illness or injury is required to be considered as service, provide written notification of the absence to Casual Employees Payroll Services. Where the absence exceeds three consecutive days, a medical certificate must be provided to Casual Employees Payroll Services for the absence to be considered as service.
- d) The following interruptions in service, whilst not counted as service, do not break the continuity of service:
 - absences arising directly or indirectly from an industrial dispute (including industrial action);
 - absences on and from 9 October 2000 by reason of unpaid maternity, adoption or paternity leave granted to a casual teacher in accordance with Part 4 of the *Industrial Relations Act 1996* as in force at the time of commencement of the leave;
 - absences for any cause by leave of the Department. This relates to all periods of unpaid leave (other than unpaid sick leave as referred to in c) above) to which the employee is entitled and which is approved by the Department;

- interruptions in service for other reasons where the casual teacher returns to the services of, or is re-employed by, the Department within two months of the date on which service was interrupted.

Temporary teacher service and school vacations are not counted in the two months period, nor do they constitute a break in continuity of service for the calculation of long service leave.

- e) Any break in continuity of service, as defined in the Act, will mean that casual service prior to the break will not count for the purpose of determining a teacher's long service leave entitlement.

9.7.3.4 Other Service

- a) The following periods of NSW Government service shall be recognised as service for long service leave purposes:
- all periods of prior full time or permanent part time teaching, whether broken or continuous service, with the NSW Department of Education and Training;
 - all periods of prior temporary full time or part time teaching, whether broken or continuous service with the NSW Department of Education and Training;
 - all periods of prior permanent and temporary full time or part time service under the *Public Sector Employment and Management Act 2002*, *Public Sector Management Act 1988* and/or the *Public Service Acts 1902 and 1979*, the *Teaching Services Act 1970* or the *Teaching Services Act 1980*;
- b) In some circumstances previous teaching service with other State or Commonwealth Departments of Education or service other than teaching with a Government authority of the Commonwealth or another state or a NSW authority may be recognised for long service leave purposes under the provisions of the *Transferred Officers Extended Leave Act 1961*.

9.7.3.5 Eligibility

In order to be eligible to take long service leave or for payment of the monetary value of long service leave upon cessation of employment, a teacher must have completed ten or more years service.

Where the services of a teacher are terminated by the Director-General for any reason, other than the teacher's serious and wilful misconduct, or by the teacher on account of illness, incapacity or domestic or other pressing necessity and the teacher has five or more years service, but less than ten years, the teacher will be eligible for a monetary payment of long service leave on the basis of one month for five years service and thereafter on a proportionate basis.

Casual teaching service is recognised as full time equivalent in accordance with the following formula:

- $$\frac{\text{number of days creditable casual service}}{365} \times 1.79803 = \text{number of years recognised service}$$

- decimal portion of recognised years service x 12 months = number of months recognised service
- decimal portion of recognised months service x 30 days = number of days recognised service

9.7.3.6 Entitlement

Provided eligibility for long service leave has been established, the method of calculating the entitlement is:

For service prior to 1 April 1963:

a proportion of four and a half calendar days for each year of service.

For service on or after 1 April 1963:

a proportion of six calendar days for each year of service.

For full time supply casual service from 1 September 1970 to 19 May 1985:

a proportion of six calendar days for each year of service up to ten years;

a proportion of fifteen calendar days for each year of service in excess of ten years.

For service on or after 20 May 1985:

two months for ten years service and thereafter on a proportionate basis of six calendar days for each additional year of service.

9.7.3.7 Payment of Long Service Leave

- a) Long service leave is paid at an annual rate calculated by multiplying the daily rate by 203.
- b) Payment commences from the day following cessation of employment, irrespective of whether a vacation follows or not.
- c) Payment of the monetary value of proportionate long service leave may be made where the services of a teacher with at least five years service but less than ten years service are terminated by the Director-General for any reason, other than the teacher's serious and wilful misconduct, or by the teacher on account of illness, incapacity or domestic or other pressing necessity.
- d) Casual teachers who are subsequently appointed as a permanent teacher should submit a written application providing information regarding the school, district or region and dates where previous casual service has been undertaken, to Teacher Services.
- e) On cessation of employment, casual teachers who consider that they have established an entitlement, should make application to Casual Employees Payroll Services for payment of the monetary value of long service leave.

If available, a Record of Employment detailing any previous permanent or temporary teaching service with the Department should be submitted with such application.

- f) On the death of a casual teacher who has an entitlement to long service leave the Department will, upon written request, pay to the teacher's estate the monetary value of the entitlement.

9.7.3.8 Granting of Long Service Leave

- a) A casual teacher with ten years service may make application for the grant of long service leave provided that the teacher is employed by the Department immediately prior to the first day of long service leave.
- b) Leave may be taken or payment made for one continuous period, or subject to approval of the Director-General, in the following separate periods and not otherwise:
 - i) where the amount of leave is two months, in two separate periods;
 - ii) where the amount of leave exceeds two months and does not exceed nineteen and one half weeks, in two or three separate periods;
 - iii) where the amount of leave exceeds nineteen and one-half weeks, in two, three or four separate periods.
- c) Applications for long service leave must be submitted to Casual Employees Payroll Services at least three months in advance of the first date of leave unless otherwise approved by the Department.
- d) Long service leave will be granted at the teacher's normal weekly hours or days of work, regardless of whether or not the teacher is employed at one or more schools.
- e) Where a teacher is granted long service leave, payment will be made at the teacher's normal daily rate of pay.
- f) The deduction from the teacher's long service leave entitlement will be calculated by multiplying the number of days paid leave taken by 7/5. This is to convert leave taken to the seven day per week equivalent upon which basis the leave accrues.
- g) A casual teacher will not be approved to take long service leave on half pay.
- h) Long service leave may not be used to make up salary whilst on another form of leave, nor taken during a school vacation period.
- i) A casual teacher does not have right of return to any position previously occupied at the conclusion of a period of long service leave except where the teacher had originally been engaged for a period beyond the last date of long service leave granted. In such circumstances, the teacher's application for leave must have the support of the relevant principal(s).

9.7.4 Workers' Compensation Leave

- a) The provisions of the *Workers Compensation Act 1987* apply to casual teachers.
- b) If a casual teacher who works regularly on a part time basis claims workers' compensation, the claim should be submitted to cover the specific days on which they are employed and are unfit to work.
- c) See Section 4.17, Workers' Compensation Leave for details regarding eligibility and application procedures.

9.8 Release Time

- a) Casual teachers employed to replace a permanent teacher for five days or longer are entitled to the release time of the replaced teacher.
- b) Casual teachers employed for less than five days per week are not entitled to pro rata release time.

9.9 Travelling Expenses

“Under Review” as a result of reforms arising from the 2009 teachers’ award outcome

9.10 Access to 4YT Rates of Pay for 2YT and 3YT Teachers

- a) A teacher with two or three years training who has:
- substantively occupied a school based promotion position in a NSW government school; and
 - subsequently resigned or retired from the teaching service and has sought approval to teach casually;
- may be granted access to the four year trained (4YT) casual rates of pay.
- b) It is the responsibility of the individual teacher to approach the Department in writing seeking access to the 4YT casual rates of pay.
- c) The effective date for payment shall be the date of receipt of application.
- d) A teacher shall be placed on 4YT casual rates of pay at a point equal to a 4YT teacher with the same length of service.
- e) A teacher who has gained access to the 4YT casual rates of pay on this basis is governed by the same conditions as any other 4YT casual teacher, for example, casual teachers placed on 4YT rates of pay but below the maximum rate will be eligible for an increment upon completion of 203 days casual service.