

**14.5. Conversion of Fixed Term Staff Members to Continuing Status**

14.5.1 The University will automatically convert a fixed term to staff member to continuing status, subject to clause 14.5.2 below, where the staff member:
   a) is undertaking work of a continuing nature; and
   b) was selected through a merit selection process for at least one of the fixed-term appointments; and
   c) is not the subject of an unsatisfactory performance process, and
   d) has been engaged in the same Faculty or Area for:
      I. 2 or more consecutive fixed term appointments; or
      II. a period of 3 or more years.

14.5.2 Four weeks prior to a staff member being automatically converted from fixed term to continuing status under clause 14.5.1, the University will notify the staff member in writing that this will occur in four weeks, except where the staff member notifies the University in writing that they do not wish to be converted to continuing status.

14.5.3 If the staff member notifies the University within four weeks of receiving the notification in clause 14.5.2 that they do not wish to be converted from fixed term employment to continuing status, then the staff member will not be converted to continuing status.

14.5.4 Where a staff member notifies the University that they do not wish to be converted from fixed term employment to continuing status under clause 14.5.3, they may at any time after this notification indicate that they wish to be converted to continuing status, and will be converted to continuing status, as long as they meet the requirements set out in clause 14.5.1.

14.5.5 Where a fixed term staff member otherwise meets the requirements in clause 14.5.1 for conversion to continuing status, except that the University does not believe that the staff member is undertaking work of a continuing nature, the University will:
   a) Notify the staff member in writing 4 weeks prior to the date on which a staff member would normally be eligible for conversion from fixed-term to continuing status, if their work was of a continuing nature, that the University does not intend to convert them to continuing status as the University does not believe they are undertaking work a continuing nature.
b) At the same time as the notification in sub clause (a) above, provide the staff member in writing with comprehensive and legitimate reasons as to why the University does not believe the work is of a continuing nature.

c) Also indicate to the staff member at the same time as the notification in sub clause (a) above that the staff member may challenge the University’s decision not to grant them continuing status in writing at any time.

14.5.6 Where a staff member challenges in writing the University’s decision to not grant them continuing status, the University must give due and proper consideration to the matters raised by the staff member. The University will provide a detailed written response within 10 working days to the staff member, indicating their decision, the reasons for their decision and addressing all matters raised by the staff member in their written challenge to the University’s initial refusal to grant them continuing status. The University will automatically convert the staff member to continuing status where the staff member demonstrates their work is of a continuing nature.

14.5.7 Where a staff member meets the requirements for conversion to continuing status under clause 14.5.1, but the University does not comply with the requirements of clause 14.5.2, the staff member will automatically be converted from fixed term to continuing status, subject to the staff member indicating in writing at any time that they do not wish to have continuing status. This automatic conversion includes a situation where a fixed term staff member otherwise meets the requirements in clause 14.5.1 for conversion to continuing status, except that the University does not believe that the staff member is undertaking work of a continuing nature, but the University has not complied with the requirements of clause 14.5.5.

14.5.8 A staff member may access the Dispute Resolution Procedure in clause XXX at any time where the actions, or inaction, of the University under this clause is in dispute.