

Notifying your employer that you want to change to permanent employment – checklist and notification template

Who can use the notification template?

This notification template is for **casual employees** who want to change to permanent full-time or part-time employment under the **employee choice pathway**.

Casuals employed by small business (with less than 15 employees) before 26 August 2024 will not be eligible to access the new employee choice pathway until 26 August 2025. The previous casual conversion provisions continue to apply for eligible employees until 26 August 2025. For information on casual conversion, including a template letter, visit fairwork.gov.au/casual-conversion

What is the employee choice pathway?

The employee choice pathway is an entitlement under the National Employment Standards (NES). It gives eligible casual employees the right to notify their employer that they intend to change to permanent employment. Under this pathway, an employer can only refuse the notice to change to permanent employment based on limited reasons. Learn more about becoming a permanent employee at fairwork.gov.au/employeechoice

Your award or enterprise agreement may have rules about changing to permanent employment that are more beneficial than the NES. If so, those rules apply.

Who is a casual employee?

A person is a casual employee if, when they start employment:

- the employment relationship has no firm advance commitment to ongoing work, and
- they're entitled to a casual loading or specific casual pay rate under an award, enterprise agreement, or employment contract.

For more information on how to assess a 'firm advance commitment' visit fairwork.gov.au/casual

How to use this checklist and notification template

- Use the [checklist](#) to confirm you're eligible to notify your employer that you intend to change to permanent employment under the employee choice pathway.
- If you're eligible, use the [notification template](#) to notify your employer in writing that you want to change to permanent employment.

Important

This checklist and template provide general information for casual employees who want to change to permanent employment. Language and concepts have been simplified for education purposes. It is your responsibility to confirm that you are eligible for this entitlement and ensure the information you include in the template is accurate for your personal circumstances.

This resource was last updated in February 2025.

Checklist: Confirm you are eligible to change to permanent employment

Before you fill out the notification template, use this checklist to see if you're eligible to notify your employer that you want to become a permanent employee.

In order to use the notification template, all of the following must apply

- You've **been working for your employer for at least 6 months, or 12 months** if you work for a small business (with less than 15 employees). Any time spent working with your employer **before 26 August 2024** does not count towards eligibility to access the employee choice pathway. For more information, visit fairwork.gov.au/employeechoice
- You believe you no longer meet the definition of a casual employee – find out more at fairwork.gov.au/casual
- You don't have a current dispute with your employer about changing to permanent employment under the employee choice pathway.
- In the last 6 months, you haven't been refused a previous notification or had a dispute resolved about changing to permanent employment under the employee choice pathway.

You should also check if an award or enterprise agreement applies to your workplace and whether it has rules about changing to permanent employment that are more beneficial than the NES. If there is an award or enterprise agreement, those additional rules may apply. Find your award at fairwork.gov.au/awards or find your enterprise agreement at fwc.gov.au/agreements

Did you tick all the boxes?

- I'm not sure, I need more information:**
 - visit our Becoming a permanent employee page at fairwork.gov.au/employeechoice
 - call our Infoline to speak to an adviser on 13 13 94.
- Yes** – if you ticked all the boxes above, you **are entitled** to notify your employer that you want to change to permanent employment under the employee choice pathway. You must give notice to your employer in writing, and there are rules for how your employer must respond. Use the notification template below to help you.
- No** – if you did not tick all the boxes above, you **are not entitled** to notify your employer that you want to change to permanent employment under the employee choice pathway. You can still discuss changing to permanent employment with your employer at any time, but the employee choice pathway won't apply.

What happens after I notify my employer?

- Consultation** – before your employer responds to you in writing, your employer must first consult with you about your notice. Your employer can either:
 - accept the change** – if your employer intends to accept the change, they need to discuss your new conditions of employment with you. This includes whether you're converting to full-time or part-time employment, your hours of work and your start date as a permanent employee. You should also discuss your new pay and conditions.
 - not accept the change** – if your employer doesn't intend to accept the change, they need to discuss the reasons why with you. There are limited reasons for an employer to not accept. You can find the limited list of reasons at fairwork.gov.au/employeechoice
- Written response from your employer** – your employer must respond to your notice in writing within 21 days, explaining whether they're accepting the change or not. Your employer's response must include information on the new conditions of employment (if accepted) or reasons for not accepting the change (if not accepted). If your employer doesn't respond, call us on 13 13 94.

What if I don't agree with my employer's decision?

Workplace problems can usually be fixed quickly when employees and employers work together to come up with a solution. Sometimes this isn't possible and extra help is needed. Start by visiting our Workplace problems page at fairwork.gov.au/workplace-problems

If you and your employer still can't agree about changing to permanent employment, you can apply to the Fair Work Commission for help to resolve the dispute. Find out more at fwc.gov.au/issues-we-help



Instructions for completing this notification template

This notification template has been colour-coded to help you to complete it.

Replace the **<red writing inside the angle brackets>** with the information relevant to your circumstances. When you're done you need to remove the brackets and change the text to black.

Instructions are included to help you. They are written in **[purple writing inside square brackets]**. You need to delete these instructions when you are finished.

When completing the notification template, you should copy and paste the text into a new Word document or email. **Do not include the Fair Work Ombudsman letterhead.**

Please keep a copy of the notification for your records.

Notification template: Notifying your employer that you want to become a permanent employee

[Copy and paste all text below the dotted line into a new blank Word document, or into an email.]

<Date notification is sent>

Private and confidential

<Employer's full name>

<Employer's residential/postal/email address>

Dear <manager/employer name>

Changing from casual to permanent employment

I wish to advise that I would like to change from a casual employee to a permanent <part-time or full-time> employee. I am providing this notice in accordance with the employee choice pathway entitlements under the National Employment Standards in the Fair Work Act.

I believe I am eligible to become a permanent employee because I meet the following criteria:

- I have worked for <business name> for more than <6/12> months, from <start date> to <current date>.
- I believe I no longer meet the definition of a casual employee.
- We do not currently have a dispute about changing to permanent employment under the employee choice pathway.
- In the last 6 months, I haven't been refused a previous notification or had a dispute resolved about changing to permanent employment under the employee choice pathway.

Next steps

The Fair Work Act requires you to consult with me about this notice and respond in writing within 21 days of the date of this notification. The Fair Work Ombudsman has provided guidance and created a template that you can use to help you do this.

For more information about responding to this notice, and to access the employer template response, visit fairwork.gov.au/employeechoice

Thank you for your time in considering my notification. I look forward to hearing from you.

Yours sincerely

<Your name>