

There are statutory guidelines of what may be a reasonable ground for a refusal.

Subdivision C—Residual right to request casual conversion

66F Employee requests

66H Refusals of requests

- (1) The employer must not refuse the request unless:
 - (a) the employer has consulted the employee; and
 - (b) there are reasonable grounds to refuse the request; and
 - (c) the reasonable grounds are based on facts that are known, or reasonably foreseeable, at the time of refusing the request.
- (2) Without limiting paragraph (1)(b), reasonable grounds for refusing the request include the following:
 - (a) 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;
 - (b) the employee's position will cease to exist in the period of 12 months after giving the request;
 - (c) 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;
 - (d) there will be a significant change in either or both of the following in the period of 12 months after giving the request:
 - (i) the days on which the employee's hours of work are required to be performed;
 - (ii) 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;
 - (e) 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.
- (3) If the employer refuses the request, the written response under section 66G must include details of the reasons for the refusal.