Template letter: Conversion approval – non-permanent employment

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| *This template letter informs a non-permanent employee that their request to be converted to permanent employment is approved under the Act and Review of non-permanent employment (Directive 02/23).* [Delete before sending letter] |

[Address]

[Employee email address]

Key points:

1. This letter is an offer to convert your employment to a permanent basis.
2. Subject to your agreement, your conversion will take effect from [insert date].
3. The permanent hours of work offered are [insert hours per week/fortnight].
4. The details of your permanent employment offer are enclosed at the end of this letter.

Dear [insert name],

On [insert date] [select one: you requested a review under section 113 of the *Public Sector Act 2022* (the Act) OR I advised I was undertaking a review of your employment under section 115 of the *Public Sector Act 2022* (the Act)].

I have completed the review of your non-permanent employment.

I am pleased to advise that, if you agree, you will be converted to permanent employment in the role of [role name, business unit, agency, include hours offered and basis for offering those hours where less than full-time], with effect from [date of conversion]. This decision is made under section [insert relevant section] of the Act.

**[Insert if full time hours not offered and hours offered less than the greater of the current work cycle/roster period hours, or the average hours worked over the preceding two years.]** I have decided to convert you at [insert hours of work per week/fortnight]. These hours are fewer than the [average hours you have worked over the last two years/hours you worked last work cycle or rostering period – leave whichever is the greater hours]. The reason I have offered these hours is [exceptional circumstances the basis for the lesser hours].

**Appeals**

In accordance with [section 115(8), section 115(9)(b)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2022-034#sec.115) and [section 131(1)(a)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2022-034#sec.131) of the Act, a public sector employee may appeal an offer made under [section 115(1)(b)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2022-034#sec.115) to convert the employee’s employment to a permanent basis in the circumstances where the hours of work offered (as required by clause 11 of the review of non-permanent employment directive) unreasonably disadvantage the employee in the circumstances.

There are procedural requirements, including time limits, under the [*Industrial Relations Act 2016*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-063)that must be fulfilled in order to appeal this decision.Further information is available in the directive relating to appeals and the Queensland Industrial Relations Commission’s (QIRC) public service appeals guide found online at [www.qirc.qld.gov.au/public-service-appeals](file:///C%3A%5CUsers%5Cthompsons%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CFRYAHIXX%5Cwww.qirc.qld.gov.au%5Cpublic-service-appeals). Additionally, the QIRC Industrial Registry can provide further information on public sector appeal procedures—visit [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au) or telephone 1300 592 987 or (07) 3227 8060.

I would also like to take this opportunity to thank you for the contribution you have made to [insert department, agency or entity’s name] and look forward to working with you on an ongoing basis.

[Insert name] has been assigned as the contact for the review. Should you have any questions about the contents of this letter, or do not wish to be converted to permanent employment, please contact [insert name of contact] on [insert telephone number].

Yours sincerely

[Decision maker]

[Position]

Attachment 1 – Employment summary (**include any previous conversion review decisions and reasons)Additional information**

**Decision making framework**

This review is conducted in accordance with the [*Public Sector Act 2022*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2022-034)(Act) and the [Review of non-permanent employment (Directive 02/23](https://www.forgov.qld.gov.au/employment-policy-career-and-wellbeing/directives-policies-circulars-and-guidelines/review-of-non-permanent-employment-directive-0223)).

**Permanent hours of work offered – Directive clause 11**

Unless there are exceptional circumstances, when deciding the hours of work to be offered when a decision is made to offer to convert an employee’s employment to a permanent basis under [chapter 3, part 9, division 1](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2022-034#ch.3-pt.9-div.1) of the Act, the chief executive should offer hours of work no less than the greater of the following amounts:

1. the hours worked by the employee in the continuing role or role that is substantially the same, in the work cycle or rostering period, whichever is applicable, immediately before the chief executive’s decision,
2. the average hours per week worked by the employee in the continuing role or role that is substantially the same, over the last two years.

**Human rights**

Under the [*Human Rights Act 2019*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005), decision makers must act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.

If an employee considers that a relevant human right has not been taken into account in making this decision, you may make a complaint using your agency’s process for making a human rights complaint. If you appeal a decision, you can include information about your human rights complaint.

Further information about human rights is available at [www.qhrc.qld.gov.au/your-rights/human-rights-law](file:///C%3A%5CUsers%5Cthompsons%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CFRYAHIXX%5Cwww.qhrc.qld.gov.au%5Cyour-rights%5Chuman-rights-law).