



Use of Casual Payroll

1 Introduction

This document sets out parameters to support managers in identifying when it is appropriate to engage an individual on a casual contract as “a worker” (paid through the casual payroll) rather than on a contract of employment as “an employee” (paid through the main payroll). It also provides examples of some of the most common casual working arrangements within the University.

Casual workers are not employees. Certain policies, benefits and employment legislation are only applicable to employees. Managers must ensure that treatment of casual workers is appropriate to their employment status. The key difference between a “worker” and an “employee” is employment status. To be considered as an employee there must be a (verbal or written) contract between an individual and the University with mutuality of obligation that the work required will be undertaken as notified. A casual worker relationship can be explained by the fact that there is no obligation to offer work and the individual is under no obligation to accept it, with no adverse consequences for refusing it.

It should be noted that irrespective of contract type offered, it is essential that eligibility to work checks are carried out prior to the work being undertaken by the selected individual.

2 Parameters for Considering Engagement on a Casual Contract paid through the Casual Payroll

All of these parameters should be met if a manager wishes to offer engagement on a casual contract:*

- i) The work is irregular/unpredictable.
- ii) The engagement of the individual is for a period of less than 8 consecutive weeks.
- iii) The work is subject to management direction on a day-to-day basis with the individual having little or no discretion over the work to be done/how the work is done.
- iv) There is no expectation that the individual will necessarily be available to work when the need arises.
- v) The individual can refuse work offered to them, even if they have previously agreed to do it.

* See Section 3 for exceptions.

3 Exceptions to the Parameters

It should be noted that, exceptionally, External Examiners and “Subject Experts” who deliver a single lecture or short series of specialist lectures, either as a one-off or annually, may continue to be engaged on a casual basis and paid through the casual payroll.

Where a casual worker is to be engaged for a period exceeding 8 weeks, or is to be re-engaged within 6 months from the end of their previous assignment, then the reasons for the continued or re-engagement must be assessed against the criteria in Sections 1 and 2. If an employee/employer relationship has developed, then an employment contract must be offered instead, where required, subject to necessary approval.

4 Examples

The following are examples of casual contract arrangements within the University. The list is provided for guidance and should not be considered to be exhaustive.

- Engagement for 2 to 3 days to provide assistance with an office move
- Assistance at Open Days, Recruitment Events, Post Application Visit Days etc.
- One-off demonstrating sessions in the lab
- Examination scribing

5 Further Guidance for Managers

The correct form [“Ad_Hoc_Payment(Form-100)”] should be fully completed**, for each engagement, and for ease of reference can be found at the web link below:

<http://www.ed.ac.uk/schools-departments/human-resources/forms>

The form should be sent to College/Support Group HR, via the School/College/Support Group area office, by the 3rd of the month for payment at the end of that month.

Batch submissions near to the 3rd of the month deadline should be avoided, where possible, since this causes difficulties for College/Support Group HR and Payroll in processing payments so close to the pay run date.

Unless considered a “Subject Specialist” or equivalent as explained in Section 3, the rate of pay must reflect the University pay scale. The University pay scales can be found at the web link below:

<http://www.ed.ac.uk/schools-departments/human-resources/pay-reward/pay/pay-scales>

For more information or advice on the application of this guidance, please contact your local HR Team.

Including personal details, bank details, P46, job details, eligibility to work in the UK checklist (and copies of verified documents duly stamped, signed and approved **before the work is undertaken).

6 History & Review

This guidance takes effect from 20 March 2015. It is subject to ongoing review and is expected to be revised or expanded in response to queries and feedback or legislative change.

7 Alternative Format

If you require this document in an alternative format please contact UHRS@ed.ac.uk or telephone 0131 650 8127.