<table>
<thead>
<tr>
<th>Name of Policy</th>
<th>Qualifying Period Policy</th>
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<tr>
<td>Description of Policy</td>
<td>This Policy describes the operation of the Qualifying Period of Employment at ACU</td>
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- **New Policy**: False
- **Revision**: False

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**Human Resources Directorate**

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<th>Policy and Revision Number</th>
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<td>Original Effective Date</td>
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<td>Review Due Date</td>
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<td>Revision Effective Date</td>
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<td>Senate Approval Date</td>
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<td>Vice Chancellor’s Approval Date</td>
<td>7 April 2008</td>
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1. Background Information

Read together, the provisions of Sections 643(6) and 643(7) of the Workplace Relations Act, 1996 as amended in 2006 (the Act), require the completion of a six (6) month Qualifying Period of employment before an employee, whose employment has been terminated may commence a proceeding under Section 643(1)(a) of the Act.

Section 643(1)(a) provides that an employee may apply to the Australian Industrial Relations Commission (AIRC) for relief in respect of termination of employment on the grounds that the termination was harsh, unjust or unreasonable.

Section 643(7) also provides that, before the commencement of employment, an employer and an employee may agree in writing that there will be
- no Qualifying Period, or
- a Qualifying Period shorter than 6 months, or
- a longer Qualifying Period that is reasonable having regard to the nature and circumstances of the employment.

2. Policy Statement

2.1 This Interim Qualifying Period Policy operates to the exclusion of the University’s:
- Interim Probation for General Staff Policy,
- Interim Probation for Continuing Academic Staff Policy, and
- Interim Probation for Fixed-Term Academic Staff Policy.

2.2 The normal Qualifying Period of employment for a staff member commencing employment with ACU National on either a continuing basis or for a fixed-term contract of six (6) months or more, is six (6) months.

2.3 Any departure from this norm must be agreed, in writing, before the commencement of employment and must be first approved in accordance with Section 5 of this Policy.

3. Policy Purpose

The purpose of this policy is to clarify the operation of the Qualifying Period of employment at ACU.

4. Application of Policy

This policy applies to all continuing and fixed-term staff members of the University. It does not apply to casual or sessional staff members.

5. Approvals

All approvals of decisions made in relation to fixing the length of a Qualifying Period of employment must be in accordance with the University’s Staffing Delegations Register.

6. Procedures

6.1 After following the implementation of the relevant University Policy, a nominated supervisor may recommend and the appropriate delegated Officer may approve either:
- the non confirmation a staff member’s probationary appointment, or
- the termination of a staff member’s employment
6.2 Where a member of staff whose employment was terminated (or whose appointment was not confirmed) was employed on either a continuing basis or on a fixed-term contract for six (6) months or more, and she/he subsequently lodges an application under Section 643 (1) of the Act regarding the University's decision to terminate her/his employment or not confirm her/his appointment; the University may rely on the requirement that the staff member must have completed a six (6) month Qualifying Period of Employment to challenge, on jurisdictional grounds, the application made by the former staff member under Section 643(1) of the Act.

7. Policy Review

The University may make changes to this policy and procedures from time to time. In this regard, any staff member who wishes to make any comments about this Policy may forward her/his suggestions to the Director, Human Resources.

8. Further Assistance

Any staff member who requires assistance in understanding this Policy should consult her/his nominated supervisor who is responsible for the implementation and operation of these arrangements in her/his work area. Should further advice be needed, she/he should contact the Human Resources Consultant responsible for her/his campus.