

MUHIIM: Shaqaalaha cusub ee caadiga ah (casual employees) sidoo kale waxay u baahan yihiin in la siiyo **Bayaanka Macluumaadka Shaqo Cadaalad ah (Fair Work Information Statement)**. Booqo www.fairwork.gov.au/fwis



Yaa ah shaqaale caadi ah (casual employee)?

Waxaad tahay shaqaale caadi ah (casual employee) haddii aad ka soo baxdid dhammaan shuruudaha soo socda:

- waxaa lagu siiyay shaqo
- qofka loo shaqeeyo ma sameeyo **ballanqaad adag oo horudhac ah** oo sheegaya in shaqadu ay ku sii socon doonto si aan xad lahayn iyadoo la raacayo hannaankii shaqada ee lagu heshiiyey, iyo
- waad aqbashay dalabka adiga oo og in aanu jirin **go'aan adag oo horudhac ah** isla markaasna waxaad noqoneysaa shaqaale.

Ayadood la qiimeyn shaqaale-nimadaada caadiga ah (casual employee) **waqtigaas ayada aha** waxaa lagu soo bandhigay dalab oo waad aqbashay shaqada.

Waa maxay 'ma jiro ballan-qaad adag oo horay loo sameeyay' ('no firm advance commitment')?

Si aad u ogaatid in qofka aad u shaqeysid uu sameeyay **wax ballan-qaad adag oo horudhac ah ma jiro** marka uu ku siinayo shaqada, **kaliya 4 arrimood ayaa tixgelinaya**. Waxay yahiin in:

- ▶ qofka aad u shaqeysid uu dooran karo inuu ku siiyo shaqo, adiga ayaana go'aanka iska leh inaad shaqeysid iyo in kale
- ▶ waxaa lagu siin doonaa shaqo marka qofka aad u shaqeysid u baahdo inaad u shaqeysid
- ▶ shaqadaada waxaa lagu tilmaamay mid caadi ah (casual)
- ▶ waxaa lagu siin doonaa lacago caadi ah oo dheeraad ah (casual loading) ama qiimo mushahar gaar ah oo loogu talagalay shaqaalaha caadiga ah (casual employees).

Ma jiro 1 qodob oo go'aaminaya oo uma baahnid dhammaan 4tooda si ay u jirto 'majiro ballan-qaad adag oo horay loo sameeyay'. Waxay ku saabsan tahay in la miisaamo arrimaha jira (iyo kuwa aan jirin) oo aad go'aan laga gaaro in guud ahaan qofka loo shaqeeyo (employer) uu ahaa ama aanu doonaynin inuu sameeyo ballan-qaad adag oo haray loo sii sameeyay.

Tusaalaha 'ma jiro ballan-qaad adag oo horay loo sameeyay'

Priya waxaa loo soo bandhigay shaqo kaaliye dukaan ah. Shaqada waxaa loo xayeesiiyay sidii boos caadi ah (casual position).

Milkiilaha dukaanka ayaa yiri Priya waxaa loo baahan yahay inay shaqeyso marka dukaanku mashquul yahay ama shaqaalaha kale ay fasax ku maqan yihiin. Marka ganacsigu hoseeyo, Priya waxay heli doontaa shaqo yar. Priya waxaa loo soo badhigi doonaa xilliyada ay shaqeyneyso todobaad ka hor xilliyada shaqaduna way kala duwanaa doonaan todobaad walba. Priya way diidi kartaa isbeddellada haddii ay doonto. Qiimaha mushaharka ee Priya waxa ku jiri doona lacago dheeraad ah oo caadi (casual loading). Priya way aqbashay shaqada.

Ma jirin 'ballan-qaad adag oo hore loo gaadhay' oo la xiriira xaaladda Priya. Qofka ay u shaqeyso ma ballan qaadin in ay siiso Priya shaqo joogto ah. Milkiilaha dukaanka ayaa cadeeyay in xilliyada ay shaqeyn doonto Priya ay kala duwanaa karaan, iyo in Priya aaney ku khasbaneyn inay aqbasho shiftiyada. Shaqada ayaa loo xayeesiiyay mid caadi ah (as casual) waxaana Priya la siin doonaa qiimaha caadi ahaan loogu shaqeeyo (casual rate of pay). Sababtoo ah tani way caddayd markii Priya loo soo bandhigay oo ay aqbashay shaqada, waxaa loo arkaa shaqaale caadi ah (casual employee).

Fiiro gaar ah: Mararka qaar shaqaalaha caadiga ah (casual employees) waxay shaqeeyaan saacado joogto ah oo go'an. Tani macnaheedu maaha inay shaqaale joogto ah yihiin (wakhti buuxa ama waqti dhiman), laakiin haddii waqtiyadu sidaan kusii socdaan, waxay xaq u yeelan karaan in loo beddelo kuwo caadi ah mustaqbalka (badanaa 12 bilood ka dib).



Sideen ku noqon karaa shaqaale joogto ah haddii aan ahay shaqaale caadi ah (casual employee)?

Sida waafaqsan Heerarka Shaqaalaynta Qaranka (**National Employment Standards - NES**), shaqaalaha caadiga ah qaarkood waxay xaq u leeyihiin inay noqdaan shaqaale joogto ah (waqti buuxa ama waqti dhiman). Tan waxaa loo yaqaan 'casual conversion'.

Shaqaalaha caadiga ah qaarkood waa in qofka ay u shaqeeyaan uu u soo bandhigaa beddelida caadiga ah ca (casual conversion) halka kuwa kalena ay codsan karaan oo keliya. Waa inaad dhameysay 12 bilood oo shaqo ah oo aad buuxisay shuruudo kale.

Bogga xiga wuxuu qeexayaa marka qofka aad u shaqeyso ay tahay inuu ku siiyo beddelaada caadiga ah (casual conversion), iyo marka aad xaq u leedahay inaad codsatid.

Ganacsiyada yaryar

Haddii aad u shaqeysid **ganacsi yar** (in ka yar 15 shaqaale), qofka aad u shaqeyso maaha inuu ku siiyo beddelaada caadiga ah (casual conversion). Si kastaba ha ahaatee, xaaladaha qaarkood waxaad weli xaq u leedahay inaad codsatid.

Bogga xiga wuxuu qeexayaa markaad xaq u leedahay inaad codsatid beddelaada caadiga ah (casual conversion) haddii aad ka shaqeysid ganacsi yar.



Qaab qoraal ahaan ah

Marka loo eego NES, dhammaan fursadaha qofka loo soo bandhigo, codsiyada, diidmada, iyo jawaabaha ku aadan beddelida caadiga ah (casual conversion) waa inay ahaadaan **qaab qoraal ah**.

'Qoraal ahaan' waxaa ka mid ah gacan-ku-qorisra, daabacaada, iyo elegtroonig (tusaale ahaan, iimaylka).

Qaar ka mid ah shaqaalaha caadiga ah (casual employees) waxay xaq u yeelan karaan abaal-marinno iyo heshiisyo (covered by awards and agreements) oo ay u dheeratahay xuquuq u beddelid caadi ah (casual conversion). Tag www.fairwork.gov.au/casual wixii macluumaad dheeraad ah.



Ma u baahan tahay caawimo?

Malaga yaabaa inaad hubin inaad xaq u leedahay abaal-marin ama heshiis (an award or agreement)?

Booqo www.fairwork.gov.au/awards iyo www.fairwork.gov.au/agreements



Qofka loo shaqeeyo ma inuu ii soo bandhigo beddelaad caadi ah (casual conversion) baa?

Ganacsiyada leh 15 shaqaale ama in ka badan waa inay usoo bandhigaan beddelaad caadi ah (casual conversion) shaqaalaha caadiga ahl (casual employees). **Waa inay kuu soo bandhigaan** beddelaad caadi ah (casual conversion) haddii aad soo buuxisid shuruudaha soo socda:

- iyaga ayaad u shaqaynaysay **12 bilood**
- waxaad u shaqeysay **qaab saacado joogto ah** oo aan hakad lahayn ugu yaraan **6-dii bilood** ee la soo dhaafay, iyo
- waxaad sii wadan kartaa shaqada saacadaha caadiga ah adoo ah shaqaale joogto ah **iyada oo aysan dhici doonin isbedel weyn.**

Qofka aad u shaqeysid **ma aha inuu kuu soo bandhigo** beddelaad caadi ah (casual conversion) haddii mid ka mid ah kuwan soo socdaa ku khuseeyo:

- waxaa jira **sababo macquul ah** oo qofka aad u shaqeysa aanu kuu siin karin beddelaad caadi ahl (casual conversion), ama
- maanad shaqaynin saacado cayiman oo joogto ah ugu yaraan **6-dii bilood** ee la soo dhaafay.

Waxa loo baahan yahay in qofka aad u shaqyso uu sameeyo

- Haddii aad u qalantid beddelida caadiga ah** - Waa inuu adiga kuugu soo bandhigaa, qoraal ahaan, 21 maalmood gudahooda kadib 12-bilood markay kuu dhamaato.
- Haddii aanay ku soo bandhigayn beddelaad caadi ah (casual conversion) ah** - Waa inay kuugu sheegaan sababta qaab qoraal ah, 21 maalmood gudahood markay kuu buuxsanto 12-bilood ka bacdi.

Waxa aad u baahan tahay inaad sameysid

- Haddii qofka aad u shaqeysid uu kuusoo bandhigo beddelaad caadi ah (casual conversion)** - Ku jawaab qoraal 21 maalmood gudahood. Waad aqbali kartaa ama diidi kartaa dalabka.
- Haddii aadan ku raacsanayn go'aankooda ah inayan kuusoo bandhigin beddelaad caadi ah (casual conversion)** - Raac tillaabooyinka lagu qeexay qaybta 'Kawaran haddii khilaaf jiro?' ee bogga xiga.

Tusaalaha 'qaabka saacadaha cayiman ee joogtada ah'

Alex waa shaqaale caadi ah (casual employee) oo habeenada jimcaha iyo Sabtida si joogto ah uga shaqeeya makhaayad. Saacadihiisa iyo maalmihiisu isma beddelaan.

Muddo 6 bilood ka badan, Alex waxa uu xanuun darteed u seegay 2 waqti (2 shifts) oo shaqo ah. Heshiis uu la galay qofka uu u shaqeeyo waxa kale oo uu qaataa 1 todobaad oo fasax ah inta lagu jiro imtixaanada jaamacada.

In kasta oo Alex uu qaatay waqti maqnaansho fasax ah, tani wali waxay buuxinaysaa qeexida 'habka caadiga ah ee saacadaha joogtada' ('regular pattern of hours').



Macluumaad dheeraad ah

Wixii macluumaad dheeraad ah ee ku saabsan shaqada caadiga ah (casual employment) iyo beddelaada caadiga ahl (casual conversion), tag www.fairwork.gov.au/casual iyo www.fairwork.gov.au/casualconversion



Ma codsan karaa beddelaad caadi ah (casual conversion)?

Waxaad xaq u leedahay inaad codsatid beddelaada caadiga ah (casual conversion) haddii aad buuxisid dhammaan shuruudaha soo socda:

- waxaad u shaqeysay ganacsiga ugu yaraan **12 bilood iyo 21 maalmood** (12 bilood haddii aad u shaqeysid ganacsi yar)
- waxaad shaqeysay **qaab saacado joogto ah** si joogto ah ugu yaraan **6-dii bilood ee la soo dhaafay**
- waxaad usii wadi kartaa shaqada qaabka saacadahaas adoo ah shaqaale joogto ah ayadoon isbedel badan dhaceyn, iyo
- inta lagu guda jiray **6-dii bilood ee u dambeysay taas ma eeysan dhicin:**
 - waxaad diidey u beddelida caadiga ah (casual conversion)
 - waxaa laguu sheegey inaan laguu soo bandhigeyn u beddelida caadiga ah (casual conversion) sababo macquul ah dartood ama
 - aad codsatey beddelaada caadiga ah (casual conversion) taas oo la diidey sababo macquula awgood.

Waxa aad u baahan tahay inaad sameysid

- Haddii aad u qalantid oo aad dooneysid inaad codsatid beddelaad caadi ah (casual conversion)** - Codsiga qoraal ku samee.

Waxa loo baahan yahay in qofka aad u shaqyso uu sameeyo

- Haddii ay kuu aqbalayaan codsigaaga** - waa inay ku wargeliyaan adiga oo qoraal kaga soo jawaabaan 21 maalmood gudahooda markay helaan codsigaaga.
- Haddii ay ku diidayaan codsigaaga sababo macquul ah awgood** - waa inay ku wargeliyaan oo kuugu soo sheegaan sababaha qoraal ahaan 21 maalmood gudahood markay helaan codsigaaga. Haddii aad shuruudaha mar kale buuxisid 6 bilood gudahood, waxaad samayn kartaa codsi kale markaa.



Maxay yihiin 'sababaha macquulka ah'?

Waxa lagu tiriyo 'sababo macquul ah' waxay ku xidhnaan doontaa duruufahaaga iyo daruufaha qofka aad u shaqeysid.

Waxay ku dari karaan taas 12-ka bilood ee soo socda gudahood:

- booskaagu masii jiri doono
- saacadahaaga shaqadu aad bay u yaraan doonaan
- maalmaha ama waqtiyada qofka aad u shaqeysid u baahan yahay inaad shaqeysid si weyn ayay isu bedeli doonaan, oo laguma heli doono si aad u shaqeysid jadwalka dib loo eegay.

Sababaha macquulka ah waxa kale oo ka mid noqon kara in soo bandhigista dalabka ama oggolaanshaha codsiga aanay u hogaansami karin habka qorista ama xulashada ee loo baahan yahay ama sida waafaqsan sharciyada Barwaaqo-sooranta (Commonwealth), Gobolka ama Territoriga.



Maxaa dhacaya haddii aan ku khilaafno qofka aan u shaqeeyo wax ku saabsan beddelka caadiga ah (casual conversion)?

Haddii adiga iyo qofka aad u shaqeysid uu idinka dhexeeyo khilaaf ku saabsan beddelaada caadiga ah (casual conversion), oo ay ku jiraan xeerarka iyo shuruudaha samaynta (ama aadan u sameyn karin) codsi ama soo jeedin, waxaa jira tallaabooyin aad qaadi kartid si aad u xallisid.

Iyada oo ku xidhan duruufahaaga, waxa laga yaabaa in aad heshid qof ku taageera ama ku matala iyada oo loo marayo habka khilaafka (kaas oo ay ku jiraan urur xaq u leh in uu ku matalo).

Tallaabada 1. Marka hore, hubi inaad xaq u leedahay **abaal-marin ama heshiis (an award or an agreement)**. Ma hubo? Booqo www.fairwork.gov.au/awards iyo www.fairwork.gov.au/agreements

- **Haddii aad xaq u leedahay abaal-marin ama heshiis (an award or agreement)**, waxaad u baahan tahay inaad raacdid habka ay u dejisay wax ka qabashada khilaafyada ku saabsan Shaqada Qaranka Heerarka (National Employment Standards - NES). Hoos ka eeg qaybta 'Yaa ku caawin kara?' haddii aad u baahan tahay caawimo dheeraad ah.
- **Haddii aanad xaq u laheen abaal-marin ama heshiis (an award or agreement)**, u gudub talaabada 2.

Tallaabada 2. Haddii aanad xaq u laheen abaal-marin ama heshiis (an award or agreement) waxaad u baahan tahay inaad hubisid in **heshiiskaaga shaqada** ama mid **nooc kale oo heshiis qoran ah** uu leeyahay hab lagu xalliyo khilaafaadka ku saabsan NES ama u-beddelidda caadiga ah (casual conversion).

- **Haddii ay taas jirto**, waxaad u baahan tahay inaad raacdid nidaamka ay u dejisay wax ka qabashada khilaafka. Hoos ka eeg qaybta 'Yaa ku caawin kara?' haddii aad u baahan tahay caawimo dheeraad ah.
- **Haddii aaney taasi jirin**, u gudub talaabada 3.

Tallaabada 3. Haddii hababka xallinta khilaafaadka ee **tallaabooyinka 1 iyo 2 aanay ku khusayn**, isku day inaad si toos ah ugala xallisid khilaafka qofka aad u shaqeysid adoo kala hadlaya iyaga (waxaad isticmaali kartaa koorsooyinka bilaashka ah ee hoos ku lifaaqsan si ay kaaga caawiyaan inaad taas samaysid). Haddii aad arrinta sidan ku xallin kari weydo, eeg qaybta 'Yaa ku caawin kara?' ee hoose oo aad caawimo ka heli kartid.



Hel caawimo wada hadal ah

Ka hel koorsooyin lagac la'aan ah khadka internet ka si ay kaaga caawiyaan inaad wada hadal la yeelatid kuwa shaqada (oo ay ku jirto wixii ku saabsan beddelaada caadiga ah) halkan www.fairwork.gov.au/learning

YAA KU CAAWIN KARA?

Haddii aad dooneysid macluumaad ama caawimo, ama uu jiro khilaaf aan la xallin, qolo saddexaad ayaa laga yaabaa inay ku caawiso. Iyadoo ku xidhan xaaladaada iyo sida aad dooneysid inaad u xallisid arinta, waxaa jira meelo kala duwan oo ku caawin kara.

Dembi baaraha howlaha Cadaalada ee Shaqooyinka (The Fair Work Ombudsman), Guddiga Cadaalada ee Shaqooyinka (Fair Work Commission) iyo Guddiga Dhismaha iyo Dayactirka ee Australia (Australian Building and Construction Commission) ayaa ku caawin kara. Waxa kale oo aad caawimo ka raadsan kartaa Maxkamadda Federaalka (Federal Circuit) iyo maxkamadda qoyska (Family Court) xaaladaha qaarkood.

DEMBI-BAARAHHA HOWLAHA CADAALADA EE SHAQOYINKA (FAIR WORK OMBUDSMAN)

- wuxuu ku siinayaa macluumaad iyo talo ku saabsan nooca shaqadaada (shaqo caadi ah ama joogto ah)
- wuxuu bixiyaa macluumaad iyo talo ku saabsan xuquuqaha, mushaharka iyo xaqa ay leeyihiin shaqaalaha caadiga ah, oo ay ku jiraan xaq u lahaanshaha beddelka caadiga ah (casual conversion)
- wuxuu leeyahay xisaabiyeyaal lacag la'aan ah, moodallo iyo koorsooyin online ah
- wuxuu ka caawiyaa xallinta dhibaatooyinka meesha shaqada
- fuliyaa sharciyada goobta shaqada isla markaasna ku taliyaa ganaaxyo haddii la jebiyoo sharciyada meesha shaqada.

www.fairwork.gov.au - 13 13 94

GUDDIGA CADAALADA EE SHAQOYINKA (FAIR WORK COMMISSION)

- waxay wax ka qabtaan khilaafyada ku saabsan beddelaada caadiga ah (casual conversion) (haddii aadan awoodin inaad si toos ah ula xallisid cidda aad u shaqaysid)
- waxay wax kaga qaban karaan khilaafkaaga hab dhex dhexaad ah, heshiisiin, talo bixin ama ra'yi dhiibasho
- haddii adiga iyo qofka aad u shaqeysaan aad isku raacdaan, waxay wax ku xallin karaan khilaafkaaga hab dhexdhexaad ah (waxay samayn karaan heshiis lagu qasban yahay fulintiisa).

www.fwc.gov.au - 1300 799 675

MAXKAMADA FEDERAALKA IYO MIDA QOYSKA EE AUSTRALIA - MAXKAMADA DACWOYINKA YAR YAR (FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA - SMALL CLAIMS COURT)

Waxaad caawinaad ka raadsan kartaa maxkamadda Federaalka iyo mida Qoyska ee Australia -Maxkamada Dacwooyinka Yar yar (Federal Circuit and Family Court of Australia - Small Claims Court) haddii khilaafkaaga la xiriira beddelka caadiga ah (casual conversion) uu ku saabsan yahay:

- inaad buuxisay shuruudaha qofka aad u shaqeysid si uu kuugu soo bandhigo inaad u noqotid shaqaale joogto ah
- waxaad buuxisay shuruudaha si aad u codsatid beddelaad caadi ah (casual conversion)
- qofka aad u shaqeysid wuxuu heystaa sababo macquul ah oo ah inaanu bixin beddelaad caadi ah (casual conversion)
- qofka aad u shaqeysid wuxuu heystaa sababo macquul ah oo uu ku diido codsigaaga beddelka caadiga ah (casual conversion).

www.fcfoa.gov.au - 1300 352 000

Haddii aad ka shaqeysid dhanka dhismaha goobaha ganacsiga waxaa ku caawin kara Guddiga Dhismaha iyo Dayactirka ee Australia (Australian Building and Construction Commission).

www.abcc.gov.au - 1800 003 338