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## **Occasional Staff and Casual Payroll Policy**

### **1. Purpose**

To set out the University's approach to the engagement of and payment to occasional staff and ensure that the University is compliant with all relevant employment legislation.

This policy covers all individuals paid through the casual payroll and any salaried staff who receive additional pay on a casual-pay basis.

### **2. Principles**

The broad range of activities carried out in the university necessitates the engagement of staff on a variety of contractual arrangements. Teaching, tutorials, demonstration, technical and administrative work, research, hospitality and commercial services and student services activities all form part of the essential operation of the university.

Where the volume and frequency of the work is variable or unpredictable, engagement of staff on a occasional basis may be appropriate to meet the needs of the university.

Staff may be engaged on an occasional (casual) basis in accordance with the following principles:

- **Responsiveness:** occasional staff may be engaged at short notice to meet short-term operational needs whilst adhering to university policies and governance requirements.
- **Fairness and Transparency:** Where a role is required on a regular or ongoing basis, the casual payroll is not appropriate. Such roles should be filled as a salaried basis on the same terms and conditions as other salaried roles under the



standard recruitment policy. There should be a clear purpose for engaging the individual as an occasional employee, in terms of the work being carried out and the reason why it is being carried out on an occasional basis.

- Organisation requirements: staff may be engaged on an occasional basis to meet a legitimate organisational requirement.

Legitimate use of occasional staff may include:

- Cover for temporary absence of another employee, or partial cover e.g. research buy-out, or cover pending the commencement of an appointee.
- Cover for defined periods where expertise is not available from within the university in the short-term.
- Work related to one-off events or programmes where specific skills are required on a project or modular basis.
- Provision of technical skills or specialist expertise on a part-time irregular basis to supplement the skills and expertise of the salaried staff in the area.
- Provision of industry/professional/practitioner expertise.
- Seasonal short-term work in hospitality, catering, housekeeping or services roles.
- Short-term work related to peaks in the academic cycle such as exams, assessments, graduation, registration.

### **3. Terms and Conditions of Employment**

Occasional staff are employees of the university.

Occasional staff must be issued with terms and conditions of employment within five days of commencement<sup>1</sup>.

Occasional staff are subject to work permit regulations and garda vetting as per all university staff.

Occasional staff are subject to university policies and employment legislation.

The status of an occasional staff member is not dependent on whether or not they are employed in another organisation<sup>2</sup>

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<sup>1</sup> Employment (Miscellaneous Provisions) Act 2018

<sup>2</sup> Except in roles where there is a prerequisite to be engaged in a medical role in another organisation.



## **4. Engagement of Occasional Staff**

### **Authorisation**

Approval to engage occasional staff must be authorised before the occasional worker is offered work. Authorisation for engagement of occasional staff is the responsibility of management in the relevant area and is subject to budgetary availability confirmed by the budget holder. No occasional worker should be engaged without this authorisation.

There should be a clear purpose for engaging the occasional worker and this must be included on the *occasional staff engagement form*.

### **Recruitment**

Recruitment of occasional staff is the responsibility of line management within Faculties and Divisions.

It is the responsibility of the hiring manager to ensure that individuals appointed as occasional staff are suitably qualified for the duties involved.

Pre-employment checks of work permits, garda-vetting, references and qualifications must be completed in advance of the work commencing. These checks are carried out locally and are the responsibility of the hiring manager. For roles requiring garda-vetting, assistance available from HR.

A *Terms and Conditions of Employment* document is provided to the occasional employee locally by the School/Unit.

### **Employee set-up**

Set up of Occasional staff on HR systems and payroll is the responsibility of Human Resources.

Occasional staff will be set up on HR systems and payroll on receipt of a form containing two parts:



- (i) *Occasional staff engagement form* signed by the hiring manager.
- (ii) *Occasional staff personal details* completed by the occasional employee

This data is required to set up the employee's personnel record on CoreHR and to provide access to systems or other university facilities.

## **Payment**

Occasional employees are paid on the Casual Payroll on the basis of approved *Casual pay claim forms*. The forms include detail of the dates on which the work was carried out, the number of hours worked, the rate of pay, and the cost-centre from which the payment will be made.

In line with Revenue directives<sup>3</sup>, part-time lecturers/teachers/trainers are generally engaged under a contract of service (employee) as opposed to a contract for service (self-employed).

Accordingly, payments made to such individuals should be made net of statutory deductions for income tax, USC and PRSI under the PAYE system.

*Rates of pay* are established for most types of occasional work. Whilst the majority of occasional workers should be paid on an appropriate hourly rate, it is recognised that in some cases workers will be paid a fixed amount for a set piece of work.

Where appropriate, a rate-for-the-job may be approved by the Head of School/Area. In all cases, rates of pay must meet the requirements of minimum wage legislation<sup>4</sup>.

Payment is made monthly or weekly where the role is a weekly-paid grade.

Payments are made by BACS only.

Payment can only be made after the work has been completed and signed off by the authorised manager.

Occasional work is non-pensionable.

Occasional employees are entitled to holiday pay as set out in the Organisation of Working Time Act 1997 (Sect 19.1).

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<sup>3</sup> (Revenue Guidelines: Taxation of Part Time Lecturers/Teachers/Trainers, Part 05-01-11)

<sup>4</sup> S.I. No. 402/2018 - National Minimum Wage Order 2018



## **Payment to Organisations**

This policy document applies to payments made to individuals only.

Payments made to limited companies or Universities are to be processed through Accounts Payable (AP) in accordance with AP business processes and on foot of a valid VAT invoice. Sole traders will be considered individuals and must go through payroll.

## **5. Casual Pay for Salaried Staff**

Existing part-time employees of the university may also be engaged on an occasional basis, on work identifiably separate from the employee's normal duties.

Additional employment on an occasional basis may be at a different rate of pay and must not conflict with their other duties. The total number of hours worked must not exceed the limits of the Organisation of Working Time Act 1997.

Approval of the employee's manager is required before engaging in occasional work in addition to the employee's normal duties.

## **6. Policy Review**

This policy will be reviewed after a period of two years following implementation. The review will be carried out by the Director of HR or nominee under the remit of the HR Committee.

In the event that regulations change regarding engagement of occasional staff e.g. payment to contractors, payment to employees, working time regulations, or other events that may affect the applicability of the policy, this will trigger an earlier review of the policy.



## **Appendix: Forms used in Casual Pay process**

### **1. Occasional Staff Engagement Form:**

Part 1: Completed by Hiring Manager before the employee is engaged.

Part 2: Completed by the Employee (bank details, PPSN, contact details).

Original to be sent to HR.

### **2. Terms and Conditions of Employment document**

Template provided by HR.

Hiring Manager or School/ Unit administrator completes document and provides to employee.

Employee retains document.

### **3. Casual Pay Claim Form:**

Completed by the Employee, signed by Line Manager, authorised locally.

Form sent to HR (Payroll Services).

### **4. Rates of Pay**

Agreed by Finance Committee.

Available on <https://www.tcd.ie/hr/assets/pdf/occasional-lecturer-rates.pdf>