

# CONTINGENT FUNDED (RESEARCH ONLY) STAFF PROCEDURE

## SCOPE

This procedure applies to Monash University fixed-term academic and professional staff (excluding staff on Performance Based Contracts (PBCs)) employed in research-only positions for a period of continuous service of four years or more on contingent funding under the [Monash University Enterprise Agreement \(Academic and Professional Staff\) 2019](#) ('the Enterprise Agreement') and whose fixed-term employment is due to expire.

For the purposes of this procedure, 'the University' includes its Australian campuses.

## PROCEDURE STATEMENT

- 1.1 Where the University is intending to make an offer of further employment to an eligible staff member, the University must consider offering the eligible staff member a further appointment at their current level on a continuing (contingent funded) contract of employment as per [clause 21](#) of the Enterprise Agreement.
- 1.2 Where a further appointment will be predominantly funded by contingent funding, the University may offer the eligible staff member a continuing (contingent funded) contract of employment. For academic staff, this will be a research focussed position with the option to be required to perform some teaching.
- 1.3 [Clause 21](#) of the Enterprise Agreement will apply to continuing (contingent funded) contracts of employment. This clause includes, but is not limited to, termination of employment and severance payment.

## 2. Assessment and recommendation

- 2.1 Monash HR will initiate a review with the relevant Faculty in relation to upcoming eligible staff.
- 2.2 An assessment of an eligible staff member's circumstances will be undertaken. The University must be satisfied that:
  - the staff member has met performance expectations for the previous four (4) years; and
  - there is sufficient external funding to support the position, or interim internal funding under clause 21.3 of the Enterprise Agreement; and
  - there is sufficient productive work that the staff member could perform in regard to the nature of the staff member's classification, discipline and skills; and
  - for professional staff, the staff member must have demonstrated the capacity to meet the future expectations for a continuing (contingent funded) appointment, including any new duties or skills that may be required.
- 2.3 Where those conditions are satisfied, consideration must be given to recommending a continuing (contingent funded) appointment, except where there are reasonable grounds not to. Reasonable grounds not to recommend include that:
  - the staff member is the subject of disciplinary proceedings or disciplinary action; and/or
  - the staff member is a student, their status as a student was the primary reason for their existing fixed-term appointment, and they are due to cease as a student within the forthcoming 12-month period.
- 2.4 A recommendation for a continuing (contingent funded) research focussed appointment for an eligible staff member, must be made by both the supervisor and Group HR Manager as the delegated authorities.
- 2.5 For any other continuing (contingent funded) appointment, the supervisor is the delegated authority to make a recommendation.
- 2.6 Where there is no recommendation for a continuing (contingent funded) appointment, the employment of the eligible staff member will cease on the expiry of their existing fixed-term appointment unless the Chief Human Resources Officer intervenes and authorises an offer of further fixed-term employment that the staff member accepts.

### 3. Endorsement and approval of recommendations

3.1 After the assessment of an eligible staff member’s circumstances, if there is a recommendation for a continuing (contingent funded) appointment, that recommendation will be submitted for consideration for endorsement and approval in accordance with the following:

Research Focussed continuing (contingent funded) appointments	Other continuing (contingent funded) appointments
<ul style="list-style-type: none"> <li>• Approval – Provost (<i>or nominee</i>)</li> <li>• Endorsement – Deputy Vice-Chancellor (Research) (<i>or nominee</i>)</li> <li>• Endorsement – the Sub-Faculty Dean or Head of School/Institute (MNHS), Dean or Executive Director (or delegate)</li> </ul>	<ul style="list-style-type: none"> <li>• Approval – the Sub-Faculty Dean or Head of School/Institute (MNHS), Dean or Executive Director (or delegate)</li> <li>• Endorsement – the Group HR Manager</li> </ul>

3.2 Where a recommendation for a continuing (contingent funded) appointment is not approved, the employment of the eligible staff member will cease on the expiry of their existing fixed-term appointment unless the Chief Human Resources Officer intervenes and authorises an offer of further fixed-term employment that the staff member accepts.

### 4. Invitations to apply and offers of appointment

4.1 Where a recommendation for a continuing (contingent funded) appointment has been endorsed and approved, the eligible staff member will be advised and invited to apply for a continuing contingent funded appointment.

4.2 If the staff member applies, they will then be issued an offer of continuing (contingent funded) appointment wherein the staff member will have the opportunity to either accept or decline the offer.

4.3 Where the eligible staff member does not either apply for or accept the offer of continuing (contingent funded) appointment, the employment of the eligible staff member will cease on the expiry of their existing fixed-term appointment unless the Chief Human Resources Officer intervenes and authorises an offer of further fixed-term employment that the staff member accepts.

### 5. Breach of procedure

5.1 The University treats any breach of its policies, procedures and schedules seriously; we encourage reporting of concerns about non-compliance, and manage compliance in accordance with the applicable [Enterprise Agreement](#), relevant instrument of appointment and/or applicable contract terms. A failure to comply with University procedures may result in action by the University. Such action may include disciplinary and other action up to and including potential termination of employment for employees, or the cessation of engagements with the University for other persons.

## DEFINITIONS

Contingent funding	As per <a href="#">clause 21.2</a> of the Enterprise Agreement.
Eligible staff	For the purpose of this procedure, ‘eligible staff’ means fixed-term academic and professional staff (excluding staff on Performance Based Contracts (PBCs)) employed in research-only positions for a period of continuous service of four years or more by the University on contingent funding under the <a href="#">Monash University Enterprise Agreement (Academic and Professional Staff) 2019</a> (‘the Enterprise Agreement’) and whose fixed-term employment is due to expire.
Performance Based Contracts (PBCs)	Contracts of employment provided for under clause 15 of the Enterprise Agreement.
Predominantly funded	Is a reference to a majority of the funding.

## GOVERNANCE

Parent policy	<a href="#">Recruitment and Appointment Policy</a>
Supporting procedures	N/A
Supporting schedules	N/A

Associated procedures	N/A
Related legislation	N/A
Category	Operational
Approval	Chief Operating Officer 4 December 2021
Endorsement	Chief Human Resources Officer 15 September 2021
Procedure owner	Director, Workplace Relations 15 September 2021
Date effective	5 December 2021
Review date	5 December 2024
Version	1.2 ( <i>minor amendments effective on 9 April 2022</i> )
Content enquiries	<a href="#">ask.monash</a> or phone Monash HR on (03) 990 20400