



THE UNIVERSITY *of* EDINBURGH

GUIDANCE – TYPES OF EMPLOYMENT CONTRACTS

Summary

In principle, the type of contract offered to an individual should best reflect the regularity of the work. Whilst not an exhaustive list the most common types of contracts offered to employees or workers in the University are summarised as follows:

| Type of Contract | Description | Examples/Points to Note |
|---------------------------------------|---|--|
| Full-time Contract, Open-Ended | Working hours are full-time: normally 35 per week or averaging 35 per week. Salary is paid in 12 equal monthly instalments and annual leave must be taken. There is an indefinite requirement and funding for the post to be carried out as far as can be reasonably predicted. | The term 'open-ended contract' is more commonly referred to as 'permanent contract' by other employers but the meaning is the same. |
| Full-time Contract, Fixed Term | Working hours are full-time: normally 35 per week or averaging 35 per week. Salary is paid in equal monthly instalments and annual leave must be taken. There is a finite requirement and/or funding for the post or there is another objective justification for the fixed term basis. | Examples of time limited posts: a post to support a specific conference or project; a post that is funded by an external provider for a specific purpose. An employee on a fixed term contract for 4 years or more, with at least one renewal, will automatically become a permanent employee unless a justifiable business reason for the continuation of fixed term status is provided. |

| Type of Contract | Description | Examples/Points to Note |
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| | | <p>Fixed Term Contracts Reason Codes should be used as a guide to identify the correct reason for the fixed term contract.</p> |
| <p>Part-time contract, Open Ended</p> <p>See also <i>Annualised Hours</i></p> | <p>Working hours required are specified as a number of weekly hours that are less than full-time hours. The part-time hours specified are the same each week or average the same per week. Salary is paid in 12 equal monthly instalments and annual leave must be taken. There is an indefinite requirement and funding for the post to be carried out as far as can be reasonably predicted.</p> | <p>The term 'open-ended contract' is more commonly referred to as 'permanent contract' by other employers but the meaning is the same.</p> |
| <p>Part-time contract, Fixed Term</p> <p>See also: - Annualised Hours - Student Experience</p> | <p>Working hours required are specified as a number of weekly hours that are less than 35 hours (full-time hours). The part-time hours specified are the same each week or average the same per week. Salary is paid in equal monthly instalments and annual leave must be taken. There is a finite requirement and/or funding for the post or there is another objective justification for the fixed term basis.</p> | <p>Examples of time limited posts: a post to provide cover for a particular reason such as maternity, absence or research leave; a post where internal funding has been approved for a fixed period of time.</p> |
| <p>Annualised Hours, Open Ended or Fixed Term</p> | <p>Appropriate where there are known fluctuations in demand for work during the calendar/academic year or other period of time. Typically, contracts are based on a total number of hours each year and/or a total number of weeks of work each year, often including periods where no work is required. Salary is pro-rated over a full year and contractual benefits/entitlements, including annual leave, are also pro-rated based on hours and weeks worked. Where fixed term, there is a finite requirement and/or funding for</p> | <p>This type of contract is based on average weekly hours over the calendar year of up to 35 hours per week. There may be weeks where hours are zero. Working hours and/or weeks should be notified as far as possible in advance. From an administrative perspective annualised hours contracts should ideally be calculated for a full year at a time. Annual leave will be requested and recorded in People and Money.</p> |

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| | the post or there is another objective justification for the fixed term basis. | |
| Fractional Contracts, Open Ended or Fixed Term | <p>Typically, the term ‘fractional’ is used to denote contractual arrangements for a ‘fraction’ of the year, e.g. semester only working. Pay is spread evenly over a full year, or the length of the fixed term contract, and includes a payment for annual leave and public holiday, where applicable. Contractual benefits/entitlements are pro rata. The manager will be able to calculate the total number of hours required (e.g. for teaching, preparation, meetings etc.) and schedule much of the work in advance. For teaching roles, much less work will be required in non-teaching weeks except for (e.g.) some preparation, planning meetings – and these hours will be included in the total hours making up the fractional contract.</p> <p>Where fixed term, there is a finite requirement and/or funding for the post or there is another objective justification for the fixed term basis.</p> | <p>The issued contract will reflect the total hours to be worked per annum and the ‘fraction’ of the year in which they are to be worked, as well as the total hours to be paid, inclusive of annual leave entitlement.</p> <p>In line with the University and UCU collective agreement dated 26 March 2019, teaching and research focussed staff on a GH contract will be offered a fractional contract if they have worked more than 0.2FTE on average, in the same role, over the preceding 2 years and it is reasonable to assume that work will continue to be available at that level in the future.</p> |
| Guaranteed Minimum Hours Contract , Open-ended or Fixed term | <p>Where an employee is guaranteed to be offered a specific minimum number of hours of work in the Guaranteed Hours Period (typically a calendar or academic year). At the end of the defined guaranteed hours period a further amount of guaranteed minimum hours is specified for the next guaranteed hours period.</p> <p>Guaranteed Hours contracts are typically appropriate where work is not evenly spread over most weeks or</p> | <p>Guaranteed hours (GH) arrangements should be reviewed annually as part of the refresh process in People and Money.</p> <p>As above, a teaching and research focussed member of staff on a GH contract will be offered a fractional contract if they have worked more than 0.2FTE on average, in the same role, over the preceding 2 years and it is reasonable to assume that work will continue to be available at that level in the future.</p> |

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| | <p>months of the period; where there are weeks or months where no work is offered; where the total hours to be offered cannot be reasonably predicted - only the minimum total number of hours; and, the minimum number of total hours offered will vary from one guaranteed hours period to the next.</p> <p>Usually the total hours over a calendar year will be equivalent to the total working hours available in a small part-time contract e.g. equivalent of less than one day/7 hours per week over the period of a full year. Payment for hours worked is usually made in the following month and a payment is made in respect of annual leave by submitting a timesheet via People and Money. Where fixed term, there is a finite requirement and/or funding for the post or there is another objective justification for the fixed term basis.</p> | <p>For fuller guidance please see Management of Guaranteed Minimum Hours Contracts.</p> |
| <p>Guaranteed Recurrent Minimum Hours Contract, Open-ended or Fixed term</p> | <p>Where an employee is guaranteed to be offered the <i>same</i> minimum number of hours of work in each Guaranteed Hours Period. For example, the employee will be guaranteed to be offered 100 hours of work in <u>each</u> academic year.</p> <p>Whilst hours may vary from week to week or month to month within each defined period of time and there are weeks or months where no work is offered, this type of contract would be appropriate where the <i>total</i> minimum hours worked in each guaranteed hours period is reasonably predictable.</p> | <p>For example, this type of ‘set hours’ arrangement may be appropriate for tutors who are offered work to teach a similar minimum number of guaranteed hours every year but where cover requirements arise at short notice.</p> <p>Guaranteed Set Hours Contracts may also be appropriate in areas where work requirements are seasonal and/or difficult predict, for example, in areas where the volume of work available is dependent on bookings.</p> |

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| | <p>However, as with all Guaranteed Hours contracts, the total minimum hours may fluctuate considerably during each period. Set hours arrangements can be varied with reasonable notice. Payment for hours worked is usually made in the following month and a payment is made in respect of annual leave.</p> <p>Where fixed term, there is a finite requirement and/or funding for the post or there is another objective justification for the fixed term basis.</p> | |
| <p>Student Experience Contract, Fixed Term, Part-Time or Guaranteed Minimum Hours</p> | <p>Where the contract is to provide employment linked to a specific programme of study for a fixed period of time as determined by the College/Professional Service Group for current University of Edinburgh matriculated students.</p> <p>Typically, contracts will be offered on a guaranteed hours basis but may also be offered on a part-time contract where the number of hours per week are specified.</p> <p>This type of contract will always be fixed term and should not extend beyond the expected date the student will no longer be a matriculated student of the University of Edinburgh.</p> <p>Payment for guaranteed hours worked is usually made in the following month and a payment is made in respect of annual leave.</p> | <p>For fuller guidance please see Appendix A - <i>Student Experience Guidance</i> of the Fixed Term Contracts Reason Codes.</p> |

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| <p>Casual Engagement</p> | <p>Where there is no obligation to offer the individual work, nor an obligation for the individual to accept the work then the individual can be engaged to carry out the work on a casual basis.</p> <p>Examples of the types of activities that may constitute casual working arrangements could include: 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. Casual workers are <u>not employees</u> therefore benefits and policies applicable to employees only do not apply. Payment for hours worked is usually made in the following month and a payment is made in respect of annual leave. For fuller details please refer to Use of the Casual Payroll.</p> | <p>Subject to certain exceptions, these parameters should be met if a manager wishes to offer engagement on a casual contract:</p> <ul style="list-style-type: none"> 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; and v) the individual can refuse work offered to them, even if they have previously agreed to do it. |