
FLEXIBLE WORKING ARRANGEMENTS POLICY

Purpose

supports mutually beneficial flexible work arrangements which enable staff to balance their work and life responsibilities. The implementation of reasonable work life balance options contributes to the well-being of employees and endeavours to offer a range of flexible work arrangements to support a variety of employee requirements. Employees may request flexible working arrangements based on parental and carer responsibilities. Employees are encouraged to put the request in writing. To comply with the Fair Work Act 2009 (Cth), will consider this request, and consider all relevant facts and circumstances in deciding whether or not to agree to the request. Such a request will not be refused unless it is reasonable to do so.

The purpose of this policy is:

- To provide guidelines for employees to request flexible working arrangements
- To provide guidelines for Employer to assess employee's requests for flexible working arrangements

What are flexible working arrangements?

Examples of flexible working arrangements include changes to:

- hours of work (e.g. changes to start and finish times)
- patterns of work (e.g. split shifts or job sharing)
- locations of work (e.g. working from home).

Scope

This policy applies to all employees, there are two aspects to this policy;

1. Short Term Arrangements
2. Longer Term Arrangements

Each have different eligibility, application and approval processes that need to be adhered to.

1. Short Term Arrangements

Short-term arrangement applies to one-off/ad-hoc situations or situations that require short-term carers' responsibilities.

Employees wishing to work from home on an ad-hoc basis must obtain approval (per occasion) from their relevant manager. An email record of the request/approval is to be kept by the manager.

At the time of the initial request the employee must complete the Working from Home Checklist ([FOR30](#)). The self assessed Working from Home Checklist should be completed again if the home-based site changes in location or there are any other significant factors that may impact on the safety of the site. This may include renovations undertaken in the home. The signed form needs to be given to HR to be saved in the employee file. All WHS requirements as outlined in the company's WHS Plan must be adhered to.

2. Long Term Arrangements

Long-term arrangements applies to flexible work arrangements of more than two (2) weeks. It is not intended to apply to one-off situations or situations that require short-term carers' responsibilities.

The benefits in this policy are subject to change at any time without notice with the approval of the Employer.

A number of benefits referred to in this policy are subject to terms and conditions in the Employment Contract or other policies and/or legislation. These will always take precedence over the Flexible Work Arrangements Policy.

Certain employees have the right to request flexible working arrangements. Employers can only refuse these requests on reasonable business grounds.

2.1 Eligibility - *Who can request long term flexible working arrangements?*

Employees who have worked with the same employer for at least 12 months can request flexible working arrangements if they:

- are the parent, or have responsibility for the care, of a child who is school aged or younger
- are a carer (under the Carer Recognition Act 2010)
- have a disability
- are 55 or older
- are experiencing family or domestic violence, or
- provide care or support to a member of their household or immediate family who requires care and support because of family or domestic violence

The above eligibility criteria are provided by the National Employment Standards. If you fall out of the criteria you are still welcome to apply through the process outlined below.

2.2 Policy - Long Term Arrangements

has a number of flexible work options that may be available to staff depending on their individual circumstances and the needs of the business. Eligibility to these options will be assessed on a case-by-case basis and should satisfy the needs of employees and the business without compromising our service provisions. Listed below are the most common flexibility initiatives.

offers a number of different leave types to assist employees in balancing work and personal commitments. The different leave types are detailed in 's Leave Policy ([POL04](#)) and include:

- Annual Leave
- Personal Leave
- Long Service Leave
- Parental Leave
- Leave Without Pay
- Compassionate Leave
- Family and Domestic Violence Leave
- Community Service Leave
- Study Leave
- Military Leave

The flexible work arrangements do not remove the contractual requirements that employees have agreed to. Employee's may be required to work additional hours to meet the demands of the work from time to time. The salary package is designed to compensate for this (and other matters).

will consider reasonable requests in accordance with this policy, but may determine at its discretion, that the request is inappropriate or unfeasible and decline the request.

Flexible Working Options

Part-time work

Part-time employees work regular and systematic hours of less than the standard full time hours (standard full time hours are defined in the employment contract and are usually 38 hours per week, Monday to Friday). Part-time employees have continuity of employment and generally accrue cumulative benefits, such as annual leave, sick leave, parental leave and long service leave on a pro-rata basis.

Part-time work may be considered where genuine job requirements make it reasonable to provide part-time work. In determining if this is an appropriate option, the following factors should be considered:

- Impact on service to clients, productivity, employee morale and occupational health and safety;
- Availability of staff to cover the entire operational week of the business unit;
- Supervisory implications of employees working over a lesser span of hours;
- Communication mechanisms to ensure participation by staff on part time hours;
- Employees are flexible, accessible and available to the workplace if required.

Flexible commencement and finishing times

Employee's standard commencement and finishing times may be varied by agreement between the Manager and the employee, but the requirement to work the Contracted hours per week will remain.

In determining if this is an appropriate option, the following factors should be considered:

- Impact on service to clients, productivity, employee morale and occupational health and safety
- Availability of staff to cover the entire operational day of the business unit
- Supervisory implications of employees working over a greater span of hours
- Communication mechanisms to ensure full participation by staff on flexible hours
- Employees are flexible, accessible and available to the workplace if required

Telecommuting (Working from Home)

Telecommuting is a work arrangement in which employees work from home for part or all of their usual week in lieu of working in the office. Approval of Telecommuting Arrangements is at the total discretion of .

Telecommuting may be suitable for:

- Discrete pieces of work which can be worked on by one person without close supervision;
- Specific tasks that can be safely performed away from the usual workplace;
- Work that is outcome based with clear achievable objectives and performance indicators;
- Work where equipment is readily available, and the employee can safely undertake the work at home;
- Employees that have a high level of trust and independence from their Manager;
- Employees that are organised, disciplined and conscientious.

Examples of work that may be suitable for Telecommuting include project work, policy analysis, research, report writing, data analysis, planning or scheduling and computer-based tasks. This list is not exhaustive and does not preclude other tasks that Manager consider suitable for a Telecommuting arrangement. Tasks that require face-to-face interaction, direct supervision and regular access to files or other resources located in the primary workplace would generally be considered unsuitable.

Process

First - Discuss with your Manager and/or HR

Here are some tips for talking through your proposal with your employer:

- ask for a meeting at a time that is convenient
- be clear and realistic about what you are asking the employer to do
- if you are not confident talking about these issues, you might want to ask a friend, colleague or HR to come with you
- be calm and professional at all times
- come prepared. Write down a list of the points you want to make and note down any agreements reached in the meeting

Second - Formal Process

A formal request under the Fair Work Act 2009 must be in writing and be given to your employer.

- Your written request needs to clearly outline:
 - The change sought
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- The reasons for the change
 - Complete the necessary paperwork, template found on the portal – [HR_FOR28_Request-for-flexible-working-arrangements-letter](#) attaching, if required supporting documentation
 - Submit to Manager

Third - Management to consider request

In most cases, employers and employees will talk through the issues and reach agreement on flexible working arrangements that meet both their needs.

Your employer must respond to your request in writing within 21 days of the request being made. The response must state whether your request will be granted or refused. A simple refusal will not be a sufficient response. If the request is refused, the written response must include details of the reason for refusal.

An employer can only refuse a request on reasonable business grounds. Reasonable business grounds include, but are not limited to:

- The new working arrangements requested by the employee would be too costly for the employer
- There is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested by the employee
- It would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the new working arrangements requested by the employee
- The new working arrangements requested by the employee would be likely to result in significant loss of efficiency or productivity
- The new working arrangements requested by the employee would be likely to have a significant negative impact on customer service

If your request is refused and you are not satisfied with the reasons provided, you may go to the Fair Work Commission for assistance if your employer has agreed to do so (for example, such written agreement may be provided for in your contract of employment, enterprise agreement or other written agreement).

If there is a change to the employee's status, ensure a new contract or letter is drafted outlining the Change of Employment Status.

Should you receive approval for working from home, please agree and sign off the '[HR_FOR27_Working From home checklist](#)'.

Applying for Flexible Working Arrangement

Responsibilities

Employees are responsible for:

- Applying for Flexible Leave arrangements in accordance with this policy by setting out a formal written request and discussion with your Manager ([FOR28 Request-for-flexible-working-arrangements-letter](#));
 - Informing their Manager in writing if they no longer require flexible working arrangements or if they cease to be an NES Employee.
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Employers, in consultation with Human Resources advice are responsible for:

- Genuinely considering applications for flexible working arrangements;
- Liaising with the employee to develop mutually acceptable and beneficial work arrangements wherever reasonable;
- Approving or declining the request in a timely manner (for NES Employees the request should be approved or declined within 21 days of the initial written request) using [FOR29](#) Flexibility-request letter);
- Explaining and documenting the reasons for approving /declining requests for flexible working arrangements (for NES Employees the explanation should be provided within 21 days of the initial written request).

Approving/Declining Flexible Work Arrangements

The employer must give due consideration to requests for flexible work arrangements. In deciding if a request can be approved, the following should be considered:

- The effect on the workplace and the business of approving the request, including financial impact of doing so and the impact on efficiency, productivity and customer service
- The ability to organise work among existing employees
- The ability to recruit a replacement employee or the practicality or otherwise of the arrangements that may need to be put in place to accommodate the needs of both parties
- The trust and reliability of the employee
- The employee's preferred work environment and need for quiet, uninterrupted time to be appropriately productive
- Whether or not this quiet environment can be provided at the work place
- Impact on colleagues in the immediate work area, particularly on workloads, culture and communication
- Potential positive and/or negative affect on the quality of the office's processes, practices, team and outcomes
- The adequacy of the proposed communication mechanisms for maintaining regular contact with supervisors, colleagues, the office as a whole, clients etc.
- Responsibility for supplying equipment and furniture for use in the home-based work site
- The adequacy of the proposed work area and equipment in relation to the office's WHS obligations and standards
- Insurance coverage of furniture and equipment in the home-based work site
- Ensuring the arrangement is not a substitute for dependent care or sick leave
- Ensuring a medical certificate is provided if an employee wishes to work at home because they are unfit to attend the normal work site but are otherwise able to perform their duties

If there is a change to the employee's status, ensure a new contract or letter is drafted outlining the Change of Employment Status.

Should you receive approval for working from home, please agree and sign off the [FOR30](#) Working From home checklist.
