

Sample Flexible Work Practices Procedure

Overview

This procedure is a guide for [insert organisation name] staff in the use of flexible work practices. This procedure should be read accompanying the Human Resources Policy.

Considerations

Flexible work practices may be defined as those practices that support both the employer and the employee in meeting work commitments and personal responsibilities. These practices may cover when, where and how work commitments are undertaken.

Some of the reasons that flexible work practices are beneficial include:

- Work duties can be completed in an environment free of the usual interruptions in the workplace
- Travel time is saved, freeing up time for work and/or personal commitments
- Employees may better manage personal and family commitments
- Work duties can be undertaken where employees may otherwise have been forced to take leave
- Employment of individuals may continue where a change in personal circumstances may have made it impossible to continue without flexible work practices
- Diversity across the workforce is supported – age, gender, disability, cultural and community background.

Flexible work practices that **[insert organisation name]** supports include:

Flexible working hours: Daily commencement and finishing times vary depending on the needs of the employee and the organisation, provided that required hours are completed, or time in lieu is applied.

Make up time: Time from ordinary hours may be taken, with these hours worked at a later time at the ordinary rate of pay.

Time in lieu: Time taken in lieu of overtime payment for above ordinary hours worked.

Working from home: Duties are undertaken by employees in their homes rather than in the office. Work health and safety considerations apply to employees working from home with an assessment of the environment will be completed and actioned before

working from home commences. [insert position] ensures organisational insurances are considered to maintain coverage.

Work related travel: Employees may be required to travel to undertake work related duties. Leave may be taken in conjunction with work related travel, with the travel time the trip ordinarily takes will be attributable to [insert organisation name] and any additional time attributable to the employees' leave.

Whilst **[insert organisation name]** supports flexible work practices wherever possible, they are not an employee entitlement. Casual and temporary employees are not eligible to undertake flexible work practices, unless extenuating circumstances exist and practices are negotiated with their direct supervisor and the CEO/Manager. Permanent and contract employees are eligible for flexible work practices after the three month probationary period. All requests and approvals for flexible work practices are to be negotiated between the employee and their direct supervisor.

[insert organisation name] allows parents or carers of a child under school age or of a child under 18 with a disability, to request a change in working arrangements to assist with the child's care.

Requests for flexible working arrangements

Employees may request change in working arrangements.

(1) An employee who is a parent, or has responsibility for the care, of a child may request the employer for a change in working arrangements to assist the employee to care for the child if the child:

- (a) is under school age; or
- (b) is under 18 and has a disability.

Note: Examples of changes in working arrangements include changes in hours of work, changes in patterns of work and changes in location of work.

(2) The employee is not entitled to make the request unless:

- (a) for an employee other than a casual employee—the employee has completed at least 12 months of continuous service with the employer immediately before making the request; or
- (b) for a casual employee—the employee:
 - (i) is a long term casual employee of the employer immediately before making the request; and
 - (ii) has a reasonable expectation of continuing employment by the employer on a regular and systematic basis.

(3) The request must:

- (a) be in writing; and
- (b) set out details of the change sought and of the reasons for the change.

Employees provide written request to use flexible work practices either as a single event or as ongoing/ regular basis.

Requests detail the type of flexible work practice and any other relevant information (such as hours taken and activities to be achieved).

For time in lieu requests, a form must be completed along with evidence of hours accumulated.

For working from home / telecommuting requests, a working from home risk assessment must be completed and actioned before working from home commences.

All requests are to be forwarded to the employee's direct supervisor.

Approval of Flexible Work Practices

In reviewing the request, the supervisor is to consider:

- Is the flexible work practice sought the best or only solution to the need?
- Are the employees functions/duties/activities suited to the flexible work practice proposed?
- What are the costs and benefits of the proposal in financial and non financial terms?
- If working from home, does the employee have the information and competency to undertake work unsupervised?
- If working from home, are all necessary equipment/resources available for the employee to safely undertake their duties?
- Are current supervision practices sufficient to manage performance?
- Will the employee still be able to contribute to the organisation as a team member?
- Will the employee still be able to manage external relationships vital to the organisation's work?
- Are there additional professional development needs as a result of flexible work practices?
- Has the employee completed the three month probationary period?
- What impact/ if any will there be on other staff?

Written approval or otherwise to use flexible work practices will be provided to the employee with sufficient time to allow the employee to make necessary work and/or personal arrangements.

Telecommuting (Working from Home) Agreement

To ensure an employee is covered for injuries when telecommuting, the following issues need to be discussed and formally agreed in writing in the form of a Telecommuting Agreement prior to commencement of working from home:

- dates and location for work
- work activities to be carried out by the employee whilst working at the alternate location
- start and finish times for work at the alternate location
- work breaks to be taken in accordance with organisational policy
- any travel that will take place regularly during work start and finish times whilst at the alternate location
- conduct a workplace health and safety assessment of the alternate location.

If a claim does result from an injury that occurs whilst an employee is telecommuting, the following information and documentation needs to be available to make the claim:

- an agreement to work at home or alternate location. For a one or two day ad-hoc arrangement, written evidence of authorisation is required.
- a list of tasks, particularly repetitive tasks carried out at home
- evidence of start and finish times – normal timesheet should suffice
- evidence that any travel from home to alternate location (if telecommuting from a destination other than the employee's home) is related to work matters,
- record travel times between home and alternate location
- record any other details related to the injury e.g. what was the worker doing prior to the injury, what caused the injury, etc. report injury to supervisor and log the incident as per organisational procedures as soon as possible obtain a medical certificate if medical treatment is needed and/or requires time off due to the injury.

Communication and Monitoring

Employees are expected to meet their employment responsibilities and adhere to the Code of Conduct if flexible work practices are used or not.

Staff supervisors are expected to provide adequate and equitable supervision and support for staff if flexible work practices are used or not.

Communication strategies should be adapted to ensure the employee and the [insert organisation name] team are not adversely affected due to an employee's flexible work practices.

[insert organisation name] will give the employee a written response to the request within 21 days of receipt of the written request, stating whether the employer grants or refuses the request.

Changing the arrangement

Approval for flexible work practices may be retracted with 4 weeks' written notice if there are concerns regarding an employee's work performance. 4 weeks' notice is required from either party to change/ cancel any ongoing flexible work practice.

Documentation

All correspondence relating to an employee's flexible work practices are to be filed in the employee's personnel file.