

	FLEXIBLE WORK ARRANGEMENTS	Document No:	HR-PRO-019
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1. Purpose

This procedure outlines the general process to be followed when a worker requests to enter into a flexible work arrangement.

2. Scope

This procedure applies to all ACBC agencies.

3. Related Documents

Fair Work Act 2009
 National Employment Standards
 Antidiscrimination legislation
 Carer Recognition Act 2010
[ACBC Antidiscrimination Policy](#)
[ACBC Conditions of Employment](#)
[HR-PRO-014: Equal Employment Opportunity, Inclusion and Diversity](#)

4. Definitions

Flexible work arrangement

A flexible work arrangement is an agreement between an employer and a worker for a change to the worker's usual pattern of working. Changes to working arrangements can include:

- changes to working hours e.g. working less hours than contracted or changes to start and finish times
- changes to work patterns e.g. job sharing, working split shifts
- changes to work location e.g. working from home, working from another location

Supervisor

The Supervisor is a Bishop, an Agency Head, Director, Manager, Coordinator or Team Leader, who is responsible for the day-to-day supervision of workers.

5. Responsibilities

Workers

Workers are responsible for:

- Completing all required documentation to request a flexible work arrangement
- Providing evidence of a safe work place (if applicable)

Supervisors

Supervisors are required to:

- Notify the Office for Employment Relations/HR Function of Agency when a request for a flexible work arrangement is received

- Obtain advice from the Office for Employment Relations (OER/HR Function of Agency) prior to taking any action on flexible work arrangements
- Observe applicable legislation when considering requests for flexible work arrangements
- Respond in writing to requests for flexible work arrangements (as outlined in this procedure)

Office for Employment Relations / HR Function (for Caritas Australia, Catholic Social Services Australia and the National Catholic Education Commission)

The Office for Employment Relations/HR Function is responsible for:

- Providing advice on flexible work arrangements
- Obtaining legal advice in relation to flexible work arrangements
- Providing guidance on the documentation required for flexible work arrangements

6. Eligibility for Flexible Work Arrangements

A worker, who has been working in an Australian Catholic Bishops Conference (ACBC) Agency for at least twelve (12) months, or a casual worker, who has been regularly and systematically employed by the ACBC for twelve (12) months and is likely to continue to work regularly, can request a flexible work arrangement if they:

- are a parent or guardian of a child who is school age or younger
- are a carer (as defined in the Carer Recognition Act 2010)
- have a disability
- have attained the age of fifty-five years
- are experiencing family or domestic violence
- are caring for or supporting an immediate family or household member, who requires care or support because of family or domestic violence

7. Process for Flexible Work Arrangements

1. The worker making the request must complete a Request for Flexible Work Arrangement form ([HR031](#)), a Flexible Work Arrangement - Work Plan ([HR032](#)) and a Communication Plan ([HR033](#)). The request must give:
 - details of the change requested
 - reasons why the worker is requesting the change
 - the effective start and end dates of the change

The Flexible Work Arrangement - Work Plan should outline details of how the work will be carried out in changed or reduced hours, and whether this will involve assigning some of the existing duties to other workers.

The Communication Plan should outline how the worker proposes to communicate with others when the flexible work arrangement is in place. This will apply particularly if the worker is proposing to work from home or some other location.

2. The worker must submit the request to their Supervisor at least 21 calendar days before the proposed commencement date.
3. The Supervisor must notify the Office for Employment Relations/HR Function of the receipt of the request.
4. The Supervisor, in consultation with the Agency Head and the Office for Employment Relations, must consider the request for a flexible work arrangement.

5. Where the Agency Head is the worker requesting the flexible work arrangement, the Agency Head must submit the request, work plan and communication plan to the Office for Employment Relations/HR Function.
6. If the request for a flexible work arrangement is thought to be unworkable, the Supervisor is encouraged to discuss the request with the worker, with a view to modifying the request to achieve a favourable outcome for the worker and the Agency.
7. The Supervisor must accept or reject the application in writing within 21 days of receipt of the request.
8. If rejecting the request, the Supervisor must inform the worker in writing of the reasons for the rejection. The Office for Employment Relations will assist with written notification of acceptance or rejection of the request.
9. A copy of the letter either accepting or rejecting the flexible work arrangement must be forwarded to the HR Function or the General Secretariat for processing and retention in personnel files.
10. If the accepted flexible working arrangement will result in a change to the worker's remuneration, the Supervisor must forward a copy of the letter to the payroll office prior to the commencement of the flexible working arrangement,

8. Implementation of Flexible Work Arrangements

If a request is accepted, the flexible work arrangement will be implemented for an initial agreed trial period after which it will be reviewed for effectiveness. The length of the trial period will depend on the type of change requested.

The flexible work arrangement may be modified at the end of the review period.

The flexible work arrangement will end on date specified on the agreement.

Any variation to the original agreement will be documented by the OER/HR Function and copies will be retained in the worker's personnel file.

Working from Home: If the worker has requested to be allowed to work from home, then all health and safety requirements, as outlined in [WHS-PRO-026 Working from Home](#), must be followed before the flexible work arrangement can commence.

9. Rejection of a Request for a Flexible Work Arrangement

A request for a flexible work arrangement can only be rejected on "reasonable business grounds".

Reasonable business grounds include when the new working arrangements:

- are too expensive for the Agency to implement
- would result in a significant loss in efficiency or productivity
- would be likely to have a significant negative impact on customer service

Other reasonable business grounds include:

- situations where there is not any capacity to change the work arrangements of other workers affected
- that it would be impractical to change the working arrangements of other workers, or recruit new workers.

To tell if there are reasonable business grounds to reject a request for flexible working arrangements, Supervisors and Agency Heads should consider:

- how the change would affect the workplace's finances, efficiency, productivity and customer service
- how easy it is for current workers to cover work

- how easy it is to find someone else to do the work
- the arrangements needed to accommodate the worker's request

If a request has been rejected, a worker may ask their Supervisor to review the decision. If dissatisfied by the outcome of a review, a worker may access the ACBC [Grievance Procedure \(HR-PRO-011\)](#).

10. Review of Flexible Work Arrangements

Flexible work arrangements will be reviewed on the date specified in the agreement.

A Supervisor or a worker may request a review of a flexible work arrangement in response to a genuine change in circumstances which makes the flexible work arrangement unworkable.

A review must take into account the needs of the Agency, the needs of the worker and the effects of changes on other workers (e.g. workers who may be in receipt of a higher duties allowance as part of the arrangement).

11. Records

[Request for Flexible Work Arrangements \(HR031\)](#)

[Work Plan \(HR032\)](#)

[Communication Plan \(HR033\)](#)

Acceptance/Rejection of Flexible Work Arrangements

Variation to Flexible Work Arrangement

These records are to be maintained in a secure location. Access to them is by permission of the Agency Head or HR function.

Records are to be retained in accordance with the relevant state or commonwealth legislation.