

POLICY:-	
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PROCEDURES/GUIDELINES:-	
Date procedure/guideline was developed:	
Procedure/guideline reference number:	

RESPONSIBILITY:-	
Draft Policy Developed by:	Human Resource Coordinator
Committee/s (if any) consulted in the development of this policy:	Consultative Committee
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Human Resource Coordinator

AIM

This policy is designed to provide clear guidelines for senior management and all staff relating to requests by employees for flexible work arrangements including:

- changes from full-time to part-time or job-share arrangements;
- changes from part-time or job-share to full-time arrangements; and
- changes to regular rostered hours.

SCOPE

This policy applies to all requests received by Council from permanent and temporary or fixed term staff.

OBJECTIVES

The objectives of this policy are to provide a framework to enable requests from employees to be considered fully, consistently and on a case-by case basis within the parameters of Council's operational requirements, relevant legislation and the provisions of Awards.

DEFINITIONS

For the purpose of this policy, the following definitions apply.

Employee means an employee of Council with a contract of employment on a permanent, temporary or fixed-term basis.

Full-time means employed for the full-time ordinary hours of the position in accordance with the Local Government (State) Award and subsequent Awards that rescind and replace that Award.

Part-time means employed for less than the full-time ordinary hours of the position in accordance with the Local Government (State) Award and subsequent Awards that rescind and replace that Award. Part-time employment may be patterned as less than the ordinary full-time hours per day or less than the full-time ordinary days per week.

Job-share is a form of part-time employment where more than one employee shares all the duties and responsibilities of one full-time equivalent position.

POLICY

Flexible work arrangements may be requested by employees for a variety of reasons during their working career and may change as an employee's personal circumstances change over time. Flexible work arrangements may be requested for reasons associated with illness or injury, study or carer's responsibilities.

Flexible work arrangements will not be considered for life-style choices or study unrelated to work.

Generally, managerial or supervisory positions and positions that require continuity of activity are not considered suitable for part-time or job-share work.

Council shall have regard to balancing overhead costs, flow-on effects, efficiency and work organisation concerns and legislative and Award requirements with the merits of the employee's request for transfer from full-time to part-time or job-share work arrangements and vice versa.

Flexible work arrangements may include, but are not limited to:

- Part-time work;
- Job-sharing;
- use of accrued leave;
- Leave Without Pay;
- Accessing provisions of Council's Nine Day Fortnight or Indoor Flexible Working Hours policies;
- Varying the normal spread of hours.

PART-TIME WORK AND JOB-SHARING

An employee, other than a casual employee, who is entitled to parental leave may request Council to allow them to return to work from a period of parental leave on a part-time basis, until the child reaches school age, to assist the employee to reconcile work and parental responsibilities, refer to Fair Work Act 2009, division 4 of the Act, requests for flexible working arrangements.

Council will consider such a request and make its decision based on the operational requirements at the time of the particular request.

Where job-sharing arrangements are approved:

- positions will involve no more than 2 employees;
- each employee will be rostered to work a minimum of 2 days per week;
- the combined hours of the job-sharers will be the equivalent of the full-time hours for the position;
- other employees affected by the change will be consulted about the change as soon as practicable and where possible, prior to the commencement of the new arrangement.

Regular hours for part-time or job-share arrangements shall be set and the days on which an employee is rostered for work shall not normally vary.

New part-time and job-share arrangements will be reviewed after six months. The Director will make a recommendation to the General Manager about the ongoing viability of the part-time or job-share arrangement. The assessment will be based on the efficiency and effectiveness of the arrangement.

Where the review concludes that the part-time or job-share arrangement has not been efficient and effective, the arrangement will cease and participants will return to their previous employment status. Whilst the privacy of the individuals concerned will be maintained, the Consultative Committee will be advised of the review process.

Employees involved in the part-time or job-share arrangement shall be notified, in writing, of the outcome of the assessment including any new arrangements.

Consultative Committee will be provided with a summary of the outcome.

Public holidays will be paid to the part-time or job-share employee who normally works that day in every circumstance.

In peak periods or to cover absences, Council may reasonably request a part-time or job-share employee to work additional hours. These extra hours are paid in accordance with Award provisions.

Prior to accepting transfer from full-time to part-time or job-share work arrangements, employees **must** consult with their Superannuation Fund to ensure they are fully aware of the impact of their transfer on their Superannuation Benefit.

Prior to accepting transfer from full-time to part-time or job-share work arrangements, employees **must** consult with the Payroll Officer to ensure they are fully aware of the impact of their transfer on their leave accrual and entitlements.

When an employee changes position within Council, they must work the hours nominated by Council for the new position unless otherwise specifically agreed.

Once an employee has accepted a part-time or job-share position they may only revert to full-time employment when:

- their job share partner vacates the position and, having reviewed the position, Council offers them the additional hours; or
- if they are successful in obtaining a position through the merit selection process.

SPREAD OF HOURS

Where Council agrees to a request from an employee for variation to the spread of hours, the employee will be paid at the rate at which they would normally be paid, that is, Council shall not be required to pay penalty rates as a result of agreeing to the employee's request.

PROCEDURES

A request for Workplace Flexibility shall be in writing providing information as required on the 'Request for Flexible Work Arrangements Form'. The request will be forwarded to the employee's Manager.

The Manager will discuss the request with the Director of the relevant Department and the Human Resources Coordinator for recommendation. The discussion will give consideration to operational requirements within the Department and Council more broadly, relevant legislative requirements, and the specific details of the particular case and other options that may be of assistance to the employee.

Where applicable, the employee may be required to provide documentation to support their request to enable a fully informed recommendation.

In assessing requests, answers to the following questions will be considered:

- a) Will the request adversely affect operational business requirements of the Council?
- b) Is the request for a permanent or temporary change?
- c) What has changed in the employee's circumstance that has lead to this request? If the situation is not a new situation, what is the impetus for change?
- d) Does Council have a legislative responsibility to consider the request, for example, is the request for reasonable accommodation in accordance with anti-discrimination legislation?
- e) Is there a need for continuity in the work performed by the person requesting the change?
- f) If the particular job requires continuity and therefore a change to the pattern of employment is not recommended are alternative jobs that may be more able to accommodate the request, available for consideration by the employee? (Note that in assessing such, relevant award provisions and Council's Recruitment and Selection Policy and Procedure must be followed and applicants must be considered in accordance with merit selection principles).

- g) Does the position supervise other staff, contractors or volunteers on a daily basis?
- h) How would the requested change impact on Council in meeting the workload of the position?
- i) Could timeframes be met?
- j) Considering the nature of the position, would the person be reasonably accessible to the public and other staff?
- k) How would the proposed changes impact on other staff?
- l) Where the proposed change is for a job-share arrangement, has the person demonstrated good teamwork skills, work planning, time management and communication skills?
- m) Where the proposed change is for a job-share arrangement, does the request fit within the job-share requirements outlined in this document?
- n) Given the job market for this position and Council's Recruitment and Selection Policy and Procedure, how is it anticipated any resultant vacancy will be filled?
- o) What are the flow-on effects within the Department?
- p) What are the flow-on effects within Council more broadly?
- q) Is it appropriate to consider existing flexible arrangements such as:
 - the Nine Day Fortnight;
 - Carer's Leave or Sick Leave Award provisions;
 - use of other accrued leave including Long Service Leave or Annual Leave;
 - Leave Without Pay;
 - alternative rostering arrangements;
 - varying the normal spread of hours; and
 - effect on annual leave.
- r) What, if any, review period should be applied if the request is approved? Who will conduct the review and how will it be conducted?

The Director and the Human Resources Coordinator will discuss the request and their recommendation at MANEX to assess any flow-on implications across Council and to ensure consistency.

Having considered the merits of the request, Council's operational requirements, relevant legislative requirements, possible alternatives and

impact across Council, the General Manager will approve or decline the request.

Depending on the circumstances, the General Manager may approve a request on a permanent or temporary basis with a review period.

The employee will be advised of the outcome of their request in writing.

Where a request is approved, the employee will be notified, in writing, of the full details including changes to the terms and conditions of employment and any applicable review period.

Where a request is declined, the employee will be notified in writing of the reasons.

An employee wishing to appeal against a decision must do so in accordance with Award grievance procedures.

All details of any request will be treated as confidential and will not be disclosed to any party without a genuine need to know.

RELEVANT LEGISLATION AND COUNCIL POLICIES

The following legislation and Council policies that are relevant to this Policy include:

- Access to Information Policy;
- Australian Audit Standard AUS210 / ASA240;
- Anti Discrimination Act 1977;
- Bribes, Gifts and Benefits Policy;
- Cash Handling Policy;
- Child Protection Policy;
- Civil Liabilities Act 2002;
- Code of Business Practice;
- Code of Conduct for Councilors, staff and delegates of Council;
- Complaints Management Policy;
- Corporate Credit Card Policy;
- Council's Code of Meeting Practice;
- Crimes Act 1900;
- Delegations of Authority Procedure;
- Disciplinary Policy;
- Drug & Alcohol Policy;
- Employee Assistance Program Policy;
- Employment and Retention Policy;
- Environmental Planning and Assessment Act 1979;
- Equal Employment Opportunity Act 1987;
- Equal Employment Opportunity (EEO) Management Plan;
- Fair Work Act 2009 (Cwth);

- First Aid Policy;
- Fraud and Corruption Prevention Policy;
- Government Information (Public Access) Act 2009;
- Grievance Policy;
- Harassment Policy;
- Higher Grade Pay Policy;
- Human Resource Training Plan;
- Human Resource Succession Plan;
- Independent Commission against Corruption Act (ICAC) 1988;
- Industrial Relations Act 1996;
- Injury Incident Management Procedures;
- Interaction between Councillors and Staff Policy;
- Internal Reporting – Protected Disclosures Policy;
- Internet and Email Policy;
- Leave Policy;
- Local Government Act 1993;
- Local Government (State) Award 2014;
- Local Government (General) Regulations 2005;
- Loss of Drivers Licence Policy & Procedure;
- Manual Handling Policy;
- Mobile Phone Policy;
- NSW Long Service Leave Act;
- NSW State Records Act 1998;
- Paid Parental Leave Act 2010 (Cwth);
- Payment of Expenses and Provision of Facilities Policy;
- Performance & Misconduct Policy;
- Private Works (Projects and Plant Hire) Policy;
- Privacy and Personal Information Protection Act 1998;
- Private Use of Council Motor Vehicles Policy;
- Protective Clothing and Equipment Policy;
- Public Access Policy;
- Public Interest Disclosures Act 1994;
- Public Interest Disclosures Policy;
- Purchasing and Acquisition of Goods Policy and Procedures;
- Recruitment and Selection Policy;
- Rehabilitation Procedure and Practice Policy;
- Salary Sacrificing Policy;
- Secondary Employment Policy;
- Service Delivery Policy;
- Smoking in the Workplace Policy;
- Staff Training Policy;
- Standards Australia 8000 series;
- Statement of Ethical Principles;
- Sun Protection – Council Employees Policy;
- Time in Lieu of Overtime Policy;
- Trade Practices Act 1974;
- Trauma Management Policy;

- Trustees Act 1925;
- Upper Lachlan Shire Council Community Strategic Plan;
- Upper Lachlan Shire Council Resourcing Strategy documentation;
- Upper Lachlan Shire Council Delivery Program and Operational Plan;
- Volunteers Policy;
- Workforce Plan 2016-2020
- Workers Compensation Act 1987;
- Work Health & Safety Policy;
- Work Health & Safety Act & Regulations 2011;
- Workplace Relations Act 2008.

VARIATION

Council reserves the right to vary or revoke this policy.

Form HR 1.01.009

Request for Flexible Work Arrangements

Name: _____ Employee number: _____

Position: _____

The purpose of this form is to assist you to provide all of the details required to enable your request to be fully considered. All details provided are fully confidential and will only be used for the purpose of assessing your request.

1. What change to your work arrangements are you requesting?

2. Is this request for a permanent or temporary change?
If temporary, please advise anticipated duration.

3. What are the reasons for your request?

4. Please attach copies of any relevant documents that may help to support your request, for example supporting medical evidence.

5. Additional comments:

Signature: _____

Date: _____