



# **Flexible Working Arrangement Policy**

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## Context

A 'Flexible Working Arrangement' allows our community language school and our employees to make provisions about working conditions that suit them. A 'flexible working arrangement' aims to help employees maintain a work/life balance which can assist in improving efficiency and productivity.

## Legislative Provisions

Fair Work Act 2009

<https://www.legislation.gov.au/Details/C2014C00031>

Carer Recognition Act 2010

<https://www.legislation.gov.au/Details/C2010A00123>

## Guidelines

As long as employees are still receiving their minimum entitlements, our employees can negotiate ways to make their workplace flexible. Employees have a legal right to request flexible working arrangements once they have worked for us for least 12 months on a full-time or part-time basis. Employees are eligible for flexible working arrangements given the following conditions:

- The employee is a parent, or has responsibility for the care of a child who is of school age or younger;
- The employee is a carer, working in conjunction with the Carer Recognition Act;
- The employee has a disability;
- The employee is 55 or older;
- The employee is experiencing violence from a member of the employee's family;
- The employee provides care or support to a member of their immediate household who is experiencing violence from a member of the employee's family;
- The employee cannot work at our community language school due to unprecedented circumstances.

Common flexible working arrangements may include:

- Altering start and finish times;
- Requesting part-time work or job-sharing;
- Working additional hours over fewer days;
- Working additional hours to make up for time taken off;
- Taking rostered days off in half days for more flexibility;
- Time off work instead of overtime payments;
- Changing the location of work or the need to travel to work.

We required taking the flexible working arrangement seriously; however, we may refuse on reasonable commercial grounds.

### **STEP 1 – MAKING A FORMAL WRITTEN REQUEST**

Employees are required to write a formal written arrangement letter to the Principal/CEO which should include:

- A clear explanation about the employee's circumstances;
- A clear reason for the change;
- Suggestions about how the arrangement may benefit our community language school;
- A realistic and workable assessment;
- Their commitment to making the arrangement work efficiently for our community language school.

### **STEP 2 – DISCUSSION WITH THE PRINCIPAL/CEO**

Employees should arrange a time to discuss their requests with the Principal/CEO. This will allow the employee and the Principal/CEO to gain a clear understanding of the reasoning behind the request and consider how they may be accommodated for in the workplace. The Principal/CEO will have a discussion with the employee to try and reach an agreement about the flexible working arrangement requested which works in accordance with relevant policies, prior to responding to the request in writing.

### **STEP 3 – PROCESSING A FLEXIBLE WORKING ARRANGEMENT**

The employee will be provided with a written response within 21 days of receiving the formal letter. The written response will outline if the requests has been approved or declined. If the request has been declined, the Principal/CEO will provide an informative response based on reasonable business grounds.

Reasonable commercial grounds may include:

- The new arrangement would not be cost effective;
- No capacity to change the working arrangements of other employees to accommodate for the request;
- Impracticality to change the working arrangement of other employees or recruit new employees;
- A significant loss of efficiency or productivity;
- The new working arrangement requested is likely to have a significant negative impact.

Any changes made to the employee's request must be documented in a letter to confirm the changes being made. Should the employee be unhappy with the reasons provided for the declined request, they have a right to go to the Fair Work Commission for assistance if the Principal/CEO has agreed to do so.

# EMPLOYEE FLEXIBLE WORKING ARRANGEMENT

Date:

## PRIVATE AND CONFIDENTIAL

Employee details:

[Full Name]

[Address]

[Contact information]

[Job title]

Dear [Principal/CEO's name],

I have been employed by Al Jaafaria Society continuously for the past [insert how long you have been employed by the community language school] years on a [full-time or part-time] basis.

I am writing to put forth a formal request under section 65 of the Fair Work Act 2009 (the Act) to work a flexible working arrangement which varies from my current arrangement.

The reason for this request is: [outline clear and specific reasoning why you are requesting a flexible working arrangement]. These changes will assist me because [insert reasoning]. I would like to start working [include the proposed working pattern you would like in place, including days/hours/times] effective from [insert date].

It is my firm belief that the effects on Al Jaafaria Society and my colleagues can be accommodated by [includes ways the request can be performed and the benefits to Al Jaafaria Society]. I am committed to [explain your commitment to making this arrangement work for Al Jaafaria Society].

I understand that a response to my formal request works in accordance with the Act and may take up to 21 days of today's date. Should you require any further information or would like to discuss the request in more detail, I am happy to comply at a time that is convenient. I am willing to discuss possible alternatives to the arrangements outlined and I am also willing to work with you to make sure this arrangement works effectively for both Al Jaafaria Society and me.

Yours sincerely,

[Insert name]

# **PRINCIPAL/CEO RESPONSE TO A FLEXIBLE WORKING ARRANGEMENT**

Date:

## **PRIVATE AND CONFIDENTIAL**

Employee details:

[Full Name]

[Address]

[Contact information]

Dear [Employee name],

In response to your flexible working arrangement letter dated [insert date], you have requested the following changes: [Insert changes requested]

### **AGREE TO REQUEST**

Al Jaafaria Society is committed to finding practical solutions to assist our employees to maintain a work/life balance. We take all requests seriously and look to balance our operational requirements with the needs of our employees. We have diligently considered your request and agree to accommodate the flexible working arrangement on a trial basis, commencing on [insert date].

During this trial period, we will monitor and review the arrangement to ensure it continues to meet your needs and the needs of Al Jaafaria Society.

The first review will take place on [insert date for review], however it may be scheduled at an earlier date if required.

Yours sincerely

[Insert Name]

### **REQUEST HAS BEEN DECLINED**

Al Jaafaria Society is committed to finding practical solutions to assist our employees to maintain a work/life balance. We take all requests seriously and look to balance our operational requirements with the needs of our employees. We have diligently considered your request and unfortunately, we are unable to approve your request for the following operational reasons due to [insert reasons why the request cannot be accommodated for. Ensure there is enough detail to show the refusal is reasonable].

We have considered the possibility of an alternative flexibility working arrangements other than those you have requested; however, we remain unable to offer any changes to your working arrangement at this time.

### **REQUEST HAS BEEN DECLINED WITH AN ALTERNATE ARRANGEMENT**

Al Jaafaria Society is committed to finding practical solutions to assist our employees to maintain a work/life balance. We take all requests seriously and look to balance our operational requirements with the needs of our employees. We have diligently considered your request and unfortunately, we are unable to approve your request for the following operational reasons [insert reasons why the request cannot be accommodated for, ensuring there is enough detail to show the refusal is reasonable].

However, Al Jaafaria Society can offer you the following alternative arrangement, which we believe may meet your needs [insert details of alternate proposed arrangement].

If you agree to this alternative arrangement it will commence on [insert date of commencement] on a trial basis. During this trial period, we will monitor and review the arrangement to ensure it continues to meet your needs and the needs of Al Jaafaria Society. The first review will take place on [insert date for review], however it may be scheduled at an earlier date if required.