

# Flexible Working Arrangements Procedure



## 1 Purpose

**PLEASE NOTE: All human resource management policy instruments are currently under review to ensure alignment with the new Enterprise Agreement. Contact the People Portfolio for more information.**

To outline the University's flexible working arrangements available for its Employees.

## 2 Scope

This Procedure applies to all Employees.

## 3 Procedure Overview

This Procedure details the flexible working arrangements available for Employees.

## 4 Procedures

### 4.1 Eligibility for flexible work arrangements

#### 4.1.1 Eligibility on legislative grounds

A continuing or fixed term Employee can apply for a flexible working arrangement pursuant to the Fair Work Act 2009 if the Employee has worked continuously for the University for at least twelve (12) months. Casual Employees are also eligible to apply for a flexible working arrangement if they have worked for the University regularly and systematically for at least twelve (12) months and will be reasonably expected to continue employment with the University on this basis.

#### 4.1.2 Eligibility on other grounds

In addition to the eligibility requirements under the Fair Work Act 2009, the University will consider applications for flexible working arrangements from all Employees, on a case-by-case basis, in line with the process set out in this Procedure.

### 4.2 Requests for flexible work arrangements

#### 4.2.1 Requests on legislative grounds

An Employee is able to request a flexible work arrangement if they:

- are pregnant
- are the parent, or have responsibility for the care, of a Child who is of school age or younger
- are a carer (under the Carer Recognition Act 2010)
- are a parent returning to work after taking leave in relation to the birth or adoption of a Child
- are 55 years or older
- have a disability
- are experiencing family and domestic violence
- provide care or support to a member of their immediate family or household, who requires care or support because they are experiencing family and domestic violence.

#### **4.2.1.1 Reasonable Business Grounds**

These arrangements are subject to the operational needs of the workplace and the mutual agreement between the Employee, the Supervisor and/or Delegate, and may be refused on Reasonable Business Grounds.

Reasonable Business Grounds for refusing a request for flexible work arrangements, may include, but are not limited to:

- that the proposed work arrangements requested by the Employee would be too costly for the employer
- that there is no capacity to change the working arrangement of other Employees, or recruit new 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;
- that the proposed working arrangement requested by the Employee would be likely to result in a significant loss of efficiency or productivity;
- that the proposed working arrangements requested by the Employee would be likely to

have a significant negative impact on the service provided to Students and University clients.

## **4.2.2 Requests for other reasons**

The University also supports Employees who request flexibility in their employment due to other individual needs which may include but is not limited to:

- undertaking study
- sporting career/interest
- better work/life balance
- transitioning to retirement
- personal health issues
- participating in voluntary work.

## **4.3 Types of flexible working options**

The University seeks to balance interests of the University and individual Employees, in accordance with the Enterprise Agreement and provides a variety of flexible working options to facilitate this.

### **4.3.1 Fractional employment**

Fractional employment enables Employees to reduce their working hours in order to fulfil other responsibilities or interests. An Employee may be engaged for a fraction of full-time employment (sometimes referred to as part-time employment).

### **4.3.2 Sessional employment**

Employees in the Residential Colleges may be employed on a sessional basis. Sessional Employees are engaged for a minimum of 32 weeks per year and for a minimum of 18 hours per week normally to accommodate workflow "peaks or troughs". Sessional Employees receive a 10% loading on the equivalent hourly rate for full-time Employees for hours worked in the fortnight. A sessional Employee will receive the entitlements of a full-time Employee on a proportional basis determined by the hours worked within the year.

### **4.3.3 Term**

Term Employees are engaged on a continuing basis for a minimum of 26 weeks in a calendar

year and works for a minimum of 15 hours per week. Term Employees are advised at the beginning of each calendar year as to which weeks they are required to work. Term Employees are paid fortnightly at a proportional rate to a full-time Employee for the hours worked in the fortnight.

#### **4.3.4 Annualised hours employment**

Annualised hours Employees may be engaged on a continuing or fixed-term basis for an agreed number of nominated hours within a 12 month period to meet work unit requirements. The total number of nominated hours (including the annual leave component) is averaged to a fortnightly salary.

#### **4.3.5 48/52 weeks per year working arrangements**

A full-time Employee can apply to take up to eight weeks annual leave in a year and receive 48 weeks salary, which would be payable over the full 52 weeks. This will be subject to agreement between the Supervisor and the Employee, and based on the needs of the work area.

#### **4.3.6 Job sharing**

Job sharing involves dividing one position among two or more people. It is a voluntary arrangement between the Employee/s involved and the cost centre manager and allows people to work less than full time, whilst ensuring that all the duties of the job are completed. Job sharing can also bring skills and experience and improved flexibility to a workplace as there are two people in a job instead of one.

#### **4.3.7 Flexible working hours**

Within the needs of the work area, flexible working hours provide Employees flexibility in hours of work. Ordinary hours of work for professional Employees at the University is 36 hours per week. These hours may be worked on any consecutive days in the week, Monday to Sunday inclusive, between 6.00am and 10.00pm. The ordinary hours of work will not exceed 10 hours on any one day, and the number of days worked in a seven day cycle will not normally exceed five.

#### **4.3.8 Rostered Day Off (RDO) arrangement**

Rostered Day Off (RDO) arrangements may be organised by mutual agreement between individual Employees and their Supervisor and vary across the University. Options available to Employees in any particular work area will be influenced by the nature of the work and the contact with clients and Employees. In some areas, Employees may work a nine day fortnight or a 19 day month arrangement by working additional time each week to accrue this RDO.

#### **4.3.9 Working from another location**

The University recognises that working from another location may be an effective option in

some circumstances for an Employee and for the work area. The Working from Another Location Procedure enables Employees to work from another location if there is mutual agreement between the University, the Employee and a Category 4 Delegate.

#### **4.3.10 Pre-retirement fixed-term appointments**

Where a full-time or fractional Employee declares an intention to retire, the Employee may seek to enter into a pre-retirement fixed-term appointment for a period of up to five years.

#### **4.3.11 Refocusing of activities - research or teaching specialisation and scholarship appointments**

Under the category 'refocusing of activities - research or teaching specialisation and scholarship appointments', academic Employees are able to convert to research or teaching specialisation and scholarship duties which provides the opportunity to focus on an area of expertise or interest, allowing the area to both accommodate the Employee and retain corporate knowledge.

### **4.4 Application process**

Employees are to discuss flexible work arrangements with their Supervisor and submit a request to the People Portfolio. Employees may be requested to provide relevant documentation to support a request.

Arrangements are subject to the operational needs of the workplace and the mutual agreement between the Employee, the Supervisor and Delegate, and may be refused if:

- the Supervisor and Delegate have discussed the request with the Employee and genuinely tried to reach an agreement to accommodate the circumstances
- the Supervisor, Delegate and Employee have not reached such agreement
- the Supervisor has had regard to the consequences of the refusal for the Employee
- the refusal is on reasonable business grounds.

Requests must be forwarded to the Delegate for consideration and approval. In accordance with the *Fair Work Act 2009*, Supervisors are required to provide a written response to the Employee within 21 days of receipt of the request for flexible work arrangements.

A response will:

- state that the Supervisor and Delegate grant the request; or

- specify an agreed change to the Employee's work arrangements that differ from those set out in the request, following a discussion with the Employee; or
- state that the Supervisor and Delegate refuse the request.

A refused flexible working arrangement response will:

- include details of the reasons for refusal, specifically the reasonable business grounds for refusing the request and explain how those grounds apply to the request; or
- set out the changes in the Employee's working arrangements that would accommodate, to any extent, the circumstances and that the employer would be willing to make; or
- state there are no such changes.

Once terms and conditions are mutually agreed, applications must be and submitted to the People Portfolio for action.

## 5 Delegated Responsibilities

Approver	Level of Delegation
Supervisor	Respond to requests for flexible work arrangements.
Category 4 Delegate or above	Approve requests for working from another location.  Approve requests for flexible working arrangements.

## 6 References

Nil.

## 7 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

## 8 Procedure Information

<b>Accountable Officer</b>	Chief People Officer
<b>Responsible Officer</b>	Chief People Officer
<b>Policy Type</b>	University Procedure
<b>Policy Suite</b>	<a href="#">Working Hours and Arrangements Policy</a>
<b>Subordinate Schedules</b>	
<b>Approved Date</b>	5/6/2023
<b>Effective Date</b>	5/6/2023
<b>Review Date</b>	3/4/2024
<b>Relevant Legislation</b>	<a href="#">Fair Work Act 2009</a> <a href="#">Enterprise Agreement</a>
<b>Policy Exceptions</b>	<a href="#">Policy Exceptions Register</a>
<b>Related Policies</b>	
<b>Related Procedures</b>	<a href="#">Working from Another Location Procedure</a> <a href="#">Workplace Adjustments Procedure</a>
<b>Related forms, publications and websites</b>	<a href="#">People Portfolio Website</a>
<b>Definitions</b>	<b>Terms defined in the Definitions Dictionary</b>  <a href="#">Delegate (noun)</a>  Delegate (noun) means the officer, Employee or committee of the University to whom, or to which, a delegation of authority has been made under this Policy.  <a href="#">Employee</a>  A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.

## [Enterprise Agreement](#)

University of Southern Queensland Enterprise Agreement 2023-2026.

## [Procedure](#)

An operational instruction that sets out the process to operationalise a Policy.

## [Student](#)

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.

## [University](#)

The term 'University' or 'UniSQ' means the University of Southern Queensland.

## **Definitions that relate to this procedure only**

### **Child**

Means anyone under the age of 18.

### **Reasonable Business Grounds**

Reasonable business grounds for refusing a request for flexible work arrangements, may include, but are not limited to:

- that the proposed work arrangements requested by the Employee would be too costly for the employer
- that there is no capacity to change the working arrangement of other Employees, or recruit new 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;
- that the proposed working arrangement requested by the Employee would be likely to result in a significant loss to the efficiency or productivity of the University;



- that the proposed working arrangements requested by the Employee would be likely to have a significant negative impact on the service provided to students and University clients.

**Supervisor**

Any person responsible for leading the activities of others. In the context of this Procedure, a Supervisor includes Employees at any classification level or title who have responsibilities for leading, managing or supervising work teams and/or individual Employees.

**Keywords**

Flexible hours, flexible working arrangements, leave, parental leave, work life balance

**Record No**

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