

Flexible Working Arrangements Policy

Last updated: 1 June 2017 (administrative amendments only) Policy assigned to: Director, Human Resources

Overview

This policy provides an overview of the flexible working arrangements available at the University.

Scope

Continuing and fixed-term staff employed by the University. The flexible working arrangements differ depending upon the terms and conditions applicable to a staff member's employment. This policy does not apply to casual staff. Casual staff members should refer to the [Casual Employment Policy](#).

Related Documents

- [Fair Work Act 2009 \(Cth\)](#)
- [Carer Recognition Act 2010 \(Cth\)](#)
- [University of Sydney Enterprise Agreement 2013 - 2017](#)
- [University of Sydney \(Delegations of Authority - Administrative Functions\) Rule 2016](#)
- [Seasonal, Part-Year or Annualised Employment Guidelines](#)
- [Working from Home Policy](#)

Policy

The University provides a range of leave and flexible working arrangements in order to attract and retain staff members; to provide flexibility in meeting business needs; and to assist staff members in managing their work and personal responsibilities.

Guidelines

- The University recognises that there are times when leave and flexible workplace arrangements may assist staff to manage emergencies, family responsibilities and other commitments.
- The options available to staff differ depending upon the terms and conditions applicable to a staff member's employment.
- Decisions concerning leave and flexible working arrangements should take into account the personal requirements of the staff member and the operational requirements of the workplace.
- A supervisor must genuinely consider an application for flexible working arrangements, including alternative proposals by the staff member. An application may only be refused on reasonable business grounds. If an application is refused, the University must provide detailed reasons to the staff member in writing within 21 days. If an application is refused the staff member may make a further application where the circumstances have changed, or after six months from the date of the initial application.

Definitions:

For the purposes of this policy:

Partner means the spouse or de facto partner of a staff member, and includes a partner of the same sex.

Immediate family means a Partner or former Partner of the staff member, a child, step-child, grandchild, step-grandchild, parent, step-parent, grandparent, step-grandparent, brother (including half-brother), sister (including half-sister), step-brother or step-sister of the staff member or their Partner or former Partner.

Leave Entitlements

As far as possible, activities other than emergencies should be arranged to ensure as little conflict as possible with work commitments. However, to balance work and personal, family, community or other responsibilities staff have access to a range of leave entitlements. For details of leave entitlements staff should refer to their individual offer of employment from the University. The [leave provisions](#) in the *University of Sydney Enterprise Agreement 2013-2017* ("the Agreement") are available on the staff intranet.

Carer's Leave

Staff may use up to 10 days of their personal leave each year (with any unused allocation accruing from year to year) to care for a member of their immediate family or household who is ill or incapacitated and requires care and support, or who requires care due to an unexpected emergency.

Staff members with family responsibilities may also negotiate one or more of the following arrangements with their supervisor:

- (i) taking up to two weeks annual leave in single days;
- (ii) taking accrued time off in lieu of overtime;
- (iii) taking unpaid leave or undertaking additional work to make up for time taken to care for a family member who is ill or incapacitated; or
- (iv) entering into a flexible working arrangement.

Annual Leave and Long Service Leave

Staff may apply to take their annual and/or long service leave in one consecutive period or in shorter separate periods. As far as practicable, the University will consider the staff member's wishes and personal circumstances when arranging the time for taking annual or long service leave.

Parental Leave

Parental leave options are available to assist staff to balance their work and family responsibilities at the time of the birth or placement of a child, for a period of up to 52 weeks (or 104 weeks, if approval has been given for extended unpaid leave). At the end of their parental leave, a staff member may apply to vary their working arrangements for a set period, for example to work part-time.

A staff member may also apply to work on a full-time, part-time or casual basis within the period of parental leave, provided that the total period of parental leave (including paid leave, unpaid leave and any time worked) does not exceed 52 weeks (or 104 weeks, if approval has been given for extended unpaid leave) from the date of commencement. (Refer to the [Leave Policy 2016](#))

Special Leave

Up to three days of Special Leave may be granted each year for absences from work that are 'special' in nature and for which other leave types are not as suitable. This may include cultural and religious events and domestic emergencies such as house fire or hail damage. (Refer to the [Leave Policy 2016](#))

Indigenous Staff - Cultural and Ceremonial Leave

Indigenous Australians are entitled to up to five days special paid leave to attend to indigenous cultural/ceremonial obligations, subject to providing appropriate documentation to their supervisor.

Domestic Violence Leave Staff may apply for up to 20 days paid leave each year as a result of domestic violence. The leave may be utilised for medical or counselling appointments, organising alternative accommodation, care and/or education arrangements, attending court hearings, police appointments and accessing legal advice. Refer to [clauses 189 – 191 in the Agreement](#)

Staff affected by domestic violence may also apply for flexible working arrangements under [clause 155 in the Agreement](#) and as set out in this policy under flexible working options below.

Other leave options

Depending upon the circumstances, and the staff member's terms and conditions of employment, Compassionate Leave and Leave Without Pay may be accessed.

Flexible Working Options

There are a range of options available for supervisors and staff to develop flexible and innovative working arrangements that meet both operational and individual needs. Depending upon the terms and conditions applicable to a staff member's employment, flexibility can be accessed both in terms of the daily hours worked, and also the days and weeks worked in a year.

Flexible Working Hours (Professional Staff Only)

Working hours' arrangements are designed to allow work areas to meet work flow and business needs in a flexible way.

For details of flexible working hours arrangements staff should refer to their individual offer of employment from the University and [clauses 11 – 16 in Schedule 4 of the Agreement](#).

For those staff members to whom the Agreement applies, subject to agreement and the operational needs of their work area, "day workers" may work their ordinary hours on a flexible basis within the span of 7.00am to 7.00pm Monday to Friday, excluding public holidays (or by agreement, within the span 7.00am to 7.00pm Monday to Saturday, excluding public holidays).

Under this arrangement staff must be at work during core hours set for their work area but, with the approval of their supervisor, have flexibility in terms of attendance (start/finish times and meal breaks) outside of core hours. Staff may work additional hours and accrue time, and then take flexible time off. The pattern of hours worked to accrue time and take flexible time off should be agreed between each staff member and their supervisor. Flexible time off may be accumulated over a 6 month cycle, up to 42 hours flexible time off for 35 hour staff and up to 46.5 hours flexible time off for 38 hour staff. All hours worked and absences must be recorded for accrual and audit purposes. Refer to the [hours of work timesheet templates](#) on the staff intranet.

Flexible Working Arrangements

Flexible working arrangements are individually negotiated and agreed to on a case-by-case basis. The arrangements may be for a defined period of time, or ongoing.

Part Time Working Arrangement/Varying the Employment Fraction

Staff members may request a change in their employment fraction (for example from full-time to part-time) so that they are able to work a different number and pattern of hours. The variation may be for either a specific period of time or on an ongoing basis. When staff enter into a part-time working arrangement, salary, leave and other entitlements and benefits will, in general, apply on a pro rata basis.

Reduced Working Weeks

Staff may apply to reduce the number of weeks that they work during a 12 month period and take additional leave, with a proportionate reduction in their salary. Under a reduced working weeks arrangement, a staff member's annual salary (including loadings) is reduced by the number of additional weeks leave the staff member will be taking

For example, in a 48/52 reduced working weeks arrangement the staff member applies to work for 44 weeks in the year. In addition to the normal 4 weeks annual leave entitlement the staff member has an additional 4 weeks paid leave to be taken within the 12 months. Their annual salary is calculated on the basis of 48 weeks (44 weeks work plus 4 weeks annual leave), with the salary payments then spread evenly over 52 weeks. The service fraction is not altered, eg a full-time staff member with a reduced working weeks arrangement remains "full-time" (with an FTE of 1.0). Staff members to whom the Agreement applies may

enter into a reduced working weeks arrangement as an [Individual Flexibility Arrangement](#). Information and advice is available from the [HR Service Centre](#).

Seasonal, Part-Year and Annualised Employment Arrangements (Professional Staff Only)

These employment arrangements provide a staff member and supervisor with the flexibility to develop a working arrangement that over a 12 month period may include a variety of work patterns including periods of full-time and part-time work and periods with no work. The arrangement may be temporary, for a defined period (minimum 12 months) or on an ongoing basis.

- Under an **annualised hours arrangement**, a total number of ordinary hours is agreed to be worked in a year. The time and manner in which these ordinary hours are worked can be an agreed roster or a flexible pattern to accommodate both the staff member's preference and organisational requirements. Staff employed with this form of flexible working arrangement have their hours of work averaged over a 12 month period and are paid fortnightly according to their averaged hours.
- **Part-year work** combines periods of paid work and leave without pay. Staff employed under this flexible working arrangement, receive regular fortnightly salary payments during the period(s) of the year when they are working, but apart from periods when taking accrued paid leave, they do not receive salary payments during the periods when they are not working.

The details of these options are outlined in the [Seasonal, Part-Year or Annualised Employment Guidelines](#).

Job Sharing

Under job-sharing arrangements, the work of a position is divided between two or more people, who each work on a part-time basis. Job-sharing arrangements are considered on a case-by-case basis and may be approved, subject to operational needs. Refer to the [staff intranet](#) for more information on job sharing.

Working from Home

A working from home arrangement needs to be fully cooperative, meeting both the staff member's needs as well as the operational requirements of the work unit. Professional staff are required to enter into a formal working from home agreement where the request is to work from home on a regular basis. Refer to the [Working from Home Policy](#) for further guidance.

Transition to Retirement

Pre-retirement flexibility arrangements and contracts can be negotiated for staff who wish to vary their employment arrangements in the lead up to retirement. Please contact your [HR Advisor](#) for advice

Procedures

Applying for leave

After initial consultation with their supervisor, staff must complete a Leave Application either on [myHRonline](#) or on a [leave booking form](#) which is then submitted, via the supervisor, to the relevant Delegate for approval.

Staff can view their leave balances and history on [myHRonline](#) or contact the [HR Service Centre](#) for details.

Implementing Flexible Working Hours

Core hours for a work unit are determined by the relevant Delegate. The number and times of the core hours in a specific work unit may vary during the year according to operational needs. Flexible working hours are not available to staff working in roles that require attendance for fixed hours.

All hours worked and absences must be formally recorded for accrual and audit purposes. Sample and blank Hours of Work timesheets are available at on the [staff intranet](#).

Approved local arrangements in place at commencement of the Enterprise Agreement 2013-2017 will continue unless alternative arrangements are entered into as covered under [clause 16 in Schedule 4](#).

Staff members working flexible working hours are required to:

- keep a daily record of the start and finish times, hours and days worked;
- note all types of leave taken, including annual and sick leave, and any flexible time off;
- submit the record of their working hours to their supervisor as required,

Supervisors are responsible for:

- monitoring working hours, and the operational management of the flexible working hours arrangements within the work area;
- approving flexible time off subject to the operational requirements of the work unit.

Head of School/Administration is responsible for:

- authorising flexible working hours records within the School/Unit;
- retaining and archiving records. Records are filed locally as an auditable record of attendance, consistent with the [University's Record Keeping requirements](#).

Applying for Flexible Working Arrangements

Flexible working arrangements are negotiated between the staff member, their supervisor and the relevant Delegate and considered on a case-by-case basis.

Under the *Fair Work Act 2009* (Cth), the right to request flexible working arrangements for up to 12 months (or longer if agreed), is available to:

- staff with caring responsibilities;
- parents or guardians of children that are school age or younger;
- staff with a disability;
- staff who are 55 years of age or older;
- staff who are experiencing family violence or caring or supporting a family or household member who is experiencing family violence.

A request can only be refused on reasonable business grounds which may include:

- the excessive cost of accommodating the request;
- a lack of capacity to reorganise the work arrangements of other team members;
- the impracticality of the arrangements that would need to be put in place – including the need to recruit staff;
- significant loss of efficiency or productivity;
- significant negative impact on customer service.

Application

Staff should initially discuss their need for flexibility with their supervisor and consider options for implementing alternative working arrangements that will meet both their personal and work requirements.

A written application using the [Flexible Working Arrangements Application form](#) is submitted through the supervisor to the relevant Delegate, for approval. The application is to include:

- details of the flexible working arrangement;
- the period of time that the arrangement will apply;
- reasons for the requested change; and
- any supplementary information and documentation to support the application.

Approval

The authority to approve flexible working arrangements is delegated to the Head of Administrative Area, Faculty general manager or School general manager..

In considering the application, the relevant Delegate will take into account the personal circumstances of the staff member applying for a flexible working arrangement while ensuring that the operational needs of the work unit are met.

The flexible working arrangement may initially be approved on a trial basis.

Normally the relevant Delegate will either approve or not approve the application within five working days, forwarding the documentation to the HR Service Centre to enable the HR Service Centre to prepare the appropriate letter or variation of employment within 21 days.

Where the application is not approved, the relevant Delegate will discuss his/her decision with the staff member and provide detailed reasons for the refusal in writing.

Information and Advice

For information and advice about leave options contact the [HR Service Centre](#) and for negotiating working arrangements contact the [HR Relationship Team](#).

Staff should refer to their individual offer of employment from the University regarding their conditions of employment. Details of Agreement conditions are on the [staff intranet](#), and related policies and procedures are on the University's [Policy Register](#).

Administration

1. Background

The Flexible Working Arrangements Policy was developed in 2007 and reviewed in 2010 to reflect the provisions of the Agreement. This policy was amended in September 2013 to reflect new flexible working arrangement provisions in the *Fair Work Act 2009 (Cth)*. This policy was amended in April 2014 to align with the Enterprise Agreement 2013-2017. Amendments were made in September 2016 to reference the new Leave Policy 2016. Amendments were made in June 2017 to reflect the University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016 and organisational design changes

2. Management Responsibility

Director, Human Resources

3. Implementation Responsibility

Heads of School/Administration

4. Dates

Approval (version 1)	31 August 2007
Effect	31 August 2007
Review	2010
Approval (version 2)	16 April 2010
Effect	16 April 2010
Approval (version 3)	4 October 2013
Effect	4 October 2013

5. Approval

Version 1	Mr Bob Kotic, Chief Operating Officer and Deputy Vice-Chancellor.
Version 2	Dr Michael Spence Vice-Chancellor and Principal
Version 3	Dr Michael Spence Vice-Chancellor and Principal

6. Signatures

Approved by:

Name

Dr Michael Spence

Position

Vice-Chancellor and Principal

Date

4 October 2013

