Flexible work request checklist

Flexible by Design

Having a conversation is the critical first step to making a flexible work arrangement work for everybody – clients, employees, the team and managers. This checklist can be used to help work through the things that need to be considered and put in place for an effective flexible work arrangement.

Talk about the things that are expected to work well, things that may go wrong and find ways to manage any challenges. Flexible work arrangements are not an entitlement, but a manager needs to have reasonable grounds to refuse a request. Operational plans and client services still need to be delivered so it is important that everyone works together for a positive flexible work experience.

Flexible work arrangements can be agreed or established through:

* documentation: for ongoing or long-term arrangements that include telecommuting or where salary is affected—through a [flexible work agreement](https://www.forgov.qld.gov.au/consider-request-for-flexible-working)
* general approval:such as flexible start times through discussion between an employee and supervisor
* ad hoc arrangements: such as short-term or occasional telecommuting through discussion or email between an employee and supervisor.

The [*Industrial Relations Act 2016*](https://www.legislation.qld.gov.au/Bills/55PDF/2016/B16_0001_Industrial_Relations_Bill_2016.pdf) provides employees with the right to request flexible work arrangements. The Act specifies how requests must be made and how the request should be considered. (There is no requirement for a specific reason for the request, such as health or carer responsibilities but reasons for the change must be stated as part of the request). A request can be approved in full or in part, subject to conditions or refused where there are reasonable grounds for the refusal or conditions.

**General considerations**

* Flexibility can take many forms and be for many reasons – don’t discriminate.
* Consider employee wellbeing in the way the request is discussed and considered.
* Come from the position of ‘how can we make this work?’
* Be creative and solutions focused.
* Understand the business outcomes.
* Promote ‘guilt-free’ attitude to requests.
* Cultivate an open and trusting environment.
* No one size fits all – everybody and every situation is different.
* Ensure that human rights impacts under the *Human Rights Act 2019* have been considered, and documented.

Details of request

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|  | Individual’s needs | * Flexible work requires genuine effort to communicate expectations and deliver productive outcomes. What are the benefits of the proposed arrangement?
* Consider individual employee’s circumstances. Are their needs likely to change over time?
* Anyone can request flexible working.
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|  | Duration | * Is this a permanent or temporary arrangement?
* What is the proposed start and end date (if applicable)?
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|  | Options | * What type of flexible work is requested?
* Are there other options or combinations of options that could be considered if the original request is not approved?
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|  | Flexibility | * Be flexible about flexibility.
* What flexibility does the employee have to alter their work arrangement on an ad hoc basis to cover peak periods, attendance at meetings, training courses etc?
* What arrangements are in place for attendance at the regular place of work where attendance/ participation is an inherent requirement of the role? e.g. meetings, client events, functions.
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|  | Entitlements | * It is the employee’s responsibility to consider the impact of the arrangement on their pay, taxation, superannuation, leave provisions and other entitlements. Has the employee made enquiries in these areas?
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|  | Governance | * Who is responsible for the home office set up and maintenance?
* Are there potential conflicts of interest? How will these be managed?
* Are there any confidentiality considerations? How will these be managed?
* Has the employee checked the hours of work allowed?
* What are the daily communication expectations and arrangements?
* What are the arrangements when children are at home during agreed work hours e.g. sick?
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Business considerations

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|  | Agency needs | * Does the request have any effect on the implementation of operational/work plans?
* What is the impact on client service requirements?
* How will the request affect staffing requirements?
* Will there be any budget implications?
* Is the flexible work arrangement responsive to changing needs of the agency?
* How will any future changes in the role be addressed?
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|  | Impact on co-workers | * Will the new arrangement impact the job role, workload and morale of other employees?
* How will this be managed?
* Have you talked about this with the employee and their colleagues?
* What are the concerns, objections or barriers? How can these be addressed?
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|  | Job redesign | * Jobs may need to be redesigned and duties re-assessed to ensure they are suitable and achievable under the new flexible work arrangement. Where this occurs, job description forms or position statements may need to be amended accordingly.
* Ensure workload is appropriate to the new hours of work.
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|  | Confidentiality | * Maintain confidentiality, particularly in relation to personal circumstances. Where discussion with others is required in order to assess a request, ensure only relevant details are disclosed and discussion is restricted to relevant parties only.
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|  | Employee’s skills and suitability | * Consider employee’s skills and ability to manage their work role while undertaking a flexible work arrangement. Is specific training or development required to address skill gaps (e.g. time management skills may be needed when an employee reduces their hours of work).
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|  | Supervisory/ leadership roles | * For supervisors, identify strategies for ensuring adequate supervision levels are maintained.
* How will leadership responsibilities be met? What strategies are in place?
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|  | Employment conditions | * Does the employee’s award/agreement contain conditions pertaining to their request? Ensure the request meets the requirements contained within their award and/or agreement.
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|  | Governance requirements | * Refer to any policy/guidelines that apply to this request e.g. parental leave, reasonable adjustment.
* Is there a performance and development plan in place? Is it consistent with the requested arrangement?
* Are there any potential conflicts of interest? e.g. use of external commercial facilities for meetings.
* Are there any confidentiality requirements of the employee’s role that need to be considered? e.g. security of documents, confidential conversations.
* Daily communication and workflow management arrangements.
* Employee wellbeing considerations.
* What are the expectations around sick leave, carer’s leave, arrangements when children are at home during work hours?
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Decision

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|  | Case-by-case | * Assess requests on a case-by-case basis. Also consider other flexible work arrangements currently in place and how these will interact. Do not deny requests based on the possibility of potential flow-on effects but be conscious of the impact this may have on other activities.
* Weigh up the benefits and challenges for the employee, work group and organisation associated with this flexible work arrangement.
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|  | Decision making | * Have you involved the employee and other affected parties in your decision-making process?
* Have you spoken with human resources or other relevant experts to assist in making a decision?
* Have you fully and properly considered the request in a timely manner?
* Is your decision-making process fair, transparent and capable of review?
* Have you documented your decision and factors considered in making your decision? Are you able to justify the reasons for your decision?
* Have you advised the employee of the outcome of their request, both verbally and in writing and included a full explanation for your decision (within 21 days of receiving the request)?
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|  | Negotiation | * Where the original request may not be appropriate, negotiate with the employee alternative arrangements that will suit the needs of all parties involved.
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|  | Right of review | * Where a request for flexible work is denied, the employee should be made aware of any other procedures available to them in order to review the decision, including the appeal process under the *Industrial Relations Act 2016*.
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|  | Documentation | * Document the agreed arrangement. This can be done using the template flexible work request/agreement or another document. The agreement should clearly set out the expectations and responsibilities for the employee and their manager, including:
* parties to the agreement
* duration (e.g. start and end date, and trial period)
* the nature of the flexible arrangement, including days, hours and location of work
* communication arrangements (e.g. communication with co-workers, supervisor etc.)
* changes to job role, duties or functions, reference to performance agreement
* any requirements relating to supervisory and leadership responsibilities
* any issues relating to operational requirements (e.g. client dealings, functions, meetings)
* requirements in relation to taking leave (e.g. job share partners may cover each other’s leave periods and therefore cannot take leave at the same time)
* review arrangements and criteria (refer to Review section below for further details)
* the process for either party to alter, discontinue or extend the arrangement
* process for managing concerns or issues that arise.
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Implementation

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|  | Notification | * Notify human resources and other relevant parties, including co-workers and regular clients about the change in working arrangements.
* Ensure documentation is filed appropriately.
* Include arrangements on the email signature block.
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|  | Showcase best practices | * Showcase other flexible work arrangements that have been successful and achieved positive outcomes, use these examples as a guide for implementing this arrangement.
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|  | Address risks | * There is an element of risk in anything. This is not automatically a reason to refuse a flexible work arrangement. Consider the best way to engage with the risk and identify possible solutions.
* Review your workplace health and safety requirements to ensure the safety of employees.
* Consider employee wellbeing.
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|  | Equipment and technology | * Is any additional equipment, furniture or space required to make the arrangement possible e.g. laptop or computer/modem for telecommuting?
* Can technology enhance the effectiveness of flexible work arrangements e.g. mobile phones, computer networking, internet and email access at home, and teleconferencing/skype?
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|  | Timing of meetings and other events | * Can regular events (e.g. staff meetings) be scheduled to maximise staff attendance?
* Ensure that part-time employees can attend other events e.g. training, planning days, socials.
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|  | Capability development | * Ensure employees have equal access to training and career development opportunities and performance development processes.
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|  | Impact on co-workers | * Discuss the new arrangement with co-workers. Address any concerns they may have and develop strategies to ensure other staff are not disadvantaged from this arrangement. Manage resistance and negative attitudes from co-workers that may affect the success of the arrangement.
* Encourage all staff to raise queries or concerns regarding flexible work arrangements as they arise and effectively deal with these issues without delay.
* Ensure workloads are managed and co-workers are not picking up additional work they cannot manage.
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|  | Communication strategies | * Put strategies in place to ensure effective communication with employees to keep them informed of any changes or important issues arising when they are not present.
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Review

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|  | Review procedures | * Consider how the arrangement will be reviewed e.g. ongoing or periodic basis. When and how will the success of the arrangement be measured? Set timeframes for review.
* Arrangements may be fine-tuned over time to ensure they adapt to changing circumstances.
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|  | Impact of flexible work arrangements | * Consider what impact the flexible work arrangement had on:
* attraction and retention of staff
* budget
* diversity of the workforce
* staff morale, performance and productivity
* employee health and wellbeing (reduction in absenteeism)
* employee’s ability to balance their work and life.
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|  | Modifications to arrangements | * What problems or issues have been raised throughout the arrangement? How have these been rectified?
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|  | Support | * How can arrangements be better supported?
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|  | Outcome of the review | * Following full evaluation – the future of the arrangement should be discussed between the parties involved and prior to the expiry of the arrangement.
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