

# Flexible Working Arrangements Policy

## Section 1 - Background Information

(1) ACU is committed through its Mission Statement “to the dignity of all human beings” and endeavours to provide a flexible, supportive and diverse working environment which encourages employees to live a balanced lifestyle, combining work, family and community responsibilities.

(2) In line with broader Catholic Social Teaching, the University recognises that work is integral for underpinning personal fulfilment, and private and social dignity. One of the principal ways that this recognition is manifested at ACU is through the practical development and application of a work-and-life balance philosophy which is a core component of the University’s emerging workplace culture.

(3) Work is recognised as an important, but not an exclusive, means through which a person contributes to society at large. In balance to their work activities, people need to share time with their family, to attend to their personal spiritual development, to rest, and to pursue wider cultural, educational and recreational interests through which they might grow, develop and further contribute to their spiritual and intellectual life.

(4) As an employer ACU strives to balance the needs of the individual employee and the University to enable work-and-life needs to be addressed appropriately. The overall aim is to optimise the contribution of employees in the achievement of both personal and professional outcomes in an environment that is co-operative, supportive and efficient.

## Section 2 - Scope

(5) This Policy applies to all ACU academic staff and professional staff at ACU covered by the [ACU Staff Enterprise Agreement 2017-2021](#) (Enterprise Agreement).

(6) This Policy should be read in conjunction with the following guides:

- a. [Working Flexibly @ ACU Guide for Staff 2023](#)
- b. [Working Flexibly @ ACU Guide for Nominated Supervisors and Managers](#)

(7) These guides provide further information in relation to the procedures required for requesting, approving and effectively implementing flexible work arrangements in accordance with this Policy.

(8) This Policy does not apply to the following categories of staff:

- a. Senior Management, Executive and Senior Executive staff employed by the University under an individual employment contract.
- b. Teachers and Tutor/Instructors who are covered by the [Educational Services \(Post-Secondary Education\) Award \(Cth\)](#).

(9) The [Fair Work Act 2009 \(Cth\)](#) National Employment Standard (NES) for flexible working arrangements will apply in relation to requests for flexible working arrangements for the above staff. In addition, the process of application and consideration for flexible working arrangements for such staff is supported by the guides referred to in clause 6.

## Section 3 - Policy Purpose

(10) The purpose of this Policy is:

- a. to establish the University's approach to flexible work, including flexible work options, eligibility and considerations for staff and their nominated supervisors;
- b. to explain the 'right to request' flexible work, which is available to eligible staff under the Enterprise Agreement, and the nominated supervisor's responsibility to respond to such a request; and
- c. to enable effective, equitable, transparent and mutually beneficial flexible work arrangements.

(11) In addition, the University recognises that:

- a. there are times when flexible workplace arrangements may assist staff to manage emergencies, family responsibilities and other commitments; and
- b. flexible working is not a barrier to promotion or management responsibilities.

## Section 4 - Application of Policy

### Examples of Flexible Working Arrangements

(12) Below are some examples of flexible working arrangements. A staff member and their nominated supervisor will consider whether they are appropriate in all circumstances, as there may be other flexible working options that are outside those identified in this document that meet both the operational and staff member's needs. The approval of flexible working arrangements will be subject to the operational requirements of the organisational unit.

(13) Certain circumstances may give staff additional rights to request flexible working arrangements and have these considered, as set out at clause 21.

Flexible Working Arrangement	Description	Conditions
Changing hours of work	Where a staff member requests to decrease their working hours, or increase their working hours without exceeding their employment fraction as listed in their employment contract.	<p>The Enterprise Agreement sets out the working arrangements that apply to academic (refer to clause 5.2) and professional staff (refer to clause 5.3). The work pattern for the flexible work arrangements will be within these parameters. For example, the maximum ordinary hours a professional staff member is permitted to work is 9 hours in any one day, 45 hours in any week or 140 hours over a 4-week cycle; therefore, overtime will apply if the staff member is granted approval to work outside these parameters.</p> <p>Refer to Section 6 of this Policy for further information about applicable flexible time working arrangements.</p>

Flexible Working Arrangement	Description	Conditions
Changing patterns of work	<p>Where a staff member requests to change the way their normal working hours are completed with no change to the number of hours worked:</p> <ul style="list-style-type: none"> <li>• Compressed working hours e.g. a standard 35-hour week may be worked over 4 not 5 days</li> <li>• Averaging working hours e.g. part time hours can be completed over more days</li> <li>• Shifting working days e.g. changing your non-work day from a Monday to a Thursday.</li> </ul> <p>Academic staff: Where your academic workload allocation, for teaching related duties, may be greater in one teaching period to accommodate a need for part of the year. To compensate for this, adjustments would occur at other times of the year to ensure your annual workload allocation falls within the ranges and tolerances in accordance with the <a href="#">Academic Workload Policy</a>.</p>	<p>Changes to the timing of working hours are subject to organisational requirements, which may include consideration of how the work activity or service is delivered.</p> <p>Professional staff whose day to day hours are irregular or do not follow a standard pattern will record their hours via a Time Record in accordance with the <a href="#">Recording of Hours Worked Policy</a> and submit to their nominated supervisor. The recorded hours will be reconciled at least twice per year to ensure any over or under amount of hours are paid or deducted. The reconciliation of hours will also occur as part of any exit process consistent with clauses 48 to 50.</p> <p>The Enterprise Agreement states that any risk to employee health and safety from working additional hours must be taken into consideration.</p> <p>The following arrangements apply to a compressed hours arrangement:</p> <ul style="list-style-type: none"> <li>• The maximum number of agreed hours must not exceed 9 hours per day, 45 hours in any week or 140 hours over a 4-week cycle. Overtime will apply if the staff member is granted approval to work outside ordinary hours.</li> <li>• Where a scheduled work day falls on a public holiday or a University concessional day, a staff member will record or be paid the number of hours scheduled for that day.</li> <li>• Where a scheduled day off falls on a public holiday or University concessional day, a staff member will not be entitled to additional payment or additional time off.</li> <li>• Personal leave is not available on a scheduled non-work day.</li> </ul>
Changing the location of work	<p>An arrangement where a staff member performs some of their duties from home or another location off campus.</p>	<p>If working from home, staff members will ensure they have an approved Working from Home Agreement for ACU insurance coverage, which includes a <a href="#">Work from Home WHS Inspection Checklist</a>.</p> <p>The University provides equipment to perform work duties on campus. If working from home or another location off campus, the staff member must have access to equipment to perform their duties effectively.</p> <p>All Work Health Safety, and Wellbeing policies and procedures that apply to staff members of the University will, as far as practicable, apply in carrying out work at their home or other location.</p> <p>The University's <a href="#">Injury Management and Rehabilitation Policy</a> applies to staff undertaking approved home-based work in the same way as to staff working on campus or undertaking ACU work at other locations.</p> <p>Staff members are solely responsible for checking whether home-based work has any impact on any existing home insurance arrangements they may have, including public liability or equipment covered by their own home contents insurance, and any obligations they may have to notify their insurer their home is to be used for work purposes.</p> <p>If changing the location of work, including working from home, involves access to University resources and computer networks, staff members must comply with the <a href="#">Computer and Internet Acceptable Use Policy</a>.</p> <p>Working from home or other location must not be used as a substitute for childcare and/or other carer responsibilities. Staff must make appropriate childcare and/or carer arrangements for working from home days.</p> <p>Staff who work from home or another location are required to follow the same procedures for notifying of absences (eg personal leave) and notification of incidents/hazards on <a href="#">Riskware</a>, that apply to all staff.</p>

(14) Further examples of flexible working arrangements are provided in the [Working Flexibly @ ACU Guide for Staff 2023](#).

(15) Professional staff may also be able to apply for a flexi time arrangement. See clauses 31 to 35 for further information relating to this.

## **Dealing with a request for a Flexible Working Arrangement**

(16) This section provides information for staff and nominated supervisors about dealing with a flexible working arrangement request.

(17) The staff member should discuss their plans for flexible work with their nominated supervisor and then lodge their request via [Service Central](#). The request must set out the details of the change/s sought and provide the reasons for the requested change to working arrangements. The staff member should also specify the duration of the requested change. Normally the approval of flexible working arrangements will be for a period of up to 12 months. The [Working Flexibly @ ACU Guide for Staff 2023](#) provides further information to assist staff members in completing this process.

(18) The nominated supervisor will discuss the request with the staff member in a timely way and attempt to negotiate an agreement, taking into consideration the needs of the staff member, consequences for the staff member if changes in working arrangements cannot be made and any reasonable business grounds for refusing the staff member's request. Normally, this process will occur before the staff member lodges their request in Staff Connect and can continue after the request is lodged if any issues remain unresolved. The nominated supervisor is encouraged to:

- a. consult as necessary with People and Capability during this process and before making a decision; and
- b. consider and discuss with the staff member all viable alternatives for changes in working arrangements including, but not limited to, the various leave options available to them as detailed in the [Recreation Leave \(including Annual Leave\) Policy](#).

(19) Where the request is pay impacting e.g. a change in hours, the final decision regarding the staff member's request for flexible working arrangements must be approved by the relevant Member of the Executive on recommendation from the nominated supervisor.

(20) The nominated supervisor will provide the University's written response to the request within 21 days via Staff Connect, advising whether the request is approved or declined. If approved, the flexible work arrangements will be reviewed from time to time, including through regular meetings between the staff member and nominated supervisor, to ensure the arrangement is meeting the needs of the staff member and the University. Subject to approval, a flexible work arrangement may be implemented on a trial basis of, for example, 3 to 6 months.

## **'Right to request' a Flexible Working Arrangement**

(21) Depending on their circumstances, a staff member may have a right under the Enterprise Agreement to request a flexible working arrangement. A staff member who:

- a. has responsibility for the care of a child who is school age or younger;
- b. has a child who is under eighteen (18) years of age and who has a disability;
- c. is a Carer (as defined);
- d. is fifty-five (55) years or older;
- e. has a disability;
- f. is experiencing family violence or who is providing care or support to a member of the staff member's immediately family or household who requires care or support because the member is experience violence from the member's family;

- g. is a parent, or has responsibility for the care of the child, and is returning to work after taking leave in relation to the birth or adoption of the child; and
- h. has the right to submit a request for a change to their working arrangements and have that request considered and formally responded to by the University.

(22) This right is available to:

- a. a fixed term or continuing staff member; or
- b. a long term casual staff member who has a reasonable expectation of continuing employment on a regular and systematic basis.

(23) In these circumstances, the nominated supervisor may only refuse a request on reasonable business grounds and, if the request is refused, the response will include details of the reasons for the refusal.

(24) Reasonable business grounds for refusing a request for flexible working arrangements include, but are not limited to:

- a. the new working arrangements requested by the staff member being too costly for the University;
- b. there is no capacity to change the working arrangements of other staff members to accommodate the new working arrangements requested by the staff member;
- c. it would be impractical to change the working arrangements of other staff members, or recruit new staff members, to accommodate the new working arrangements requested by the staff member;
- d. the new working arrangements requested by the staff member would be likely to result in significant loss of efficiency or productivity; and
- e. the new working arrangements requested by the staff member would be likely to have a negative impact on customer service.

## **Section 5 - Employer initiated change in hours**

(25) The University may change staff hours of work, following consultation, in accordance with the Enterprise Agreement.

(26) Nominated supervisors are required to consult with staff about a change to the staff member's ordinary hours of work and/or to their regular roster, but not where a staff member has irregular, sporadic or unpredictable hours of work. A staff member may be accompanied to a consultation meeting by a person of their choice, including a staff representative.

(27) The nominated supervisor will provide information to the staff member about the proposed change and invite the staff member, or their representative, to provide their views about the impact of the change (including any impact in relation to their family or caring responsibilities).

(28) The nominated supervisor will consider any views given by the staff member about the impact of the proposed change prior to a decision being made to either implement the proposed change, some other form of arrangement, or maintain the status quo.

(29) A staff member may not be unreasonably required to alter their regular roster or ordinary hours of work if there are good and sufficient reasons why they may not be able to accommodate such a requirement. These good and sufficient reasons may include (but are not limited to) elderly or child care arrangements.

# Section 6 - Principles of Flexible Time Working Arrangements

## Academic Staff Working Arrangements

(30) The University acknowledges that the academic staff members work flexibly, subject to arrangements regarding academic workload allocation, academic career pathways, and the principles of academic availability.

## Purpose of Professional Staff Flexible Time Working Arrangements

(31) For professional staff, flexible time working arrangements (or 'flexi time') may be agreed as a way of balancing operational requirements with staff requirements to achieve work-and-life balance.

(32) Flexible time arrangements may vary across and within work groups according to particular work demands and service requirements. Working arrangements will be subject to the operational convenience of the work unit and must be approved as per the [Delegations of Authority Policy and Register](#).

(33) Not all aspects of these arrangements will apply to all professional staff because of the particular role a staff member may perform within a particular work group, or due to the hours they work (e.g. part time and/or fractional). Some staff may participate in a limited way whereby variations may occur in a staff member's hours during a particular cycle according to work demands.

(34) The University may require professional staff to work more flexibly to assist in maintaining work unit operations or to provide for enhanced operations in circumstances such as:

- a. where a particular staff member is absent, and the absence was unplanned for;
- b. providing an expanded or additional period of service to students and other clients;
- c. to complete an item of work where continuity is necessary; or,
- d. to meet a University need/deadline.

(35) The application of these working arrangements is to be irregular and prospective and are not intended to be used as a mechanism for avoiding the payment of overtime.

## Parameters for Professional Staff Flexible Time Working Arrangements

(36) A professional staff member, including a shift worker, and their nominated supervisor may negotiate working arrangements within the following parameters:

a.	the maximum number of ordinary hours which may be worked on any one day is 9 hours;
b.	the normal weekly ordinary hours of work is thirty five (35) hours, however the maximum number of hours which may be worked in any week is 45 hours;
c.	the normal daily span of hours worked under these arrangements will be 8:00 am to 6:00 pm Monday to Friday, but this may be extended to 7:30 am to 7:00 pm where it is essential to maintain a University service or activity;
d.	the ordinary hours of work for caretaking/cleaning/gardening/security staff shall be worked between 6:00am to 10:00pm, Monday to Friday;
e.	except in an emergency, a professional staff member will normally be given forty eight (48) hours' notice if they are required to work during the period 7:30am to 8:00am or 6:00pm to 7:00pm;
f.	overtime and shift penalties are not applicable between 7:30am and 7:00pm;
g.	a professional staff member will work an average of 140 hours over a four-week cycle;

h.	part-time professional staff will work the hours specified in their contract of employment over a four (4) week cycle (or the contracted period in the case of casual staff);
i.	subject to receipt of a written request from the staff member which is formally approved by the Member of the Executive, a staff member may work ordinary hours outside the normal span of ordinary hours provided that the staff member is not required to do so under this provision; and
j.	subject to receipt of a written request from the staff member which is formally approved by the nominated supervisor, a staff member may work ordinary hours on a Saturday; provided that the staff member is not required to work on a Saturday under this provision and the staff member works their normal hours during that week to enable at least two days off during the calendar week.

## Recording of Hours Worked - Professional Staff

(37) Where a staff member's day to day hours of work under a flexible work arrangement are irregular or do not follow a standard pattern, the staff member must record their hours of work each day on the [Time Record Flexible Work Arrangements](#) and this record should be submitted to their nominated supervisor every four weeks.

## Administration

(38) Nominated supervisors are responsible for the efficient and sensible operation of flexible work arrangements within a particular work group and for ensuring the University's operations are effectively maintained at all times. The administration associated with these may arrangements include:

- a. the completion of daily time sheets by all staff;
- b. the reconciliation of daily time sheets; and
- c. the completion and submission of leave forms.

## Work Cycles

(39) Each year is divided into two six-monthly reconciliation periods (normally, January to June and July to December) and each six-month period is divided into four-week cycles. No excess accumulated time may be carried forward from one six-monthly reconciliation period to the next.

## Accrued Flexible Time

(40) Normally no more than 28 hours of time accumulated during a four-week work cycle may be carried over into another cycle. However, with prior approval of the relevant Member of the Executive, up to 35 hours accumulated time may be carried into another work cycle. Time accumulated in excess of 35 hours will be paid out to the staff member at the staff member's ordinary rate of pay.

(41) Staff may not carry a time debit into another four-week work cycle without the prior approval of the relevant Member of the Executive. A staff member with a flexible time debit at the end of a cycle will be required to submit a leave form to cover the deficit. In such circumstances, the staff member may elect to use any annual or long service leave to credit or to take the time as leave without pay.

(42) It is not necessary for a staff member to have a credit balance when taking time off, nor to have worked a full work cycle in the case of newly appointed staff entering duty part way through a work cycle.

(43) Where a staff member has accumulated flexible time credits in excess of 7 hours, this may be taken by agreement with the nominated supervisor.

(44) A staff member must obtain the prior approval of the nominated supervisor prior to taking time off under the conditions of this Policy.



## Approved Leave and Public/University Holidays

(45) Periods of approved leave and/or public/University holidays which fall during a work cycle are regarded as a staff member's normal working day and do not count as accruing additional time unless a staff member is required to work on a public/University holiday.

(46) By agreement with the nominated supervisor, a staff member may take a half-day annual leave together with a half-day time off.

(47) As personal leave is credited and debited in hours, a staff member and their nominated supervisor may agree on whether a staff member takes personal leave or accumulated time off to cover an absence due to illness.

## Flexible time when ending employment

(48) A staff member who gives notice of their resignation or retirement will, during the period of notice, take all reasonable steps to eliminate any accumulated credit or debit. Nominated supervisors shall facilitate the leave taking during this period.

(49) A staff member who has not been able to exhaust all their flexible time credits will, on termination of employment, be paid the monetary value of any flexible time credits.

(50) A staff member who works a particular pattern of work, and has a debit of hours upon termination, will have the monetary value deducted from money owing at termination.

## Section 7 - Glossary of Terms

Term	Meaning
Carer	<p>Has the meaning given in the <a href="#">Carer Recognition Act 2010 (Cth)</a> (or the <a href="#">Carers (Recognition) Act 2010 (NSW)</a>), being an individual who provides personal care, support and assistance to another individual who needs it because that other individual:</p> <ul style="list-style-type: none"><li>(a) has a disability; or</li><li>(b) has a medical condition (including a terminal or chronic illness); or</li><li>(c) has a mental illness; or</li><li>(d) is frail and aged.</li></ul> <p>An individual is not a carer in respect of care, support and assistance he or she provides:</p> <ul style="list-style-type: none"><li>(a) under a contract of service or a contract for the provision of services; or</li><li>(b) in the course of doing voluntary work for a charitable, welfare or community organisation; or</li><li>(c) as part of the requirements of a course of education or training.</li></ul> <p>To avoid doubt, an individual is not a carer merely because he or she:</p> <ul style="list-style-type: none"><li>(a) is the spouse, de facto partner, parent, child or other relative of an individual, or is the guardian of an individual; or</li><li>(b) lives with an individual who requires care.</li></ul>
Enterprise Agreement	<a href="#">ACU Staff Enterprise Agreement 2017-2021</a>
Fair Work Act	<a href="#">Fair Work Act 2009 (Cth)</a> , as amended from time to time

## Section 8 - Revisions made to this Policy

(51) The revision table includes revisions up until this document was migrated into the new policy system. Any later revisions will show in the Status and Details tab.

Date	Major, Minor or Editorial	Description
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Date	Major, Minor or Editorial	Description
9 April 2014	Major	This Policy has been updated to incorporate the “right to request” and consultation amendments from the Fair Work Act, 2009 and to implement the ACU Staff Enterprise Agreement 2013-2017.
13 August 2018	Editorial	ACU brand template update and Staff Connect advice at Item 4.1 regarding Request to Vary instructions and Service Connect link for further assistance.
20 January 2020	Major	Updated to incorporate the provisions of the ACU Staff Enterprise Agreement 2017-2021.
11 June 2020	Major	Updated to clarify the application of the policy; the conditions associated with different flexible working arrangement options; the process for application, and approval and review of flexible work arrangements.
13 January 2023	Minor	Updated Director, Human Resources to Chief People Officer. Review and update to incorporate enhanced application process. Updated Educational Services (Post-Secondary Education) Award 2010 to 2020.

(52) The University may make changes to this Policy from time to time to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about this Policy may forward their suggestions to People and Capability.

## Section 9 - Further Assistance

(53) Any staff member who requires assistance in understanding this Policy should first consult their nominated supervisor who is responsible for the implementation and operation of these arrangements in their work area. Should further information or advice be required staff should visit [Service Central](#).

## Section 10 - Associated Information

(54) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	19th December 2023
<b>Review Date</b>	30th April 2024
<b>Approval Authority</b>	Vice-Chancellor and President
<b>Approval Date</b>	19th December 2023
<b>Expiry Date</b>	15th May 2024
<b>Responsible Executive</b>	Angelle Laurence Chief People Officer
<b>Responsible Manager</b>	Angelle Laurence Chief People Officer
<b>Enquiries Contact</b>	Bernardine Lynch ER and Safety Committees and Policy Officer <hr/> People and Capability