Flexible Working Arrangements Policy

Section 1 - Background Information

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

(2) All academic staff, professional staff and teachers are entitled to a flexible working arrangement.

Section 2 - Scope

(3) This Policy applies to ACU academic staff, professional staff and teachers covered by ACU Staff Enterprise Agreement 2022-2025 (Enterprise Agreement). The Policy should be read in conjunction with clause 5.1 of the Enterprise Agreement.

(4) This Policy should be read in conjunction with the Flexible Working Arrangements Guide

This guide provide further information in relation to the procedures required for requesting, approving and effectively implementing flexible work arrangements in accordance with this Policy.

(5) Whether a staff member normally works on campus or at a location approved under a flexible work arrangement and where the staff member proposes to work at a different location on any particular day or for a period of time, the staff member must notify their supervisor of their location. The supervisor may require the staff member to submit a declaration regarding the safety of the proposed alternative workplace and/or a Work from Home WHS Inspection Checklist (or off campus) Workstations for working from home (or another location). Refer to clause (10), changing the location of work.

(6) This Policy does not apply to Senior Management, Executive and Senior Executive staff employed by the University under an individual employment contract. The Fair Work Act 2009 (Cth), National Employment Standard (NES) for flexible working arrangements apply to these staff in relation to requests for flexible working arrangements. In addition, the process of application and consideration for flexible working arrangements for such staff is supported by the guides referred to in clause (4).

Section 3 - Policy Purpose

(7) The purpose of this Policy is:

a. to explain the University's approach to flexible work, including the entitlement to a flexible working arrangement under clause 5.1 of the Enterprise Agreement, flexible work options, 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 Fair Work Act 2009 (Cth), and the nominated supervisor's responsibility to respond to such a request;

c. to ensure that applications for flexible work will be considered within the context of:
    i. the principles guiding flexible work arrangements within the Enterprise Agreement (clause 5.1.1) which have been incorporated into this Policy; and
    ii. management's belief that staff should spend the majority of time on campus, having regard to the student experience and to ensure vibrant campus environments;
d. to enable effective, equitable, transparent and mutually beneficial flexible work arrangements, and
e. to ensure that the University will only refuse a request for flexible work arrangements where it is not reasonably practicable to accommodate the request.

(8) 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;
b. flexible working is not a barrier to promotion or management responsibilities; and
c. staff have a right to disconnect outside of their working hours and are not required or expected to respond to work related matters except in the circumstances described in clause 5.1.4 of the Enterprise Agreement.

Section 4 - Application of Policy

Examples of flexible working arrangements

(9) 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.

(10) Certain circumstances may give staff additional rights to request flexible working arrangements and have these considered, as set out in the table below.

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. This type of flexible work arrangement may include job share. This is where a staff member decreases their work hours and the duties of the position are shared with another staff member.	The ACU Staff Enterprise Agreement 2022-2025 sets out the working arrangements that apply to: • academic staff (refer to EB clause 5.2) • professional staff (refer to EB clause 5.3), and • teachers (refer to EB clause 9, Schedule 4 Part 4). 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. Refer to section 6 of this Policy for further information about applicable flexible time working arrangements for Professional Staff.

Flexible Working Arrangement	Description	Conditions
Changing patterns of work	Where a staff member requests to change the way their normal working hours are completed with no change to the number of hours worked: • Compressed working hours e.g. a standard 35-hour week may be worked over 4 not 5 days • Averaging working hours e.g. part time hours can be completed over more days • Shifting working days e.g. changing your non-work day from a Monday to a Thursday. Academic staff: Where the academic workload allocation, for teaching related duties, may be greater in one study 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 the annual workload allocation falls within the ranges and tolerances in accordance with the Academic Workload Allocation Policy.	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. 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 Recording of Hours Worked Policy and submit to their nominated supervisor (also refer to section 6 of this Policy). Any risk to employee health and safety from working additional hours must be taken into consideration. The following arrangements apply to a compressed hours arrangement: • Refer to section 6 of this Policy for the parameters applicable to flexible time working arrangements for Professional Staff. • 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. • 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. • Personal leave is not available on a scheduled non-work day.

Flexible Working Arrangement	Description	Conditions
Changing the location of work – working off-campus, including working from home	An arrangement where a staff member performs some of their duties from home or another location off campus. Note: short term / temporary change to location. Whether a staff member normally works on campus or at a location approved under a flexible work arrangement and where the staff member proposes to work at a different location on any particular day or for a period of time, the staff member must seek approval from their nominated supervisor of the proposed arrangement through a Service Central request. The nominated supervisor may require the staff member to submit a declaration regarding the safety of the proposed alternative workplace and/or a 'Mandatory Off-campus WHS Requirements' checklist.	If working from home or another location, staff members will complete the 'Mandatory Off-campus WHS Requirements' checklist as part of their Flexible Working Arrangement form in Staff Connect. 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. All Work, Health, Safety and Wellbeing Policy that apply to staff members of the University while working on campus will, as far as practicable, apply when they work at home or other location. 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. If changing the location of work, including working from home, involves access to University resources and computer networks, staff members must comply with the ICT Acceptable Use Policy. 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. 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 riskware, that apply to all staff.
• Further examples of flexible working arrangements are provided in the Flexible Working Arrangements Guide. • Professional staff may also be able to apply for a flexible time working arrangement. See Section 6 below for further information relating to this.		

Applying for and considering a Flexible Working Arrangement

(11) This section provides information for:

a. staff about applying for a flexible working arrangement, and
b. nominated supervisors about the process for considering the flexible work arrangement applications.

Principles

(12) Requests for flexible working arrangements must be considered, and be evaluated, on the following principles, in accordance with clause 5.1.1 of the Enterprise Agreement:

a. the recognition that while some tasks need to be performed on-campus, most staff can productively perform their roles remotely, including staff in client-facing roles;
b. attendance on campus by staff contributes to the development of vibrant campus environments, along with similar levels of attendance by students, and use of the campuses by community members;
c. where a staff member works in a team environment or with shared responsibilities, as far as practicable, the

needs of the whole team will be taken into account; and

d. a staff member needs to be reasonable in what Flexible Working Arrangement they request, and a nominated supervisor needs to be reasonable in considering the request.

Application process

(13) The staff member should discuss their proposed flexible work arrangements with their nominated supervisor and then lodge their request via the Flexible Working Arrangement form in Staff Connect. The request must set out the details of the change/s sought, and the duration of the requested change (up to 12 months).

(14) 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.

(15) In accordance with clause 5.1.1.2 of the Enterprise Agreement, all relevant factors will be taken in account in considering any application for flexible working arrangements including the following:

a. the nature of the applicant's role and whether aspects of their duties are suitable for the requested arrangements (including whether some aspects of the role can be performed on particular days of the week or month, or in weeks of the year);
b. any service delivery and student or client-facing aspects of the role, and whether these may be completed face-to-face or remotely;
c. other flexible working arrangements in the staff member's team;
d. any reasonable adjustments that may be made to accommodate the request;
e. whether the role has been performed under similar arrangements in the past; and
f. whether the staff member has a 'right to request' as described in clause (10); that is, whether the staff member:
    i. is pregnant;
    ii. has any caring responsibility;
    iii. has a disability;
    iv. is fifty-five (55) years of age or older; and/or
    v. is experiencing family, domestic or intimate partner violence, or a member of their household or immediate family is experiencing family, domestic or intimate partner violence.

(16) The nominated supervisor should:

a. consult as necessary with People and Capability during this process and before making a decision;
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 or whether the flexible work arrangement may be implemented on a trial basis of, for example, 3 to 6 months, subject to approval, and consult with their manager to ensure the flexible working arrangements are being applied equitably across work areas.

(17) Where the request is pay impacting e.g. a change in hours, the nominated supervisor will make a recommendation regarding the staff member's request for flexible working arrangements to the relevant Member of the Executive who has the delegation to make the final decision.

(18) The nominated supervisor will provide the University's written response to a flexible work arrangement request within 21 days via the Flexible Working Arrangement form in Staff Connect, advising whether the request is approved

or declined.

(19) Flexible working arrangements will be reviewed annually. The staff member and nominated supervisor should discuss flexible work arrangements from time to time to ensure the arrangement is meeting the needs of the staff member and the university. They can agree to change a flexible working arrangement at any time. A staff member may also request ad hoc or short-term changes to work times or locations[2] in writing to their nominated supervisor. The University will only refuse such a request where it is not reasonably practicable to accommodate the request.

> [2]For a short/term temporary change to location a Service Central Request must be submitted in accordance with clause (10).

'Right to request' a Flexible Working Arrangement

(20) All staff covered by the Enterprise Agreement are entitled to a flexible work arrangement. Under the Fair Work Act 2009 (Cth), staff may have additional rights in certain circumstances to request a change to their working arrangements and to have that request considered and formally responded to by the University.

(21) A staff member has the 'right to request' as described in clause (10), if the staff member:

a. is pregnant;
b. has responsibility for the care of a child who is school age or younger;
c. has a child who is under eighteen (18) years of age and who has a disability;
d. is a Carer (as defined in section 7);
e. is fifty-five (55) years or older;
f. has a disability;
g. is experiencing family, domestic or intimate partner violence or a member of the staff member's immediately family or household is experiencing family, domestic or intimate partner violence.

This right is available to: fixed term or continuing staff members; and casual staff members who have been working for the University regularly and systematically for at least 12 months and have a reasonable expectation that their employment will continue on a regular and systematic basis.

(22) In these circumstances, the nominated supervisor must respond to the request in writing within twenty-one (21) days. The nominated supervisor may only refuse a request on reasonable business grounds where it would not be reasonably practicable to accommodate the request, and if they have:

a. discussed the request with the staff member and genuinely tried to reach an agreement on alternative arrangements to accommodate the staff member's circumstances, and
b. considered the consequences for refusing the staff member's request.

(23) If the requested arrangements cannot be accommodated, the staff member and the nominated supervisor will propose and discuss reasonable alternative Flexible Working Arrangements. Where an alternative arrangement is agreed to, it will be implemented. The nominated supervisor must confirm the agreed changes in writing within 21 days.

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

a. the requested arrangements being too costly for the University;
b. there is no capacity to change the working arrangements of other staff members to accommodate the requested working arrangements;

c. it would be impractical to change the working arrangements of other staff members, or recruit new staff members, to accommodate the requested working arrangements;
d. the requested working arrangements:
    i. would be likely to result in significant loss of efficiency or productivity;
    ii. would be likely to have a negative impact on customer service;

(25) If the request is refused, the response will include an explanation of the grounds for the refusal; alternative arrangements that may be suitable, and information about getting help from the Fair Work Commission for disputes about flexible working arrangements[3].

[3]Relevant information is available from the website below. See the section with the heading, "Lodging a dispute with the Commission" - https://www.fairwork.gov.au/employment-conditions/flexibility-in-the-workplace/flexible-working-arrangements#lodging-a-dispute

Section 5 - Employer initiated change in hours

(26) The University may change staff hours of work, following consultation, in accordance with clause 8.3 (Changes to rosters or hours of work) of the Enterprise Agreement.

(27) Nominated supervisors are required to notify and consult with staff about a change to their ordinary hours or 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, in accordance with the Staff Assistance, Support and Representation Policy.

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

(29) The nominated supervisor will consider any views given by the staff member (or their representatives, if any) 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.

(30) 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 childcare arrangements.

Section 6 - Flexible Time Working Arrangements – Professional Staff

Purpose of Flexible Time Working Arrangements for Professional Staff

(31) 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 will not be used as a mechanism for avoiding the payment of overtime.

Parameters of 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 a staff member may be permitted to work in any week is 45 hours; subject to f. and g. below;
c.	the normal daily span of ordinary hours worked under these arrangements will be 8:00 am to 6:00 pm Monday to Friday;
d	where it is essential to maintain a University service or activity, the normal daily span of ordinary hours will be 7:30 am to 7:00pm (and the University will inform the staff member of this upon engagement);
e.	the ordinary hours of work for caretaking/cleaning/gardening/security staff[4] shall be worked between 6:00am to 10:00pm, Monday to Friday;
f.	a professional staff member will normally work an average of one hundred and forty (140) hours over a four (4) week cycle;
g.	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). The maximum normal weekly ordinary hours of work for casual professional staff will be thirty-five (35) hours;
h.	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;
j.	subject to a written request from the staff member and written approval of 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; and
k.	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.

[4] Includes residential advisors employed by ACU Residential Life

Recording of Hours Worked – Professional Staff

(37) Where a staff member's day to day hours of work under a flexible time 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 reasonable operation of flexible time 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 will facilitate the taking of time off on flexible time credits or approval of leave for flexible time debits during this period.

(49) A staff member who has not been able to exhaust all of 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 - Definitions

Term	Meaning
Carer	Has the meaning given in the Carer Recognition Act 2010 (Cth) (or the Carers (Recognition) Act 2010 (NSW)), being an individual who provides personal care, support and assistance to another individual who needs it because that other individual: (a) has a disability; or (b) has a medical condition (including a terminal or chronic illness); or (c) has a mental illness; or (d) is frail and aged. An individual is not a carer in respect of care, support and assistance he or she provides: (a) under a contract of service or a contract for the provision of services; or (b) in the course of doing voluntary work for a charitable, welfare or community organisation; or (c) as part of the requirements of a course of education or training. To avoid doubt, an individual is not a carer merely because he or she: (a) is the spouse, de facto partner, parent, child or other relative of an individual, or is the guardian of an individual; or (b) lives with an individual who requires care.
Enterprise Agreement	ACU Staff Enterprise Agreement 2022-2025
Fair Work Act	Fair Work Act 2009 (Cth), as amended from time to time

Section 8 - Revisions made to this Policy

(51) 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

(52) 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

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

Status and Details

Status	Current
Effective Date	30th June 2025
Review Date	16th May 2029
Approval Authority	Governance Officer
Approval Date	30th June 2025
Expiry Date	Not Applicable
Responsible Executive	Angelle Laurence Chief People Officer
Responsible Manager	Angelle Laurence Chief People Officer
Enquiries Contact	Bernardine Lynch ER and Safety Committees and Policy Officer People and Capability