

Making flexibility work for everyone

A conversation guide for employees



Works for me.

Works for NSW.

FLEXIBLE WORKING

We've developed this guide to help you learn about your rights and responsibilities for flexible working.

You may be curious but not sure if it's for you, or how to ask. This guide will help you decide, and perhaps build a proposal.

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Learn about flexible working in your agency

Who can ask for flexible working

The NSW Government has committed to making all roles in the government sector flexible by the end of 2019 on an 'if not, why not' basis. This means that everyone can begin a conversation about what type of flexible working is available to them, but it does not make it an entitlement.

This policy commitment applies to all employees in the NSW government sector, including the following services, as defined in s 3 of the *Government Sector Employment Act 2013 (the GSE Act)*:

- the Public Service
- the Teaching Service
- the NSW Police Force
- the NSW Health Service
- the Transport Service of New South Wales
- any other service of the Crown (including the service of any NSW government agency)
- the service of any other person or body constituted by or under an Act or exercising public functions (such as a State owned corporation), being a person or body that is prescribed by the regulations for the purposes of this definition.

This means that a person engaged in ongoing employment, temporary employment or casual employment whether on a full time or part time basis can ask to work flexibly. Contractors may also request to work flexibly; but they will need to discuss it with their third-party labour hire company.

Anyone can ask to work flexibly for any reason: the policy commitment is available to everyone, which means that you no longer need to justify why you're asking, serve any probation periods, or have your eligibility defined by pre-existing performance, unless your agency's policy expressly says otherwise. The key test for any request is 'will this maintain or improve the quality of my work and responsibilities?'. This guide will help you to make that decision.

We've also provided managers with a similar guide that outlines their responsibilities and obligations under this policy commitment. This should help to make your task easier – if any proposals made have been well prepared and thoroughly considered, a quick yes or no decision becomes a lot easier.

Some employees have additional rights

Some employees have additional legal rights for flexible working. While the GSE Act allows for employees to work flexibly and covers the majority of NSW public service employees other government sector employees are employed under other acts (e.g., *Teaching Service Act 1980* and *Police Act 1990*). A small percentage of government sector employees are covered by the *Fair Work Act 2009 (Cth)* (the FWA).

The FWA provides that some employees who have worked with the same employer for at least 12 months, have a 'right to request' flexible working arrangements if they have worked for longer than 12 months and are from a certain category of employee (has carer responsibilities, is over the age of 55, has a disability, etc.). These employees have a "right to request" rather than an absolute right to flexible work arrangements under the legislation. Employers may only refuse the request on reasonable business grounds, which places the onus on the employer to say, "if not, why not". The FWA applies to some agencies in the NSW government sector. Ask your Human Resources (HR) business partner if you think this could apply to you.

The *Anti-Discrimination Act 1977* and *Disability Discrimination Act 1992 (Cth)* are also relevant as they allow for workplace adjustments for the categories of employees covered by these Acts. Flexible working is just one form of workplace adjustment for employees with disability. Frequent breaks during the day, ergonomic desk set up, hot desking at alternate locations closer to home, a special chair or a standing desk are other examples of workplace adjustments that you can offer to an employee (or potential employee) with disability in your team. The best way to find out what might help is to ask the employee who needs it; they'll be the expert on their needs and what will help.

Why the NSW Government supports flexible working

The NSW Government made this policy commitment because it helps government sector workforces to respond to a number of emerging workforce challenges:

- 1 It helps us to meet our diversity and inclusion goals, for example, the ability to offer job share and adjusted hours is highly attractive to many demographics currently under-represented in the workforce because they're unable to vary their hours or work location.
- 2 It helps to manage costs, such as unplanned leave. Our data indicates that the more an agency reports flexible work usage, it also reports lower rates on paid unscheduled absences, a significant cost saving (source: NSW Workforce Profile and People Matter Employee Survey data, 2017).
- 3 It helps us to face some of the demographic shifts occurring across the workforce, such as older, experienced colleagues moving towards retirement, and younger workforces seeking portfolio careers; for example, vertical job share can be a solution to capture the experienced employee's knowledge and mentor the younger worker, who then has time to work on their passion project as well.
- 4 It helps us work in agile environments, where mobile work locations require flexible mindsets and a move beyond presence as a way of measuring productivity. Knowing how to work flexibly helps tremendously when it comes to agile office spaces.
- 5 It is linked to a more engaged workforce, with stronger perceptions of their career opportunities, their willingness to go above and beyond, better job satisfaction and ability to manage work-life stress, based on our employee survey data (source: People Matter Employee Survey data 2017).
- 6 And ultimately, more engaged employees lead to better service outcomes, which leads to better outcomes for clients/customers.



Learn about flexible working in your agency

Check what flexible working is possible in your agency

Flexible working is about rethinking the where, when and how work can be done, in a way that maintains or improves service delivery for the people of NSW.

When you understand the types of flexible working available in your agency, and what to take into account when setting up a flexible working arrangement, you can establish a successful arrangement that benefits everyone.

That said, not everyone will want to work flexibly, and flexible working may not be an option for every role. The key is to start a conversation with your manager and team about what is possible in your context. This means that each arrangement can be quite different, depending on what you need and what is possible given the inherent requirements of your role. Equal access does not mean that arrangements will be the same, even for people doing the same sort of role.

The PSC has [listed on its website](#) a few basics about the types of flexible working commonly possible, but check your agency policies and intranet to see which might be possible under your current HR and industrial relations settings.

Not all types of flexible work will be possible in all agencies, depending on the specific industrial arrangements, but you can discuss with your team and manager the various types that are possible, and what options may suit your team member(s) in combination.



Employees enter, exit, and can re-enter the workforce, and may need to increase or decrease their workload at different life stages, depending on their personal needs. The type of flexible arrangement they may need will vary as a result, especially when considered in the context of their role and its inherent requirements.



For example, employees who are transitioning to retirement may want to use flexible working such as part-time or job share. Another example is when an employee's leave entitlements are taken in a flexible way, i.e. study leave or parental leave to allow them to juggle multiple responsibilities. Your agency's industrial arrangements will likely set the parameters of what is possible, but speak with your HR contact for any questions.



Learn about flexible working in your agency

Flexible working can be ad hoc or ongoing

Flexible arrangements can be ad hoc and used only on an as-needs basis, or a more formal, ongoing change in employment or the way work is arranged.

Ad hoc flexible working

Ad hoc flexible working is where an employee uses flexible working arrangements from time to time on an occasional basis, such as requests to work from home to attend to a carer's requirement (or plumbing disaster) or shift swaps.

We recommend a work environment where people do not need to ask permission (that is, without a gatekeeper of requests), but for this to work, you will all need to stick to a set of protocols that you have developed as a team. We'll explain more about how to set these up in Step 2, Talk to your team.

As a guiding principle, ad hoc flexibility should be a given and people should not feel like they have burdensome rules around notice periods, but you have to manage it so there is no net negative impact on your broader team, external stakeholders and the work.

Ongoing flexible working arrangements

Ongoing flexible working arrangements are established in a more formal way between a manager and an employee (although you can also set them up as a team conversation). Your role is to ensure that your arrangement finds an equilibrium between your needs, your team and the business needs of your agency. Examples can be switching to part-time, compressed hours, job share or an ongoing fixed day working from home. These may require more consideration and more planning as the impact on the work and the team can be larger.

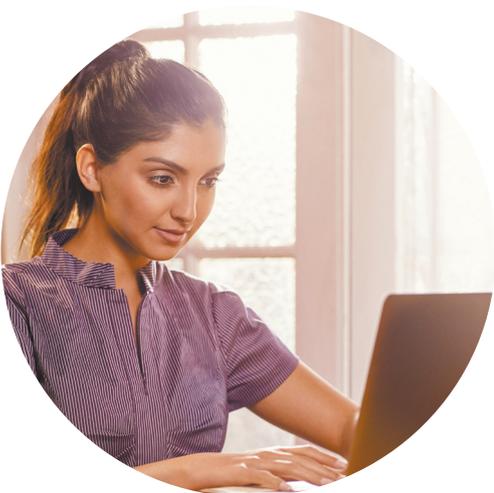
Learn about flexible working in your agency

Check your human resources policies

Most agencies have a page on their intranet that details your agency policy, and any additional requirements for specific arrangements, e.g. switching to part-time or working from home. Make sure you familiarise yourself with these, and what you can or cannot do.

Your industrial award and enterprise flexible working agreement will usually set out the framework for how your agency's policy is designed, and processes such as completing timesheets are built around them. While you're not expected to become an expert on these, it is often worth discussing any concerns or limitations with your HR contact and seek their guidance on what may/may not be possible. Sometimes, these frameworks allow for local customised arrangements between you and your manager, but not always, so always check, and get advice on any protocols, success measures or any safeguards that need to be in place. These 'local' arrangements typically require executive approval as well.

Workplace health and safety is also a critical consideration for any arrangement, whether it is rostering rules to prevent over-work or working from home and ensuring a safe environment. Again, review your agency guidance or policy and factor it in to your proposal.



Learn about flexible working in your agency

Test your current flexible working knowledge and skills

To work flexibly, you need to know what types of flexible working are available and be able to match the right type(s) to your role. To succeed you will be able to self-manage your workload and continue to perform in your role; you will negotiate flexible work arrangements with your manager, collaborate with your team so that it works for everyone, and monitor how it is working over time and make adjustments to continuously improve.

Most of skills required you will need anyway to in your role, but from a flexible working perspective, this means you need to:

- Build your awareness of what flexible working could look like in your context (including that you may have been doing it for years already as part time, flex time or salary banking, but not called it that)
- Seek information to develop suggestions and proposals that work for you, your team and your clients or customers
- Revise any assumptions you may have made over time about who gets to use it, or why, including any bias you may have developed over what is 'fair'
- Talk to your team and your manager, and find arrangements that support them as much as they support you; finding an equilibrium is key
- Take action when it isn't working, or needs to change over time (for work, or for you).

PSC has developed a [self-assessment tool](#) that you can use to identify any skills gaps to focus on as you build confidence in requesting and using flexible working.

Complementary to the self-assessment tool is a [development guide](#) that includes suggestions of activities and resources you can easily use to develop or build on your skills.



Learn about flexible working in your agency

Understand other people's misgivings about it

Flexible working isn't new in the NSW Government sector and most of us want to support it. But we can all have misgivings about how to make it work, especially finding a way to balance more people using it with budgets, workloads and KPIs, and caring for your colleagues' welfare - particularly if it's sometimes difficult work in a stressful environment. Your manager and team mates can sometimes share your misgivings about 'how will it all work' as well.

We've collected some of the most common concerns and suggested potential workarounds or solutions. Most challenges with flexible working can be mitigated with some forethought and planning, while some others are people or capability challenges rather than flexible working itself.

Misgivings

Potential solutions

Productivity

How will flexible working arrangements affect the team's ability to deliver their work on time, to a high standard and maintain business and service requirements?

- Identify the potential impacts in advance and what you may be able to do to overcome them.
- Suggest a trial phase and agree on your key performance indicators (KPIs) for it. Make clear you're open to changing it if those KPIs aren't met.
- Be flexible in your approach, and be willing to adapt when things come up (e.g. a colleague's long-term leave)

Commitment

People who work flexibly are not committed to their jobs.

- This fear can often stop people from asking, even if they see others using it.
- If you have set up KPIs in advance, you will be able to prove how committed you are over the period of a trial phase when you deliver on them.
- People Matter employee survey data tells us that employees who work flexibly are twice as likely to be positive about their career perceptions.
- You may also have some high-profile executives in your organisation who work flexibly; it isn't the career limiter it may have been in the past.

Trust

That people will be unproductive, particularly if they are working off-site, without direct supervision.

- Set and agree upon clear goals and focus 1:1s on progress against them. Explain the time management and technology you use to achieve your progress.
- Schedule-in face time for specific work issues that arise that can be resolved quickly this way.

Learn about flexible working in your agency

Scheduling

How to schedule flexible hours so that they work within the team environment.

- Work with your colleagues to identify early any scheduling conflicts or times when the team will be short staffed and devise ways to ensure service delivery and business requirements are met. Do not leave it up to your manager to fix alone.
- Be flexible in your arrangement to meet time needs.

Communication

The loss of informal communication, particularly if teams are working in different locations.

- It is your responsibility to proactively ensure you stay in the loop for news that affects your work, and stay 'part of the team'.
- See which tools you can use to communicate, such as social media, instant messaging, online training and monthly on-site meetings. Technology is usually an easy win in this case. But you should also ensure you attend team meetings, preferably in person, and don't use remote work as an excuse to cancel meetings.

Entitlement

A very few employees can quickly adjust to considering their flexible arrangement as an individual entitlement they have, rather than a negotiation that needs to work for the team, the customer and the individual

- Role model the importance of everyone in the team having a shared responsibility towards their own and team outputs.
- Demonstrate how you are aware of your responsibility not to leave work to your colleagues while you pursue your flex arrangements.

Scale

What if everyone in the team wants to work flexibly, and some arrangements clash? How will the work get done? How does everyone get a turn?

- 'If not, why not' means that potentially everyone can work flexibly, but the work still needs to get done. This is why discussing it as a team is the best place to start; as a team you can agree your team goals and what work has to be maintained or improved, and only then consider what flex arrangements might work. If arrangements clash, consider a coverage plan, taking turns, and considering who may not be able to work at all if not for a given arrangement.

Learn about flexible working, and what is possible

Consider how flexible working can help you

While the reasons for asking for a flexible arrangement do not matter in the decision to grant it, the way flexible working is used can open up our work options and career opportunities, make it easier to integrate work and life, yet maintain or improve our work.

1 You want a promotion but are worried the role will be 'too much', or think you'll have to resign because your circumstances have changed and you have never seen that role done differently.

This is a typical challenge for many (but not all) parents returning to work; how to juggle a demanding role with an adjustment to a more demanding home life as well. Many flexible working initiatives have come about as a response to preventing that resignation, and putting supports in place. Typical supports include encouraging the whole team to book meetings during school hours only, being open (where your industrial arrangements allow) to compressed hours, offering working from home days, or trialling a job share paired with an entirely remote arrangement, as was the case for Service NSW.



Case Study

Service NSW

Jody Grima, Executive Director, Service Delivery, Service NSW, was able to retain talented workers by offering a job share arrangement to Kristie Clarke and David Walsh.

Here she shares how she did it:

"Kristie submitted her resignation to move up north for her family, but I didn't accept it. Instead, we discussed other options, such as working remotely and working part-time. I could see that her role needed full-time coverage, and I wondered if a job share could work. I asked Kristie if she would consider trying it. David was at a different point in his life, wanting to wind back work in order to travel. By supporting job share, it meant I could access two different perspectives, strong outputs, and a diversity of thought.

We all saw job share as an experiment, and understood from the start that the role would need to evolve from how it had been done before. For example, we initially tried to keep the team whole, so everyone reported to both Kristie and David. But we quickly found that this caused duplication, and for Kristie and David, keeping each other informed was taking up almost as much time as the work itself.

So we played with the model; for example, assigning a lead for select day-to-day initiatives, while the other person would step in when the lead was not there. We experimented with what worked and didn't work. There was no fixed approach – just a recognition that the job share would need to adjust to fit its people and team context.

The combination of Kristie and David is superb. Getting a good rhythm and pattern in their job share meant they needed to work with each other, and have flexibility in their structure. We adjusted reporting lines and the accountabilities of the role, to ensure there was both individual and collective ownership. There are some initiatives that only one person runs, but for some things they are jointly accountable. As a leader, I have two hard workers for the price of one. Kristie and David are both really engaged in the workplace, and Kristie's regional location adds another lens through her engagement with her community and how she goes above and beyond with it.

From an employer's perspective, this job share has been wonderful, and their outputs have lifted the bar for the larger team. Not only did we get to keep a great Director, we've shown the benefit of working with the team to work out the right model, as well as providing a great example for the larger organisation on how it can work."

Learn about flexible working, and what is possible

“Lack of flexibility has been shown as one of the primary barriers to greater workforce participation of women.”

WGEA, ‘A strategic approach to flexibility’.

2 You are worried that you’re at risk of burnout or struggling to manage multiple commitments, but if you ask for flexible work people will think you’re not serious about their career, or don’t have the right to ask (i.e. it’s only for working mothers, people who have been here for ages, etc).

While everyone is under pressure to hit targets, burn out is a risk in every workforce and every sector, and it is better to be pro-active about seeking flexible working. As we know, productivity is unlikely suffer, but you will probably avoid needing an extended break or even resignation.

For some of us, a poor experience of having asked for cultural or community leave before can also prevent you from asking. Yet using flexible working can make it so much easier to balance these commitments plus also take the pressure off, leaving more time and headspace to focus on your role. For example, it may help during important cultural events such as NAIDOC week, when time off to travel and attend events can be covered via NAIDOC leave, but some work could also be done from a remote location to minimise the total time away from work – if doing that makes sense. Raising it in conversation could help find a solution that works for you, for your team and your role.



Case Study

NSW Local Land Services (LLS)

Chief Executive Officer, David Witherdin role models flexible working and actively encourages employees to “make family events the first priority and to find the right balance between work, family, friends and community”. He recently used technology to participate in a senior executive meeting by video conference so he could attend the graduation ceremony of his daughter.

Learn about flexible working, and what is possible

We also know from the PSC 2018 Workforce Profile data that most Aboriginal employees are in regional areas (63.2% in 2018), yet only a minority of overall senior leadership roles are located outside Sydney (18.9% in 2018). Rethinking where roles are located can assist more Aboriginal employees in regional areas to enter into leadership career pathways.



Case Study

Roads and Maritime Services (RMS)

RMS offers a variety of flexible working options to help employees balance their life with work, including NAIDOC leave for Aboriginal and Torres Strait Islander employees.



Jinaya Walford, Policy Support Officer, Program Management uses flexible working to celebrate NAIDOC and balance work with community and cultural responsibilities.

Tell us a bit about yourself, who's your mob?

I am a Bundjalung and Gamilaroi woman. My mother is from the far north coast, Lismore and my father is from out far west, a town called Walgett. My parents met at Kirinari Aboriginal hostel at GyMEA; it provides housing for remote Aboriginal students. After school they moved back west and dad worked on the railways.

Although my bloodline and home is where my family originates, I grew up in Bathurst. When I was a teenager, my mum received an opportunity to work in Corrective Services and our family made the big move to Sydney where we have stayed since. Mum still works there and is a great role model to me and many others.

How will you be celebrating NAIDOC this year?

I'll be going to the National Centre for Indigenous Excellence at Redfern on 13 July. I will be taking NAIDOC leave to attend. It's fantastic to see everyone embracing our culture and it's a great opportunity to connect the community.

I will also be MC'ing a NAIDOC event here in Parramatta which is another opportunity to showcase our culture and share our stories.

Learn about flexible working, and what is possible



Case Study

Roads and Maritime Services (RMS) continued

How often do you have the opportunity to visit your country?

As often as I can. I visit family in beautiful Bundjalung country where mum comes from. Our family up there is pretty large. Walgett is way hotter, so my mother's home town wins for the most visits.

Going back home to either country is my way to rejuvenate my mind and my spirit. Connection to land and family is important to me.

Have you ever used your NAIDOC leave day to attend NAIDOC activities?

I've used my NAIDOC leave to attend community events and my boss is always supportive. They understand that at this time of the year I am out of the office a bit.

What other flexible work arrangements have you used to help balance your work life with family, cultural and community responsibilities?

I have used a combination of flexible options to find that balance. Sometimes I work from home, particularly when I am travelling up north and want to get out of Sydney before the rush. I've worked in other RMS locations, even a heavy vehicle inspection station and I worked part-time after maternity leave.

These days I start and finish at different times to meet the needs of my family and support the business. I've also used annual leave for Sorry Business (the period of mourning for deceased Aboriginal people). I have lots of relatives so need to be with them at times like that.

What programs, information or resources help you balance work and community and cultural responsibilities?

Many years ago I had to extend my leave for Sorry Business and my manager didn't understand. The Aboriginal Engagement team assisted to help explain the cultural and family responsibilities of Aboriginal people. Sometimes it's hard to talk about those needs and in that instance I found that the people in that team were a good voice for me. I would consider the team a valuable resource.

I always read news updates on the intranet; it's been a good way to keep updated on what's available. I am also an active networker and my family helps keep me updated with what's happening in the community.

Do you have any tips for how people can better balance work and their community and cultural responsibilities?

Communicate your needs to your manager.

Show accountability and manage your workload while using flexible arrangements. You need to be accountable for your work but you also need to communicate to your manager if you need days off.

First published in 'Compass' – RMS newsletter. We are grateful to Kylie Stewart, Jinaya Walford and Julie Croft for permission to reproduce it.

Learn about flexible working, and what is possible

3 You have a temporary or ongoing medical condition or disability you need to manage

Temporary or ongoing medical conditions or disabilities may mean we need to adjust how we work, the hours, the place or how we do it.

It may take the shape of rest periods or longer periods for medical appointments, breaks for treatment or adjusting start and finish times because of medication side effects. You could consider job share, input into your roster, part-time work or working from home. Flexible working, is after all one of the mostly commonly requested workplace adjustments, although noting that adjustments extend far beyond just flexible working to include changes to premises, facilities, equipment, work practices or training.

Consider which arrangements could meet your needs, as you're the expert on your disability. You can also ask advice from HR or your workplace's disability employment network.

Many workplace adjustments may be supported by the Employment Assistance Fund, which is at no cost to your workplace.

The wider context is that the NSW Government has a Premier's Priority to double the representation of people with disability from the current estimated 2.8 per cent in 2017 to 5.6 per cent by 2027. Access to flexible working for these employees will help the sector achieve this goal.



Case Study

**Dawson Ko, Senior Advisor
Public Service Commission**

"Living with disability (blindness) I've embraced flexible work practices to maintain my sanity! On Monday - Thursday I work from our CBD office, and on Fridays I have an agreement with my manager that I work from home (all I need is WiFi connection and a hot cuppa and I'm all set!). To tell you the truth I don't mind navigating the crowds and obstacles in the city 4 days a week, but there's nothing like starting and finishing work relaxed and free from anxiety on Fridays! #Winning!"



Learn about flexible working, and what is possible

4 You are an experienced employee but want to scale back your work, rather than retire completely at the expected date next year

Flexible working can help you handle this transition. After a lifetime of work, an increasing number of employees do not want to completely exit the workforce on turning 60 or 65, yet many who report wanting to retire at 65 often do by 60. In this instance, an arrangement like a vertical job share (sharing your role with a more junior employee seeking development and being paid for the proportion you complete) could help grow skills for the younger employee, yet free up time for you both to devote to other projects or volunteering. Job share is an effective way for your agency to gain two skill sets and perspectives for the price of one, and is generally highly productive. For a small percentage of employees on defined benefit superannuation schemes it may affect your retirement income; seek independent advice.

Some older employees also relish part-time work, and looking at the way your role is designed can help free you up to focus on the parts you may especially enjoy or be expert in, and offering the other components to other colleagues wanting development in these areas. You could also see if it is possible to work from other locations or work from home, as many 'tree' or 'sea' change in the lead up to retirement.

A growing body of research points to the growth of the alternative workforce—particularly as it relates to many millennials “opting out” of the traditional workforce. In the United States, more than 40 per cent of the workforce now works on a contingent basis, and more than two-thirds of millennial and Generation Z workers work “side hustles”.

Deloitte, 'Human Capital Trends Report' (2016).



Case Study

Roads and Maritime Services (RMS)

One branch of RMS, the Operations and Compliance Branch, has a workforce demographic of almost 20% aged 55 and over.

Through the Diversity and Inclusion Plan 2020, RMS has identified flexible working arrangements such as job share or part time work as a phase-to-retirement or succession plan strategy.



Case Study

Better Regulation Division

Anna Wade is a Policy Manager in the Better Regulation Division of the Customer Service cluster. She has job shared with Julie Wright for over 6 months so that she can have job security and experience a challenging government sector role, while at the same time pursue her own business on the days that she is not in the office.



Talk about flexible working as a team

Working flexibly starts with a conversation between you, your manager and your team.

Having that conversation firstly as a team makes it more likely the arrangements will be fair for everyone, sustainable and any wider potential impacts will be identified and addressed.



Discussions with your team may include:

- **Scheduling time to talk through concerns** that any team members may have, to address these and come up with solutions.
- **Agree as a team what work you need to get done, and the standards that need to be maintained** so that everyone can measure their flexible working arrangement against the team standard, to see if it is feasible. When the arrangements have been operating for a time, check in with each other to check how it is going for everyone.



For office-based teams:

- **How you will use technology** such as videoconferencing, online project management tools and shared workspaces to facilitate collaboration.
- **Identify any skill gaps** such as how to run a meeting remotely (from both a technology and effective participation perspective) and plan for training.



Case Study

Mirvac

Mirvac launched its Building Balance program in 2016, aiming to challenge the attitudes and behaviours embedded in the construction industry and re-think the way processes and procedures are undertaken. The program included various initiatives around improving flexibility, communications, productivity and streamlining processes.

An unexpected success from Building Balance was 'My Simple Thing'. This initiative asked construction employees to think of one simple change they could incorporate into their work lives to improve their work-life quality, such as starting later to drop off the kids from school or finishing earlier one day per week for sports training. This simple idea, without significant infrastructure to support it, snowballed and drove significant change.

Without many systems and policies in place, teams began making informal arrangements to allow 'My Simple Thing' to work for them. Sites began developing site plans that detailed each team member's 'My Simple Thing' and how teams could work together to make it happen (e.g. "You're leaving early Wednesday afternoon to go soccer training so I'll cover your jobs and you can cover for me on Friday morning, when I start later after dropping off my kids").

The percentage of employees using formal flexible working agreements (i.e. agreements that require documentation) has now increased from 14% to 20%, and Mirvac's flexible working policy is now one of the top four reasons that new recruits provide when asked "Why did you join Mirvac?", demonstrating it is an effective tool in attracting talented employees.

Read more [here](#)



Set up some rules of the road - and stick to them

It's also a great idea to set up some 'rules of the road' for how you will all work flexibly as a team. For example, agree on the processes for communication you'll all use if a team member is working elsewhere; e.g. home, hub, another government office. For example:

- What is the process for team meetings or sharing information?
- How will the team use email, Skype, phone conferencing to share information, meet and keep in touch with developments, etc.
- If you're office-based, how might the structure of meetings change to get the most out of the 'connected' time? Do you need everyone to be in the office the same day to maximise connection and collaboration time?
- How will you make sure you stay connected and feeling as part of a team?

Other operating principles might be to:

Coverage plan	Have a weekly team "coverage plan" that includes: <ul style="list-style-type: none"> • Work objectives and allocation; • Team meetings; • Who is where, when; and • Procedures for handovers and back-up.
Client conversations	Have transparent conversations with clients about flexibility, including team working patterns and how quality outcomes will be ensured.
Work demands	Develop a plan for responding to peaks and troughs (and be transparent in communicating potential shifts in work demands) and check in to see if changes are needed.
Meetings	Decide how to include anyone working remotely in meetings, or to at least be advised of the discussions and decisions that affect their work, if meetings are held on their days off.
Technology	Use technology. Share calendars so everyone knows where team members are or use a team calendar. You can use software such as Trello to track work in progress.
Remote access	Provide remote workers with a laptop with remote/VPN access. Use conference call facilities, Skype/ Facetime for meetings and technology such as Confluence to collaborate.

What may or may not be OK

Working for an agency that supports flexible working means that you can expect to receive support to be able to perform your role, even when you are working in a way that does not match the traditional 9 to 5 pattern.

At the same time, it is reasonable that your agency can expect you to be considerate of your team and put the business needs first when you work flexibly, especially when done in an ad hoc way that may be relatively unplanned.

For example, when something comes up and you ask your colleagues to re-arrange everything, like a meeting or other event, last minute so that you can work from home.

This last-minute ad hoc approach, without consideration of the team roster, for example, puts your team mates under pressure and gives flexible working a bad reputation with your manager.

Similarly, flexible working should not be used to take care of a sick child. You won't be able to perform effectively in your role and care for your child at the same time. Use the appropriate carer's leave arrangements instead. However, if you have been unwell yourself but feel OK to work (you are mostly recovered but want to ensure you do not spread a virus during the infectious period) you could use flexible working to stay on top of work demands from home while you recover.

Manage multiple arrangements with planning

One of the common concerns that leaders in office-based workforces is that they will look around the office and most or all their branch will be missing. If desks or phones need monitoring and portable technology does not exist, then you need to coordinate your flexible working with your team so that there is adequate coverage in the office over a normal working week, if that is genuinely needed. Achieving this may require some extra planning and team-based discussion but you can achieve this by using a work schedule and calendar (which will also help you plan for everyone's holidays or extended leave periods). If you're working elsewhere, do not worry about the optics of an empty office, but challenge the convention that presence means productivity. Encourage your colleagues to contact you online via Skype (or equivalent) to find other colleagues rather than relying on interrupting others in the office for information they may not have.





When working away from the office

If you decide to work away from the office occasionally it is important that you let your manager and team know your plans and minimise any disruption to workflow.

You can do this by:

- Providing as much notice as possible to your team and update your/ team calendar (or any other mechanism your team uses) so people know where you are, especially your manager, who has a duty of care to know that you're not in, for example, that you are working at home and are OK.

To avoid disrupting your team and any meetings or events you are required to participate in, at least 24 hours' notice of your intent to work remotely is ideal, so that adjustments can be made that support your participation, allowing time to adjust anything that is needed, such as asking a colleague to cover your phone, or re-arranging a meeting to include dial-in access. Ensuring these adjustments happen is your responsibility, which is why it's good to give your colleagues notice in case you need their help to make it happen (within reason);

- Making sure you're available when you work elsewhere to answer questions from colleagues;
- Trying to ensure you can still participate as much as possible in team meetings, 'all staff' meetings, and other opportunities to spend time with colleagues and share information - working elsewhere is not an excuse to avoid meetings;
- Using call forwarding (if you're working remotely) to ensure your colleagues and clients can still reach you while you are working away from the office.



When you are office-based

If you are office-based and expected to be in the office at least some days of the week, you will need a workspace: a desk and access to the equipment needed to perform the role.

If you have an agreement that you can work remotely part or all of the time, you will need IT access and ideally, a laptop.

Any central IT systems must be accessed, or workarounds agreed. If you are planning to work from another location, it is not typically your agency's responsibility to reimburse the phone or ICT equipment needed to do it, given your agency will have already provided these in the office.

However, local arrangements may apply, and the situation may differ for wholly home-based roles.

Ultimately, you want to move towards an environment where you do not need to seek permission for ad hoc flexible working in order to use it each time, but have a set of protocols or guiding principles outlined that support its success. Its only when these work reliably that moving from a case-by-case permission basis to freely and effectively using flexibility becomes possible. Ongoing flexible arrangements require more planning, and we'll discuss these in a later section.

How to be fair and equitable (but not the same)

From time to time, businesses might need you to adjust your flexibility. This is part of the 'give and take' nature of working flexibly. Deadlines, events, covering for colleagues on leave: all these may require temporary changes to your flexible working arrangement.

It is not unreasonable to ask for advanced warning so that you can plan around the change, where possible. But it's wise to ensure you don't make any rigid plans around flexible arrangements that are difficult to unwind if you do need to change it up occasionally.

Many employees feel positive about flexible working but find there are barriers to accessing it. Multiple agency offices are relocating to be closer to their customer bases – but it may mean longer commutes for many employees, and they may seek roles closer to home. While current technology may be limited, teams can trial working at home one day per week on offline tasks to ensure they can still deliver their work as required, until the tech budget catches up.

Another example of 'give and take' is an employee who is on medication that makes them drowsy in the morning, but they have a team meeting scheduled early in the day each week. If this sounds like you, try asking your team if they could trial shifting the meeting to a new, later start time so that you can participate. Most people are more than willing to accommodate a change in the workplace, especially when it helps a team mate.

Above all, what works for you might not work for someone else, even if you're doing the same sort of role. You may have different coverage requirements, different awards or different needs that you need to meet. Using any 'amount' of flexibility as a way to measure 'fairness' is not a reliable measure of fairness (e.g. 'he works three days a week from home, why can't I?'). Instead, your flexible arrangements will be unique like your fingerprint, because they'll be based on finding the right balance between what works for you, your team and your customers. In this context, fair and equitable means that we all get to explore what works, but there is no 'amount' that anyone should expect to receive without first establishing if it works in your context.



Asking for an ongoing flexible working arrangement

If you would like to have a regular, longer-term arrangement, you will likely need to formally apply for this. Again, having considered it from a team perspective first is important, as the best way to maximise the success and sustainability of your flexible working is to ensure you can still deliver on the outputs and outcomes of your role.

So, before you put together a flexible working proposal in writing, make sure you look at the types of flexible working options available in

your agency; identify a few flexibility options that could balance your work with your personal requirements. Make sure what you have identified is a good match for your role and its key areas of responsibility.

If you're requesting an ongoing flexible working arrangement, arrange a time to meet with your manager to discuss it first.

Use this checklist to ensure these points are covered in the discussion.

-
- | | |
|--|---|
| <input type="checkbox"/> What arrangement you're proposing; | <input type="checkbox"/> If there are any operational or business restrictions on when and where the work can be performed, and if so, discuss solutions with your manager; |
| <input type="checkbox"/> If the arrangement is a workplace adjustment that assists you with the management of a disability or carer arrangement; | <input type="checkbox"/> If you have the resources needed for the arrangement to work (i.e. remote access, technology, communications, IT security, minimum capability requirements), or if there is a reasonable workaround; |
| <input type="checkbox"/> How the arrangement will continue to support and deliver business outcomes and service delivery; | <input type="checkbox"/> How the arrangement will be reviewed (e.g. ongoing or periodic basis). When and how will the arrangement be measured? Set timeframes for check-ins; |
| <input type="checkbox"/> How the arrangement will continue to meet the needs of your customers (whether internal/external); | <input type="checkbox"/> The grounds on which you and your manager could terminate the arrangement, should that prove necessary; and |
| <input type="checkbox"/> If the arrangement requires an adjustment in workload or the way the work is arranged, and whether this can be accommodated within the team or by other means); | <input type="checkbox"/> If the proposal is deemed unsuitable to your manager for identified operational reasons, are there any other types of flexible working that could suit this role and/or outlined next steps? |
| <input type="checkbox"/> If the arrangement will have any potential impacts on the broader team, and how these could possibly be resolved; | |
| <input type="checkbox"/> Whether the WHS arrangements have been considered and documented as per agency requirements; | |
-

Asking for an ongoing flexible working arrangement

Put it in writing

When you have considered all these factors and spoken to everyone who may be affected by your flexible working arrangement (including stakeholders), you will need to complete a formal flexible working proposal for approval by your manager.

Your agency may have its own template – but meanwhile, here’s what PSC developed in consultation with the government sector:

[Download a copy of the Flexible Working proposal template.](#)

Sample template – flexible working proposal

Flexible working proposal

*Suggested template for ongoing/formal flexible working arrangements.
Agencies may also choose to use this template to guide short term and ad hoc flexible working discussions.*

The process for completing an ongoing flexible working proposal is as follows:

- Employee reviews the 'checklist for completing a flexible working proposal'.
- Employee completes the below template and takes a copy to the meeting with their manager.
- Employee arranges a meeting to discuss proposal with manager.
- Manager and employee meet to discuss proposal.
- Manager has a maximum of 21 working days from the original request to respond and provide a signed copy back to the employee.

For employee

Name:	Employee number:
Role title:	Date:
Business unit/division:	
Department/agency:	

Details of the flexible working proposal I would like to apply for:
Refer to the employee checklist and use this section to demonstrate how this arrangement might work and can mitigate impacts on team and customers.

For manager

- I have met with the employee to discuss the proposal.
- I have reviewed the 'manager's checklist for considering a flexible working proposal'.
- I have discussed with the employee other options to vary the proposal if I have not approved it in its original form.
- I have consulted with my one up manager if I cannot approved this request, even after exploring other options.

1

If your manager says no

You can reasonably expect to hear back on the outcome of the decision within 21 days, though if you have followed these steps to have the conversations with your team and your manager and negotiated the details of your flexible working agreement ahead of this step, it may occur sooner.

Proposals can be refused on operational grounds if:

- the requested arrangements are too costly (noting the thresholds for employees with disability should be considered with HR when determining 'high')
- other employees' working arrangements can't be changed to accommodate the request
- it's impractical to change other employees' working arrangements or hire new employees to accommodate the request
- the request would result in a significant loss of productivity, have a significant negative impact on customer service or on team cohesion.

If for some reason your proposal is not accepted, work through it with your manager or the HR contact to see if any changes can be made or another alternative found.

If your manager has refused your request to work flexibly and you have tried to negotiate, it may be best to speak to the next-level supervisor or your HR contact, and be prepared to discuss how your flexible working arrangement will help you get your work done, not hinder it.

Asking for an ongoing flexible working arrangement

Health and safety when working remotely

Your industrial award typically specifies a range of measures to guarantee workplace health and safety in working hours, but it may not address the specific requirements for working at an alternative office location, like a home office.

Working from home or another location requires some thought, similar to what any reasonable person would take to ensure their wellbeing and safety at any time, during work hours or otherwise. The difference when working from home is that your safety is more of a shared responsibility than your workplace, where most of the onus is on your agency.

Your agency will probably have a checklist for you to work through to demonstrate that care and consideration of your safety has been taken, before allowing you to work away from your regular workplace.

Some of the factors to consider for your safety are that:

- You have adequate lighting, ventilation and minimum noise disturbances;
- There are no trip hazards or other hazards such as electrical or slippery surfaces;
- You have access to a first aid kit, fire blanket and there is a well-maintained smoke alarm;
- If you are working with sensitive information, you have adequate security measures in place to preserve the confidentiality of the information (e.g. no one can read over your shoulder or if you leave your PC unlocked);
- Your workspace supports your ergonomic needs, such as your desk, chair, equipment

and computer. Employees with disability may consider engaging JobAccess for an assessment to have supports provided that will enable them to work flexibly, at home or in the office;

- You have a team procedure in place if they will be dealing with difficult calls or clients, and need to debrief;
- You have established good communication channels so that your workmates know where you are, how to contact you, and who to contact if you become uncontactable and they are concerned for your safety; and
- You have a routine that supports 'switching off' when you finish work for the day, for which you might usually use your commuting trip.

Further considerations

The list of considerations might change depending on the role you are required to perform. You and your manager are the best people to make this assessment, within your agency's framework.

A final consideration is access to the internet, if your role requires you to be online. Your agency will have its own policy about provision of internet access but generally, if your usual place of work has access to the web, you will be expected to pay for your own access at home or elsewhere.

If the cost burden of your internet proves onerous, go to your usual work place. If you work from home, seek advice from a tax agent about what you can claim as a tax deduction.

Agree on what good job and flexibility performance look like

Any role, and any work arrangement needs clear expectations about performance, usually articulated as goals in a plan that is reviewed, with regular catch-ups discussing the progress.

This is even more the case where your team's flexible arrangements may mean less time is spent together and/or interacting face-to-face with your manager.

Before you start working flexibly, discuss and agree on:

Job performance

- Your agreed performance measures
- How and how often you will discuss your performance
- Any training and development needs, and how you will address them

Flexible work performance

- How flexibility 'give and take' will work for you and your team
- What systems and protocols you'll commit to using, to communicate effectively with your manager, colleagues and stakeholders, and ensure team connection and cohesion.
- Any back-up systems and support you might need (e.g. technology, team support)
- Any flexible work training and development needs you may have (e.g. running remote meetings or virtual teams) and how/when they'll be addressed.

Use a trial period to iron out problems and be prepared to adjust

It's good to establish a trial period, for example, working from home options can be agreed on a trial basis of 3 to 6 months. During this time, take note of whether you still feel part of your team, if you're in the loop with information, if you have the resources you need, your confidence in your performance, any feedback from stakeholders, and your ability to self-manage.

Flexible working doesn't always run smoothly the first time around, so be prepared for adjustment and to iron out problems.

Success requires some effort from both managers and team members to adjust arrangements until the right mix is found. But it's designed for trial and error; just be prepared to adapt or think of fixes as you go.

Over time you can make quick adjustments as and when issues arise and get feedback from your manager about how the trial phase is progressing.

Plan how to stay connected to your team

When working flexibly, you will need to be proactive about participating in meetings with your colleagues, manager and stakeholders, or receive updates on outcomes if you have to miss them. There are lots of ways to communicate with your team such as face-to-face, email, telephone, FaceTime, Skype, Zoom, WhatsApp and others. Consider asking your regionally based colleagues, who have often become expert through necessity.

It is also important to be deliberate about staying part of your team. How will you keep supporting your colleagues, make sure you're not inadvertently causing extra work for colleagues, and stay up to date on the variety of work your team is responsible for? How will you get to know new team members, and contribute to a sense of team culture and fairness while at the same time working flexibly? Any solutions you develop will likely have positive impacts on the whole team, not just your own situation.

Build new routines for new arrangements

In an age where employees can respond to emails and phone calls at any time and in any place, the issue of work intensification is one that affects employees both working flexibly and those who are not.

There is a real risk that employees who are working flexibly might feel guilty or “lucky” for their arrangement, causing them to overcompensate and work more than the role requires, to prove the arrangement is working and they are meeting performance expectations.

These habits also require managers to maintain a ‘radar’ so that they can raise it with employees and communicate clearly about reasonable use of email, etc., but ultimately you will need to form your own good-practice habits to prevent over-work.

Planning, setting boundaries, and raising issues early will assist you to avoid burnout. Setting boundaries is about having clearly defined work hours in your calendar (also handy for communicating your availability to colleagues and stakeholders) and avoiding doing work in non-work time. Likewise, not doing non-work in work time (making sure that you are not distracted by things at home or elsewhere) when working remotely will help you stay on track with your work goals.

Working from home

If you work at home, try if you can to have a separate work zone that you can close off at the end of your work time, helping you switch off, and have a break before launching into any other type of work (e.g. housework or childcare), creating a ‘transition’ time between the two worlds.

The Workplace Gender Equality Agency has some great tips in its Employee Flexibility Toolkit if you'd like to read further.

Set up periodic check ins with your manager and your team

It is also important to set up check-in systems so you can report on your progress and demonstrate that the arrangement is still working. You can schedule review meetings with your manager, based on the timeframe agreed on in the proposal, but it will also be helpful to include check ins regularly as a part of the way your team works. These can include discussion at weekly/fortnightly meetings (e.g. “how is everyone finding their flexibility going? Has anyone had trouble staying in touch or passing on information?” but also when you meet one on one with your supervisor as part of your work progress discussion. The aim is to ask simple questions to check if the arrangement is still working for your team and your manager, and to fine-tune when things get out of balance.

When you may need to adapt or change your arrangements

Ongoing, flexible working arrangements must continue to work for you, your team and the agency. The arrangement can change depending on a range of factors, influenced by the work being done, the team, the agency direction and/or the employee’s own situation. It’s important to consider your arrangement as dynamic and firmly anchored in a work ecosystem and needing review over time as a result.

If at any time the arrangement is no longer mutually beneficial, meet with your manager to discuss what has changed and to negotiate an alternate arrangement that continues to meet both your needs and the business needs.

If you find yourself in this situation, where you (or your work) need the formal flexible working arrangement to change, follow the same steps as when you initially negotiated the arrangement, to have the new formal arrangement approved.



Additional information for employees with disability

The need to work flexibly

If you have a disability you may need to work flexibly so that you are able to work productively.

If you need flexibility around your disability, you are encouraged to have a confidential conversation with your manager. In this conversation you can explore ways in which your manager and workplace can better support you and your disability.

Before attending the meeting, you will need to think of arrangements that may meet your needs and that of your employer. You can also prepare by seeking advice from disability support bodies, Human Resources or your workplace's disability employment network.

Examples of flexible work for staff with disability



Extra breaks if you have pain or fatigue issues



Flexible working hours



Input into roster requirements



Taking paid and unpaid leave



Job sharing with a colleague



Working part-time



Working remotely



Working from home

Additional information for employees with disability

Adjustments

Adjustments let you perform the essential requirements of your job. They can include changes to premises, facilities, equipment, work practices or training so that you can do your job.

If you require an adjustment it may be covered by the Employment Assistance Fund which is at no cost to your workplace.

Employment Assistance Fund

The Employment Assistance Fund gives financial help to buy work related modifications, equipment, Auslan services and workplace assistance and support services.

This fund is available to eligible people with disability who are about to start a job, are self-employed or who are currently working. It is also available to people with disability who need Auslan assistance or special work equipment so that they can seek employment.

The fund can help people with disability buy workplace modifications and services such as:

- assistive technology
- modifications to your physical workplace
- modifications to work vehicles
- information and communication devices
- Auslan interpreting services
- disability and mental health awareness training for the workplace.

For more information about the Employment Assistance Fund, visit www.jobaccess.gov.au/employment-assistance-fund-eaf.



What are the different types of flexible working?



Types of flexible working include, but are not limited to:

When

Bid rostering	Lines of work/shifts are generated and then bid for by team members/employees.
Flex time and banked time	Working extra hours where required over several days or weeks and then reclaiming those hours as time off.
Flexible rostering	Employees submit requests for the shifts they would like to work and the days they want to be rostered off. The roster is then built taking these requests into consideration, trying to accommodate all requests where possible and practical. Rosters can often accommodate part time and job share via different combinations (e.g. a 40% allocation of total shifts per roster period, a 75% allocation, etc).
Flexible working hours/ Flexible scheduling	An alternative to the traditional 9 to 5, 35/38-hour work week. It allows employees to vary their arrival and/or departure times. Employees and managers should familiarise themselves with the provisions of their relevant Flexible Working Hours Agreement.

Where

Activity based working/ Agile working	Employee do not 'own' or have an assigned workstation. Rather, the broader workspace provides employees with a variety of predetermined activity areas that allow them to conduct specific tasks including learning, focusing, collaborating and socialising. They may adjust where they work or who they work near according to the nature of the task or outcome required.
Telecommuting/ Remote working	Working at a location other than the official place of work. Mobile working, distributed work, virtual teams and telework are collectively referred to as telecommuting.
Working from a different location	An employee may work from an office closer to home or closer to meetings they need to attend during the day. This could also include workings hubs, other government buildings/locations.
Working from home	Working from home some (or all) days of the week


How
**Compressed working week/
Compressed hours**

An employee may work the same number of weekly working hours, compressed into a shorter period of time. For example, a 35 hours week may be worked at a rate of 8.75 hours per day for 4 days instead of 7 hours for 5 days. Changes to salary are not required but public holidays, treatment of hours beyond the contract hours (e.g. potential for claim for overtime) and leave arrangements need to be taken into consideration.

Job share

A full-time role is undertaken by two or more employees who are paid on a part time basis for the hours they work.

Part-time work

A regular work pattern where you work fewer than full time hours. Note the days worked can be varied by mutual agreement.

Shift swapping

Allow shift workers to trade shifts with each other, enabling flexibility to meet both work and personal needs, without sacrificing one or another.

Split shifts

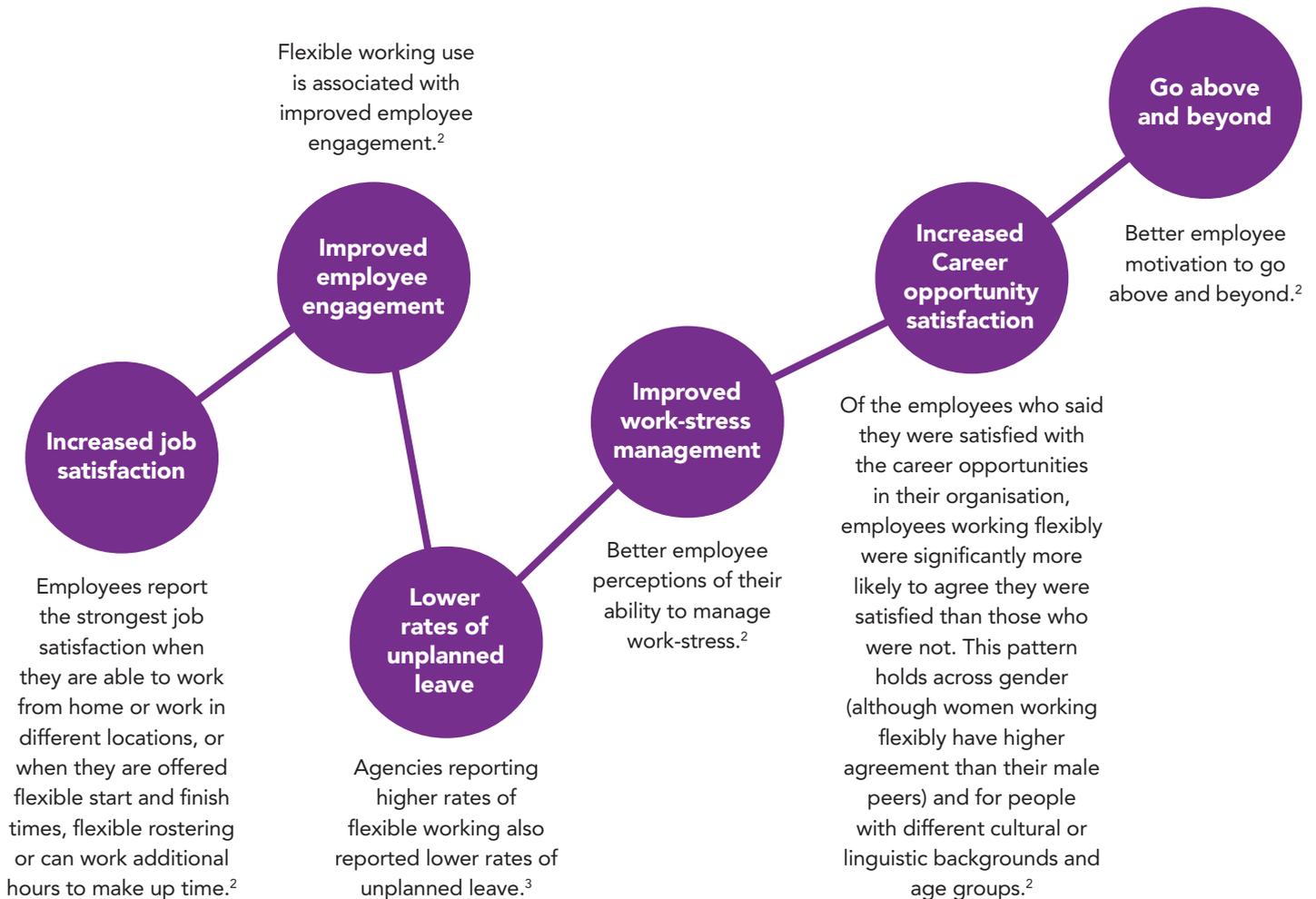
A type of shift-work schedule where a person's work day is split into two or more parts (such as morning and evening) separated by more than the normal periods of time off (as for lunch).

This is not an exhaustive list. Not all types of flexible work will be possible in all agencies, depending on the work involved and sometimes specific industrial arrangements, but you can discuss with your team the various types that are possible (including any that are not on the list but work for your team).



How can flexible working help?

Our data shows that the sector benefits from flexible working in these ways:



Sources: ² People Matter Employee Survey, 2017; ³ Workforce census data, 2017

For more information
visit the [PSC website](#).



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FLEXIBLE WORKING