



Flexible Working Arrangements Policy

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1. Purpose

Our objectives for providing flexible working arrangements are to:

- be a preferred employer for our people and contribute to improving our ability to attract, develop and retain a diverse workforce;
- manage outcomes and measure their achievement, rather than focus on inputs and activities such as where and when work is performed;
- make flexible working a central part of how our organisation and employees work;
- support and empower our employees to be able to do their best and bring their whole selves to the workplace; and
- ensure that all employees have equitable access to opportunities available at work and are rewarded and recognised for their contributions.

This Policy also provides information and guidance to employees who work from home or remotely, whether as a result of a government directive, or as a result of an individual arrangement made with Central Darling Shire Council (CDSC).

2. Commencement of the Policy

This policy will commence from the date endorsed by Council. It replaces all other policies and practices relating flexible working arrangements within CDSC (written or not).

3. Application

This policy applies to all employees across CDSC and with the contents not forming part of any an employee's contract of employment.

Arrangements in place prior to the commencement of this Policy will be confirmed as a written contract variation by the General Manager to the employee.

This policy should be read in conjunction with the relevant provisions in the Award and industrial legislation, as amended from time to time.

The Leadership Team will be responsible for ensuring that approved flexible working arrangements are meeting the needs of Council, and that health and safety of the employees accessing the arrangements is maintained.

4. Definitions

Leader / Leadership - Includes all manager/supervisor positions within CDSC irrespective of their actual title (e.g. Director, Manager, Team Leader, Co-ordinator, Supervisor, Ganger, etc).

Flexible working - a broad range of informal and formal arrangements for the when, where and how work can be done. It can also include remote working, career breaks, compressed weeks, job sharing, flexible rostering and much more.

Ad-hoc – is intermittent, whether for several hours or for one or two days in order to complete or undertake a particular task over a set period of time.

4. Principles

Flexible working arrangements may be available to employees, providing that operational requirements are always met, including meeting customer service requirements both internally and externally.

In recognition to the commitment in providing flexibility for work and family responsibilities, Clause 23 of the Local Government (State) Award encourages the need for councils to retain skills and experience within the industry through developing and promoting flexible work and leave arrangements.

Employees are responsible for ensuring that their productivity is maintained or increased by the flexible work arrangement. There is to be no loss of productivity.

Requests for flexible arrangements may be shared amongst team members. For example, employees from one team may not all be able to work on the same day from home.

Employees may still be required or directed to attend work at a worksite or alternate worksite outside of the flexibility agreement in order to attend meetings or to meet other operational requirements on a need basis.

When working from home or remotely, the span of flexible working hours is 6.00am to 6.00pm.

Employees who request and are approved to work from home/remotely or to work flexible start and finish times for their ordinary hours of work, and where these hours are outside the span of hours for their position in accordance with the Award, are not entitled to claim or be paid any penalty rates or overtime for these periods. This is because the change of hours is not required by Council and is at the employees request to accommodate their personal circumstances.

5. Flexible Working Arrangement Options

5.1 Varied Start or Finish Times

An employee may request variations to their starting and finishing times, either on an ongoing basis, different times for different days, or for a temporary period.

5.2 Part-time Working Arrangements

A full-time employee may request to convert to part-time employment on a temporary or permanent basis.

5.3 Job Sharing

Job sharing involves a position being shared by two or more employees. Employees who share a position will be employed on a permanent part-time basis. Positions under a job share arrangement are part-time (though hours do not have to be split equally).

Employees who share a position will agree with their manager how the position is to be divided. For example, job share employees could share responsibility for the same work, so that the tasks are not divided and the job sharing roles are interchangeable. Alternatively, work could be divided on a task or project basis.

5.4 Working from Home or Remote Location

An employee may request to work from home/remote location for a set number of hours or days either on a temporary or ongoing basis.

Not all positions are suited to working from home/remotely. Prior to any arrangements being offered, there will be consideration to the impact of business operations and the team.

To attract quality professional candidates, some positions may be offered as an option to work remotely to successful candidates on a permanent basis. Where the offer to

work remotely is identified prior to, or as part of the recruitment process, the employee will have the arrangements confirmed in their contract of employment.

Employees who work remotely outside of the council area will be required to attend the Shire on a regular basis.

5.5 Start or Finish in the Field

Some roles require employees to mix between attending the office and attending other sites. Consideration can be given as to whether it is best for the employee to start and finish in the field and how this will be managed between the leader, the team and the employee. This will include clarification on when work begins and finishes. Positions where there is an established and/or contractual arrangement that the position is required to start or finish in the field will not require a flexible working arrangement confirmed outside of their contract of employment.

5.6 Compressed Working Week

An employee may wish to work a compressed working week to provide a balance between work and family commitments. This arrangement comprises of working the required weekly hours in a reduced period of time. In considering this arrangement, the hours of work in any one day are not to exceed 12 hours (exclusive of an unpaid meal break).

5.7 Compressed Working Arrangements

An employee may wish to engage in compressed working arrangements to facilitate a return to their home outside of the Shire for personal reasons. This arrangement is not to be taken lightly as it has a potential impact on the health and wellbeing of the employee, particularly if the role is extremely demanding and regular long hours are worked. To ensure the Local Government (State) Award provisions are met, the following arrangements may be sought:

Employees working 35 hours per week

- 105 hours within three weeks, provided that at least six days off shall be granted;
- 140 hours within four weeks, provided that at least eight days off shall be granted.

Employees working 38 hours per week

- 114 hours within three weeks, provided that at least six days off shall be granted;
- 152 hours within four weeks, provided that at least eight days off shall be granted.

5.8 Ordinary Hours on Saturday and/or Sunday

An employee may request in writing to work some or part of their ordinary hours on a Saturday and/or Sunday under the provisions of Clause 20(B)(iii) of the Local Government (State) Award. Where such an agreement is approved, the hours of work will not attract penalty rates.

5.9 Engineering Professional Excess Hours Agreement

In line with Clause 21(B), an employee who holds a position classified at Professional/Specialist Band 3 or higher may enter into a written "Excess Hours Agreement" whereby an arrangement may be approved that provides for a flexible working option.

5.10. Ad-hoc Working from Home Arrangements

Ad-hoc working arrangements are available for employees who are needing to work from home to meet a one-off personal obligation of short duration and where leave or flexi-time arrangements are not suitable due to work commitments or need a place to complete a time critical project/task.

5.11. Leave Arrangements

Leave is aimed at rest and recuperation; however employees may use their leave entitlements as part of balancing their work and personal needs. Leave types available and the approval process are outlined in the Leave Management Procedure.

6. Expectations Working from Home/Remotely

6.1 Equipment and Expenses

All employees are provided with a laptop for work purposes. Where ongoing working from home/remotely arrangements are in place, Council will provide a portable wi-fi device for connectivity.

Council will not be held liable for any expenses incurred by an employee because of the employee working from home or remotely. This includes but is not limited to electricity, internet charges, heating, gas, home office equipment, or wear and tear at the home worksite.

Where this Policy is silent, the Local Government (State) Award as varied from time to time and any other relevant statutory provisions shall prevail.

6.2. Attendance in the Shire

Employees who regularly work outside of the Shire are expected to regularly attend the office as negotiated with their leader.

Council will provide travel and accommodation to attend the Shire worksite.

6.3. Work Health Safety

All employees who work from home are required to meet Council's work health safety requirements and obligations. This includes complying with the Council's Work Health and Safety Policy and associated procedures.

All injuries and/or incidents are to be reported via the Incident Report Form to their leader within 24 hours of the accident/incident occurring.

As part of the formalising the arrangement, a "*Workplace Checklist – Working from Home*" is to be completed by the employee and submitted to the WHS and Risk Officer through their supervisor, together with a photo(s) of the home worksite, desk and chair to be used.

The WHS and Risk Officer will assess the checklist and photo(s) for compliance with WHS standards and will form part of the approval process.

Under Work Health Safety legislation, the General Manager, through their authorised representative, may inspect a home-based worksite for suitability, undertake an accident/incident inspection, or where there are concerns around health and safety.

6.4. Business Continuity Action Plan

In the event that Council enacts the Business Continuity Action Plan, or where there is a government directive that requires employees to work from home then the working from home process will be relaxed to meet the business requirements.

To ensure employees can undertake their work in a safe manner during the disruption, Council reserves the right to request employees to complete the “*Workplace Checklist – Working from Home*”; within 24 hours of the directive to work from home being issued.

6.5. Confidentiality and Document Security

While working from home/remotely, employees are to take all reasonable precautions to safeguard Council’s equipment and information held. All Council information must be stored in a manner that is secure and does not allow for corruption, inappropriate access and/or misuse of data.

All technology and equipment provided to employee working from home/remotely must only be used for Council business.

6.6. Insurances

Council insurance does not cover any privately owned equipment or assets located at the remote/home location. Employees are responsible for notifying their own insurance provider that their premises is being used for work purposes.

All employees who work from home are not to meet external clients/customers in their home. Any work-related appointment with a non-council worker is to take place at a Council designated workplace or a site subject to the work being discussed (eg inspection of a construction site). Employees are responsible for the safety of visitors to their home and are advised to take out public liability insurance if they feel that it is required.

7. Requesting Flexible Working Arrangement

Managers and employees have a mutual obligation to ensure that flexible working arrangements do not have a detrimental impact on others or the organisation.

The ability to continue to deliver on business outcomes must be a paramount consideration in any flexible work proposal.

Flexible working is not a reward; all employees have access to request flexible working in writing, if it meets the needs of the employee, their team and Council.

All requests for current employees are to be made in writing to the General Manager through their leader. The request should cover the following, however not limited to:

- Type of flexible arrangements being sought and reasons
- Duration (if not a permanent arrangement)
- Days and times of work
- Proposed area where workstation is to be set up (*note : reference to general home is not acceptable*)
- Consideration of impact on other team members
- Any other information that needs to be taken into account.

With the exception of ad-hoc arrangements, all flexible working arrangements are to be confirmed in writing through a contract variation letter.

Ad-hoc arrangements may be agreed between the employee and their leader from time to time. It is important that each proposal for ad-hoc flexible working is considered on its individual merits. Employees should schedule a meeting with their leader to discuss their flexible working proposal and the once off arrangement confirmed via email.

8. Termination of Flexible Working Agreements

All flexible working arrangements are an agreed written arrangement negotiated by mutual agreement between the employee and the employer.

Council has the right, following due process, to terminate a flexible working arrangement if the needs of the organisation, work area, or agreed standards of performance are not being met.

Similarly, the employee may also terminate the flexible working arrangement in writing with no less than four (4) weeks notice.

9. Appeal

Informal means of resolving any appeals are encouraged in the first instance through talking with your immediate supervisor. However, if the matter remains unresolved or the employee is not satisfied with the outcome, they are encouraged to discuss the matter with their immediate Director.

If unsuccessful, an employee may lodge a grievance in relation to a flexible working arrangement in accordance with the provisions of the Award.

10. Records

A register of employees approved for flexible working arrangements will be maintained by the Human Resources

All documents associated with the requesting and approval of flexible working arrangements will be retained on the employee's personnel file.

11. Legislation

Local Government (State) Award
Industrial Relations Act 1996 (Cth)
Work Health and Safety Act 2011
NSW Industrial Relations Act 1996

12. Related Documents

Model Code of Conduct
Respectful Workplace Behaviours Policy
Workplace Surveillance Procedure
Records Management Policy
Work Health Safety Policy

13. Monitoring and Review

This policy will be monitored and reviewed by the HR Officer to ensure compliance through regular reporting to the Management Executive Group. Once endorsed by Council, it remains in force until it is reviewed by HR Officer or when legislation changes. It is to be reviewed approximately every two (2) years to ensure that it meets business requirements, or sooner if the General Manager determines appropriate.