

# FLEXIBLE WORK PROCEDURE

## SCOPE

This procedure applies to all staff at Monash on our Australian campuses. Staff are herein collectively referred to as 'you' for the purpose of this procedure.

## PROCEDURE STATEMENT

The purpose of this procedure is to assist staff who wish to request a flexible working arrangement and to assist managers and supervisors at Monash ('us', 'our' or 'we') to manage and respond to those requests.

For working from home requests that are not flexible working arrangements under the *Fair Work Act 2009 (Cth)*, please refer to the [Working From Home Procedure](#).

For flexible working arrangement requests in response to family violence, please refer to the [Family Violence Support Procedure](#).

## SCHEDULE 6 – THE COVID-19 SCHEDULE

### 1. Staff member-initiated changes to hours of work, fraction and leave

1.1 If you are employed under the [Monash University Enterprise Agreement \(Academic and Professional Staff\) 2019](#), and are working from home, you may apply for the following flexible working arrangement(s) in accordance with [clause 16](#) of Schedule 6 - The COVID-19 Schedule:

- a change to start and finish times to suit personal and/or family circumstances;
  - a reduction in fraction; and/or
  - purchase of extra leave with a consequent reduction in pay (e.g. under a Voluntary Reduced Working Year arrangement).
- This applies whether or not you are eligible under the *Fair Work Act 2009 (Cth)*.

1.2 Arrangements made under clause 16 will conclude on or before 30 June 2021, unless agreed to expire at a later date.

1.3 Applications can be made by completing the relevant form(s) on the [HR Forms](#) page.

1.4 Your supervisor will consider and approve or refuse your request within 5 days from receipt of your written request, unless further time is required to reasonably determine your request. We may require additional information or discussion to determine your request, however, requests will not be unreasonably refused.

## ALL OTHER FLEXIBLE WORKING ARRANGEMENTS

### 2. Eligibility under the *Fair Work Act 2009 (Cth)*

2.1 Under the *Fair Work Act 2009 (Cth)*, you are eligible to request a flexible working arrangement if you have completed at least 12 months continuous service with us immediately prior to making the request; and

- have a disability;
- are a parent, or have the responsibility for the care of a child who is of school age or younger;
- are a carer for someone with a disability, medical condition or mental health condition or who is aged and frail in accordance with the [Carer Recognition Act 2010 \(Cth\)](#);
- are 55 or older;
- are experiencing violence from a family member; or
- are providing care and support to a family member who requires care or support because they are experiencing violence from their family.

2.2 We will consider all requests but may refuse them on reasonable business grounds.

## Other Requests

- 2.3 If you do not meet the criteria above and you are not applying under clause 16 of Schedule 6 – The COVID-19 Schedule, you should complete the form relevant to your request e.g. change to work schedule/fraction form etc. We will consider these requests on a case-by-case basis. This applies also to professional staff requests for changes to their start and/or finish times under clause 17 of Schedule 6 – The COVID-19 Schedule.

## 3. Review guidelines and explore options

- 3.1 Review the [Flexible Work Guidelines](#) when considering what flexible work option(s) suits your circumstances. Options may include (but are not limited to):

Options	Summary
Part Time Hours	Reduce the number of hours you work per week.
Voluntary reduced working year	Reduce your current working year by multiples of 2 weeks (up to a maximum of 8 weeks), with salary proportionally reduced to fund additional paid leave over a 52week period.
Non-standard start and finish times	Vary your start and finish times within the <a href="#">ordinary hours of duty (or outside your ordinary hours of duty for applications under clause 16 or 17 of Schedule 6 – The COVID-19 Schedule)</a> .
Job Share	Job Share refers to a job share or job split arrangement. Job share is where no more than two staff members share a single full-time or part-time position by dividing the work, each working part-time. Each job share partner will have the same position title and position description. Job split is where the responsibilities of a position are quite distinct and easily separated, in which the roles and responsibilities are separated into two distinct part-time positions.
Working from home	Work some of your days from your usual place of residence
Transition to Retirement	If you are in a continuing position and within 3 years of being eligible to receive a retirement benefit from your superannuation scheme, your work fraction can be reduced to between 0.3 and 0.8 (inclusive) under a pre-retirement contract.
Alternative Monash location	Work at another Monash building or campus other than your official place of work.

## 4. Discuss options with your supervisor

- 4.1 Discuss your requirements with your supervisor and be prepared to consider other options that will meet both your needs and the work unit's requirements.

## 5. Prepare and submit your flexible work request

- 5.1 Unless applying under clause 16 of Schedule 6 – The COVID-19 Schedule, submit a [Flexible Work Request](#) to your HR Business Partner at least six weeks before the arrangement is proposed to start.
- 5.2 You may also need to submit additional forms to support your request (e.g. voluntary working year). If your flexible work request is for the purpose of working from home, you must also complete the [Working safely from home module](#) in myDevelopment, followed by a Working from Home Request. For further information, refer to the [Working From Home Procedure](#).
- 5.3 You can request a flexible working arrangement for a term up to 12 months or, if you're on a fixed-term contract, the end date of your contract (whichever is sooner).
- 5.4 The term will include a trial period (usually 3 months) wherein you and your supervisor should review the arrangement to determine if it meets the needs of both parties and/or if any changes are required to improve the arrangement.

## 6. We consider your request

- 6.1 We will consider and respond to your request within 21 days from receipt of your written request. Provided that paragraph 1.4 above will operate if you are applying under clause 16 of Schedule 6 – The COVID-19 Schedule.
- 6.2 Your supervisor and HR Business Partner will consider whether your request can be accommodated, taking into account the impact on service delivery, business continuity and on the overall staffing profile of the area.

- 6.3 If your request is to work less than a 0.6 employment fraction (i.e. less than 3 days), the approval of the Director, HR Business Partnering will be required prior to the request proceeding.

## 7. Outcome of your request

### Approval

- 7.1 Where approved, Monash HR will provide both you and your supervisor with a copy of the approved request.

### Approval but in a different position

- 7.2 Where we cannot accommodate your request but can in an alternative position (based on your willingness), your Head of School/Department or Director may consult to find an alternative position for you.

### Approval based on modification to your request

- 7.3 If you agree to an alternative arrangement, the original request must be refused and the alternative arrangement noted in the relevant section. You, your supervisor and Head of School/Department or Director must sign and re-submit the request to the HR Business Partner.

### Refusal

- 7.4 The Director, HR Business Partnering, will detail the reasons for refusal of your request in writing. The decision will then be communicated to you by your supervisor and HR Business Partner. We will email you the outcome if we are unable to meet with you within 21 days of receiving your request, or if you have applied under clause 16 of Schedule 6 – The COVID-19 Schedule. A meeting may be arranged to explain the refusal to you and to discuss options thereafter.

## 8. Review the arrangements

- 8.1 You and your supervisor should meet regularly, including during the trial period, to discuss the arrangement to ensure it continues to meet the needs of both parties and if any changes are required to improve the arrangement.

### Transfer of a flexible working arrangement

- 8.2 Flexible working arrangements are not normally transferable from one position to another. If you apply for a new position, you must re-apply for your flexible working arrangement.

### Renew a flexible working arrangement

- 8.3 Should you wish to continue a flexible working arrangement, you are required to reapply at the end of the approved term. The application will be assessed on the circumstances at the time. Your needs and our needs change over time.

### Terminate a flexible working arrangement

- 8.4 Where the arrangement is no longer workable and discussions have not been able to rectify the issues, your supervisor must seek advice from Workplace Relations, Monash HR, via your HR Business Partner for further options.

## 9. Employment related grievance procedure

- 9.1 You may apply for a review of the refusal decision under our applicable employment-related grievance resolution procedure or dispute resolution procedure in accordance with the relevant Enterprise Agreement

## 10. Breach of procedure

- 10.1 We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

## DEFINITIONS

<p>Enterprise Agreement</p>	<p>The Enterprise Agreement means the <a href="#">Monash University Enterprise Agreement (Academic and Professional Staff) 2019</a> or the <a href="#">Trades and Services staff (Building and Metal Trades staff) 2009</a> or <a href="#">Trades and Services staff (Catering and Retail, Cleaning and Caretaking, and Miscellaneous services staff) 2005</a> as applicable to the staff member in accordance with their contract of employment. Clauses relating to this procedure include:</p> <p>Monash University Enterprise Agreement (Academic and Professional Staff) 2019</p> <ul style="list-style-type: none"> <li>• <a href="#">Clause 12 - Dispute Resolution Procedure</a></li> <li>• <a href="#">Clause 33 - Voluntary Reduced Working Year</a></li> <li>• <a href="#">Clause 37 – Requests for Flexible Working Arrangements</a></li> <li>• <a href="#">Clause 43 - Parental Leave</a></li> <li>• <a href="#">Clause 63 - Employment Related Grievance Resolution Procedure</a></li> <li>• <a href="#">Clause 76 – Hours of Duty</a></li> <li>• <a href="#">Schedule 6, clause 16</a></li> <li>• <a href="#">Schedule 6. clause 17</a></li> <li>• <a href="#">Schedule 6. clause 29</a></li> </ul> <p>Monash University Enterprise Agreement (Trades &amp; Services Staff- Building &amp; Metal Trades Staff) 2009</p> <ul style="list-style-type: none"> <li>• <a href="#">Clause 12 - Dispute Settling Procedures</a></li> <li>• <a href="#">Clause 13 - Employment Related Grievance Resolution Procedures</a></li> <li>• <a href="#">Clause 53 - Voluntary Reduced Working Year</a></li> <li>• <a href="#">Schedule 6, clause 5 - Application of Parental Leave</a></li> </ul> <p>Monash University Enterprise Agreement (Trades and Services Staff - Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005</p> <ul style="list-style-type: none"> <li>• <a href="#">Clause 11 – Dispute Settling Procedures</a></li> <li>• <a href="#">Clause 44 - Voluntary Reduced Working Year</a></li> <li>• <a href="#">Schedule 5, clause 7 - Application of Parental Leave</a></li> </ul>
<p>Family member</p>	<p>A member of the staff member's household or a member of the staff member's immediate family which includes spouse, child, parent, grandparent, grandchild, sibling or any other person with whom the University is satisfied that the staff member has a genuine family relationship.</p>
<p>Flexible Working Arrangement</p>	<p>A change to a staff member's usual work arrangements that balances the staff member's need for flexibility and the University's operational requirements. Flexible working arrangements may include, but are not limited to part-time employment arrangements, job-sharing, non-standard start and finish times, or working from home. Refer to the <a href="#">Working from Home procedure</a>.</p>
<p>Flexible working hours</p>	<p>A change to a staff member's usual working hours, such as nonstandard start and finish times.</p>
<p>Head of School/Department or Director</p>	<p>Means the portfolio head, dean of a faculty or director of an administrative division or nominee in any case where the lead dean or executive director has formally nominated a person to act as their nominee for the purpose.</p>
<p>HR Business Partner</p>	<p>A key member of the Monash HR Business Partnering community and provides strategic advice, guidance and solutions that underpin key client goals, HR strategy and organisational vision to a particular client group.</p>
<p>Substantive position</p>	<p>The position a staff member would normally occupy in the absence of any acting appointment.</p>
<p>Supervisor</p>	<p>The person who is responsible for the supervision of staff member(s), generally the line manager.</p>
<p>Work Area</p>	<p>The work area under the responsibility of the head of unit (or equivalent as defined).</p>

## GOVERNANCE

Parent policy	<a href="#">Employment conditions</a>
Supporting schedules	
Associated procedures	<ul style="list-style-type: none"> <li>• <a href="#">Flexible Work Guidelines</a></li> <li>• <a href="#">Working from Home</a></li> <li>• <a href="#">Voluntary Reduced Working Year (Purchased Leave)</a></li> <li>• <a href="#">Family Violence Support Procedure</a></li> </ul> <p><i>Procedure forms</i></p> <ul style="list-style-type: none"> <li>• <a href="#">Flexible Work Request</a></li> </ul>
Legislation mandating compliance	<ul style="list-style-type: none"> <li>• <a href="#">Best Practice Guide Work and Family</a> published by the Fair Work Ombudsman</li> <li>• <a href="#">Fair Work Act (Cth) 2009</a></li> </ul>
Category	Operational
Approval	Chief Human Resources Officer as delegate of the Chief Operating Officer – 5 September 2018
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Procedure owner	Director, HR Business Partnering
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Content enquiries	<a href="mailto:ask.monash">ask.monash</a> or phone Monash HR on (03) 990 20400