

Monash University Procedure

Procedure Title	<u>Flexible working arrangements</u>
Parent Policy	Workforce Management Policy
Date Effective	22 December 2015
Review Date	3 years from effective date
Procedure Owner	Chief Human Resources Officer
Category	Human Resources
Version Number	5
Content Enquiries	ask.monash or phone Monash HR on 990 20400
Scope	This procedure applies to all eligible staff members employed by the University on its Australian campuses.
Purpose	<p>The purpose of this procedure is to assist staff members who wish to request a flexible working arrangement and to assist managers and supervisors at the University to manage and respond to those requests. Eligible staff members may request flexible work arrangements to assist them to balance their work and personal lives. The University must seriously consider requests but may refuse a request on reasonable grounds.</p> <p>The procedure requires both staff and the University, when making and considering requests for flexible working arrangements to balance the needs and interests of the staff member and the University's operational requirements.</p> <p>Where the request for flexible working arrangements requires the consideration of a working from home arrangement, compliance with the Working from Home procedure will also be required.</p>
PROCEDURE STATEMENT	

The following is a step-by-step process for staff members who wish to apply for a flexible working arrangement.

1. **Staff member completes the Flexible Working Arrangements Request**
 - 1.1. Prior to submitting a request, the staff member should review the [Flexible Work Arrangements Guidelines](#) and the [Flexible Working Arrangements Request](#) which set out factors that need to be considered when submitting a flexible work request and other important information about flexible working requests.

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- 1.2. The staff member should also undertake a process of self-assessment, consider their work requirements and personal needs and identify desired outcomes and options. The staff member should consider a range of options and alternatives in the event their specific request cannot be accommodated including whether they would be prepared to move to another role in order for their request to be accommodated.
- 1.3. To request a flexible working arrangement the staff member must complete a [Flexible Working Arrangements Request](#) and submit the form to their HR Business Partner. The request must be made at least six weeks prior to the anticipated start date of the flexible working arrangement and must only be for a period of up to 12 months.

2. Staff member submits Flexible Working Arrangements Request to their HR Business Partner

- 2.1. Upon receiving a Flexible Working Arrangements Request, the HR Business Partner will contact Workplace Relations immediately to seek advice on the request. In circumstances where a request is to work less than a 0.6 employment fraction the approval of the Director, Workplace Relations will be required prior to the request proceeding.
- 2.2. The HR Business Partner will then engage with the supervisor to discuss the request and provide the supervisor with advice and support.
- 2.3. The HR Business Partner is to be mindful that the University is required to either approve or refuse the arrangement requested by the staff member within 21 calendar days of the request being received. The HR Business Partner should therefore ensure that all persons involved in the endorsement and approval process are provided with timely advice in order to make informed and expedient decisions.

3. Supervisor and head of unit consider the staff member's request

- 3.1. The supervisor will consider the advice of the HR Business Partner and whether the request can reasonably be accommodated, taking into account all of the relevant circumstances. Relevant circumstances include (without limitation) the impact on service delivery and business continuity and on the overall staffing profile of the area. The supervisor will liaise with the head of unit, the staff member and, where necessary, any staff who may be impacted by the proposed flexible working arrangement in making their decision.
- 3.2. Both the supervisor and head of unit are required to authorise a flexible working arrangement.

Consideration and approval of a flexible working arrangement within the staff member's substantive position

- 3.3. If after considering a request the supervisor and head of unit (in consultation with the HR Business Partner) determine that the requested arrangement can reasonably be accommodated in the staff member's substantive position, then they will both sign the [Flexible Working Arrangements Request](#) approving the requested flexible working arrangement and return this to the HR Business Partner.

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Consideration and approval of a request for a flexible working arrangement in a different position

- 3.4. If, after consideration of the request, the supervisor and/or head of unit (in consultation with the HR Business Partner)
- a. determines that the requested arrangement cannot reasonably be accommodated in the staff member's substantive position; but
 - b. the staff member has indicated on the form that they would be prepared to move to a different position that can accommodate their request; and
 - c. the head of unit and/or the HR Business Partner (as applicable) is able to identify, in consultation with other heads of unit as appropriate, a different position which could reasonably accommodate the requested arrangement;

then the approval should be noted in the relevant section of the Flexible Working Arrangements Request.

Consideration and approval of a flexible working arrangement on a trial basis

- 3.5. A flexible work arrangement may be approved on a trial basis to determine whether the request can be reasonably accommodated.
- 3.6. If after consideration of the request, the supervisor and head of unit approve the request on a trial basis, the supervisor will advise the staff member, and complete the [Flexible Working Arrangements Request](#) to note that the arrangement is approved for a specified trial period only and both the supervisor and head of unit will sign the form and provide it to the HR Business Partner.
- 3.7. Where entering into an arrangement on a trial basis, the supervisor and/or head of unit should conduct a review of the arrangement, in consultation with the staff member, prior to the conclusion of the trial period to determine whether or not the arrangement is to continue having regard to the [Flexible Working Arrangements Guidelines](#).

Consideration and refusal of a request for a flexible working arrangement

- 3.8. If after considering the request and the advice of the HR Business Partner, the supervisor and/or head of unit determine that:
- a. the requested arrangement cannot be reasonably accommodated in the staff member's substantive position;
 - b. the requested arrangement cannot be reasonably accommodated in a different position and the staff member has indicated on the form that they would be prepared to move to a different position; or
 - c. the requested arrangement can be accommodated in a different position but the staff member has indicated on the form that they are not prepared to move to a different position;

whether on a trial basis or otherwise, and there is a reasonable basis to refuse the request, the supervisor or head of unit will ensure the HR Business Partner is notified of the decision. The HR Business Partner (in consultation with the Lead HR Business Partner) will then seek expert advice from Workplace Relations before the decision to refuse the request is conveyed to the staff member (see Step 5 below).

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- 3.9. The supervisor and head of unit are encouraged to discuss and consider with the staff member whether an alternative arrangement can be agreed.

Consideration and approval of alternative arrangements

- 3.10. Where the supervisor and/or head of unit (in consultation with the HR Business Partner):
- consider that the staff member's request cannot be reasonably accommodated in the staff member's substantive position, a different position or on a trial basis and there is a reasonable basis for refusing the request; but
 - the supervisor and the staff member are able to identify a suitable alternative flexible working arrangement to the arrangement specifically requested by the staff member
- then the decision to refuse the request and discuss an alternative arrangement must be conveyed and recorded in accordance with Step 4.2 of this procedure.

4. The staff member is advised of the decision

The request is approved

- 4.1. Once a request is approved by all the requisite authority, the HR Business Partner will advise the staff member that the requested flexible working arrangement has been approved and provide the staff member and the supervisor with a copy of the completed and authorised [Flexible Working Arrangement Request](#). The staff member will be advised within 21 calendar days of lodging the request with the HR Business Partner (Step 1 above).
- 4.2. The supervisor and staff member should then discuss implementation of the flexible work arrangement and the HR Business Partner will ensure that all necessary actions are taken to implement the arrangement.

The request is refused

- 4.3. If there is a reasonable basis for a refusal of the staff member's request for a flexible working arrangement, the relevant approver, in consultation with the Director, Workplace Relations (or nominee), will complete the Flexible Working Arrangement Request refusing the request and provide reasons for the refusal.
- 4.4. The supervisor will invite the staff member to meet to explain the reasons for refusal, and to discuss any further alternative flexible working arrangements appropriate for consideration (if any). The supervisor is to be accompanied by a nominee of the Director, Workplace Relations, who will be the Lead HR Business Partner unless otherwise nominated by the Director, Workplace Relations.
- 4.5. If the staff member agrees to move to a different position or to an alternative flexible working arrangement, the original request must be refused on the Flexible Working Arrangement Request and the agreed arrangement noted in the relevant section. The staff member, supervisor and head of unit must then sign the form and submit the form to the HR Business Partner for processing.

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- 4.6. If the supervisor and the staff member are unable to meet within 21 days of the Flexible Working Arrangement Request being submitted because a meeting is not reasonably practicable or because the staff member would prefer it, the completed Flexible Working Arrangement Request will be emailed to the staff member. A meeting should be arranged for the refusal to be explained and alternative arrangements considered and discussed if the staff member wishes.

5. Employment Related Grievance Procedure

- 5.1. A staff member who is aggrieved by the refusal of their request for a flexible working arrangement may apply for review of the decision under the University's applicable employment-related grievance resolution procedure or dispute resolution procedure.

6. Review of Flexible Working Arrangements

- 6.1. A flexible working arrangement is made for a maximum 12 month period. Request for a future flexible working arrangement may be made and will be considered based on the circumstances at the time. Both individual and organisational needs change over time. It is important to balance the impact of the flexible work arrangement on the staff member's work, family and life as well as the efficient and effective operation of the University and the work unit when assessing flexible working arrangements.

7. Responsibilities

Staff member

- 7.1. An eligible staff member seeking a flexible working arrangement is responsible for:
- considering both their personal needs and the needs of the University when making a request for a flexible working arrangement;
 - submitting a signed Flexible Working Arrangement Request to their HR Business Partner no later than six weeks prior to the proposed commencement of the flexible work arrangement; and
 - being open to alternative suggestions by their supervisor and head of unit.

Supervisor

- 7.2. The supervisor is responsible for:
- in consultation with the HR Business Partner, considering all requests for flexible working arrangements from their staff;
 - considering all relevant circumstances in making their decision (including client service needs, business continuing and staffing profile);
 - liaising with the head of unit, the staff member and, where necessary, other staff who may be impacted by the proposed flexible working arrangement;
 - where necessary, meeting with the staff member to discuss alternatives;

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- if the request is to be refused on reasonable business grounds, in conjunction with the Director, Workplace Relations (or nominee) meeting with the staff member to provide notification of the refusal, discuss the refusal and discuss alternatives; and
- in consultation with the staff member, conducting a review of the flexible working arrangement where required as part of the trial.

Head of unit

7.3. The head of unit is responsible for:

- determining whether or not the request, or an alternative agreed arrangement, can be reasonably accommodated;
- providing the HR Business Partner with the signed Flexible Working Arrangement Request;
- if the request cannot be accommodated, seeking to identify an alternative role or duties within the staff member's work area which could reasonably accommodate the requested flexible working arrangement and advising the supervisor accordingly;
- approving a temporary or permanent transfer elsewhere in the University where available, to accommodate the requested arrangement; and
- engaging with the Lead HR Business Partner if the flexible working arrangement request cannot be accommodated in the staff member's substantive position or their work area.

HR Business Partner

7.4. The HR Business Partner is responsible for:

- ensuring the response to the request is considered and communicated to the staff member within 21 calendar days of receiving the request;
- seeking expert advice from Workplace Relations not less than 7 days before the expiry of the 21 calendar day period, before providing advice to the supervisor and head of unit;
- supporting the supervisor and head of unit in considering the request;
- where applicable and in consultation with the Lead HR Business Partner, making reasonable inquiries of other work areas to determine if the staff member's request can be accommodated by a temporary or permanent transfer elsewhere in the University;
- seeking advice from Workplace Relations when the supervisor and head of unit refuse the request; and
- providing the staff member and supervisor with a copy of the completed Flexible Working Arrangements Request within the 21 calendar period.

Lead HR Business Partner

7.5. The Lead HR Business Partner is responsible for acting as the nominee of the Director, Workplace Relations as needed.

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The Director, Workplace Relations

- 7.6. The Director, Workplace Relations is responsible for:
- approving requests where a staff member is seeking to work less than a 0.6 employment fraction;
 - being satisfied that there are reasonable grounds for refusal after the head of unit notifies the HR Business Partner that the staff member's request cannot reasonably be accommodated in the staff member's work area or elsewhere; and, if applicable
 - arranging for the preparation of written notification of refusal.
- 7.7. In conjunction with the supervisor, the Director, Workplace Relations (or nominee) is responsible for advising a staff member in person and/or in writing of the reasons for refusal of a request for flexible working arrangements.

Responsibility for implementation		
Status	Revised	
Approval Body	Academic Quality and Standards procedure Name: Meeting: Date: Agenda item:	Operational procedure Name: Chief Human Resources Officer Date: Date effective Author: Director, Workplace Relations
Definitions	<p>Dean or Executive Director: means the dean of a faculty or director of an administrative division or nominee in any case where the dean or executive director has formally nominated a person to act as their nominee for the purpose.</p> <p>Eligible staff member: is a person employed by the University who has an ongoing or fixed term contract under the terms of a Monash University Enterprise Agreement who requests a flexible working arrangement in the following circumstances.</p> <ul style="list-style-type: none"> • the staff member is a parent, or has the responsibility for the care of a child who is of school age or younger; • the staff member is a carer within the meaning of the Carer Recognition Act 2010 (Cth); • the staff member has a disability; • the staff member is 55 or older; • the staff member is experiencing violence from a family member or; • the staff member provides care and support to a family member who requires care or support because the member is experiencing violence from the member's family; • and has completed at least 12 months' continuous service with the University immediately prior to making their request. 	

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	<p>Family member: is 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: is 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 work arrangements may include, but are not limited to part-time employment arrangements, job-sharing, non-standard start and finish times, working from home or a voluntary reduced working year. For a working from home arrangement, refer also to the Working from Home procedure.</p> <p>Head of unit: is the head of an academic or organisational work unit, for example Head of School, Head of Department or, where applicable, a person acting as their nominee.</p> <p>HR Business Partner: is 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>Lead HR Business Partner: is a leader within Monash HR who provides strategic guidance to a portfolio of client groups across key aspects that relate to organisational and HR strategy.</p> <p>Supervisor: is the person who is responsible for the supervision of staff member(s) and in most cases this will be the immediate line manager.</p> <p>Work area: is the work area under the responsibility of the head of unit (or equivalent as defined).</p> <p>The following is a step-by-step process for staff members who wish to apply for a flexible working arrangement.</p>
Legislation Mandating Compliance	
Related Policies	<ul style="list-style-type: none"> • Special Leave procedure • Breastfeeding procedure • Children in the Workplace procedure • Working from Home procedure • Job Share procedure
Related Documents	<p><u>EA Agreements</u></p> <p>Monash University Enterprise Agreement (Academic and Professional Staff) 2014:</p> <ul style="list-style-type: none"> • Clause 12 - Dispute Resolution Procedure • Clause 30 - Voluntary Reduced Working Year • Clause 39 - Parental Leave • Clause 56 - Employment Related Grievance Resolution Procedure <p>Monash University Enterprise Agreement (Trades and Services Staff - Building and Metal Trades Staff) 2009:</p> <ul style="list-style-type: none"> • Clause 12 - Dispute Settling Procedures • Clause 13 - Employment Related Grievance Resolution Procedures

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	<ul style="list-style-type: none"> • Clause 53 - Voluntary Reduced Working Year • Schedule 6, clause 5 - Application of Parental Leave <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"> • Clause 44 - Voluntary Reduced Working Year • Schedule 5, clause 7 - Application of Parental Leave <p><u>Documents</u></p> <ul style="list-style-type: none"> • Workforce Management Guideline - Flexible Working Arrangements • Workforce Management Guideline - Work Life (Breastfeeding) • "Best Practice Guide Work and Family" published by the Fair Work Ombudsman. <p><u>Forms</u></p> <ul style="list-style-type: none"> • Flexible Working Arrangements Request
SCHEDULE(S)	
<p>Additional mandatory requirements specific to a Faculty or Offshore location Education procedure</p> <p>This field will only be published if required.</p>	
Name of Faculty/Offshore Location	N/A
Procedure Statement	N/A