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1. Background

N/A

2. Purpose

Ipswich City Council seeks to be a leading employer with inclusive and progressive approaches to employment and flexibility in the workplace. Flexible working arrangements come in many forms depending on the work being performed, career stages, life or health matters or significant events such as storms, cyclones or pandemics.

This procedure provides guidance for employees and managers seeking flexibility arrangements.

3. Regulatory Authority

[Industrial Relations Act 2016 \(Qld\)](#)

[Human Rights Act 2019 \(Qld\)](#)

[Anti-Discrimination Act 1991 \(Qld\)](#)

[Work Health and Safety Act 2011 \(Qld\)](#)

[Work Health and Safety Regulation 2011](#)

[Work Health and Safety Codes of Practice](#)

[Industrial Awards and Agreements](#)

4. Human Rights Commitment

Council has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when approving and/or amending this procedure. When applying this procedure, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

5. Roles and Responsibilities

Flexible working is only possible when the organisation, the manager and the employee work together.

- Employee:
 - Works with their manager and team to discover mutually workable solutions that ensure the business imperatives of the work unit are met, and performance/service standards are maintained.
 - Ongoing conversations with their manager demonstrating give and take, trust, open communication, cooperation and negotiation and ethics
- Supervisor / Manager:
 - Work with employees to help find solutions that balance work and personal needs.
 - Solutions are fair and equitable to everyone involved, while managing the business imperatives of the work unit and ensuring performance/service standards are maintained.
 - Ensure decisions to decline a flexible working arrangement request are based upon reasonable business requirements.

- Ongoing conversations with employees demonstrating give and take, trust, open communication, cooperation and negotiation and ethics.
- Ensure all decisions are made in a way that is compatible with Human Rights.
- Ensure a decision and response in writing is provided to the employee within twenty-one [21] days upon receiving the request in writing from the employee.
- People and Culture Branch:
 - Shall process requests requiring a change in normal rostered hours and confirm these in writing in a timely manner, to support the decision provided by the manager /supervisor.
 - Provide advice and support relating to flexible working arrangements, ensuring decisions are made in a way that is consistent with ICC policies, procedures and Certified Agreements and compatible with Human Rights.

Council may also request, encourage or direct an employee to enter into work from home or other flexible working arrangements during significant events or for other purposes such as office relocations or security concerns. In these events General Managers are responsible for overview of all remote work directions and requests for their areas of responsibility;

- ICT Branch will provide tools and software to enable employees to work remotely;
- The direct supervisor will ensure there are arrangements in place for the appropriate allocation of work and monitoring of that work;
- The direct supervisor will establish effective communications between ICC and the employee;
- Employees will complete the [Flexible Working Arrangements Request Form](#) with their manager/supervisor and submit to the People and Culture Branch.

6. Key Stakeholders

The following will be consulted during the flexible work arrangements review process:

- Executive Leadership Team
- Branch Managers
- Unions and external bodies as required

7. Education and Training Requirements

N/A

8. Procedure

When considering a flexible working arrangement, it is expected that productivity and customer service must be maintained by the employee during such arrangement. Flexible working arrangements are managed as follows:

8.1 Approving Flexible Working Arrangement Requests

- Flexible work arrangements for any reasons up to [12] twelve months duration will require Branch Manager approval.

- Flexible work arrangements for any reasons in excess of [12] twelve months duration will require General Manager approval.
- Requests for interstate and / or international flexible work arrangements for any reason and duration must be approved by the General Manager.
- Periodic reviews must be completed during the term of the flexible working arrangement.
- In assessing the request consideration is to be given to the matters outlined in this procedure.
- Where the employee is receiving medical treatment, approval from the treating medical practitioner may need to be obtained. Where the employee has been certified by a doctor as unfit for work, an updated medical certificate will need to be obtained outlining approved work arrangements and any restrictions.

8.2 Formal Notification

People and Culture will process the request [if required e.g. for change in hours, change in role] in Council's HR information system. The employee will receive a notice confirming the details and conditions of the arrangement.

8.3 Review of Flexible Work Arrangements

Flexible work arrangements should be reviewed regularly as business and role requirements change or the employee moves to another position. It is not a given that the flexibility in one team/role will apply to another role however the same consideration principles will apply for requests.

The direct supervisor is responsible for organising a meeting with the employees to discuss the suitability of the flexible work arrangement and any need to alter, end or postpone the arrangement.

The direct supervisor will consult with the People and Culture Business Partner prior to communicating the decision to revoke or alter the requested flexible work arrangement. Revoked or altered arrangements should be confirmed in writing.

The direct supervisor will maintain a record and manage the details relating to reviews and cessation dates of flexible working arrangements.

8.4 Declining Flexible Working Arrangement Requests

Flexible work arrangements may not be suited to all positions. If a flexible work arrangement request is declined on reasonable grounds, the manager/supervisor will provide a suitable response to the employee. Reasonable grounds for refusing a request may include but not be limited to:

- Capacity to change the working arrangements of other employees to accommodate the flexible working arrangements request;
- Suitability of the work being performed;
- Performance of the employee;
- Costs to Council above normal expectations;
- Loss of productivity and efficiency; and/or

- Negative impacts on service delivery.

The parties may seek to initiate a trial period to determine if it suits at an individual and team level. If agreement cannot be reached both parties may contact their People and Culture Business Partner to discuss possible alternative arrangements or seek a negotiated outcome.

9. Types of Flexible Working Arrangements

Council can provide the following flexible working arrangements for employees.

9.1 Working remotely e.g. from home, shared office space, libraries, other locations

Managers and Supervisors will ensure regular and consistent communication whilst the employee is working remotely with considerations of the following;

- How will the employee and Council communicate during the absence - by phone Skype, MS teams or email? How often will communications take place – daily?
- What work will be completed by the employee? The manager/supervisor will need to have a good understanding of the employee's role and the projects and tasks they are involved in?
- What hours/days is the employee able to work? Does this require approval from their treating medical practitioner (where applicable)? Working hours outside normal operating hours for the role/team must be established in writing.
- Is a laptop and other equipment available for the employee in the alternate location? Do they have an appropriate workstation, chair to use?
- Has security of Council information been considered?
- Is the arrangement equitable with others in the team?
- Is the employee suited to working without supervision – maturity, experience and personal characteristics (self-motivated, self-disciplined, not easily distracted)?
- How will the arrangements be reviewed to ensure their ongoing suitability during the period?

Requests to work interstate or internationally must be discussed with the Workplace Safety and Wellbeing Team and requires General Manager approval.

9.2 Part-Time Work

Employees may request to change their working hours from full time to part time for flexibility, transition to retirement, return from parental leave or part of a return to work plan after an injury or illness.

When an employee moves to part-time working arrangements, leave entitlements are available on a pro-rata basis.

When moving to part-time work arrangements, eligibility for flexitime will cease. In addition, when considering part-time work employees will need to consider financial impacts.

9.3 Flexible Working Hours

Employees may request to work the normal weekly work hours with the option of changing start and finish times. Requests of this nature must be approved and confirmed by People and Culture before commencement as the employee's timecard record is required to be changed in

Kronos by Payroll. This may suit employees seeking to travel to work outside peak times, allow for care responsibilities or other considerations.

9.4 Change in Hours of Work (Compressed hours)

Full-time employees may request to work their full-time normal week hours in fewer than 5 days. This is referred to as working compressed hours. It is expected that the hours will not exceed the full time hours as defined in the ICC Certified Agreement/s. Requests of this nature must be approved and confirmed by People and Culture before commencement as the employee's timecard record is required to be changed in Kronos by Payroll.

9.5 Ad-hoc Flexible Work Arrangements

As one-off occasions, employees can request to change their work arrangement for the purpose of work life balance needs. Eligible employees also have the option to utilise their banked time off in lieu balances in consultation with their Supervisor. For ad-hoc arrangements, the employee must ensure they obtain approval, which will not be unreasonably withheld.

9.6 Transition to Retirement

Council provides a range of flexibility options to support staff members transitioning to retirement.

As in the other examples, a Flexible Work Agreement is completed and considered by the Branch or General Manager. If it is part of a transition to retirement it is reasonable to ask the employee to provide a notional end date with Council. Discussions in the preliminary stage will remain confidential.

For a transition to requirement request the Agreement may require an attachment containing negotiable terms including but not limited to:

- An agreed date on which the employee will retire from employment;
- Any variation in duties or classification of the employee;
- Agreed periods during which annual leave and / or long service leave will be taken within the pre-retirement period;
- Approval for long service leave to be taken at 50%, 100% or 200% pay at agreed times within the pre-retirement period;
- Remote working to reduce travel where the role is suited to these arrangements;
- Moving into less senior roles with a level of salary maintenance.

Requests to vary a work arrangement can be submitted by email with supporting documentation to the Branch Manager (and then for approval to the General Manager) and should:

1. State the date the change in work arrangement being applied for is to start;
2. Outline what change in work arrangement is being sought; and
3. Allow a minimum of four (4) weeks before the requested change is to start.

Unless there is a major change in circumstances, an employee may only make one application within any twelve (12) month period to change their working arrangement.

Employees considering Transition to Retirement are also encouraged to contact their superannuation provider and other agencies such as Centrelink for details regarding their personal circumstances and any impacts a transition program may have on their benefits.

9.7 General Considerations

Flexibility may not be available in all forms for all employees. It is reasonable to consider:

- Whether the position is considered front line and interacts with the community;
- If the position involves management or supervision of staff, whether adequate management or supervision can be maintained; and
- The location, type of work and team structure of the position.

Council will endeavour to accommodate a request for flexible work arrangements and advise the employee in writing of their decision within 21 days of receiving the request. If the request is refused the manager/supervisor will provide the employee with written reasons for refusing the request. In these cases, the manager and employee will work towards an agreement on an alternative arrangement that is acceptable to both parties.

The principles of fairness, equity and natural justice will apply to all decisions made regarding the approval and implementation of transition to retirement arrangements.

9.8 Work Related and Non-Work-Related Injury Circumstances

In situations where the flexible working arrangement is required due to a work related or non-work related injury, the flexible working arrangement will be addressed and approved through the Suitable Duties / Rehabilitation Plan completed in consultation with the Workplace Safety and Wellbeing Team within the People and Culture Branch.

The principles within this guideline can be applied to support the development of a Suitable Duties/ Rehabilitation Plan.

9.9 Council Directed Working from Home Arrangements

There will be a number of drivers that may initiate or require an employee to work from an alternative location. These include but are not restricted to:

- A direction to an employee to work from home by Council via the CEO, General Manager or Branch Manager;
- The ability of an employee to travel into the usual work location due to a local or state disaster e.g. floods, fires, storms and other natural or disasters;
- A direction or advice from Queensland Health for an employee to self-isolate due to a significant community illness; and
- Any other legislated, regulatory direction or advice requiring an employee to stay away from the workplace.

There may be other occasions that initiate or require employees to work remotely if possible. These include:

- Where personal reasons make it difficult for an employee to attend their normal work location e.g. sick family members, school closures requiring care of children;
- Personal medical issues that may be impacted or aggravated by a significant event;

- When a medical practitioner has issued a medical certificate supporting an employee to work from home; or
- When an employee raises concerns for safety or wellbeing about being in the workplace due to the significant event.

10. Monitoring and review

This procedure shall be reviewed every four (4) years, or as required.

11. Related documents

[Flexible Working Arrangements Administrative Directive](#)

[Rehabilitation Policy](#)

[Flexible Working Arrangements Request Form](#)

[Human Rights Impact Assessment Template](#)

12. Definitions

FLEXIBLE WORKING ARRANGEMENTS:	Means flexibility in the workplace allowing ICC and employees to make arrangements about when, where and how an employee will work meeting individual and operational needs.
TRANSITION TO RETIREMENT:	The phasing into retirement by a graduated reduction in working hours, working days or roles and responsibilities.
APPLICATION OF THIS PROCEDURE:	This procedure applies to all Council employees [regardless of their employment status, role or position – e.g. permanent, temporary, casual or part-time employees, managers, supervisors, team leaders, team members or individuals].
SIGNIFICANT EVENTS:	This can include state and local emergencies, disasters, pandemics, illness and health issues impacting a large part of the population.

13. Process Model

N/A

14. Procedure Owner

The General Manager (Corporate Services) is the procedure owner and the Manager, People and Culture is responsible for authoring and reviewing this procedure.