Your responses suggest that your employer has breached their statutory obligations. If it is so, the agreement may be terminated.

203 Requirements to be met by a flexibility term

Flexibility term must meet requirements

(1) A flexibility term in an enterprise agreement must meet the requirements set out in this section.

(2) The flexibility term must:
   (a) set out the terms of the enterprise agreement the effect of which may be varied by an individual flexibility arrangement agreed to under the flexibility term; and
   (b) require the employer to ensure that any individual flexibility arrangement agreed to under the flexibility term:
      (i) must be about matters that would be permitted matters if the arrangement were an enterprise agreement; and
      (ii) must not include a term that would be an unlawful term if the arrangement were an enterprise agreement.

202 Enterprise agreements to include a flexibility term etc.

Effect of an individual flexibility arrangement

(2) If an employee and employer agree to an individual flexibility arrangement under a flexibility term in an enterprise agreement:
   (a) the agreement has effect in relation to the employee and the employer as if it were varied by the arrangement; and
   (b) the arrangement is taken to be a term of the agreement.

(3) To avoid doubt, the individual flexibility arrangement:
   (a) does not change the effect the agreement has in relation to the employer and any other employee; and
   (b) does not have any effect other than as a term of the agreement.

204 Effect of arrangement that does not meet requirements of flexibility term

Requirement relating to termination of arrangement

(4) If the arrangement does not provide that the arrangement is able to be terminated:
   (a) by either the employee, or the employer, giving written notice of not more than 28 days; or
   (b) by the employee and the employer at any time if they agree, in writing, to the termination;

the arrangement is taken to provide that the arrangement is able to be so terminated.