

144 Flexibility terms

Effect of individual flexibility arrangements

- (2) If an employee and employer agree to an individual flexibility arrangement under a flexibility term in a modern award:
 - (a) the modern award has effect in relation to the employee and the employer as if it were varied by the flexibility arrangement; and
 - (b) the arrangement is taken, for the purposes of this Act, to be a term of the modern award.
- (3) To avoid doubt, the individual flexibility arrangement does not change the effect the modern award has in relation to the employer and any other employee.

Requirements for flexibility terms

- (4) The flexibility term must:
 - (d) set out how any flexibility arrangement may be terminated by the employee or the employer; and

145 Effect of individual flexibility arrangement that does not meet requirements of flexibility term

Flexibility arrangement may be terminated by agreement or notice

- (4) The flexibility term is taken to provide (in addition to any other means of termination of the arrangement that the term provides) that the arrangement can 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.