

# Briefing note: About workplace flexibility

## What is workplace flexibility?

'Workplace flexibility' is where a business and one or more of its employees agree on changes to standard working arrangements to better accommodate employees' commitments away from work. Flexible working arrangements usually encompass changes to the hours, pattern and location of work. Flexibility is becoming increasingly important as employees and managers balance competing priorities in life.

Flexibility in work can be a number of different things, including:

- telework or working from home
- flexible hours
- compressed working weeks
- job sharing.

See Table 1 for a more comprehensive – although not exhaustive – list.

## What workplace flexibility is not

Managers can sometimes confuse some relatively minor and ordinary work adjustments with the idea of flexible working arrangements. For example, someone taking time off as carer's leave, compassionate leave or parental leave is not the same as working flexibly. These arrangements fall into the same category as annual leave and personal leave, in that they are standard employee rights at work. While part-time work is currently considered to be a flexible working arrangement, the realities of part-time work are often much the same as those of full-time work and may not offer much flexibility around time or location of work. Part-time work, however, does offer flexibility in the capacity for someone to work even though they may not be able to work full-time.

## Legal requirements

The *Fair Work Act 2009* provides different groups of employees<sup>1</sup> with the right to request a change in their working arrangements, specifically the hours, patterns and locations of work. While the Act specifies the groups that can statutorily request flexible working arrangements, any employee can approach their employer with such a request, but their request may be dealt with differently as it would not be governed by the current Act.

An employer who receives a request covered under the Act must respond within 21 days. A request can only be refused on 'reasonable business grounds'. You can familiarise yourself with the current minimum legal requirements at [www.fairwork.gov.au/flexibleworkingarrangements](http://www.fairwork.gov.au/flexibleworkingarrangements).

A flexible working arrangement may involve a change in working arrangements for a fixed period of time, or on an ongoing basis, to accommodate a range of personal commitments. For example: caring for children, elderly parents, or other dependents, living with disability, transitioning to retirement, dealing with domestic violence, volunteering, studying, exercise or sporting activities, or reducing the amount of time spent commuting.

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<sup>1</sup> Some employees have a legal right to request flexible working arrangements under *the Fair Work Act 2009*. This includes employees who have worked for you for more than 12 months who: are the parent, or carer, of a child who is school aged or younger, are a carer (under the *Carer Recognition Act 2010*), have a disability, are 55 or older, or are experiencing family or domestic violence, or are caring for or supporting a family or household member experiencing family or domestic violence.

## Realising the opportunities of flexibility

There are significant benefits for managers in having a flexibly working staff member or team. Organisations that accommodate flexible working arrangements are likely to have lower staff turnover, improved talent attraction, improved productivity and higher morale. Flexibility, when implemented well, can offer a positive solution to a variety of workplace issues. Among other benefits that flexibility can provide are:

- **Improved output.** For jobs that require concentration, working at home, working at hours when the office is quiet, or working from another location, can help with the quality and speed of the work.
- **Flexible workers can be more effective.** Successful flexible workers are excellent self-managers who are both well organised and effective communicators.
- **Improved ability to serve clients and stakeholders.** Working from an alternate location might allow more clients to be seen or more calls to be answered. An organisation that works flexibly can expand service delivery hours, meeting customer needs for out-of-hours contact with the organisation. This extra level of service can increase customer loyalty.
- **Retaining knowledge, skills and experience / avoiding the cost of recruitment and retraining.** In the current job market, flexibility has become an attractive feature of organisations. Retaining knowledge and skills is an important issue for most organisations, and offering flexibility reduces the likelihood that employees will leave.
- **Employers of Choice do flexibility well.** If your organisation aims to become a WGEA Employer of Choice for Gender Equality, your request for flexibility may align nicely with that aim. This could help you to position your request in a way that places it clearly in the context of helping to meet organisational objectives.
- **Increased job satisfaction.** Employees who have opportunities to work flexibly have been shown to have greater job satisfaction and this increases both their productivity and their sense of loyalty to the organisation.
- **Improved teamwork.** Teamwork often improves as knowledge and enthusiasm are shared among a more motivated flexible working team.

## Key flexibility considerations for managers

There are eight key flexibility considerations for managers, and these are explored in more detail in the manager toolkit:

- **Leadership:** strong and consistent leadership where roles are clearly established and allocated, the strategic context is set and a clear vision is implemented for the whole team can help make flexibility effective.
- **Team culture:** a strong and cohesive team culture can provide support for flexible workers and help to ensure the experience of flexibility is positive and successful for everyone.
- **Information flow:** ensuring that flexible workers are included in the 'information loop' and using available technology to facilitate this can help achieve successful outcomes for flexible work.
- **Resource planning:** good forward planning for resource allocation is essential for flexibility to be effective.
- **Achieving confidence in performance:** flexible workers often work in different locations and at different times to their manager and team-mates. Under these circumstances, working to create and maintain a trust-based culture and effective performance feedback processes is essential.
- **Self-management:** working flexibly can be challenging at first, particularly if working at home is the primary form of flexibility used by a worker. Learning how to regulate your own time so that you can achieve your goals when working away from the office is a skill that flexible workers need to develop, alongside their managers.
- **Stakeholder requirements:** when the implementation of flexible work arrangements is carefully and consistently managed, internal and external stakeholders can benefit. Ensuring that the needs of stakeholders are taken into account when flexibility is implemented is an important part of this process.
- **Legal risk management:** whenever workplace flexibility is introduced, it is a good idea to investigate the impact of current legal frameworks on an individual flexibility arrangement. For example, to what extent is the organisation responsible for ensuring workplace health and safety when a worker is working at home?

# Types of flexibility

There are many different types of flexible work arrangements. Table 1 provides an overview of these different types available.

**Table 1: Types of flexible work arrangements**

Type	Description
Flexible hours of work	This is where you may vary your start and finish times.
Compressed working weeks	You may work the same number of weekly (or fortnightly or monthly) working hours, compressed into a shorter period. For example, a forty-hour week may be worked at the rate of ten hours per day for four days instead of eight hours a day for five days. Changes to salary are not required.
Time-in-lieu	You may work approved overtime and be compensated by time-in-lieu. It can include 'flexitime' arrangements where an employee can work extra time over several days or weeks and then reclaim those hours as time off.
Telecommuting	<p>You may work at a location other than the official place of work. A wide range of terms refer to working at different locations, including 'mobile working', 'distributed work', 'virtual teams' and 'telework'. These are referred to collectively as 'telecommuting' in this toolkit.</p> <p>Note that telecommuting is generally most effective when there is a relatively even split between time spent in the office and working elsewhere. This lessens the sense of isolation that can come from working away from the office.</p>
Part-time work	A regular work pattern where you work less than full-time and are paid on a pro-rata basis for that work. Not all part-time work is necessarily flexible in nature, but it offers flexibility to workers who have other commitments or lifestyle choices that are not compatible with full-time work.
Job sharing	A full-time job role is divided into multiple job roles to be undertaken by two or more employees who are paid on a pro-rata basis for the part of the job each completes.
Purchased leave	A period of leave without pay, usually available after annual leave allocation is finished. Employers typically deduct the amount of unpaid leave from the worker's salary, and this can be done as a lump sum or averaged over the year.
Unplanned leave	Informal access to leave for unanticipated or unplanned events.
Flexible careers	You are able to enter, exit and re-enter employment with the same organisation, or to increase or decrease your workload or career pace to suit different life stages. This may be particularly relevant for employees transitioning to retirement. It can also include employees who are able to take a 'gap year' early in their careers and return to work for the same employer afterwards.
Other choices about hours, patterns and locations of work	Other options about when, where and how work is done, e.g. overtime and having autonomy to decide when to take breaks during the working day.

## A note about informal versus formal flexibility

Flexible working arrangements for individual employees sometimes evolve in quite a casual way, particularly when a team has had a stable membership and the same leader for a long period of time. Having informal arrangements in place around flexible working can be a very effective way of introducing flexibility to a team quickly and with the minimum amount of paperwork and administrative effort.

However, a change in leadership can create difficulties with the continuation of informal arrangements, particularly if a new leader has more traditional ideas around working and workplace structures. For this reason, it is worth considering how long a flexible work arrangement is expected to be in place when determining whether it should be formal or informal. If it is a short-term arrangement for a few weeks or a couple of months, designed to meet a specific employee need, then an informal arrangement should be sufficient in most instances. If it is a long-term prospect, then a formal arrangement may be more beneficial to everyone.

To encourage formal uptake of flexibility, it is important to streamline the process so that employees may easily apply for and record their flexible work arrangements.