Flexible Work Procedure

This Procedure is under review to capture the terms of the UQ Enterprise Agreement 2021-2026. Updates will be made in due course.

Section 1 - Purpose and Scope

(1) This Procedure outlines the process for administration of and governance considerations for implementing flexible working arrangements at The University of Queensland (UQ or the University). This Procedure should be read in conjunction with the Flexible Work Policy.

(2) This Procedure applies to all UQ staff.

Section 2 - Process and Key Controls

(3) Flexible work is any approved variation to the standard daily or weekly work pattern within a workplace. The Flexible Work Policy provides an overview of the different types of flexible work available to UQ staff.

(4) If eligible, staff may request a flexible working arrangement under the Fair Work Act 2009. Other staff may request workplace flexibility in accordance with the Flexible Work Policy and this Procedure.

Approval Process for Informal or Short-notice Flexible Work

(5) Informal or short-notice flexible work may be implemented to accommodate unexpected or unusual circumstances impacting a staff member's normal working routine or location.

(6) The process for requesting informal flexible work is as follows:

a. The staff member identifies the need for short-notice flexibility.
b. The staff member seeks Manager approval via a phone call, text, email, or another communication forum.
c. If the informal flexible work involves working from home, and the staff member does not already have the relevant work from home approvals in place, the staff member will need to complete and submit a workplace health and safety self-assessment for approval.
d. The staff member agrees that the informal flexible work will be undertaken within their standard spread of hours as outlined in the Enterprise Agreement.
e. The Manager may approve the request via a written response, such as text or email.
f. The Manager and/or staff member advises any impacted staff or clients of the short-term arrangements if required.

Approval Process for Flexible Work

(7) Requests for flexible work that are intended to extend beyond a two week period, involve a proposal to work outside of a staff member's normal spread of hours or have financial implications for the staff member must be

approved via a formal process. The approval process and considerations will vary depending on whether the staff member is eligible to make a request for a flexible working arrangement under the Fair Work Act or whether the request is for workplace flexibility, or local flexibility under this Procedure.

Requests Under the Fair Work Act

(8) The process for staff eligible under the Fair Work Act 2009 to request a flexible working arrangement is as follows:

(9) The staff member considers the types of flexible work available (set out in the Policy) that might suit their circumstances.

(10) The staff member discusses their requirements with their Manager regarding their intent to submit a request for a flexible working arrangement, being prepared to consider other options that might meet the needs of both the staff member and the business area.

(11) The staff member submits their request, setting out:

a. that the request is made under the Fair Work Act 2009,
b. the flexible work options being sought;
c. the reasons for the request;
d. the proposed commencement date; and
e. the proposed end date (maximum 12 months).

(12) Requests should be made no later than six weeks before the arrangement is intended to commence, unless a shorter period is agreed to by the Manager.

(13) If the request for a flexible work arrangement includes a request for hybrid working, the staff member must also complete a self-assessment and submit a declaration that confirms that the staff member:

a. has established a dedicated workspace that accords with Health, Safety and Wellness and ergonomic requirements for home-based work;
b. has purchased any additional equipment requirements necessary to facilitate the arrangement; and
c. understands the requirements that apply to accessing IT systems and software remotely.

(14) If the request for a flexible work arrangement includes a request for hybrid working in an overseas location, it will not be considered unless the staff member also provides confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 2 or above.

(15) If the request for a flexible work arrangement includes a request for hybrid working from an interstate location for extended periods of time and/or as a principal place of work, it will not be considered unless the staff member also provides confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 3 or above.

(16) Managers should contact Human Resources Division for advice, particularly where a Manager is considering refusing a request for a flexible work arrangement. However, the decision regarding whether the request can be accommodated is ultimately made by the Manager.

(17) The Manager will consider and provide a written response to the staff member within 21 days from the receipt of the written request and associated documentation, indicating whether the request is:

a. Granted (in which case the staff member will be notified electronically);
b. Granted, but with amendments; or

c. Refused.

(18) If the Manager does not propose to grant the flexibilities as detailed in the staff member's original request, the Manager must:

a. discuss the request with the staff member, including any implications or concerns they have regarding the request, as well as any consequences that a refusal may have on the staff member;
b. discuss potential modifications to the request with the staff member to determine if there is a solution that will meet the requirements of the staff member and the business area; and
c. genuinely try to reach an agreement with the staff member about making changes to the staff member's working arrangements to accommodate the staff member's applicable circumstances.

(19) If any concerns or issues are adequately addressed during the discussion, the staff member will amend and resubmit the request. For clarity, the Manager must respond within 21 days from the receipt of the original request, not from the date of any amended request.

(20) The Manager will consider whether the resubmitted request, including any mutually agreed modifications to the initial request, can be accommodated, taking into account the approval considerations below.

(21) The Manager may only refuse the request if:

a. the Manager has taken the actions set out in clause 18 above;
b. the Manager and the staff member have not reached an agreement regarding an arrangement that could be accommodated by both parties;
c. the Manager has considered the consequences of the refusal for the staff member; and
d. the refusal is on reasonable business grounds[1].

(22) If a request is refused, the Manager must provide the staff member with a written response that includes:

a. details of the reasons for the refusal, including but not limited to:
    i. The particular business ground(s) relied upon to refuse the request; and
    ii. An explanation as to how those grounds apply to the request; and
b. either:
    i. details of any changes (other than the requested change) that could be accommodated; or
    ii. a statement that there are no changes that could be accommodated; and
c. details of the circumstances in which, and methods available to, the Fair Work Commission to deal with a dispute relating to flexible work arrangements under the Fair Work Act 2009.

Requests for Workplace Flexibility

(23) The process for other staff members seeking workplace flexibility is as follows:

(24) The staff member considers the types of flexible work available (set out in the Policy) that suit their circumstances.

(25) The staff member discusses their proposal with their Manager regarding their intent to submit a request for workplace flexibility, being prepared to consider other options that might meet the needs of both the staff member and the business area.

(26) The staff member submits their request, setting out:

a. that the request is for workplace flexibility;
b. the flexible work options being sought;
c. the reasons for the request;
d. the benefits the proposed flexibility will have on productivity, service delivery and operational outcomes; and to the extent it will have a negative impact, how those impacts can be alleviated;
e. the proposed commencement date; and
f. the proposed end date (maximum 12 months).

(27) If the request for workplace flexibility includes a request for hybrid working, the staff member must also complete a self-assessment and submit a declaration that confirms that the staff member:

a. has established a dedicated workspace that accords with Health, Safety and Wellness and ergonomic requirements for home-based work;
b. has purchased any additional equipment requirements necessary to facilitate the arrangement; and
c. understands the requirements that apply to accessing IT systems and software remotely.

(28) If the request for workplace flexibility includes a request for hybrid working in an overseas location, it will not be considered unless the staff member also provides confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 2 or above.

(29) If the request for a flexible work arrangement includes a request for hybrid working from an interstate location for extended periods of time and/or as a principal place of work, it will not be considered unless the staff member also provides confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 3 or above.

(30) The Manager will consider the request and will endeavour to respond to the request within 21 days, but otherwise within a reasonable time, from the receipt of the written request and associated documentation.

(31) The Manager should schedule a meeting with the staff member to talk through the proposal and discuss any implications or concerns and can suggest potential modifications to the proposal to see if there is a proposal that will meet the requirements of the staff member and the business area.

(32) If any concerns or issues are adequately addressed during the meeting, the staff member amends and resubmits the request.

(33) The Manager will consider whether the request, including any mutually agreed modifications to the proposed arrangement, can be accommodated, taking into account the approval considerations below.

(34) Managers are encouraged to contact Human Resources Division for advice, particularly where a Manager is considering refusing a request. However, the decision regarding whether the request can be accommodated is ultimately made by the Manager.

(35) The Manager will provide the staff member with a notification of whether the request has been approved or refused.

(36) If a request is not approved, the Manager should attempt to meet with the staff member to explain the refusal.

Approval Considerations

(37) When assessing an application for a flexible working arrangement or workplace flexibility, Managers are required to assess the overall feasibility of the request and any impact on:

a. the achievement of operational outcomes;
b. quality of service delivery;
c. efficiency or productivity of the staff member or other stakeholders;
d. client/customer/student service requirements;
e. the staff member requesting the arrangement; and
f. other team members within the business area and UQ more broadly.

(38) Additional considerations may include (but are not limited to):

a. the reason for requesting flexibility;
b. the nature of the proposed arrangements;
c. the employee's position and the nature of their work;
d. timeframes for the commencement and conclusion of the arrangement;
e. the need to maintain a vibrant campus environment and community;
f. whether work, health and safety considerations and ITS requirements have been met, including the need for a staff member to take certain actions to meet Health, Safety and Wellness standards;
g. the option of a trial period (usually for three months) and how the effectiveness of the arrangement will be evaluated;
h. any organisational benefits associated with implementing the arrangement (for example, retention of key staff);
i. any financial or remuneration implications;
j. practical considerations, such as supervisory arrangements and attendance at key meetings or events;
k. impact on the distribution of work and nature of tasks;
l. the principles set out in Section 2 of the Policy; and
m. any other information which is relevant to the proposal.

Additional Considerations for Reasonable Adjustments

(39) If a flexible working arrangement is requested as a reasonable adjustment for staff with disability, Managers should refer to the Disability Inclusion and Reasonable Adjustment for Staff Procedure, noting staff with disability have access to additional measures to support their participation in the workplace. For further information, please contact the Human Resources Division.

Additional Considerations for Working from Home (Hybrid Working) Requests

(40) Managers should factor additional considerations into a request for hybrid working. These include (but are not limited to):

a. role suitability for hybrid working;
b. whether the operational requirements and outputs of the role can be met from a non-University location;
c. the ability for staff to work productively without onsite supervision, including new starters requiring in person support and guidance;
d. overall team service coverage for the full working week; and
e. any work, health and safety implications.

(41) Working from an overseas or interstate location requires additional preliminary approvals from a Level 2 Manager or above prior to submitting a request.

Actions after Approving a Request

(42) Managers are required to take the following actions after approving flexible work:

a. Communicate any changes to working arrangements or routines to stakeholders, other staff or clients and address any concerns in an open and transparent manner.
b. Ensure any changes to working hours/arrangement are submitted, especially those with implications for pay and other entitlements.
c. Schedule flexible working arrangement review meetings to evaluate the arrangement and adjust as necessary.
d. Ensure the staff member indicates their availability in team schedules and calendars as relevant.
e. Clearly establish any expectations or requirements regarding the staff member's performance, workload, availability, communication, and attendance in relation to the arrangement.

(43) Where applicable, staff may need to take the following actions after a Manager approves a formal flexible working arrangement:

a. Advise clients, students, other team members and/or other key stakeholders regarding the changed working arrangements, as applicable to the role.
b. Update out of office notifications, electronic calendars and voice-mail notifications to reflect any changes to times and locations of work.
c. Proactively maintain healthy work practices, such as scheduling breaks, maintaining agreed working hours and connecting with others via agreed communication mediums.

Workers' Compensation

(44) The University is self-insured for workers' compensation, and this is managed by the Workplace Injury Management Section within the Health, Safety and Wellness Division who manage all claims for workers' compensation and rehabilitation.

(45) A staff member that has been approved to work from home in Queensland will continue to be covered by workers' compensation while performing University work at the agreed work from home location and will be subject to the provisions of the Workers' Compensation and Rehabilitation Act 2003 (Qld) and Workers' Compensation and Rehabilitation Regulation 2014 (Qld).

(46) A staff member seeking to work from home from a location to be based outside of Queensland may require different workers' compensation insurance cover and must consult with Human Resources Division and UQ Insurance Services to confirm that appropriate coverage can be arranged for the duration of the proposed arrangement. This confirmation must be provided to the level 2 (or above) Manager when seeking their preliminary approval.

(47) Managers should confirm appropriate workers' compensation insurance cover with UQ Insurance Services, prior to approving such a request for flexible work.

Section 3 - Key Requirements

Reviewing the Arrangement

(48) Flexible Working Arrangements and approved workplace flexibility should be reviewed regularly, and also during any trial period, to identify areas for improvement and to ensure that the flexibility is working for all parties. As a minimum, the review should address:

a. the efficacy of the new working arrangements;

b. any challenges associated with implementation;
c. any impacts on other stakeholders/other staff; and
d. the feasibility of continuing the arrangement.

(49) The review could be undertaken during the Annual Performance and Development review process.

(50) Where flexible working arrangements and approved workplace flexibility are adversely affecting service delivery, impacting on other stakeholders or staff or are no longer considered feasible, Managers should engage with staff to discuss whether any amendments could be made to the proposal to enable it to continue. If so, a new request for flexible work should be made.

(51) Flexible working arrangements, approved workplace flexibility and local flexibility can be ceased at a Manager's discretion (unless a notice period set out in the University of Queensland Enterprise Agreement 2021-2026, or as amended or replaced, applies to the particular staff member) including where the arrangement is no longer feasible and discussions have been unable to resolve the issues or for performance related reasons.

(52) Managers may seek advice from the Human Resources Division in these cases.

Renewing the Arrangement

(53) If a staff member wishes to renew their flexible working arrangement or approved workplace flexibility (for up to 12 months) they will need to reapply at the end of the approved term. The needs of both staff and business areas change over time.

(54) If the staff member wishes to renew on the same terms, then they should speak with their Manager. If the Manager is supportive of renewing the term, the Manager can confirm the extension of the term to the staff member by email (or note the renewal as part of the Annual Performance and Development plan).

(55) If the Manager is not supportive to renew the arrangement on the same terms or the staff member wishes to change the terms of their flexible working arrangement or approved workplace flexibility, the staff member must submit a new request.

Local Flexibility

(56) Managers can implement local Flexible Work practices within the workplace at any time, providing the workplace design accords with Enterprise Agreement requirements. Staff members can request to participate in the local flexible work practices in accordance with the requirements outlined in the Requests for Workplace Flexibility provisions above (Section 2). Managers should consider whether there are any reasons, such as performance, why a particular staff member can't participate in the local flexible work practice. Where a request to participate is refused, staff members can reapply when their circumstances change.

(57) If local flexible work practices involve hybrid working, each participating staff member must also complete a self-assessment and submit a declaration that confirms that they:

a. have established a dedicated workspace that accords with Health, Safety and Wellness and ergonomic requirements for home-based work;
b. have purchased any additional equipment requirements necessary to facilitate the arrangement and understands; and
c. understands the requirements that apply to accessing IT systems and software remotely.

Types of Local Flexible Work Practices

(58) The types of local flexible work practices which may be considered include:

a. Core hours, flexible start and finish times - team members can voluntarily opt to commence work from 7am to 9am and finish between 3pm and 5pm, with core working hours between 9am and 3pm.
b. Daily/weekly job rotation - enabling two or more staff members to alternate between different roles at the same pay level, to accommodate some workplace flexibility for both.
c. Alternating working from home days - establishing a weekly work routine where different staff alternate between days on campus and days at home.
d. Routine job share - create 'job share' roles within a team to accommodate the desire for part time working arrangements. When taking action to fill a vacant position or to consider an application by a staff member for job sharing, the Manager should review the position and, if there is agreement to job sharing, approve to fill the position on a shared basis in accordance with established procedures.

Section 4 - Monitoring, Review and Assurance

(59) The Human Resources Division is responsible for reviewing and monitoring the implementation of this Procedure.

Section 5 - Recording and Reporting

(60) The Human Resources Division is responsible for collecting and providing data on the number and outcome of requests for flexible work for annual reporting purposes.

[1] Refer to Flexible Work Policy for what constitutes reasonable business grounds.

Status and Details

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