Flexible Work Policy

Section 1 - Purpose and Scope

Purpose

(1) The University of Queensland (UQ or the University) is committed to maintaining a vibrant University environment, while also accommodating flexible work for staff.

(2) The University recognises the importance of staff being physically present on University sites to:

a. maintain a vibrant atmosphere;
b. maximise the student and staff experience;
c. build productive teams and strengthen organisational culture;
d. enable the exchange of ideas; and
e. maintain a functional campus/site environment.

(3) At the same time, the University acknowledges that flexible work helps to attract, retain and support staff needs at different career and life stages. The University also acknowledges that there may be some environmental, financial, space-saving, productivity and health and safety benefits associated with different modes of flexible working arrangements.

(4) This Policy outlines the principles and legislative framework that underpin the University's approach to flexible work and the different types of flexible work that may be made available to staff. Staff may make a request for flexible work in accordance with:

a. where eligible, a flexible working arrangement under the Fair Work Act 2009 (Cth) (Fair Work Act) – see section 3 below and the 'Requests Under the Fair Work Act' provisions of the Procedure.
b. UQ's workplace flexibility request process – see the 'Requests for Workplace Flexibility' provisions of the Procedure; or
c. UQ's local flexibility request process – see the 'Local Flexibility' provisions of the Procedure; or
d. UQ's Academic Enrichment Program Procedure (AEP), provided that for Flexible Work undertaken in relation to an AEP, the AEP Procedure will apply.

Scope

(5) This Policy applies to all academic and professional staff.

Section 2 - Principles and Key Requirements

(6) In this Policy:

a. 'Flexible work' is any approved variation to the standard daily or weekly work pattern within a workplace.
b. A 'flexible working arrangement' is flexible work that has been approved following a request by a staff member

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under the Fair Work Act.

c. ‘Workplace flexibility’ is flexible work that has been approved following a request by a staff member made under this Policy that is not a request made under the Fair Work Act.
d. ‘Local flexibility’ means flexible work practices implemented by a Manager for a team or Organisational Unit that their staff may request to participate in.

(7) The University may consider requests for the types of flexible work set out in the Appendix.

(8) Flexible work may also be implemented by the University in response to matters, including but not limited to:

a. unexpected or crisis situations;
b. work health and safety reasons; or
c. accommodating changes to the University’s built environment.

Section 3 - Requests under the Fair Work Act

(9) The Fair Work Act grants a staff member the ‘right to request’ a flexible working arrangement if they:

a. have completed at least 12 months of continuous service at the University[1]; and
b. have one of the following circumstances:
    i. are a parent of or have responsibility for the care of a child who is of school age or younger[2];
    ii. are pregnant;
    iii. they provide personal care, support and assistance to someone that has a disability, medical condition or mental illness or who is aged and frail in accordance with the Carer Recognition Act 2010 (Cth);
    iv. have a disability;
    v. are aged 55 years or older;
    vi. are experiencing family or domestic violence from a family member; or
    vii. are providing care and support to a member of their immediate family or household who is experiencing family or domestic violence; and
c. would like to change their working arrangements because of one or more of these circumstances.

[1] For casual employees, refer to the Fair Work Act 2009 (Cth).

[2] For clarity, in Queensland, a child is considered school age from 6 years and 6 months until they turn 16, or they complete Year 10 (whichever comes first).

(10) Requests will be considered by the University but may be refused on reasonable business grounds.

Section 4 - Other Requests for Flexible Work

(11) Staff who do not meet the ‘right to request’ criteria may request workplace flexibility or local flexibility.

(12) These requests will be considered in accordance with the requirements in the Flexible Work Procedure.

Section 5 - Principles

(13) The following principles underpin the University's approach to flexible work.

General Principles

(14) Where staff are entitled to make a request for a flexible working arrangement under the Fair Work Act, requests will be considered but may be refused on reasonable business grounds.

(15) If staff members do not meet the criteria in the Fair Work Act, they may make a request for workplace flexibility that will be considered on a case by case basis in accordance with the guidelines in the Procedure.

(16) Flexible work may also be implemented locally within a team, Organisational Unit or function. Staff members may make a request to participate in a local flexible work practice applicable to them that will be considered on a case by case basis in accordance with the guidelines in the Procedure.

(17) Ordinarily, a staff member may only request up to two amendments to their work arrangements per year.

Flexibility Principles

(18) Some roles and tasks require a physical presence in the workplace due to the nature of work undertaken, such as roles which:

a. are 'hands on' in nature;
b. involve face-to-face interaction with stakeholders and students (for example, teaching, student supervision, academic advising, and engagement) where the services cannot be offered remotely and/or the quality of service would be diminished if provided remotely;
c. involve engaging with students during on-campus events and activities as a way of promoting student engagement, personal connection, and community belonging;
d. involve the use of equipment, technology, samples, products, facilities and/or systems that can only be accessed onsite; and/or
e. require the face-to-face supervision of other staff.

(19) Campus delivery is the default option.

(20) Employees who have an approved flexible arrangement to work from an alternative location are not eligible to receive paid allowances relating to their requested working location, such as (but not limited to) a Locality Allowance.

(21) While some roles might accommodate some form of flexibility, the nature of certain roles and teams can limit the applicability of some types of flexible work. As such, some staff may have greater access to different modes of flexible work than others.

(22) Flexible work that incorporates hybrid working must balance time spent at home with having an on site presence. On average, more time must be spent on UQ sites than at home, unless there are exceptional circumstances which prevent this from occurring.

(23) Decisions about meeting organisational objectives (for example, decisions about modes of course delivery) should be made to maximise organisational outcomes rather than on the flexibility requirements or preferences of individual staff members.

(24) Performance is defined by outcomes and achievements. The University expects that staff will fulfill the requirements of their role and work in the interests of the University, irrespective of when and where work is

undertaken.

(25) Flexible working arrangements, approved workplace flexibility and local flexibility are temporary and do not override the terms of employment set out in a staff member's contract of employment.

(26) Flexible work agreements which vary an employee's work schedule through compressed working hours (i.e. 9-day fortnight, 19-day month, VBT) cannot be applied concurrently with other forms of flexible work which includes the accrual of other additional hours and/or where the scheduled hours would exceed the maximum allowable hours per day (see 'Types of Flexible Work' in the appendix).

(27) Where an employee and the University agree on an arrangement which includes compressed working hours and a schedule of work which includes a full day where no work is performed, the employee will not be eligible for any Public Holiday which falls on the agreed non-work day. As the employee and the University have contractually agreed to a non-work day there is no entitlement to any additional day or day in lieu where the agreed non-work day falls on a Public Holiday.

Staff Responsibilities

(28) Staff who have a flexible working arrangement under the Fair Work Act, approved workplace flexibility or approval to participate in local flexibility:

a. are responsible for adhering to relevant work, health and safety requirements, including adhering to the principles of the Alcohol and Other Drugs Policy when working from home;
b. will assume the costs of additional equipment/facilities not already supplied by the University based on role specific requirements and of any home and contents insurance cover required for additional equipment/facilities that they purchase for the purpose of undertaking the arrangement;
c. may be required to modify their working arrangements to participate in planned activities, events or meetings and during specific periods of peak activity where work is required to be conducted on site;
d. are required to clearly advise others of their availability and working timeframes (for example, through email, out of office notifications and other technological communication methods);
e. are expected to be contactable and available during agreed work times;
f. will comply, if they are a professional staff member, with the Attendance, Hours of Work and Overtime (Professional Employee) Procedure when working from home;
g. will access Personal Leave (Sick and Carer's) when working from home, if they are not fit for work, because of personal illness or injury, or if they need to provide care or support to a member of the staff member's immediate or extended family, household, or significant other;
h. may have office allocations and/or other space and facilities adjusted accordingly;
i. will be paid at ordinary rates, if voluntarily working outside the standard spread of hours (including weekends), set out in UQ's Enterprise Agreement as part of their flexible working arrangement, approved workplace flexibility or local flexibility;
j. must otherwise work within the span of hours applicable to their position in the Enterprise Agreement, unless the approval of their Manager has been obtained in advance; and
k. Academic Staff who are approved to undertake an AEP are required to comply with the Academic Enrichment Program Procedure.

Management Responsibilities

(29) Executive Leaders are responsible for determining the feasibility of different types of flexible work within their organisational context. Feasibility considerations should be based on the role and team requirements within functional areas and/or teams rather than personal preferences or views.

(30) Managers are responsible for determining whether to approve or deny requests for flexible work.

(31) Advertised roles should include clear information about the potential applicability of flexible work options so that potential candidates can make an informed choice before applying for a position.

(32) A staff member will not be disadvantaged by requesting or being afforded access to flexible work.

Duration and Review

(33) Flexible working arrangements under the Fair Work Act, approved workplace flexibility and local flexibility:

a. can be requested and implemented for up to 12 months at a time, which may include a trial period (usually three months) to determine whether it meets the needs of both parties;
b. can be extended by agreement at the end of the 12 month period, for a further 12 months if a request is made by the staff member (including by way of discussion with their Manager) as set out in the Procedure;
c. will be reviewed regularly by the staff member and their Manager to determine ongoing viability (which may occur during the Annual Performance & Development review process). This may result in amendments or cessation;
d. can be ceased at a Manager's discretion (unless a notice period set out in the Enterprise Agreement applies to the particular staff member), including if the arrangement is no longer workable and discussions have been unable to resolve the issues, or for performance related reasons; and
e. do not transfer from one position to another.

Requests to Work from an Interstate or Overseas Location

(34) Due to tax implications, insurance requirements and other considerations, requests for flexible work that involve working from an international location will be permitted only in exceptional circumstances or in accordance with the Academic Enrichment Program Procedure. Managers will not consider such a request until the staff member has provided their Manager with confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 2 or above.

(35) Requests for flexible work that involve working from an interstate location for extended periods of time and/or as a principal place of work will only be permitted in exceptional circumstances or in accordance with the Academic Enrichment Program Procedure. Managers will not consider such a request until the staff member has provided their Manager with confirmation that the proposal has been considered and received preliminary approval from an officer at management Level 3 or above.

(36) Staff working from an interstate or overseas location are required to observe the Queensland Public Holidays as officially gazetted each year.

Role of Human Resources Division

(37) The Human Resources Division (HR) has a role in advising Managers and supporting staff regarding the application of this Policy and will provide support when Managers are considering denying a request for a flexible working arrangement. HR will monitor the implementation of the Policy including assessing consistency of approach across the University and any concerns raised.

Section 6 - Roles, Responsibilities and

Accountabilities

Employees

(38) A staff member undertaking flexible work must adhere to the terms and conditions of their employment, University policies and relevant legislation.

Managers

(39) Managers are responsible for:

a. managing flexible work whilst maintaining service delivery, effective team culture and contributing to a vibrant campus;
b. responding to requests for flexible working arrangements under the Fair Work Act in accordance with the provisions of the Fair Work Act within 21 days;
c. responding to requests for workplace flexibility or approval to participate in local flexibility in a timely manner;
d. where necessary, intervening to resolve any issues or conflicts pertaining to workplace flexibility; and
e. ensuring advertised roles have a clear statement regarding flexible work options potentially available in the role.

University Senior Executive Team

(40) The University Senior Executive Team (USET) are accountable for enabling and monitoring flexible work and providing strategic governance, transparency, and oversight of flexible work matters. USET are responsible for providing leadership and oversight of flexible work within their area of functional responsibility.

Human Resources Division

(41) The Human Resources Division are responsible for:

a. ensuring that requests for flexible working arrangements meet the obligations under the Fair Work Act;
b. providing advice and support regarding the application, approval, management, and implementation of requests for flexible work;
c. assisting Managers to deal with requests made for flexible working arrangements or workplace flexibility;
d. monitoring the uptake of and outcome of requests related to flexible working arrangements or workplace flexibility for annual reporting purposes;
e. responding to staff complaints pertaining to flexible work; and
f. assisting Managers with implementing local approaches to flexible work.

Section 7 - Monitoring, Review and Assurance

(42) The Chief Human Resources Officer is responsible for monitoring and assurance of compliance with legislative obligations, assessing compliance with this Policy and reporting the uptake of flexible work on an annual basis.

Section 8 - Recording and Reporting

(43) The Human Resources Division manage the recording and reporting processes for all flexible working arrangements, approved workplace flexibility and local flexibility.

Section 9 - Appendix

Types of Flexible Work

(44) The types of flexible work available are subject to the provisions of UQ's Enterprise Agreement 2021-2026 or as amended or replaced.

Type of Arrangement	Other names	Description
Flexible Working Hours	Variable working hours; Flexible Work pattern	Any variation to the standard working hours for the work area and/or working a set number of hours over a shorter or longer period of time.
Working from home (WFH)	Telecommuting Remote work/Hybrid work	Working in any location other than the standard designated workplace.
Purchased Leave	Additional bought leave (Voluntary)	A staff member may request to purchase up to 4 weeks of additional leave over a 12 month period.
Part-time Hours	Reduced hours	Any formal, routine reduction to the standard number of paid hours worked within a pay period.
Job-share	Two or more people sharing a position	Two or more part-time staff fulfil the requirements of one full-time position.
Nine-day fortnight[3] (HEW 1–7)	Accrued time Compressed working hours	Working additional hours one week to accrue a shorter day on the following week with a maximum hours per day of eight (8) hours 30 mins.
19-day month[3] (HEW 1–7)	Accrued time Compressed working hours	Staff may work 40 hours 30 mins per week or 145 hours per four (4) weeks, with maximum hours per day of eight (8) hours 30 mins.
Voluntary Banked Time (VBT) (HEW 1–7)	Accrued time Compressed working hours	Staff may work 45 hours 15 mins per week or 942 hours 30 mins per 26 weeks, with a maximum hours per day of nine (9) hours. Staff may accumulate a maximum of nine (9) hours VBT credit in any one (1) week period and should not accumulate a VBT balance in excess of 36 ¼ hours unless pre-approved. A VBT arrangement must not extend beyond 26 weeks and all accumulated hours must be accessed by the completion of this arrangement.
Flexi-time (HEW 1–7)	Accrued hours	Staff may work 40 hours 30 mins per week or 145 hours per four (4) weeks, with a maximum hours per day of nine (9) hours. Staff may accumulate a maximum of four (4) hours of flexi-time in any one (1) week period and should only carry over a balance of 7 hours 15 minutes each fortnight unless pre-approved.

[3] This is only available for HEW Levels 1-7 per Enterprise Agreement. Manager discretion applies for HEW Levels 8-9.

Definitions

Term	Definition
Executive Leaders	Executive leaders at Management Level 3 as outlined in the Human Resources Sub-delegations Schedules.

Term	Definition
Reasonable business grounds	For the purposes of considering and responding to a request for a flexible work arrangement under the Fair Work Act, will include that: • the new working arrangements requested would be too costly; • there is no capacity to change the working arrangements of other staff members to accommodate the new working arrangements requested; • it would be impractical to change the working arrangements of other staff, or recruit new staff, to accommodate the new working arrangements requested by the staff member; • the new working arrangements requested by the staff member would be likely to result in significant loss of efficiency or productivity; or • the new working arrangements requested by the staff member would be likely to have a significant negative impact on customer service.
Staff	Continuing, fixed-term, research (contingent funded) and casual staff members.
Working from home or hybrid working	Working at a non-University location.

Legislative Framework

(45) The legislative framework includes:

a. Fair Work Act 2009 (Cth)
b. Work Health and Safety Act 2011 (Qld).

Status and Details

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