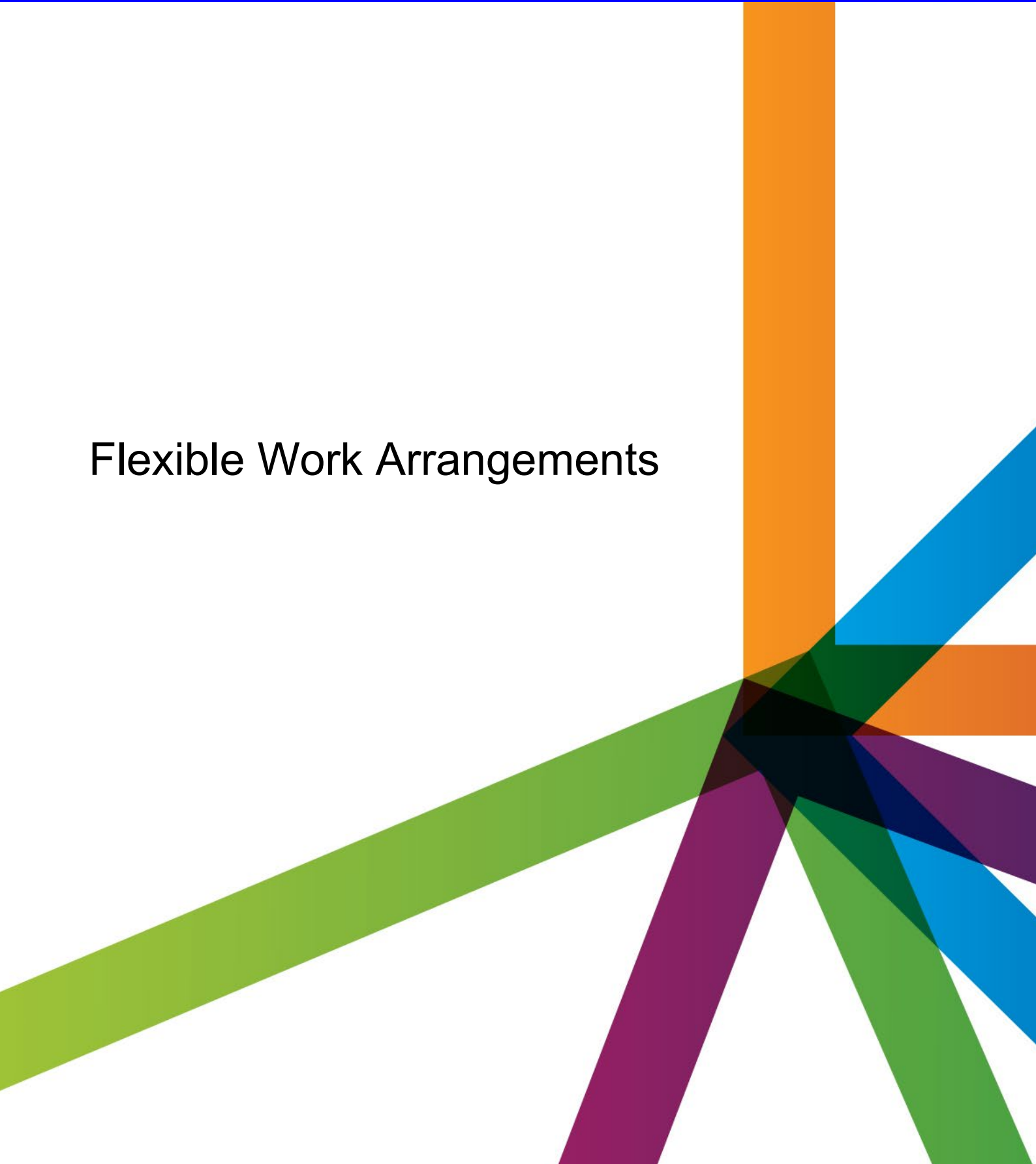


# Illawarra Shoalhaven Joint Organisation Policy Manual

## Flexible Work Arrangements



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## 1. PURPOSE

The purpose of the ISJO's Flexible Work Arrangements Policy is to provide a framework for consideration of flexible working options for employees of the Illawarra Shoalhaven Joint Organisation. The policy seeks to provide this framework within the broader context of stakeholder expectations of service delivery and regional contribution and the beneficial impact of a supportive team environment within our office space.

## 2. OBJECTIVES

The Policy's objectives are to:

- Accommodate flexible work practices that are appropriate and reasonable and that do not compromise operational and service requirements
- Support and embed a positive workplace culture based on teamwork, open communication, the interplay of ideas across divisions and shared experience
- Ensure requests for flexible work arrangements are considered within the bounds of ISJO Policy, Award requirements and relevant legislation.

## 3. SCOPE

The Policy applies to all employees of the Illawarra Shoalhaven Joint Organisation.

## 4. DEFINITIONS

Term	Definition
Flexible Work Types	The flexible work options that may be available on an informal or formal basis. Not all these flexible work types will be suitable for every role. Possible Flexible Work Types are set out in section 5.1
Informal Flexible Work Arrangement	Ad hoc and short term changes to working arrangements that are subject to daily and week-to-week review based on operational and team needs. These arrangements do not require a formal application process. Informal Flexible Work Arrangements are set out in section 5.3
Formal Flexible Work Arrangement	Formal Flexible Work Arrangements alter the working arrangements of an employee for a defined period of up to 12 months. These arrangements may be reviewed sooner based on operational and team needs as set out in section 5.4
Application for a Flexible Work Arrangement	The process to request a Flexible Work Arrangement. The request process is set out in section 5.6.

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Term	Definition
Hybrid Work Arrangement	A type of Flexible Work Arrangement that provides employees who work in areas that can accommodate work from alternate locations with a degree of flexibility in terms of locations that are most productive.  Work locations will include the ISJO's workplace(s) as well as other locations such as the employee's home. The terms for Hybrid Work Arrangements are set out in section 5.2
ISJO Workplace	The primary workplace and location specified on the Contract of Employment
Manager	A senior ISJO employee who holds the title of Manager and who is a member of the Senior Leadership Team.
Reasonable Adjustments	Changes to the work environment that allow people with a disability or injury to work productively and safely

## 5. FLEXIBLE WORK PARAMETERS

### 5.1 Flexible work types

Flexible Work Type	Examples (all options not available for all roles)
When work is done	Flexible start and finish times Compressed hours work arrangements 9 day fortnight
Where work is done	ISJO workplace(s) Working from home Other locations by agreement A combination of the above
How work is done	Job sharing Reduced hours - temporary or permanent Negotiated working days
Other types of flexibility	Utilising leave entitlements Purchasing leave Leave without pay

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## 5.2 Hybrid Work Arrangements

Hybrid Work Arrangements may be available to employees subject to an employee's professional duties being able to accommodate work from alternate locations and where alignment to Policy can be clearly demonstrated by the employee.

Subject to the formal written agreement of the position supervisor and the CEO, full-time employees working on Hybrid Work Arrangements will work a minimum of three (3) full days in the ISJO workplaces. Part-time employees will work from the ISJO workplaces for the minimum number of full days set out in the following table.

Note that:

1. Formal written agreement may be withdrawn or amended as is deemed appropriate by the organisation
2. The information in the table below is a guide to discussion between an employee and their supervisor on working from home arrangements.

Employment Status	Contracted hours per fortnight	Full Time Equivalent (FTE)	Minimum full days per week at an ISJO Workplace	In practice this means
Full Time	70 – 76	1.00	3	An employee who works 4 or more days per week will work from their ISJO workplace for a minimum of 3 full days per week.
Part Time	56 – 60.8	0.8	2	An employee who works 4 days per week will work from the ISJO workplace for a minimum of 2 full days per week.
Part Time	Less than 34 - 38	Less than 0.50	1	An employee who works less than 2.5 days per week will work from their ISJO workplace for a minimum of 1 day per week.

Hybrid Work Arrangements must ensure that there are sufficient employees in the workplace for the work area to operate efficiently and effectively for all days and times of operation.

Hybrid Work Arrangements as part of an Informal Flexible Work Arrangement will be subject to week-to-week review based on operational and team needs as determined by the relevant Manager and / or the CEO.

Employees may be required to attend the ISJO workplace at specific days or times based on operational and / or team needs as determined by the relevant Manager or the CEO.

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The days that employees work at the ISJO workplace are subject to regular and ongoing review based on operational and / or team needs. Accordingly, “working from home days” should not be considered as fixed.

Employees will undertake their work duties during their ordinary hours. Under no circumstance will working from home time qualify for overtime or time in lieu.

Employees are responsible for ensuring that they have appropriate work equipment to accommodate safe and effective work when working at locations other than the ISJO workplace. Equipment, other than items provided to the employee upon commencement or by prior documented agreement with the CEO, will be purchased at the employee’s expense.

Employees must comply with work health and safety requirements irrespective of work location.

Home-based work is not an alternative to dependent care, including childcare. Approval will not be given to employees to work from home if there is, at the same time, a requirement for them to be a primary carer. In these cases employees should access existing provisions relating to family responsibilities.

Employees must be easily contactable and available for communication about work-related issues during normal business hours.

If approved, the home will become a place of work and WorkCover Inspectors will have the legal right to enter that home at any time and without notice to inspect or deal with Work Health and Safety issues.

Prior to commencing home-based work, the employee and their manager will develop a work plan to ensure a clear understanding of the work that is to be performed and agreed timeframes. A copy of this work plan is to be placed in the employee’s personnel file.

### 5.3 Informal Flexible Work Arrangements

Informal Flexible Work Arrangements encompass ad hoc and immediate changes to working arrangements that are subject to week-to-week review based on operational and team needs.

Informal Flexible Work Arrangements may be initiated by the employee or the relevant Manager at any time but must be agreed upon and documented (e.g. by email) before taking effect. A copy of any relevant email correspondence is to be copied to the individual’s Personnel File.

### 5.4 Formal Flexible Work Arrangements

Formal Flexible Work Arrangements encompass changes to the working arrangements of an employee for a defined period of up to 12 months. At the end of the approval period, the employee must submit a new Flexible Work Arrangements Request in accordance with the Flexible Work Arrangements Policy.

Formal Flexible Work Arrangements may be initiated by the employee by completing a Flexible Work Arrangement Application and submitting it to their Manager or the CEO for consideration

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## 5.5 Legal bases upon which a flexible work arrangement application might be based

Section 24 of the NSW Local Government Award addresses the basis upon which, in the context of Award provisions, flexible work arrangements might be sought.

A range of legislation might also apply to flexible work arrangements including, but not limited to, the *Disability Discrimination Act 1992* (Cth).

## 6. REQUESTING A FLEXIBLE WORK ARRANGEMENT

Informal Flexible Work Arrangements may be requested by the employee or their Manager at any time verbally or in writing. These arrangements do not require a formal application process but do need to be documented.

Prior to commencing home-based work, the employee must lodge a written request for approval to work from home with their Manager / the CEO.

The request must include:

- a) a brief explanation about their request, that is, the reasons and benefits to both themselves and the ISJO
- b) the dates and duration/hours of work to be undertaken from home. If the request is for regular work from home, or for more than a few consecutive days, it must also address issues such as how they will communicate with the workplace and attend required meetings.

The amount of time spent working from home needs to be negotiated and agreed but cannot be a full time working from home arrangement

- c) an explanation as to how they will address home work environment issues including ensuring an appropriate work environment including (but not limited to WHS and privacy and security considerations) and a statement to the effect that they will not be a primary care provider to another person whilst they are performing ISJO work from home
- d) a statement to the effect that they will not be engaged in activities that may lead to a real or perceived conflict of interest with ISJO during the period of home-based work.

Employees should consider the Flexible Work Policy and the Flexible Work Principles set out in this Policy when requesting a Formal Flexible Work Arrangement.

Requesting a Flexible Work Arrangement does not guarantee that it will be approved. The request will be assessed as set out in section 7 of the Policy and may be approved or declined based on reasonable business grounds.

## 7. Assessing and Responding to Requests

Flexible Work Arrangements will not be approved where doing so would result in negative operational or service outcomes including insufficient employee numbers at the workplace, reduced service levels, increased cost to ISJO or the community or where the Arrangement would place unreasonable demands on other employees or limit the availability of ISJO fleet vehicles.

If multiple and / or conflicting requests for Flexible Work Arrangements are submitted within a work area

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and all requests cannot be accommodated the Manager / CEO will in the first instance consider requests from employees with a legal right to request flexibility.

Managers must all ensure that they comply with legislative requirements and make reasonable efforts to consider and try to reach an agreement to support the needs of employees with a legal right to request flexible work. If presented with any such a request, the Manager must discuss the decision with the CEO prior to responding to the employee.

Before declining any request for a Flexible Work Arrangement, the Manager or the CEO (in the case of a Manager requesting a Flexible Work Arrangement) will consider the following potential grounds for refusal:

- the requested arrangement would be too costly
- the requested arrangement would result in a significant loss of efficiency, productivity or team dynamic
- the requested arrangement would have a significant negative impact on customer service
- there is no capacity to change the working arrangements of other employees to accommodate the requested arrangement
- it would be impractical to change the working arrangements of other employees or recruit new employees to accommodate the request.

Managers must provide employees with a written response to any Flexible Work Arrangements Application within 21 days of its submission, either approving or declining the request. Where an application is not approved, the response will include the reasons for this.

If an employee is not satisfied with a decision relating to a request for Flexible Work Arrangements they may discuss the matter with the CEO.

### 7.1 Approval levels

Requests for Flexible Work Arrangements from staff below the level of Manager will be considered by the relevant Divisional Manager in consultation with the CEO. Requests for Flexible Works Arrangements lodged by Divisional Managers will be addressed by the CEO.

### 7.2 Modifying or Terminating Flexible Work Arrangements

Informal Flexible Work Arrangements are subject to week-to-week review based on operational and team needs as determined by the Manager / CEO

Either the ISJO or the employee may modify or terminate a Formal Flexible Work Arrangement at any time by mutual agreement or by giving 28 days' notice.

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## 8. RESPONSIBILITIES

### Employee Responsibilities:

- Ensure that Flexible Work Requests align to the Flexible Work Policy and Principles
- Be flexible and open to genuine negotiation about the types of flexible work arrangements available. There may be other alternatives to support the need for the flexibility request that may have less impact on the business
- Work collaboratively and work with their supervisor to evaluate Flexible Work Arrangements and address issues or respond to changing operational needs
- Continue to meet all expectations and requirements of their role
- Consider the impact that Flexible Work Arrangements may have to entitlements, such as annual leave, long service leave and superannuation and seek their own financial advice in relation to any financial impact the work flexibility may have
- Ensure the physical and data security of ISJO information and assets at all times, including when working outside of ISJO premises.
- Report any workplace hazards, incidents, injuries or illnesses that occur, including when working outside of ISJO premises.

### Supervisors (Managers or the CEO)

- Work collaboratively with employees to discuss and evaluate Flexible Work Arrangements options and work with the employee to address any issues as they arise
- Assess all applications for work flexibility arrangements with consideration to relevant legislation and the Flexible Work Policy, Flexible Work Principles, operational needs and other requests received within the same team including if the employee has an ISJO vehicle and the absence of this vehicle may impact operations
- Ensure that the achievement of business objectives drives approval of work flexibility arrangements
- Provide a response to employees who have submitted a Flexible Work Request within 21 days
- Engage with the CEO before declining Flexible Work Arrangement Requests.

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