Flexibility Policy

Purpose

1.1 Education Centre of Australia Pty Ltd (‘ECA’) acknowledges that employees need to be able to achieve an effective balance between their work and outside-work commitments. Outside-work commitments may include family and carer responsibilities, further education, and involvement in various community organisations and activities.

Commencement of Policy

1.2 This Flexibility Policy (Policy) will commence from 1 January 2014. It replaces all other Work/Life Balance or Flexibility Policies (whether written or not).

Application of the Policy

1.3 This Policy applies to employees of ECA.
1.4 This Policy does not form part of any employee’s contract of employment.

Achieving workplace flexibility

1.5 Achieving an optimum work/life balance is beneficial in maintaining high productivity at work.
1.6 To help achieve and maintain an effective work/life balance, ECA may give consideration to a range of flexible working arrangements, leave entitlements and other forms of assistance which are aimed at meeting the needs of both the organisation and its employees who have outside-work commitments.
1.7 As part of ECA’s desire to achieve and obtain optimal flexibility in the workplace, ECA acknowledges its obligations under workplace legislation to consider an employee’s requests for flexible working arrangements.
1.8 Consideration will be given to all requests made for flexible working arrangements, however the particular categories of employees that are eligible under the Fair Work Act 2009 (Cth) to request flexible working arrangements are:
   (a) employees 55 years of age or older;
   (b) an employee with a disability;
   (c) an employee who has the responsibility for caring for a child who is of school age or younger;
   (d) a carer (within the meaning of the Carer Recognition Act 2010 (Cth))
   (e) an employee who is experiencing violence from a member of the employee’s family; and
   (f) an employee with the responsibility of providing care or support to a member of their immediate family or household, who requires care or support because they are experiencing violence from their family.
1.9 Furthermore, notwithstanding clause 4.4, an employee is not entitled to make a request for flexible working arrangements unless the employee has been employed with ECA for at least 12 months of continuous service (or for casual employees, whether they have been employed for at least 12 months on a regular and systematic basis, and have a reasonable expectation that the employment will continue in the same manner).

1.10 The list below notes some flexible work arrangements that may be considered. However, ECA retains the discretion to consider each case separately, and on its individual merits.

1.11 The range of flexible working arrangements that may be considered is as follows:

(a) part-time work;
(b) part-time work after resuming from parental leave;
(c) casual work;
(d) job sharing;
(e) variable starting and finishing times;
(f) time off in lieu after extra hours have been worked;
(g) annualised working hours, where working hours are varied according to workloads but averaged out over each 6-month period;
(h) working from home on either a permanent or occasional basis;
(i) phasing in to retirement;
(j) career breaks, for employees who have completed a specified period of service with the business; and
(k) other arrangements reasonably proposed by employees.

Assessment

1.12 In assessing any request, ECA will take into account the facts and circumstances of each case, the requirements of the business and any other relevant factor, including whether:

(a) the proposed working arrangement requested by the employee would be too costly for ECA;
(b) there is the capacity to change the working arrangements of other employees to accommodate the proposed working arrangements requested by the employee;
(c) it would be practical to change the working arrangements of other employees, or recruit new employees in order to accommodate the proposed working arrangements requested by the employee;
(d) the proposed working arrangements requested by the employee would be likely to result in significant loss in efficiency or productivity;

(e) the proposed working arrangements requested by the employee would be likely to have a significant negative impact on customer service.

It is important to note that the above list is not exhaustive and there may be other reasons ECA has that could be taken to be reasonable business grounds in refusing a request for a flexible working arrangement.

1.13 To assist ECA with considering an employee’s request, an employee should make any request(s) for flexible working arrangements, in accordance with the appropriate form, available from Operations Director

- Further information

1.14 Further information for employees, including information kits, is available from Operations Director

Variations

_ECA reserves the right to vary, replace or terminate this policy from time to time._

Policy version and revision information

Policy Authorised by: David Tulloh Original issue: 1/01/2014
Title: Operations Director
Policy Maintained by: David Tulloh Current version: 1
Title: Operations Director
Review date: 1/01/2015

Employee acknowledgement

_I acknowledge:

receiving the ECA Policy;

that I will comply with the Policy; and

that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment._

Your name: __________________________
Signed: __________________________
Date: __________________________