



# Flexible Working Arrangements Policy

**Responsibility for policy:** Director of Human Resources and Employment Relations

**Approving authority:** Vice-Chancellor

**Last reviewed:** July 2020

**Next review:** July 2025

## Application

1. This policy applies to all staff of the University of Waikato.

## Purpose

2. The purpose of this policy is to establish a framework of principles, eligibility, responsibilities and accountabilities with respect to flexible working arrangements.

## Related documents

3. The following documents set out further information relevant to this policy:
  - [Computer Systems Regulations](#)
  - [Computer Work Guidelines](#)
  - [Employment Relations Act 2000 and its Amendments](#)
  - [Employment Relations \(Flexible Working Arrangements\) Amendment Act 2007](#)
  - [Flexible Working Arrangements Application Form](#)
  - [Flexible Work Guidance](#)
  - [Guidelines for Hazard Identification and Risk Assessment for an Office-Based Work Environment](#)
  - [Safety and Wellness Policy](#)
  - [Staff Code of Conduct](#)
  - University of Waikato Collective and Individual Employment Agreements
  - [Work-Related Accidents and Injuries Policy](#)

## Definitions

4. In this policy:

**flexible working arrangement** means a variation in a staff member's normal working hours, working days/weeks and/or workplace; there are two types of flexible working arrangement:

- **ad-hoc** flexible working arrangements where a staff member and their line manager agree that it is mutually beneficial for the staff member to work from a particular workplace or for particular working hours/days for a specific purpose and/or period of time, such as where work needs to be undertaken with minimal distraction or interruption to meet a deadline, on a short-term basis, and which is requested as and when required
- **formal** flexible working arrangement: where a staff member requests a variation to their normal contractual hours of work, days of work, and/or workplace; this type of flexible working arrangement is ongoing and may impact a staff member's terms and conditions of employment

**normal working hours/days** means the hours of the days in which most University business is normally conducted (typically 8.30am to 5.00pm Monday to Friday), or as otherwise defined in a staff member's employment agreement

**workplace** means a staff member's normal place(s) of work, whether on University of Waikato premises or elsewhere.

## Principles

5. [Part 6AA](#) of the [Employment Relations \(Flexible Working Arrangements\) Amendment Act 2007](#) provides employees with the right to request a variation to their hours of work, days of work, or place of work.
6. The University aims to provide a working environment that supports and enables engagement and productivity through flexible and inclusive working practices without detrimentally impacting operational efficiency, collaboration and effectiveness, and the ready availability of staff to students and other stakeholders.
7. The following principles guide the University's approach to flexible working:
  - a. the needs of students, colleagues and other stakeholders must come first
  - b. health and safety requirements must be met
  - c. expectations must be clear and outcomes must be measurable
  - d. regular communication must be maintained, and
  - e. each request must be considered individually on its own merits.Information on each principle is available in the [Flexible Work Guidance](#).
8. Flexible working arrangement options at the University of Waikato include:
  - a. working remotely
  - b. part-time
  - c. compressed working week or working year
  - d. phased retirement.Information on each option is available in the [Flexible Work Guidance](#).

## Eligibility

9. Line managers must give consideration to the application by any staff member seeking flexible working arrangements and a decision must take into account all relevant circumstances. However, the requirements of some roles mean that they may not be suitable for such arrangements.
10. Applications for flexible working arrangements may be declined on a number of grounds which include:
  - a. the University is unable to distribute work among current staff
  - b. the University is unable to recruit additional employees
  - c. the arrangement may have a detrimental impact on quality or performance
  - d. an insufficiency of work during the period the staff member wishes to work
  - e. future plans for structural changes
  - f. additional burden or cost for the organisation
  - g. potential detrimental effect on the ability to meet stakeholder demands
11. Applications for flexible working arrangements may also be declined where the University is not satisfied that the staff member will have a safe and healthy working environment while working under the flexible work arrangement.
12. An application for formal flexible working arrangements must be declined if:
  - a. the staff member is bound by a Collective Employment Agreement, and
  - b. the application relates to arrangements to which the Collective Employment Agreement applies, and
  - c. the staff member's application, if approved, would be inconsistent with the Collective Employment Agreement.

## Application

### Ad hoc flexible working arrangements:

13. All requests for ad-hoc flexible working arrangements must be made to the relevant line manager.

14. The line manager must respond to the staff member as soon as is practicable prior to the date the ad-hoc arrangement is requested to take effect, and must document the request and response.

**Formal flexible working arrangements:**

15. All applications for formal flexible working arrangements must be made in writing to the relevant line manager using the [Flexible Working Arrangements Application Form](#) at least one month prior to the date the formal arrangement is requested to take effect.
16. The line manager, in consultation with others (where applicable) and the relevant Human Resource Advisor, will consider an application for formal flexible working arrangements and make a recommendation to the senior manager (Pro Vice-Chancellor/Director/equivalent) as soon as is practicable, but not later than two weeks from the application date. Interim arrangements may be agreed on a temporary basis while an application is being considered.
17. The senior manager must advise the staff member of their decision not later than one month from the application date.
18. If approved by the senior manager, the decision will indicate the new arrangements which may form part of the staff member's revised Employment Agreement by way of a variation letter.
19. If the application is declined, the senior manager must provide an explanation of the reasons for the refusal in writing.
20. If the application is declined but a modified arrangement might be able to be accommodated, the line manager may discuss the matter with the staff member to see if a solution can be agreed.

**Responsibilities**

21. A staff member granted flexible working arrangements must:
  - a. ensure that their line manager and relevant administrators hold up-to-date contact details for them and are aware of their availability during working hours
  - b. notify other relevant staff members of changes to their location or working hours, both in teaching periods and recesses, as required
  - c. ensure that their availability times during normal working hours (typically 8.30am to 5.00pm Monday to Friday for most staff) are clear to students, colleagues and visitors (e.g. by posting their contact details or office hours on their door)
  - d. undertake a self-assessment of their working environment (where it is outside of the workplace) based on the [Guidelines for Hazard Identification and Risk Assessment for an Office-Based Work Environment](#) and [Computer Work Guidelines prior to commencing work under a flexible working arrangement](#). The staff member must advise their manager if there are safety issues so that solutions can be discussed and agreed. Note: Where remote work is not office or computer based an additional risk assessment and risk mitigation plan may be required to be completed with the manager
  - e. take responsibility for ensuring their own health and safety on an on-going basis, in accordance with the [Flexible Work Guidance](#).
  - f. attend any on-site meetings as agreed with their line manager
  - g. ensure that agreed expectations and the required standard of work are met.
22. A line manager of a staff member who has been granted flexible working arrangements must:
  - a. ensure, where appropriate, that steps are taken to highlight how and when individuals can be contacted by other team members, visitors and stakeholders as required. The arrangement must not be detrimental to the speed or quality of services provided to students, colleagues and visitors, detrimental to the efficient working of the Division or equivalent, or create significant additional workload for other staff
  - b. ensure that the staff member knows the expectations and required standard of work and ensure that they are met
  - c. ensure that the hours to be worked fall within the staff member's contractual hours, including appropriate rest breaks

- d. ensure that the staff member has completed an assessment of their working environment (where it is outside the workplace) in accordance with clause 17.d. of this policy prior to the flexible working arrangement being implemented and that safe working arrangements are in place prior to starting remote work activities.
- e. promptly attend to any health and safety concern brought to their attention by the staff member working under a flexible working arrangement.

#### **Confidentiality and access to resources**

- 23. University business must be conducted in accordance with the [Computer Systems Regulations](#); staff are reminded that they must not use private email addresses to conduct University business.
- 24. University equipment and information must only be used by the staff member and must be safeguarded from access by others.

#### **Costs and expenses**

- 25. No contribution will be made by the University towards normal household expenses attached to a staff member working from home, such as heating, lighting, transport, parking, telephone or internet costs, or towards the cost of ensuring a safe work environment in the home, except in extenuating circumstances.
- 26. The University may, in its discretion, fund the cost of furniture for no more than one workstation per staff member. This furniture will remain the property of the University. Additional furniture will not be provided to accommodate flexible working other than in exceptional circumstances.

#### **Privacy, professionalism and safety**

- 27. The private phone number and address of a staff member who is working from home must not be divulged to students or external stakeholders without the staff member's express permission.
- 28. All meetings with students or external stakeholders must be carried out on a University site, online (e.g. via Zoom), or in a similar professional setting in order to maintain the necessary level of professionalism and safety.
- 29. Staff are reminded of their responsibilities and accountabilities under the [Safety and Wellness Policy](#) and [Work-Related Accidents and Injuries Policy](#).

#### **Responsibility for monitoring compliance**

- 30. The Director of Human Resources and Employment Relations is responsible for monitoring compliance with this policy and reporting any breaches to the Vice-Chancellor.
- 31. Breaches of this policy may result in disciplinary action under the [Staff Code of Conduct](#).

#### **Waivers and variations**

- 32. Only the Director of Human Resources and Employment Relations has authority to vary or waive the provisions of this policy in individual cases.
- 33. Only the Vice-Chancellor and the Director of Human Resources and Employment Relations have authority to vary or waive the provisions of this policy in the case of a critical event requiring the closure of all or part of a University campus or campuses.