

Office Procedural Circular No. 7.2

Working flexibly in OPC

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Part 1—Introduction

Purpose

1 OPC recognises that work is only one part of our lives, and that it is important that we have flexibility in how we work, so we can balance work with other important parts of our lives.

2 For this reason, this policy provides different ways of working flexibly for the following reasons:

- (a) we hope that the policy will contribute to feeling valued and trusted at OPC;
- (b) we believe that the policy provides benefits and flexibility, allowing us to balance work and life;
- (c) we believe that the policy will allow OPC to be an employer of choice, continuing to attract and retain exceptional staff.

Principles

3 The following principles underpin our approach to flexible working:

- (a) Successful arrangements rely on trust between supervisors and their staff and a demonstration that work outcomes continue to be met.
- (b) Our approach to flexible work arrangements takes into account the diverse circumstances of individuals. Flexible work arrangements may be negotiated on a short term basis or for a longer duration.
- (c) Effective performance is demonstrated by work outcomes, not an individual's work arrangements.
- (d) Mutually agreed flexible work arrangements enable both delivery of work outcomes and personal wellbeing.
- (e) Flexible work arrangements are role specific.
- (f) Solutions for flexible work arrangements should demonstrate trust, open communication and collaboration.
- (g) All individuals have the right to request flexible work arrangements; however submitting a request does not automatically guarantee agreement.
- (h) Flexibility is enabled by our culture, behaviours, systems, processes and services (including access to technology), the individual's capacity to work independently and their ability to actively contribute to the workplace.
- (i) Approval of flexible work arrangements is subject to operational requirements.
- (j) The degree to which flexibility is supported across OPC will take into account different roles, work and operational requirements.

- (k) Individual arrangements are to be recorded and reviewed on a regular basis to ensure they are working successfully.

Different ways to work flexibly

4 This policy provides four ways of working flexibly.

Working from home

5 Working from home allows us to undertake our work at home on an ongoing and regular basis in accordance with approved arrangements (see Part 2). Any staff may request approval of a working from home arrangement (subject to operational requirements).

Flexible workings hours

6 Flexible working hours allows us to manage our working hours in a flexible way on an ad hoc or longer term basis, and to manage excessive workloads (Part 3). The scheme applies to drafters, Executive Level staff and General Managers.

Flex-time

7 Flex-time is a system that allows us to set our own patterns of attendance at work within specified limits. The system applies to all Corporate Services and Publications APS 4, 5 and 6 staff.

Part-time hours

8 Part-time hours may suit those of us who wish or need to work less than 37.5 hours per week. Clause 24A and Division 3 of Part 3 of OPC's enterprise agreement provide for part-time arrangements. It applies to all staff (except statutory office holders).

9 Part-time hours are approved each year by First Parliamentary Counsel for drafters, and General Managers for Publications and Corporate Services staff.

Part 2—Working from home

Application of the general policy

10 This Part sets out OPC's policy in relation to working from home. Any staff may request approval of a working from home arrangement.

11 Arrangements outside the scope of this policy will continue to be approved in exceptional circumstances when it is of benefit to both the staff member and the office. Examples of when exceptional circumstances apply might include arrangements over school holidays, and arrangements for working in locations outside the Canberra region.

12 Office Procedural Circular 7.1 clarifies that when an employee or a family member is unwell, it may still be possible for an employee to continue to do some work from home using remote access. For example, an employee may need to stay at home because they are contagious or suffering from an injury, or looking after a sick or injured member of the family, but feel they are still able to do some work from home. These arrangements continue

to be supported by OPC. They are not covered by this OPC and, in accordance with Office Procedural Circular 7.1, should be discussed on an as-needs basis with supervisors.

Amount of time spent in the office

13 OPC believes that it is best for the office as a whole if staff spend the majority of time in the office, and this can be achieved while providing staff with increased flexibility.

14 Staff who work from home on a regular basis must work in the office at least 3 days a week (or, if those days are not full days, 22.5 hours spread over 4 or 5 days). (This means that working from home is not available for those who work part-time for 3 days or less.)

15 Working from home arrangements are not available between 9.30 and 2.30 on Tuesdays and Wednesday. (This does not affect part-time arrangements.)

16 The regular hours worked would be in accordance with the standard hours outlined in subclause 23(3) Enterprise Agreement.

17 Staff need to make themselves available in the office for significant face-to-face meetings held with external clients, or other situations when it is required by their supervisor, for example to deal with issues around workload or capacity.

Caring for others

18 Having caring responsibilities has a significant impact on our lives, and juggling work with our family obligations can be challenging. In addition, when our family members need care, they, and not our work, should be our focus of attention.

19 Staff may work from home while supervising their own children or providing care to others only if this does not impact on their ability to work effectively. Staff may not work from home to supervise anyone who requires active care.

20 Working from home over an extended period during school holidays is outside the scope of the general working from home policy but may be considered in exceptional circumstances.

Working from home agreements

21 Working from home arrangements will be approved by First Parliamentary Counsel for drafters, and by General Managers for their workgroups.

22 When staff work from home it impacts on other staff and on the office generally. This is something that each of us, as a staff member seeking a working from home arrangement, should be actively thinking about before seeking agreement. So, for example, a publications team or a drafting team might choose to ensure that they are all in the office at the same time to promote collaboration and learning between team members.

23 However, before any arrangement is approved by a General Manager or FPC, a staff member who is wanting an arrangement approved should have a conversation with their supervisor about the arrangements, and in particular, how they are going to make it work for the rest of their colleagues. In many cases, the supervisor may discuss the proposed

arrangements with other staff members to obtain their views and, in particular, what impacts it may have on them.

24 Staff seeking a working from home arrangement should use the employee checklist on the Intranet before discussing the arrangement with their supervisor. Their supervisor should use the supervisor checklist on the Intranet when discussing the arrangement with their staff member.

25 Approval for a working from home arrangement is not an entitlement, but if approval was not given for an arrangement, FPC or the GM would explain the reason for not approving the arrangement.

26 Agreements to work from home would be entered into each year in accordance with the OPC Working from Home Agreement on the Intranet.

27 Agreements can be withdrawn earlier:

- (a) by agreement between the parties to the agreement and the staff member; or
- (b) for operational reasons after discussions between the parties to the agreement (for example, if the arrangement appears to be impacting on the effectiveness of the performance of the team or any individual, or to ensure equity for other members of the team to access flexible working arrangements).

Our respective obligations

28 In order to make working from home work, we need to recognise the respective obligations that each of us have.

Resources provided to staff to support working from home

29 OPC will invest in resources to support working from home. OPC will provide:

- (a) a laptop;
- (b) one monitor (and a second monitor if they are available);
- (c) a keyboard and mouse (including ergonomic if required);
- (d) a printer;
- (e) if spare chairs are available, a chair.

30 However, staff members working from home will also need to provide some resources. Staff will be expected to provide a dedicated workspace that meets certain standards, such as a desk that is a suitable working height, suitable lighting and ventilation. The dedicated workspace might not be a permanent workspace. Staff will be required to provide a desk or table, and a way of storing any Official: Sensitive documents in a commercial lockable container. Staff may also use their own printers if they have one.

31 Staff will also be expected to investigate the impact of working from home regularly on home insurance and any tax issues.

32 Staff would also be expected to ensure that you have an acceptable and reliable internet service. If staff do not have a reliable internet service, they will be expected to provide one (for example, by purchasing a dongle) before an arrangement will be approved.

Work, health and safety

33 OPC has responsibilities to provide a safe workplace when staff are working from home. This will include the homes of staff working from home.

34 Staff will need to complete, at least yearly, a working from home safety checklist in accordance with the template on the Intranet and provide a photo of the home workspace to HR. Staff will be expected to report as soon as possible any musculoskeletal issues that may arise (just as these would be expected to be reported in the office).

35 Staff may, but are not required to, arrange for a physiotherapist to attend their home (at their own cost). However, if this is arranged, and the physiotherapist believes that the home workspace is not appropriate, staff will be required to ensure that they have an appropriate workspace before any working from home arrangement is approved. Costs for any changes (other than for equipment we are providing) are to be borne by staff in these cases.

Communication with staff working from home

36 It is a precondition for approval of a Working from Home arrangement that:

- (a) staff who are working from home remain readily contactable as if they were in the office, including by:
 - (i) forwarding their work phones to their mobile phones; or
 - (ii) including mobile phone numbers in signature blocks;
- (b) staff use their personal mobile phone or land line for all work purposes while working from home (including for example for calls to or from colleagues and clients).

37 Our expectations are that:

- (a) all staff have their cameras on while using videoconference systems to facilitate communication between staff when working from home;
- (b) OPC will institute a way of allowing all staff to know whether staff are in the office or working from home;
- (c) staff working from home have discussed with other colleagues with whom they work, or who they supervise, how and how often they will remain in contact when working from home.

38 There may be particular circumstances where these expectations are not appropriate. Individual staff should speak to a member of SMT in these circumstances.

Part 3—Flexible working hours

Purpose

- 39 The flexible working hours scheme may be used:
- (a) to provide flexibility in how staff manage commitments (either on an ad hoc or long term basis);
 - (b) to deal with excessive workloads.
- 40 The scheme applies to drafters, Executive Level staff and General Managers.

Flexibility in managing commitments

41 Sometimes work demands long hours, and some aspects of our lives require attention during work hours. Staff and their supervisors can be trusted to ensure that, over time, the work gets done and our personal obligations are met, without too much concern about the exact allocation of hours from day to day. (This is obviously not to suggest that any work above an average day of 7 hours 30 minutes justifies an equivalent time off.)

42 This may be done on an ad hoc basis (to deal with a tradesperson, for example) or on a longer term basis. Paragraphs 22 and 23 apply equally to longer term flexible working hours arrangements.

43 Staff should ensure that they communicate with their supervisors when working flexible hours, in accordance with their supervisor's expectations. (For example, some supervisors may require a person to seek permission before working flexible hours on an ad hoc basis, particularly if their absence impacts on others' work, while other supervisors may merely require notice of the person's absence).

44 For longer term flexible working hours arrangements, the hours worked would be in accordance with those outlined in subclause 23(3) of the Enterprise Agreement.

Excessive work demands

45 In addition to allowing staff to balance their work and personal lives, the flexible working hours policy also enables supervisors to recognise and compensate staff for the excessive workloads that are required of them from time to time.

46 Staff are encouraged to ensure that the consequences of unusually excessive demands are dealt with as soon as possible after the excessive work period ends. So a staff member who has worked throughout the weekend should probably have a day or half-day off during the following week, or a staff member who has worked until 3am may need to start late the next day.

47 In addition, for those covered by the scheme, the basic expectation is that each staff member who has worked excessive hours during a particular period will get 3 days off during the course of a year. The way these days are taken will vary depending on the different work demand cycles. For example, for drafters it would be one day off for each sittings. For

publications and corporate services staff, it could be after the end of a financial year or particularly busy period.

48 This should not be regarded as an entitlement. If the demands on a staff member during any period have not been enough to justify time off, the staff member would not be entitled to time off. This would particularly be the case where, for instance, the staff member is absent for a period, or for drafters, an election is called during a sittings.

49 The onus is on a staff member who has worked excessive hours to request the day off. In making the request, the staff member should be able to assure his or her supervisor that a day off is appropriate.

50 Generally, if a request for a day off is made, a supervisor should approve it. It should only be refused if the supervisor considers that, in the circumstances, it would be clearly inappropriate to grant the day off.

51 There is additional flexibility for supervisors to deal with the consequences of very excessive demands. Supervisors who are unsure about this flexibility in a particular case may discuss the matter with First Parliamentary Counsel or your General Manager.

Part 4—Flex-time

Who may use flex-time?

52 The flex-time system is available to all Corporate Services and Publications APS 4, 5 or 6 staff. Flex-time is provided for by clause 24 of OPC's workplace agreement.

53 The system used for recording flex-time attendances is Timekeeper which is a module within the Aurion Employee Self-Service system (*ESS*). The instructions for completing flex-time timesheets in ESS are contained in Information Technology Circular No. 5.

How flex-time operates

Attendance records

54 Staff working flex-time are required to record attendances, recording starting and finishing times. Absences for short periods during the day must be approved, and accounted for as a flex-time debit.

55 Timesheets are to be submitted through the ESS system to the staff member's supervisor within 5 working days of the completion of the fortnightly timesheet.

Use of flex leave

56 Staff may use flex leave for a maximum of 5 days in each settlement period.

57 The *settlement period* is a 4 week period starting on a normal payday and finishing on the Wednesday 4 weeks later. Staff member commencing in the middle of a settlement period will need to adjust their records to coincide with the completion of the current settlement period. At the end of each settlement period, the attendance record is to be finalised.

58 Generally, a staff member must work a total of 150 hours during each settlement period. However, there is provision to incur debits/credits within certain limits.

59 If a staff member has flex credits of more than 15 hours, FPC or a General Manager may direct the staff member to take flex leave so as to reduce those credits to 15 hours.

Credit/debit carry-overs

60 A credit of up to 25 hours may be carried from one settlement period to the next.

61 With the approval of the supervisor, in high workload situations, a credit in excess of 25 hours may be carried forward provided the credit is reduced to 25 hours or less at the end of the next settlement period or the settlement period after that.

62 Supervisors should ensure that staff are given the opportunity to reduce their flex credit to 25 hours (or less) by approving flex leave in one of those settlement periods.

63 If the credit still exceeds 25 hours at the conclusion of the third settlement period, the portion exceeding 25 hours automatically lapses. Supervisors cannot approve the carrying forward of the excess.

64 Debits of up to 10 hours may be carried forward to the next settlement period. All debits in excess of 10 hours at the end of a settlement period must be acquitted by the submission of a leave application for leave which will be without pay or which may, on request from the employee and at the discretion of a General Manager, be deducted from annual leave credits.

Interpretation of workplace agreement flex-time and overtime provisions

65 Clause 23 of OPC's workplace agreement provides that the span of hours during which staff may work normal hours is 7.00 am to 7.00 pm. These are defined as *normal bandwidth* hours (see Part 10 of the workplace agreements).

66 The table in clause 45 of OPC's workplace agreement provides that overtime duty is payable for hours worked Monday to Friday that are outside the normal bandwidth hours or in excess of 10 hours.

67 OPC recognises that the normal bandwidth hours are quite wide and extend beyond the normal working hours of particular staff. Also, there may be occasions when staff on flex-time are requested to work after 6:00 pm for certain operational reasons including supervising tradespeople and rolling out IT hardware and software. These occasions will be looked at on a case-by-case basis and the staff member may be given approval to claim overtime even though it is within the normal bandwidth, and less than 10 hours of flex-time have been worked.

Conversion of overtime into flex credits

68 A staff member who would be entitled to payment for overtime may, with the approval of his or her supervisor, convert the overtime into a flex credit at the same rate at which overtime payment would have been available (e.g. time that would be paid for at double-time rates may be converted into double flex credits). However, only actual overtime worked can be converted into flex credits; there will be no provision for deeming a staff

member to have worked a minimum number of overtime hours before converting the overtime to flex credits.

69 At the request of the staff member, a conversion of overtime into a flex credit may be reversed if the flex credit would otherwise lapse.

70 A staff member who has a flex debit and who would be entitled to payment for overtime must convert the overtime into a flex credit so as to reduce or eliminate the flex debit. Overtime payments will not be available for any time worked while a flex debit remains except for overtime work that is:

- (a) initiated by management to cope with unforeseen circumstances or higher than usual workloads; or
- (b) done outside normal working hours for operational reasons (e.g. IT maintenance).

71 A staff member who would be entitled to a meal allowance in respect of overtime remains entitled to that allowance even if the overtime is converted into a flex credit.

Recording of leave and public holidays

72 For purposes of recording leave, public holidays, attendance at courses, conferences, seminars etc. for both part or whole days, standard starting and finishing times are used.

73 Approved study leave may be taken only during standard hours of attendance. Study activities undertaken outside standard hours are in the staff member's time.

Hours of duty

74 The prescribed hours of duty for full-time employees are 37 hours and 30 minutes per week. The prescribed hours of duty for a part-time employee is as agreed with FPC.

75 The standard working day for flex-time purposes is as follows:

8.30 am	Commence Duty
12.30 pm—1.30 pm	Lunch Break
5.00 pm	Cease Duty

76 The span of hours during which employees may work normal hours is 7 am to 7 pm. Staff must take a meal break of at least 30 minutes after working continuously for a 5-hour period.

77 Staff members have no automatic right to work hours other than standard hours unless there is a demonstrable need to do so. For example, if a staff member chooses to take advantage of the flexible working period and commence duty at 10 am, he or she has no right to work beyond 5 pm unless there is sufficient work available.

78 Similarly, attendance at the staff member's desk between 12 noon and 2 pm does not entitle the staff member to record 30 minutes as his or her lunch break. Staff must record the actual times they start and finish work, not when they leave and return to their desks.

79 Staff members do not have an automatic right to work 7 hours 30 minutes in a day on which they have taken advantage of flex-time.

80 Staff members are not to work before 8 am or after 6 pm unless they have the express prior approval of their supervisor. Approval may be given for a particular occurrence or as an on-going arrangement.

Leave applications

81 Normal conditions and procedures relating to the submission of applications for annual, personal/carer's and any form of special leave will apply. Leave applications are not required for flex leave although the prior approval of the supervisor is required.

82 Flex leave may be taken in conjunction with annual leave and long service leave, but the maximum period of leave is limited to 5 days in any settlement period.

83 Flex leave will not be granted to break a period of other leave but may be taken before or after other periods of leave. For example, a staff member who wishes to be absent for one week may take one day's flex leave before or following four days annual leave, but may not take flex leave on four mornings of the week or four afternoons of the week and use annual leave during other core periods.

84 In the same way, in any one day's absence, a staff member may take a period of flex leave in conjunction with other leave provided that the flex leave is taken before or after, not during, the other period of leave.

85 This clause is in keeping with the intention of the flex-time scheme and to avoid processing of complex leave applications. See the Office Procedural Circular on leave for further information regarding leave.

Supervisor's role

Supervisor's role in monitoring attendance

86 In line with the principles and practical requirements of flex-time arrangements, supervisors have a key role in managing arrangements within groups and in monitoring attendance. General arrangements for recording attendance are set out in this Part.

87 Supervisors are responsible for managing attendance arrangements within the groups under their control, including any necessary inspections and checks of attendance records, reporting of absences and approving core time absences. It is the responsibility of every supervisor to ensure that all instructions to employees are followed.

88 In the following circumstances the standard day (7 hours 30 minutes) should be recorded for a day's absence by employees working on a full-time basis:

- (a) annual leave;
- (b) long service leave;
- (c) personal/carers leave;

- (d) special leave;
- (e) study leave;
- (f) public holidays;
- (g) attendance at courses.

89 If a staff member is absent without authority, or if it is known that due to illness or some other reason a staff member will be absent for a considerable period of time, the supervisor must advise #Payroll immediately so that appropriate action may be taken to avoid an overpayment of salary or to ensure that the appropriate conditions of service are applied.

90 At the end of each fortnight, staff are required to validate and submit their timesheet through the ESS system to their supervisor within 5 working days. Supervisors are to ensure that employees comply with this requirement.

91 Supervisors should certify as soon as practicable that timesheets prepared by staff are correct and ensure that leave applications and overtime approvals have been submitted through the ESS system.

92 Supervisors play a vital role in ensuring that while staff avail themselves of the benefits of flex-time, the arrangements also satisfy OPC work requirements. While the normal considerations in regard to the prior commitments of individuals will always be considered, the work of OPC must take precedence over the use of flex-time.

93 Supervisors are also to ensure that staff do not work other than standard hours unless there is sufficient work available. In particular, staff are not to use the flexible periods to build up flex credits when there is insufficient work to justify work outside the standard hours.

Other matters

Part-time employees

94 All of the limits applicable to full-time staff in this Part are to be reduced on a pro-rata basis according to the hours worked by the part-time employee.

95 All other conditions should be applied in the same manner as they would apply to a full-time employee. For example, full-time staff can access 5 full days flex leave; a part-time employee should also be able to access the equivalent of 5 continuous days flex leave.

Removal of flex-time privileges

96 FPC may remove a staff member from the flex-time system on the ground that the staff member has failed to comply with the flex-time scheme. Removal has effect for the period fixed by FPC. A staff member who is removed from flex-time reverts to working the hours of a standard day.

Adjustment on leaving OPC

97 A staff member ceasing duty with OPC will be required to settle any flex debit or flex credit before departure. Any outstanding credit is to be forfeited. Outstanding debits will be recovered as Leave Without Pay.



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