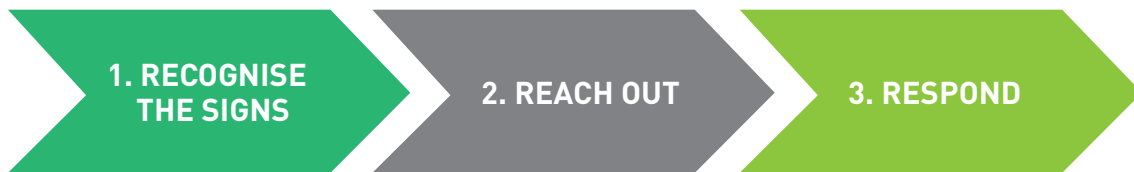




Employees who are 55 or over, and/or have disability/carer's responsibilities, are recognised under the Fair Work Act as a group that may need greater flexibility. Requests for flexibility are more likely to be initiated by an employee, but however the conversation comes up, the 'conversation framework' outlined below can help you to feel more prepared and confident.



1. RECOGNISE THE SIGNS

An employee may well initiate a conversation about flexible work. However, if flexible work is not common in your workplace, then managers' can take a more proactive role in raising flexible work options. Flexible work may also be an appropriate work adjustment when fitness-for-work becomes an issue.

Refer to 'Fitness for Work Conversation Guide' for changes in thinking and behaviour that may indicate the need for a flexible work adjustment. Noticing that your employee is not their usual self can be challenging, but by being on the front foot you can address issues sooner and achieve a better outcome.

Prepare for the conversation:

- Considering what your goals and expectations are for the conversation.
- Being clear about your legal requirements, limitations, relevant policies and Employment Contract.
- Knowing the role and the risks.
- Checking the employees' entitlements.
- Writing down some notes or questions that could help if you get stuck.
- Having a list of resources handy.
- Choosing your mindset; e.g. supportive, curious, a mentor, sounding board.



EMPLOYEES WITH FLEXIBILITY HAVE 55% HIGHER ENGAGEMENT, 55% LESS STRESS AND 45% LOWER TURNOVER INTENTION THAN EMPLOYEES WITHOUT ACCESS TO FLEXIBLE WORK.

DIVERSITY COUNCIL OF AUSTRALIA, 2019

Notes:

2. REACH OUT

Flexible work requests must be put in writing by the employee, and the 'Flexible Work Worksheet' is a template that can assist them to do this. However, best practice goes beyond the paper trail. If an employee requests a flexible work arrangement, especially one that you can't accommodate, don't just send back a written response.

Reach out, have a conversation, listen to the reasons your employee made the request, and see if there is something that can work for both of you.

THE PURPOSE OF A FLEXIBILITY CONVERSATION IS TO DISCOVER OPTIONS THAT SUPPORT YOUR EMPLOYEE TO WORK SAFELY, THAT PROTECT THEIR MENTAL HEALTH AND WELLBEING, AND THAT SUSTAIN THEIR EFFECTIVENESS IN THEIR JOB.

Notes:

3. RESPOND

One of the most useful things to do in flexible work conversation is **let go of assumptions and listen—ask don't assume!** Stay curious, find out what is going on for your employee, and why they think flexible work is a good option for them.

Ask questions to help you understand them better.

- How will flexible work make life better or easier for you?
- What's the most important part of your job—to you, to me and to the team?
- How do you think I'll be impacted by you working flexibly?
- How do you think the team will be impacted?
- What are some of the issues that might come up and how do we address those?
- What would happen if I refuse this request?
- What other options could help you to meet your needs? For example, are there different types of flexibility, or other work adjustments that would help?
- What are your 'not negotiables'? With whatever solution we come up with, what is the minimum it needs to give you?

Remember that by exploring flexibility options you are not promising to be able to accommodate them. Perhaps what they are asking is reasonable, but if it's not, you need to explain why, and think about alternatives that may work from both a business and personal perspective.

After the conversation:

- Schedule a follow up meeting if the specifics of the flexible work arrangement aren't fully agreed.
- The employee needs to put the flexible work request in writing if they haven't already or if the request has changed.
- As the employer, you need to respond in writing to the flexible work request within 21 days; see [Fairwork Ombudsman](#) for response template.
- Monitor the impacts of the flexible work arrangement on the employee and on the team more broadly.
- After a trial period meet with the employee to discuss what has and hasn't worked—consider their perspective as well as sharing the business impact.

Notes:

RESOURCES

Employee Assistance Program
(Manager Help)

Flexible Work Policies

Fair Work Ombudsman:
fairwork.gov.au

Workplace Gender Equality Agency:
wgea.gov.au