



**Water Polo**  
AUSTRALIA

# **Flexible Working Arrangement Policy**

**February 2023**

## **1. Purpose**

- 1.1. Water Polo Australia (WPA) 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.

## **2. Application of the Policy**

- 2.1. This Policy applies to all employees of the Organisation.
- 2.2. This Policy does not prevent the acceptable, informal application of flexibility in the day-to-day management of ordinary work hours.

## **3. Objective**

- 3.1. Under section 65 of the *Fair Work Act 2009* and *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022*, the following employees are entitled to submit a request for a flexible work arrangement:
  - a) An employee who is a parent of, or who has responsibility for the care of, a child of school age or younger.
  - b) An employee who is a carer within the meaning of the Care Recognition Act 2010.
  - c) An employee with a disability.
  - d) An employee who is 55 or older.
  - e) An employee experiencing violence from a member of the employee's family.
  - f) An employee who provides care or support to a member of the employee's immediate family, or household, who requires care or support because that member is experiencing violence from the member's family; or
  - g) An employee who is pregnant
- 3.2. In addition to those identified in under 3.1 the Organisation flexible work arrangements are not limited to any group of employees and are extended to all employees.

## **4. Application**

- 4.1. The request for a flexible work arrangement must be submitted to the employee's manager in writing and set out the details of the arrangement being sought and the reasons for the request by completing the Request for Flexible Working Arrangement Form.
- 4.2. The Organisation will provide a written response to any such request within 21 days, stating whether the Organisation agrees to or refuses the request. The request can only be refused by the Organisation on reasonable business grounds, as defined in section 65(5A) of the Fair Work Act 2009.

- 4.3. If the Organisation refuses an employee's request for a flexible work arrangement, the written response must:
- a) State whether there are any changes in working arrangements that the Organisation can offer the employee so as to better accommodate the employee's circumstances; and
  - b) If the Organisation can offer the employee such changes in working arrangements, set out those changes in working arrangements.
- 4.4. A flexible working arrangement request can be refused on reasonable business grounds including, poor performance. For example, if the employee is on a Performance Improvement Plan (PIP), does not meet operational requirements or results in an imbalance or negative impact on the team.
- 4.5. Communication strategies need to be set out in all flexible work agreements. Communication methods should be regular and agreed.
- 4.6. Flexible work arrangements can comprise a combination of work and leave options.
- 4.7. Flexible work arrangements can include a hybrid working arrangement between an employee's primary (e.g., office) and secondary (e.g., home) location.
- 4.8. Home Based Work arrangements must not be used to substitute as a full-time or part-time childcare alternative or any carer responsibility.
- 4.9. Employees may also request, as part of a flexible work arrangement, approval from the Organisation to perform work from home. The suitability of such arrangements will be considered on a case-by-case basis, having regard to the nature and duties of the Employee's role, and the ability to perform those duties remotely effectively and efficiently.
- 4.10. In the event that an Employee has approval to work from home, the Employee is responsible for ensuring that the home-based work environment is suitable for the tasks being performed, and that any risks to the Employee's safety are appropriately managed. In particular, the Employee must ensure:
- a) That appropriate equipment is being used (and that the Organisation is immediately notified if additional or alternative equipment is required in order to perform tasks safely);
  - b) That the home work environment is kept reasonably clean, neat and tidy.
  - c) That any work-related injuries or symptoms are immediately reported to the Organisation; and
  - d) That work-related information (including, but not limited to, confidential information of the Organisation) is kept secure and is not disclosed to third parties.

## **5. Terminating a flexible work arrangement**

- 5.1. Either party may, with reasonable notice, terminate a flexible work arrangement, including an agreement, where it is no longer required, not effective or where there are adverse

impacts on the individual (including a decrease in work performance), the team, service delivery or the operations of the unit.

- 5.2. If one type of flexible work arrangement falters, this will not preclude an employee or manager from suggesting alternative arrangements or new proposals in the future when circumstances may have changed.
- 5.3. Despite best intentions and cooperation, some flexible work arrangements do not suit everyone. Where the agreed flexible work arrangement is not quite working in practice, all relevant issues should be discussed openly and honestly between the employee and their manager in an effort to come up with a reasonable solution.
- 5.4. Where there is disagreement about whether a flexible work arrangement is working effectively, your manager can be consulted for advice. However, ultimately, the manager will make the decision about whether the arrangement will continue and in what form.
- 5.5. Early termination of a flexible working arrangement, including the reasons for early termination, should be recorded in writing and provided to the employee.

## 6. Working hours and Days

WPA respects employees may be required to work hours outside of the 'normal' and places emphasis on achieving the outcomes of the role rather than the number of hours worked. Employees need to bear in mind that there will be times when their work hours will be required to fit the organisations requirements.

In addition to working outside the 'normal' hours WPA accepts that from time to time an employee's workdays may be outside of the Monday to Friday range, or in the case of National or International competitions may require staff to work more than 5 consecutive days. When this occurs, the employee should discuss and agree an arrangement with their manager to ensure there is an opportunity for the staff member to take some time away from work, without using any leave entitlements. Once agreed the manager should clearly communicate the arrangement with all WPA staff and relevant stakeholders that may be impacted.

## 7. Variations

*The organisation reserves the right to vary, replace or terminate this Policy from time to time.*

Date Prepared / Reviewed:	By Whom:	Approved By:	Board Approval Date:	Next Review Date:
Jan 2023	GM Corp Serv			Jan 2024