

The National Employment standards that apply to all Australian workers under the Fair Work Act 2009 (Cth) compels employers to accept requests for flexible working arrangements. This entitlement provides employees who meet a certain criteria, the right to request flexible work arrangements.

Employers are required to provide a response in writing within 21 days of a written request being received. The following checklist provides a guideline on how to respond should you or your company receive such a request.

FLEXIBLE WORK ARRANGEMENTS APPLICATION CHECKLIST

Consideration	Options	
1. Is the employee a parent or carer of a child?	YES – Go to 5	NO – Application can be declined unless other criteria applies
2. Is the child being cared for under school age or under 18 with a disability? (check application form for information. Contact us if you don't have an application form 07 3124 5006)	YES – Go to 5	NO – Application can be declined unless other criteria applies
3. Is the employee a carer for an individual because of any of the following? <ul style="list-style-type: none"> • The individual has a disability; • The individual has a medical condition (including a terminal or chronic illness); • The individual has a mental illness; • The individual is frail and aged. 	YES – Go to 5	NO – Application can be declined unless other criteria applies
4. Do any of the following apply? <ul style="list-style-type: none"> • The employee is over 55; • The employee has a disability; • The employee is experiencing violence from a member of their family; • The employee will be providing care to a member their immediate family or household who is experiencing violence from a member of their family 	YES – Go to 5	NO – Application can be declined unless other criteria applies
5. Has the employee completed at least 12 months of continuous service and (if a casual) has a reasonable expectation of continuing employment on a regular and systematic basis?	YES – Go to next step	NO – Application can be declined

Consideration	Options	
6. Is the employee a direct employee of your business? If the employee is a "contractor", labour hire or agency employee, they are not an employee for the purpose of flexible work application	YES – Go to next step	NO – Application can be declined
7. Is the application in writing?	YES – Go to next step	NO – Have the employee complete a flexible work arrangements application form. (Contact us if you don't have an application form 07 3124 5006)
8. Does the application provide sufficient information on which to make a decision?	YES – Go to next step	NO – Ask for further information or schedule a meeting to discuss the request
9. Consider who will be affected if the application were accepted	Consult with anyone affected. Discuss the application with the next level Manager if applicable.	
10. Is the application going to be declined?	<p>YES – Advise the employee in writing at least 21 days from the date it was received.</p> <p>Make sure that the business grounds for rejection of the application are reasonable and include any or all of the following:</p> <ul style="list-style-type: none"> • Cost • Lack of adequate replacement staff • Loss of efficiency • Impact on customer service • Ineligibility of the applicant 	NO - Go to next step
11. Is the application accepted?	YES - Advise the employee in writing at least 21 days from the date it was received.	NO - Advise the employee in writing at least 21 days from the date it was received.

HR Management Services Commitment

HR Management Services partners with small, medium and growing businesses to create workplaces where employees are respected and valued for the contribution they make. Through collaboration and a shared vision, our clients achieve high levels of employee engagement which results in superior business performance.