

FLEXIBLE WORK POLICY & PROCEDURE

Introduction

This policy and procedure sets out the circumstances in which requests for flexible working arrangements can be made by employees and the procedure for determining whether those requests may or may not be granted by Northrop as set out in the Fair Work, National Employment Standards (NES).

Examples of flexible working arrangements include changes to:

- Hours of work (e.g. changed to start and finish times)
- Patterns of work (e.g. split shifts or job sharing)
- Locations of work (e.g. working from home)

Purpose

Northrop supports a diverse and inclusive workforce and recognises that many of its employees require working arrangements that are outside of the traditional full-time work structure.

The purpose of this policy and procedure is to allow greater flexibility for Northrop employees who require flexible work arrangements to suit their circumstances.

Scope

This policy and procedure applies to all employees of Northrop who have completed at least 12 months service and includes casual employees who have had regular employment for at least that period and have a reasonable expectation of continued work.

Definitions

Carer includes all people who provide ongoing personal care, support and assistance to any individual who has a disability, a medical condition, a terminal or chronic illness, mental illness or fragility due to age. A person is not a carer merely because they are the spouse, de facto partner, parent or other relative or guardian of an individual who requires care or lives with an individual who requires care.

Disability means physical or mental weakness or incapacity, including a condition which limits a person's movements, activities or senses.

Family includes persons, whether related by blood, marriage, adoption, step or fostering and those who usually reside in the same household.

Family violence means violent or threatening behaviour or any other form of behaviour that coerces or controls a family member or causes that family member to be fearful. Examples may include (but are not limited to): physical violence, sexual assault and other sexually abusive behaviour, economic abuse and emotional or psychological abuse, stalking, kidnapping or deprivation of liberty.

Flexible work may include but is not limited to varying an employees' working conditions by way of changing hours of work, pattern of work, duration and times of breaks, days of work, how work is performed, where work is performed (e.g. working from home arrangements).

School age means the age at which a child is required to attend school in the relevant State or Territory.

Requesting flexible work arrangements as per NES

In accordance with the Fair Work Act 2009 (FW Act), employees may make a request for flexible working arrangements if one or more of the following circumstances apply to that employee:

- the employee is the parent, or has responsibility for the care of a child who is of school age or younger;

- the employee is a carer (see definitions section above);
- the employee has a disability;
- the employee is 55 or older;
- the employee is experiencing violence from a member of the employee's family;
- the employee provides care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because the member is experiencing violence from the member's family.

Parents/ employees responsible for the care of a child

Parents and employees who have responsibility for the care of a child who are returning to work after a period of birth or adoption related leave, may specifically request part-time working arrangements. This is in addition to the general right to request flexible working requirements contained above.

Short term or future flexible work requests

Where an employee foresees the possibility of assuming caring responsibilities in the short to medium term, employees should consult with their manager as soon as practicable to allow sufficient time for planning and discussions regarding appropriate flexible work measures. During such discussions, employers may request evidence of the need to request flexible working arrangements.

Making a request for flexible work arrangements

Any request for flexible working arrangements must be made to the employees' manager, and the request must:

- be in writing; and
- set out details of the change sought; and
- provide details of the reasons for the change.

Approving or refusing requests for flexible work (as per the NES)

After receiving a request for flexible working arrangements from an employee, the manager will provide a written response to the employee within 21 days, advising of whether the request is granted or refused.

If the manager approves the request for flexible working arrangements, the request and approval letter will be retained on the employee's employment file as a variation to the employment contract.

A manager may refuse a request for flexible working arrangements only on reasonable business grounds which may include, but are not limited to, the following reasons:

- The proposed arrangements would be too costly for the business to implement;
- There is no capacity to change the current working arrangements of other employees to accommodate the new working arrangements requested;
- It would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the new working arrangements requested by the employee;
- The new working arrangements requested by the employee would be likely to result in a significant loss in efficiency or productivity; and/or
- The new working arrangements requested by the employee would be likely to have a significant negative impact on client service / project delivery.

Accommodating requests for flexible work

Where an employees' specific request for flexible working arrangements cannot be accommodated on the terms suggested by the employee, the manager and employee may discuss options for an alternative flexible working arrangement which the business can reasonably accommodate having regard to all the circumstances.

Altering a flexible working arrangement

Unless the manager and employee specifically agree otherwise, a flexible working arrangement does not amount to a permanent variation to the employee's terms and conditions of employment. The manager will have the right to monitor, review, change

and even terminate the flexible working arrangement at any time on reasonable business grounds. As far as reasonably practicable, the manager will consult with the employee prior to any variation or termination of an arrangement and will endeavour to give the employee reasonable notice of the change.

A flexible working arrangement may result in a reduction in pay (e.g. if less hours are worked overall and/or at times attracting extra penalties), paid leave (e.g. a reduction in weekly hours may affect leave payments) and termination pay (e.g. redundancy and notice payments will be calculated on pay rates as at termination date).

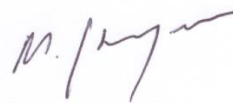
Other references

For further information in conjunction with this policy, other relevant material may include:

- National Employment Standards - Flexible work arrangements
- Carer Recognition Act 2010
- Employee request for flexible working arrangements letter template



David Field
Chairman



Mark Sturgess
Managing Partner

Approver
Executive Leadership Team

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