

FLEXIBLE WORKING ARRANGEMENTS POLICY

PURPOSE

Ryan Wilks supports a diverse and inclusive workforce and recognises that some of its employees may require working arrangements that are outside the traditional full-time work.

ELIGIBILITY

This policy applies to all employees of Ryan Wilks who have completed at least 12 months of service, including casual employees who have had regular employment for at least that period and where there is a reasonable expectation of continued work.

DEFINITIONS

Carer: In accordance with Section 5 of the *Carer Recognition Act 2010*, the term “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 within the meaning of Section 5 of the *Carer Recognition Act 2010* where that care, support or assistance is provided under a contract of service or a contract for the provision of services, in the course of doing voluntary work for a charitable, welfare or community organisation, or as part of the requirements of a course of education or training.

A person is not a carer within the meaning of Section 5 of the *Carer Recognition Act 2010* 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: The Disability Discrimination Act 1992 (DDA) defines disability broadly as:

- a. total or partial loss of the person's bodily or mental functions.
 - b. total or partial loss of a part of the body.
 - c. the presence in the body of organisms causing disease or illness.
 - d. the presence in the body of organisms capable of causing disease or illness.
 - e. the malfunction, malformation, or disfigurement of a part of the person's body.
 - f. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction.
 - g. a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions, or judgement or that results in disturbed behaviour.
- And includes a disability that:
- h. presently exists.
 - i. previously existed but no longer exists.
 - j. may exist in the future (including because of a genetic predisposition to that disability).
 - k. is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

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Family: 'Family' includes persons, whether related by blood, marriage, adoption, step or fostering and those who usually reside in the same household in accordance with the *Explanatory Memorandum to the Fair Work Amendment Bill 2013*.

Family violence: '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: 'Flexible work' may include, but is not limited to, varying an employee's working conditions in the following ways:

- a. Changing hours of work.
- b. Changing pattern of work.
- c. Changing duration and times of breaks.
- d. Changing days of work.
- e. Changing how work is performed.
- f. Changing where work is performed (e.g., remote working).

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

REQUESTING FLEXIBLE WORK ARRANGEMENTS

Employees may make a request for flexible working arrangements if one or more of the following circumstances apply to them:

- a. the employee is the parent, or has responsibility for the care, of a child who is of school age or younger.
- b. the employee is a carer (within the meaning of the *Carer Recognition Act 2010* - see definitions section above).
- c. the employee has a disability.
- d. the employee is 55 or older.
- e. the employee is experiencing violence from a member of the employee's family.
- f. 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 from the employee of the need to request flexible working arrangements.

ACCOMMODATING REQUESTS

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

STATUS OF A FLEXIBLE WORKING ARRANGEMENT

Unless the employer 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 employer 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 employer 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 of pay (for example, if less hours are worked overall and/or at the times attracting extra penalties), paid leave (for example, a reduction in weekly hours may affect leave payments) and termination pay (for example, redundancy and notice payments will be calculated on pay rates as at termination date).

TYPES OF FLEXIBLE WORKING ARRANGEMENTS

1. Changes to pattern of hours

A flexible working arrangement may involve a change to the employee's pattern of hours, including start and finish times or days worked.

As part of a flexible working arrangement, the employee may agree with senior management on a flexible hours' arrangement that suits business needs and personal preferences.

2. Part-time agreement

The employee may request a reduction in the number of hours worked as part of the flexible working arrangement. This may be in the form of a part-time agreement. Agreements will need to balance the organisation's operational requirements and the employee's personal needs.

Agreements will be for a maximum period of 12 months, unless engaged on a part-time contract.

If the employee applies for another role within Ryan Wilks, then the part-time agreement will need to be renegotiated.

3. Job sharing

Job sharing is an arrangement where two or more employees share a job between them.

In certain cases, requests for flexible work arrangements in the form of a reduction of hours may require job sharing. Whether job sharing arrangements are approved will depend on the business requirements and the availability of another employee to share the role.

The maximum period a job share arrangement can be approved for is 12 months at a time.

4. Working remotely

Flexible working employees who work remotely will need to comply with the “REMOTE WORKING POLICY “.

GUIDELINES

Employees who are permitted to work under flexible working arrangements must follow all applicable company policies and procedures as far as possible and practical. If an employee becomes aware of a policy or procedure that cannot be adhered to, they must notify their manager immediately.

TERMINATION OF FLEXIBLE WORKING ARRANGEMENTS

The Company reserves the right to terminate or modify a flexible working arrangement at any time based on business needs or performance issues.

This policy will be formally reviewed again May 2025



Ron Ryan

General Manager

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