



Australian Government

**Department of Innovation
Industry, Science and Research**

POLICY STATEMENT

This policy applies to all staff covered by the One Innovation Enterprise Agreement 2011.

HOURS OF WORK and FLEXTIME

It is Innovation's policy to provide an environment where employees are able to gain access to flexible working arrangements at the work unit level which recognise client needs, work and personal commitments.

Principles

- Managers will ensure that work units have sufficient people during each day to meet operational requirements and the needs of clients.
- Employees and managers will work together to balance the operating needs of the work unit with the needs of the individual.
- Managers will be responsible and accountable for their decisions about flexible working arrangements.
- Decisions about flexible working arrangements will be reasonable, fair and equitable.

References: One Innovation Enterprise Agreement 2011

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HOURS OF WORK

Standard Hours

The standard ordinary hours of duty for all staff except Designated Hours employees are 7 hours 30 minutes per day, between the hours of 8.30 a.m. to 12.30 p.m. and 1.30 p.m. to 5.00 p.m. This is used primarily for leave accrual purposes.

Designated Hours employees will work an average of 37.5 hours per week (Monday to Sunday) over a 4 week settlement period.

The bandwidth for ordinary hours of work from Monday to Friday will be:

- for NMI employees - 7.00 a.m. to 9.00 p.m.;
- for Questacon employees - 7.00 a.m. to 10.00 p.m.;
- for all other employees - 7.00 a.m. to 7.00 p.m.

CHRISTMAS CLOSEDOWN

Most employees are entitled to three days of paid leave in the period between Christmas and New Year in addition to their recreation and personal leave entitlements.

With the exception of Questacon and AAO employees, these days will be treated as public holidays for the purposes of determining the rate of pay payable to an employee required to work on one or more of these days.

Questacon and AAO may roster employees to work on one or more of the days.

Where a part-time employee is not scheduled to work on either one or both of the 3 days, the employee may substitute another day during the week commencing 1 January.

Flexible Working Hours

The bandwidth allows you to vary your daily patterns of attendance.

It may be necessary to vary these patterns of attendance over time and from one settlement period to another depending on personal and work commitments and the operational needs of your work area. You and your manager should agree on patterns of attendance, particularly in peak periods.

The work of Innovation takes precedence over the use of flexible working arrangements.

FLEXTIME

All employees up to and including APS level 6 or equivalent, will have access to flextime. Standard flextime records must be maintained.

The working day hours of 8.30 a.m. - 12.30 p.m. and 1.30 p.m. - 5.00 p.m. will apply if you do not wish to use flextime arrangements or you cannot agree on flexible working patterns with your manager.

Part-Time Employees

You may take advantage of flextime arrangements subject to the flextime policy and procedures and the agreement of your supervisor. Managers cannot use flextime to vary your hours without your consent.

Management of the flextime system for part-time employees may require special handling. In particular managers should ensure that part-time employees have the capacity to reduce a debit within the settlement period.

More information about working part-time can be found in the "Part Time Work Policy and Procedures".

How flextime works

The working day is 7 hours 30 minutes for full time employees. The difference at the end of the four week settlement period between the accumulated working day hours and the accumulated actual hours of attendance will be either a flex credit or a flex debit.

You should ensure that you work no more than five hours without a break.

A flex credit occurs when the accumulated time is in excess of the total working hours in a four week settlement period. Credit is limited to one standard working week or any other higher limit agreed between you and your manager.

A flex debit occurs when the accumulated time is less than the total standard working day hours in a four week settlement period. Where debits exceed 10 hours at the end of the settlement period, the following options are available:

- an application for leave without pay: or
- an application for recreation leave is submitted to your manager.

Flextime Absences

You may use flextime as a means of being absent from work for full days or part days. Flextime may be taken in conjunction with other approved forms of leave and you must receive prior approval from your manager before taking any flex absence. Any number of flex days can be taken with the agreement of your manager.

Flex absences may be taken consecutively within a four week settlement period, cumulatively throughout a settlement period or across settlement periods.

You should have sufficient flextime credit to cover any flex absence when it is taken, however, your manager may approve flextime absences when there is not sufficient credit in special circumstances such as an emergency or of a serious or compassionate nature.

You do not need to complete leave forms for flextime absences.

Notification of Absences

Any unplanned absence should be notified to your manager as soon as practicable on the day of absence.

Absences in the following circumstances are to be recorded on your flexsheet on the basis of standard working hours.

- All paid leave, including the additional days of leave.
- Purchased Leave
- Public Holidays
- Learning and Development Courses
- Study Leave

If you leave the workplace during working hours for personal reasons you must have the prior approval of your manager. You must record the absence on your flexsheet.

Travel and duty away from the usual place of work

Time spent travelling within the bandwidth of hours away from your usual place of work may be included in the calculation of flextime for classifications up to APS Level 6 or equivalent subject to these procedures.

Excess travelling time provisions as detailed in the One Innovation Enterprise Agreement 2011 are applicable for the purposes of paid travelling time and may be used instead of flextime provisions.

Where you undertake work temporarily in another location you may either adopt the flextime arrangements of that temporary work area or you may apply working day hours for the period that you work at the temporary location.

Credits and Debits on Separation and Transfer

On promotion or transfer between departments, you should reduce any flextime carryover to zero wherever possible. Flex credits are not paid out to you when ceasing work with Innovation and there is no obligation on a gaining department to carry over flex credits. Flex debits on transferring between departments or leaving the APS, should be cancelled with leave without pay or recreation leave.

Retention and Storage of Flexsheets

Flexsheets may be kept electronically or in hard copy, however at the end of the four week settlement period, a hard copy of the flexsheet is to be checked and signed by you and your manager. After all action has been completed, the flexsheets should be stored in a central position in the work area and kept for 7 years for audit purposes.

OVERTIME AND TIME OFF IN LIEU

Where there is additional work demand you may be required to work overtime. You have the choice of either claiming overtime or time off in lieu (calculated at overtime

rates) for the hours worked on overtime. Overtime payments, or time off in lieu, are available whether you are full-time or part-time for:

- working on weekends;
- time worked outside the bandwidth of ordinary hours bandwidth, or if inside the bandwidth only after 7 hours and 30 minutes have been worked for that day.

You should ensure that you take a break of at least 30 minutes after each continuous 5 hours of work.

Hours worked as approved overtime cannot be recorded on flexsheets and cannot be included in flextime calculations. In cases where you choose to take time off in lieu, you should take this leave at a time agreed with your manager. A local record of time off in lieu should be kept by your manager, however, you do not need to complete leave forms to cover your absence.

SHIFTWORK

Employees who are considered to be shiftworkers will be subject to the provisions of Schedule 4 (*Matters relating to AAO employees*) of the One Innovation Enterprise Agreement 2011

RESTRICTION DUTY

Where the Secretary requires an employee to remain contactable and available to perform extra duty outside the employee's standard hours of duty the employee will be paid a restriction allowance while they are restricted outside the standard hours of duty.

The Allowance:

- is payable whether or not the restricted employee is required to perform duty outside their standard hours of duty;
- is only paid up to the maximum of the salary rate of the APS 6 or equivalent level;
- includes any allowances paid as salary;
- will be paid at the rate of 10%;
- is not paid during any periods of overtime or emergency duty; and
- will not be paid if the employee is not contactable.

An alternative rate of Restriction Allowance may be determined by the Secretary having regard to the circumstances of the restriction situation.

Where a restricted employee is required to perform duty, they will be paid overtime subject to:

- a one hour minimum payment when work is performed without the necessity to travel to the workplace.
- a two hour minimum payment including travel time if work is required to be performed at the workplace.

RESPONSIBILITIES

A successful hours of work and flextime strategy depends on cooperation between you and your manager who both have a responsibility for ensuring the correct application of these provisions.

Responsibilities of Managers

Managers have a key role in managing flextime arrangements responsibly within their work groups and in monitoring attendance. Managers are also responsible for the day to day administration of flextime within their area of responsibility. Managers must ensure that all employees using flextime keep accurate records of attendance, submit them without delay, report all absences and submit all leave applications.

Managers are considered jointly responsible, with the employees concerned, where abuses of flextime are detected by audit.

Managers should counsel employees who do not adhere to the provisions of these procedures about their unsatisfactory patterns of attendance and give them an opportunity to rectify the situation. A formal counselling process should be commenced if problems persist. In this circumstance, action may be taken to remove flextime as an entitlement for a specified period.

Managers may from time to time, decide that workloads preclude the usual flextime arrangements and temporarily vary these arrangements. In these cases, managers should consult all employees who would be affected by this decision and should not jeopardise the health and safety of their employees by putting undue pressure on them. Managers need to be mindful of the personal commitments of their employees, including family responsibilities, and should play a role in minimising the potential for conflict and tensions between the work and personal family commitments. Improved productivity, morale and commitment from employees are often the result when an employee's broader responsibilities are recognised and supported by their manager.

Where an employee is absent without authority, or where it is known that an employee will be absent from work for a long period due to illness, their manager should notify the Pay & Conditions & Recruitment Team immediately, so that a possible overpayment of salary can be avoided and further appropriate action can be taken.

Managers are to ensure that any flexible arrangements are administered fairly and recorded on the standard flextime records.

Agreed arrangements should be reviewed at the end of each four week settlement period to monitor their success.

Responsibilities of Employees

You should complete your flexsheet accurately at the time of commencing and ceasing duty each day throughout the settlement period. You should submit your flexsheet promptly to your manager along with any outstanding leave applications at the end of the settlement period.

You also have a responsibility to abide by the provisions in these procedures, and to work with your manager to reach agreement on patterns of attendance recognising that the operational needs of your work area take precedence at peak periods.

You must report any absences to your manager as soon as practicable on the day of absence and seek prior approval when you wish to use flextime.

DISPUTES/REVIEW OF ACTIONS

Failure to comply with the flextime provisions or your manager's direction in relation to flextime, could result in the removal of flextime as an entitlement and you having to work a 7 hour 30 minute day i.e., 8.30 a.m. - 12.30 p.m. and 1.30 p.m. -5.00 p.m.

Where possible, disputes should be resolved informally between you and your manager. All instances of counselling, warnings and directions to employees should be formally documented.

Where disputes cannot be settled locally, the Review of Actions procedures apply.