

FLEXIBLE WORKING

When dealing with a request for flexible working, it is important to follow a clear and proper process to ensure consistency, transparency, fairness and compliance with the law and Codes of Practice. We would encourage all to be open-minded when receiving a request.

What you need to know...

WHAT IS A FLEXIBLE WORKING APPLICATION?



A request for a change to contractual terms, which can include changes to:

- Hours of work (e.g. part-time, flexi-time)
- Times of work (e.g. compressed hours)
- Place of work (e.g. work from home)

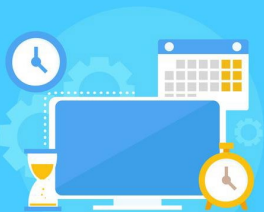
The Employee needs to describe or explain their request for Flexible Working in writing, including:

- the reason(s) for the request
- the desired commencement and if appropriate,
- end date of the requested change(s)

HOW IS A REQUEST MADE?



WHAT ARE THE TIMESCALES?



- Unless the request is approved, the Employer must meet with the employee within **28 days** to discuss the request and within **14 days** of the meeting either agree to the request (potentially on a trial basis) and confirm any impact on terms and conditions or refuse the request.
- The employee is entitled to appeal the decision by writing within **14 days**.
- Any appeal must be dealt with within **14 days** of receipt of the appeal.
- A final decision must be given within **14 days**.

Any agreement to a flexible working request is at the company's sole discretion and be based on the needs of and impact on the business.

You can fairly refuse a request on the following grounds:

- The burden of additional costs.
- Employer would be unable to meet customer demand.
- Inability to re-organize the workload among existing employees or recruit additional employees.
- Detrimental impact on quality or performance of the business.
- Lack of work during the employee's proposed working times.
- Adverse affect on the employer's planned staffing changes.

WHAT ARE THE FAIR REASONS FOR REFUSAL?



What you need to do...

INITIAL REQUEST AND AGREEMENT



- Must be in writing and explain the reasons for the request.
- The request should be considered fairly and reasonably in line with business requirements and if agreed this should be confirmed in writing with details of any changes to terms and conditions.

- A meeting should be held before Day 28 to discuss the request and to either agree, agree with a trial period or to decline.
- Reasons for any decision and any impact on terms and conditions should be confirmed in writing, together with confirmation of any right to appeal.

IF REQUEST IS NOT AGREED WITHIN 28 DAYS



TRIAL PERIOD



- During and at the end of any trial period, the Employer should review and decide if the trial be made permanent.
- If successful, the change and any impact on Terms and Conditions should be confirmed in writing.
- If the trial is not successful, the employee should have this, and any reasons, confirmed in writing and given a right of appeal.

- The appeal should be considered by an independent and appropriately senior manager with any outcome confirmed in writing within 14 days of the hearing.
- No further application for flexible working can be made for 12 months.



to find out more contact hello@hrnow.je