Hybrid Working Procedure

Section 1 - Purpose:

(1) This Procedure supports the Flexible Work Policy of the University of Canberra (University).

(2) This Procedure focuses specifically on a change in work location, within the Flexible Work Policy, collectively referred to hereafter as “Hybrid Working”. Other flexible workplace initiatives are managed separately under the Flexible Work Policy and in consideration of the Fair Work Act 2009 (Cth) and University Enterprise Agreement, as updated from time to time.

(3) This Procedure balances the needs of the University as a service provider and employer, whilst recognising the benefits to work-life balance and productivity that may be experienced through Hybrid Working.

(4) Work, health and safety considerations are paramount to determining suitable Hybrid Working arrangements. Both employees and their Managers must be aware of the requirement to comply with Work Health and Safety statutory obligations and policies, including ergonomic and safe work practices and reporting of any safety issues or concerns.

(5) The Work Health and Safety Act 2011 (ACT) (the Act) defines a workplace as: “A place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work”.

(6) Any location from which University work is performed is therefore considered a “workplace” for the purposes of the Act, and its provisions will apply to any Hybrid Working arrangement.

(7) The Work, Health and Safety duties and responsibilities of both the University and its workers will apply equally to campus-based workplaces (University Premises), working from home and working from other (non-campus-based) locations (collectively referred to hereafter as “Hybrid Working”).

(8) All terms and conditions of employment, university statutes, rules, policies, procedures and local instructions of Employees continue to apply for any Hybrid Working arrangement.

(9) This Procedure may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of staff printing this document to always refer to the University Policy Library for the latest version.

Section 2 - Scope

(10) As part of the University’s commitment to a flexible workforce, Employees, including those working part-time, have the opportunity to request Hybrid Working arrangements. This document details the procedures for staff requesting Hybrid Working arrangements and provides Principles to inform management decisions/response to those requests.

(11) The University recognises that Employees in some circumstances have a right to request a flexible work arrangement under the Fair Work Act 2009 (Cth). This may include Employees who are carers, Employees with a disability, experiencing family and domestic violence or personal injuries. This document excludes the management of these arrangements, as these are managed under special arrangement with the Employee.

(12) This Procedure excludes remote working arrangements and staff being managed under a reasonable adjustment plan.

(13) The University is not responsible for any liability on the part of a third party who is not a University employee at the hybrid working location.

Academic Staff

(14) The University Enterprise Agreement guides workplace flexibility for Academic Staff. Accordingly, this Procedure does not apply to Academic Staff.

(15) A formal Hybrid Working Agreement is not required for Academic staff, however such arrangements must be discussed with the Employee's Manager to ensure:

a. campus-based responsibilities are appropriately balanced with home/other location work arrangements;
b. appropriate contact and availability arrangements are in place; and
c. an understanding of Work, Health and Safety requirements and responsibilities including ergonomic self-assessment, that must be undertaken for a working environment away from campus.

Section 3 - Policy

(16) Refer to Flexible Work Policy.

Section 4 - Procedure

Principles

(17) The University recognises the importance and derived benefits of Hybrid Working arrangements. The University is committed to supporting employee wellbeing and attracting and retaining a productive and highly skilled workforce, whilst balancing the need to maintain a strong team-based culture on campus.

(18) The University recognises there is no 'one-size-fits-all' approach to working. Our workplace is diverse, and each employee will have their own preferred ways of working for them and within their teams. This Procedure aims to provide a framework to guide a level of consistency across the application of hybrid work.

(19) The University is known for its vibrant campus life, created through events, retail and facilities that contribute to the positive campus experience. This connection to campus is important and is best achieved through a level of campus presence.

(20) The University acknowledges that it is not always appropriate or practical for an Employee to carry out their duties in a Hybrid Working arrangement. Hybrid Working arrangements must consider the duties of the individual and may be refused on Reasonable Business Grounds.

(21) The University recognises there are challenges of working only remotely for some staff, which may include social isolation, poor time management, inability to 'switch off', and communication and coordination challenges.

(22) There is no expectation that staff respond to phone or email communications outside of hours. There may be some circumstances where this may be necessary, for example for staff on emergency or on-call duties, or where the nature of the work and/or the position require that the employee be contactable for example, when travelling overseas for work.

(23) The University recognises the need to ensure University facilities remain as flexible as our workforce and may change assigned workspace arrangements where an employee moves to an approved Hybrid Working arrangement to better accommodate its workforce.

(24) As part of the University's commitment to a flexible workforce, employees have the opportunity to apply to work from home in accordance with this Procedure for a portion of their ordinary hours to be undertaken in a Hybrid Work Arrangement, with 40% of their ordinary full-time equivalent (FTE) fraction as a benchmark.

(25) The University recognises that infrequent and ad hoc flexible arrangements may be agreed between an employee and their Manager at any time, subject to operational requirements.

(26) There may be instances where employees with Hybrid Work Arrangements will be required to attend campus on a day they would normally work from home, or a greater proportion of on-campus work is needed for a period. An employee must not refuse a reasonable direction to attend the workplace for such instances as and when required.

(27) An employee in receipt of a relevant allowance, for example a First Aid Officer allowance, must be available to work on campus.

(28) Working from home arrangements are not an automatic entitlement and may be reasonably refused in accordance with this Procedure.

Applying for a Hybrid Working arrangement

(29) An Employee who wishes to apply for a Hybrid Working arrangement should in the first instance discuss this informally with their Manager. Following this discussion, the Employee should complete and submit a Hybrid Work Agreement as a formal request to their Manager for consideration.

(30) The Hybrid Work Agreement must clearly outline:

a. the duties to be performed;
b. the expected pattern of work to be worked from home (e.g. Every Thursday, every second Tuesday); and
c. confirmation the proposed hybrid working location meets the required Work Health and Safety obligations.

(31) Once approved, the Hybrid Work arrangement remains in place until it expires, noting that approval is for a maximum end period of 12 months following the initial date of approval.

Assessing a Proposed Hybrid Working arrangement

(32) A Manager should not unreasonably refuse a request for a Hybrid Work arrangement where it aligns with the Principles, except in the circumstances where:

a. the proposed Hybrid Working arrangement will negatively impact productivity, having consideration for the nature of the Employee’s duties, the operational requirements of the business unit, the Employees performance and any supervisory responsibilities;
b. the Hybrid Working arrangement will impede working relationships and team building within the business unit;
c. the University and/or Employee will be unable to comply with respective Work Health and Safety responsibilities;
d. the working from home location is unsuitable (which may include that the Employee has unsuitable internet, security and cyber security arrangements for document management, communication arrangements etc);
e. any other factors identified by the Employee; or
f. there are Reasonable Business Grounds for refusal, as defined below.

Determination

(33) Each proposed Hybrid Working arrangement will be considered on a case-by-case basis.

(34) A Manager must assess each proposal on its merits and in accordance with this Procedure.

Accepting a Proposal

(35) The Manager may approve the working from home arrangement by signing the Hybrid Work Agreement if the Manager is satisfied that the proposed Hybrid Working arrangement:

a. aligns to the Principles of the Procedure;
b. supports the outcomes of and considers the business unit and employee; and
c. can be conducted in a safe manner.

Recording the Hybrid Working Arrangement

(36) All approved Hybrid Work Agreements must be recorded and uploaded within the Employees Performance and Development Plan under the About Me tab.

Declining a Proposal

(37) If the Manager is not satisfied that the proposed Hybrid Working arrangement meets the above criteria for Hybrid Working, the Manager may elect to negotiate suitable terms for the proposed Hybrid Working arrangement that may be more suitable for the business area or decline the proposal.

(38) Should the Manager decline the proposal, the Manager must advise the Employee of the reasons. It is recommended that Managers discuss with their People & Culture Business Partner before formally declining the Hybrid Working arrangement.

Review of Decision

(39) If the Employee is not satisfied by the decision of the Manager to decline the proposal, they may seek support from People & Culture by contacting their People & Culture Business Partner or the People Services team.

(40) People & Culture will support a facilitated conversation between the Employee and Manager. If resolution is not achieved, nothing in this Procedure prevents an employee from raising a grievance in accordance with Schedule 5 Grievance Resolution Procedure under the Enterprise Agreement.

Insurance

(41) Employees working from home are covered by the same principles of the Safety, Rehabilitation and Compensation Act 1988 (Cth) that apply to employees working on University Premises.

Incident Reporting

(42) If an Employee has an accident or sustains an injury whilst working from home, they must report the incident to their Manager and submit a Health and Safety Report online here, Report an Incident, as soon as practicable, and within 12 hours.

(43) Employees should be aware that working from home may not be appropriate for rehabilitation and return to work cases following an injury.

Reviewing a Hybrid Working Arrangement and Monitoring Effectiveness

(44) An approved Hybrid Working Arrangement should be monitored and regularly discussed by the Employee and their Manager to ensure it is achieving the outcomes of both the Employee and the University. This will assist in early identification and prompt resolution of any issues that may arise from the arrangement.

(45) A Hybrid Working arrangement must be reviewed if there are changes to the arrangement and in instances of unsatisfactory performance.

(46) If the Hybrid Working arrangement is not functioning as intended and the issues cannot be rectified through monitoring discussions, the Manager or Employee may terminate the Hybrid Working Arrangement by providing the other party with at least two weeks written notice.

Section 5 - Roles and Responsibilities:

(47) The Manager and Employee are encouraged to meet regularly to discuss Hybrid Working arrangements to ensure it continues to meet the needs of both the Employee and University.

(48) The University provides every staff member with a safe working space on University Premises, including ergonomic equipment. Where a Hybrid Working arrangement is in place and the Employee requires specific Work Health and Safety equipment, it is the Employee's responsibility to ensure they provide their own equipment that supports the adjustment and advises the University when completing the Hybrid Work Agreement.

WHO	RESPONSIBILITIES
Manager	• ensuring employees Working from Home are included in onsite activities by other means where appropriate (e.g. Microsoft Teams); • maintaining regular contact; • ensuring employees are not disadvantaged; and • setting and documenting performance expectations via the Performance and Development Plans.
Employee	• perform and participate at the same standards expected as all other Employees working on University Premises; • be contactable at all times during agreed working hours; • cover any costs to ensure their Working from Home location is safe and meets the requirements outlined by the Hybrid Work Agreement; • cover the cost of any equipment such as home office furniture; • ensure that a reliable and functional internet connection is available to conduct their work effectively. The University will not reimburse Employees for these costs; • attend University Premises on a day that an Employee might normally work from home, when requested by their Manager. It is expected that Employees will make themselves available to work on University Premises in such circumstances; • ensure that all hard or soft copy information is stored in a confidential and secure manner; • adhere to all cybersecurity requirements of the University; • use a University managed device to ensure the appropriate level of protection.

Section 6 - Definitions

Terms	Definitions
Ad hoc arrangement	An informal, short-term flexible attendance arrangement, without requiring a formal Hybrid Working arrangement.
Employee	Means all persons who are employed by the University.
Hybrid Working	A blended arrangement whereby an employee works from the University Premises and another location, generally their home address.
Manager	The direct supervisor of the employee.
Reasonable Business Grounds	Consideration that the change would result in a loss of productivity, requires impacts to other employees that cannot be changed to accommodate the request or have a negative impact on service provision. Reasonable business grounds for refusing a request for flexible working arrangements include but are not limited to: • there is no capacity to change the working arrangements of other employees to accommodate the working arrangements requested by the employee; • it would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the working arrangements requested by the employee; • the working arrangements requested by the employee would be likely to result in significant loss of efficiency or productivity; and • the working arrangement would impact the ability of the individual to conduct the duties of their position. The working arrangements requested by the employee would be likely to have a significant negative impact on customer service or student experience.
University Premises	means any of the following: • land owned or occupied by the University, including buildings on that land and including land owned or occupied by a Third Party Provider; • facilities provided or owned by the University or a Third Party Provider; • a University Student Residence; or • land owned, occupied or identified in a Third Party Provider agreement or other agreement including an exchange program, licensing or collaboration agreement or any replacement campus agreed in writing between the University and a Third Party Provider.

Status and Details

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