



Australian Government

Work and Family

The importance of workplace flexibility in promoting balance between work and family

**Prepared by the
Minister for Employment and Workplace Relations
The Hon. Kevin Andrews MP**

September 2006

Note from the Minister

The Australian Government consistently supports and encourages employers and employees to negotiate and implement family friendly policies and practices in their workplaces. It is our strong view that employers and employees should have the ability to negotiate arrangements which work best for them, in their own workplaces.

As a result of the Government's workplace relations reforms, flexible and family friendly working arrangements are no longer only available to a select few, but are increasing in their scope and spread across Australian workplaces. Agreements at the workplace level between employers and employees are already producing excellent results. Around 89 per cent of current federal collective agreements (current as at 30 June 2006) contain at least one family friendly measure, including selected flexible hours provisions, covering 95 per cent of employees covered by agreements.

We do know that there is still scope for improvement. Family friendly working arrangements are not evenly spread across occupations and industries. There are many employees and managers who have been locked into old, rigid and inflexible ways of working, constrained by third party intervention and inflexible industrial awards.

The need for more flexibility in the workplace is the key reason for the Government's workplace relations and welfare changes. We have heard of many examples where the old restrictive ways of working prevent people from agreeing on workplace arrangements that suit their particular needs and circumstances. Employers who want to offer more flexibility to their staff but have unfortunately found it too difficult to do so.

Flexible workplace arrangements also acknowledge that there is a greater preference amongst Australians to balance their work and family life. These policies ensure that these factors are accommodated while helping maintain and develop a productive and engaged workforce.

The Australian Government's WorkChoices legislation will bring about a flexible, simple and fair system of workplace laws and will secure the future prosperity of Australian workers and their families.

A handwritten signature in black ink, appearing to read 'Kevin Andrews', with a long horizontal flourish extending to the right.

KEVIN ANDREWS MP

Work and Family Issues Paper

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1. Introduction

As more and more women and parents take up full, part-time and casual employment opportunities, the Australian Government recognises that flexible family friendly working arrangements are critical in assisting those with caring responsibilities find a balance between their work and family responsibilities.

The labour force participation rate of parents with dependent children increased from 75.3 per cent in June 1996 to 77.7 per cent in June 2005 due, in large part, to the increased participation of lone (single) parents and mothers in couple families. The participation rate for mothers in couple families with dependent children rose from 61.2 per cent to 66.2 per cent over the period.

Not surprisingly, the most common form of labour force participation for mothers in couple families and for lone parents is part-time employment, which enables them to balance their caring responsibilities with participation in the workforce.

The increasing availability of flexible working arrangements has helped many parents with primary caring responsibilities to enter the workforce. For instance, the number of mothers in couple families with dependent children who were in employment, increased by 132 700 (or 13.5 per cent) between June 1996 and June 2005. Similarly, the number of employed lone parents with dependent children also increased over this period, up by 70 800 (or 43.1 per cent)¹.

In addition to the increased participation of parents in the workforce, there have also been other significant changes in the composition of the labour force. There are now a greater proportion of older workers in the workforce, more people balancing work with caring responsibilities (such as those caring for elderly or disabled relatives) and more people generally seeking a greater work-life balance. These changes have resulted in the need for more flexibility in the workplace, which is the driving force behind the Government's workplace relations and Welfare to Work reforms.

2. Workplace Relations Reform

The Government's workplace relations reforms (WorkChoices) came into effect on 27 March 2006. The reforms build on and enhance the protections and flexibilities already provided to Australian workers with family responsibilities.

The recent reforms introduce for the first time at a federal level a legislative safety net to underpin agreement making. The safety net provides employees with a guaranteed set of key minimum conditions, including leave entitlements such as parental leave and personal/carer's leave, annual leave and a guarantee of maximum ordinary hours of work.

¹ This increase was also due, in part, to the significant increase in the overall number of lone parents over this period.

These conditions, together with minimum wage guarantees, form the Australian Fair Pay and Conditions Standard. From this base, employees are encouraged to negotiate with their employers to secure flexible family friendly entitlements that are over and above the Australian Fair Pay and Conditions Standard and that best accommodate their personal circumstances.

3. More flexibility

The Government's workplace relations reforms make it easier for employees and employers to negotiate workplace agreements incorporating family friendly working arrangements. Bargaining at the workplace level is particularly suited to tailoring working arrangements in ways that assist employees to balance work and family responsibilities.

The reforms support family flexible working arrangements by:

- including consideration of family responsibilities in the principal object of the Workplace Relations Act;
- preventing unlawful termination on grounds including family responsibilities;
- preventing discrimination on grounds including family responsibilities;
- ensuring that the Australian Fair Pay Commission, the Australian Industrial Relations Commission and the Office of the Employment Advocate have regard to assisting workers to balance work and family responsibilities and the need to prevent and eliminate discrimination on grounds including family responsibilities in performing their functions;
- ensuring that all awards contain provisions for regular part-time work;
- providing a legislated entitlement to unpaid parental leave (including maternity, paternity and adoption leave) to employees (including employees in non-constitutional corporations) and
- extending coverage of parental leave to eligible casual employees; and providing a minimum entitlement to carer's leave as part of the Australian Fair Pay and Conditions Standard.

4. What are family friendly agreements?

A family friendly agreement is an agreement that includes provisions to assist employees balance their work and family responsibilities. Agreements negotiated at the workplace level can include a range of innovative and flexible working arrangements including (but not limited to):

- flexible working hours;
- job sharing;
- working from home arrangements;
- purchased leave;
- casual or part-time work; and
- parental leave entitlements

These types of employment arrangements allow employees to balance paid work with other responsibilities such as caring for others, study or voluntary work and can help to attract and retain parents, carers, mature age workers and people with disabilities in the workforce.

Many employees have access to flexible, family friendly working arrangements in excess of the Australian Fair Pay and Conditions Standard. The arrangements are contained in federal collective agreements and Australian Workplace Agreements (AWAs). AWAs may also be of particular assistance to employees looking to take advantage of flexible working arrangements by allowing them to individually negotiate workplace terms and conditions that best meet their individual needs.

The number of AWAs lodged with the Office of the Employment Advocate (OEA) since the introduction of WorkChoices (to the end of July 2006) is nearly 64,000 with an increasing number lodged each month. Since 1997 the total number of AWAs approved/lodged (to 27 August 2006) is 982,103.

Around 71 per cent of WorkChoices AWAs (June quarter 2006), analysed by the Department of Employment and Workplace Relations for the next report on agreement making, contain one or more family-friendly or flexible hours provisions. This incidence is about the same as that reported for pre-WorkChoices AWAs in the last report on agreement making, which covered calendar years 2002 and 2003.

AWAs provide for a range of flexible, family friendly provisions. For example of the AWAs analysed above:

- 58.7 per cent contain provisions for paid family leave;
- 40.4 per cent contain provisions for other (paid) leave for caring purposes;
- 11.2 per cent contain provisions for flexible use of annual leave.

AWAs also provide for family friendly provisions such as job sharing, access to single days leave, all purposes paid leave and home based work.

The OEA provides advice and assistance to employers and employees about workplace agreements, including how to make agreements more flexible and family friendly. A guide developed by the OEA that covers all the steps of agreement making is available on a CD-Rom 'Working Together: making better workplace agreements'.

Further information is available at the OEA website - <http://www.oea.gov.au> or contact 1300 366 632.

In 2005, the Australian Bureau of Statistics (ABS) found that the most common working arrangements used by families with a least one parent employed were flexible working hours (41 per cent), permanent part-time work (25 per cent) and work from home arrangements (16 per cent).

Working mothers in particular took advantage of these arrangements with 43.6 per cent using flexible hours, 35 per cent using permanent part-time work and 17 per cent using work from home arrangements (Child Care Survey, June 2005). Women with children

under the age of 12 years had access to variable start and finish times (32 per cent), and an ability to work extra hours in order to take time off (44 per cent)².

Fathers of children under 12 have increased their use of flexible working arrangements from 24 per cent in 1993 to 30 per cent in 2002. The most frequently used arrangements for fathers in 2002 were flexible hours (22 per cent) and working from home (9 per cent). In contrast 70 per cent of working mothers used flexible work arrangements in 2002, the most popular being flexible working hours and part-time work³.

Flexible, family friendly working arrangements have a number of benefits for both employers and employees, including:

- greater attraction and retention of quality staff;
- higher staff morale and productivity;
- lower absenteeism rates; and
- improved corporate image.

Many employers and employees are already taking advantage of agreement-making provisions to negotiate family friendly arrangements. Currently around 89 per cent of federal collective agreements have at least one family friendly or flexible working hours provision (as at June 2006). These agreements covered 95 per cent of all employees covered by federal collective agreements. Under current collective agreements:

- 81.3 per cent of employees have access to part-time employment;
- 71.8 per cent of employees have access to family/carer's leave; and
- 53.1 per cent of women have an entitlement to paid maternity leave.⁴

The number of federal collective agreements lodged with Office of the Employment Advocate (OEA) since the introduction of WorkChoices (to the end of July 2006) is 1135 with an increasing number lodged each month as more employers and employees realise the benefits of agreement making as opposed to the award system.

5. The Australian Fair Pay and Conditions Standard

Minimum conditions

The Australian Fair Pay and Conditions Standard sets out the minimum wages and conditions of employment that apply to employees in the federal workplace relations system.

These minimum conditions of employment are:

- a maximum of 38 ordinary hours of work per week, including reasonable additional hours;
- four weeks of paid annual leave for full-time employees, pro-rata for part-time employees (with an additional week for shift workers);

² Australian Bureau of Statistics, *Working Arrangements Survey*, November 2003, Cat. No 6342.0

³ 'Fathers' work and family balance' in ABS Australian Social Trends 2006, Cat. No. 4102.0

⁴ Department of Employment and Workplace Relations' *Workplace Agreements Database*, 30 June 2006.

- ten days of paid personal/carer's leave (including sick leave and carer's leave), for full-time employees, pro-rata for part-time employees, two days of paid compassionate leave per occasion and an additional two days of unpaid carer's leave per occasion for all employees (including casuals);
- 52 weeks of unpaid parental leave (which may be taken as maternity, paternity and adoption leave); and
- the guarantee of basic rates of pay and the Federal Minimum Wage.

Workplace agreements made after the commencement of the reforms cannot provide conditions that fall below entitlements provided for under the Fair Pay and Conditions Standard. The Fair Pay and Conditions Standard will apply wherever it provides an employee with more favourable conditions than a workplace agreement. Employers and employees may negotiate family friendly working arrangements that are more favourable than the Australian Fair Pay and Conditions Standard through agreement-making.

Award provisions for personal/carer's leave, parental leave or annual leave are preserved and will apply to an employee covered by an award if they provide a more generous amount of leave to the employee than the Australian Fair Pay and Conditions Standard. Current and future employees of employers bound by the award on the commencement of WorkChoices, will continue to have the benefit of more generous provisions.

6. Parental leave

Minimum entitlements

The Australian Fair Pay and Conditions Standard provides for a maximum of 52 weeks of unpaid parental leave, shared between both parents at the time of the birth of a child, or the adoption of a child under five years of age. Parental leave can be taken as maternity, paternity or adoption leave.

The parental leave provisions in the Fair Pay and Conditions Standard are a minimum entitlement. Employers and employees can negotiate more favourable leave provisions in workplace agreements.

Eligibility for parental leave

The parental leave provisions apply to all full-time, part-time and eligible casual employees with at least 12 months continuous service with their current employer. Casual employees are eligible for parental leave if they have been employed with the same employer on a regular and systematic basis for a period or sequence of periods of at least 12 months and they have a reasonable expectation of ongoing employment with the same employer.

The parental leave provisions in the Fair Pay and Conditions Standard have a wider operation than the rest of the Fair Pay and Conditions Standard, applying to all eligible employees of constitutional corporations sole traders, trusts, partnerships and other unincorporated entities.

Maternity leave

Female employees may take up to 52 weeks of unpaid maternity leave during or after their pregnancy. An employee can arrange to take other forms of leave, such as annual leave or long service leave, for the birth of her child. However her entitlement to 52 weeks of unpaid maternity leave will be reduced by the amount of any other form of authorised leave taken by the employee, and any paternity leave taken by her spouse.

Transfer to a safe job

If a pregnant employee provides her employer with a medical certificate stating that she is fit to work but is unable to continue in her present position she is entitled to be transferred to a safe job. A pregnant employee is only eligible to be transferred to a safe job if she is entitled to, and has formally applied for, maternity leave. If transferring the employee to a safe job is not reasonably practicable for the employer, the employee is entitled to paid leave for the period during which she is unable to continue in her present position (as stated in the medical certificate).

Paternity leave

A male employee is entitled to take up to one week of unpaid leave within a week of the birth of his child, and a longer period of continuous unpaid parental leave to be his child's primary care giver. The total amount of unpaid paternity leave that can be taken is 52 weeks, but this amount is reduced by any other leave taken by him or other parental leave taken by his spouse for the birth of the child.

Adoption leave

Parents adopting a child under the age of five years are entitled to take up to 52 weeks of unpaid adoption leave (shared between both parents). This leave is only available when the adopted child has not previously lived continuously with either parent for at least six months and is not a child or step child of either parent. Parents may take up to three weeks unpaid leave simultaneously when an adopted child is placed with them. The entitlement to 52 weeks unpaid adoption leave is reduced by any other type of leave taken for the adoption of the child including paid adoption leave, annual leave or long service leave. An employee seeking to adopt a child may take up to two days of unpaid pre-adoption leave to attend any interviews or examinations required to obtain approval for the adoption, unless the employee can take other authorised leave for such purposes.

Returning to work

When returning to work from parental leave an employee is entitled to return to the position they held before taking leave or to a new position if they have been promoted or have agreed to accept a new position. If the employee's former position no longer exists and the employee is qualified and able to work for their employer in another position, then the employee is entitled to work in another position for their employer. When there is more than one appropriate position, the employee is entitled to the position nearest in status and remuneration to their former position.

Paid parental leave

While the Fair Pay and Conditions Standard does not provide for paid parental leave, this can be negotiated at the workplace level. Since 1995, the number of employees with access to paid parental leave has increased significantly and recent studies show that 41 per cent of women and 31.5 per cent of men are entitled to paid parental leave⁵.

For information on parental leave entitlements under the Fair Pay and Conditions Standard, see the 'WorkChoices and parental leave' fact sheet at <https://www.workchoices.gov.au/ourplan/publications/WorkChoicesandparentalleave.htm>

7. Personal/carer's leave

Minimum entitlements

Under the Australian Fair Pay and Conditions Standard eligible employees are entitled to:

- ten days of paid personal/carer's leave per year (including sick leave and carer's leave) for full-time employees, pro-rata for part-time employees;
- two days of unpaid carer's leave per occasion for all employees (including casuals); and
- two days of paid compassionate leave per occasion.

Paid personal/carer's leave can be taken:

- due to personal illness or injury (sick leave); or
- to provide care or support for a member of the employee's immediate family or household who requires care or support due to personal illness or injury, or an unexpected emergency (carer's leave).

This leave is cumulative and unused entitlements from previous years can be accessed. Up to ten days of paid personal/carer's leave in any given year can be used as carer's leave. An additional two days of unpaid carer's leave is available to all eligible employees (including casual employees) on each occasion that a member of the employee's immediate family or household requires care and support due to illness, injury, or an unexpected emergency. Full-time and part-time employees are only eligible for unpaid carer's leave if they have exhausted their paid personal/carer's leave entitlement.

In addition, all eligible full-time and part-time employees are entitled to two days paid compassionate leave to be taken upon the death of a member of the employee's immediate family or household, or to spend time with a seriously ill, injured or dying person who is a member of the employee's immediate family or household.

The personal/carer's leave provisions in the Australian Fair Pay and Conditions Standard are a minimum entitlement. Employers and employees can negotiate more favourable leave provisions in workplace agreements.

⁵ Australian Bureau of Statistics, *Employee Earnings, Benefits and Trade Union Membership Survey*, August 2005, Cat. No. 6310.0 and Morehead, A, Steele, M, Alexander, M, Stephen, K, Duffin, L, *Changes at Work: The 1995 Australian Workplace Industrial Relations Survey*, Melbourne, Longman, 1997.

Eligibility for personal/carer's leave

All full-time and part-time employees covered by the *Workplace Relations Act* will be entitled to personal/carer's leave. Leave will be calculated on a pro-rata basis to cover part-time employees and those who have not yet worked for 12 months. Casual employees are not entitled to paid personal/carer's leave (but are entitled to unpaid carer's leave).

For information on personal/carer's leave entitlements under the Australian Fair Pay and Conditions Standard, see the 'WorkChoices and personal/carer's leave' fact sheet at: <https://www.workchoices.gov.au/ourplan/publications/WorkChoicesandpersonalcarersleave.htm>

8. Hours of work

The Australian Fair Pay and Conditions Standard

The Australian Fair Pay and Conditions Standard provides that an employer must not request or require an employee to work more than 38 ordinary hours per week plus reasonable additional hours. In determining whether the additional hours are 'reasonable', a range of factors may be taken into account, including the employee's personal circumstances or family responsibilities.

For more information see the 'WorkChoices and ordinary hours' fact sheet at: <https://www.workchoices.gov.au/ourplan/publications/WorkChoicesandordinaryhours.htm>

9. Protection against discrimination

Under the *Workplace Relations Act* it continues to be unlawful for an employer to terminate an employee's employment on discriminatory grounds including:

- sex;
- marital status;
- family responsibilities or pregnancy;
- absence from work during maternity or other parental leave.

Regardless of the size of their employer's business, employees can apply to the Australian Industrial Relations Commission for conciliation if they believe their employment was terminated on unlawful grounds. If conciliation is unsuccessful, the employee can apply to the Federal Court (or the Federal Magistrates Court) for a remedy, including compensation or reinstatement. Under the Unlawful Termination Assistance Scheme, employees may also be eligible to receive up to \$4,000 of independent legal advice, based on the merits of their claim.

The *Workplace Relations Act* also provides that a clause in a workplace agreement which discriminates against an employee or employees on any of the above grounds is prohibited content. This means that such a clause would be void. In addition, an employer could be liable for a penalty for lodging a workplace agreement containing prohibited content.

For more information see the 'WorkChoices and termination of employment' fact sheet <https://www.workchoices.gov.au/ourplan/publications/WorkChoicesandterminationofemployment.htm>.

10. Part-time employment

The Government supports the right of employees to choose the type of work that best suits their needs, whether that be part-time, full-time, or casual work.

The Government's workplace relations reforms encourage the spread of part-time employment by requiring all awards to include provisions for regular part-time employment and removing award restrictions on part-time employment.

Part-time work is especially important for families trying to balance work and family responsibilities and particularly for mothers, who are more likely to undertake the primary caring role in both couple and lone parent families (87 per cent of which have a female head). In June 2005, 60.4 per cent of all employed mothers in couple families with dependent children were in a part-time job, as were 55.3 per cent of all employed lone parents with dependent children.

This is also reflected in the increased take-up of part-time work by mothers in couple families and by lone parents. To illustrate, the proportion of all mothers in couple families with dependent children who are in part-time work, increased from 34.1 per cent in June 1996 to 38.4 per cent in June 2005, while the proportion of lone parents with dependent children in part-time work increased from 20.3 per cent in June 1996 to 27.2 per cent in June 2005. In June 2005, 671 700 mothers in couple families with dependent children and 129 800 lone parents with dependent children were working part-time, up from 583 000 and 77 900 respectively in June 1996.

Part-time employment is also beneficial to other groups, such as students, people with other caring responsibilities (including those caring for elderly or disabled relatives) and older workers looking to phase their retirement. In this context, the increase in part-time employment for both men (up by 319 100 or 60 per cent) and women (up by 559 200 or 36.5 per cent) since March 1996, has enabled them to engage in the labour force while meeting other commitments.

Importantly, the increase in part-time work since March 1996 has not come at the expense of full-time jobs. Over this period, the number of people in full-time employment has increased by 1 040 000 (or 16.6 per cent). This has been fairly evenly split between men (up 585 600 or 14 per cent) and women (up 454 300 or 21.9 per cent).

It is also worth noting, that part-time work is often the preferred type of work for many people. For instance, in May 2006, 75.7 per cent of total part-time workers preferred not to work more hours and only 5.6 per cent were actively seeking and available to start full-time work.

Under the *Workplace Relations Act*, part-time workers will have a pro-rata entitlement to the same pay and conditions in the Australian Fair Pay and Conditions Standard as full-time employees with the exception of parental leave in which part-time employees will be entitled to the full 52 weeks of unpaid parental leave.

11. Support for Australian Families

The Government is committed to improving the workforce participation and employment prospects of all Australians over their lifetime. Workplace relations, social security and taxation policies work in a complementary way to support Australian families.

Many initiatives support Australian families over the life cycle, including those who care for others by facilitating choice for families in their working and caring arrangements.

These initiatives include:

- Maternity Payment;
- Family Tax Benefits;
- Child Care Benefit and Child Care Tax Rebate and funding for a range of child care initiatives; and
- Carer's Allowance and Payment.

Maternity Payment

All mothers of newborns are entitled to a non-means tested Maternity Payment, currently worth \$4,000, to assist them meet their parenting needs. This will increase to \$5,000 in July 2008.

The 2006-07 federal Budget included the following assistance for families:

- \$993.3 million over four years to raise the amount that families can earn to \$40,000 before their Family Tax Benefit Part A payments begin to be affected, benefiting almost half a million families.
- extension of the Large Family Supplement to families with three or more children (previously four or more children), at a cost of \$496.7 million over four years. This will provide additional assistance to nearly 350,000 Australian families with an extra \$248 a year.
- \$60.2 million over four years to remove the cap on Outside School Hours Care Places and Family Day Care places to make these sectors more responsive to demand, assisting women's choices about their work and child care arrangements. It is estimated an additional 25,000 places will be created by this initiative.
- An extra \$9.4 million in 2006-07 for Jobs, Education and Training (JET) Child Care, plus continued top up funding of \$3.7 million per year to 2009-10 to assist parents on income support with child care costs while they develop skills needed in the workforce.

12. The Workplace Flexibility Industry Projects

The Australian Government is encouraging employers in key industries to adopt flexible working arrangements through the Workplace Flexibility Industry Projects. The projects complement the Government's welfare reform policies by increasing the opportunities for parents, mature age workers, people with disabilities and the long term unemployed to gain employment that suits their needs and allows them to balance paid work with priorities such as caring responsibilities.

The industry projects are designed to increase employer awareness of the benefits of flexible working arrangements to encourage their spread and take up across different industries. The industry projects in 2005/06 are focussed on the restaurant and catering industry and the retail industry. The 2006/07 projects will be confirmed shortly.

Each project will involve working with a particular industry group to identify relevant and useful flexible working arrangements for that industry.

Retail Industry Project

The retail sector is Australia's largest employer. The retail industry project built on work undertaken in 2001 by the Department of Employment and Workplace Relations, the Equal Opportunity for Women in the Workplace Agency (EOWA) and the Australian Retail Association (ARA) which resulted in the *Balancing the Till* publication.

The case studies below are highlighted on the new *Flexibility Works* website, which was launched on the 19 May 2006. The website was developed as part of the Australian Government's Welfare to Work reforms and is a vital resource for retailers, assisting them with the development of strategies to implement and manage flexible working arrangements.

Case studies of the retail industry have provided practical examples of how to introduce and manage flexible working practices in their businesses.

Retail Industry Project - Case Studies

Part-time store manager

Every business owner knows the value to their business of highly skilled and motivated staff. One highly-skilled manager returning from parental leave found that her needs were satisfied when the business owner offered her part-time work (25 hours per week) and because she was retained, the business has benefited from her skill and knowledge. This is a particularly interesting case study because the manager working part-time has two assistant managers both of whom work full-time. There is no problem with the manager working with the assistant managers under this arrangement.

Everyone is happy: the manager because she has retained her position; the assistant managers because they remain full-time and continue to learn from working with such an experienced manager; and the business prospers from the skills of the manager and the growing experience and confidence of the assistant managers. There is little doubt about the success of this arrangement as it has been in operation for five years.

Retail Industry Project - Case Studies

Flexibility in rosters

In one retail chain of stores, the rostering system is not set in concrete, but has built-in flexibility. The managers completing the rosters do so knowing that staff can make changes to the roster to suit their needs. Of course, changes cannot be made without consultation and there is a set of flexible arrangements that the managers and staff must adhere to. The main proviso for the stores is that whatever the flexible roster arrangements might be, the store must maintain or improve its performance.

In some stores, employees have the flexibility to swap rosters or even to swap between stores located near to each other. In another store, rosters are adapted to the particular needs of employees such as caring responsibilities, university study and participation in sport.

The employee feels a greater sense of control over their working time and collegiality with their co-workers. At the same time, business rostering needs are covered, and absenteeism and managerial administration time are reduced.

Co-managers

Sometimes flexibility is about changing our mindsets and considering new ways of approaching a staffing problem. For instance, one store faced with the pleasant problem of choosing between two equally qualified and skilled staff members for the store manager position, decided to solve the problem by allowing the two people to share the position. The two people determined the allocation of tasks and responsibilities between them and jointly report to the area manager.

Without this flexible approach, the store would have most likely lost a valuable staff member who may well have gone off to work for a competitor. The advantages of the shared manager situation for the store is that it has resulted in:

- increased coverage of managerial duties;
- increased store performance due to the improved efficiency and effectiveness of store management;
- higher employee motivation as there is more than one manager who can respond to their needs;
- less reliance on the area manager as the two managers have the other manager to use as a sounding-board; and
- increased problem-solving capacity.

Retail Industry Project - Case Studies

Area manager working from home on a regular basis

One flexible working arrangement that is growing in popularity is being able to work from home for part or all working hours.

One retail business offered an employee returning from parental leave the option of working from home on a regular basis. The employee was glad to accept this flexible working arrangement because it meant that she could achieve the optimum work-life balance. This arrangement also sent a positive signal to other staff about the value the employer places on experienced and skilled staff.

The business owner is pleased with the arrangement because a valued employee, in whom they had invested time and money and who was good for business, was retained. The alternative was to lose the staff member which would result in the time-consuming and costly exercise of recruiting and training someone else, not to mention the drop in efficiency and turn-over while the new staff member was getting up to speed. Another benefit to the employer was the increase in efficiency arising from working at home where the usual interruptions experienced in any office situation are all but eliminated.

The arrangement has been highly successful for both parties and store performances are currently meeting business expectations.

In addition to case studies, the *Flexibility Works* website includes information on:

- the benefits of flexible working for the retail sector;
- responses to frequently asked questions by retailers around starting up, implementing flexibility and ongoing management;
- a guide for negotiating with employees over flexible arrangements;
- setting up a company policy for flexible working and managing any internal challenges; and
- evaluating flexible arrangements.

Retailer business owners, managers and HR practitioners can log onto the new website at www.flexibilityworks.dewr.gov.au for helpful information and guidelines to improve flexibility at the workplace level.

Restaurant and Catering Industry Project

The Restaurant and Catering Industry Project will showcase family friendly and flexible working practices in the industry. With the assistance of the industry peak body, Restaurant and Catering Australia, the project will provide case studies to highlight the practices of between 10 and 15 industry employers.

The project involves site visits to employers to identify the benefits of flexible working arrangements, including interviews with both employers and employees.

The resulting publication will be disseminated by the Department of Employment and Workplace Relations to employers in the restaurant and catering industry to further encourage flexible working arrangements. The publication is due to be launched in September 2006.

13. National Work and Family Awards

The National Work and Family Awards focus exclusively on recognising work and family achievements, providing important public recognition to businesses that lead the field in the area of promoting greater balance between work and family. The Awards highlight outstanding leadership and innovation from business in the promotion of a better balance between work and family.

The Awards are an important element in an overall strategy, supported by both government and business, to increase the flexibility of organisations and make our workplaces more family friendly. Many of the Awards entrants have used collective and individual agreements between employers and employees as a means of introducing policies and practices which directly benefit employees and contribute to business success.

Winners are judged on their flexible work practices, including how they are incorporated into daily business operations, whether they are effectively communicated to staff and how they assist in the achievement of positive business and employee outcomes. The finalists from the 2005 ACCI and BCA National Work and Family Awards demonstrated how best practice family friendly arrangements can be facilitated in the workplace.

The National Work and Family Awards will be held in July 2007. The Awards were launched by the Minister for Employment and Workplace Relations on Friday 8 September 2006.

Applications from private, public and community sector organisations in metropolitan and regional centres are welcome. Applicants are judged on their ability to:

- Identify and meet employee needs with work-life initiatives;
- Effectively communicate to staff work-life initiatives;
- Integrate work-life policies with the overall approach to business;
- Demonstrate positive outcomes for business and employees from work-life initiatives;
- Demonstrate a level of commitment to work-life balance now and into the future.

Information about the 2007 ACCI/BCA National Work & Family Awards, including application forms, can be accessed at www.workplace.gov.au/WorkFamily.

2005 Work and Family Award Winners

Some of the best practice case studies of family friendly work arrangements, tailored by employers and employees for work and family, are listed below.

Austral Tree & Stump Services

Winner –Small Business

The winner of the 2005 Work and Family Awards' small business category, Austral Tree & Stump Services, utilises Australian workplace agreements to provide flexible working arrangements to employees.

Family friendly initiatives include:

Flexible start and finish times

Flexible working days

Time off in lieu of overtime

Single days annual leave

Paid time off during school holidays for employees with children

Priority to applications for annual leave by staff wanting time off during school holidays

Employees can nominate how many hours per week they work

'This company of 23, a business of arborists, tree fellers and branch loppers does not usually conjure up the image of sensitivity to work and family – but that is what makes Austral an outstanding small business and the winner of the 2005 small business awards' - Work and Family Awards Judge's comments.

'The flexibility offered to me by my employer meant that I could work and take care of my children during my separation, which went a long way to restoring my marriage'
employee quote

Grampians Community Health Centre Winner – Regional and Rural Award

Established in 1985, Grampians Community Health Centre provides access to quality coordinated support services, including a range of community based health and welfare services and programs and treatment options. The workforce consists of 95 women and 24 men.

Family friendly initiatives include:

Staff wellbeing day	Staff Buddy/Board Buddy
Flexible work hours and job location	Leave without pay
Work from home	Time off in lieu
Purchased leave options for eligible employees	Family Support
Carer's leave and compassionate leave	Child friendly workplace

'The professional face a number of challenges, such as being in a rural community, limited funding and retention of staff. There is a strong sense of 'family first'- Work and Family Awards Judge's comments.

SC Johnson

Winner - Gold Award - Private Sector (Medium Business)

Established in 1917, SC Johnson (Australia) is one of 70 international operations run by the family owned company SC Johnson. The company manufactures household products.

Family friendly initiatives include:

Flexible working hours policy	Vacation care
Paid parental and adoption leave	Preferred meeting times 9am to 4pm
Additional carers leave	Telecommuting with laptop computer
One day paid 'employee volunteering'	Part-time employment
Shorter Friday/compressed work week	Up to 6 months unpaid 'sabbatical leave'

'SC Johnson is a very positive example of the benefits that are derived in **productivity gains, staff satisfaction and workforce stability** when a company embraces work-life balance.' - Work and Family Awards Judge's comments.

University of South Australia
Winner – Gold Award – Public Sector

The University of South Australia (UniSA) was founded in 1991 and has three core business activities including teaching and learning, research, and community service. The University operates in 9 locations and employs 2,226 staff with an average age of 45.

Family friendly initiatives include:

22 weeks paid maternity leave (44 weeks at half pay)	10 days partner leave at time of birth Job Sharing Flexi-time (in a variety of forms)
‘Phased-in’ return to work	
Increased span of normal working hours	
Breastfeeding room with reasonable breaks provided	
6 hours per week or 10 days per calendar year paid study leave for general staff	

‘There is no question that this institution is an employer of choice in work and family, and has set itself on the path of using its pro work and family culture as a commercial and competitive advantage.’ Work and Family Awards Judge’s comments.

Work and Family Awards – High Commendation – Rising Star Award

Shell Companies in Australia
Finalist – Large Business Award

Shell Australia is part of the Shell global organisation that comprises energy and petrochemicals companies across more than 140 countries and territories. Shell Australia has been supplying quality fuels and lubricants in Australia for more than 100 years. The company employs 531 women and 1490 men and operates in 24 locations in Australia.

Family friendly initiatives include:

- 6 weeks paid maternity leave (can be combined with paid parental leave allowing for 12 weeks leave)
- 6 weeks paid parental leave for primary care giver
- Child care co-managed with three other organisations (Melbourne)
- Salary sacrifice of child care payments available
- Part-time work and job-share
- Flexible work hours and place of work
- Up to 4 weeks unpaid leave during school holidays for parents with no other leave
- Management workshops on parental leave and related issues
- Workplace flexibility awareness programs
- Breastfeeding room
- 52 weeks unpaid leave for family reasons (can be accessed after parental or maternity leave)

14. Further information

For more information on the Government's workplace relations reforms visit the WorkChoices website **www.workchoices.gov.au** and download the relevant fact sheets or call the WorkChoices Infoline on **1300 363 264**.

The Office of the Employment Advocate (OEA) can provide free support and information to both employers and employees on agreement making. Visit the OEA website at www.oea.gov.au.

The Department of Employment and Workplace Relations (DEWR) provides a website containing information on work and family issues including a number of fact sheets. Visit the Work and Family website at www.workplace.gov.au/WorkFamily.

Information about the 2007 ACCI/BCA National Work & Family Awards, including application forms, can be accessed at www.workplace.gov.au/WorkFamily.

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