Employment Rights Legal Service

Call: 02 8004 3270
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FLEXIBLE WORK

WHAT CAN I ASK FOR?

In Australia, an employee can request a **flexible working arrangement** if you have worked for your employer for at least 12 months and you:

- are a parent (or you have responsibility for the care) of a child of school-age or younger
- are a carer
- have a disability
- are aged 55 years or older; or
- are experiencing (or supporting a family or household member who is experiencing) violence from a family member.

The most common requests are about changes to hours of work (eg asking to start work earlier in the day, or finish work later in the day, to fit in personal responsibilities), changes to where you work (eg asking to work from home for a few days per week), or changes to your pattern of work (eg job-sharing or splitting your shifts).

HOW CAN I ASK FOR FLEXIBLE WORK?

You need to ask your employer by giving them a written request. You need to include the details of what you are asking for, and the reasons why you are asking for it. Your employer needs to reply, in writing, within 21 days. They are allowed to say no if they have good reasons, known as "reasonable business grounds". If your employer refuses your request, they need to explain their reasons why. These may include:

- It would cost your employer too much money to agree to your request
- They can't change your co-workers' working arrangements, or hire new employees, to accommodate your request
- It would result in a significant loss of efficiency or productivity
- It would significantly and negatively affect customer service.

It is possible that your employer might agree to part of your request. You and your employer should try to work together to figure out an arrangement that suits you both.

The information provided in this factsheet is for information only. It must not be relied on as legal advice. You should seek legal advice about your own situation.

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