

Q No	Questions	Answers
1	Does the new Flexible Working Hours Agreement mean my manager can direct me to work 10 hours per day?	Some people will work their normal pattern of work as three 10-hour days, and one five-hour day. For them, anything above that where it is directed work, will be paid as overtime, on any of those days. For other people who work a normal seven-hour day, five days a week, on any day where additional hours are directed, it will be overtime. This is because your normal pattern of work continues. For example, if you're directed to do an additional two hours of work on Tuesday, then this will push your normal weekly hours from 35 to 37, as you continue to perform your normal work of seven hours a day across five days. The key thing to remember is additional hours above your normal pattern of work.
2	I am a Technical Assistant. Previously I could work my hours over four days and receive a day off on Friday; will this continue? Also any time I worked after 6:00pm would be converted into daylight equivalent hours by multiplying the actual time by 1.5; will this continue?	Yes! The hours of work was drafted to allow people who are working four-day weeks, to still work four-day weeks. This is in agreement with your manager and as per class schedules which currently impacts on shifts. You are only required to work 35 hours per week, which can be flexible arranged across the week. The accumulation of hours at time and a half after 6:00pm is not in the new agreement, however you do receive shift penalties of 15 percent for any shift finishing after 6:30pm
	I am a Clerk ½ in hospitality and my supervisor demands a daily request to vary from effectively being on standard hours. The apparent reason for me being potentially placed on standard hours is in order for the phone to be staffed and calls to be answered. Custom and practice in the section has been for the three clerks to self-organise in order for TAFE's operational requirements to be met.	It would be reasonable in that situation for the manager to allow the longstanding practise of the three clerks to self-organise. The manager would need to explain why the above could not continue, as the agreement certainly allows it. The setting of a standard 9:00am-5:00pm working day goes against the fundamental purposes of a Flexible Working Hours Scheme. The Flex Agreement states it "is intended to provide greater flexibility in dealing with customer service, workloads, work deadlines and business needs and the balance between work and family life". Not allowing staff to alter their starting or finishing times takes the flexibility away from the employee and effectively stops them from participating in a flexible working hours agreement. Whilst participation in the Flexible Working Hours Scheme is subject to operational requirements, TAFE is not allowed to keep staff working under the Flexible Working Hours Scheme but limit their conditions to standard working hours of 9:00am-5:00pm. The movement of staff to Standard Working Hours would require overtime for any hours directed to be worked over seven hours per day and a set one-hour lunch break for all employees
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4	What is the settlement period?	The settlement period is 12 weeks. Staff are entitled to six flex days in any 12-week settlement period.
5	What is Accrued Work Time (AWT)?	At the conclusion of a settlement period, an employee may carry forward a time credit of up to 21 hours. This is in addition to using the six flex days
	How many flex days can I take in the settlement period?	It is important to remember that employees can only take six days per settlement period. If they have carried over 21 hours (three days) in the previous settlement, they can still only take six days in the next period (plus carry over an extra three). Any staff member regularly working the hours to take six flex days and accumulate more than three days each and every period has a manger who is not managing workload effectively, thus the inclusion of "Managers should review the hours of work at the end of each four-week period during the 12-week settlement period and take appropriate action to rectify any excess or shortfall.
6	What is the bandwidth?	The bandwidth of hours is 6:00am-9:00pm, Monday to Friday. Employees may work and record and accrue credit for any time worked within this period.
7	What are contract hours?	Subject to operational and customer service requirements, and management approval, the number of hours worked as well as starting and finishing times can be varied within the bandwidth up to a maximum of 10 working hours per day.

8	Can I take my flexi time in 1/2 days or do I have to take full days?	Previously staff could only take flex time in half or full days. The current proposal allows staff to take flex time in hour-long increments.
9	How long is my lunch break?	Previously staff had the ability to take a maximum of three hours' lunch break. Whilst the maximum in the proposed Agreement is 90 minutes, staff now have the ability to take flex time in hour-long increments, which means you can extend your lunch break for longer than 90 minutes if you require to.
10	What are the core worktimes for my Institute?	There is no core time in this Flex Agreement. There will, however, be Operational Business Hours, which will state the usual business hours for a particular unit or Institute. The Operational Business Hours will be determined by the institute or central support unit, at section or unit level. The Operational Business Hours should not be 6:00am-9:00pm for every single section or unit. If this was the intention, there would be no reason to include "Operational Business Hours" in the Flex Agreement. Variations to the Operational Business Hours can only occur after reasonable notice and consultation with affected staff.
11	Can I bank a flex day if I couldn't take it in the period?	This flex agreement does not allow for the "banking" of any flex days not taken in the settlement period. This is in line with the directive to all public service agencies to remove banked days from flex agreements. It does allow for you to carry over 21 hours, which means you can take up to 3 flex days in the next settlement period without working the extra hours in that settlement period, or keep the 21 hours to use in a vacation period. Originally TAFE's proposal did not include any provision of carry over hours. Under previous arrangements, staff were regularly banking the maximum, losing hours worked over the 10 allowed to carry over, and not having the time off. This contributes a great deal to unacceptable workloads and burn out throughout the year. The new provisions put the onus on management to ensure that extra time worked during a settlement period is taken during that settlement period, and take appropriate action to rectify any excess. Support staff are employed to work a 35-hour week. The Flexible Working Hour Scheme was designed to enable managers and staff to handle peaks and troughs in the normal work flow. Managers who enable their staff to not take their flex days during a settlement period, regularly bank six days, and carry over 10 or more accrued hours are contributing to an obvious workload problem. Members are strongly encouraged to take their flex days as they fall due, and the onus is on managers to ensure this. TAFE has also agreed that staff may not lose the extra hours worked. If at the termination of employment you have hours accruing, TAFE has the option to extend your end date so that the hours accrued can be used as flex
12	How many flex days can I have in a period?	You can take six flex days and carry over 21 hours into the next period.
13	Do Permanent Part Year Employees have access to flex time?	Yes, the CPSU (PSA) strongly advocated on behalf of members for the inclusion of Permanent Part Employees in the FWHA agreement. As a result you are now included.
14	Can we go into negative hours during a period and make up in the next period?	There is no provision for staff to carry over a debit from one settlement period to another. Whilst there is no debit provision, there is also no provision for TAFE to debit a staff members leave for being in debit as was in the previous flex agreement. The onus is on management to ensure that they have reviewed the hours of work and taken appropriate action to rectify any excess or shortfall.
15	Can Admin staff be rostered on in staggered hours? Can one group be rostered to start at 8.00, the next 9.00 and the next 10.00?	TAFE may note that there is an operational requirement to have the counter staffed during an enrolment period across those hours. It will depend on what the operational business hours are at the time. If staff in the area normally work 9:00am-5:00pm then there will be need to be reasonable notice and consultation with affected staff because of the change to accommodate the enrolment period. In terms of actual rostering staff to cover the counter for a specified period, there will still need to be consideration given to personal circumstances.
16	Is it possible to be rostered for a flexi? For example, can management tell me when I have to take it as opposed to mutually agreeing when to take it?	Management cannot direct you to take a flexi on a certain day, although they may discuss with you a mutually agreeable action to rectify excess time. Also note that you are able to take flexi time in one day, half a day or in hours.
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18	I am a shift worker, when can I get access to overtime?	If you are a shift worker you are entitled to overtime for all time worked in excess of weekly hours and/or in excess of the ordinary daily hours on an ordinary shift
19	Can TAFE put me on standard hours?	The FWHA, notes that nothing in the agreement shall prevent TAFE from requiring an employee to work standard hours if they do not follow the terms in the agreement or if there is an operational need. The clarification around this is that if there is an operational requirement there would be consultation and agreement with employees based on their needs and a process to determine if the agreement is not being followed.