

NSW Department of Education update: Your flexible working entitlements

Working from home during COVID-19

It has been more than six months since COVID-19 made working from home the norm. NSW Department of Education staff were quick to adapt to remote working and have demonstrated how successfully they can transition to working flexibly, whilst delivering high-quality work.

Since the NSW Department of Health recommended that all workplaces across the state should enable flexible working practices, we've seen a shift in mindset about ways of working. The Department of Education during this time has reviewed and launched its new *Flexible Working (Arrangements) Policy and Procedures*, after consultation with the PSA.

The Flexible Working Arrangements Policy

The new policy is now available on your intranet and webinars will be provided to staff to ensure their understanding of the new procedures for negotiating a flexible working arrangement. The PSA encourages all staff to read the new policy and become well informed about how to access a flexible working arrangement.

During consultation, the PSA provided feedback to the department on the policy's team-based and 'If not, why not?' approach, noting that implementation depends on managers, teams and individuals having constructive conversations about the work teams deliver, exploring options for working flexibility and coming to reasonable agreements.

The Flexible Working Hours Agreement

To clear up any confusion about your ability to accrue flex leave and access flexible start and finish times (recorded on your flex sheet), the department's *Flexible Working Agreement* (reviewed in November 2019) remains unchanged.

We are informed that some managers are incorrectly refusing to allow staff to work more than seven hours a day from home and refusing to approve accrual of flex leave. The PSA has addressed this with the department and confirmed that this should not be happening. The new *Flexible Working Policy* does not override or negate the *Flexible Working Agreement*, which gives you access to flex leave on a fortnightly/monthly basis. During the remote-working period we recommend that you prioritise regular and open communication with your manager, to ensure workload management and maintain your work health, safety and wellbeing.

Your rights and entitlements regarding flex time

To be clear, there is no rule precluding employees from accessing flex leave when working remotely, during the COVID-19 pandemic. Your manager should be well aware of the work you are doing and your



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timesheet submitted for approval, should reflect that. You are entitled to record your start and finish times/hours of work on your flex sheet and submit applications for flex leave, as per normal. The PSA recommends members re-read the *Flexible Working Agreement* to ensure they are guided by the requirements.

NSW Department of Education employees are allowed to accrue flex time for both business reasons (workload) and/or work-life balance reasons (the employees' own reasons) whether they are working from the office or an alternative location.

The new *Flexible Working Arrangements Policy* should not obstruct or remove staff access to the benefits of flex time. Whilst a manager has the capacity to review and discuss an employee's workload and hours, the conversation needs to be reasonable and there should not be a blanket rule stopping staff from accessing this entitlement. If you are being advised you are not allowed to accrue flex time, please contact the PSA for assistance.

How to contact the PSA

You can stay connected with the PSA through your local workplace delegates and your Organisers.

You can also raise individual and collective issues with the PSA by contacting our Member Support Centre on membersupport@psa.asn.au or calling 1300 772 679.

Your PSA Organisers

If you would like to arrange for a teleconference or Zoom meeting with your PSA Organisers, please contact us directly via email.

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