

## Working From Home

The working from home clause is intended to support consistency across the public sector in consideration and management of ongoing, regular working from home arrangements and does not apply to occasional, ad-hoc incidences of remote working.

Agency policies and procedures that apply to public servants and government officers must be consistent with the provisions of the working from home clause.

It is acknowledged that some roles will not be able to accommodate working from home arrangements.

### Requests

The Agreement provides that all employees can request a working from home arrangement if it will support balancing work obligations with their personal circumstances. Requests need to be made in writing and detail the proposed arrangement.

Requests likely to negatively impact the agency should be refused on 'reasonable business grounds'. Examples of the 'reasonable business grounds' to be considered include, but are not limited to:

- the cost to the employer (cost impact)
- workload and working arrangements of other members of the team or work group (people impact)
- the delivery and performance of services or functions (service impact)

Although not required under the Agreement, managers can formally respond to working from home requests.

### Implementation

Assessment of working from home requests must consider statutory obligations such as under the *Equal Opportunity Act 1984* and duty of care responsibilities under the *Work Health and Safety Act 2020*. Arrangements must be consistent with the other provisions of the Public Sector CSA Agreement.

Clause 51.8 requires employers to undertake a risk assessment of the work activities carried out by employees, including who and what can be affected by, and the possible effects of, work being done at home.

Clause 51.9 requires discussion and planning before working from home arrangements can commence. Examples of matters that should be considered before implementing a working from home arrangement include the following:

Details of the arrangement	<ul style="list-style-type: none"><li>▫ Where will work be undertaken?</li><li>▫ What days/hours will be worked at home (noting that prescribed hours apply to remote working arrangements)?</li></ul>
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	<ul style="list-style-type: none"> <li>▫ What will be the duration of the arrangement?</li> <li>▫ How can the arrangement adjust around variations to work commitments or the changing needs of the work group (flexibility)?</li> <li>▫ How will communications be managed?</li> <li>▫ How will issues be raised?</li> <li>▫ How and when will the arrangement be reviewed?</li> <li>▫ Will any reasonable accommodations be needed?</li> </ul>
Governance	<ul style="list-style-type: none"> <li>▫ Will there be any potential conflicts of interest and how will these be managed?</li> <li>▫ What equipment and tools will be required?</li> <li>▫ Will there be any insurance implications for the employee?</li> <li>▫ Will there be any related overhead cost implications for the employee?</li> <li>▫ What arrangements will be required to ensure information security and access to systems?</li> <li>▫ What will be the expectations around requests for leave?</li> <li>▫ What arrangements will be in place for when children in the employee's care are also at home?</li> <li>▫ What impact will the arrangement have on agreed work plans?</li> <li>▫ How will performance be assessed under remote working?</li> </ul>

Approved working from home arrangements should be formally detailed in writing, including commencement and expiry/review dates.

## Review

Approved working from home arrangements can be reviewed at any time by either the employee or employer. Arrangements can be modified by agreement, or terminated by giving 3 weeks' notice.

Where the employer terminates the arrangement, it needs to be demonstrated that the working from home arrangement (1) is having an ongoing adverse impact on the employee's performance; or (2) can no longer be accommodated on reasonable business grounds.