



New Zealand
**DEFENCE
FORCE**
Te Ope Kātua O Aotearoa

**Defence Human
Resources**

FLEXIBLE WORKING IN THE NZDF


Explore the possibilities

Version 1.0 | March 2019

Directorate of Diversity & Inclusion

Contact: diversityandinclusion@nzdf.mil.nz

**A FORCE FOR
NEW ZEALAND**



This guide is for managers wanting to prepare for, and manage flexible working, and for all members of the NZDF wanting to apply for flexible working. You'll find practical information that helps both managers and members to navigate the process and guidance on how to set up for success.

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He aha te mea nui o te ao?
What is the most important
thing in the world?

**He tāngata, he tāngata,
he tāngata!**
It is the people, it is the
people, it is the people!

Foreword

Flexible working in the NZDF

To enable us to continue to succeed on operations and ensure the security of New Zealand in a fast-changing world, we need to do things differently. There is a new imperative to manage and develop military and specialist civilian workforce capability as a long term investment asset, rather than as a short term cost. We must work even harder to attract, retain and develop our workforce to ensure it becomes the workforce we need in the future.

The changing nature of work combined with the expectations of the workforce are acting as drivers for us to adapt our approaches to working. Individuals are continually seeking ways to better manage their work and personal commitments. More flexibility in how, where and when we work allows us to build our long-term capability and optimise the way we work. As such, one

of the key focuses of People25 is enhanced flexibility in working conditions to meet the needs of a diverse and distributed workforce.

Flexibility is one aspect of modern working in which NZDF will be supporting our people, along with the necessary tools in technology and changes to our physical environments. This guide provides further information about what flexibility means for you and your work.

Workplace flexibility helps both the NZDF and its people to succeed: the question should not be ‘why’ but ‘how can we make this work’?



Why have flexible working?

The challenge

Organisations, and how they operate, are changing and we need increasingly agile and adaptable people to respond to the changing work environment. Attracting and retaining diverse talent in an increasingly competitive labour market remains one of our biggest challenges – we are competing with a whole range of different organisations for top talent, particularly for STEM (Science, Technology, Engineering and Mathematics) roles.

As international and domestic labour markets become increasingly competitive, a key issue for the NZDF will also be retaining the people that we need to deliver on outcomes. Individuals are increasingly seeking workplace flexibility, and will more likely stay in an organisation that enables them to have that.

Ensuring that our people are well, included, respected and enabled as they face the challenges of operating in a more uncertain, changing environment is critical. Success in one aspect of an individual's life contributes to success in the other, so the personal and work domains need to be seen as being complementary, as opposed to focusing on the competing priorities of work and personal lives.

There are some challenges, but we need to really look at how we can make all or some elements of flexible working arrangements work for us rather than finding reasons why it will not work.

If we have a 'can do' attitude, and align this with our problem-solving skills, we can be a leading military organisation.

The benefits

One of the most effective ways to compete for the right talent is to establish and promote an attractive workplace environment; an organisation with a reputation for providing opportunities, one that has the flexibility to accommodate everyone and their aspirations. A growing body of evidence shows that workplace flexibility fosters higher productivity and greater engagement of employees, making it increasingly popular with both employees and employers alike.

For members of the NZDF

Workplace flexibility enables our members to work at their best throughout their careers by allowing them to tailor their hours, location or breaks to suit their needs, alongside their other responsibilities and interests. Flexible working can smooth transitions around study, parenting, hobbies, caring responsibilities and other life events. People are becoming increasingly aware of the need to prioritise their wellbeing by managing periods of stress and peak performance

demands during careers that are lengthening in busy work environments. Flexible working can offer a sustainable pathway to achieve this.

For the NZDF

Organisations promoting flexible options have a competitive advantage when it comes to attracting and retaining talent. Job seekers and current members alike value work-life balance and prioritise organisations which provide options for flexible working and a supportive culture over organisations that don't. Engagement is typically higher for workers who are supported to have good work-life integration.

Research shows that the main benefits of workplace flexibility include increased:

- *employee productivity and engagement;*
- *talent attraction and retention;*
- *and diversity.*

Increased employee productivity and engagement

– we know that people are happier, healthier and more productive and engaged when they feel like their work-life does not conflict with their personal life. When they have flexibility to meet their personal commitments, and feel their commander/manager cares about their wellbeing and supports their agreed working arrangements, we know they're going to be more effective and resilient team members. The reverse is also true.

Organisations that practice flexible working well also have a shift in focus to outcomes and performance rather than where, how and when people are working. This means that the manager and the individuals in the unit tend to have greater clarity of each person's expected contribution to the outputs lifting performance of the individual and the unit.

Increased talent attraction and retention

– flexibility is an increasingly important factor we can use to attract and recruit both uniformed and civil staff in a highly competitive labour market.

Research has shown that a significant percentage of the workforce are interested in working flexibly.

Work-life boundaries have become increasingly permeable and most people have expectations that work will blend with other parts of their life – rather than dominating it. Technological innovation means that the possibilities for how we do work are changing exponentially and there is an expectation that we leverage that technology to allow people to work more flexibly.

Increased diversity

– flexibility is a key enabler in increasing diversity in the NZDF. Flexible working is not a gender issue, flexibility is useful for those nearing retirement, individuals with disabilities, those undertaking personal development and study, those with caring responsibilities and many others.

Better diversity in the workplace creates organisational benefits because a workplace that recognises, values and harnesses diversity has higher employee engagement, more innovation, better decision-making and increased output performance and productivity.

What is flexible working?

The term flexible working covers a range of different working practices/arrangements that can differ significantly in the degree of flexibility they allow. What is similar is these approaches to work are designed to support the goal of 'work-life' integration.

The term 'working arrangement' has a statutory definition under section 69AAA of the Employment Relations Act 2000. Flexible working arrangement is a broad term referring to changes in an employee's terms and conditions of employment relating to their working arrangements. Working arrangements refer to:

- hours of work
- days of work, and/or
- place of work.

Similarly, the NZDF defines a flexible working arrangement as any arrangement agreed that varies working conditions to meet the needs of members whilst still ensuring the work requirements can be met.

There are many options for flexible work, which can include flexi time, working from home or other locations, condensed hours, job-splitting, job-sharing, part-time work, reduced hours, working outside of core hours, or a combination of these. Flexible working arrangements in the NZDF are for a specified duration and are subject to review.

A complete overview of the array of flexible working options available is in the Annex C, but currently the most commonly used flexible working arrangements in the NZDF are:

- *Varied working hours – a flexible arrangement which allows members of the NZDF to work their standard hours (e.g. full-time hours) but with a varied start/finish time or on different days (e.g. compressed work week).*
- *Varied working location – an arrangement that allows members of the NZDF to work away from the office; at home or another location.*
- *Reduced hours – a flexible working arrangement that allows a reduction in the number of hours a member of the NZDF would normally be expected to work in their role.*

I How do we go about it?

Preliminary Scoping

- What are your business or work imperatives? Do people need to be on the ground or accessible at particular times or during specific activities?
- Find out the current views, experiences and concerns in your team/unit.
- Identify individuals' needs and the extent of match with the workplace needs, and how any gaps could be addressed.
- Honestly review the team or unit culture. How is trust tracking right now? Think about the working styles and personality types in the team.
- Be open about what you find. Even if the current picture isn't great, you have to start somewhere and you will make progress.

Analysis of the operating environment

- Understand the current NZDF policy (DFO 3, Part 12, DO 3, Part 12, Chapter 1) and the relevant legal requirements (such as the Employment Relations Act 2000), if applicable.
- Start proactive conversations with the members of your team or unit. Explore pros and cons openly and focus on the conditions that will make flexibility work. Focus on solutions – what can be done to mitigate concerns?
- Make sure you understand the eligibility criteria and reasonable grounds for refusal. Make sure you consider all options before accepting or declining an application.
- Identify any barriers to flexible work – are these perceived or real barriers (e.g. IT, lack of devices for all employees, current work/unit routines)?

- Be open to the ideas of others. Individuals will know their own needs better than you, so don't assume – give them permission to lead the conversation. They will also usually have a good idea of how they can meet their work commitments whilst working flexibly.

Develop a detailed plan

- Make sure the plan is clear and understood. 'War-game' a few scenarios that may come up members of your team – e.g. a requirement to work outside agreed hours, or to attend an event/activity away from the agreed place of work.

- Identify how other individual and management obligations are going to be met. For example, what might be the impact on team building, professional development, performance reporting, team and managerial/command communication and, for uniformed personnel, their command and control structures, share of duties, ceremonial or other military expectations such as maintaining fitness for operational service standards?
- Ensure teams have regular check-ins and make time for fun.
- Think about how you'll monitor how well it's working over time, that is, what arrangements are being used and by whom, so you can adapt if needed.

Execute the plan!

- Just start. Make small changes that you think will be easy to implement and build momentum from there.
- Like any plan, be prepared to test and adjust. There will often be unforeseen events, unanticipated 'second- third order effects'. Just because it doesn't work as expected, doesn't mean it can't work with a few modifications.
- Remember that any additional effort in setting up flexible working will generally pay-off in the long term.
- If necessary put in place an informal review – try to approach any review with a 'how do we make this work' attitude.

Commit to making it work for you and the team or unit. Any perceived issues can usually be overcome if you and your team decide that working flexibly can work for you. Any time you find yourself, or someone else, thinking 'that can't work', turn it around and ask 'how can we make this work?'.

The Process

Making it work

Requesting a flexible working arrangement (members of the NZDF)

1. **Familiarise yourself with the NZDF Flexible Working Arrangements policy** (DFO 3, Part 12, Chapter 1 & HR Toolkit). Also, familiarise yourself with the various types of flexible work arrangements available (an overview of commonly used flexible working options is in the Annex). Think about what type of flexible working arrangement you would like to request and how that might work in your current position:
 - o What changes (if any) the manager may need to make to the current work routines if the request is approved (e.g. when team briefings or meetings are held, when unit PT is conducted, set up of the workplace etc).
 - o When there might be duty or work requirements outside the proposed work arrangements, how that might be dealt with.
 - o Identify any potential hazards, foreseeable risks associated with hazards and mitigation measures for any risks assessed as 'medium' or 'high'.
 - o Any concerns the manager might have about the flexible working arrangements negatively impacting on the unit's outputs – think about how any risks may be mitigated.
 - o Identify how the proposed working arrangement meets your needs, your manager's needs and the needs of the people you work with.
 - o If possible, have an informal conversation with your manager or co-workers. If you're comfortable, explore the opportunities available and gather ideas on how it may work best for you and your workplace.

The Process

2. **Submit the request** through ESS (refer to the HR Toolkit for step-by-step instructions).
3. **Have a conversation with your manager.** Let them know of your interest in making a request for flexible working. This is a chance to talk about the proposed working arrangement and it will help if both you and your manager are prepared to be flexible.

Note

The NZDF policy does not require you to provide a reason or justification for requesting flexible working; however, it may help if you need to discuss alternative options.

Considering a request for flexible working arrangement (commanders/managers)

It is important to consider every request carefully and fairly. Managers must consider all requests for flexible working arrangements in a fair way and in good faith. Notwithstanding, where it is necessary to prioritise, the needs of the NZDF are to take precedence over the needs of the member.

The NZDF is striving to be a more inclusive, diverse organisation and we should support flexible working for all members of the NZDF where and whenever possible.

1. **Acknowledge the request.** It is a good idea to acknowledge the request verbally or in writing, and set up a meeting – preferably face-to-face.
2. **If you haven't already, meet with the individual to discuss the request face-to-face.** This is a chance to talk about the requested working arrangement in depth, and consider how this could fit with the unit outputs and other team members. It will help if both you and the individual are prepared to be flexible.
3. **Ensure you have all the information needed.** If an application has information missing let the individual know what they've missed and ask them to submit additional information in a document which they can attach to the request in ESS (contact the local HRA if assistance is required).

Note

The NZDF policy does not require members to provide a reason or justification for requesting flexible working; you should be considering the request based on the ability to accommodate the type of working arrangement, not the reason for requesting it. If you need to discuss alternative options, however; you may need to ask for more information.

4. **Consider the request.** Some important aspects to consider when making your decision:

- o Will this flexible working arrangement compromise operational effectiveness or the ability for a unit to meet any operational taskings? Is there a way to mitigate that (e.g. an alternative arrangement or specified times when the arrangement will not apply)?
- o Is re-organising work necessary, and if so, how can it be managed?
- o Are there any parts of the job that need special consideration e.g. for security or access reasons?
- o What is the likely impact on other workers?
- o How will you manage the impact?
- o If the individual works as part of a team, do they understand their commitment to the team under the new arrangement?

- o Are there peaks and troughs of demand in the business that this new arrangement could meet?
- o Is this a request by a member of Civil Staff – are there specific considerations to be made in relation to the Employment Relations Act? For example, the specific information required in a request (S. 69AAC) and when a request must be refused (s.69AAF)
- o Are there health and safety implications? If you are working from home, it is the NZDF's responsibility and your own to look after your health and safety. The Health and Safety at Work Act (2015) requires work-related health and safety risks to be managed. What are the potential risks and risks factors (medical conditions, impairments and personal factors, working environment).
- o Are there potentially any additional costs? The general rule of thumb is that members of the NZDF

approved to work remotely at their request are responsible for setting up, facilitating and maintaining their remote work environment (including any costs for connectivity). The NZDF does not reimburse costs incurred by the member in relation to working remote at their request. The commander/manager may provide a member appropriate tools or IT (e.g. iPad, RAS token, cell phone) at their discretion.

- o Consider a flexible working arrangement trial. All NZDF flexible working arrangements are to be for a fixed duration so a short trial arrangement could be agreed upon before agreeing to a longer term arrangement. Alternatively, agree on an early review date within a longer term arrangement. The arrangement can be extended, ceased or altered at any time or at the end of the fixed period (with a reasonable period of notice).

The Process

Approving a request (commanders/managers)

1. **Respond to the request.** Whilst the maximum timeframe in which requests are to be responded to is one month, managers are expected to consider and respond to any flexible working request as soon as possible.

Responses to all requests need to be in writing (through ESS). Documents can be attached to the request by the individual or manager to amplify the details of the request, the agreed arrangement or details of the decision. This record will assist if there is any change in the management structure, help reduce misunderstandings occurring and, for uniformed personnel, provide protection under the AFDA in relation to such things as their place and time of duty.

Remember

Requests for civilians:

Requests for civilian employees must meet the requirements of the Employment Relations Act 2000, so commanders/managers should contact their HR Advisor before responding to a request for FWA from a member of Civil Staff.

2. **Present a variation to the employment agreement (Civil Staff only).** Commanders/managers should seek advice from their local HR Advisor with regard to varying an employee's employment agreement. This variation is to be signed prior to the commencement of any flexible working arrangement.

3. **Inform other team members.**

Clearly outline what the flexible working arrangements are (careful not to divulge the reason for the new working arrangements unless you have the individual's consent to do so), how they might impact on other team members and any changes to the working routine will help dispel any misunderstanding or conflict within your team. Highlight the benefits of the arrangement if team members are unsure or unsupportive.

4. **Confirm that health and safety requirements are satisfied.** Health and safety may be relevant if the individual is going to be working from another location or out of core business hours. In that case, members of the NZDF are to be offered advice and assistance to ensure that the work areas are safe and that hazards are managed.

Health & Safety

The Health and Safety at Work Act (2-015) requires work-related health and safety risks to be managed. This means taking into consideration the potential for work-related health conditions as well as the injuries that could occur.

Commanders/Managers and members are responsible for:

- *Identifying and assessing work-related risks prior to submitting a request to work remotely. This is to ensure potential risks and risk factors are taken into consideration.*
- *Commanders/managers and members should discuss foreseeable risks associated with hazards and develop elimination or minimisation measures for residual risks of medium and above.*
- *Documenting hazards and risk identification, risk assessment and mitigations measures to eliminating or minimise risks.*
- *Monitoring and reviewing workplace practices to ensure a safe workplace.*

Policy/Guidelines

*Health and Safety at Work Act (2015)
DFO 10 Defence Force Orders
for Safety.*

The Process

Declining a request (commanders/managers)

In some cases you may not be able to approve the requested flexible working arrangement – not all positions are suitable for flexible working arrangements or it may not be possible to accommodate the request right now. There are; however, many forms of flexible working and individuals and their commander/managers are encouraged to find an option that does work. Refer to the Annex – Flexible Working Options for more options.

It is recommended that all alternatives are explored before making a decision to decline a request, this includes:

- o consulting with your 1Up to consider any options or possible solutions that may not be obvious or within your authority

Remember

Requests for civilians:

Requests for civilian employees must meet the requirements of the Employment Relations Act 2000, so commanders/managers should contact their HR Advisor before responding to a request for FWA from a member of Civil Staff.

- o talking to the individual making the request to ensure that all options and solutions have been explored
- o discussing the request with your HR Advisor, who may be able to help you consider alternative options and perhaps find a solution that hasn't yet been considered

1. **Respond to the request.** Whilst the maximum timeframe in which requests are to be responded to is one month, managers are expected to consider any flexible working request in as soon as possible.

Responses to all requests are to be in writing (through ESS) and provide a reason if they are declined. Documents can be attached to the request in ESS by the manager to amplify the details of the decision.

Refer DFO 3, Part 12, Chapter 1, Article 12.1.21

Remember

Requests for civilians: *Under the Employment Relations Act 2000 employers can only refuse a request on one or more of the recognised business grounds or if it conflicts with a collective agreement (section 69AAF(2) or (3)).*

The Process

Reviewing and altering arrangements

1. **Review.** The flexible working arrangement can be reviewed at any time and it is recommended that a date for any interim review is agreed at the time of approving the arrangement.

NZDF policy requires the arrangement is reviewed no less than three months prior to the end of the period, and arrangements longer than 12 months are required to be reviewed every six months.

The member of the NZDF is to be consulted before the manager decides whether the agreement should be extended, ceased or altered.

Refer DFO 3, Part 12, Chapter 1.

2. **Alter.** The manager or the member of the NZDF may request that a flexible working arrangement is altered. Arrangements may be temporarily suspended, working patterns altered or permanently ceased (revert to standard working patterns or full-time hours/duties). Commanders/managers are to consult with the member; however, the final decision rests with the commander/manager.

Refer DFO 3, Part 12, Chapter 1.

The Process

Key Success Tips

- Build understanding – flexible working is not just about mothers returning from parental leave or part-time workers or working from home. There are a myriad of different ways of working flexibly. Due to the number of couples employed by or serving in the NZDF, flexible working often supports not just the individual requesting but also the continued service and performance of their partner in the NZDF.
- Trust is central to flexibility. Trust that people have the ability to self-manage and will still be productive even if you cannot see them! Traditional workplace controls are less effective with flexible working – the solution lies in communication, clear aims, objectives and outputs.
- Managers need to be able to manage by results and manage flexibly. Just because someone is present [in the office] does not guarantee outputs.
- Accept that flexible working is not for every individual or job role – it needs some thought as to what is appropriate and workable.
- Build a supportive environment for workplace flexibility to flourish. Collaborate with your team – a team approach to managing flexibility is often best.
- The level of contact, direction, advice, development and management of a person working flexibly should not alter greatly due to the flexible arrangements; having regular check-ins and open honest communication works as effectively with flexible workers in managing their performance and stress.
- Organise formal and informal social gatherings that are inclusive.
- Have open and honest conversations with your team and colleagues. Here are some conversation tips:

- o Talk often – formally and informally – and be open to the conversation.
- o Know what you are trying to achieve and focus on that.
- o Check everyone has the same understanding of context and terms used.
- o Listen to requests carefully. Ask questions to ensure you understand the goals of the person making the request. Reasons aren't required but they can help to understand priorities and find a solution that works for all. If a reason is provided, do not pass judgement as to whether that reason is more or less deserving than another reason. Your role is to find a way to make flexible working work, if possible.
- o Suggest team talks or whiteboard sessions as a good way of raising the topic of workplace flexibility, getting a feel for people's interests and experiences and developing a way forward.
- o Suggest team meetings to gauge interest, experiences and concerns and explore ways to collectively manage arrangements.
- o Follow up with a team conversation about how the total workload gets done and how peaks and troughs get managed, along with unforeseen work.
- o Use regular check-ins – formal and informal – to see how flexibility is going.
- Set clear expectations on how it will work for all parties. Be clear on business needs and deliverables.
- Have formal reviews – agreed in advance – and be clear on the review arrangements, process and frequency.
- Focus on what the member wants to achieve and have a 'how can we make this work' approach.
- Equity rather than equality. Avoid a one-size-fits all approach – what is right for one person is unlikely to be exactly the same for someone else.



**TRUST.
MANAGE BY
OUTCOMES.
COMMUNICATE.**

Frequently asked questions

Who is allowed to request flexible working?

Members of the Regular Force who have completed initial training, and all members of the Civil Staff may request flexible working arrangements.

Who should initiate the application for flexible working arrangements?

The member requesting flexible working is responsible for initiating an application for flexible work through the ESS and by talking to their manager. Read through the 'Making it work' section of this guide, and there are step-by-step instructions on the HR Toolkit.

Does the individual have to state a reason for requesting flexible working?

No – neither the ERA nor NZDF policy requires the member to give a reason. The request should be considered on the basis of whether the working arrangement can be accommodated or not. If there is a requirement to discuss alternative

options, however; more information may be helpful. A manager cannot; use the lack of a good reason as grounds for refusing the request.

How long will it take for the request for flexible working arrangements to be approved or declined?

Requests should be dealt with and responded to as quickly as possible but within one month of receiving a request from a member of the NZDF.

What if it's not possible to accommodate the flexible working option requested?

It is recommended that you explore other options within the possible arrangements (refer Flexible working options section are explored) with the individual who made the request. Where options have been explored and a flexible working arrangement is not viable, the reason needs to be provided to the individual who made the request (specific grounds for Civil Staff).

What if the request is declined?

It is important that both managers and members are open to new ways of working. If an individual's request is declined they should be notified by the manager in writing and reasons for that decision. If the member disagrees with the decision they are encouraged to discuss it with their manager in the first instance.

Members of the Civil Staff may challenge the decision if they believe it does not comply with the s.69AAF of the Employment Relations Act.

Members of the Regular Force are entitled to make a complaint if they consider that they have been wronged in any matter (refer DFO 3, Part 13, Chapter 2).

What if it's not working?

First, have a chat with your manager, or if you are the manager, a chat with your HR Advisor is recommended. They may be able to provide some advice on what can be done to make it work. Otherwise, a flexible working arrangement may be altered* or ceased if it is determined that it is not working and the issues cannot be reasonably remedied

(for Civil Staff, if the arrangement is ceased the reason must be one or more of the grounds for refusal in accordance with the Employment Relations Act).

* See below for advice about altering an arrangement.

Can a flexible work arrangement be changed?

Yes – either the manager or employee can initiate a change. Flexible working arrangements can be extended, ceased or altered. If either the manager or individual has a legitimate reason to change the arrangement, this should be discussed and agreed on by both parties; however the final decision rests with the commander/manager (for Civil Staff, if the arrangement is ceased the reason must be one or more of the grounds for refusal in accordance with the Employment Relations Act).

What happens if meetings, training sessions or other important events are scheduled at times when a member is not available due to their flexible working arrangement?

There will be times when meetings and events will be scheduled outside of a flexible worker's work hours or a location different to their arrangement. Commanders/managers should work together with the member to determine how best to manage the situation. There will need to be some flexibility from both sides to make the arrangement work. Commanders/managers can consider such things as time-in-lieu or temporary changes to the work pattern.

If a member is brought back on full-time duties for a period of time, should the working schedule be amended so the individual is paid accordingly?

Commanders/managers should work together with the member to determine how best to manage the situation, and could consider such things as time-in-lieu or temporary changes to the work pattern. Advice should be sought from HRSC as to how best administer the amendment.

If there are four requests for flexible working but the unit can only sustain two, how should priority be determined?

The commander/manager has to reasonably consider all flexible working requests and is to consider each request on a case-by-case basis. They may consider the requests in the order in which they were received; however, it may also depend on the type of flexible working requests made. One or more of the types of flexible working arrangements may not be able to be accommodated at the same time, which may dictate which requests can be approved.

If reasons for requests are provided, it is important that the commander/manager does not pass judgement as to whether that reason is more or less deserving than another reason.

Commanders/managers may hold a 'waiting list' for other flexible working requests and once the agreed time for arrangements has ended, the flexible working requests on the 'waiting list' are reconsidered.

Are there any roles or position where working flexibly won't work?

Given the range of flexible work options many roles are likely to be able to allow some flexibility – it may just take some thought and a 'how can we make this work?' mindset. There are, of course, some position where flexible working arrangements won't work or won't work all of the time.

From individuals

A member of my team had their flexible working request approved a few months ago but my request has been declined. Doesn't my manager have to treat us all the same?

Your manager has to reasonably consider all flexible working requests and is to consider each request on a case-by-case basis. It may; however, be difficult to accommodate your flexible working request and/or it may be difficult to accommodate the requests of a number of team members in the same area. Each time a manager considers a request they should be taking into account the existing work patterns in the

team, the team workload and team outputs and considering possible workable solutions. It may not be possible to agree to a request if, for example, it would leave the team short-staffed at particular times.

What can I do if I think my manager has not given reasonable consideration to my request for flexible working?

It is recommended that you and your manager have a further conversation to discuss the requests for flexible working. If you still feel the matter has not been fairly or reasonably addressed you can escalate your request to your 2-Up for review.

Members of the Regular Force are entitled to make a complaint (DFO 3, Part 13, Chapter 2) and members of the Civil Staff may challenge the decision if they believe it does not comply with the s.69AAF of the Employment Relations Act.

Does my flexible working arrangement affect my conditions of service?

Flexible working arrangements don't generally affect your conditions of service, except where it is a reduced-hours arrangement – your leave and

pay will be prorated according to the hours or days worked. Extended periods on reduced hours may affect seniority. Individuals should seek advice from HRSC regarding any potential affects the proposed flexible working arrangement may have on other aspects of their conditions of service. Refer DFO 3, Part 12, Chapter 1.

Members of the NZDF who are working flexi-time (in particular, compressed weeks or reduced hours) are only entitled to Public Holidays if the statutory day falls on a day that the member is required to work under their working arrangement. Refer DFO 3, Part 12, Chapter 1.

Do I still have to do ceremonial and other duties if these fall outside of my agreed hours/location?

There will be times when duties will be scheduled outside of a flexible worker's work hours or are at a location different to their arrangement. Commanders/managers should work together with the member to determine how best to manage the situation; however, the requirements of the NZDF are to take precedence, so a member of the Regular Force can be ordered to conduct duties away from their home location or outside agreed working hours.

Does my flexible working arrangement affect my employment contract (Civil Staff only)?

Yes, if a flexible working arrangement is approved you will be presented with a variation to your employment agreement. The variation will outline any changes to pay, leave and other entitlements. Refer DFO 3, Part 12, Chapter 1.

My manager has agreed to a change for a short period as a trial, what happens at the end of that period?

Prior to the completion of the agreed period you and your manager need to have a further conversation to discuss whether the arrangement is working or not, how the support arrangements are working for all parties, and identify if there are any gaps in the plan that need addressing. The arrangement may then be extended, altered or ceased (for Civil Staff, if the arrangement is ceased the reason must be one or more of the grounds for refusal in accordance with the Employment Relations Act).

I currently have a flexible working arrangement but my circumstances have changed. Can I make another request to change my working pattern again?

Yes – there is no restriction on making further requests to change working patterns; however, NZDF policy requires three month notice to commence or end a reduced-hours arrangement under normal circumstances.

I have a flexible working arrangement with my current manager but they are posting soon. Do I have to renegotiate my agreement with my new manager?

NZDF policy does not require you to renegotiate with a new manager; however, there is a requirement to review the flexible working arrangement three months prior to the end of the period at which time the manager needs to discuss the arrangement with you before deciding whether to extend, alter or cease it (for Civil Staff, if the arrangement is ceased the reason must be one or more of the grounds for refusal in accordance with the Employment Relations Act). If there is a change in business needs or

outputs then your manager may also need to review the arrangement.

It is; however, recommended that you and your manager have a conversation at the soonest opportunity to ensure that expectations, business needs and deliverables are clearly understood. Having a copy of your flexible working arrangement available may assist the start of this conversation.

I am posting from my current position where I have a flexible working agreement. Can I transfer my flexible working arrangement to my new position?

No – the flexible working arrangement applies to your current position. If it is an arrangement with which you would like to continue, it is recommend that you and your new manager have a discussion at the earliest possible opportunity – ideally before your posting is confirmed. If you are a Regular Force member, you should also discuss your flexible working arrangement with your career manager.

I have a flexible working arrangement in place but my manager has asked me if I would consider changing it. Can they do that?

It is reasonable and sometimes necessary for managers to discuss possible changes in working patterns to meet changing organisational or team needs.

Where a member of the Regular Force is required to return to full-time duties, the Service is, wherever practicable, to provide the individual with three months' notice of this requirement.

A request for a member of the Civil Staff to revert to full-time duties or standard work pattern will be subject to consultation with the individual; however, the final decision rests with the manager.

Can I be ordered to attend a full-time course or a course away from my home location?

There will be times when meetings and events will be scheduled outside of a flexible worker's work hours or are held at location different to their arrangement. Commanders/managers should work together with the member to determine how best to manage the

situation; however, a member of the Regular Force can be ordered to attend a full-time course or course away from their home location.

Do I have to maintain fitness for operational service standards whilst I have a flexible working arrangement?

Yes – unless you have a specific waiver, you must maintain all relevant standards for operational service (for example, physical and dental and medical fitness, AWQs).

I have a verbal agreement about my flexible working arrangement, do I need to formalise it?

Yes, if it is intended that this will be an on-going flexible working arrangement then it needs to be requested through ESS using the process outlined in the HR Toolkit.

This record will assist if there is any change in the management structure, reducing misunderstandings occurring and, for uniformed personnel, provide protection under the AFDA in relation to such things as their place and time of duty.



Annex

Flexible working options

This is an overview of some of the more common forms of flexible work. Not all of them will be appropriate to all positions but it provides options.

Options can be used concurrently, for example, flexible start/finish hours whilst working remotely, or using agile workspaces whilst working reduced hours.

Options available for accommodating flexible working or balancing work-life commitments

Options for working flexible hours	Reduced hours / part-time work	Flexible start & finish times	Core hours	Staggered hours	Job-sharing / job-splitting
Options for working flexible days	Reduced days / part-time work	Compressed weeks	Term-time working		
Options for working from flexible locations	Remote-working from home	Remote-working from other Defence location(s)	Working from home during school holidays	Commuting	

Note: Not all flexible working arrangements need to be recorded in SAP – check with your local HRA.

Benefits, barriers and remedies to different types of flexible work

The below table is designed to help you understand more about the different options for workplace flexibility, their associated benefits, and ways to mitigate any potential barriers.

Types of flexibility	Potential benefits	Examples of arrangements	Factors which could reduce likelihood of success	Suggest remedy or mitigation
Options for flexible working hours				
Hours Options that allow individuals to vary their work hours (variable, restructured or reduced working hours)	<ul style="list-style-type: none"> Improves productivity Work schedules match individual's most productive hours Gives individuals more control over scheduling personal commitments during the work day. Allows for commuting outside of peak rush hours Retains skilled individuals who need time off to care for dependants or to meet other commitments/interests outside work time. Expands labour pool (ability to retain and recruit talent) Brings broader range of knowledge, skills and experience Provides an option for individuals who want to reduce their hours, but whose jobs cannot be done on a part-time basis Core hours ensures coverage at the times need to meet outputs or stakeholder needs Ability to extend service hours Can be combined with other flexible arrangements (e.g. flexi location – where hours outside core hours don't need to be worked in the office) Cover peak times of work. Maintains business continuity during leave or turnover 	<p>Flexible start-finish times – individuals work for an agreed total numbers of 'core hours' and choose when their working day begins and ends.</p> <p>Core hours – hours (e.g. 1000 – 1600) during which individuals with varied working hours must be at work.</p> <p>Staggered hours – different start and finish times for individuals in the same workplace.</p>	<ul style="list-style-type: none"> May be harder for a manager to ascertain if everyone is working to their required levels Informal arrangement could end up being a 'free-for-all' Not as predictable as other flexible arrangements 	<ul style="list-style-type: none"> Manage by outputs/results Put parameters in place – team works out own cover arrangements Plan based on core hours
		<p>Part time / reduced hours / job-sharing / job-splitting – these options mean that individuals work less than full-time levels. To achieve this, the job is often redesigned and responsibilities split between a number of part-time workers.</p> <p>Hours can be gradually decreased to ease a person into retirement, or increased when returning to work after an illness or parental leave.</p>	<ul style="list-style-type: none"> Adverse perception that additional time is needed to managed a number of part-timers rather than one FTE Lack of continuity between job sharers where work overlaps Performance management on an individual basis difficult Job-sharer role may be jeopardised when one person exits 	<ul style="list-style-type: none"> Potential offset by productivity and business continuity gains from having two part-time employees in a position Good communication/ handover processes between job sharers; work a day/half-day in common Manager and job-sharers commit to regular discussion and objective setting Agree at outset what will happen when one job sharer exits

Continued >

Types of flexibility	Potential benefits	Examples of arrangements	Factors which could reduce likelihood of success	Suggest remedy or mitigation
Options for flexible working hours				
Days Options that allow individuals to vary their work days	<ul style="list-style-type: none"> Improves productivity if some work can best be accomplished during quieter times of the day/week Allows for more days off Decreases the number of days individuals commute Allows for commuting outside peak rush hours Useful location-specific roles 	Compressed week – weekly full-time hours are worked over a shorter time period (e.g. 40 hours in 4 days; 80 hours in nine days)	<ul style="list-style-type: none"> Problems of lack of coverage Perceptions of unfairness among individuals who do 10-hours days or among part-timers doing an FTE role 	<ul style="list-style-type: none"> Offers regularity and predictability; team works out own cover arrangements
	<ul style="list-style-type: none"> Provides options for individuals to take limited or extended time off work to manage various personal responsibilities / interests Can reduce overtime Cope with fluctuating demands in work Can be still used for part-time arrangements Allows for more days off 	Term-time working – working standard work patterns during the school term and having a FWA during school holidays	<ul style="list-style-type: none"> Problems of lack of coverage Risk of interruption to individual's time of particularly if in a senior / specialist position 	<ul style="list-style-type: none"> Team works out cover arrangements Have clear parameters for minimum rest periods in place
Options for flexible working location				
Work location Options that allow individuals to work from locations other than their designated workplace	<ul style="list-style-type: none"> Offers alternative to relocation Expands labour pool geographically Retain and recruit skilled individuals Reduces permanent office space and associated costs Accommodates individuals with disabilities Reduces or eliminates commuting Provides an environment with fewer workplace distractions Allows individuals to work during their 'personal best time' 	Commuting / home-working / remote-working / work hubs – all these options involve working from home or another location outside of the workplace on a full, part-time or occasional basis	<ul style="list-style-type: none"> Possible associated costs (such as cell phone, RAS tokens and travel warrants) Concerns over security of information Individuals feel or become isolated and not included Problems communicating with individuals / team Health and safety liability 	<ul style="list-style-type: none"> Use appropriate NZDF technology and document management systems (e.g. DDMS) Clarify security and privacy responsibilities



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