



Australian Government

Fair Work
OMBUDSMAN

Flexible working arrangements

This means changes to an employee's hours of work, patterns of work or location of work.



About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possibilities when everyone is included.

Connecting with diverse people, meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations people and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**

Flexible working arrangements



Who can ask for flexible working arrangements?

- ▶ Some employees have a right to ask for flexible working arrangements. They must have worked with the business for at least 12 months and:
 - be pregnant
 - be the parent, or have a responsibility for the care, of a child who is school aged or younger
 - be a carer
 - have a disability
 - be 55 or older
 - be experiencing family and domestic violence, or
 - provide care or support to a member of their household or immediate family because of family and domestic violence. Immediate family means parents, children, siblings, partner, grandparents, or a partner's immediate family.



Asking for flexible working arrangements

- ▶ The request must:
 - be in writing
 - include details of the requested changes
 - state the reasons for the requested changes.



Responding to a request

- ▶ Bosses must respond in writing within 21 days. The response has to outline whether the request is approved or refused. It might also include agreed alternative arrangements that are different to what the employee asked for in their original request.
- ▶ Bosses can only refuse a request on reasonable business grounds and if they have followed certain steps
- ▶ Before refusing the request, they have to:
 - discuss the request with the employee
 - try to reach an agreement with the employee on alternative arrangements
 - think about what happens to the employee if they refuse their request.
- ▶ If a request is refused, the written response must include the reasons why.
- ▶ If the boss refuses the request or doesn't respond within 21 days, the employee should talk to their boss about it. If the problem still isn't fixed, the employee can ask for help from the Fair Work Commission.
- ▶ The boss doesn't have to choose between agreeing or refusing in full. Instead, the boss and the employee should talk about the request and try to agree on alternative working arrangements.



Find out more

For more information about flexible working arrangements go to fairwork.gov.au/flexiblearrangements.

You can also talk with someone from a community organisation or community legal centre, an HR officer, an Indigenous liaison or employment officer, an employer association (if you're a boss) or a union representative (if you're an employee).

Contact us

Fair Work online: fairwork.gov.au

Fair Work Infoline: **13 13 94**

Need language help?

Contact the Translating and Interpreting Service (TIS) on **13 14 50**

Help for people who are deaf or have hearing or speech difficulties

You can contact us through the National Relay Service (NRS).

Select your [**preferred access option**](#) and give our phone number: **13 13 94**



The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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