MSS
The HR People

Managing Flexible Working Requests Toolkit

Understanding your obligations as the employer



Managing Flexible Working Requests Toolkit

MSS The HR People

Flexible working is an arrangement where your normal working hours or pattern is adjusted, including through remote working, flexible schedules or reduced hours.

The Work Life Balance and Miscellaneous Provisions Act 2023 provides eligible parents and carers with the right to request a flexible working arrangement for caring purposes..

This checklist provides guidance on eligibility and types of fleixble working arrangements, as well as timeframes when receiving and responding to requests in line with employment legislation.



Eligibity To Apply

- 6 month service
- Parents of a child under 12 years, or 16 years if the child has a disability or long-term illness
- Carers providing care or support to someone with a serious medical condition, living in the same household
  - Spouse or civil partner
  - Cohabitant
  - Parent/ Grandparent
  - Sibling

Types of Flexible Working Arrangements



Remote Working



Part-time Working



Compressed Hours



Flexitime



Job Sharing

MSS The HR People

Timeframe Obligations

- [ ] Acknowledge receipt of request within a reasonable timeframe
- [ ] Employees must provide a minimum of 8 weeks' notice before the proposed flexible working start date
- [ ] Employers must respond, in writing, within 4 weeks of receiving a request
- [ ] If additional time is needed, you can extend the decision period by a max. of 8 weeks. Inform the employee in writing of the extension!

Additional Information

- [ ] If request is related to caring for a child:
  - [ ] A copy of the birth certificate or acertificate of placement (for adoption cases)
- [ ] If the request is due to significant care responsibilities for a medical reason:
  - [ ] Employee's relationship to the person requiring care
  - [ ] Nature of the care required
  - [ ] Relevant evidence i.e medical certificate/ report/ suppporting evidence

Considering Requests

- [ ] Review the employee's reasons for requesting flexible working and their caring responsibilities
- [ ] Consider the needs of the business and needs of the employee
- [ ] Cost implications
- [ ] Customer service demands
- [ ] Impact on the team and prodictivity
- [ ] Review the employee's reasons for requesting flexible working and their caring responsibilities
- [ ] Consider if alternative working arrangements could meet both the employee's and business needs
- [ ] Health and Safety

MSS
The HR People

Responding To Requests

- [ ] Decision
  - Refuse
  - Approve
  - Partial Approval - Flexible options or trial period
- [ ] Respond in writing, stating the decision
  - If refusing a request, clearly state reasons
  - If approving a request, prepare written agreement of arrangement including start and duration
    - Signed by both parties
  - If partially approving a request, prepare written agreement confirming it is a trial period, including start and duration
    - Signed by both parties
- [ ] Retain a copy of the request, assessment, correspondence and final decision
- [ ] Allow employee the opportunity to appeal any decision



MSS
The HR People

HR Reminder

- ✓ Confirm that the request meets the eligibility requirements for flexible working for caring purposes
- ✓ Consider both the business and employee needs
- ✓ Respond within four weeks or formally extend the decision period where permitted
- ✓ Provide written reasons if the request is refused
- ✓ Ensure any agreements are signed by both parties
- ✓ Retain all records relating to the application process

MSS Tip

Use a standard Flexible Working Request Form and maintain a central log of all requests, including the date received, response deadline, decision and agreed review date. This will help ensure requests are considered consistently and statutory deadlines are not missed.



MSS
The HR People

MSS
The HR People

01 887 0690

mssthehrpeople.ie

info@mssthehrpeople.ie