

Factsheet Four

Flexible Working Arrangements

The *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* amends the Fair Work Act 2009 (the Act) to strengthen the right to request flexible working arrangements to assist eligible employees to negotiate workplace flexibilities that suit both them and their employer.

The National Employment Standards (NES) give some workers the right to request flexible working arrangements.

Flexible working arrangements may mean changes to:

- Work hours;
- Patterns of work;
- Work location.

Full-time and part-time employees can request flexible work arrangements if they've worked with the same employer for at least 12 months and they:

- Are the parent, or have responsibility for the care, of a child who is school aged or younger;
- Are a carer (under the [Carer Recognition Act 2010](#));
- Are a person with disability;
- Are 55 or older;
- Are pregnant;
- Are experiencing family and domestic violence, or

- Provide care or support to an immediate family or household member who is experiencing family and domestic violence.

What are my employers rights and responsibilities?

An employer must respond to a request in writing, within 21 days.

If refusing the request, they must include their reasons for refusing in their written response.

An employer can only refuse a request if they have:

- Discussed the request with the employee;
- Genuinely tried to reach an agreement with the employee but were not able to do so;
- Considered the consequences for the employee if the request is refused, and
- Reasonable business grounds for refusing the request.

Can the Fair Work Commission help me?

Using Form F10C employees can apply to the Fair Work Commission to resolve a dispute about flexible working arrangements. To do so you will need a copy of your written request and a copy of the employers written response, if you were given one. Once lodged it will be given to a Commission Member who will decide how your case will proceed. For example, they might hold a conference or hearing.

Where can I get more help?

NT Working Women's Centre Ph: 1800 817 055 www.ntwwc.com.au	Your Union Unions NT Ph: 8941 0001 www.unionsnt.com.au	NT Anti-Discrimination Commission Ph: 1800 813 846 adc.nt.gov.au
Australian Human Rights Commission Ph: 1300 656 419 www.humanrights.gov.au	Fair Work Ombudsman Ph: 13 13 94 www.fairwork.gov.au	Fair Work Commission Ph: 1300 799 675 fwc.gov.au

NT Police Ph: (emergency) 000 If calling from a mobile: 112	Office of the Commissioner of Public Employment (OCPE) Ph: 8999 4129 www.ocpe.nt.gov.au	NT WorkSafe Ph: 1800 019 115 www.worksafe.nt.gov.au
Your HR Department	Aboriginal Interpreter Service Ph: 1800 334 944 www.ais.nt.gov.au	To access an interpreter Interpreting and Translating Service NT Ph: 1800 676 254 www.itsnt.nt.gov.au/

The NT Working Women's Centre (NTWWC) provides free and confidential information, advice and assistance to women about work. The information, opinions and advice contained have been prepared with due care and are believed to be correct at the time of publication. NTWWC expressly disclaim any liability whatsoever to any person who suffers any loss arising from the contents of, errors in, or omissions from this publication. This Factsheet is not intended as a substitute for legal advice. Please seek advice for further information about your situation. August 2024.