Purpose

To outline the procedure for staff seeking to enter into a fixed-term working from home arrangement. The procedure assists staff and their managers to clearly set in place a working from home arrangement as part of a staff member’s overall negotiated flexible working arrangement.

Scope

The procedure applies to all staff of the University (General and Academic staff, TAFE teachers) seeking to enter into a regular arrangement to carry out part of his/her duties from home, for a specified period of time.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreed Working from Home Hours:</td>
<td>Days, times and/or hours of work agreed between the Manager and the Staff Member for the Staff Member to carry out his/her duties at the Home-Office.</td>
</tr>
<tr>
<td>Commencement Date:</td>
<td>The agreed date for the Working from Home Arrangement to commence.</td>
</tr>
<tr>
<td>End Date:</td>
<td>An agreed date for the Working from Home Arrangement to cease, as specified in the Working from Home Agreement. At the End Date, the Working from Home Agreement will automatically terminate and the Working from Home Arrangement will cease. Notice is not required to be given to a Staff Member of an upcoming End Date.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Home Office:</td>
<td>The area designated by the Staff Member within the Staff Member’s home as the worksite in which the Staff Member will carry out the home-based work as per the Working from Home Arrangement.</td>
</tr>
<tr>
<td>Hours of Work</td>
<td>Ordinary hours to be worked by a Staff Member, as detailed in relevant Awards or Agreements.</td>
</tr>
<tr>
<td>Manager:</td>
<td>The Head of School, Head of Department, Director or Manager who has the responsibility for the management of the Staff Member.</td>
</tr>
<tr>
<td>Method of Access:</td>
<td>The agreed method of communication with the Staff Member during the Agreed Working from Home Hours, as set out in the Working from Home Agreement.</td>
</tr>
<tr>
<td>Review Date:</td>
<td>A date set by the Manager and the Staff Member, being no later than six (6) months from the Commencement Date and at least twice every twelve (12) months thereafter, whereby the Manager in consultation with the Staff Member reviews the Working from Home Arrangement.</td>
</tr>
<tr>
<td>Qualified Representative:</td>
<td>An independent person appointed by the University to undertake Site Inspections of the Home Office on request.</td>
</tr>
<tr>
<td>Site Inspection:</td>
<td>An inspection of the Home Office carried out by a Qualified Representative appointed by the University to ensure the Home Office meets OHS standards.</td>
</tr>
<tr>
<td>Staff Member:</td>
<td>Any person who is an employee of the University including, for the purpose of this Procedure, contracted staff, seeking to enter into a Working from Home Arrangement.</td>
</tr>
<tr>
<td>Working from Home Agreement:</td>
<td>The Agreement to be entered into between the University and the Staff Member to formalise the Working from Home Arrangement.</td>
</tr>
<tr>
<td>Working From Home Arrangement:</td>
<td>An approved arrangement for a Staff Member to regularly carry out defined duties from his/her Home-Office during the Agreed Working from Home Hours, on an ongoing basis or for a specified period of time, the terms of which are set out in a Working from Home Agreement entered into between the Staff Member and the University.</td>
</tr>
<tr>
<td>Working from Home Arrangement Self Assessment Checklist: Occupational Health and Safety and Other Considerations (the Checklist):</td>
<td>A checklist undertaken by a Staff Member of occupational health and safety requirements that must be complied with in order for the Home Office to be considered suitable for the proposed Working from Home Agreement.</td>
</tr>
</tbody>
</table>
Approval and Review of a Working from Home Arrangement

Home-Based Work Agreement

Each request for a Working from Home Arrangement must be considered on a case-by-case basis and approved by the Staff Member’s Manager.

Before the University will approve a Working from Home Arrangement, a Staff Member must comply with the requirements set out in the Working From Home Agreement (including Schedules 1 and 2).

The Manager and/or Head of School/Section/Directorate may make such modifications (in consultation with the Staff Member) as considered necessary to the Working from Home Arrangement to ensure the Staff Member can satisfactorily carry out his/her duties from home, prior to approval of the Working from Home Agreement.

A Working from Home Arrangement will have a clear Commencement Date and End Date.

The following procedure should be followed for approval of a Working from Home Arrangement:

1. The Staff Member must complete and sign the Working from Home Agreement.
2. The Manager and the Staff Member’s Head of School/Section/Directorate must approve the Working from Home Agreement.
3. The Agreement once signed and approved (including the approval and signing of Schedules 1 and 2 to the Agreement by the relevant designated officers), must be forwarded by the Staff Member’s Manager to Human Resources to attach to the personnel file of the Staff Member.

Where a Working from Home Arrangement is not approved, the Supervisor will discuss the non-approval with the Staff Member and provide clear reasons for the decision. A record of the non-approval and the reasons for non-approval must be forwarded in writing to the Manager to Human Resources to attach to the personnel file of the Staff Member, and a copy will be provided to the Staff Member.

Review of a Working from Home Arrangement

At each Review Date, the Manager must, in consultation with the Staff Member, review the continued suitability of the Working from Home Arrangement. The review must assess the impact of the Working from Home Arrangement on the Staff Member and the School/Section/Centre/Directorate.

At each Review Date, the Staff Member must complete and submit for approval by the relevant designated officers an updated Working from Home Arrangement Self Assessment Checklist: Occupational Health & Safety and Other Considerations (Schedule 1 of the Working from Home Agreement) and an Asset and Equipment List (Schedule 2 of the Working from Home Agreement).

As a consequence of a review of the Working from Home Arrangement, the Manager may, after taking into account all considerations, vary or terminate the Working from Home Arrangement upon reasonable notice to the Staff Member.

Reasonable notice should be no less than four (4) weeks if the agreed period for working from home was six (6) months or more; and no less than two (2) weeks if the agreed period for working from home was less than six (6) months.

Managers may seek advice from Human Resources or Equity and Equal Opportunity at any step of the process in approving, modifying or denying a proposed Working from Home Arrangement.
Terms and Conditions of a Working from Home Arrangement

The following terms and conditions will apply to all Working from Home Arrangements. In entering into a Working from Home Agreement, the Staff Member indicates his/her acceptance of the following terms and conditions:

**Occupational Health and Safety**

Prior to approving a Working from Home Arrangement, the Manager must ensure the Staff Member receives education in occupational health and safety matters relevant to the work that the Staff Member will be carrying out in the Home Office, including ensuring the Staff Member is familiar with the content of the University’s Occupational Health and Safety Manual.

The Staff Member must ensure that the Home-Office complies with occupational health and safety requirements at all times. The Staff Member is responsible for all costs associated with compliance.

The following procedure must be followed in relation to the Working From Home Arrangement Self Assessment Checklist: Occupational Health & Safety and Other Considerations (Schedule 1 of the Working from Home Agreement):

1. The Staff Member must complete and sign the Checklist prior to approval of the Working from Home Arrangement. The Staff Member must complete and sign an updated Checklist at each Review Date and/or if the location, facilities or equipment of the Home-Office changes in any substantial manner.
2. The Manager and the Staff Member's Head of School/Section/Directorate must sign and approve the Checklist.
3. Once approved by the Manager, a copy of the Checklist and Working from Home Agreement must be returned to the Staff Member. The Manager must forward the original completed Working from Home Agreement and associated documents to Human Resources within ten (10) days of approval for attachment to the personnel file of the Staff Member.

Prior to approval of a Working from Home Arrangement or at a Review Date, the Staff Members Manager, may deem it necessary for a Site Inspection to occur.

This may occur in situations where the Manager, as a result of reviewing the completed Checklist and following discussions with the Manager, Risk Health and Safety (or representative), deems the Home-Office unsatisfactory for the proposed Working from Home Arrangement.

**The representative of the Manager, Risk Health and Safety can be no less than the Co-ordinator, Occupational Health and Safety.**

If a Site Inspection is deemed necessary, the Staff Members Manager will notify the Staff Member of the need for a Site Inspection within the ten (10) working days timeframe for approval. The Manager will engage a Qualified Representative to carry out the Site Inspection at a time to be mutually agreed with the Staff Member upon no less two (2) business days notice to the Staff Member.

A report of the Site Inspection including any items to be actioned before approval of the Working from Home Arrangement can occur must be provided to the Staff Member and the Manager within five (5) working days of the Site Inspection taking place. The original report will be forwarded to Human Resources by the Staff Members Manager to attach to the personnel file of the Staff Member.

The Manager or Staff Member may seek advice from the Manager, Risk, Health and Safety (or representative) on all matters relating to the requirements of the Working From Home Arrangement Self Assessment Checklist: Occupational Health & Safety and Other Considerations (Schedule 1 of the Working from Home Agreement), and matters relating to OHS considerations for the Home Office.
The Manager, Risk, Health and Safety (or representative) will provide guidance on completing the Checklist and the minimum requirements needed for a Home Office to comply with OHS requirements.

The Manager, Risk, Health and Safety (or representative) will provide, on request, a list of preferred Qualified Representatives to the Staff Members Manager, for the purpose of undertaking Site Inspections where it has been deemed necessary. The Manager in the School or Portfolio is responsible for arranging for the Site Inspection.

The Staff Member must cooperate fully with the University in all measures regarding any Site Inspection and to ensure the Home-Office complies with occupational health and safety requirements.

The Staff Member must notify his/her Manager as soon as practicable and in accordance with Section 4 of the University's of Incident and Emergency Management Procedure – Reporting and investigating incidents and emergencies any work-related accident, injury, illness or disease which occurs as a result of the Working from Home Arrangement by means of a completed Injury Report or Hazard/Near-Miss Report (as appropriate).

The Working from Home Arrangement may be suspended where an accepted workers compensation claim is active and/or a Return to Work Program is in place or where medical evidence indicates the Staff Member is unfit to work.

The Working from Home Arrangement may recommence when the staff member is certified fit to return to their normal duties or where the University agrees to continue the Working from Home Arrangement as part of the Staff Members suitable duties in a Return to Work Program.

Any period suspension of the Working from Home Arrangement due to an active workers compensation claim and/or return to work plan will not be added to the End Date of the Working from Home Agreement.

**Conditions of Employment**

The usual terms and conditions of employment between the University and the Staff Member will continue to apply to the Working from Home Arrangement. The Staff Member must comply at all times with applicable University legislation, relevant Awards or Agreements, policy and procedure, including ownership of intellectual property and security of information.

**Duties**

The Manager and Staff Member should clearly set out the duties the Staff Member will perform from the Home-Office as part of the Working from Home Arrangement. These duties should be detailed in the Working from Home Agreement.

**Accessibility and Communication**

The Staff Member must be contactable and available for communication with the Manager and other relevant staff members of the University during the Agreed Working from Home Hours. The Method of Access will be as detailed in the Working from Home Agreement.

**Staff Development Opportunities and Communication Regarding University Activities**

The Manager must ensure the Staff Member has access to staff development opportunities and receives regular communication regarding University activities and relevant workplace information. The Staff Member also has a responsibility to ensure he/she regularly updates him/herself with University activities by means of the University Gateway website or other appropriate means of communication.
Performance Monitoring

The Manager must establish a means to monitor the performance of the Staff Member carrying out his/her duties from home, in conjunction with the Staff Member. The agreed performance monitoring procedure should be detailed in the Working from Home Agreement.

Agreed Working Days and Hours

The Agreed Working from Home Hours must be specified in the Working from Home Agreement. The Agreed Working from Home Hours must not be outside the Span of Hours detailed in the relevant Award or Agreement.

Where possible, specific days and hours during which the Staff Member will carry out work in the Home Office will be agreed between the Staff Member and the Manager (eg. Tuesdays, 9am to 3pm). These hours should be within ordinary working hours and in accordance with the Hours of Work clauses detailed relevant Awards and Agreements.

Where more flexibility in days/hours worked is required advice must be sort from the Manager, Workplace Relations on the proposed days/hours of work before any agreement is put in place.

The Working from Home Agreement may specify the spread of days per week and the number of hours per week that the Staff Member will engage in work in the Home Office (eg. 6.5 hours per week between Wednesday to Friday (inclusive) each week), in accordance with relevant Awards and Agreements.

The Staff Member must keep a record of hours worked from his/her Home-Office and these will be approved by the Manager on a fortnightly basis.

Equipment Assets and Consumables

An Asset and Equipment List (Schedule 2 of the Working from Home Agreement) must be completed and signed by the Staff Member, the Manager and the Head of School/Section/Directorate prior to approval of the Working from Home Arrangement. The List must be attached to the Working from Home Agreement and once approved should be forwarded by the Staff Member's Manager to Human Resources to attach to the personnel file of the Staff Member.

The Asset and Equipment List must specify the equipment and consumables required by the Staff Member to carry out the Working from Home Agreement, together with reasonable maintenance responsibilities.

The Staff Member will be required to supply and maintain his/her own equipment (including desk, computer, telephone and software), required to effectively carry out the Working from Home Arrangement at his/her own cost, unless otherwise stated in the Staff Members contract of employment.

Where it has been agreed in the Staff Members contract of employment, that equipment will be supplied by the University, the University will maintain and insure that equipment and this must be specified in the Asset and Equipment List.

The Staff Member must not service, repair or upgrade the equipment supplied by the University. Equipment belonging to the University used by the Staff Member at the Home-Office must be used by the Staff Member solely for the purposes of the Working from Home Arrangement as agreed in the Working from Home Agreement. All equipment supplied by the University will remain the property of the University. The Staff Member must notify the University if any problems arise with the operation of the University’s equipment and return the equipment to the University campus when required to replace, service or repair the equipment.

To access the campus network, the Staff Member must use the method (and/or any facilities required) specified by ICT Client Services, so as to minimise security risks.
Consumables (stationery, etc) will generally be supplied by the University as agreed by the Manager. This must be detailed in the Asset and Equipment List.

Termination

Either the Staff Member or the University may terminate the Working from Home Agreement at any time upon reasonable notice to the other party. Reasonable notice should be no less than four (4) weeks if the agreed period for working from home was six (6) months or more; and no less than two (2) weeks if the agreed period for working from home was less than six (6) months. A period of less notice may be negotiated between the Staff Member and the Manager.

Insurance etc.

The Staff Member will undertake enquiries (where relevant) as to the effect (if any) of the Working from Home Arrangement on the Staff Member’s household insurance, mortgage or leasing arrangements and taxation and must bear any additional costs incurred as a result of the Working from Home Arrangement.

Illness

Where the Staff Member is unwell and is unable to perform his/her duties from the Home Office, the Staff Member must notifying his/her Manager in the same manner as if the Staff Member was expected to be working from University premises and in accordance with the requirements in the relevant Awards or Agreements.

Utilities

The Staff Member is responsible for the cost (including installation, maintenance and usage) of all utilities to the Home-Office, required to carry out the Working from Home Arrangement, unless otherwise agreed with the Manager and detailed in the Asset and Equipment List (Schedule 2 of the Working from Home Agreement). This includes the cost of electricity, internet access, telephone lines and mobile telephone usage.

University Not Liable to any Third Party

The University will not be liable for any liability, loss, damage, costs or expenses incurred or suffered by any person arising directly or indirectly out of or in connection with the Working from Home Arrangement, including but not limited to any liability, loss, damage, costs or expenses as a result of faulty equipment, except to the extent that any liability, loss, damage, costs or expenses are caused or contributed to by the negligence of the University.

Disputes

Any dispute or grievance relating to the Working from Home Policy or Procedure or access to the Policy or Procedure shall be resolved in accordance with the University’s Staff Grievance Policy and Procedure.

Responsibilities

- The Director, Human Resources has responsibility for the review and implementation of this procedure.
- Managers have responsibility for considering all Working from Home requests in accordance with this Procedure, for undertaking enquiries with Human Resources regard to the proposed arrangements, and for approving or denying a Working from Home Arrangement and a proposed Working from Home Agreement (including Schedules 1 and 2) in the first instance.
• Staff Members have a responsibility consult with their Manager regarding a proposed Working from Home Arrangement and to provide all necessary documentation and undertake all relevant enquiries as detailed in the Working from Home Policy or Procedure;

• Staff Members have a responsibility to ensure they fully comply with the requirements of the approved Working From Home Arrangement;

• The Manager, Risk, Health and Safety (or representative) has responsibility for providing advice on the Working from Home Arrangement Self Assessment Checklist: Occupational Health and Safety and Other Considerations (Schedule 2 of the Working from Home Agreement) and providing, on request from the Staff Members Manager, a list of preferred Qualified Representatives to undertake Site Inspections where it is deemed necessary.

• Heads of Schools/Sections/Directorates have ultimate responsibility for approving or denying Working from Home Agreements (including Schedules 1 and 2).

Legislative Context

• Equal Opportunity Act 1995 (Vic).
• Occupational Health and Safety Act 2004 (Vic).

Associated Documents

• Equal Opportunity and Valuing Diversity Policy.
• Children in University Activities Policy.
• Children in University Activities Procedure.
• Flexible Work Arrangements Toolkit.
• Risk, Health and Safety Policies, Procedures and Guidelines.
• Occupational Health and Safety Incident Reporting Procedure.
• Staff Grievance Policy.
• Staff Grievance Procedure.
• University Collective Agreement, Academic and General Staff Employees.
• Victorian TAFE Teaching Staff Multi-Employer Certified Agreement (MBA)2009.
• Incident and Emergency Management Procedure – Reporting and investigating incidents and emergencies.

Forms.

• Working from Home Agreement (DOCX 211.1kb)

Forms/Record Keeping

<table>
<thead>
<tr>
<th>Title</th>
<th>Location</th>
<th>Responsible Officer</th>
<th>Minimum Retention Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working From Home Agreement including:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Human Resources</td>
<td>Director, Human Resources</td>
<td>50 Years</td>
</tr>
<tr>
<td></td>
<td>Staff member personnel file</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule 1: Home-Based Work Arrangement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Checklist: Occupational</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Implementation

The [Working From Home Procedure](#) will be implemented throughout the University via:

1. an Announcement Notice under ‘FedNews’ on the ‘FedUni’ website and through the University Policy - ‘Recently Approved Documents’ webpage to alert the University-wide community of the approved Procedure;
2. inclusion on the University’s online Policy Library; and
3. notification forwarded to all Heads of Schools/Sections/Directorates.