



AMA

Doctor's Guidelines for Implementing Flexibility
Revised 2016

Australian Medical Association Ltd

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Applying For a Flexible Work Arrangement

You and your supervisor will initially discuss requests for flexible work arrangements. The basis of all flexible work arrangement negotiations is based on mutual respect of each others position and an understanding that flexible work arrangements are not an entitlement, but an opportunity for a review of current work options and flexible work arrangements. These guidelines have been developed to assist you to prepare your case for change. We strongly recommend that you use this process to get ready for any discussions with your supervisor.

Flexible work arrangements will be established when it is considered to be a viable option with an identified benefit to the hospital and hence patients, with equal consideration being given to the achievement of your employer's priorities as well as the needs of the employee. When you and your supervisor agree on a flexible work arrangement and have prepared a 'flexible work agreement' you will be required to gain Human Resources approval for your plans.

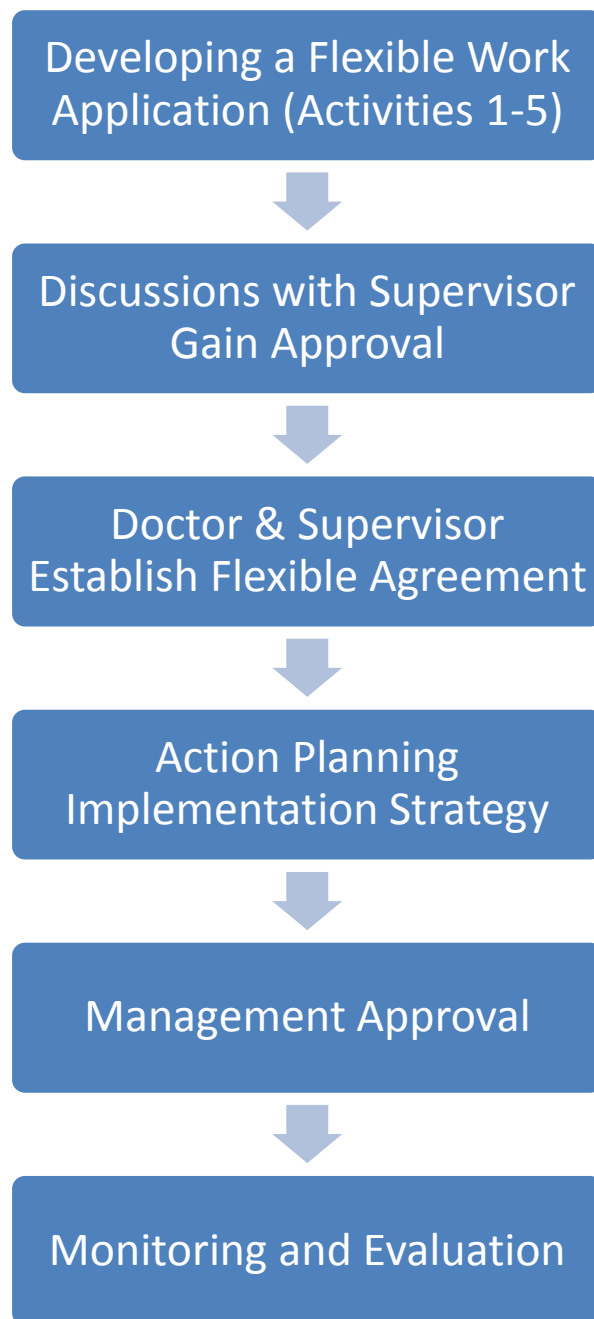
It is recognised in some circumstances that applications for flexibility may be declined by the employer because of operational requirements such as avoiding any compromise to patient care. Where a request for flexibility is declined and you are dissatisfied with the decision you may access the employer's complaints procedures.

How will decisions be made?

In preparing your proposal for a flexible work arrangement it is useful to keep in mind the decision making criteria that your supervisor will use when discussing with you the possibility of accepting your request for a change in your working conditions. It will be helpful to consider these issues as part of the preparation of your case or application, especially where you will need to demonstrate that you have the skills and competencies to work in a different way. For example; if you want to enter into a job sharing agreement, you will have to show to your supervisor that the handover of care will go smoothly and patient care will not be compromised in the process.

Two equally important considerations will be the potential impact on patient care and your work/life issues. Other issues that will influence your supervisor's decision will be the possible impact on other doctors in the unit, as well as the impacts on other staff, any possible increase in costs or an impact on the unit's budget and occupational health and safety implications. Your supervisor will also consider your skills or competencies to be able to meet your performance objectives (KPI's) whilst working flexibly.

The Key Stages in Getting an Application Approved



1. Developing the Application

One of the best ways to access a flexible work arrangement is to prepare and present a well thought out written proposal to your immediate supervisor.

Even though your employer should have a range of policies that allow for flexible work options, it is still your responsibility to develop your case for being granted a flexible work agreement, which shows the benefits of the arrangement. The proposal should outline how your job function will be effectively maintained under your proposed flexible work arrangement.

Following the steps outlined here will help you prepare and devise a sound, convincing application to present to your supervisor.

Step 1 – Why Do You Want Greater Flexibility?

Having a clear understanding of why you want greater flexibility will help you to build your case and motivate you to persevere in presenting the options and alternatives especially if you face some initial opposition. In this section you will find out how to prepare your application and to present a coherent case for a flexible arrangement.

Activity 1

Write yourself a list of the personal reasons you need greater flexibility in your working environment. Answer some or all of the following questions (you do not have to show this information to anyone else):

- What will greater flexibility or a change in working hours bring to you personally?
- What will the changes allow you to do that you can't do now?
- What would you continue to do?
- What would you stop doing?
- What is your vision for the future?

It will be helpful to keep the answers to these questions in your mind as you work through your proposal. However, it is important to note that you do not have to disclose the personal reasons for your application.

Step 2 – Which Type of Flexible Work Option Will Best Suit Your Needs?

You should consider the range of options available and how they might assist you. These include:

- part-time work or job sharing;
- compressed working hours;
- changing the location of work or the need to travel to work e.g. home-based work or telework from alternate sites;
- working additional or different hours to make up for time taken off e.g. flexi-time, formal or informal time off in lieu, or formal rostered days off;
- changed starting and finishing times e.g. staggered start and finish times;
- transition to retirement e.g. reducing hours progressively over a certain time period rather than ceasing work completely;
- career, study or community participation breaks;
- flexible return from parental leave;
- purchased leave.

Activity 2

Look at what is available and draw up your 'short-list' of the best options for you. If appropriate talk to other people who are using these options. You may also wish to discuss your initial thoughts with Human Resources. Your employer/organisation may also provide a number of programs and services to assist doctors balance their work/life responsibilities. These include:

- Carers leave
- Access to before and after school care programs and vacation care
- Child care and elder/carers information

Step 3 – Personal Implications of Your Proposed New Work Arrangement?

Activity 3

You will need to consider the implications of any changes to your working hours, day, or work location. For example if you are changing your hours, will public transport be as accessible as it is during peak travel times? Would working from home mean you have to give up the spare bedroom and turn it into an office? This might work well if you don't need the room for visitors, but would become a challenge if you have family and friends who regularly want to visit for the weekend.

If you are reducing your hours can you afford the reduction in salary? You may need to take the time to review your budget and the long-term implications of living on a reduced salary. Consider too the potential impact on your superannuation entitlements.

If, after assessing your financial needs, you believe you cannot reduce your hours, consider some other alternatives. It might mean that you continue to work full time but use some other flexible option such as 'working from home for part of the week' or accessing the compressed work week option. During this part of your planning process it will be important to involve your partner or others who will be impacted by your decision. If necessary consult with a financial counsellor to

assist you in your decision making. You can access a counsellor through an Employee Assistance Program.

Step 4 – Prepare Your Case

As part of your preparation to present your proposal you need to consider the impact of your requested changes on the workplace. It helps your supervisor agree to your request if you have thought through the issue from their perspective. For example; there may be an initial concern that working flexible hours will mean the patient will ‘suffer’ from compromised care, whereas in the long-term patients may benefit from having access to staff available for a longer time each day. Your supervisor will also be concerned about the financial implications that your request will have on the department’s budget.

Consider the answers to the following questions as they apply to your situation. Incorporating the answers into your proposal will help you gain acceptance for your request. Of course there are no guarantees so be prepared to discuss alternatives and whether this is the best time to submit your request.

Activity 4.1

Consider:

- How will the changes you are requesting affect your ability to meet your objectives and responsibilities?
- How will your proposed new schedule or flexible work option, sustain or improve the unit’s ability to provide high quality care for all patients?
- What impact could your proposed changes have on patients, other doctors, your supervisors and others? Are there any potential implications for the unit’s budget that will need to be considered?
- How do you plan to overcome these potential problems?
- How will you maintain communications within your unit and with patients?
- Will you need any additional equipment? Are there any additional costs (that you know about) associated with your request? (If you are not sure then talk to Human Resources)
- What costs and benefits will accrue to the hospital if your request is approved?
- What measures can be used to assess how your performance is meeting or exceeding expectations?
- How will you integrate training sessions into your schedule?
- What review process do you propose for monitoring and improving your flexible work option?

The approach and style of your request needs be tailored to correspond with the nature of your workplace and your supervisor’s attitude to these issues.

Activity 4.2

Collect the following information to help you prepare your plan and proposal:

- What flexible options are currently being used in the unit? What have been the successes?
- What have been the challenges in making flexibility work? How were they overcome or do they still exist? You may have to do some research or talk to Human Resources, your supervisor or your State or Territory AMA who will be able to advise you.
- Is this the best time to ask for flexibility? Requesting a change to work arrangements during a pressure period might not be the best way to approach such an important request.
- If you believe your supervisor will be unsure about the benefits of your request, suggest a trial period with agreed measures for success.
- Prepare for potential objections; plan answers for each of the possible reasons “it won’t work here”. Ask colleagues for help and ideas.
- Prepare your list of benefits for your supervisor and the hospital that can be used as part of your discussion and application for flexibility.

Step 5 – Complete the Application

By following the steps outlined above you should have covered the majority of issues that will be raised during a discussion with your supervisor. However, be prepared for the unexpected. One way of doing this is to have a ‘practice run’ with a trusted friend or colleague. Ask them to take the role of your supervisor and to ask the questions you expect to be posed, as well as those that are unexpected!

The AMA has developed a Flexible Work Option Planning template which you can use to support your request. It can also act as a prompt during your discussion and includes questions for your supervisor to consider. Examples of how this can be used are included as an attachment to this guide.

Remember that in some circumstances it may not be possible for your employer/organisation to agree to requests for flexibility, you should consider alternatives to your plan just in case it is not possible in its current format.

Activity 5

- Complete your application.
- Prepare your answers to possible questions that may arise.
- Have you considered your supervisor’s priorities and concerns?
- Have a ‘trial run’ with a friend or colleague.
- Book a meeting time with your supervisor.
- Consider your “Plan B” i.e. what the alternatives are if your first option is not possible.

2. Discussion with Supervisor

Having completed your planner you should request a meeting with your supervisor to discuss your proposal in some detail. Try to organise a time when you will both be free of interruptions or will not have to rush the meeting because of other commitments.

Organise a room where your privacy can be assured and where you will not be disturbed.

Have a copy of your proposal for both your supervisor and yourself and if necessary have a copy of the flexible work options policies available for your reference.

To help your supervisor understand your situation and your request you are likely to need to explain your answers to the various questions on the planner. However you should not feel pressured to discuss personal issues or other information that you feel is private and has no impact on your supervisor's decision.

In order to ensure patient care and the smooth running of the unit, your supervisor may ask you to adjust some of your request. You should try to work together to resolve any problems or concerns.

Once you and your supervisor have agreed on how your request will work and the framework for the new work arrangement you need to prepare a written document that will outline the key components of the agreement. This can then be used to assess how well the arrangement is working by both you and your supervisor. It should also be included with the documentation sent to Human Resources who will give the final approval for your request.

3. Doctor and Supervisor Establish Flexible Work Agreement

Formal requirements¹

A formal request under the *Fair Work Act 2009* must be in writing and be given to your employer.

Your written request needs to clearly outline:

- the change sought and
- the reasons for the change.

Activity 1

- In conjunction with your supervisor agree how the new arrangement will work and write a flexible work agreement. You will need to consider and include details of changes to your working hours, salary, and your performance goals and how success will be measured. The duration of the agreement, any materials or equipment you will need and any possible impact on OH&S issues.
- Writing this agreement may mean you need to have several meetings with your supervisor and other doctors in the unit. It can be helpful to remember that they will be concerned about the possible impact of any changes on their workload or ability of the unit to manage its patient load. You will need to have given thought to these concerns and how

¹ Fair Work Ombudsman. The right to request flexible working arrangements. <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/the-right-to-request-flexible-working-arrangements>

they may be addressed to help gain agreement and commitment to the changes you propose.

- It is the supervisor's responsibility (having accepted a doctor's request to work flexibly) to work with the doctor to develop a flexible work agreement that will outline how the new arrangement will work. It is unlikely that any two arrangements will be the same so the following steps are guidelines that will help you both to develop a win-win agreement. Once you have reached agreement on all of the criteria below then it should be written up and signed by both parties.

Issues That You and Your Supervisor Need to be Consider and Cover in the Agreement

1. Confirm just what the flexible arrangement will be. Is it a change of hours or a job-share arrangement or working from home or another type of flexible working?
2. How many hours per week / month will the doctor be working? Will there be a change in the number of rostered shifts, will these shifts be longer or shorter? Do the arrangements comply with the AMA National Code of Practice: Hours of Work, Shiftwork and Rostering for Hospital Doctors?
3. If it is necessary how have you changed the workload of the doctor to reflect the changes in work-time (if moving from full to part-time work, or establishing a job-share arrangement)?
4. If moving to a part-time or job-share arrangement, how is clinical handover addressed?
5. What will be the impact on the doctor's salary and any other benefits? You should refer to Human Resources for clarification. Also check that the doctor understands the implications of any change as this may impact their decision to access the flexible work option.
6. If the doctor wishes to return to standard working conditions (at some later date) how will this be addressed?
7. Is there any potential for the doctor to work from home for some administrative duties?
8. How will performance be measured? What are the performance criteria, e.g. patient care?
9. How will you both communicate with each other and with other doctors in the unit? What frequency? What will happen if you need to make contact with each other if a work – related crisis occurs?
10. Identify how holidays / leave and other absences will be covered if this is an issue that affects ongoing patient care and contact.
11. Will there be a trial period and how will you both monitor and measure success?
12. The agreement should list any additional equipment or materials supplied to the doctor (for example if the employee moves to a working from home situation the hospital may supply some equipment).
13. Consider how potential conflicts will be resolved and outline this process in the agreement.

Having completed your flexible work agreement and gained approval from Human Resources you will need an implementation plan.

4. Develop an Implementation Strategy

Now you have your agreement you and your supervisor need to prepare and implement your new flexible work plan. Some things you will need to do include:

Activity 1

- Consider if any aspects of your job need to be re-designed, or allocated to other people.
- Confirm how your performance will be measured based on deliverables rather than the length of time you work.
- Talk with other doctors in the unit, other staff and patients about the forthcoming changes.
- Agree the start date and the dates for monitoring progress.
- Get started.

5. Management Approval

Once your plans and work agreements have been completed send full details and all supporting materials to your supervisor and/or Human resource Department.

6. Monitoring and Evaluating Progress

It will be important for both you and your supervisor to regularly assess how well the new arrangement is working. In some instances the arrangement may be on a trial basis for 3-6 months. If this is the case you and your supervisor should discuss how performance will be measured and agree on what is a fair time to trial the requested flexible arrangement.

Supervisors should communicate and consult with other doctors in the unit as part of the on-going monitoring process, any difficulties should be resolved as they arise.

You will need to check that you are able to meet the personal needs that were your original motivation for change. Your supervisor will need to be sure that you are also meeting the requirements of the job. It will be important to stick to the monitoring schedule that you established in your flexible work agreement plan. The following monitoring steps might help.

Activity 1

As part of your evaluation and monitoring process consider and answer the following questions. Discuss your conclusions with your supervisor as part of your on-going evaluation process.

- Consider why you moved to a flexible work arrangement? Are those goals now being met?
- If not what still needs to be changed or fine-tuned?
- What have been the greatest successes of the new work arrangement?
- Are you meeting your performance criteria? If not what is hindering your progress and what needs to be changed?
- How are your colleagues and patients reacting? What are the positives and on-going challenges? How can you build on your successes and overcome the difficulties?

-
- Is the workload reasonable? Has there been a 'workload creep'?
 - Has this impacted on your ability to meet your training needs? Is there any further training you require e.g. time management, delegation.
 - Where to from here?

Flexible Work Option Planner Template

Employee details

(To be completed by the Doctor)

| | | |
|-----------|----------|-------------------------|
| Name | Date | Submitted to Supervisor |
| | | |
| Job Title | Division | Location |
| | | |

1. Identify the preferred flexible work option. Describe how this option will best suit your needs. (As outlined in [Hospital Name] W/F Policies)

2. Describe the working arrangements that will best suit your needs.

3. How do you perceive the impact your proposed new schedule sustaining or improving the unit's ability to provide care for all patients?

4. What impact could your proposed changes have on patients, other doctors, your supervisors, and other staff in the unit and/or others?

5. How do you plan to overcome these potential problems?

6. Will you need any additional equipment? Are there any additional costs (that you are aware of) associated with your request?

7. What costs and benefits will accrue to the hospital if your request is approved?

8. What measures do you believe can be used to assess how your performance is meeting or exceeding expectation?

9. What review process do you propose for monitoring and improvement of your flexible work option?

(To be completed by the Supervisor)

Supervisor's Comments

10. How will this option help or hinder patient care provided in your unit?

11. Please give reasons for approving or declining this request.

Date Supervisor's Signature.....

Date Doctor's Signature.....

On completion of discussions regarding this request the Supervisor and the Doctor should retain a copy and one copy sent to Human Resources

Flexible Work Option Planner Example 1

Employee details

(To be completed by the Doctor)

Name Jane Smith Date 8/11/04
Submitted to Supervisor M Blog
Job Title Registrar Location Sydney Division Maternity
Ward

1. Identify the preferred flexible work option. Describe how this option will best suit your needs. (As outlined in [Hospital Name] W/F Policies)

I would like to take my maternity leave at 8 months pregnancy, for a period of six months post birth, with a part time return to work.

2. Describe the working arrangements that will best suit your needs.

I would begin my maternity leave at 8 months pregnancy, 1 month prior to expected date of delivery. I would like to take 6 months maternity leave after the delivery, in order to establish breastfeeding and recover from the birth. After this I would like to work part time, in order to be able to share the care of the baby with my husband.

3. How do you perceive the impact your proposed new schedule sustaining or improving the Ward's ability to provide care for all patients?

Allowing me to go onto maternity leave will allow the ward to retain my employment. This will then allow the ward to continue me to look after patients, instead of my ceasing employment and subsequently seeking alternative employment. By allowing my return on a part-time basis, will allow me to perform all normal duties of patient care on that basis. The Ward may need to employ someone while I am on maternity leave and consider creating another part time position upon my return. Under these circumstances patient care would not be affected. By allowing me to work part-time I would also be able to care for patients better, as I would be confident in the care provided to my child by my husband and myself, instead of relying entirely on child care.

4. What impact could your proposed changes have on patients, other doctors, your supervisors, other staff in the Ward and/or others?

There may be some difficulty in my remaining up to date on all developments in the hospital ward. There may also be some difficulties in attending meetings outside my part time working hours.

5. How do you plan to overcome these potential problems?

In regard to remaining up to date I can be included on all hospital and Ward mailing lists even while on leave. In regard to attending meetings outside my part time work hours, I can ensure in negotiation, to be able to be present for these, when they cannot be scheduled during my working hours.

6. Will you need any additional equipment? Are there any additional costs (that you are aware of) associated with your request?

There will be some costs due to the need to employ another doctor to work part-time upon my return.

7. What cost-benefits will accrue to the hospital if your request is approved?

The hospital will be seen as an employer of choice who assists families in balancing their work and family responsibilities.

8. What measures do you believe can be used to assess how your performance is meeting or exceeding expectation?

Normal KPIs can apply once I return to take up part-time employment.

9. What review process do you propose for monitoring and improvement of your flexible work option?

Arrangements can be monitored on a monthly basis.

(To be completed by the Supervisor)

Supervisor Comments

10. How will this option help or hinder patient care provided in your unit?

It is important for the Ward to retain Jane's services. This will involve covering Jane's shifts during her absence, but I note that the hospital is required to provide this maternity leave.

11. Please give your reasons for approving or declining this request.

I am approving the request with a minor amendment. The Hospital's industrial agreement requires that women have access to 3 months paid maternity leave, or 6 months maternity leave at part time. I am thus reducing the total period of maternity leave to six months, from 1 month prior to the expected birth to 5 months after the birth, in line with the hospitals responsibilities. I note that Jane has applied for 1 month annual leave at the end of her agreed period of maternity leave.

Date 9/11/04

Supervisor's Signature M Blog

Date 9/11/04

Employee's Signature Jane Smith

On completion of discussions regarding this request the Supervisor and the Employee should retain a copy and one copy sent to Human Resources

Flexible Work Option Planner Example 2

Employee details

(To be completed by the Doctor)

Name Albert Schweitzer Date 23 Sept 2004
Submitted to Supervisor Jo Bersier
Job Title Registrar Location Gunsbach Division Intensive Care Unit

1. Identify the preferred flexible work option. Describe how this option will best suit your needs. (As outlined in [Hospital Name] W/F Policies)

I want to job share with a colleague because I would like to spend more time with my family and require time to complete my postgraduate studies at the same time.

2. Describe the working arrangements that will best suit your needs.

I currently work a five-day week usually from 8am to 6pm. Job Sharing with XXXXX, who is in a similar position, means that we can manage the same number of patients. We would both work part time, alternating on a fortnightly basis between morning and afternoons, overlapping for 1 hour in order to handover all patients. This means that an extra 30 minutes will be worked by each of us, at no extra cost in order to ensure that handover is completed adequately. We would also equally share on-call requirements.

3. How do you perceive the impact your proposed new schedule sustaining or improving the unit's ability to provide care for all patients?

We could provide continuity for our patients by the arrangements described above.

4. What impact could your proposed changes have on patients, other doctors, your supervisors, other staff in the unit and/or others?

It would create an opportunity to employ a new team member as XXXXX and I would both be moving to a part-time arrangement. There would be little or no impact on co-workers and the slight additional cost of hiring an additional person would be balanced or outweighed by the skills, knowledge and different perspective a new person would bring to the Unit. I would stay with [Hospital Name] rather than looking for a part-time job elsewhere.

Only challenge would be the communications with the team or coping with a patient crisis.

5. How do you plan to overcome these potential problems?

We could communicate by e-mail and phone with each other to hand-over patient information outside of our normal arrangements. Better use of the current paging system would mean that we are easily contactable for colleagues. We would both attend team meetings.

6. Will you need any additional equipment? Are there any additional costs associated with your request?

No.

7. What cost-benefits will accrue to the hospital if your request is approved

It will mean that I will stay with [Hospital Name] rather than look for alternative employment so it will save my replacement costs. We will provide continuity of service to patients.

8. What measures do you believe can be used to assess how your performance is meeting or exceeding expectation?

The same KPIs will still be applicable.

9. What review process do you propose for monitoring and improvement of your flexible work option?

Initially we should have fortnightly meetings to review progress, after the first 8 weeks this can move to a monthly meeting. After 4 months quarterly meetings should be sufficient.

(To be completed by the Supervisor)

Supervisor's Comments

10. How will this option help or hinder patient care provided in your unit?

The job-share arrangement will mean that we can maintain the workload of the unit. However I am concerned about the financial impact of hiring an additional staff member and the ongoing disruption to patients who really need continuity of care. In particular in an Intensive Care Unit, continuity and availability of all information is crucial.

11. Please give your reasons for approving or declining this request.

I am declining this request, as I believe that whilst Albert is an experienced employee and his contribution to the team is very valuable, the expense of hiring a full-time staff member and establishing the job-share arrangement will be too great. In addition I am concerned about the disruptive effect on our patients. To help Albert deal with his current dependent care issues we have looked at other ways he may be able to cope with work and family responsibilities and have agreed that for the next 3 months he will work a compressed work week part of which will be by undertaking some administrative work from home. We will evaluate the situation again in 12 weeks time.

Date 25/9/04

Supervisor's Signature *Jo Bersier*

Date 25/9/04

Doctor's Signature *Albert Schweitzer*

On completion of discussions regarding this request the supervisor and the employee should retain a copy and one copy sent to Human Resource

Flexible Work Agreement Example 3

| | | | | |
|----------------------------|------------|--|-------------------|-----------|
| Employee | Jane Smith | | Supervisor | M Blog |
| Job | Registrar | | Division | Maternity |
| Initial Review date | 24/7/05 | | | |
| Evaluation Date | 24/9/05 | | | |

1. Background Information about the Change

As a result of Jane's falling pregnant, she requested to go onto maternity leave, and have a flexible return to work, at the end of her maternity leave.

2. New Work Schedule

Jane will go onto maternity leave at 8 months pregnancy and complete her maternity leave 6 months later. This period will be paid at half pay. At the end of her maternity leave period she will take 4 weeks annual leave.

Jane will work part-time after returning from maternity leave. She will be early/late in order to ensure a smooth clinical handover.

3. Work Locations

Jane will continue to work from this location.

Measures to meet the Unit's and patient needs

No special measures are needed. Extra staff may need to be employed as per hospital guidelines to cover maternity leave.

4. Communication Plan

Jane will receive all correspondence in order to stay up to date while on maternity leave. Where it is not possible to schedule a staff meeting so that Jane can attend as part of her part-time work schedule, she will endeavour to attend outside her regular schedule.

5. Performance Measures

All current performance measures will continue to be the basis on which this flexible agreement will be measured.

6. Evaluation Criteria

Success of this flexible work arrangement will be based on Jane's continued ability to meet her KPIs. All normal standards of patient care will continue to apply.

7. Additional Equipment Supplied

None.

Signed

Date

