3.17 TEMPORARY VARIATION TO HOURS OR MODE OF EMPLOYMENT - PRINCIPLES AND PROCEDURES

1. BACKGROUND AND CONTEXT

Access to flexible working arrangements can assist staff to balance their work and personal responsibilities and improve the productivity and effectiveness of UTS. The University recognises that the personal circumstances of staff can change during the term of their employment and there may be periods when they may wish to change their pattern of work attendance. The University therefore provides the opportunity for staff to apply to vary their hours of duty or mode of employment for a fixed period. The modes of employment are full-time, part-time and part-year (support and senior staff) / sessional (academic staff).

The “modes of employment” are defined in the following clauses of the collective agreements:

- Clause 40, Support Staff Agreement 2006
- Clause 37, Academic Staff Agreement 2006
- Clause 27, Certified Agreement (Senior Staff Group) 2004

2. PURPOSE AND SCOPE

2.1 Purpose and scope

The arrangements set out in this document apply when a staff member seeks to make a temporary variation to either their:

(a) mode of employment (eg from full-time to part-time, part-time to full-time, full-time to part-year, etc); or

(b) hours of duty for part-time staff and part-year / sessional staff. Part-time staff may apply for a variation to their proportion of part-time for a fixed period (eg from part-time of 0.6 of full-time to 0.5 of full-time). Part-year or sessional staff may apply to vary the number of weeks that they work for a fixed period (eg from part-year for 30 weeks to part-year for 28 weeks).

These arrangements are intended to offer staff greater flexibility and balance in their employment at UTS. The University will endeavour to accommodate requests for temporary variation of hours or mode of employment subject to the operational needs of the faculty/unit.

At the completion of the fixed period of the variation, a staff member will return to the substantive hours of duty of their appointment, unless alternative arrangements are approved.

This document does not apply to requests for permanent variations to a staff member’s hours or mode of employment. A staff member who wishes to make such an arrangement should discuss this with their supervisor, in the first instance. The staff member or supervisor may seek assistance from the Human Resources Unit in making arrangements for a permanent variation (see contact information in section 6 of this document).
2.2 Eligibility

All continuing and fixed-term academic, support and senior staff are eligible to apply for temporary variation of hours or mode of employment.

Because of the nature of casual employment, these arrangements do not apply to casual staff.

3. PRINCIPLES AND PROCEDURES

3.1 Applications

Applications must be in writing and be submitted in accordance with the following notice periods:

(a) for academic and senior staff, at least six months prior to the proposed date of commencement of the arrangement
(b) for support staff, at least two months prior to the proposed date of commencement of the arrangement.

Subject to the operational needs of the faculty/unit, the notice periods specified above may be waived or reduced at the discretion of the authorising officer.

The staff member’s written application should be made on the “Variation of Hours or Mode of Employment Form”.

On this form the staff member will provide their:

(a) current mode of employment and the mode the staff member seeks to transfer to
(b) for support staff, the proposed proportion of full-time and hours of duty (for transfer to part-time) and/or the proposed number of weeks and pattern of weeks (for transfer to part-year) OR
(c) for academic and senior staff, the proposed proportion of full-time (for transfer to part-time) and/or the proposed number of weeks and pattern of weeks (for transfer to sessional)
(d) the proposed duration of the temporary transfer
(e) the reason for the application (refer to section 3.3 below).

The staff member’s supervisor may request that further relevant information be provided as part of the application.

Before applying for a temporary variation to their hours or mode of employment, staff should consider the effects of the variation on their conditions of employment, including superannuation (refer to section 3.4 below, Conditions of employment during a period of temporary variation).

The following will be taken into account in the consideration of an application:

(a) the reason for the application
(b) the University’s policy of equal opportunity
(c) the support of the staff member’s supervisor and the supervisor’s recommendations as to how the staff member’s application can be accommodated
(d) the operational practicality of the proposed arrangement, having regard to the duties of the staff member’s position and needs of the work unit
(e) the potential impact of the arrangement on other staff within the work unit
(f) the financial implications of the proposed arrangement.
Approval of temporary variation arrangements may be subject to the staff member agreeing to transfer to a different position, undertake different duties for the duration of the temporary variation, or other reasonable conditions set out in writing at the time of approval.

Approval of the arrangement is subject to faculty/unit operational requirements. The approving manager should discuss an application for temporary variation with their HR Partner, HRU before declining the application. Staff members will be advised in writing of the outcome of their application. If an application is declined, the staff member will be provided with reasons for this decision.

3.2 Limitations on applications

Temporary variation to hours of duty or mode of employment may be approved for fixed periods of normally not less than 6 months or for more than two years.

A support staff member who varies their mode of employment to part-time will be required to work a minimum of one full day per week. An academic staff member who varies their mode of employment to part-time will be required to undertake a minimum of 0.2 of a full-time workload.

3.3 Confidentiality

The reason for an application for temporary variation to hours or mode of employment may be relevant to a staff member’s personal and/or family circumstances. The staff member may request that the details of their application be treated confidentially. Staff may provide information about the reason for their application to either their supervisor or the Director, Human Resources or nominee.

3.4 Conditions of employment during a period of temporary variation

The staff member’s conditions of employment and remuneration will be in accordance with the provisions of the relevant workplace agreement and the HR Manual relevant to their approved hours of duty and mode of employment. Staff will receive remuneration and conditions at the appropriate pro-rata rate, if they are part-time or part-year. The conditions identified below will be affected as specified:

(i) Allowances

Allowances such as those for first aid or on call may be affected by, for example, a temporary variation from full-time to part-time or part-year, or part-time to part-year, etc.

(ii) Leave

During the period of the temporary variation, leave will accrue at the relevant pro-rata rate. The leave accrued prior to the variation will not be affected. During the period applicable to the variation, leave will be taken in accordance with the hours and mode of employment applicable at the time of the leave. Further information in relation to long service leave and paid maternity / adoption leave is provided below:

**Long Service Leave:** A variation to hours or mode of employment will not affect the staff member’s eligibility for long service. However, the amount of long service leave that accrues will be calculated on a pro-rata basis.

**Paid Maternity / adoption leave:** A variation to hours or mode of employment will not affect a staff member’s eligibility for parental leave (that is, the 40 week service requirement). The rate of payment during paid maternity / adoption leave will be on the basis of the hours / mode of employment applicable before the commencement of the leave. Staff who wish to reduce their hours of employment in the period preceding a period of maternity / adoption leave are advised to seek to achieve this through leave with or without pay rather than temporary variation. Staff should contact Staff Services, Human Resources for assistance (see contact information in section 6 of this document).

(iii) Superannuation

A variation to hours or mode of employment will effect compulsory employee and employer superannuation contributions and any salary packaging arrangements which the staff member has in place. The staff member
may wish to consult with their superannuation fund and a financial planner or accountant before applying for a temporary variation of hours or mode of employment.

Staff who are contributors to the State Superannuation or State Authorities Superannuation Schemes are advised to contact their fund.

Following approval of an application for temporary variation, the University will notify UniSuper of changes to the staff member’s employment arrangements.

For further information, refer to the University’s website on superannuation: http://www.fsu.uts.edu.au/superannuation/index.html.

(iv) Professional Experience Program (PEP)

A variation to hours or mode of employment will not affect a staff member’s qualification for eligibility for PEP. Eligibility for PEP accrues on a pro-rata basis. The hours or mode of employment applicable before the commencement of an approved PEP will apply during the PEP.

3.5 Application to alter the arrangement

A staff member on temporary variation may apply to alter the arrangement. Such an application will be regarded as a new application for temporary variation of hours or mode of employment and will be considered on its merits subject to faculty/unit operational needs in accordance with this document.

3.6 Ending a temporary variation early

A staff member may apply to return to their substantive hours or mode of employment prior to the expiry of the approved fixed period of the variation.

Notice of at least one month prior to the date proposed for the early return must be provided. This notice period may be waived or reduced in emergency situations.

Approval to end the variation early is subject to faculty/unit operational requirements including any affect the revised arrangements may have on other staff within the work unit. Such approval may be subject to the staff member agreeing to transfer to a different position, undertake different duties or other reasonable arrangements.

3.7 Return to former position

At the completion of a fixed period of the temporary variation, the staff member will return to the substantive hours and mode of employment. The staff member will return to their former position unless other arrangements have been made with the staff member.

4. AUTHORITIES AND ACCOUNTABILITIES

The Chancellor, Vice-Chancellor, Senior Deputy Vice-Chancellor, Deputy Vice-Chancellors, Directors, Deans and University Librarian may all approve or decline applications from staff in their Division, Unit or Faculty in accordance with this document.

Where an application is disputed it will be referred to the next level of management.

5. SPECIFICATION OF RELATED UTS AND OTHER RELEVANT DOCUMENTATION

- Equal Opportunity – Policy
- NSW Anti-Discrimination Act 1977
- Federal Anti-Discrimination Legislation
- Work, Study and Carer’s Responsibility - Policy
- Support Staff Agreement 2006
- Academic Staff Agreement 2006
- Superannuation Guidelines
6. CONTACTS

For assistance in relation to variation to hours or mode of employment please contact the following:

Staff enquiries staffservices@uts.edu.au or extension 1060

Supervisor enquiries relevant HR Partner in the HR Management Services Team

Current Human Resources Unit staff and contact details can be found at the HRU Contacts webpage - http://www.hru.uts.edu.au/contacts/index.html

7. APPROVAL AND REVISIONS TABLES

7.1 Approvals

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<td>ACCOUNTABLE OFFICER</td>
<td>Director, Human Resources Unit</td>
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<td>CURRENT INCUMBENT</td>
<td>Jennifer Gilmore</td>
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<tr>
<td>IMPLEMENTATION OFFICER</td>
<td>Senior Workplace Relations and Policy Specialist</td>
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<td>CURRENT INCUMBENT</td>
<td>Lisa Carroli  CONTACT NO Extension 1079</td>
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7.2 REVISION/MODIFICATION HISTORY

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<td>Temporary transfer to full-time, part-time or part-year / sessional - Principles and procedures</td>
<td>New Principle and procedures. Replaces Temporary transfer to Part-time Policy rescinded by Council (COU/07-4/80)</td>
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