

## Employers' Guide To Flexible Working Arrangements Requests

Any employee can request changes to their hours, days or place of work. The employer must consider the request and can only refuse the request on certain grounds related to the business.

The employee must specify their name, date of request, the request is under the Employment Relations Act, the variation requested and whether it is permanent or temporary and the dates it is to take effect.

The employee should also explain any changes the employer may need to make if the request is approved.

You should consider whether there are grounds to refuse the request.

The grounds for refusal are:

- inability to re-organise work among existing staff:
- inability to recruit additional staff:
- detrimental impact on quality:
- detrimental impact on performance:
- insufficiency of work during the periods the employee proposes to work:
- planned structural changes:
- burden of additional costs:
- detrimental effect on ability to meet customer demand.

An employer must also refuse a request if the employee is bound by a collective agreement and the request relates to work under the collective and would be inconsistent with the collective.

You must answer the request as soon as possible and no later than one month. The response must be in writing.

If refused you must provide the ground for refusal and an explanation of the reasons for that ground.

If an employee is not satisfied with your decision they can ask a Labour Inspector to assist resolve the matter.

The employee can seek mediation if the Labour Inspector is not able to resolve the issue.

If mediation does not satisfy the employee they can refer the matter to the Employment Relations Authority.

Failure to comply with the provisions can result in a penalty of up to \$2,000 payable to the employee.

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