



## **IMPORTANT CHANGES TO FLEXIBLE WORKING REQUESTS**

The right to request flexible working arrangements will be extended to ALL employees with effect from June 30th 2014. Employers must now consider such requests in a “reasonable manner” rather than having to follow the previous statutory procedure.

Employees who have 26 weeks’ continuous employment with their employer will have a right to apply to vary their contract of employment and to have that application considered by their employer in a reasonable manner and only refused where the employer considers that specified grounds apply (see below).

### **Who has the right to apply for flexible working?**

- Any employee who has worked for their employer continuously for 26 weeks at the date the application is made.
- has not made another application to work flexibly under the right during the past 12 months.

### **What is flexible working?**

A qualifying employee may apply to change:

- the hours he or she is required to work;
- the times when he or she is required to work;
- where he or she is required to work, i.e. between home and his or her employer’s place of business.

### **How should the employer handle the application**

The application must be made in writing. It must be dated and must state whether a previous application has been made by the employee, and if so, when.

On receipt of the application the employer must:

- Consider the application in a reasonable manner;
- Notify the employee of the decision about the application within three months of the date the application is made, unless an extension to the time limit is agreed by both employer and employee).

An employer can only refuse an application if he considers that one or more of a specific list of business-related grounds set out in the legislation apply.

## **On what grounds can applicants be refused?**

Applications for flexible working arrangements can be refused only for the following reasons:

- the burden of additional costs
- detrimental effect on ability to meet customer demand
- inability to reorganise 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