



Guide to Flexible Working Entitlements

When you want to reduce your hours or work more flexibly

If you have been recently diagnosed, have a conversation with your employer as quickly as possible outlining the situation and explaining what you and your medical team advise. Chances are, you may be able to come to an informal short term arrangement until more information about your diagnosis and treatment plan becomes available.

For longer term arrangements, as an employee you have a right to request a flexible working arrangement. You can ask:

- to change your working arrangements – either permanently or for a set time
- for any purpose or reason. For example, caring for someone with an illness or needing flexibility to attend ongoing medical appointments

What do I need to do to submit a formal Flexible Work Agreement (FWA)?

The request must be in writing, e.g. by letter, email or complete a form which can be downloaded. We recommend to:

- Plan in advance before making a request;
- Submit your request to your employer as soon as you are sure of what you want;
- Keep a copy of the request and note when you have sent it to your employer; and
- Remember, the clearer the request the better. It's up to you to explain the working arrangement that you want and how it can be made to work for both employee and employer.

The employer must reply as soon as possible, but within one month of the date requested. The employer will make the decision on whether or not to grant the request based on business grounds.

Step by Step Guide

1. For a formal change in working hours, you need to make a request for a Flexible Working Agreement and it must be in writing.
2. It must have your name written on the request.
3. It must be dated with the day of when your request was made.
4. Show reference to Part 6AA of the Employment Relations Act 2000.
5. Explain the working arrangement you are seeking and whether you want it to be permanent or for a set period of time.
6. State the date that you want the new working arrangement to start and, if the new working arrangement is for a set period of time, state the date you want the arrangement to end.
7. Explain why you are requesting a Flexible Working Arrangement, for example, to undergo treatment and allow for recovery
8. Explain, in your view, what changes (if any) the employer may need to make to their current business arrangements if the request is approved, e.g. possible changes to the way the team works together, changes to the physical set up of the workplace etc.

What grounds does my employer have for declining my request for flexible working?

The employer doesn't have to agree with the request if there is a good business reason for declining, however most have an obligation to be a fair and reasonable employer and seriously consider each request.

Grounds for denying a flexible working request are:

- Cannot reorganise work among existing staff
- Cannot recruit additional staff
- Negative impact on quality output
- Negative impact on performance
- Not enough work during the periods the employee proposes to work
- Planned structural changes
- Burden of additional costs
- Negative effect on ability to meet customer demand.

Medical Retirement or Medical Incapacity

If you would like more information on this, please see our ['Guide to medical retirement'](#) on our website.