

# Home Based Work Guideline

**Guideline Owner:** *Director Human Resources Services*

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[Intent](#)  
[Organisational Scope](#)  
[Definitions](#)  
[General Requirements](#)  
[Related Documents](#)  
[Contact Information](#)  
[Approval History](#)

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## 1. INTENT

It is important that employees working at home on a regular or routine basis are working in a healthy and safe environment, with safe systems of work and, where hazards exist, they are adequately controlled. This guideline outlines the requirements of the Employee and Manager/Supervisor when considering implementing a Home-Based Work (HBW) Arrangement as part of a flexible work arrangement.

When considering an Employee requested HBW Arrangement the Manager/Supervisor will consider, in consultation with the employee, whether other available arrangements (e.g. personal, annual or purchased leave) are more appropriate to the circumstances.

This guideline should be read in conjunction with the *Flexible Working Hours Policy* and *Guide to Flexible Working Arrangements*.

## 2. ORGANISATIONAL SCOPE

All ECU employees

## 3. DEFINITIONS

TERM	DEFINITION
ECU	Edith Cowan University
ECU Initiated HBW	Is when ECU seeks interest from employees to undertake all or part of their work in a HBW arrangement.
Employee Requested HBW	Employee is the initiator of the Home-Based Work Arrangement
Flexible Work Arrangement	Any long-term or short-term changes to usual work arrangements to accommodate the

	Employee's need for flexibility and ECU's operational requirements. Flexible working arrangements are individually negotiated and agreed on a case-by-case basis.
Home Based Work (HBW)	Is the performance of work at an Employee's place of home/residence.
Home Based Work Arrangements	An approved Flexible Work Arrangement that includes home based work and is documented on the HBW assessment form outlining the conditions of HBW as agreed between ECU and the Employee.
Injury Management Advisor	The person responsible for co-ordinating the return to work program of an injured employee on behalf of ECU in conjunction with the line Manager/Supervisor. This may be a member of the Safety and Employment Relations team or an external Workplace Rehabilitation Provider appointed by ECU.
Manager/Supervisor	The person with line management responsibility for any employee including all full time, part time and casual employees.
School/Centre Management	As defined by <i>ECU HR Delegations</i> (refer to Section 6. Related Documents)

#### 4. GUIDELINE CONTENT

##### 4.1. HBW Arrangements

HBW is one form of flexible work available at ECU. It enables an employee to work from their home as agreed with their Manager/Supervisor and approved by School/Centre Management.

An approved HBW arrangement must be in place before HBW commences and employees seeking an HBW arrangement must meet the eligibility requirements as outlined in the *Flexible Working Hours Policy*.

HBW arrangements need to:

- deliver acceptable and timely services and advice;
- achieve the same role objectives and outcomes;
- provide effective methods of engagement with other team members, students and clients where necessary
- consider if appropriate and reasonable caring arrangements are required or in place for any dependents who may also be at home whilst the employee is working; and
- avoid conflicts or perceived conflicts of interest between an employee's home/caring responsibilities and teaching, research and operational work responsibilities.

## 4.2. Requesting HBW Arrangements

The following factors need to be discussed and/or considered by the Employee and their Manager/Supervisor before formal applications for HBW are submitted for approval or are initiated and implemented by ECU:

- the reasons for requesting the HBW arrangement;
- the reasonableness of the HBW request;
- the benefits to the area and the Employee;
- the ability to achieve current work objectives and outcomes, and how the operational needs will be met;
- how it will operate, including the day/s it would cover and the duration;
- any potential impact on teaching, research and operational activity, other employees, students, customers, and how this impact might be addressed;
- personal safety in the home and providing the opportunity for employees to disclose risks from other occupants, and:
- any other concerns or issues relevant to the proposal, such as consideration of any recommendations made by an Injury Management Advisor (IMA), Registered Healthcare provider or Medical Specialist, or identifying other suitable flexible working arrangements.

Ad hoc or one-off arrangements also need to be discussed and approved however it is at the discretion of the Manager/Supervisor whether a formal application needs to be completed and is generally not required.

## 4.3. Approval process

### 4.3.1. Employee Requested Home Based Work

Employee requested applications are assessed by the Manager/Supervisor, and should consider the following:

- the effect on an area's business needs, operations or services;
- the impact on other team members, employees, students and clients;
- the ability of the Employee to meet the requirements of their position working from home;
- the nature of the work being done, whether that work can be done from home and, if so, on what basis;
- the hazards likely to be identified in any risk assessment and the risk level associated with these;
- the reasonable financial impact, including the impact on efficiency, productivity and student/client service;
- the HBW location's compliance with relevant ECU Health and Safety requirements;
- The ability to maintain appropriate record keeping and information security in line with section 4.8;
- the ability of the Employee to self-manage their work and performance;
- the ability to remotely manage the employee's work activities whilst working from home; and

- any other matters based on the Employee's individual circumstances and ECU's operational needs.

These considerations should be documented and assessed using the following documents:

- Flexible Work Request form and HBW assessment form.
- A Health and Safety Hazard Risk Assessment in RiskWare for the work tasks to be performed in situations where:
  - the activities other than computer and office-based tasks are proposed;
  - the activities that involve a substantial change to work processes; and
  - any other situation that may impact on business needs.

The risk assessment must be approved by the relevant person according to ECU's *Risk Acceptance Criteria*.

If a HBW arrangement application is approved, the Manager/Supervisor will:

- organise a trial period of up to three months to ensure it meets the business requirements of ECU and the flexibility required by the Employee and ensure they check in regularly during the trial period to monitor progress;
- if a risk assessment was completed, ensure that any hazards identified in the risk assessment have been adequately addressed;
- ensure the HBW location complies with all necessary health and safety considerations and, where relevant, any return to work requirements outlined in the agreed return to work plan as outlined in the *Injury and Illness Management Procedure*; and
- confirm any other relevant matters outlined in the approved HBW arrangement have been resolved/completed.

Where a HBW arrangement is approved, details need to be recorded on the Flexible Work Request form, including the HBW Assessment Form. A copy of these forms must be submitted to the relevant Human Resources Business Partner (HRBP) for review.

Where a HBW arrangement is not approved, the Manager/Supervisor will meet with the Employee with the aim of identifying other possible flexible options that may assist the Employee. The Manager/Supervisor may seek advice/assistance from their HRBP to identify suitable alternatives.

Should an Employee Requested HBW arrangement be declined, following consultation with the HRBP, the Manager/Supervisor should discuss the reasons for this with the Employee and record this on the Flexible Work Request form.

Completed forms should be managed in accordance with section 4.13.

#### **4.3.2. ECU Initiated Home Based Work**

Prior to ECU seeking interest from employees to undertake all or part of their work in a HBW arrangement, the considerations outlined in section 4.3.1 should be

documented using a Health and Safety Hazard Risk Assessment in Riskware to determine the feasibility, prior to offering this initiative to employees.

ECU initiated HBW should be on a case by case basis and subject to the successful completion of the HBW assessment form. As it is ECU initiated a Flexible Work Request form is not required in these circumstances.

#### **4.4. Employee Responsibilities**

A flexible work agreement that includes HBW does not alter an employee's contract of employment or their conditions of employment. Employees continue to be required to:

- be available at the same time as campus-based employees, or at the specified times as requested by their Manager/Supervisor to meet ECU business needs;
- maintain regular communication and be contactable by their Manager/Supervisor, team members, other employees, students and customers during the agreed working or contact hours;
- be able to communicate with emergency services;
- attend meetings, appointments or other academic or work-related activities as required by their Manager/Supervisor;
- not arrange or conduct face to face staff, student or client meetings in their home;
- provide and maintain a safe, healthy and productive home workplace;
- abide by ECU values, statutes, policies and procedures, including health and safety requirements;
- not contract out any portion of their work;
- be willing to review and modify arrangements as operational requirements change from time to time;
- obtain approval from their Manager/Supervisor before working any additional hours or overtime; and
- report any incident that may have occurred during HBW and any resultant injury or illness in accordance with the *Incident Reporting and Investigation Guideline*.

Normal leave conditions and provisions as provided with the Employee's industrial instrument apply for HBW. The Employee is still required to seek and attain necessary approval prior to taking leave, and provide required notice of their absence.

#### **4.5. Equipment Ownership and Usage**

The Employee and Manager/Supervisor should discuss any equipment required to support the HBW arrangement. Once this is determined, an agreement needs to be reached as to what equipment is supplied by ECU and by the Employee.

- Where the HBW arrangement is Employee requested, the employee is responsible for providing ergonomic / workstation equipment consistent with the *Home-Based Work Assessment Form* unless otherwise agreed to by their line manager.

- Where the HBW arrangement is ECU initiated, ECU should provide the required ergonomic and workstation equipment where practicable.
- ECU-owned or supplied equipment is provided for ECU work-related purposes and during HBW the Employee will continue to abide by ECU's internal policies and guidelines relating to private use of work resources.

#### **4.5.1. ECU Equipment**

- All ECU-owned or supplied IT equipment will be maintained by ECU and needs to be returned to ECU for maintenance, updates, repairs and/or service, unless the issue can be resolved remotely. Remote support is initiated through contacting the IT Service Desk.
- If an IT fault of ECU-owned equipment or the Employee's own equipment prevents the Employee from working for one or more days, alternative arrangements need to be made for the Employee to continue to work.
- At the end of the HBW arrangement (or employment) all ECU-owned or supplied equipment must be returned and signed off by the Manager/Supervisor, with assets re-assigned as appropriate in the ECU's IT asset system.
- There may be some circumstances where additional IT support is provided at the discretion of the Chief Information Officer.

#### **4.5.2. Employee Owned Equipment**

- Employees are responsible for all costs associated with insurance, maintenance, repairs and service of their own equipment and home. This includes any electricity and private internet connection costs unless otherwise agreed by the ECU. Refer to the *Mobile Devices and University Subscribed Home Internet Services Policy (PL/271)* for more information.
- Remote support is available for employee owned equipment and is initiated through contacting the IT Service Desk. However, where hardware or software issues cannot be resolved remotely, the Employee should seek external assistance outside ECU with the cost to be borne by the Employee.
- The Employee must have current anti-virus software installed on their IT equipment. ECU cannot be held liable for any adverse effects to the Employee's equipment that may result from accessing its systems during HBW.

#### **4.6. Insurance**

- The Employee is responsible for any loss or damage to their own equipment or assets and obtaining and maintaining appropriate insurance relating to their property, including home, contents, legal liability and any other relevant insurance. The employee is also responsible for ensuring they comply with any obligation they may have to notify under a mortgage or tenancy agreement and/or any other relevant arrangement.



- Only ECU property is covered by ECU's insurance provided it is being used in accordance with the purpose for which it has been provided. Employees need to read and understand their obligations under the *Asset Management – Recording, Tracking & Disposal Policy*.
- ECU will not be liable for any injury, or loss of life of any person (other than the Employee), or the material loss, damage or destruction of anything during the HBW arrangement, except to the extent caused by the negligent act, error or omission of ECU.

#### 4.7. Workers' Compensation

- Where the home-based work location is not within Western Australia, the Manager/Supervisor must ensure ECU has appropriate workers' compensation insurance coverage by liaising with the HRBP and Safety and Employment Relations prior to the HBW arrangement commencing.
- Workers' compensation insurance must be in place before commencement of an approved HBW arrangement.
- Generally, an employee on an agreed HBW arrangement in Western Australia is covered by the same principles of workers' compensation insurance that apply to employees on campus.

Workers' Compensation may exclude the following under an HBW agreement:

- If an incident occurs outside the working hours stipulated in the HBW agreement, except where a change in hours has been otherwise agreed (e.g. change in hours/days)
- If an incident occurs outside the scope of work specified HBW agreement.
- Travel from home except where the person is:
  - conducting ECU work and;
  - the journey has been approved and agreed upon by their Manager/Supervisor.
- If the person is undertaking duties on behalf of another employer.
- Any other exclusion in accordance with the relevant Workers' Compensation legislation applicable to the Employee.

The ECU's *Fitness for Work Guideline* and *Injury and Illness Management Procedure* will apply if an employee is injured while working from home. An employee undertaking rehabilitation may be required to return to the campus-based workplace if it is determined that this will assist with the injury management program.

#### 4.8. Security and Record Management

- Employees must at all times take reasonable care to protect and secure all ECU property and documents in their possession. This includes securing and protecting the confidentiality and integrity of all ECU electronic records, equipment and computer systems held, or in use for the HBW arrangement.
- Documents, records and information created during HBW are subject to ECU information security and protection, including the ECU *Records Management and Information Security Policies*.

- Any breaches or suspected breaches of security, including ECU information or computer networks are to be reported to the University immediately.

#### **4.9. Personal Taxation Implications**

- ECU will not provide employees with taxation advice in relation to HBW. It is the responsibility of the Employee to assess, investigate and seek further information and independent advice on the taxation implications of commencing and/or continuing HBW.

#### **4.10. Reviewing and Amending the HBW Arrangement**

- Regular reviews of the HBW arrangement need be conducted and can be included in any Management for Performance System (MPS) discussions, with the first review occurring at the end of the trial period referred to at 4.2.
- If a HBW arrangement is in place for a specific project, progress towards achieving key outcomes and milestones are to be included in any review.
- For HBW arrangements, the quality, quantity and timeliness of the work performed needs to be considered, together with an assessment of the impact upon the business area, other team members, students and/or clients.
- Where a HBW arrangement is reviewed and is determined to not be achieving the desired results, the Manager/Supervisor needs to discuss these concerns with the employee as soon as this is recognised, and if practicable discuss with the employee to amend the HBW arrangements in order to achieve the desired outcomes. Advice from the relevant HR Business Partner should be sought where an employer-instigated change to the arrangement is being considered, and must be sought prior to a decision being made to cease the HBW arrangement.

#### **4.11. Ending Home Based Work Arrangements**

##### **4.11.1. Ending without Notice**

The HBW arrangement will end, effective immediately without notice, if ECU has concerns about:

- An employee's health, safety or security, or the security and validity of ECU resources; or
- The Employee's failure to follow or comply with reasonable and lawful directions, including but not limited to ECU access requests, notices, values, statutes, policies and procedures.

##### **4.11.2. Ending with Reasonable Notice**

ECU reserves the right to terminate any existing HBW arrangement with reasonable notice where the University has reasonably established:

- that the level of risk is unacceptable;
- the terms of the agreement have been breached;
- a breach of security of ECU information or computer networks;



- that ECU deems it to be no longer operationally viable; or
- any reason deemed significant or serious by ECU.

Where ECU ends the HBW arrangement the Employee will be advised of the reason and the date they are to resume work at the campus-based workplace.

#### **4.11.3. Ending for other reasons**

A HBW arrangement may also end for one or more of the following reasons:

- the Employee seeks to end it;
- the HBW period or project reaches completion;
- the Employee is able to return to campus-based work following completion of a return to work program;
- the Employee or their role is assessed as no longer suited to HBW;
- outcomes are not being achieved;
- there is an adverse impact to the business area.

Unless agreed otherwise by the Manager/Supervisor, on cessation of an HBW arrangement, the Employee will resume at the campus-based workplace on their next scheduled work day.

#### **4.12. Record Keeping**

- The completed Home Based Work Agreement Form and any associated documentation, including any declined application will be maintained as a record and stored in accordance with the ECU's records management requirements for personnel records or, where related to an Injury Management process, stored in the relevant case file with Safety and Employment Relations.

### **5. ACCOUNTABILITIES AND RESPONSIBILITIES**

In relation to these guidelines, the following positions are responsible for the following

#### *Guideline Owner*

The Guideline Owner, the Director Human Resources Services, has overall responsibility for the content of this Guideline and its operation in ECU.

#### *Executive Deans, Deans and Directors*

Executive Deans, Deans and Directors have a strategic and operational responsibility to ensure that the content of this Guideline is implemented in their Schools and Service Centres.

#### *Associate Deans, Managers and Supervisors*

Associate Deans, Managers and Supervisors are responsible for ensuring the content of this Guideline, and any School/Centre level processes and procedures related to a home-based work arrangement is implemented, monitored and reviewed including:

- Ensuring arrangements are documented in the HBW Agreement form including a risk assessment if required
- Granting approval for the arrangement or declining the request
- Ensuring there is ongoing communication, review and oversight of the arrangement.
- Organising provision of required equipment as per 4.6
- Ensuring appropriate workers' compensation insurance coverage is in place prior to the HBW arrangement commencing where the HBW location is not in Western Australia.
- Ensuring productivity is not adversely affected as a result of the agreement and that desired outcomes are being achieved.
- Regular review of the arrangement
- Document management of the HBW agreement in accordance with section 4.14.

#### *Safety and Employment Relations Team*

The Safety and Employment Team is delegated the strategic responsibility for reviewing and amending the Guideline and supporting documentation as appropriate.

#### *Employees*

ECU employees are required to comply with the content of this Guideline and to seek guidance in the event of uncertainty as to its application.

## **6. RELATED DOCUMENTS**

6.1 This guideline is supported by the following:

Available from the *ECU Legislation and Policy database*:

- Asset Management – Recording, Tracking & Disposal Policy
- Conflicts of Interest Policy
- Flexible Working Hours Policy
- Leave Policy
- Information Security Policy
- Mobile Devices and University Subscribed Home Internet Services Policy
- Records Management Policy

Available from the *Human Resources Services* intranet page:

- Ergonomics and Manual Handling webpage
- Fitness for Work Guidelines
- Flexible Work Request form
- Guide to Flexible Working Arrangements
- Home Based Work Assessment Form
- HR Delegations
- Incident Reporting and Investigation Guideline
- Injury and Illness Management Procedure

Available from the *Strategic and Governance Services* intranet page:

- ECU Risk Acceptance Criteria

## 7. CONTACT INFORMATION

For queries relating to this document please contact:

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## 8. APPROVAL HISTORY

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