

From: Yvonne Walker <yvonne@hrwithease.com>
Sent: Thursday, 29 April 2021 6:23 PM
To: AMOD <AMOD@fwc.gov.au>
Subject: Submission in relation to Clerks - Working From Home modifications to the Clerks Award 2020

Good evening

I am only one small voice in amongst a range of expert parties and bodies in relation to clerical roles and the ability to provide extra flexibility for working from home. However, as an HR consultant working with a range of businesses who have a need to engage clerical and administrative staff in a flexible manner, the Award in its pre-COVID state has proven very inflexible in terms of modern working arrangements.

Many administrative staff enjoy the greater freedom provided in working from home. Additionally, they often have home responsibilities that mean working in a block of time for a minimum engagement of 3 hours is not achievable; and, often, work is easier to do outside of the regular span of hours. The temporary COVID measures that were applied allowed for employees to work around their other domestic commitments while still achieving the outcomes desired by their employer. Some employers have a need for administrative staff to undertake tasks that do not lend themselves to 3 hours of continuous engagement - for example, making calls to customers or other stakeholders to make logistical arrangements, where messages often need to be left and then picked up when a call is returned, which may not be within a 3-hour block.

While I acknowledge that an IFA can be put in place to overcome this inflexibility, it cannot be a condition of hire that an employee accept a role that doesn't allow for a minimum 3 hour engagement, or for work outside the ordinary span of hours, without attracting overtime penalties. And, unfortunately, the operation of employment law in our country means that even if someone is happy to work in this way, if the relationship sours and they make a claim then it is generally to the detriment of the employer.

The Award system as a whole is lagging well behind modern working practices and lifestyle and to revert to less flexible arrangements than employees and employers have enjoyed over the last 18 months is a step backwards, and it is disappointing that the matter is being discontinued.

Kind regards

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