

Individual flexibility arrangement (IFA) fact sheet

The individual flexibility arrangement (IFA) process explained

1. Employer or employee decides they would like an IFA and approach the other party with their request.
2. The employer agreeing to the IFA should ensure it can validly be made.
3. Employees on awards have five [5] matters they can vary.
4. Employees on enterprise agreements can make IFAs on matters specified in the enterprise agreements flexibility term.
5. The employer and the employee discuss the IFA.
6. The employer makes sure:
 - i. The employee is better off overall under the IFA
 - ii. The IFA only deals with matters permitted by the flexibility term in the enterprise agreement or modern award; in the case of an enterprise agreement, does not contain any unlawful terms.
7. The employer and the employee sign the IFA.
8. If the employee is under 18 their parent or guardians must also sign.
9. Employer keeps a copy and gives a copy to the employee.
10. The IFA varies the relevant enterprise agreement or modern award with respect to the employee until either or both parties decide they no longer want the agreement in place.

Checklist for best practice on using an IFA

Employers who are working at best practice will:

- ▶ Check the range of permitted matters an IFA can vary under the enabling flexibility term in the relevant enterprise agreement or modern award
- ▶ Identify opportunities in the organisation where an individual flexibility arrangement could benefit the employee and employer
- ▶ Have a process for consultation that allows employees to identify appropriate flexible work practices in their interests
- ▶ Support employees to balance their work and personal lives; IFAs may be useful in achieving this
- ▶ Ensure IFAs are used to reflect genuine needs of the particular situation of both employee and employer
- ▶ Ensure the IFA does not disadvantage an employee and leaves the employee covered by it better off overall – ie: it meets the better-off-overall-test (BOOT)
- ▶ Ensure the IFA for an enterprise agreement does not include any unlawful terms
- ▶ Ensure employees are not unduly influenced or pressured to agree to an IFA.
- ▶ Employees should be given reasonable time to consider a proposed IFA and opportunity to raise issues with their employer and vice-versa
- ▶ Allow employees to be represented if they wish, when negotiating an IFA with their employer
- ▶ Be open to approaches from employees about making IFAs
- ▶ Give genuine consideration to an employee's requests for an IFA.

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she will call you to arrange a convenient and no obligation conversation!



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