

Agile Working

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- What is agile working?
- Advantages of agile working
- Challenges to agile working
- Legal considerations

What is Agile Working?

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- Flexibility
- Employees can work where, when and how they choose

May include:

- Home working
- Hot desking
- Flexibility as to location/working pattern



- Inclusion
- Cost
- Productivity
- Employee engagement/recruitment
- Reputation

- Flexibility
- Reduced employee absence
- Business continuity
- Alternative to redundancy?



- “Presenteeism”
- Workplace culture
- Perceived loss of control
- Costs (equipment/facilities)
- Lack of space

- Employee wellbeing (physical/mental)
- Knowledge sharing
- Health & safety/risks
- Confidentiality
- Time management



- Organisation wide, or an ad hoc response?
- Prepare proposals, including reasons and timescale
- Consult with employees
- Try to obtain employees' agreement
- Issue variation letter for signature

- Imposing change
- Termination and re-engagement
- Risk of claims
- Professional advice in advance

- 20 or more employees “dismissed as redundant”
- Obligation to consult with trade union or employee representatives
- Protective award: 13 weeks’ pay per employee

- Employee may make request
- Informal
- Formal flexible working requests
- Is there a company policy in place?

- Must have 26 weeks' continuous employment
- Can only make one request in any 12 month period

May request to:

- Change hours of work
- Change times of work
- Work from a different location

- In writing
- Dated
- State that it is an application under the statutory procedure
- Specify the change and when they wish it to take effect
- Explain effect and how it could be dealt with

- Agree requests
- Arrange meeting with employee
- Issue outcome in writing



Grounds for refusal:

- Burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to re-organise 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

Right of appeal

- After appeal, decision is final
- Trial period?
- Any change agreed is a permanent change to terms and conditions
- Timescales for process (extend by agreement?)


- Letter of variation
- Change to contracts
- Confidentiality
- Deductions agreement
- “Bring your own device to work” (BYOD) policy
- IT/Communications policy
- Data protection/Privacy standard

- Any questions?



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