



Navigating Remote Work and Flexible Work Arrangements

Introduction

The landscape of work is evolving, and New Zealand is no exception. Remote work and flexible work arrangements are gaining prominence, offering employees greater flexibility and employers the opportunity to tap into a broader talent pool. In this blog post, we'll delve into the requirements, challenges, and solutions related to remote work and flexible work arrangements in New Zealand.

Remote Work Requirements

Health and Safety: Employers are legally obligated to ensure the health and safety of remote workers, just as they are obligated to do for all workers. At the most basic level, this includes ensuring a safe home office environment, conducting risk assessments, and addressing any hazards that may arise in the remote work setting. The employee needs to know how this will occur and be comfortable with processes that may include their employer, or the employer's representative, coming into their home to undertake H&S tasks.

Communication: As with most employee-related matters in the workplace, effective communication is key. Employers must maintain regular contact with remote employees to ensure they are informed, engaged, and have the necessary support.

Equipment and Expenses: Employers are responsible for providing the necessary equipment and in some cases also for reimbursing reasonable

expenses incurred by remote workers, such as internet costs or equipment maintenance. Where the employer provides these things at their premises, it may be agreed that the employee will be responsible for particular requirements for working from home, or otherwise remotely. This may not result in additional costs for either party, for example where the employee already has unlimited internet data and an ergonomic workstation set up in a spare room of their home.

Flexible Work Arrangements Legislation

In New Zealand, we have flexible work arrangements legislation which is designed to enable employees to request flexible arrangements that better suit their own work-life balance. This legislation includes the right to request a temporary or permanent change to either working hours, days or place of work, and employees have the right to make a request from their first day of employment.

Some Potential Challenges for Employers

Maintaining Productivity: Ensuring that remote employees remain productive may be a challenge. Establishing clear expectations and performance metrics can help address this.

Health and Safety Compliance: Meeting health and safety obligations for remote workers, including risk assessments, can be more complex but is of course essential.

Communication, Culture and Teamwork: Maintaining effective communication when employees are not physically present in the office can require additional effort. Employers can invest in collaboration tools and regular check-ins to assist with this. There may also be a need for specific face-to-face meetings, where employees meet with their manager and/or other team members in person. This can help to ensure that remote team members still feel part of the team and organisation, and that they contribute to teamwork. These types of requirements need to be made clear when the arrangement is agreed.

Solutions and Best Practices

Clear Policies: Develop clear remote work and flexible work policies outlining expectations, obligations, and procedures for requesting and managing flexible arrangements.

Documented Agreement: A variation letter or revised employment agreement will be required.

Training: Provide training for managers and employees on managing remote work effectively, including communication, time management and resolving any concerns early.

Flexibility: Considering factors such as hours of work, location, and scheduling of work can require some creative and flexible thinking.

Technology: There may be technology that could support effective remote collaboration, communication, and task management, and this could be worth the investment if it supported flexible arrangements that contributed to attraction and retention of the capability your organisation needs.

Feedback and Evaluation: Regularly solicit feedback from remote employees, and provide them with feedback, to identify and resolve challenges and areas for improvement.

Handling Flexible Work Requests

When an employee requests flexible work arrangements (which needs to be in writing), employers must follow a specific process and timeframe, including discussing the request with the employee, considering it in good faith, and responding in writing within one month of receiving the request. If the request is declined, employers must provide Recognised Business Grounds (as detailed in Part 6AA of the Employment Relations (Flexible Working Arrangements) Amendment Act 2007) for their decision.

Conclusion

Remote work and flexible work arrangements offer opportunities for both employers and employees. However, they come with responsibilities, especially regarding health and safety compliance and adherence to flexible work legislation. By addressing these requirements and potential challenges with clear policies, effective communication, and a willingness to adapt, employers can create a productive and flexible work environment that may just provide a competitive edge in a challenging employment market.

Please do not hesitate to call (021 932 332) or [email me](#) to discuss this topic further.

Examples of how I can help you with remote work or flexible work arrangements:

- Provide a flexible work policy
- Assist with responses to requests for flexible work arrangements
- Prepare variation letters or revised individual employment agreement detailing agreed arrangements
- Performance Management and/or Communication training for people-managers
- Workplace culture workshop