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FACT SHEET



FLEXIBLE WORK PRACTICES

INTRODUCTION

"We like to give people the freedom to work where they want, safe in the knowledge that they have the drive and expertise to perform excellently, whether they [are] at their desk or in their kitchen. Yours truly has never worked out of an office, and never will."

Richard Branson

Flexible work practices are reportedly becoming more prevalent in organisations around the world as technology enables different ways of working, as organisations become more global spanning different time zones, and as customers become accustomed to being able to access services on a 24/7 basis.

Flexibility in work practices may be employer- or employee-driven:

- in employer-driven flexibility, an employer may request staff to work different types of hours not necessarily in a fixed location;
- in employee-driven flexibility, employees may be allowed to choose when and where they work and for what number of hours.

But both employers and employees can run up against difficulties in implementing flexible work practices.

The SABPP HR Management System Standard emphasises the need for integration of HR programmes and practices across all areas of HRM and contains specific guidance on both employer-driven (work scheduling) and employee-driven (work-life balance) as on the next page:



HRMS Standard 4 Workforce Planning

4.3.2 Workforce scheduling

- Workforce costs can be significantly impacted by work scheduling – who works when, where.
- The capability to manage workforce scheduling to optimise costs against, for example, customer service levels, should be developed. The data involved in this is probably the same as the data used in producing the workforce plan as described in 4.3.1.
- This function may or may not be allocated to the HR department. It can also be situated within operations management or industrial engineering. The various departments need to be able to share data.
- Data on people-related costs affected by work scheduling should be fed back into the workforce planning process.
- Change to workforce scheduling can affect employment relations, statutory compliance, pay and benefits. Close collaboration on these issues is therefore essential.

HRMS Standard 8 Employee Wellness

8.3.4 Consider flexible work practices and other alternative work arrangements to promote work-life balance where possible.

- Many work places do not support a healthy work-life balance. Migrant labour, shift systems, long working hours and the use of modern technology to remain in touch 24/7 can result in employees being unable to balance their lives.
- Initiatives to deal with this constitute proactive management of stress-related mental and physical ill-health.
- Legislation regarding limitations of working hours and rest periods must be adhered to.
- A working practice analysis should be in place to evaluate which practices present a risk to work-life balance, and the organisation should have mitigation plans in place.
- These plans should support the personal accountability of each employee to manage his or her own life.

The SABPP National HR Competency Model requires HR practitioners to be up to date with the latest thinking in the various fields of practice, so information in this Fact Sheet will assist HR practitioners in that regard.

“Women are working more, men are understanding their value as caregivers, women are primary breadwinners—I mean, we could go on and on and on. Things are different. So we can’t keep operating like everything is the same, and that’s what many of us have done. And I think it’s up to us to change the conversation.”

Michelle Obama

This Fact Sheet deals with definitions, overseas experiences, South African realities, legal issues and guidance to HR practitioners in implementing flexible work practices.

Definition

Horwitz¹ sets out four forms of work flexibility:

- Task (including for example multi-tasking and job rotation);
- Numerical (varying the size and structure of the workforce to meet changes in demand);
- Temporal (various patterns of work hours, shift systems, part-time work, working from home);
- Wage (individualised pay depending on output/performance).

This Fact Sheet covers Temporal flexibility as described by Horwitz.
The CIPD Fact Sheet² lists types of flexible working practices as:

- **Part-time working:** work is generally considered part-time when employees are contracted to work anything less than full-time hours.
- **Term-time working:** a worker remains on a permanent contract but can take paid/unpaid leave during school holidays.
- **Job-sharing:** a form of part-time working where two (or occasionally more) people share the responsibility for a job between them.
- **Flexitime:** allows employees to choose, within certain set limits, when to begin and end work.
- **Compressed hours:** compressed working weeks (or fortnights) don't necessarily involve a reduction in total hours or any extension in individual choice over which hours are worked. The central feature is reallocation of work into fewer and longer blocks during the week.
- **Annual hours:** the total number of hours to be worked over the year is fixed but there is variation over the year in the length of the working day and week. Employees may or may not have an element of choice over working patterns.
- **Working from home on a regular basis:** workers regularly spend time working from home.
- **Mobile working/teleworking:** this permits employees to work all or part of their working week at a location remote from the employer's workplace.
- **Career breaks:** career breaks, or sabbaticals, are extended periods of leave – normally unpaid – of up to five years or more.
- **Commissioned outcomes:** there are no fixed hours, but only an output target that an individual is working towards.
- **Zero-hours contracts:** an individual has no guarantee of a minimum number of working hours, so they can be called upon as and when required and paid just for the hours they work.

This list is not exhaustive. Flexible working can include other practices for example employee self-rostering, shift-swapping or taking time off for training.

① Flexible Work Practices in South Africa. 1995. *Industrial Relations Journal*. 26(4)

② Flexible Working Practices. 2017. CIPD. <https://www.cipd.co.uk/knowledge/fundamentals/relations/flexible-working/factsheet>

International Labour Organisation (ILO)

The 2011 ILO Report *Working Time in the 21st Century*³ states that “international working time policy needs to find an appropriate, widely acceptable balance between female and male workers’ needs (which should include protections with regard to workers’ health, safety and their family/personal lives) and the requirements of enterprises, while also considering the needs of the community, including gender equality”.

The ILO Research Report *Working Anytime, Anywhere: The Effects on the World of Work*⁴ looks at the impact of telework/ICT-mobile work (T/ICTM) and finds that:

The findings on the effects of T/ICTM are therefore highly ambiguous and are related to the interaction between ICT use, place of work in specific work environments, blurring of work–life boundaries, and the characteristics of different occupations. Moreover, whether T/ICTM substitutes for work in the office or instead supplements it appears to be an important factor in determining whether the reported outcomes are positive or negative.

The report recommends the adoption of certain government policies in order to maximise the benefits and minimise the disadvantages of T/ICTM:

Policy pointers

- Because the use of ICT outside the employer’s premises has benefits for both employees and companies, policymakers should aim to accentuate the positive effects and reduce the negative ones: for example, by promoting part-time T/ICTM, while restricting informal, supplemental T/ICTM, or high-mobile T/ICTM involving long working hours.
- In practical terms, the organisation of working time is changing and working time regulations need to reflect this reality. It is particularly important to address the issue of supplemental T/ICTM, which could be viewed as unpaid overtime, and to ensure that minimum rest periods are respected.

³ http://www.ilo.org/wcmsp5/groups/public/@ed_protect/@protrav/@travail/documents/publication/wcms_161734.pdf

⁴ *Working Anytime, Anywhere*. 2017. Eurofound and the ILO. http://www.ilo.org/global/publications/books/WCMS_544138/lang--en/index.htm

- To fully harness the potential of T/ICTM and improve the working conditions of the workers involved, training and awareness initiatives are needed for both employees and managers on the effective use of ICT for working remotely, as well as the potential risks, and how to effectively manage the flexibility provided by this arrangement.
- T/ICTM can play a part in policies that aim to promote inclusive labour markets and societies, as some country examples indicate that it increases the labour market participation of certain groups, such as older workers, young women with children and people with disabilities.
- Governmental initiatives and national or sectoral collective agreements are important for providing the overall framework for a T/ICTM strategy. This framework needs to provide sufficient space for developing specific arrangements that serve the needs and preferences of both workers and employers.
- The findings regarding differences in the working conditions of those engaged in different types of T/ICTM – for example home-based telework or high mobile work, need to be considered. Policy measures should tackle the reasons underlying the negative effects on working conditions identified by the study.



International
Labour
Organization

Overseas experience

In many European countries there has been an increasing trend to protect and enhance the rights of working parents (mothers in particular) and as a result in some countries, including the UK, employees have a statutory right to request flexible working. For example, a woman returning to work after maternity leave has, since 2003, had the right to request flexible working hours, which may not be reasonably refused. This right has recently been extended to all employees. As a result of this trend, flexible working is often seen as employee-driven and employers have been somewhat slow in recognising that many business benefits can be realised through introducing flexible work practices.

Research among employers has shown that “benefits for the organisation include direct business benefits such as savings on office space, for example, using technological advances to allow remote working and hot desking. Flexible working also allows a better match between business resources and demand, for example serving customers on a 24/7 basis. In particular, multi-skilling, freelance and part-time working, and alternative shift patterns can increase efficiency and are sometimes referred to as ‘agile’ working”.

Indirect business benefits are achieved through an improved employee psychological contract. An employee survey carried out for the CIPD by Kingston University/Ipsos MORI Working life: employee attitudes and engagement 2006 found that ‘workers on flexible contracts tend to be more emotionally engaged, more satisfied with their work, more likely to speak positively about their organisation and less likely to quit’. Flexible working options can also be attractive for new talent, especially as employee expectations change with regard to their jobs, careers and work-life balance, and demographic changes affect employees’ needs to balance their job with other responsibilities such as caring.⁵”

The benefits of flexible working most frequently cited by employees are:

- it enables better work-life balance;
- it helps reduce the amount of stress/pressure employees feel under;
- it has been a factor in employees staying with their current employer.⁶

This same Report provides the latest figures on the use of flexible working practices both from employers’ and employees’ perspectives. It found that the most common forms of flexible working in organisations, in order of popularity, were:

- part-time working;
- flexi-time;
- job sharing;
- career breaks and study leave.



⁵ CIPD Fact Sheet

⁶ CIPD Report: Employee Outlook Focus: commuting and flexible working

South African realities

In South Africa, leading employers have recognised the benefits for both the organisation and employees and have introduced different forms of flexible work practices. The organisation case studies published as part of the Top Employers programme each year emphasise flexible work practices as part of the recommended approach.⁷

However, Professor Anita Bosch, of USB-Ed, says: “Telecommuting employees are less engaged and often feel quite alienated from the organisation. Research shows that on average a maximum of 20% of working time should be flexible.”

Prof Bosch said one of the biggest hurdles to overcome is the manager’s fear that s/he cannot manage employees if s/he cannot see them.

“Monitoring of performance becomes a key requirement of a manager of virtual workers. Yet, many South African managers are not so well attuned to output and performance targets and the out-of-sight-out-of-mind mantra sadly become all too evident come performance appraisal time.”

Prof Bosch said the nature of the job is central to whether flexible scheduling can occur.

“Pertinent questions to consider are whether the position is client facing, if clients visit the office or the option of employees delivering the service off-site, the hours within clients expect service and the hour’s clients become accustomed to and whether the job relates to a specific process or outcome which is attached to specific hours and a place of work.”

The professor said that companies should be well aware of the mechanisms they ought to have in place to ensure that productivity does not decline and that work remains at the same level of performance, or even better, that performance increases in comparison to when people are working from the office.⁸

In a study of South African and Australian experience with flexible work practices, Professors Aletta Odendaal (Stellenbosch University) and Gert Roodt (University of Johannesburg) found that:

“The following variables are strongly associated with the adoption of greater flexibility:

- Top management commitment;
- Organisations with a high level of technological infrastructure;
- Employees supporting specific work values e.g. trustworthy employees; and
- Proper performance management systems.”⁹

The study also concluded that the Australian government was strongly supportive of flexible work practices and had introduced an appropriate supportive legislative framework. Personal experience supports this, with examples of Australian State departments such as social welfare which appear to be much more supportive of mothers with children, single parents and persons with mental diseases.

The list of most popular flexible work practices shown in the CIPD Report cited earlier shows that some of these are seldom adopted by South African organisations:

Part-time working	Quite common
Flexi-time	Quite common
Job sharing	Unusual
Careers breaks	Unusual
Study leave	Quite common

⁷ <https://www.top-employers.com/en-ZA/insights/>

⁸ <https://businesstech.co.za/news/business/176413/the-consequences-of-flexible-working-hours/>

⁹ Australian and South African Perspectives on the Implementation of Flexible Work Practices. 2002. Odendaal, A. and Roodt, G. SA Journal of Industrial Psychology. 28(3).

It is important to bear in mind regarding the South African situation that the overall policy approach is to protect vulnerable employees from exploitation. The labour markets in developed countries are much tighter than in South Africa (demand approximately equals supply) and therefore employees are in a stronger position to assert rights such as flexible working. This would also be true in South Africa as far as employees with scarce skills are concerned - talent management practices would need to include flexible work in order to attract and retain these employees.

As regards other categories of employees, it is likely that flexible work practices would be more employer-driven, and that the operational requirements of organisations may place employees in difficult situations such as unsafe travel to and from work at night time or difficulties with child care arrangements over weekends and public holidays. It is also possible that flexible work practices will result in fewer benefits, reduced access to training and development and career possibilities. It is therefore important to carefully consider all aspects of flexible work practices before formulating proposals for consultation with employees.

An extract from an OECD report illustrates this point¹⁰:

The quality of part-time work in OECD countries

In recent years, part-time work has become more widespread in OECD countries, particularly as certain groups with traditionally low labour force participation have started to take up paid work in greater numbers. At present, about 25 per cent of the female and almost 10 per cent of the male workers in the OECD countries are working part time, most of them on a voluntary basis.

Nevertheless, despite recent efforts to improve the quality of these jobs, part-time workers often face a penalty in terms of wages, job security, training and promotion. Furthermore, these workers have a higher risk of poverty and are less likely to have access to unemployment benefits and re-employment assistance if they become unemployed. Taking into account individual and job characteristics, it has been shown that this penalty tends to be lower in countries with a high prevalence of part-time work, such as the Netherlands. Interestingly, in such countries, many workers stay in part-time jobs for long periods and only a few of them move to full-time employment.

Another concern is that, as described in Part II of this report, part-time work is dominated by women in nearly all of the countries in which it exists (see figure 19). In addition, there is the issue of the extent to which part-time work reflects a voluntary choice on the part of workers – that is they prefer to work part time – or whether it is instead an involuntary situation resulting from their inability to find a suitable full-time job.

However, according to the OECD, the disadvantages of part-time work mentioned above appear to be offset to some degree by higher job satisfaction as a result of more family friendly working-time arrangements and better occupational health and safety.

Source: OECD, 2010, pp. 211–216; p. 264.

Legal issues

The Basic Conditions of Employment Act of South Africa requires employers to arrange working hours with due regard to health and safety and family responsibilities of employees and in accordance with the Code of Good Practice. Work scheduling arrangements such as compressed working weeks and, if part of a collective agreement, averaging of hours over 4 months are permitted.

The Code of Good Practice on the Arrangement of Working Hours covers important issues around shift work in some detail.¹¹

¹⁰ https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2010/how-good-is-part-time-work_empl_outlook-2010-5-en

¹¹ <http://www.labour.gov.za/DOL/downloads/legislation/Codes%20of%20Good%20Practice/basic-condition/Code%20of%20Good%20Practice%20on%20the%20Arrangement%20of%20Working%20Time.PDF>

Barriers to flexible work practices

The CIPD Fact Sheet mentions several barriers to effectively communicating and implementing flexible working. These are listed below and it should be noted are mainly concerned with employee-driven flexible working:

- overcoming concerns about operational pressures and meeting customer requirements;
- line managers' current attitudes towards flexible working;
- handling colleagues concerns about the impact of other peoples' flexible working on them;
- the existing organisational culture;
- a lack of support at senior levels;
- an inability to measure employees' performance by outputs rather than by hours.

There are also concerns about abuse of working hours.

Potential barriers to employer-driven flexible work practices include the need to consult in good faith on the introduction of such practices and to ensure that a proper agreement is reached with employees.

The recent SABPP case study

An emergency evacuation of the offices of the SABPP in Johannesburg recently necessitated the introduction of some flexible work practices while other permanent premises are sourced. The CEO of the SABPP, Marius Meyer, sums up the learnings from this as follows:

"It is essential for HR Managers to ensure that they consult with management and employees when embarking on flexible work practices. Make sure that there is a proper understanding of the concept and principles underpinning flexible work practices. For instance, the shift in focus from inputs (e.g. working hours) to outputs (work deliverables) is key. Also creating an environment of trust is essential for both managers and employees. Furthermore, have an open mind for dealing with the practical implications of working from home such as feelings of loneliness or isolation from the rest of the team."

Practical approaches for HR practitioners

CIPD guidance to help implement flexible working effectively is that organisations should:

- establish a clear process for flexible working;
- ensure that there are defined roles and responsibilities for employees, line managers and HR;
- assess the current level of support offered to line managers and ensure it is sufficient;
- invest in ongoing communication and raising awareness;
- assess how supportive of flexible working organisational processes are, for example, performance measurement and management, recruitment and job design;
- assess how conducive the organisation culture is to flexible working – and take action accordingly;
- make use of pilots when introducing new initiatives, and trial periods for individual flexible working arrangements to highlight potential problems;
- build mechanisms to monitor and evaluate progress with flexible working;
- advertise job vacancies as being open to flexible working - many highly skilled individuals are looking for flexibility in working hours.

CIPD advice on supporting homeworking and teleworking:

If employees aren't working in a typical 'office' and they're working away from their colleagues and line managers, it is important to consider the following:

- **Resources** - teleworkers and homeworkers will probably need a computer with an Internet connection, a printer, a mobile phone and possible office furniture.
- **Working styles** - employees need to be able to demonstrate time management skills, the ability to work without close supervision, self-management, self-motivation and flexibility.
- **Communication with others** - the nature of teleworking means that employees are often invisible and work non-standard hours. Thus the emphasis is on task-oriented working – getting defined jobs done - and trust. Clear and effective communication channels are therefore vital, as is the need to keep in touch with colleagues and avoid isolation.
- **Trust** - for line managers who may be office-based or teleworkers/homeworkers themselves, trust becomes more important than control. Some may have problems adjusting and they may need training. Managers who do not know how to manage workers at home are primary barriers to change.
- **Employee rights** - individuals' employment contracts may need to be amended by agreement to reflect teleworking/homeworking. Teleworkers/homeworkers must be treated the same as office-based staff with equal access to development and promotion opportunities. If there's a trade union, it will need to be consulted to ensure that these workers are treated equally.
- **Health and safety** - the same rules for health and safety apply to home offices as to conventional workplaces, so employers need to ensure that the office space and equipment are used safely and that teleworkers / homeworkers are sufficiently knowledgeable about health and safety.

In addition to these guidelines from the CIPD, we can add that HR practitioners should always research carefully the physical and psychological effects of different work arrangements such as shift systems. There is a large body of research in this area and it should be investigated for applicability in any particular organisation.

South African HR practitioners should also carefully check whether pay, benefits, training, development and career opportunities are adversely affected by flexible working arrangements and see to put all employees on an equal basis with regard to these issues.

Conclusion

As the world of work evolves in the 21st century and technological developments shape it further, it is important that HR practitioners monitor these changes and assist their organisation to adapt accordingly. This is both a strategic and operational role and highlights the contribution that good HR strategy and practice can make to the performance of the organisation. As we adapt to the Fourth Industrial Revolution, there is an opportunity for HR Professionals to become change agents in creating the future workplace – one that is more employee-centric utilising flexibility as a key element of work and organisational design.

The CIPD viewpoint from their Fact Sheet, reproduced below, captures these points very well:

CIPD Viewpoint:

“Flexible working arrangements can play a vital role in an organisation’s performance. It’s HR’s remit to identify how flexible working options can benefit both the organisation and individuals, as well as working with the business, and in particular line managers, to put the options in place. In particular, HR should consider the behavioural and attitudinal barriers to flexible working, and promote mutual trust in the flexible working arrangements adopted, supported with appropriate people management systems and processes.”



Further reading

More information about flexible work practices are available from these websites:

SOURCES ON FLEXIBLE WORK PRACTICES

Chartered Institute of Personnel and Development: www.cipd.co.uk

HR Council: www.hrcouncil.ca

International Labor Organisation: www.ilo.org

Regus: www.regus.com

Sloan Center on Aging & Work: www.workplaceflexibility.bc.edu

This Fact Sheet was written by Dr Penny Abbott, Research and Policy Adviser to the SABPP. The Fact Sheet draws from the CIPD Fact Sheet on Flexible Work Practices and Rod Harper of Cowan Harper Attorneys reviewed and submitted changes to the Fact Sheet.



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