



An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth

Flexible Working Consultation

Guidance Note

April 2021

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1. Public Consultation on Flexible Working

The Department of Children, Equality, Disability, Integration and Youth launched its public consultation process on Flexible Working, which runs from Friday 30 April 2021 to Friday 28 May 2021.

Views are sought from employers, employees, trade unions and the wider public on flexible working. You can give your views by completing a short questionnaire available at <https://ec.europa.eu/eusurvey/runner/FlexibleWorkingSurvey2021>

If your organisation would like to make a detailed submission, please do so and submit to flexibleworkingconsultation@equality.gov.ie. You can make a submission either on behalf of an organisation, an employer, a trade union or as an individual.

The deadline for receipt of submissions is Friday 28 May 2021 at 5 PM.

Freedom of Information

All submissions submitted to the Department are subject to release under the Freedom of Information (FOI) Act 2014 and are also subject to Data Protection legislation.

2. Purpose of the Consultation

The Government is seeking to develop a flexible working policy and guidance that takes account of the needs of families (particularly those with young children); of individuals, including those with disabilities; of employers and of the broader economy.

This consultation is being undertaken to seek views from employers, employees and the wider public on:

- the issues that are most important for them in terms of flexible working, the types of flexible working arrangements currently in place and the changes that they wish to see;
- the potential impact of changes in technology, the workplace, the family and society on the types of flexible working arrangements available to, or sought by, employees;
- the changing nature of flexible working arrangements in light of the pandemic;
- the potential obstacles that may exist for small, medium and large employers when facilitating flexible working arrangements for employees as well as the potential administrative impact;
- the success factors that will help the Government and businesses to develop flexible working options that suit employees and employers.

3. What is the background to this consultation?

The Government has made a commitment in the First Five Strategy to enhance access to family-friendly flexible working. The Government is seeking to develop a policy that takes account of the needs of families (particularly those with young children), of individuals, including those with disabilities, of employers and of the broader economy. Flexible working arrangements can support parents to balance caring and work responsibilities. They can also be crucial for those caring for older people or those with disabilities as well as for employees who themselves have disabilities.

The distance that individuals have to travel to their workplaces, the availability and cost of housing, transport, childcare and eldercare all influence the kind of arrangements sought by employees. Flexible working options may include:

- starting or finishing work at differing times
- working compressed hours
- having access to flexi-time
- being able to work remotely
- access to part-time or shared working options.

The flexible working policy is being developed against a background of change that will have an impact on the type of arrangements offered by an employer and on the decisions taken by a worker. COVID-19 has transformed the working lives of many employers and employees. Technology now enables more people to work differently. The nature of the workplace is also changing, enabling greater flexibility both in terms of where and when the employee works. Demographic changes will also influence caring responsibilities and individuals' decisions with regard to where and when they work. Availability of work-life balance arrangements may also influence which companies attract and retain the best talent.

The Government has put in place a number of strategies which are aimed at enabling more people to enter and remain in employment. The National Strategy for Women and Girls promotes greater labour force participation by women and seeks to facilitate men to undertake a greater share of caring responsibilities for children and older dependants. The Comprehensive Employment Strategy for People with Disabilities sets the objective to promote the recruitment and retention of people with disabilities in the labour market.

Workers seeking to balance family and work responsibilities now have access to a range of statutory family leave entitlements. These statutory entitlements are:

- Parental leave which is available for the parents of children under 12 (or 16 if the children have disabilities);
- Maternity leave for a mother at the time of her child's birth;
- Paternity leave for a father before a child is 6 months;
- Parent's leave for a parent within the first two years of a child's life;
- Adoptive leave for a parent when adopting a child;
- Carer's leave for those undertaking caring responsibilities for those who require care.

4. What does the Government wish to know from your written submission?

If you wish to make a written submission, the following questions are proposed to guide you.

Employees

1. Does your employer offer flexible working arrangements? Which arrangements are available?
2. As an employee, what sort of flexible working arrangements do you need or would you like to see in your workplace?
3. In your opinion, which flexible working arrangements should be prioritised?
4. Which actions do you think could be undertaken by the Government to enable you to have access to flexible working options?
5. Which actions do you think should be introduced by employers?

Employers

1. As an employer, what sort of flexible working arrangements work best for you?
2. Do you offer flexible working arrangements to your employees? Which options do you offer?
3. Are there actions that can be taken by Government to reduce any negative impact of flexible working arrangements for you as an employer?
4. Are there new and emerging technological supports or solutions that you would like to see explored or introduced? How would these directly impact on your business?


Trade unions

1. What is the current position on flexible working arrangements for your members?
2. Which actions would you like to see introduced by Government to improve the range of flexible working arrangements available to your members?
3. Which actions would you like to see introduced by employers to enable your members to have access to flexible working arrangements?
4. Are there penalties for employees who access flexible working arrangements?

5. What will the Department of Children, Equality, Disability, Integration and Youth do with your responses?

The Department of Children, Equality, Disability, Integration and Youth will use the answers that you give to these questions to develop a policy on flexible working. It will prepare a report in 2021 that will summarise the findings from this consultation.

The Government will draw on the findings of this consultation to consider whether or not new legislation is needed. It will also consider whether existing supports meet the needs of businesses and employees and if additional supports are required. It will look at how technology and working methods can help employers and employees to have flexible working arrangements that meet the needs of employee and business alike.



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