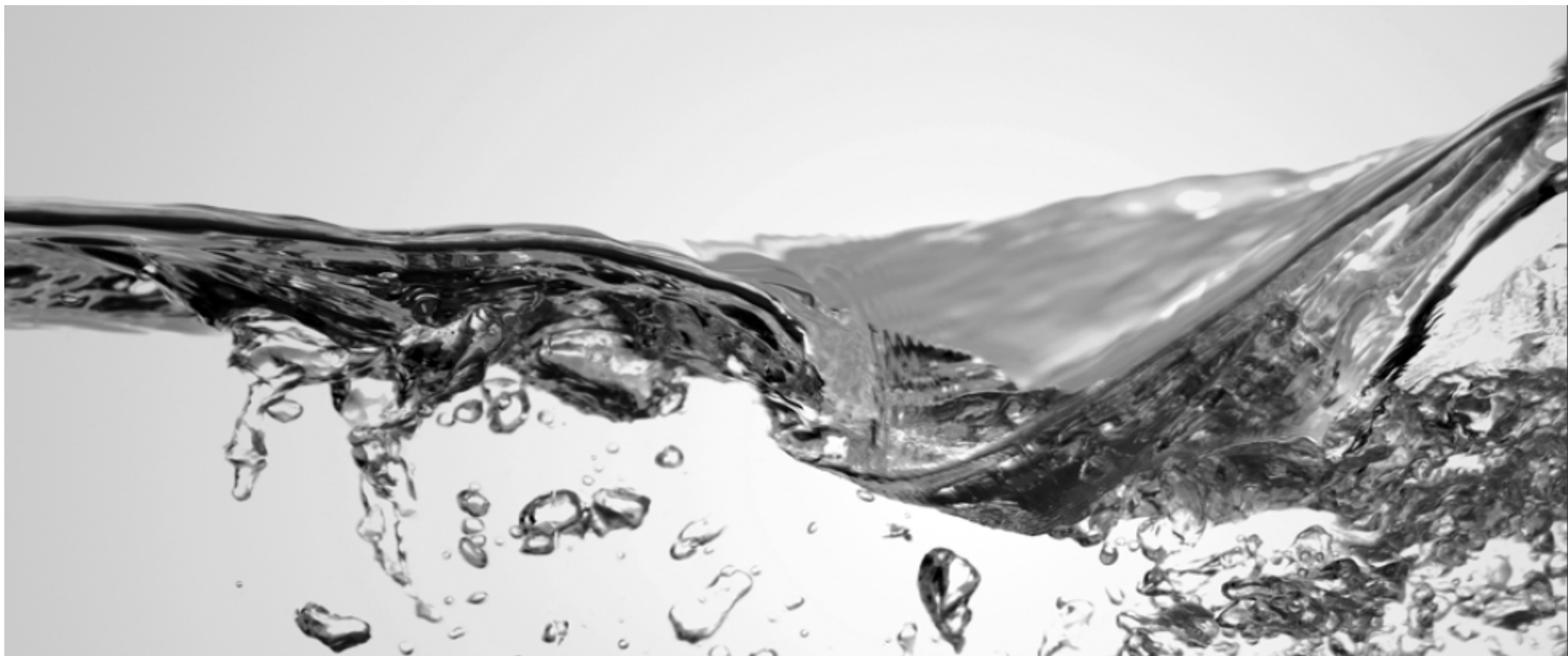




HENRY DAVIS YORK
LAWYERS

Tackling the Flexibility Conundrum - HDY's Experience

Justine Knight, Flexibility Manager



Overview

- What is flexibility?
- The legal imperatives: what employers need to do
- The business imperatives: what employers ought to consider
- HDY's flexibility story

What is Flexibility?

Child care

Part time

Elder care

Working from home

Dual career households

5 days across 4

Retirement

Shifting the core day

Lifestyle choices

Job sharing

Religious reasons

Flexi time / time in lieu

Health issues

The Legal Imperatives – what you need to know

- National Employment Standards (NES) and the ‘right to request’ a Flexible Work Arrangement (FWA)
- Parents of children under school age (or under 18 with a disability) are eligible to make a request
- Request to be made in writing
- Employer must respond in writing within 21 days of the request
- A refusal can only be made on ‘reasonable business grounds’

The Business Imperatives – what you ought to consider

- Competitive advantage
- Who are the next generation of workers?
- Attraction and retention
- Reduced turnover and recruitment costs
- Improved morale/work place culture
- Improved commitment

The HDY Flexibility Journey



The HDY Flexibility Journey – where we were in 2008

- HDY had earned a reputation for its approach to workplace flexibility and the availability of options for staff
- Workplace flexibility was a significant component of our firm's attraction and retention strategy
- Around 15% of our lawyers were accessing some form of flexible work arrangement
- Whilst our flexible arrangements generally worked well, a more robust and structured approach was needed

The HDY Flexibility Journey – 2009 Project Objectives

- Transparent structures
- Tools for constructive discussions
- Personal accountability
- Sustainable business model
- Processes to meet new legislative requirements

HDY's Flexibility Journey – 2009 Project steps

**Consultation with
Partners & Lawyers**

**Review of Policies
and Procedures**

**Report to provide
Direction for Action
Plan**

HDY's Flexibility Journey – 2009 Project Feedback



The HDY Flexibility Journey – 2009 Project outcomes

- Updated flexibility policy
- A formal application process: the need to establish a personal business case
- A process of assessment : applications for a flexible work arrangement are reviewed by both the relevant partner within the practice group and P&D
- A Flexibility Manager: to centralise the process and coach staff and partners on application and implementation issues
- Ongoing monitoring: to ensure that mutual expectations are being met

The HDY Flexibility Journey – where we are in 2011

- We have 20% of our legal staff working flexibly
- 28% of our partners are female, half of whom work flexibly
- We have a 92% return from maternity leave rate
- We have a wide range of short and long term flexible arrangements in place

HDY's Flexibility Journey – where we are in 2011

Percentage of HDY Lawyers working flexibly (excludes paralegals)	
2004	8%
2006	13%
2009	17%
2011	20%

The HDY Flexibility Journey – where we are in 2011

- Positive ‘Spirit Survey’ 2011 results
- Clarity and transparency of process
- More support for Partners and employees
 - Guidelines
 - Coaching
 - Role models
- More communication and more realistic expectations
- BUT it’s not the end.....

The HDY Flexibility Journey – what we have learnt

- Ongoing and honest communication is the key
- Flexibility means different things to different people at different times
- Transparency and consistency of process is important
- Champions and role models are helpful
- Options need to be creative but not infinite
- Change will be incremental

Questions?

