

## The Clerks Award & working from home during COVID-19

The Fair Work Commission wants to understand how businesses with employees covered by the Clerks Award have adapted to working from home during the COVID-19 pandemic.

### Complete this survey if:

- You are an employer
- You have employees covered by the Clerks – Private Sector Award 2020 (the Clerks Award).

Please **do not** complete this survey if you have an **Enterprise Agreement** in place which covers all of your employees who would otherwise be covered by the Clerks Award.

You should only complete the survey **once**, regardless of how many times you have received an invitation to complete the survey.

### What will the survey ask?

We will ask you about **your business and your employees**. The survey includes questions about where your business is, how many employees you have and how many employees are covered by the Clerks Award.

We will also ask you about any **working from home arrangements** accessed by your employees. The survey includes questions about any changes to how your employees are working their hours while they're at home. It also includes questions about what extra help, if any, you've provided. The final part of the survey includes questions about your plans for working from home arrangements in the future.

### How do I know if my employees are covered by the Clerks Award?

The [Clerks Award](#) covers employees who mainly carry out clerical and administrative work in the private sector.

This includes:

- filing and photocopying
- typing and word processing
- managing accounts, invoices and orders
- billing clients and customers
- maintaining records and journals, including payroll
- answering calls
- cash handling
- operating a telephone switchboard
- attending a reception desk
- secretarial and executive support services.

Examples of employees covered by the Clerks Award include:

- an administrative assistant
- a receptionist in an accounting firm
- a bookkeeper in a manufacturing company
- a clerical employee in a retail head office

If you're still not sure, you can check with the [Fair Work Ombudsman](#).

### What will we do with your responses?

The Commission will use your responses to understand how the flexibility provisions in the Clerks Award are being used by employees and employers during the COVID-19 pandemic. Survey responses will remain confidential. We will not be able to identify you by your responses. If you have any questions or concerns about your privacy or how the data will be used, please contact [X](#)

### Your business and employees

1. Does your business have any employees covered by the Clerks Award?

- Yes
- No — End survey. Thank you for participating.

2. Does your business have an enterprise agreement?

- Yes — Go to question 2.1
- No — Go to question 3

2.1. Does your enterprise agreement cover any employees who would otherwise be covered by the Clerks Award?

- Yes, all of them — End survey. Thank you for participating.
- Yes, some of them — Go to question 3
- No — Go to question 3

**Note: Questions 3 to 6 ask you to identify the number of employees employed by your business, covered by the Clerks Award and who have been working from home since 1 July 2020. If you can, please provide the exact number of employees in response to each question, but if you cannot provide an exact number, please estimate the number of employees to the best of your knowledge.**

3. How many employees does your business currently employ?

4. How many of your employees are covered by the Clerks Award (Don't count any employees covered by an enterprise agreement)?

### COVID-19 response

5. How many of your Clerks Award employees have been working from home since 1 July 2020? (You should include all employees working from home during this period, not just employees who started working from home after 1 July 2020).

**Commented [FWC1]:** Ai Group and ACCI propose that this question should ask for an approximate number of employees. The note above deals with circumstances in which the person completing the survey is unable to provide an exact number of employees.

**Commented [FWC2]:** Ai Group and ACCI propose that this question should ask for an approximate number of employees. The note above deals with circumstances in which the person completing the survey is unable to provide an exact number of employees.

6 How many of these employees are:

Gender	Number of employees
Female	
Male	
Other (Individuals who identify as non-binary, gender diverse, or with descriptors other than female or male.)	

**Commented [FWC3]:** The ASU submit the question in relation to gender should be retained.

The ASU also submit that a separate question asking whether employees are full-time, part-time or casual should be included. This question has not been included in the survey as it is not relevant.

7. Of the employees covered by the Clerks award who have been working from home since 1 July 2020, have any of them changed their patterns of work?

- Yes — Go to question 8
- No — Go to question 12

**Commented [FWC4]:** The ASU suggest asking an additional question as follows:

How many of your employees that are covered by the Clerks Award and who have been working from since 1st July 2020 have changed their total overall hours?

8. How many employees have changed their pattern of work?

- All
- Most
- Some
- None
- Don't know

**Commented [FWC5]:** The order of questions 7 to 11 has been changed so that they flow more logically. Some of the repetition has been taken out of the questions to simplify the wording.

9. Who requested the changes in patterns of work?

- The employer
- The employees
- Both the employer and employees have requested changes

**Commented [FWC6]:** The ASU suggested that an additional question about who initiated the change in working pattern. The Commission has drafted this question to address the ASU's submission.

10. What changes have been made to the patterns of work? Tick all that apply

- Starting earlier than usual
- Finishing later than usual
- Breaking up working day
- Working longer periods on some days and shorter periods on other days
- Other, please provide details:

**Commented [FWC7]:** The ASU suggested amendments to this question which have not been incorporated so that the full range of answers are retained.

11. Thinking about the employees covered by the Clerks Award who have changed their patterns of work, why are the different working arrangements in place? Tick all that apply.

**Commented [FWC8]:** Ai Group and ACCI suggest some changes to the wording of this question so that it refers to 'different working hours'. This change has not been made in order to keep the language in the series of questions about 'patterns of work' consistent.

- Because of the employee's family/caring commitments
- Because the employee wishes to attend to personal matters during their usual working hours
- To accommodate an employee's secondary employment
- To accommodate an employee's study commitments
- Because the employer has asked the employee to work these different hours
- Because of the requirements of the work (eg. client availability, manager availability, colleague availability or other work factors)
- Not sure / cannot say
- Other

**Commented [FWC9]:** Ai Group and ACCI have suggested this additional option

12. Where employees covered by the Clerks Award do work from home, who determines when breaks from work are taken?

- The employee chooses when they have a break
- The employer directs the times that breaks may be taken
- Both

**Commented [FWC10]:** The ASU suggest removing the options of 'both' and 'other'. Other has been removed but both has been retained.

13. Have any additional payments or support been provided by the business to employees covered by the Clerks Award who have been working from home since COVID-19 restrictions commenced (i.e. since March 2020)? If yes, please tick all that apply and provide further details below:

- Existing laptop, computer or other equipment has been transferred from the employee's usual place of work to the home (temporarily or permanently)
- New Laptop, computer or other equipment
- Allowance or reimbursement for purchasing office equipment
- Allowance or reimbursement to cover home internet and electricity costs
- Mental health support
- Additional training
- Provision of a telephone or payment of a telephone allowance or reimbursement
- Other, please provide details:

**Commented [FWC11]:** The ASU suggest an addition question should be asked about whether the employer conducted a risk/ergonomic assessment of the employee workplace as required by the OHS Acts and Regulations. This has not been included for the reasons discussed at the conference on 27 October 2020.

**Commented [FWC12]:** This option was previously 'telephone'. Additional words proposed by ACCI and Ai Group.

**Commented [FWC13]:** The ASU suggest an additional question as follows:

Has your working from home policy been circulated to your employees?  
 Yes  
 No

14. Does your business have a policy about working from home?

- Yes
- No

The question has not been included for reasons similar to the question in relation to the proposed OHS question.

If yes please provide a copy of the policy to the Commission, by email to **X**. The policy document will only be used by the Commission for analysis about the types of things covered in a working from home policy, it will be de-identified in any published reports and the name of your business will not be disclosed.

**Commented [FWC14]:** Ai Group and ACCI suggested alternative wording as follows:

If yes – You are requested to please provide a copy of the policy to the Fair Work Commission by emailing it to X if possible. A copy of any policy emailed to the Fair Work Commission will not be made available to any party other than the Fair Work Commission.

15. In which state or territory is your business located (tick all that apply)?

- Australian Capital Territory
- New South Wales
- Northern Territory
- Queensland
- South Australia
- Tasmania
- Victoria
- Western Australia

#### Flexible working arrangements

The standard spread of ordinary hours (for employees other than **shiftworkers**) under the Clerks Award is between:

**Commented [FWC15]:** Ai Group and ACCI proposed the words '(for employees other than shiftworkers)'. This is consistent with Schedule I.

- 7.00 am and 7.00 pm on Monday to Friday; and
- 7.00 am and 12.30 pm on Saturday.

Normally, an employee (other than a shiftworker) who works outside of this spread of hours would be entitled to paid overtime.

The Clerks Award Flexibility Schedule extends the spread of ordinary hours of work. It allows an employee who is working from home to request a change in the spread of ordinary hours of work so that ordinary hours can be worked between:

- 6.00 am and 10.00 pm, Monday to Friday; and

7.00 am and 12.30 pm on Saturday.

**Note: Questions 16 to 18 ask you to identify the number of employees working from home and their patterns of working hours, if you can, please provide an exact number of employees in response to each question; but if you cannot provide an exact number, please estimate the number of employees to the best of your knowledge.**

16. Of your employees (other than shiftworkers) who are covered by the Clerks Award and have been working from home since 1 July 2020, how many have changed their working patterns so that they have either regularly or from time to time undertaken work between 7pm and 10pm on weekdays during this **period**?

**Commented [FWC16]:** Ai Group's proposed wording change has been accepted here, however, the survey will ask for an exact number (where possible) instead of the 'all, most, some, none' options proposed by the employer groups.

17. Of your employees who are covered by the Clerks Award and have been working from home since 1 July 2020, how many have changed their working patterns so that they have either regularly or from time to time undertaken work between 7pm and 10pm on weekdays during this period?

18. And of those who have changed their work patterns so as to undertake work between 7pm and 10pm, how many have changed their working patterns so that they have either regularly or from time to time worked any of their hours between the following times:

a. 9pm and 10pm:

b. 8pm and 9 pm:

c. 7pm and 8 pm:

d. Another time (please specify)

#### Future working from home arrangements

19. In the future, assuming you were not required by any public health order or other legal obligation to permit an employee to work from home, do you intend to allow your employees covered by the Clerks Award to work from home at least some of the time?

- Yes
- No

20. Are there any impediments for your business with allowing employees covered by the Clerks Award to work from home? If yes, please tick all that apply and provide further details below:

- Work cannot be completed from home
- Reductions in the quality of the employee's work performance
- Work cannot be supervised to the same extent as in the workplace
- Loss of productivity
- Security/privacy concerns (including IT)
- WHS concerns
- Costs of facilitating the arrangement.
- Other, please provide details:

21. If you were to permit some of your employees covered by the Clerks Award to generally or sometimes work from home, are there circumstances when you may still require some or all of these employees to undertake some work at your workplace?

**Commented [FWC17]:** The ASU support the retention of the word 'regularly' in this question.

**Commented [FWC18]:** Ai Group's proposed wording change to add "from time to time" has been accepted here, however, the survey will ask for an exact number (where possible) instead of the 'all, most, some, none' options proposed by the employer groups.

**Commented [FWC19]:** Ai Group and ACCI have suggested the words "or from time to time" and they have been incorporated here.

**Commented [FWC20]:** The ASU support the inclusion of these questions that were proposed by ACCI

**Commented [FWC21]:** Some minor changes have been made to the wording proposed by Ai Group and ACCI.

**Commented [FWC22]:** Some minor changes have been made to the wording proposed by Ai Group and ACCI.

- Yes
- Potentially
- No

If the employer answers “yes” or “potentially” move to question 22

22. Why would you potentially require employees to undertake some work at the workplace?

- because some work activities cannot be performed remotely
- to participate in team meetings/gatherings
- to ensure adequate supervision of the employee
- to maintain regular contact with the workplace, supervisor, peers or clients
- because of concerns about the quality of work performed remotely
- Other, please provide details: