

Throughout this document “the Company” refers to Yamazaki Mazak UK Ltd and/or Jonathan Lee Workforce Solutions Limited where appropriate.

Flexible Working Policy

1. Objective

Eligible colleagues have the legal right to submit a formal request for flexible working and the Company will deal with any such requests reasonably.

The Company will place restrictions on the operation of flexible working if it deems it necessary for the proper conduct of its business and in accordance with the permitted statutory grounds for refusal. The Company reserves the right not to agree to the request where one or more of these criteria indicate that, in the current circumstances, the job can only be carried out effectively under current arrangements.

The statutory procedure requires that requests for flexible working (including any appeals) are dealt with within 2 months of the written application, although this timescale may be extended by agreement by both parties. Where possible the Company will ensure that decisions are made well within this timescale.

This policy does not form part of the colleague’s contract of employment and the Company may amend it at any time.

2. Eligibility

In order to be eligible to request working flexibly, colleagues must:

- Be a colleague (not an agency worker)
- Not have already made 2 applications for flexible working in any 12-month period

NB: With effect from 6th April 2024, there is no longer a qualifying period for making a flexible working request. Colleagues do not have an automatic right to flexible working, but they do have a right to make a flexible working request.

3. Scope of the Request

Any change to terms and conditions made as a result of a flexible working request will be permanent, unless the Company agrees to a temporary variation.

The flexible working request could lead to a change of:

- The number of hours worked
- The time of starting or finishing work
- The days that are worked
- Where the work takes place

There are different types of flexible working and may cover the following:

- **Job sharing:** Where two people do one job and the hours are split.
- **Remote working and working from home:** Working from anywhere other than the colleague’s usual workplace. This can include working from home.

- **Hybrid working:** A combination of working remotely and working in the colleague's usual workplace.
- **Part time:** Working less than full-time hours (usually by working fewer days).
- **Compressed hours:** Working full-time hours but over fewer days.
- **Flexitime:** Certain core areas are worked, but with some flexibility around start and finish times.
- **Annualised hours:** A certain number of hours of worked over the year, but there is some flexibility as to when they work. This is often with 'core hours' which are worked each week and there is flexibility for the remaining hours.
- **Staggered hours:** Where there are different start, finish and breaktimes from other colleagues.
- **Phased retirement:** Due to the phasing out of the default retirement age, colleagues can choose when they wish to retire and may request the reduction of their hours in order to work part time.

Colleagues have the right to have the request dealt with reasonably, but this does not give the right to a contract variation.

4. Procedure

If colleagues decide to make a flexible working request, the following procedure must be followed. However before making an application, colleagues should think about:

- What working pattern will help to achieve their aims?
- What will be the financial impact?

The colleague's application must be submitted to their Line Manager and must:

- Be in writing and dated.
- State that it is an application under the statutory right to apply for flexible working arrangements.
- State whether a previous application has been made by the colleague to the Company and, if so, when it was made.
- Specify the change applied for and the date on which it is proposed that the change should become effective.

5. Considering the Application

The colleague's Line Manager will arrange a mutually convenient time and date to discuss the flexible working application. Colleagues have the right to be accompanied by another work colleague or trade union official should they wish to do so. Apprentices under the age of 18 years may be accompanied by a parent, guardian or carer.

At this meeting, the request to a variation of existing working arrangements will be discussed fully. The impact of the change and how adverse effects on the Company can be minimised will be considered alongside other alternatives.

The Line Manager may also suggest a trial period to see how the new arrangement will work, before confirming or declining the application.

The decision regarding the flexible working request must be made within 2 months of receiving the request.

The priority will always be the efficient running of the business.

When considering requests for flexible working, the Company will always take into account our obligations under the Equality Act 2010. The Company may also have to take account any other outstanding flexible working requests.

6. Agreement

The decision as to whether a request for flexible working is granted will be referred to the Senior Manager in the relevant department and the HR Department for concurrence.

If the Company agrees to the application, written confirmation will be provided which will specify the contractual variation agreed and the start on which the variation will take effect from. This will be done as soon as possible, but no later than 28 days after the request was approved.

Further applications for variation (whether the first application was successful or not) can be made provided there are no more than 2 in any 12 month period.

7. Refusal

Before a request is rejected, the Company will consult with the colleague to determine if there are any suitable alternatives that may be considered. After consultation and where requests are refused, the Company will provide written notification and the grounds upon which the application was rejected. The letter will also outline the appeal process.

The application may be refused on one or more of several grounds, these being that the proposed change will result in:

- A burden of additional cost.
- A detrimental effect on the ability to meet customer demand.
- An inability to re-organise work amongst existing staff.
- An inability to recruit additional staff.
- A detrimental effect on quality and/or performance.
- An insufficiency of work during the periods you propose to work.
- A planned structure change.
- Any other grounds allowed by the regulations.

The following criteria will be considered when deciding whether the above grounds are met:

- The Company's business needs.
- The suitability of the job for the flexible arrangements proposed, i.e. the nature of the work, the hours needed and the need for continuity and consistency.
- The current balance of full-time and part-time colleagues and other flexible working arrangements within the department or team.
- The feasibility of covering the remaining hours.

8. Withdrawal of Application

The Company can treat an application as withdrawn under the statutory procedure whereby a colleague has:

- Notified their Line Manager in writing that the application is withdrawn.
- Without reasonable cause, failed more than once to attend a meeting or appeal hearing.

The Company will notify colleagues in writing should a request be treated as withdrawn.

9. Appeal

Where a request to work flexibly is declined, as part of the Company's policy, colleagues may appeal against the decision. Any appeal must be submitted within 5 working days of the written decision letter to the HR Department stipulating the grounds for the appeal.

A Senior Manager will hold the appeal meeting to discuss the reasons for the appeal. Colleagues will have the right to be accompanied to the meeting by another work colleague, or trade union official. Apprentices under the age of 18 years may be accompanied by a parent, guardian or carer.

After the meeting, the Senior Manager will put the decision in writing. If the Company upholds the appeal, the letter will specify the contract variation agreed to and state the date on which it is to take effect. If the Company dismisses the appeal, the letter will state the grounds for the decision and an explanation as to why it has been dismissed.

The appeal decision is final. There will be no further right of appeal.

Appendix

HRPOL00070	Form – Application For Flexible Working
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Policy:	Flexible Working Policy
Written By:	Chris Morris, HR Manager
Approved By:	Yamazaki Mazak UK Limited
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