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# Flexibility and Work–Life Interference in Australia

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**Abstract:** This contribution examines the relationship between flexibility and work–life interference. It analyses requests for flexibility in Australia just prior to the enactment of a new ‘right to request’ such flexibility, utilizing a large employee survey that shows that around a fifth of employees requested flexibility, most requests were agreed, and work–life outcomes were much better amongst those whose requests were fully agreed. Women were twice as likely as men to have sought flexibility, with one in two mothers of preschoolers, one in three mothers of children under 16 and a quarter of women without children having made requests. Parenting made no difference to men’s rate of request-making. Findings suggest that the right may be particularly beneficial to the third of all workers who have not made requests for flexibility yet are not content with current arrangements. There is a case to extend the right beyond parents, and for stronger appeal rights.

**Keywords:** *flexibility; gender; right to request; work–life interference*

## Introduction

Workplace flexibility has been identified as an important factor in shaping the way in which work interacts with the rest of life (which we term ‘work–life interference’). Many employers increasingly attempt to give their employees greater flexibility, recognizing that there are benefits both for employees and

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employers (Hill et al., 2010). At the same time, several governments have legislated to increase the rights of workers to seek flexibility that helps them accommodate work and care, especially care of young children. Australia has recently enacted a right for some parents to request changes in the hours, patterns and location of work. Given this background, this contribution considers four issues: first, the extent of flexibility in relation to working hours in Australian workplaces at present; second, the extent of active request-making prior to the enactment of the new Australian right; third, the types of employees who seek flexibility and their motivations; and, fourth, the outcomes of requests for flexibility and the consequences for work–life interference.

## **A Right to Request Flexibility: The Australian and International Context**

The Fair Work Act 2009 includes a new ‘right to request’ (RTR), which became effective on 1 January 2010. It represents a ‘light-touch’ measure to support employees seeking flexibility, and it creates a duty for employers to consider such requests ‘reasonably’. An employee, who is a parent or carer of a pre-school-aged child or a child under 18 with a disability, may ask their employer for a change in working arrangements to assist them to care for their child. Examples of such arrangements include changes in patterns of work and its location. As in other countries, this right is not available to all. Permanent employees are only entitled to make a request if they have completed at least 12 months’ continuous service with their employer immediately before making their request. Casual workers can only make such requests if they are long-term casual employees in their workplace immediately before making their request, and have a reasonable expectation of continuing employment on a regular and systematic basis. The legislation requires that requests be in writing and give details of the change sought and the reasons for it. In response, employers must give employees a written response to their requests within 21 days, saying whether they grant or refuse the request. Employers can refuse requests only on reasonable business grounds. If the request is refused, the written response must include details of the reasons for the refusal.

This new Australian right is similar in spirit to law in the UK, the Netherlands, Germany and New Zealand, but varies in several respects, being described as ‘generally weaker’ (Charlesworth & Campbell, 2008: 4). The Australian right is only available to carers of young or disabled children, while in the Netherlands and Germany the right is available to all workers whether they have caring responsibilities or not. European arrangements also impose more rigorous obligations on employers to seriously consider requests (for example, the Dutch RTR allows an employer to refuse a request only if there are ‘serious countervailing business reasons’), and all have explicit appeal and enforcement machinery, which Australia lacks.

## Flexibility and Work–life Outcomes: A Review of Relevant Literature

There are good reasons for employers and governments to support employee-centred flexibility. Flexible work practices increase organizational commitment and productivity, reduce absenteeism and stress, and improve employer–employee relations (Eaton, 2003; Halpern, 2005; Woodland et al., 2003). There is also evidence that inflexibility is a component of ‘poor-quality jobs’ that negatively affects the health of children whose parents work in such jobs (Strazdins et al., 2010).

Improved work–life balance is the most common outcome linked to flexibility in both policy and research contexts. This relationship is now well established, and is supported by two relatively recent meta-analyses (Byron, 2005; Gajendran & Harrison, 2007). There is also evidence from the UK of a link between flexibility and reduced work–family conflict in the context of that country’s legislated right to request flexibility (Holt & Grainger, 2005; Hooker et al., 2007; Palmer, 2004).

A number of Australian studies conducted in specific organizations or industries have examined flexibility and its outcomes (e.g. Burgess et al., 2007; De Cieri et al., 2005; McDonald et al., 2007). Australia has also been included in some multi-country studies that support the work–life benefits of access to flexibility and supportive work–life organizational cultures (e.g. Hill et al., 2010; Lapierre et al., 2008). Using data from the *Australian Workplace and Industrial Relations Survey 1995*, Gray and Tudball (2003) found that access to flexible work options was more likely for those in higher-level occupations and for more highly valued employees; access did not vary by gender or parenting, although they found evidence of gender differences in the uptake of flexible work practices. Bittman et al. (2004) analysed 1999 Australian Bureau of Statistics data and found that only a minority (18 percent) of fathers used flexible work practices to manage their work and family responsibilities. Analysing the Longitudinal Study of Australian Children, Baxter and Alexander (2008) identified flexibility as an important job characteristic that reduced work–family strains for mothers of young children.

Other literature suggests that women’s greater use of flexibility and ‘non-standard’ working patterns increases gender inequality in the labour market (Fagan et al., 2006; Lewis & Campbell, 2007), creating a challenge to increase flexible work arrangements that ‘do not condemn employees to low quality jobs’ (Charlesworth & Campbell, 2008: 7) and leave women on the ‘mommy track’ of jobs that lack quality and career opportunities (Barker, 1993). This literature shows that gendered analysis of flexibility is important, including consideration of how flexibility aligns with job quality and gender inequality.

In sum, the existing literature provides valuable insight about workplace flexibility and its consequences in specific contexts. However, up-to-date, nationally representative analysis of Australian workers’ access to flexible work practices, and their associated work–life outcomes, is lacking. This contribution aims to address this gap.

## Conceptual Framework

Our analysis is focused upon employee-centred flexibility, which is often not the same as the kinds of flexibility sought by employers. Our approach to conceptualizing flexibility and work–life interaction draws on ecological systems theory in relation to work, home and community life and their intersection (Bronfenbrenner, 1979; Voydanoff, 2007). This approach distinguishes the micro-domains of work, home and community (in which face-to-face relations occur), the meso-systems where these domains intersect (e.g. where work affects home life and vice versa), the exo-systems that represent the external environment in which a person does not participate but is affected (like the school system affecting a working parent), and the larger macro-system (e.g. rights to flexibility, other labour law, gender cultures, etc.). Together, these make up an ‘ecological system’ of work, home and community (Pocock et al., 2009b). Voydanoff (2007) integrates a demand–resource model (Demerouti et al., 2001) with this ecological system, to identify the characteristics of work, home and community that create either resources that support, or demands that impede, a healthy work–life relationship. In this model, employee-centred flexibility can constitute a resource for employees, helping them to manage conflicting or intensive demands in work and non-work domains. This contribution explores the extent to which access to flexibility constitutes a resource in the context of a given work, home and community context, and analyses how that resource affects work–life interference.

## AWALI Sample and Methodology

We analyse data from the 2009 Australian Work and Life Index (AWALI) survey, which contained employment, demographic, social and work–life items plus questions on employee requests for flexibility. The survey was a national stratified random survey of 2691 Australian workers, conducted using computer-assisted telephone interviews (CATI). Of those successfully contacted by phone, 50.6 percent participated (for a full report of the survey results, see Pocock et al., 2009a). Respondents were selected by means of a random sample process, which includes a quota set for each capital city and non-capital city area, and within these areas a quota set for statistical divisions or subdivisions, gender and age.

The 2009 AWALI is very close to the relevant ABS labour force survey of the working population in terms of its representation by age, state and gender. It somewhat over-represents those with university qualifications and professionals and slightly under-represents casual workers. This analysis focuses exclusively on employees, excluding self-employed persons.

All estimates reported below have been weighted by ABS data on age, highest level of schooling completed, sex and area (capital city and balance of State/Territory) to adjust for differences between the AWALI sample and Australia as a whole. We also follow the threshold rule used in the Household, Income and Labour Dynamics in Australia (HILDA) survey (Heady et al., 2006), which sets a minimum of 20 units (i.e. respondents) that must contribute to the value of

a cell for that figure to be considered reliable. Estimates that do not meet this threshold requirement are accompanied by an asterisk, indicating that this figure should be interpreted with caution.

## Measures

In relation to hours, respondents were asked how many hours they usually spend in paid work, including any paid or unpaid overtime, and their preferred hours ('If you could choose the number of hours you work each week, and taking into account how that would affect your income, how many hours would you choose to work?').

Respondents were also asked: 'In the past 12 months have you asked your employer for a change in work arrangements for a sustained period of time, that is, for longer than 1 month?' If necessary, interviewers explained to respondents that 'work arrangements' meant the 'amount of hours you work, when you work these hours and where you work those hours, such as at home'. This measure was designed to capture requests for substantive changes, rather than one-off requests for short-term circumstances.

Respondents who had made a flexibility request were asked to identify the nature of this request, and the reasons for it, in two separate questions using predefined response options. Respondents who had not made a request were asked to identify their reasons for not making a request, again using a predefined list of options. Each predefined set of options included an 'other' response where respondents could specify an alternative answer. These responses were coded after data collection.

AWALI contains five items measuring work–life interference, including 'general interference' (the frequency that work interferes with responsibilities or activities outside work); 'time strain' (the frequency that work restricts time with family or friends); work-to-community interference (the frequency that work affects workers' ability to develop or maintain connections and friendships in their local community); satisfaction with overall work–life 'balance'; and the frequency of feeling 'rushed or pressed for time'. To arrive at the AWALI summary work–life index, we average and standardize the five items just described. The minimum score on the index is 0 (lowest work–life interference) and the maximum score is 100 (highest work–life interference). The five-item work–life index has satisfactory internal consistency (Cronbach's  $\alpha = .82$ ). In the 2009 survey the average score on the index was 43.3, and the median was 40.0. Scores above the average score of around 43 indicate work–life interference that is worse than average, and scores below this level indicate a better than average work–life relationship.

## Findings

### Working Hours, Flexibility and Work–Life Interaction

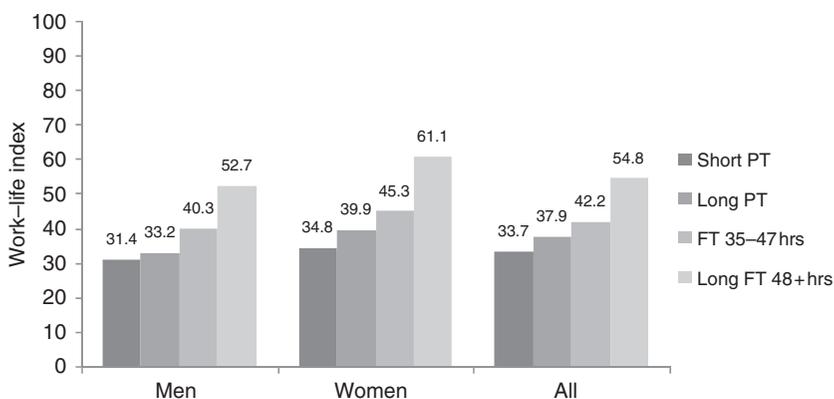
We now turn to our first research question – How much flexibility do Australian workers have at present? – by considering the prevalence of

a basic form of flexibility: how well actual hours fit with employees' preferred hours. While there are other important aspects of flexibility (such as when and where hours are worked), this question of the 'fit' between actual and preferred hours provides a useful indicator of how flexible current arrangements are to help workers align their hours preferences with outcomes. Further, by considering the relationship between this hours 'fit' and work–life interference we can analyse the work–life impact of a 'mis-fit' on this basic form of flexibility.

In 2009, male employees in the AWALI survey worked on average 41.6 hours a week, women 31.8 and all employees 37.1. Almost a third of men (31.4 percent) and 12.7 percent of women worked more than 48 hours a week. Figure 1 shows how work–life interference significantly worsens as hours increase. Long-hours workers have relatively high (i.e. worse) work–life scores of 54.8, compared to 33.7 amongst those working short part-time hours. Each of the group differences shown in Figure 1 is statistically significant ( $p < .05$ ). The biggest difference in the work–life index – a 12-point gap – occurs between those working 48 hours or more compared to those working 35–47 hours. Clearly, working hours are important to work–life interference and long work hours are particularly deleterious. Further, these outcomes are gendered: women have a higher score on the work–life index (i.e. worse work–life interference) than men in each hours category. Long full-time hours are associated with particularly negative outcomes for women, and women gain less work–life relief from part-time work than men.

Beyond the direct effect of hours, what effect does a poor fit between actual and preferred hours have on work–life interference, and how widespread is such a mis-fit? We define a 'poor fit' as a gap of at least four hours between actual

**Figure 1** *Work–life index scores by short and long work hours and gender, AWALI 2009*



Note: PT = part-time, FT = full-time. Hours usually worked per week. Short part-time = 1–15 hours, long part-time = 16–34 hours, full-time = 35–47 hours and long full-time = 48+ hours.  $N = 2276$ .

and preferred hours, on the basis that a gap of at least this size – around half a working day – is non-trivial and represents a substantial and meaningful divergence from preferences. More than half (51.8 percent) of respondents were four hours or more away from their preferred working hours (50.6 percent of women and 52.8 percent of men). About two-thirds of these wanted to work less and a third wanted to work more. The gap between actual and preferred hours is particularly wide amongst men working long hours: 74.1 percent of men working 48+ hours a week wanted to work 4+ hours a week less (67.1 percent of women). Amongst those working 35–47 hours a week, 38.8 percent wanted to work 4+ hours less.

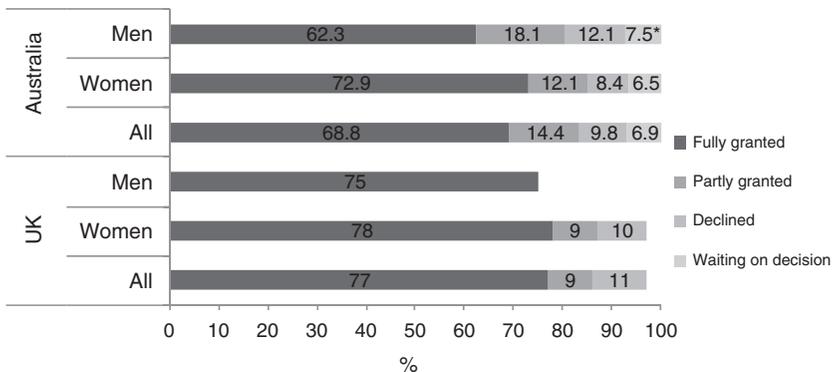
Thus, on a basic flexibility indicator like the ‘fit’ between actual and preferred hours, there appears to be little flexibility available to many Australia employees. What does this mean for work–life interference? Figure 2 shows that a poor fit between actual and preferred hours is associated with worse work–life interference (higher scores) for both women and men, but only for those who want to work less.

Thus, actual hours of work matter to work–life interference, and having a better fit between actual and preferred hours is associated with improved work–life outcomes for those who work more than they prefer. These findings alone provide clear evidence of an absence of employee-centred flexibility for many Australian workers and of the beneficial work–life effects of such flexibility.

### Who Seeks Flexibility?

In the 12 months prior to March 2009, 22.4 percent of respondents had asked their employer for a change in work arrangements for a sustained period of

**Figure 2.** Request outcomes by gender, AWALI 2009 and UK Flexible Working Employee Survey 2003/2004 (percent)



Note: \*Estimate unreliable due to insufficient sample size. UK data not available on partly granted/declined for male employees and ‘waiting on decision’ for all employees. Proportion of respondents who made a request to change work arrangements. AWALI = 482, UK = 455.

time (Table 1). Over three-quarters of respondents (77.6 percent) had not made requests for flexibility. Most of those who had not sought flexibility were content with their current arrangements: they made up 45.4 percent of the total of those surveyed. However, 32.2 percent of all respondents had not made a request despite being unhappy with their current arrangements; we call these ‘discontented non-requesters’. A larger proportion of men (37 percent) were in this category than women (27.1 percent). This group is of particular interest, as a new right to request may have the greatest potential to assist them. Given their discontent with their current work arrangements, why do they hold back from asking? We return to this group below, after discussion of the characteristics of those who made requests and their work–life outcomes.

### Characteristics of Those Who Requested Flexibility

The rate of request for flexibility is highly gendered: almost twice as many women as men made a request: 29.1 percent compared to 16.3 percent. The incidence of requests also declines by age, with 29.8 percent of 18–24 year olds making a request, 23.9 percent of 25–44 year olds and only 14.4 percent of 55–64 year olds. The higher rate of requests by young people probably reflects their need to accommodate education and study. Amongst 25–44 year olds, greater responsibility for children and early family and household formation are likely to explain higher rates of request-making.

Parenting responsibilities are strongly aligned with requests – but only for women. There is no significant difference in men’s rate of request-making whether they have preschool children, children under 16 or no children at all. About 16 percent of men in all categories had made a request. In contrast, motherhood is strongly associated with more requests for flexibility. Almost half of women with preschoolers had made requests (47.8 percent) and just over a third of all women with children under 16 (34.7 percent). A quarter of women without children had also made requests, compared to 16.4 percent of men without children. The finding that flexibility is much more commonly sought by women than men, even amongst non-parents, probably reflects women’s greater responsibility for all forms of care, including elder care, and domestic and unpaid work (Craig, 2007). It may also be the case that some men are

**Table 1** *Proportion requesting or not requesting flexibility by gender and whether content or not with current arrangements (percent)*

	Men	Women	All
Requested flexibility	16.3	29.1	22.4
Did not request – content with current work arrangements	46.9	43.8	45.4
Did not request – not content with current work arrangements	37.0	27.1	32.2
Total	100.2	100.0	100.0

*Note:*  $N = 2307$ .

reluctant to make requests for flexibility – either because they think they will not get it, because they have too much work to do or because merely asking will affect the way they are perceived and treated in the workplace.

Casual workers (who make up around a quarter of all employees; Australian Bureau of Statistics [ABS], 2010) were slightly more likely to make requests than permanent or fixed-term workers, but this effect is only statistically significant amongst men ( $p < .05$ ). This suggests that supporting the right of casual workers to request flexibility is as important as supporting that right for permanent employees – and more important in the case of men.

Part-time men were much more likely to make requests than full-time men: part-time males probably include a sizeable portion of students working casually who are seeking changes in work schedules around study. While the difference in the rate of request between part-time and full-time women is significant – with part-time women more likely to make requests than full-timers – this difference is much smaller than amongst men.

It is interesting to note a low rate of request for flexibility amongst men working long hours: only 13 percent of those working 48 or more hours had sought flexibility, compared to 30.9 percent of similar women, and 16.3 percent of all men. Given our finding that most men working long hours would like to work less, it is surprising that so few have made formal requests for flexibility. It may be that they believe that their requests will not meet with approval, or that they believe that making such a request will negatively affect their long-term careers or earnings.

There are some gender differences in the association between work hours' fit with preferences and flexibility requests. Men who would prefer to work at least four more hours are more likely to request a change to their work arrangements (25.9 percent) than those who want to work less (16.5 percent) and those who do not want to change their work hours (14 percent). However, women who would prefer fewer hours are much more likely to request flexibility (33.6 percent) than women who would prefer more hours (25.1 percent) or women who do not want to change their hours (27.8 percent).

Not surprisingly, feminized occupations have much higher rates of request-making than those where men dominate. A third of sales workers had made requests, closely followed by 29.2 percent of clerical and administrative services workers and a quarter of professionals. The lowest rate of request-making was amongst managers, technicians and trades workers, machinery operators and drivers, and labourers.

Turning to the industry sector, requests were most common in the retail trade, accommodation and food services, and public administration (29 percent or more had made requests in each of these three sectors). Requests are much less common in mining, manufacturing, transport, postal and warehousing, professional/scientific and technical services, and are particularly low in the construction sector.

Higher-income workers are significantly less likely to request flexibility than lower-income workers. Only 14.3 percent of those earning \$90,000 or more sought flexibility, compared to almost a third of those

earning less than \$15,000. Most of this difference is explained by the variation in requests for flexibility amongst men: women's rate of request remains consistently high across the income spectrum, although a smaller proportion of women in the highest income bracket (\$90,000+) requested flexibility.

In sum, the analysis suggests that prior to the operation of the new legal right to request, many workers are some distance from their preferred hours, yet only around a fifth of employees have made requests for flexibility to their employers. They are mostly women, and especially mothers of young children. However, many women who do not have children also seek flexibility: gender is more strongly associated with differences in rates of request-making than parenting. The low rate of request-making in male-dominated industries is striking. The extent to which this reflects preferences versus established cultures and habits is an important question.

### **Why Do Workers Seek Flexibility and What Types of Flexibility Do They Want?**

Why do people make requests for flexibility? The motivations for flexibility are most commonly childcare or study. However, motivations are gendered: women seek flexibility most commonly because of childcare and study needs, while men are more likely than women to be seeking more interesting work or more pay or more hours.

Childcare needs explain 21.2 percent of women's requests, compared to only 6.0 percent of men's. Childcare-related requests were also more common for women working part time (25.2 percent) than full time (16.9 percent). This suggests that for many women part-time work is not a perfect solution to meet their parenting responsibilities. Even when they are working part time, mothers still require flexibility to effectively manage their work and family commitments. Women are also more affected by study, with 17.4 percent of their requests related to this compared to 12.6 percent of men's. On the other hand, men are most likely to be motivated to make requests because they want more interesting/challenging work or a change in their job role (14.1 percent of men's requests; 9.5 percent of women's), or to earn more money (12.1 percent of men's requests; 3.5 percent of women's). More time with the family is also important, with 11.3 percent of women and 13.1 percent of men mentioning this.

Childcare needs especially affect parents of preschoolers: 45.9 percent of these asked for flexibility because of childcare needs and 27.5 percent of all parents cite this reason. Childcare is, thus, important to many parents of children under 16, along with more time with family. Amongst those without parenting responsibilities, university study is particularly important: it is cited as a reason for requests by 20 percent of workers. Around one in 10 workers without parenting responsibilities requested a change in order to have more interesting/challenging work, a change in work role or to have more free time.

### **Type of Flexibility Requested**

Australian employees make requests for very diverse forms of flexibility. Only a small number of requests seek part-time work (9.8 percent), flexi-time (7.3 percent) or to work from home (6.7 percent), and even smaller proportions seek compressed work weeks, annualized hours or job-sharing. Almost half of requests seek some other kind of arrangement, whilst 16.7 percent of workers seek reduced hours for a limited time, implying that the opportunity to both increase and reduce working hours is of importance. This finding also suggests that a right to request that defines flexibility very broadly is likely to be beneficial.

### **Proportion of Requests Approved, Why Some Do Not Ask and Effects on Work–Life Interference**

The majority of requests for flexibility (68.8 percent) were fully granted. A further 14.4 percent were partly granted so that, overall, 83.2 percent were granted in part or full. Only 9.8 percent were refused, whilst 6.9 percent were awaiting a decision at the time of the survey. This rate of request approval is similar to that revealed in comparable UK surveys (Holt & Grainger, 2005; Hooker et al., 2007; Palmer, 2004).

Women's requests are more likely to be granted than men's: 72.9 percent of women had their requests agreed to fully, compared to 62.3 percent of men. A similar – though less pronounced – pattern exists in the UK. This finding suggests that a legislated right to request might be particularly beneficial for men, creating a firmer basis from which they can seek flexibility and perhaps secure it.

Refusal rates are significantly lower for parents than for those without children. This effect holds for both women and men. This suggests that requests by parents are viewed as more legitimate than those made by those who do not have parenting responsibilities. Thus it may be the case that the extension of a right to request to those without parenting responsibilities has particular value, given the difficulty some have in getting their requests met at present.

When we look at request outcomes by working hours it is clear that part-time women are most likely to have their requests fully granted (81.1 percent), compared to full-time women (64.5 percent), part-time men (63.9 percent) or full-time men (61.6 percent). Request outcomes also differ by personal income. Workers in the highest income group (\$90,000+) are least likely to have their requests fully granted (61 percent) compared to around 70 percent of those on lower incomes.

### **Reasons for Not Making a Request**

Table 1 showed that 45.4 percent of all those surveyed had not made a request for flexibility because they were content with their current arrangements, while 32.2 percent had not made a request despite being unhappy with their current arrangements. This latter group of 'discontented non-requesters' are perhaps

**Table 2** Reasons 'discontented non-requesters' did not make a request by gender (percent)

	Men	Women	All
Job does not allow it/nature of the job	26.7	26.5	26.6
It's a new job/I recently started	13.5	13.6	13.5
Make own work arrangements	7.9	5.3	6.9
Too much work to do/not enough staff	6.4	9.3	7.5
Not convinced my employer would allow it	8.8	4.3	7.0
Could not afford reduction in income	4.8	7.9	6.1
I'm on a fixed-term contract	3.3*	3.6*	3.4*
I work as a casual	2.4*	4.3*	3.2*
Other	14.8	13.2	14.2

Notes: This table includes those who did not request flexibility *and* were not content with current arrangements. \*Estimate unreliable due to insufficient sample size. Multiple responses were possible.  $N = 506$ .

the group most likely to benefit from the new RTR, and are indicative of the potential that exists for improving access to flexibility.

What explains their reluctance to ask? Our findings suggest that they hesitate for a range of reasons. Table 2 shows that a quarter of male and female 'discontented non-requesters' held back because of established norms around the 'nature of the job'. This belief was more common amongst full-time workers, and also amongst those on middle and higher incomes (earning more than \$30,000 a year). It seems that men's lower rate of request-making, in part, reflects established cultures and practices of inflexibility that work against the realization of their preferences; indeed, these cultures and norms work against even *asking* for flexibility. Such workplace cultures also affect many women.

Being new to the job held back another group of around 13 percent of women and men, while a smaller proportion were affected by too much work to do, or by a view (held by significantly more men than women) that their employer would not support their request. Significantly more women than men were concerned about the effect on their income, but the overall proportion concerned about this was comparatively small. These findings suggest that established norms are important in precluding requests, providing some support for laws that challenge these norms and create an onus on employers to reasonably consider non-standard approaches to the organization of work.

### Access to Flexibility and Work–Life Interference

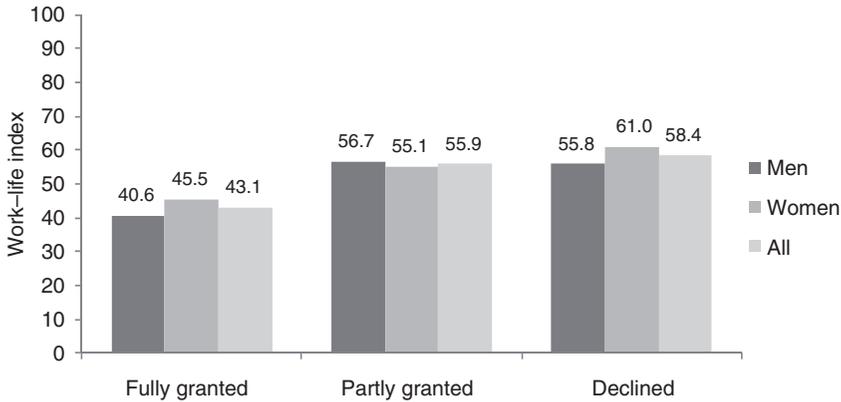
Does poor work–life interference motivate requests for flexibility, and does having a request granted make a difference to it? The association between working hours and work–life interference makes controlling for hours important, especially when comparing men and women given differences in the average hours they work. Table 3 shows AWALI index scores, adjusted for

**Table 3** Work–life index scores by reasons for not requesting flexibility and gender

	Men	Women	All
Made a request	47.4	50.9	49.2
Did not make a request	38.9	45.3	42.1
Content with current work arrangements	31.8	38.1	35.0
Not content with current work arrangements	48.5	56.1	52.3

Notes: Index scores adjusted for work hours.  $N=2276$ .

**Figure 3** Work–life index scores by request outcome, AWALI 2009



Note: Proportion of respondents who made a request to change work arrangements.  $N=480$ . Index scores adjusted for work hours.

differences in working hours, for those who had made a request and those who had not. It shows that work–life interference is significantly worse amongst those who had made a request. This holds for both women and men, suggesting that work–life problems are a significant motivator of requests to seek flexible work arrangements.

Of those who did not make a request, those who are content with their work arrangements have significantly lower work–life interference than those who made a request. This is the case for men and women. However, a very different work–life picture is evident for those who did not make a request, but are unsatisfied with their current work arrangements. These ‘discontented non-requesters’ have higher levels of work–life interference than both their non-requesting peers who are satisfied with their work arrangements, and those who have made a request. This is especially pronounced amongst women: ‘discontented non-requesting’ women have the highest work–life interference (56.1) of all the groups, higher than their female peers who had made a request and higher than the women who were ‘contented non-requesters’.

When we consider the effect of outcomes of requests on work–life interference, adjusting for differences in hours worked, the difference is also significant: those who have had a request granted have much lower work–life interference, with AWALI scores of 43.1 compared to 58.4 for those whose request was refused (Figure 3). Those who had their requests partially granted have scores lying between these two. In other words, making a request and having it granted has a significant positive impact on work–life outcomes.

Having a request fully granted rather than partially granted also matters: there is no statistically significant difference between the scores for those whose requests were declined and those whose requests were partially granted: both have significantly worse work–life interference than those whose requests are fully granted. Getting all the flexibility that is specifically sought is associated with considerably greater work–life benefits than a partial solution, which has little positive effect. Outright refusal of a request is also associated with significant and detrimental effects on work–life outcomes.

## Conclusion

This analysis shows that many Australian workers lack basic forms of flexibility such as the capacity to work the hours they would prefer. Both hours of work and their flexibility have significant associations with work–life interference: long hours of work and working more than one would prefer are associated with worse work–life interference. Beyond this, getting the flexibility that one needs is associated with better work–life outcomes. This makes policy initiatives to increase flexibility significant, given that many people have little basic flexibility at present, that many want it, and that its provision will significantly improve work–life outcomes.

Our findings show that around a fifth of Australian employees ask for flexibility at present and many of them get what they want, with positive consequences for their work–life situation. Beyond this, a third of employees are ‘discontented non-requesters’ who are unhappy about their work arrangements, but reluctant to ask for the flexibility they want. They do not make requests for a range of reasons and some of these may be mitigated by a stronger platform of rights and request processes. If so, the work–life outcomes of these workers are likely to be significantly improved.

More men and parents are ‘discontented non-requesters’, and many who do not ask are held back by their perception that the nature of their job makes asking for change a waste of time. This suggests that a ‘game-changer’ – like a new, effective legal right to seek change – will help. However, the scope for law to lead behavioural change in the face of powerful prevailing cultures is variable: it depends in part on the penalties that apply to those who are resistant to changing their habits and practices in accordance with the law. Where penalties are high, behaviour is more likely to change: the 2010 ripples across the boardrooms of Australia arising from alleged sexual harassment by David Jones’ CEO are a case in point (Mathieson, 2010). This makes the lack of appeal and

enforcement machinery in relation to Australia's RTR of particular significance.

Our findings suggest that Australian lawmakers have been right to provide a right to request flexibility. This is likely to encourage the parents of preschoolers and children under 18 years old with a disability to ask for work arrangements that better suit their needs. However, there is a need for flexibility well beyond the population of parents of preschoolers. Many employees who are parents of school children or do not have parenting responsibilities would also like to have more suitable and flexible work arrangements.

It seems highly likely that those who already ask – most of them women and mothers of preschoolers – represent the low-hanging flexibility fruit: in asking and getting flexibility they are in industries and workplaces where practices, cultures and supervision are more amenable to its provision. In these workplaces, flexibility is perhaps more easily requested and found than in the places where workers are reluctant to ask. Reaching higher up the flexibility tree is likely to find supervisors, workplaces, firms and industries where flexibility is resisted and habitual norms and practices are resistant to change. In this light, the reluctance by Australian lawmakers to impose even modest processes of review when a request is refused may mean that many of those who would like to ask for flexibility hesitate or do not get what they seek when they do ask.

The provision of a legislated right to request flexibility for parents may particularly assist fathers, those who work in male-dominated industries like manufacturing, mining and construction, and men more generally, as they form a small proportion of those who currently make requests, perhaps in part because they lack a firm legal basis from which to do so. The findings also support the extension of the right to request to others, at least to those with children under 16, but beyond this to all employees regardless of their parenting status. This may help de-gender the use of flexibility and decontaminate non-standard, feminized work from its poorer conditions. Gradual expansions of this kind have been unfolding in other countries, based on research about the effects and impact of these rights on workers and employers. Our findings suggest that this broader use of the right to request is likely to be associated with better work–life outcomes. However, other changes will also be helpful, especially those that assist the many workers who work long hours, or more than they would prefer, to reduce their working hours.

It is important to acknowledge that there are limits to the benefits arising from a right to request flexibility. This study, like others, draws attention to the importance of informal work practices and cultures that influence whether regulation or organizational policies are actually put into practice and made available to workers (Bardoel, 2003; Mesmer-Magnus & Viswesvaran, 2006; Shockley and Allen, 2007). An interesting question for future studies is whether, and to what extent, regulatory change around flexibility can affect the work–life culture of Australian workplaces.

Theoretically, our findings confirm that employee-centred flexibility is an important resource that can assist workers to navigate the complex ecological systems of work, home and community in which they live. The empirical

findings of this study highlight the importance of flexibility to good work–life outcomes, above and beyond working hours alone, and the contribution that flexibility makes to constructing a good job that can meet workers’ needs over their life cycle. The capacity to make changes such as adjusting the hours of work, how these hours are arranged or the location of work has a substantial impact on reducing the negative effects that work may have on life outside work. Therefore, the practical capacity to get flexibility can be viewed not only as an aspect of ‘a good job’ and an entitlement that supports fairer and more equitable work arrangements, but also as an important support to quality of life including family, social and personal life.

There are interesting questions for future research. These include monitoring the effects of the new legal right to request by industry, occupation, gender and parenting; investigating the incidence and experience of ‘discontented non-requesters’; examining the impact of legislative changes on work–life cultures in Australian workplaces; and considering the experiences of those who make requests that are not fulfilled.

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