



Work-life balance: the new "flexible working arrangements"

To make it easier for parents and carers to **reconcile their family and working lives**, legislation now stipulates that employees must be able to **adapt their working hours** to their personal needs and preferences, and introduces the concept of "flexible working arrangements" into the Labour Code.

By "flexible working arrangements" we mean the possibility of adjusting working hours, the use of teleworking, flexible working hours or a reduction in working time.

As a result, employees with at least **6 months' seniority** who are the parents of a **child under the age of 9** can now apply for one of the **flexible working arrangements for a maximum period of one year**.

An employee who provides **personal care or assistance to a family member or to a person living in the same household and who requires considerable care or assistance for serious medical reasons preventing them from being independent** will also be able to make a request to their employer.

By "family member", the law refers to a son, daughter, mother, father, spouse or partner.

The employer must examine the request **within one month**, and if he wishes to refuse or postpone it, he must reply by **registered letter with acknowledgement of receipt**, stating the **reasons**. The reasons for refusing or postponing the request must be given to the requesting employee and must take into account his needs, the company's resources and its operational capacity.

If the request is accepted, the employer must retain the employee's job during the period of flexible working arrangements, or at least a similar job.



At the end of the one-year period of flexible working, the employee has the right to **return to the original working arrangement**, or even earlier if a change in circumstances justifies this. In this case, the employer will re-examine the request to return earlier to the original working arrangement and will also respond within one month, always taking into account its own needs and those of the employee.

Lastly, an employer who notifies an employee of the termination of his employment contract on the grounds that the employee has requested or benefited from a flexible working arrangement will see the said termination declared **null and void**.

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