



## **Survey analysis for the *Clerks - Private Sector Award 2020* – Work from home case**

February 2021



The contents of this paper are the responsibility of Commission staff and the research has been conducted without the involvement of members of the Fair Work Commission.

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## 1 Introduction

On 6 October 2020, a Full Bench of the Fair Work Commission (Commission) granted an application by the Australian Industry Group (Ai Group) and the Australian Chamber of Commerce and Industry (ACCI) to extend the operation of Schedule I–Award flexibility during the COVID-19 pandemic in the *Clerks - Private Sector Award 2020* (Clerks Award).<sup>1</sup>

The Commission also proposed conducting a survey of employers to address an ‘evidentiary gap’ regarding the incidence of working from home arrangements amongst employees covered by the Clerks Award and the extent to which the flexibility provided by Schedule I has been utilised.<sup>2</sup>

A draft survey was attached to a statement issued on 14 October 2020. Interested parties were invited to comment on the draft survey and conferences were held on 27 October, 9 and 18 November 2020 to finalise the survey instrument

This report presents the findings from the survey. The survey was open from 26 November to 24 December 2020. It was administered via an online platform (Alchemer). It was sent by ACCI and the Ai Group to the relevant members of those organisations.

Responses were received from 133 businesses. There were 5 businesses who did not have employees covered by the Clerks Award and another 5 businesses that have enterprise agreements covering all their employees who would otherwise be covered by the Clerks Award. The report therefore presents analysis from 123 responding businesses and their employees.<sup>3</sup>

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<sup>1</sup> [2020] FWCFB 5199.

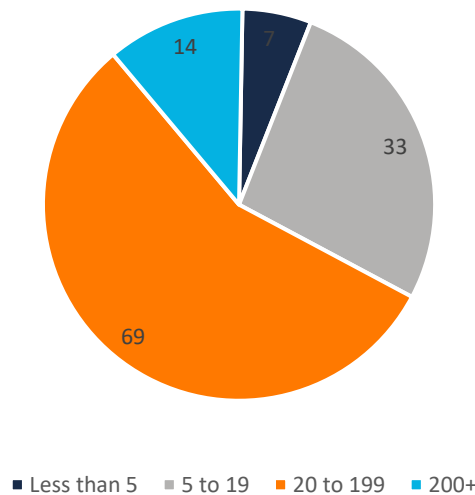
<sup>2</sup> See [2020] FWCFB 5199 at [58]–[62] and [95]–[100].

<sup>3</sup> Derived from questions 1 and 2.

## 2 Employees covered by the Clerks Award

Over half of the businesses in the survey were medium-sized businesses with between 20 and 199 employees (69/123). There were 40 small businesses, of which 7 had fewer than 5 employees (Chart 1).

**Chart 1: Number of employees per business**

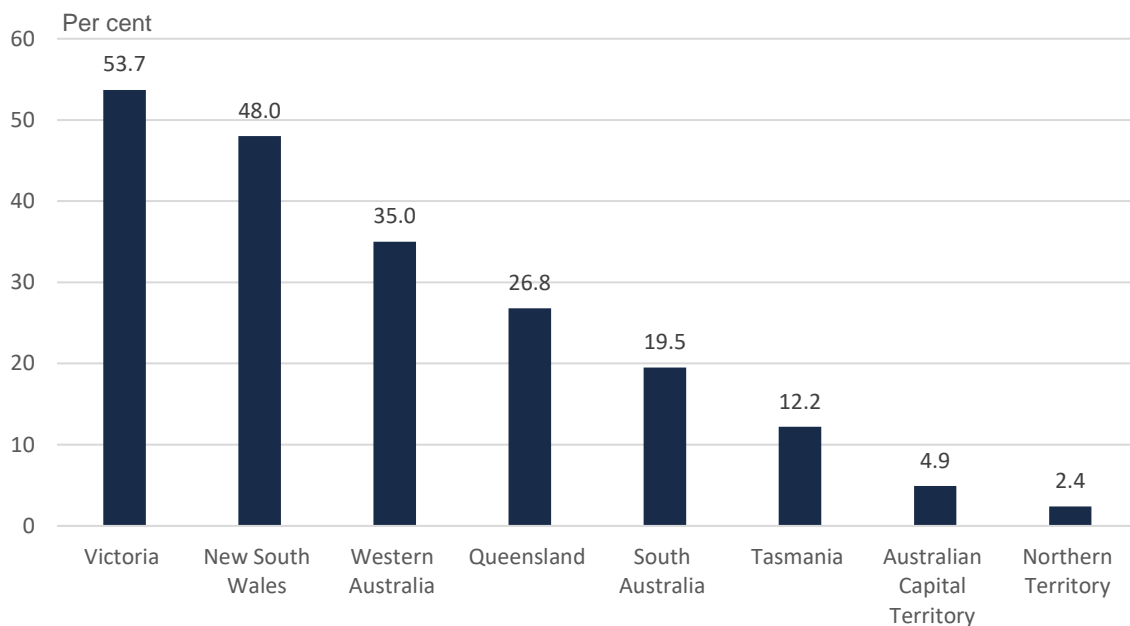


Note: Question 3—How many employees does your business currently employ?

Source: Clerks Award Survey.

Some businesses that responded to the survey were located in more than one state or territory. Over half had a location in Victoria and almost half had a location in New South Wales (Chart 2).

**Chart 2: State or territory of business (multiple response)**



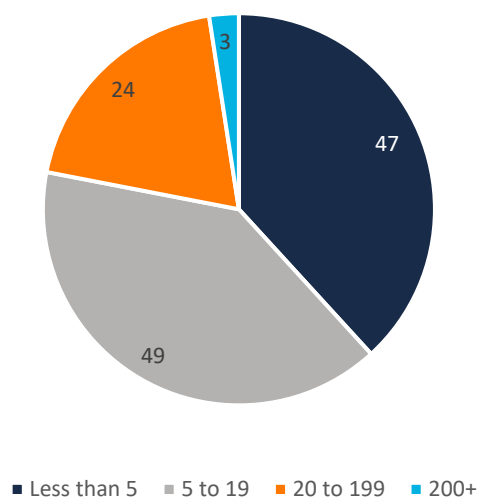
Note: Question 14—In which state or territory is your business located (tick all that apply)?

Source: Clerks Award Survey.



In total, these 123 businesses employed 1712 employees covered by the Clerks Award. Almost 40 per cent of these businesses had fewer than 5 employees covered by the Clerks Award (47/123) and just over 30 per cent had 5 to 19 employees covered (39/123) (Chart 3).

**Chart 3: Number of employees covered by the Clerks Award**



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

Source: Clerks Award Survey.

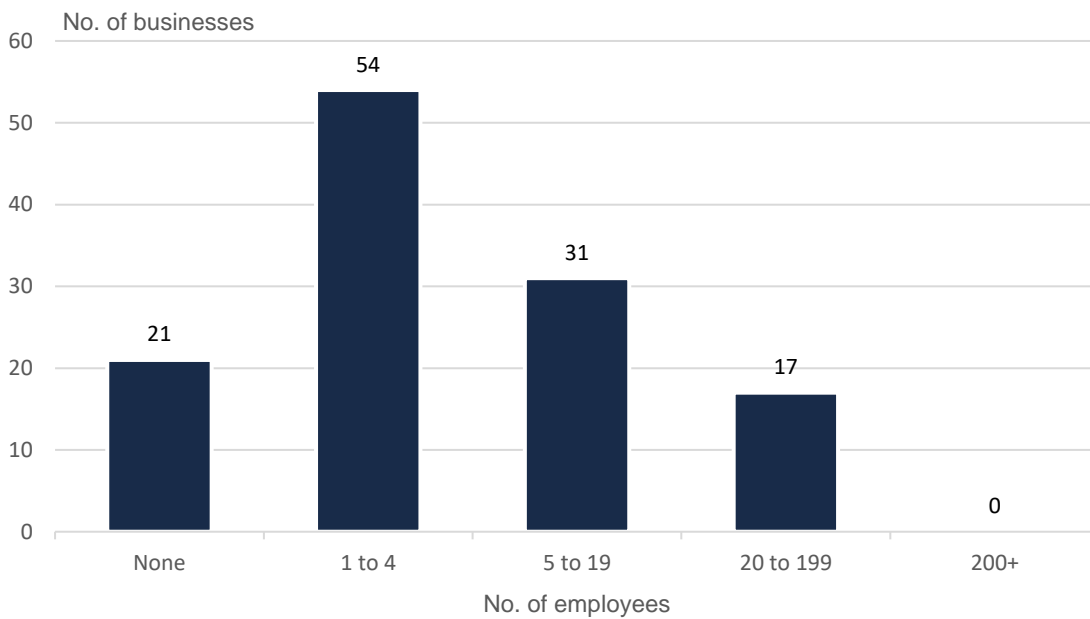
### 3 Who has been working from home

In total, 1089 employees covered by the Clerks Award have been working from home since 1 July 2020, or more than half of all employees covered by the Clerks Award from businesses in the survey.

It was most common among these businesses to have 1 to 4 employees covered by the Clerks Award working from home since 1 July 2020 (44 per cent or 54/123) (Chart 4). Around one-quarter of respondents had 5 to 19 employees covered by the Clerks Award working from home in this period (31/123).

Around 1 in 6 businesses did not have any of their employees working from home since 1 July 2020 that were covered by the Clerks Award (21/123).

**Chart 4: Number of employees per business covered by the Clerks Award that have been working from home since 1 July 2020**

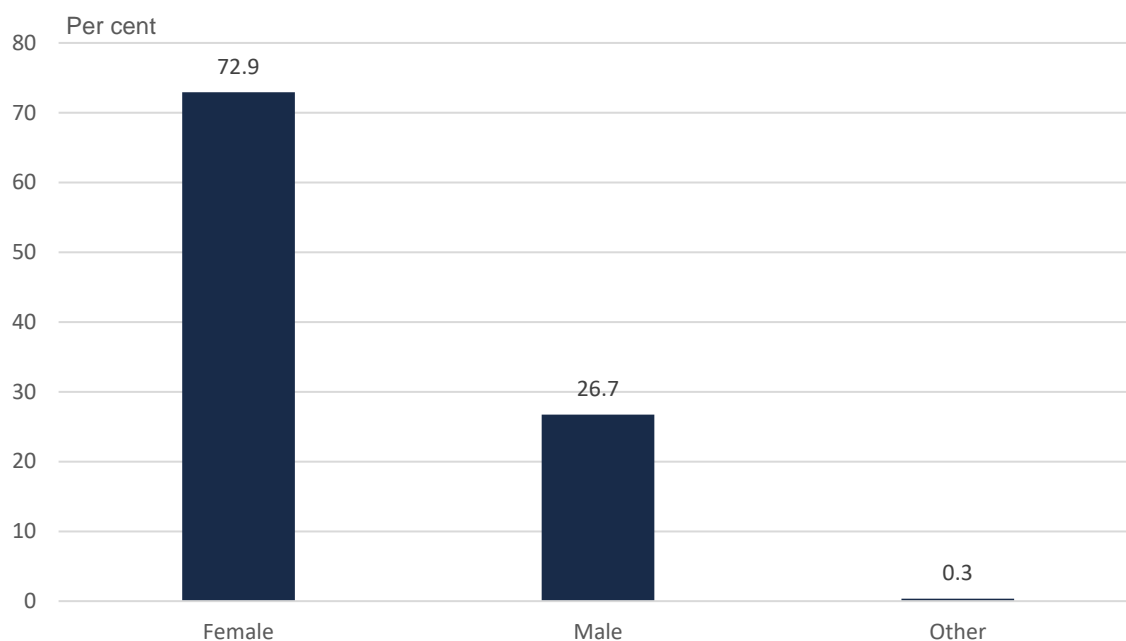


Note: Question 5—How many of your Clerks Award employees have been working from home since 1 July 2020? (You should include all employees working from home during this period, not just employees who started working from home after 1 July 2020).

Source: Clerks Award Survey.

Of all the employees to have been working from home since 1 July 2020 that were covered by the Clerks Award, the majority were female (almost three-quarters of all employees) (Chart 5).

**Chart 5: Number of employees covered by the Clerks Award that have been working from home since 1 July 2020, by gender**



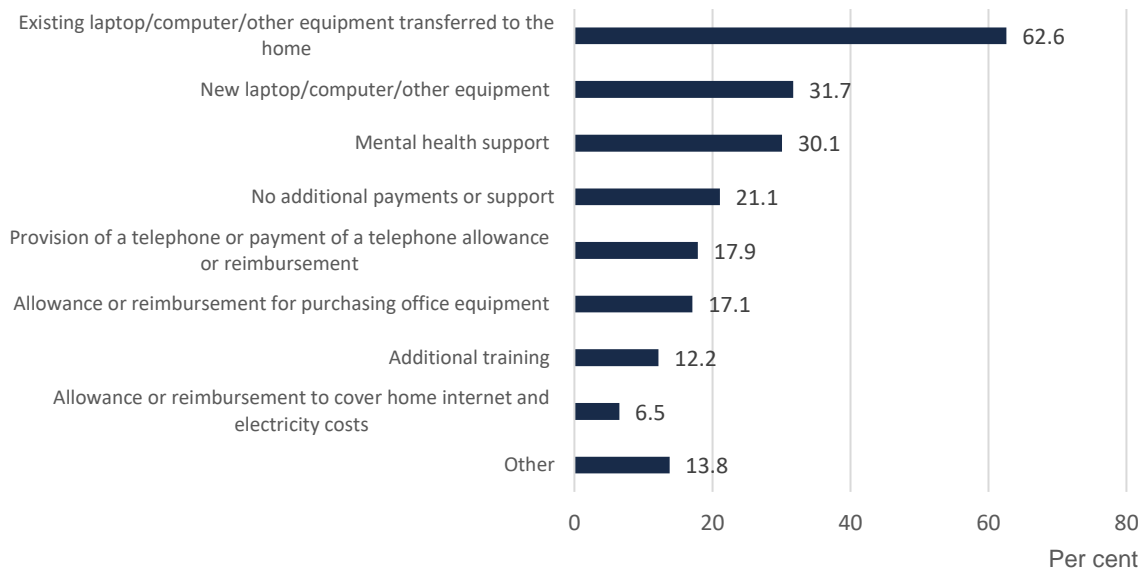
Note: Proportions calculated based on sum of responses from all businesses. Question 6—How many of these employees are female, male, other (individuals who identify as non-binary, gender diverse, or with descriptors other than female or male)?

Source: Clerks Award Survey.

## 4 Working from home policies

The majority of businesses provided a laptop, computer or other equipment to support the employee working from home, whether it was existing equipment (62.6 per cent) or new equipment (31.7 per cent). Almost one-third of businesses provided mental health support (Chart 6).

**Chart 6: Additional payments or support provided to Clerks Award employees who have been working from home since COVID-19 restrictions commenced (multiple response)**

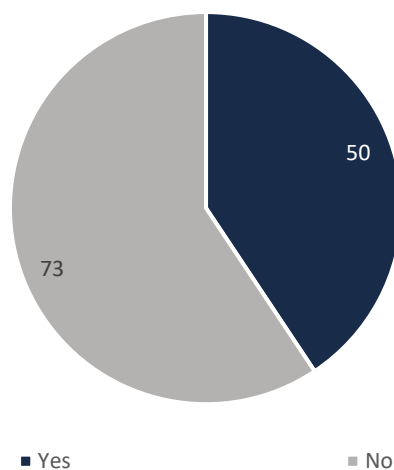


Note: Question 12—Have any additional payments or support been provided by the business to Clerks Award employees who have been working from home since COVID-19 restrictions commenced (i.e. since March 2020)? If yes, please tick all that apply.

Source: Clerks Award Survey.

Most businesses did not have a policy for working from home, with only 41 per cent (50/123) of businesses responding that they did (Chart 7).

**Chart 7: Policy on working from home**



Note: Question 13—Does your business have a policy about working from home?

Source: Clerks Award Survey.

Six respondents to the survey provided sample policies. Three were generic policies and three were COVID-related that covered both the eligibility and responsibilities of staff. The subjects covered by the policies included:

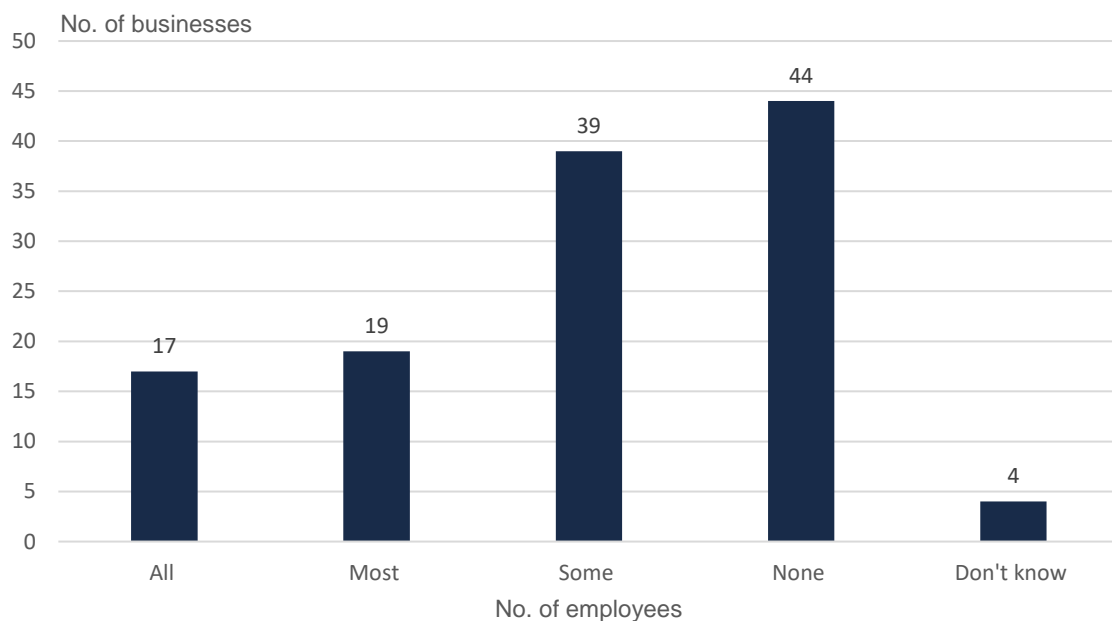
- work hours and work arrangements;
- WH&S checks;
- equipment provided or expenses;
- insurance;
- communication and reporting;
- security of information, data and/or property
- performance;
- caring for dependants while working from home; and
- returning to the office/termination of the working from home arrangement.

## 5 Working hours while at home

Businesses were asked if any employees covered by the Clerks Award had changed their times of work since 1 July 2020 (Chart 8). Most businesses responded that they did have employees who changed their times of work, with around 1 in 7 businesses responding that all employees had changed their times of work (17/123).

Over one-third of businesses (44/123) did not have any employees who changed their times of work.

**Chart 8: Number of businesses with employees covered by the Clerks Award who changed their times of work while working from home, by how many employees**

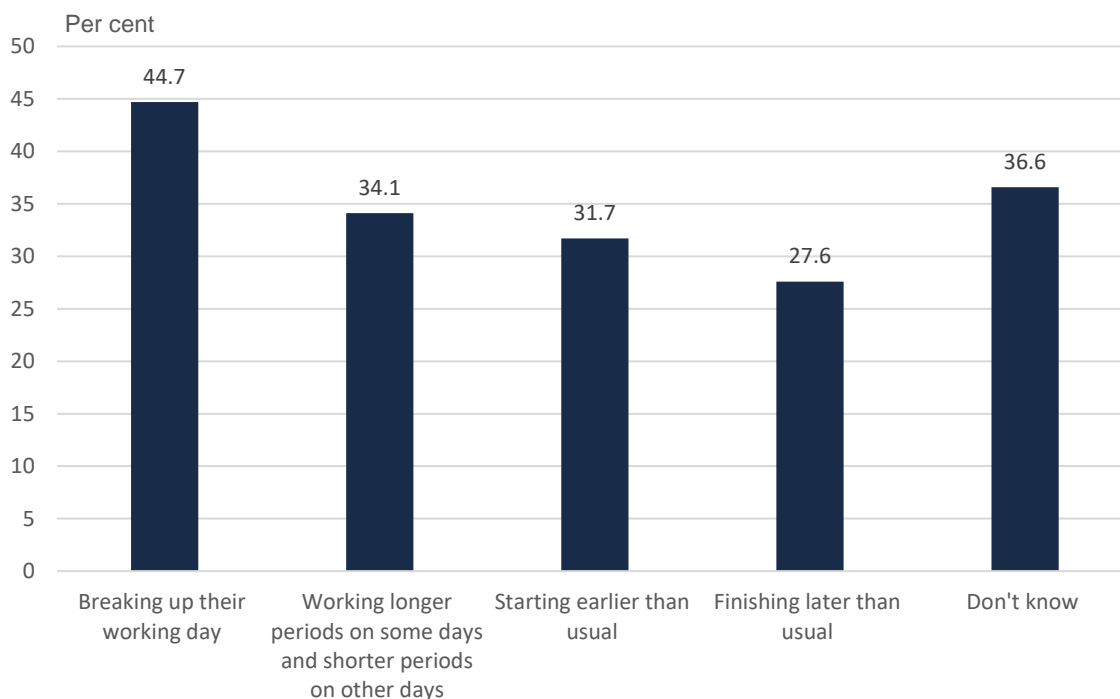


Note: Question 8—How many Clerks Award employees have changed their times of work in the period since 1 July 2020?

Source: Clerks Award Survey.

The most common response from businesses was that employees who have been working from home since 1 July 2020 had changed their times of work by breaking up their working day (44.7 per cent) (Chart 9).

**Chart 9: Whether employees who have been working from home since 1 July 2020 have changed their times of work, proportion of businesses (multiple response)**

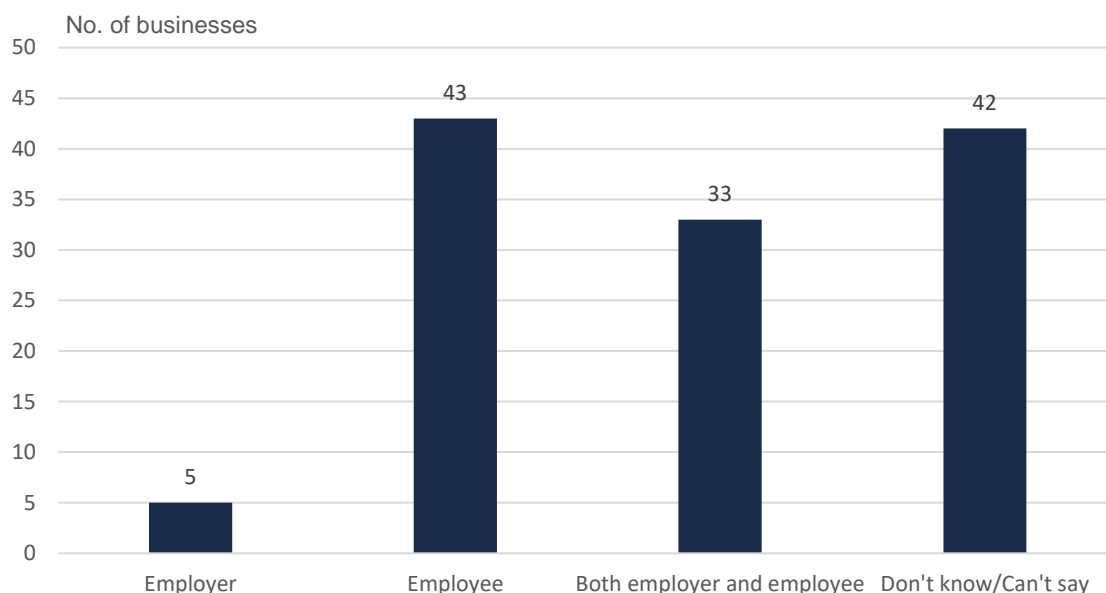


Note: Question 7—Please indicate whether any of your Clerks Award employees, who have been working from home since 1 July 2020, have changed their times of work in any of the following ways during this period? Tick all that apply.

Source: Clerks Award Survey.

In more than 1 in 3 businesses, the request to change the times of work was made by the employee (43/123) (Chart 10). It was also common for the requests to be made by both the employer and employee.

**Chart 10: Who made the request to change times**

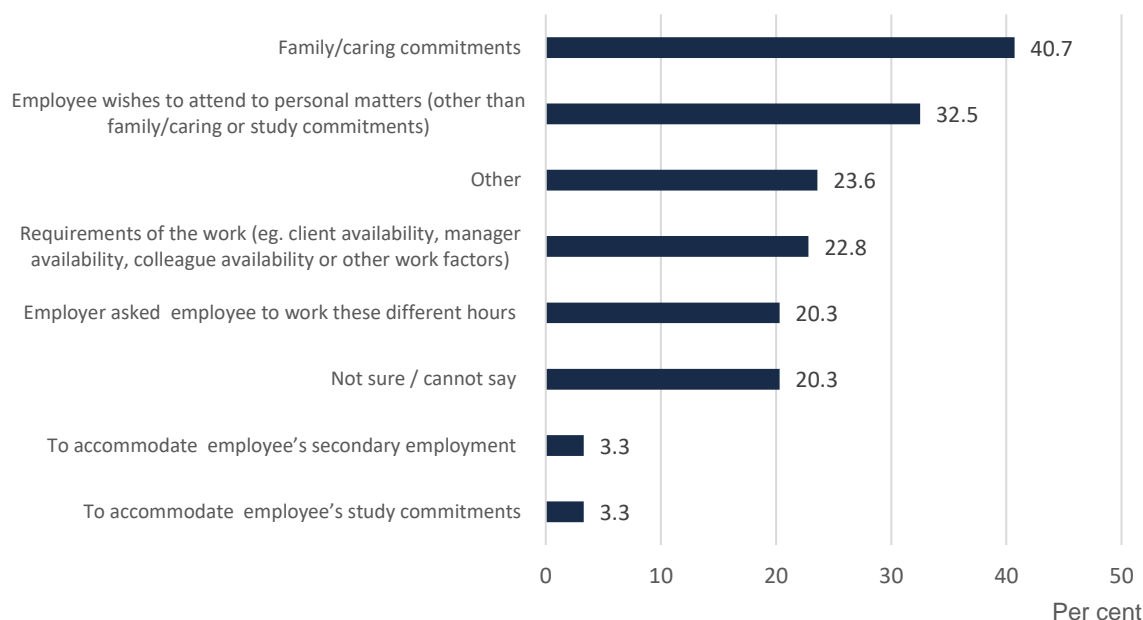


Note: Question 9—Who requested the changes in times of work?

Source: Clerks Award Survey.

The most common reasons for different working arrangements were for family/caring commitments and for employees to attend to other personal matters (not including study commitments) (Chart 11).

**Chart 11: Reasons for different working arrangements (multiple response)**

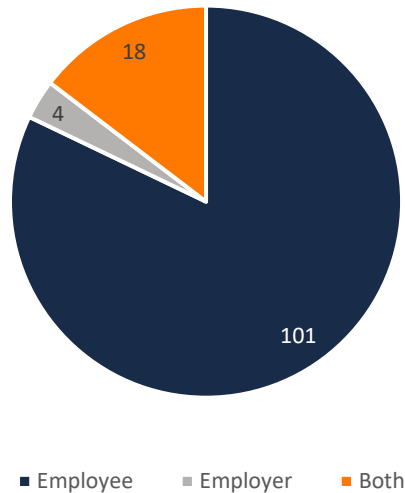


Note: Question 10—Thinking about the Clerks Award employees who have changed their times of work, why are the different working arrangements in place? Tick all that apply.

Source: Clerks Award Survey.

For most businesses, the decision on when to take breaks is determined by the employee (101/123). Few employers responded that they determine when breaks from work are taken (Chart 12).

**Chart 3: Who determines when to take breaks**



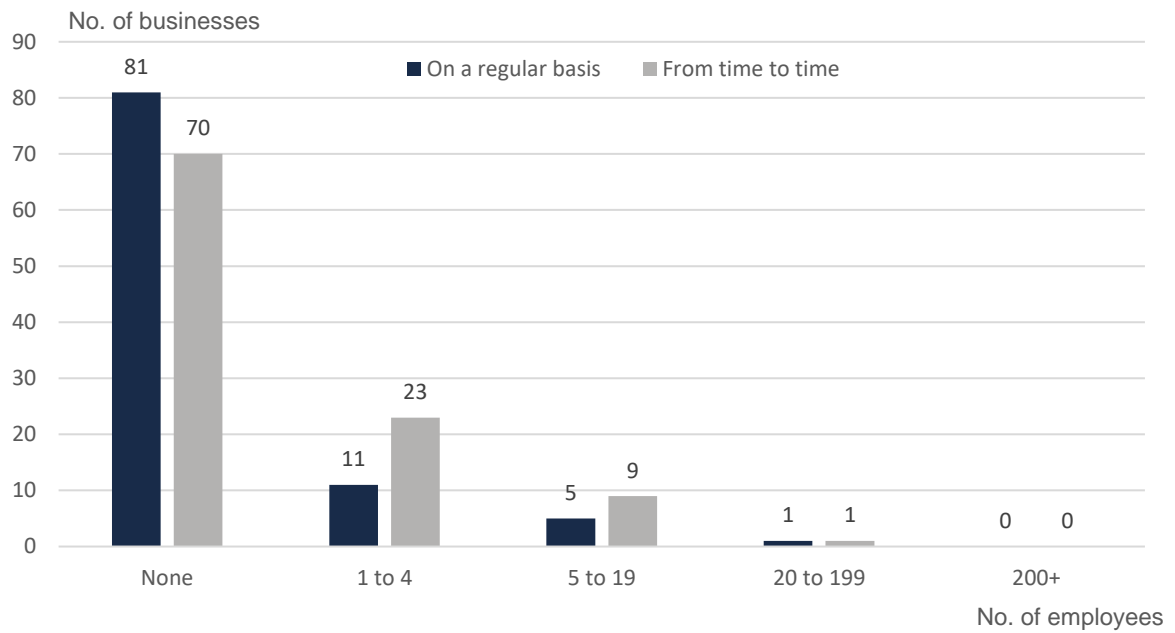
Note: Question 11—Where Clerks Award employees do work from home, who determines when breaks from work are taken?

Source: Clerks Award Survey.

Most businesses did not have employees who changed their times of work so that they have undertaken work between 6am and 7am on weekdays (Chart 13). Of those that did, it was more common for this to occur from time to time than on a regular basis.



**Chart 4: Number of businesses with employees who changed their times of work to between 6am and 7am on weekdays, by number of employees**

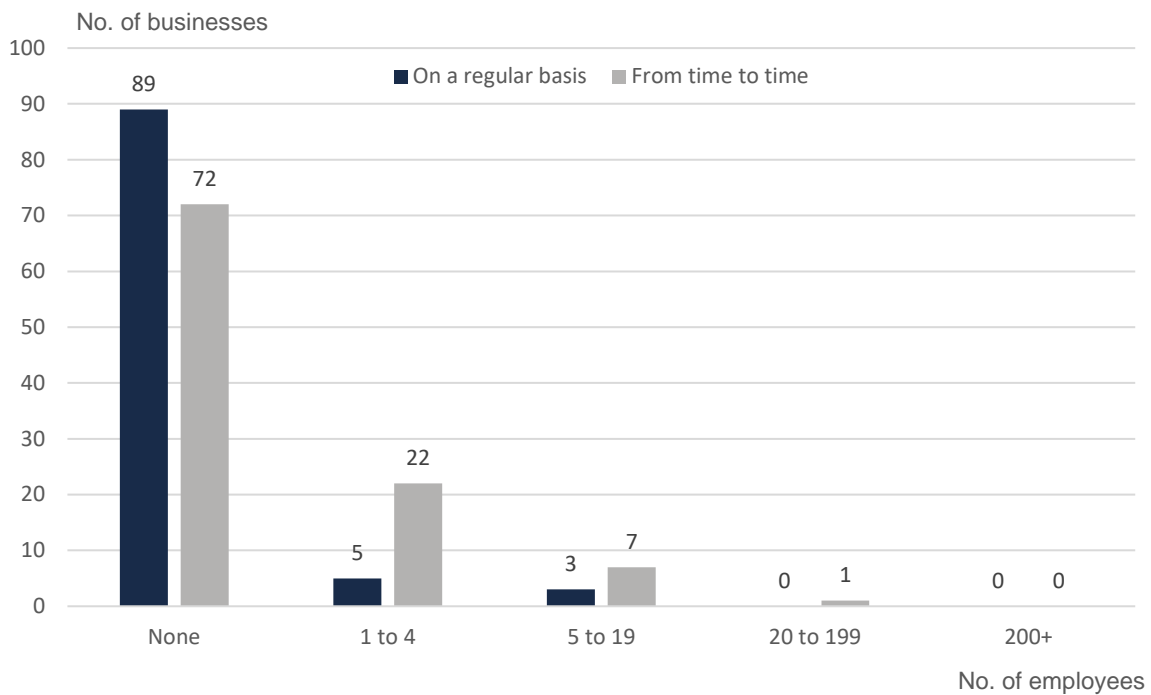


Note: Question 15—Of your Clerks Award employees (other than shiftworkers) who have been working from home since 1 July 2020, how many have changed their times of work so that they have undertaken work between 6am and 7am on weekdays during this period, either: on a regular basis OR from time to time.

Source: Clerks Award Survey.

Most businesses did not have employees who changed their times of work to between 7pm and 10pm on weekdays (Chart 14). Again, of those that did, this was more common from time to time than on a regular basis.

**Chart 5: Number of businesses with employees who changed their times of work to between 7pm and 10pm on weekdays**

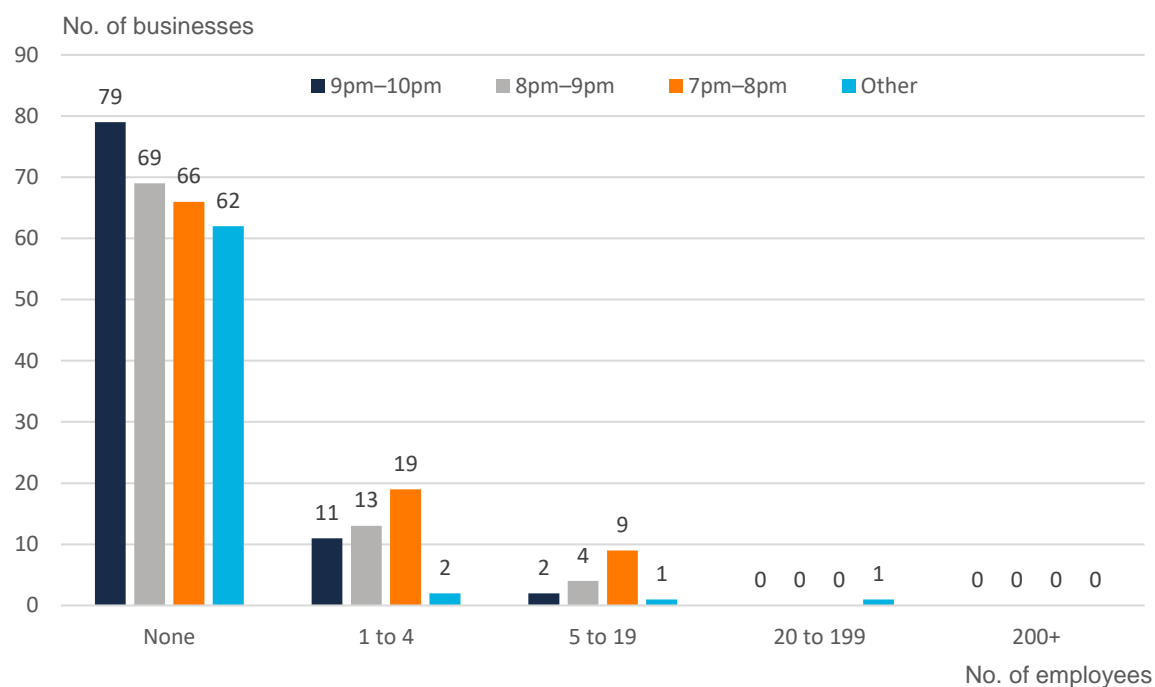


Note: Question 16—Of your Clerks Award employees (other than shiftworkers) who have been working from home since 1 July 2020, how many have changed their times of work so that they have undertaken work between 7pm and 10pm on weekdays during this period, either: on a regular basis OR from time to time

Source: Clerks Award Survey.

Of employees who changed their times of work so that they have regularly or from time to time worked between 7pm and 10pm, responses showed that it was most common to have worked between 7pm and 8pm (Chart 15). It was least common to work between 9pm and 10pm.

**Chart 6: Number of businesses with employees who changed their times of work so that they have regularly or from time to time worked between 9pm and 10pm, 8pm and 9pm, 7pm and 8pm or 7pm and 8pm, by number of employees**



Note: Question 17—And of those who have changed their work hours so as to undertake work between 7pm and 10pm, how many have changed their times of work so that they have either regularly or from time to time worked any of their hours between the following times: 9pm and 10pm, 8pm and 9pm, 7pm and 8pm, Other.

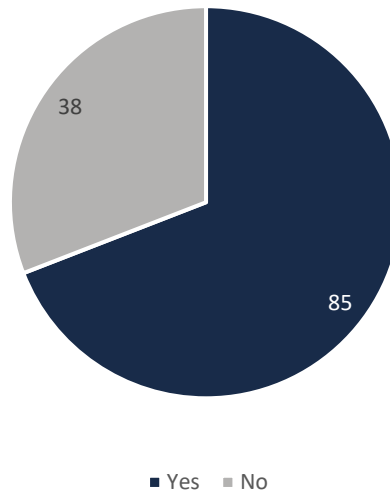
Source: Clerks Award Survey.

## 6 Future intentions on working from home

The final part of the survey asked businesses of their intentions to allow employees covered by the Clerks Award to work from home in the future.

Most businesses responded that they would allow employees to work from home at least some of the time (85/123) (Chart 16). However, almost 1 in 3 (38/123) businesses do not intend to allow employees to work from home at least some of the time in the future.

**Chart 16: Number of businesses that intend to allow employees to work from home at least some of the time**

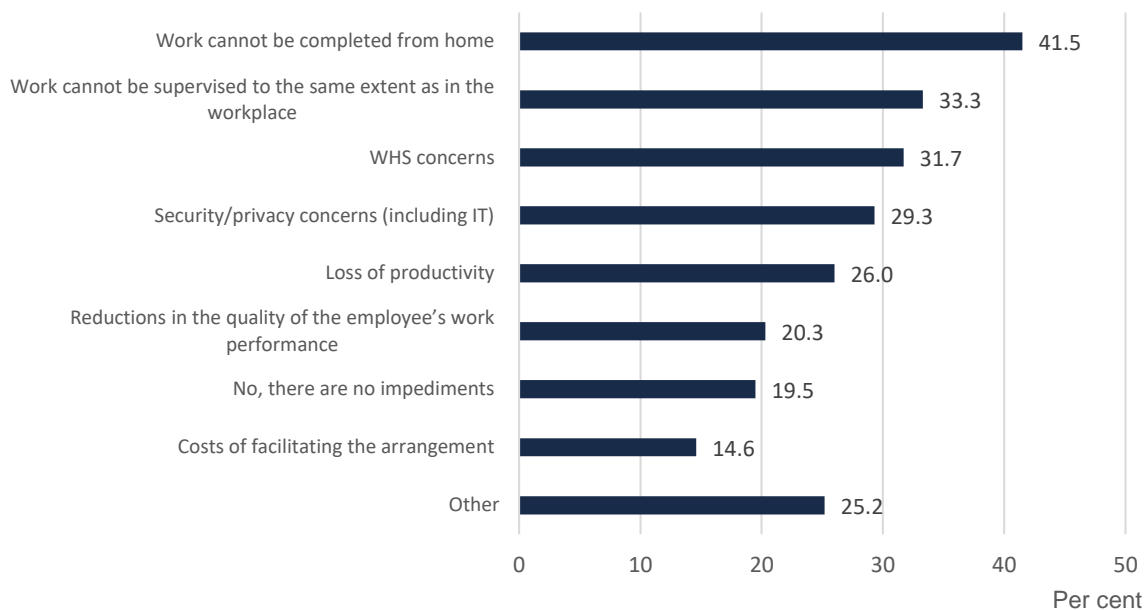


Note: Question 18—In the future, assuming you were not required by any public health order or other legal obligation to permit an employee to work from home, do you intend to allow your employees covered by the Clerks Award to work from home at least some of the time?

Source: Clerks Award Survey.

The most common impediment to working from home was that the work could not be completed at home (Chart 17). Other impediments were less supervision and work health and safety concerns. Around 1 in 5 businesses responded that there were no impediments to working from home.

**Chart 17: Impediments to working from home (multiple response)**

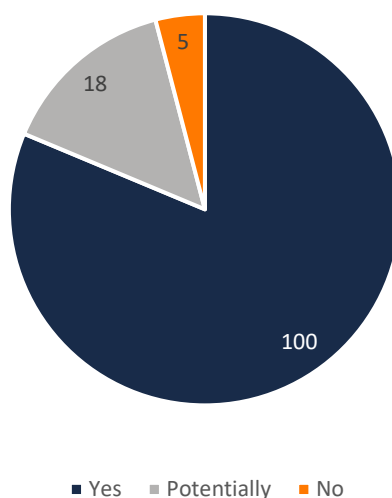


Note: Question 19—Are there any impediments to your business allowing Clerks Award employees to work from home? If yes, please tick all that apply.

Source: Clerks Award Survey.

If they were to permit some employees to work from home, most businesses responded that there would be circumstances that may still require some or all employees to undertake some work at the workplace (Chart 18). Only 5 out of the 123 businesses responded that there were no circumstances that would require some or all employees to undertake some work at the workplace.

**Chart 7: Are there circumstances that require some or all employees to undertake work at the workplace?**

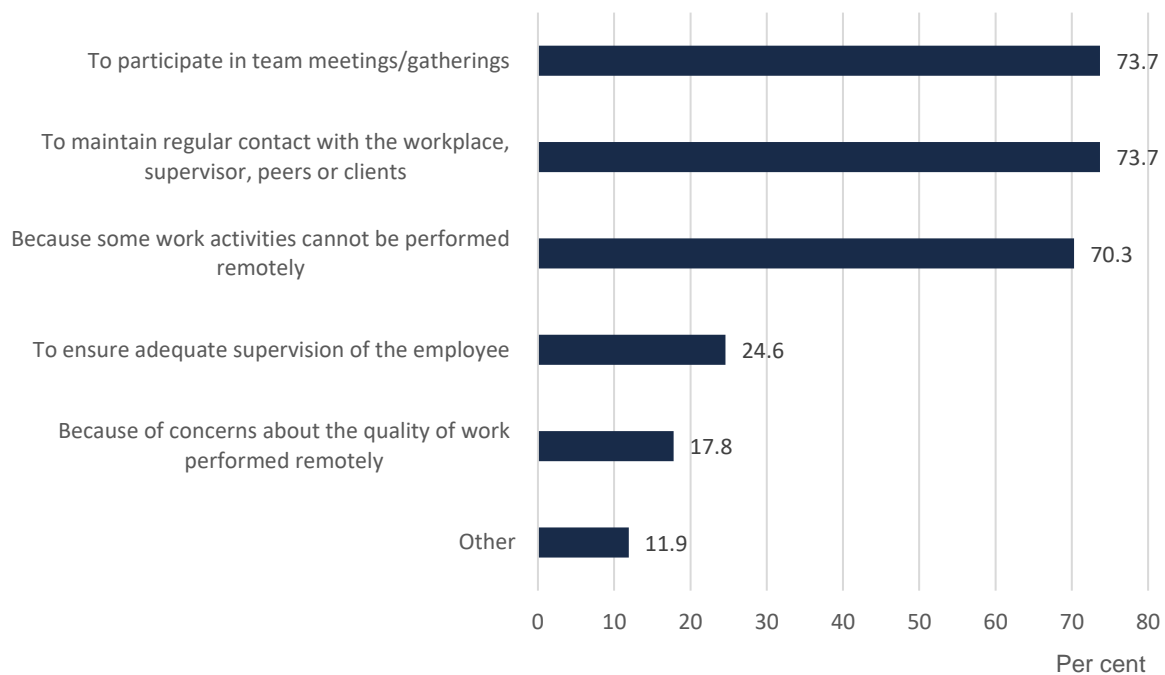


Note: Question 20— If you were to permit some of your Clerks Award employees to generally or sometimes work from home, are there circumstances when you may still require some or all of these employees to undertake some work at your workplace?

Source: Clerks Award Survey.

The most common circumstances that would require employees to undertake some work at the workplace were to participate in team meetings or gatherings; to maintain regular contact with the workplace, colleagues or clients; and because some work activities cannot be performed remotely (Chart 19).

**Chart 8: Reasons for employees to be required to work at the workplace (multiple response)**



Note: Question 21—Why would you potentially require employees to undertake some work at the workplace? Select all that apply.

Source: Clerks Award Survey.