**Flexible or Predictable Working Arrangement**

**Employer Response Form (Sample)**

**Note to the Employer:** This is a sample form. You may customize this form to your satisfaction.

**Purpose:**

The purpose of this sample form is to help you respond to an employee’s request for a flexible[[1]](#endnote-1) or predictable[[2]](#endnote-2) working arrangement under the rights provided by Chapter 12Z of the San Francisco Administrative Code, the Family Friendly Workplace Ordinance (FFWO). The FFWO requires employers with 20 or more employees to consider requests from employees with caregiving responsibilities.

**Process**

You must meet with the employee within **21 days** of her/his request. Within 21 days of the required meeting, you must notify the employee in writing of your decision to grant or deny the request. If you deny the request, the employee has the right to request reconsideration within 30 days.

It is important that you complete **all sections** of this form, providing as much information as you can about your decision to approve or deny the employee’s request for flexible or predictable working arrangement.

Give this completed form to your employee. It is suggested you have your employee **confirm receipt**—see the bottom of this form—and make a copy for your own records.

**Employer statement to the Employee:**

Pursuant to the rights provided under Section 12Z.4 of the Family Friendly Workplace Ordinance, I have considered your request for flexible or predictable working arrangements that are different from your current working schedule. I confirm that:

* I, as an employer or a human resource personnel, am authorized to consider this request
* I have given full consideration to your request
* I am aware of your caregiving responsibilities towards:
* A child or children for whom you have parental responsibility;
* A person or persons with whom you are in a family relationship that has or have a serious health condition; or
* A parent age 65 or older.

1. **Employer Information**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | | | |
| Name and Address of Business/Organization (street and number, city, state, zip) | | | |
| Title: | Email Address: | | Phone: |
| Date of Employee Request: | | Date of meeting with employee: | |

1. **Response Details**

|  |
| --- |
| **2a.** If you are **NOT** able to grant the employee’s request, explain your decision by considering whether the requested arrangements would have caused any of the following issues:   * identifiable cost due to productivity loss * retraining or rehiring cost * cost of transferring employee * negative impact on ability to meet customer or client demand * inability to organize work among other employees * insufficient work during proposed schedule. * Other bona fide reasons   NOTICE TO EMPLOYEE:  If your request has been denied, you have the right to request reconsideration. To do this, you must submit a written request for reconsideration to the employer within 30 days of this decision |
| **2b.** If you are able to grant the employee’s request, explainthe working schedule or arrangement that you are able to accommodate for the employee (proposed days/hours/times):  **2c.** I would like the employee to commence this work schedule on: |

***I declare that the information above is true to the best of my knowledge and belief.***

|  |  |
| --- | --- |
| Print Employer Name | |
| Employer Signature | Date |

***Employee’s Confirmation of Receipt***

|  |  |
| --- | --- |
| Print Employee Name | |
| Employee Signature | Date |

1. A *flexible working arrangement* means a change in an employee’s terms and conditions of employment that provides flexibility to assist the employee with caregiving responsibilities. A flexible working arrangement may include, but is not limited to, a modified work schedule, changes in start and/or end times for work, part-time employment, job sharing arrangements, working from home, telecommuting, a reduction or change in work duties, or part-year employment.   [↑](#endnote-ref-1)
2. *Predictability* refers to giving workers as much advance notice of their work schedule as possible, and minimizing changes to schedules after they have been assigned. For instance, an employee could request that his employer give him a week’s notice before scheduling him for an overtime assignment. [↑](#endnote-ref-2)