



Australian
Competition &
Consumer
Commission

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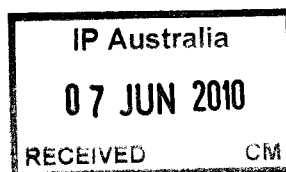
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Our Ref: C2010/130
Contact Officer: Lauren Roy
Contact Phone: (03) 9290 1823

2 June 2010

The Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606



Dear Registrar

Certification Trade Mark Application No. 1256284

The Australian Competition and Consumer Commission (the ACCC), in accordance with the provisions of the *Trade Marks Act 1995*, has completed its final assessment of Certification Trade Mark (CTM) No.1256284.

A certificate detailing the ACCC's assessment is attached, as well as a certified copy of the rules. The applicant has been notified.

If you have any queries about this matter, please contact Lauren Roy on (03) 9290 1823.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DChanning'.

Darrell Channing
Director
Adjudication Branch




**Australian
Competition &
Consumer
Commission**

**Final Assessment of Certification Trade Mark Application 1256284
lodged by Barbara Holmes and Associates Pty Ltd**

The Australian Competition and Consumer Commission (the ACCC), in accordance with the requirements of the *Trade Marks Act 1995*, has completed its Final Assessment of the above Certification Trade Mark (CTM) application.

The ACCC's Final Assessment is that it is satisfied that:

- (a) the approved certifiers demonstrate the attributes necessary to competently certify the services in respect of which the CTM is to be registered;
- (b) the rules governing the use of the CTM would not be to the detriment of the public;
and
- (c) the rules governing the use of the CTM are satisfactory having regard to the principles relating to restrictive trade practices set out in Part IV of the *Trade Practices Act 1974* (the Act); the principles relating to unconscionable conduct set out in Part IVA of the Act; and the principles relating to unfair practices, product safety and product information set out in Part V of the Act.

Signed.....  (Deputy Chair)

Date..... 31 MAY 2010



FLEXIBLE EMPLOYER ACCREDITATION

Certification Trademark Rules – Part Time Online

Introduction to the Flexible Employer Accreditation

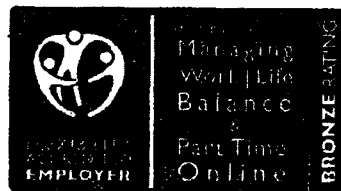
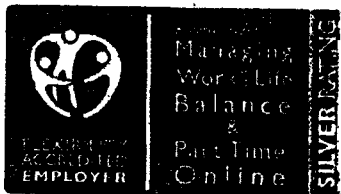
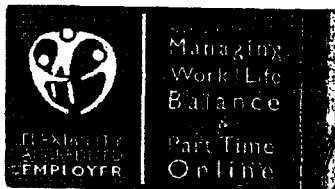
Managing Work|Life Balance, Australia's leading Work/Life Balance and Flexible working consultancy, and Part Time Online, Australia's premier Flexible Employment Website, have combined their experience, expertise and research to launch a national accreditation process that recognises excellence and effort in the implementation of Flexible Work Practices.

Managing Work|Life Balance International has gained extensive experience over the last ten years through their conduct of the National Work/Life Benchmarking Study, as well as a host of consulting assignments, including most recently, providing input to the judging criteria of national Work/Life Awards (Singapore).

From this experience, a robust process has been developed to assess and recognise organisations who wish to apply for and access the many benefits that accreditation as a flexible employer will afford.

Upon being accredited, organisations will be issued with a licence to use the relevant Flexible Employer Accreditation Logo (Certification Mark) which can be displayed on all of their marketing and promotional material in recognition of their level of achievement in the flexible employment space - sending a clear message to the marketplace that they are serious about winning in the "the war for talent and retention".

Certification Marks applicable to the four levels of accreditation are shown below.



Certified copy
pursuant to section 175(2)(b)
of the Trade Marks Act 1995

[Signature]
Commissioner

31 May 2010
Date



PartTimeOnline

MWLB Phone 1300 13 11 26 Email info@worldlifebalance.com.au
PTOL Phone 02 9369 1133 Email info@parttimeonline.com.au



Who is Eligible For Flexible Employer Accreditation

Application for accreditation is by self-nomination. Applications are accepted from private, public and community sector organisations in state, metropolitan and regional centres.

Accreditation Aims/Benefits to Participants

The Flexible Employer Accreditation aims to:

- Recognise those employers that have started the journey to achieve excellence in the area of workplace flexibility
- Showcase organisations with mature and outstanding flexible working practices and outcomes
- Demonstrate and promote the business benefits of flexible working arrangements to employers and employees
- Provide organisations with a robust platform for benchmarking performance and driving continuous improvement in workplace flexibility practices
- Equip businesses who have demonstrated their commitment to workplace flexibility with a tangible Employer Branding Tool (in the form of a logo/banner that can be displayed on their marketing and promotional material at all times)

Flexible Employer Accreditation Categories of Achievement

To be accredited, organisations will need to demonstrate some or all of the following attributes depending on the category of accreditation sought:

1. Commitment to workplace flexibility by the CEO and Management Team.
2. The organisation's rationale for their Flexibility Strategy.
3. How the organisation has responded to employees' identified flexible employment needs.
4. How flexible work practices have been integrated into the functions of the business.
5. Employee awareness - the extent to which employees know and understand the flexible employment strategies and practices of the organisation.
6. The effectiveness of their flexibility strategy.

The Certification Mark is designed to recognise organisations at various stages of their implementation of flexible work practices. At the time of application, organisations are assessed and categorised into one of four levels of achievement. They are subsequently assessed for that specific level. They are able to seek reassessment at any time and be upgraded to a higher category of accreditation, if they meet the criteria for the higher accreditation category.

In summary, the 4 categories of accreditation are:

Bronze an organisation that is 'getting started – but making progress'



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- Silver** an organisation that has responded to specific flexibility needs of staff and the business and has implemented a range of policies and programs
- Gold** an organisation that has achieved significant change in relation to work practices and the development of a flexible work culture with demonstrated commitment and support from the executive management team
- Platinum** achievement of excellence and best practice in creating a flexible work place responsive to employee and business needs

Accreditation Criteria - Summary

The accreditation category will be based on the level of demonstrable achievement of the following criteria:

- (a) **Demonstrable commitment from the CEO and Executive Team** to the development (implementation) of a workplace culture and practices that support flexible working;
- (b) **The Rationale for the Work/Life Strategy** - The organisation's vision, values and strategic plan reflect the importance given to flexible work arrangements and work/life balance;
- (c) **Responsiveness to Needs** - The flexible work arrangements and strategy development and implementation is based on assessed needs and is appropriate for both the business and its employees;
- (d) **The Extent of the Implementation** - Level of implementation and integration of flexible work arrangements (the availability, range of options and evaluation of their success) into the day to day functions of the business; and
- (e) **Employee Awareness** - The extent to which employees know and understand the options that are available, how to access them and how to present their personal case to their manager/team leader for a flexible work arrangement.

Accreditation Criteria by Category

The following are the criteria that will be used to assess and accredit organisations in each category. These will be explained in detail during the initial discussions with the accrediting consultant.

- Bronze** Recognises that an organisation has taken steps to identify the specific flexibility needs of current staff and has implemented a range of policies that support flexible working.

There is demonstrable support from the CEO and Senior Managers.

There are examples of situations where flexible work arrangements are working well and have achieved benefits for the individual, the team and the employer.





There is documentation to support compliance with legislation that includes OH&S, workplace behaviours, and EOWA reporting for organisations with 100 plus employees.

Silver

Recognises that an organisation has taken steps to identify the specific flexibility needs of current staff and has implemented a range of policies that support flexible working.

The organisation will be able to demonstrate that its policies are supported by the CEO and Senior Managers and that flexibility options are linked to the specific goals and vision of the business.

The organisation will be able to demonstrate how they have communicated the options available to all staff and the extent to which this has been successful.

There is documentation to support compliance with legislation that includes OH&S, workplace behaviours, and EOWA reporting for organisations with 100 plus employees.

Gold

Recognises that an organisation has taken steps to identify the specific flexibility needs of current staff and has qualitative and quantitative data that identifies the needs and issues that relate to workplace flexibility. They will have implemented a range of policies and programs that support flexible working.

The organisation will be able to demonstrate a high degree of support from the CEO and Senior Managers and that flexibility options are linked to the specific goals and vision of the business.

The organisation will have a structured process for employees to apply for a flexible work arrangement and clear decision making criteria. Consideration will be given for most jobs to be performed flexibly.

The organisation will have case studies, examples and or specific data that demonstrate the effectiveness of their flexible work arrangements.

There is documentation to support compliance with legislation that includes OH&S, workplace behaviours, and EOWA reporting for organisations with 100 plus employees.

Platinum

The platinum ranking indicates the achievement of excellence in the area of flexible working. To achieve this status the organisation must be able to demonstrate the following:

- (a) Commitment from the CEO and Executive Team to the development (implementation) of a workplace culture and practices that support flexible working;



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- (b) **The Rationale for the Work/Life Strategy** - The organisation's vision, values and strategic plan reflect the importance given to flexible work arrangements and work/life balance;
- (c) **Responsiveness to Needs** - The flexible work arrangements and strategy development and implementation is based on assessed needs and is appropriate for both the business and its employees;
- (d) **The Extent of the Implementation** - Covers all departments and divisions and assesses the integration of flexible work arrangements (the availability, range of options, evaluation of their success) into the day to day functions of the business;
- (e) **Employee Awareness** - The majority of employees know and understand the options that are available, how to access them and how to present their personal case to their manager/team leader for a flexible work arrangement;
- (f) **Structured process** - The organisation has a structured process for employees to apply for a flexible work arrangement and clear decision making criteria. Consideration will be given for most jobs to be performed flexibly;
- (g) **Case Studies** - The organisation has case studies, examples and/or specific data that demonstrates the effectiveness of their flexible work arrangements;
- (h) **The Effectiveness of the Flexible Work Strategy** - The impact on the business, its customers, employee motivation and satisfaction of the flexible working and work/life strategies that have been implemented; and
- (i) **Documentation** - The organisation has documentation to support compliance with legislation that include OH&S, workplace behaviours, and EOWA reporting for organisations with 100 plus employees.

Certifiers

The certifiers who will assess the eligibility of applicants to use the relevant Certification Mark are Managing WorkLife Balance International and Part Time Online (Certifier).

Procedure for Assessing Whether Certification Criteria are Met

The assessment will be undertaken by one of the experienced consultants from either Managing WorkLife Balance International or Part Time Online (Assessor).

In order to be an Assessor for Managing WorkLife Balance/Part Time Online's Flexible Employer Accreditation Program, the Assessor will need to meet the following criteria:

- Eligible for a membership of AHRI
- Human Resource Background/Experience (minimum 5 years in total), either in an in-house HR role (preferred) or in a HR Consulting role
- Demonstrated experience or involvement in implementing work life balance/flexible work options with organisations
- Strong verbal and written communication skills



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- Strong analytical skills
- Negotiation skills
- Tertiary Qualified (preferred)

Other relevant experience may be considered that is equivalent to the above skills and competencies.

The assessment process will vary according to the category of accreditation being applied for, and will consist of a combination of an:

- Online survey
- Audit of programs and policies
- Employee survey and
- On-site assessment

The accreditation process has been designed to ensure that organisations can comply with the requirements of the process without excessive expense or utilisation of their time. However, it is also designed to ensure that standards are maintained and the criteria are met.

For Bronze and Silver Accreditation, organisations will be required to:

- Complete an online survey that assesses the current level of flexibility available within the organisation. No less than 5 members of staff, including the HR Manager, 2 Senior Managers, a Team Leader and an Employee will be expected to participate
- Participate in an online audit of policies and programs
- Participate in an in depth interview with one of the Assessor's consulting team (can be done as a conference call) to discuss achievements, collect case study examples of success stories and discuss any additional data

For Gold and Platinum Accreditation, organisations will be required to:

- Complete an online survey that assesses current level of flexibility available within the organisation. No less than 5 members of staff, including the HR Manager, 2 Senior Managers, a Team Leader and an Employee will be expected to participate
- Participate in an online audit of policies and programs
- Participate in an online survey of no less than 45% of all staff (depends on size of the organisation) with no less than a 60% response rate
- Participate in a site visit by one of the Assessor's consulting team. This will take no more than 4 hours and should include interviews with the HR professional responsible for the flexibility program, at least one executive team member and one team leader

All materials and information gathered through the accreditation process is treated as strictly confidential and commercial in confidence.



- Strong analytical skills
- Negotiation skills
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Other relevant experience may be considered that is equivalent to the above skills and competencies.

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- Participate in an online audit of policies and programs
- Participate in an in depth interview with one of the Assessor's consulting team (can be done as a conference call) to discuss achievements, collect case study examples of success stories and discuss any additional data

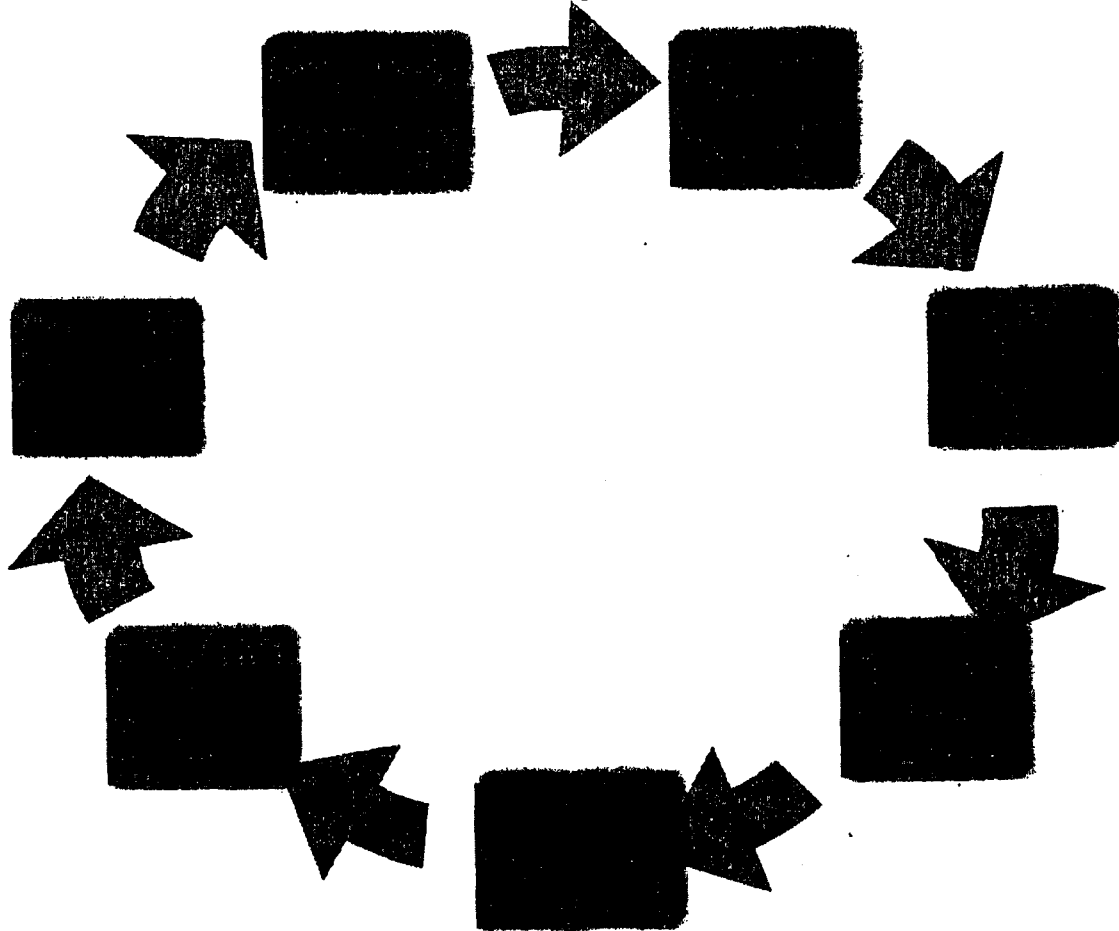
For Gold and Platinum Accreditation, organisations will be required to:

- Complete an online survey that assesses current level of flexibility available within the organisation. No less than 5 members of staff, including the HR Manager, 2 Senior Managers, a Team Leader and an Employee will be expected to participate
- Participate in an online audit of policies and programs
- Participate in an online survey of no less than 45% of all staff (depends on size of the organisation) with no less than a 60% response rate
- Participate in a site visit by one of the Assessor's consulting team. This will take no more than 4 hours and should include interviews with the HR professional responsible for the flexibility program, at least one executive team member and one team leader

All materials and information gathered through the accreditation process is treated as strictly confidential and commercial in confidence.



The accreditation process



Obtaining and maintaining accreditation

Once an organisation has demonstrated a level of achievement to be placed in a specific accreditation category, it will be accredited as a Flexible Employer in that category (Accredited Organisation).

The accreditation is valid for 12 months from the time the accreditation is awarded.

The Accredited Organisation will be re-assessed every twelve months and it may either retain the same category of accreditation or obtain a higher category of accreditation. However, the Accredited Organisation may seek reassessment at any time in an attempt to obtain a higher category of accreditation.

If the Accredited Organisation elects not to undergo reassessment at the end of the 12 month period, the accreditation will be lost.



Conditions of Use of the Certification Mark

Accredited Organisations are licensed to use the Certification Mark strictly in accordance with:

- (a) these rules;
- (b) the terms and conditions of any written agreement entered into between the Accredited Organisation and Managing Work|Life Balance and Part Time Online; and
- (c) Flexible Employer Mark Usage Guidelines available at www.parttimeonline.com.au (Usage Guidelines).

Accredited Organisations can display their Certification Mark (for a period of 1 year) on all of their marketing and promotional materials, including its website, job advertisements and annual reports, in accordance with the Usage Guidelines available at www.parttimeonline.com.au.

If, after the 12 month period, the Accredited Organisation elects not to undergo a re-assessment, it must remove any and all references to the Certification Mark in relation to the conduct of its business within 30 days.

Dispute Resolution process

In the event of a dispute arising as a result of an organisation undergoing the Flexible Employer Process, the steps below will be followed to ensure a fair and speedy resolution of the issue, whilst at the same time maintaining the integrity of the accreditation process:

1. The applicant raises the issue (in writing) with their designated consultant from the Certifier.
2. The issue is clarified/documentated and reviewed by the Certifier within an agreed timeframe of no more than 60 days.
3. The Certifier puts forward a proposed resolution to the issue.
4. Client agrees/disagrees with the proposed resolution. The applicant and the Certifier attempt to reach consensus on the proposed resolution via a process of negotiation.
5. If consensus is not reached between the applicant and the Certifier, an independent, external "Arbitrator" will be appointed.
6. The Arbitrator (approved by both parties) is appointed to provide an independent opinion/assessment of the issue.
7. The Arbitrator's assessment is deemed as final.
8. The Certifier grants or refuses a licence to use the mark to the applicant as determined by the Arbitrator.
9. The Certifier communicates the outcome of the issue resolution process to management, other Certifiers and applicant representatives as appropriate.
10. The Certifiers amend their processes in accordance with the outcome of the issue as appropriate for future reference and in line with our commitment to continuous improvement, subject to approval of any changes to these rules by the ACCC.



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Maintenance of Records

Accredited Organisations, including Part Time Online and Managing Work|Life Balance International, will maintain sufficient records to demonstrate compliance with these Rules in their use of the Certification Mark and make them available for audit by a Certifier or its representative from time to time, upon written request.



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