

**T**his feature provides a platform for experts with a strong opinion on a particular topic to put up their opposing opinions on it. In this issue we address a topic that has been brought into sharp focus by the Victorian government's proposal to give workers a legal right to work from home. Is the work from home revolution beneficial for workers, and what are its implications for businesses?

Amanda Smith is a freelance journalist and writer who reports on culture, society, and technology. She has contributed to titles including *The Guardian*, *Business Insider* and *National Geographic*, and is a regular contributor to the *Sydney Morning Herald*. For both deeply personal reasons, and years observing – and commenting on – workplace culture, Amanda is an advocate for working from home.

Catie Paterson is Director of Blue Kite HR Consulting, an Australian HR consultancy specialising in practical, people-first HR solutions for SMEs. Catie sees dire implications for employers under the proposed Victorian law change and believes WFH can compromise productivity. ►

# Home or away?

A deep dive into the pros and cons  
of working from home

## THE DEVIL'S ADVOCATE

### Home is where the heart is



AMANDA SMITH

I started working from home long before the world did. In 2014, I quit my short-lived corporate career and struck out on my own. My philosophy was simple: To build work around my life, not the other way around. I had the foresight to know how precious my 20s were and how time was my greatest currency. That's true in every season of life, not just youth.

That decision, to bet on myself, became the single best decision of my life. I became a freelance writer, in part so I could choose when and where I worked, though I didn't work in my PJs at home. I travelled to 50+ countries, moved to New York City, and navigated three years of fertility treatments, all while having my best years professionally. I didn't have to put my dreams on hold for my career.

I wouldn't have been able to achieve any of this if I worked in an office. I work harder than I ever did in an office, because I recognise it's a privilege not every company or industry offers. I'm more committed and indebted to my clients because of the life I've been able to build. I suspect this is the case for remote employees, too, not just the self-employed. Because the work isn't just work, it's the catalyst for full self-actualisation.

#### **Not everyone thrives in the office**

Some folks, usually the creatives, don't do well in the office. The commute, the monotony, the office politics, the distractions, the lighting. Yes, camaraderie and culture are important, but that can be nurtured in other ways beyond a return-to-office mandate.

It should be a two-way conversation, not a top-down directive. This is true no matter the company size. It's interesting to see certain states push to put work from home days into legislation, like we're seeing in Victoria. The government estimates workers could save more than \$5,000 a year and allow more parents to work. A 2025 survey by Beyond Blue found one in two Australian workers face burnout, with young people and parents most at risk.

As someone who has gone through

multiple miscarriages, working from home allowed me to still work, while I grieved and recovered. Women, carers, people with disabilities or chronic health conditions, neurodivergent employees, regional workers and those with long commutes all stand to benefit greatly from flexible work.

Caitlin Guilfoyle, a future of work expert who sits on the Australian Institute of Business board, said we need to move beyond the ideological debate. "For employers, the opportunity is to shift

the focus from activity and visibility to outcomes, quality, and value."

Guilfoyle said the key is not to assume that one model will work well for everyone and that employers must ask their people what they need to be successful. The future of work, she believes, is about designing better structure around how value is created. "For many organisations, that will mean a thoughtful mix of home-based focus, asynchronous communication and purposeful time together."





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Here's my case for work-from-home.

### **The economics**

Employees can save hundreds of dollars per month on commuting costs, vehicle wear-and-tear, lunch, coffees, happy hour, and clothing. These are all the hidden expenses workers have to factor in when negotiating salaries, pay rises, and packages. Employers who recognise the money and time it takes just to get to work have more clarity around conversations regarding salary and benefits. Many workers opt for flexibility over a pay rise.

### **Recognise that people are multi-faceted**

Giving your employees the ability to buy back time will create retention like nothing else. Seeing your employees as multi-faceted people will create a stronger culture that no beer fridge or ping pong table could match. While Australia is piloting a four-day work week, that's putting the cart before the horse.

Instead of dropping a day of work, why not allow employees to put a load of washing in, run errands, take the dog for a walk, go to the gym on their lunch break and tackle some of that never-

ending life admin – all of which is possible when there's an extra two-to-four hours per day. Because that 30-minute commute is actually 90 minutes by the time they get ready, eat breakfast, drive, stop for petrol, find a car park, make a coffee, and log in for the day.

For working mothers who carry most of the household responsibilities, WFH might be the one thing that helps keep them employed.

### **Unlock creativity and originality**

I've never had a truly novel idea sitting behind a screen. It happens while I'm out in the world – walking, observing, people watching, out in nature or exploring a new neighbourhood. Something happens when you break up the monotony of the daily routine, even if that's spending an hour working from a different 'office'. Working remotely allows for different environments, which is a wonderful way to provoke original thought. Don't overlook the power of a change of scene. It's that feeling you get when you return home from a holiday, just in a smaller form. You see the same place with new eyes.

### **Structure work around energy**

As someone who is the sharpest in the

morning, having to work 9-5 or 9-6 would deter me from a role I wanted. I do my best work between 7.00am – 12.00pm and intentionally structure my highest leverage tasks in this time block, then do my meetings, admin and repetitive work between 12.30pm – 3.00pm. As long as the work gets done to standard and your people are available for important/urgent meetings or tasks that might come up, consider allowing them to choose their (eight) hours based on their energy. This rewards outcomes and performance, not clock-watching.

### **In-office becomes special**

The cool thing about encouraging WFH is that the days in-office become novel. There will be some people who prefer to work from home and others who prefer the office, but whichever way you structure it, there should be one day a week where everyone is together physically. This day doubles as a team-building day that they look forward to. Maybe they get free lunch or knock-off an hour early for happy hour in the shared space. Maybe with the money you save on downsizing to a more flexible office like a coworking space you can redirect resources to your culture. That's when things get really fun. ►



## Why legislating WFH rights opens a can of worms that employers don't want



CATIE PATERSON

Victoria's proposed *Equal Opportunity Amendment (Work from Home) Bill 2026* doesn't just change workplace flexibility – it hands employees unilateral control over when and where they work, and leaves employers to justify any objection. If you think this is someone else's problem, you're already behind.

### The legislative shift you need to understand

Under the *Fair Work Act*, employees with twelve months' service can already request flexible work arrangements, including working from home. Currently, an employer can refuse on reasonable business grounds – because a request is still a request.

The proposed legislation, which was scheduled to commence on 1 September 2026 for businesses with 15 or more employees, reverses that entirely. The entitlement is assumed from day one. Employees choose which two days they work from home – and at what hours. The employer must justify any refusal. It really is the tail wagging the dog.

What Victoria is doing today, the rest of Australia will be doing tomorrow; federal pressure is building and other states are watching. I wouldn't be waiting for this to come down the line.

### Government telling you how to run your business

Let's be honest about what this legislation actually is: a government mandate on how private businesses must structure their own operations. Not a minimum wage floor. Not a safety standard. A directive about where your employees work, on which days, at what times – with the employee holding the power to set those terms.

This law was shaped heavily by union and employee advocacy groups. That's not a conspiracy; it's just a fact about who had a seat at the table. The small-business voice was not driving this, and it shows. The legislation was designed for an organisation with an HR team and a legal function. Businesses with 15 or 20 employees were an afterthought, and they feel it.

### The "days and times of their choosing" problem

The clause that should alarm you most: employees choose which days and hours they work from home. Not the employer.

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Not a mutual agreement. The employee decides.

Think about what that means in practice. Two key people choose the same days at home and there is no legal mechanism to stop them. I have worked with business owners who have had to rebuild entire rostering systems as a direct result. These are not hypothetical scenarios – they are happening right now in Victorian businesses.

### **Culture cannot be legislated**

When I tell my team they can work from home because I trust them and the arrangement works for both of us, that is a meaningful signal. When my hand is forced by law, the conversation shifts from “we have a flexible arrangement” to “you have an entitlement and I have obligations”. That shift damages culture, and no legislation can reverse it.

I have worked with organisations where junior employees went 18 months with barely a meaningful in-person interaction with a senior colleague. The development lag is measurable. The cultural isolation is real. You cannot legislate for the quality of how work gets done, only for the where.

The law assumes everyone is acting in good faith.

Most employees do act in good faith. But not all of them, and this legislation offers employers almost no protection from the ones who aren't. The law specifies where and when employees can work. It does not specify what they must produce,

and there is no accountability mechanism linking remote work entitlements to output standards. Employers who haven't built airtight performance frameworks before flexibility becomes a right will find themselves legally exposed and practically stuck.

### **Small business is not a corporate**

Large organisations can absorb WFH complexity, they have HR teams, compliance functions, and enough headcount to manage individual preferences. A business with 15 or 50 employees has none of that.

Here is the economic reality nobody in this debate is saying loudly enough: businesses will be reluctant to hire if they cannot manage their own teams. If taking

on a 15th employee triggers a regime where two days of every working week are no longer yours to coordinate, some businesses will simply choose not to grow. The legislation designed to protect workers may end up reducing the number of jobs available to them.

### **What every Australian business owner should do now**

If you operate in Victoria with 15 or more employees, review your policies, assess which roles can genuinely accommodate remote work, and build a framework for managing requests and justifying refusals in the event that the Bill passes. If you're outside Victoria, build your WFH frameworks now while you still have the time to do it properly. ■

