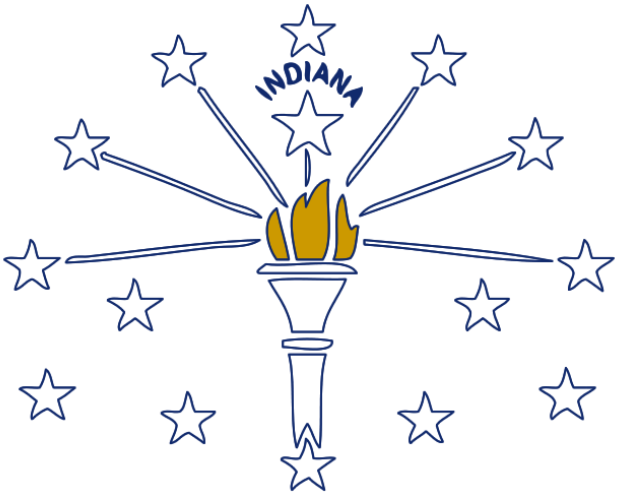


SPD

State Personnel Department

STATE OF INDIANA

EMPLOYEE HANDBOOK

PREFACE

The state of Indiana Employee Handbook is provided only as a resource summarizing the personnel policies and procedures for the employment relationship between the state and its employees. This handbook is not a contract of employment, does not create any such contractual obligations for the state, and does not create or abridge any rights contrary to the provisions of the state Civil Service System, Indiana Code 4-15-2.2 or other applicable laws. Unless otherwise covered by the provisions of Indiana Code 4-15-2.2-21 concerning the state classified service or other applicable statue, all state employees are employed at will and may be dismissed, demoted, disciplined or transferred for any reason that does not contravene public policy.

The state reserves the right to withdraw or change the policies, benefits and programs described in this handbook at any time at the sole discretion of the state. While the state will make every effort to notify employees of these changes, employees are responsible for keeping up-to-date on the state's policies, benefits and programs. For questions about any of the provisions of this handbook or other aspects of the laws, rules and policies that affect state government employment, contact the State Personnel Department at 1.855.SPD.INHR (1.855.773.4647) or your agency HR representative.

We hope your employment with the state is long term, productive and successful, and that we will be able to continue providing the benefits and programs described herein. However, nothing in this handbook guarantees your employment of any particular length or conditions. It is not an employment agreement or contract. The contents are subject to change and do not constitute public policy for purposes of the exception to the employment at-will doctrine.

This handbook is available upon request in Braille, large print and on audio tape. To make such requests, contact the State Personnel ADA coordinator at 317/232-4555 (V/TTY).

This is a publication of the State Personnel Department.

Toll free: 1-855-SPD-INHR (1-855-773-4647)
402 W. Washington St., Suite W161
Indianapolis, IN 46204
www.in.gov/spd

Find us on Facebook

Revised 2013

TABLE OF CONTENTS

	Page #
Indiana state government	
State seal	5
A brief Indiana history	5
State government organization chart	7
State government agencies	8
Policies, procedures and programs	
Affirmative Action	12
Americans with Disabilities Act (ADA)	12
Anti-discrimination/harassment policy	13
Arrests and convictions	13
Attendance and punctuality	14
Background checks	14
Bulletin boards	15
Classification	15
Compensation	15
Complaint procedures	16
Credit Unions	16
Customer service	17
Direct deposit	17
Disability plan, short and long-term	18
Disciplinary action	18
Drug and alcohol policy	18
Emergency conditions	19
Emergencies & evacuation procedures	19
Equipment & machines	19
Employee Assistance Services for You (EASY)	20
Employee recognition programs	
Governor's Long-Term Employee Reception	20
Governor's Public Service Achievement Awards	20
Employee Suggestion Program	21
Spot Bonus Program	21
Employee discounts	21
Employee newsletters	22
Ethics	22
Holidays	23
Information resources	
Indiana Resources User Agreement (IRUA)	24
Cell phones	24
Social media	24

Text messaging 24
Insurance benefits 25
Intern program 25
Job bank and eRecruit® application/selection process 26
Job duties and responsibilities 26
Jury duty 26
Leaves
Community Service 27
Disaster Relief Services 27
Donors – bone marrow and organ 27
Family Medical (FML) 27
Funeral 28
Military 28
Military Family 28
Personal 28
Sick 28
Vacation 29
Without Pay 29
No smoking policy 30
Nursing Mothers, Support for 30
Outside employment 30
Parking 31
Guest 31
Preferred parking 31
Payroll 32
Performance management 32
Personal conduct 33
Personal information changes 33
Personnel records 34
Political activity 34
Public Administration, Offenses against 35
Public records 35
References 36
Resignations 36
Retirement
Hoosier S.T.A.R.T 37
INPRS 37
Retiree Leave Conversion Program 38
Retirement Medical Benefits Account 38
Safety and accidents 38
Solicitation 39
State Employee Community Campaign (SECC) 39
State travel 40
Taxsaver 40
Telephone directory 41
Telephone use 41
Training and development 41
Weapons 42
Work hours 42

Worker's Compensation 42
Working test period in the state classified service 43

APPENDIX

Indiana Government Center campus map 43
USDOL Notice to Employees of Rights under Family and Medical Leave Act 44

Seal of the state of Indiana

The state seal, a pioneer scene, was given legal sanction by the 1963 General Assembly. However, controversy surrounds the seal's true symbolism: Is the sun rising over the mountains, or is it setting behind the hills? The 1816 date, bottom center of seal, marks the year of statehood.

Versions of the seal may be found on official papers dating back as far as 1801. Indiana's Constitution provides that "There shall be a Seal of State, kept by the Governor for official purposes, which shall be called the Seal of the State of Indiana."

A brief history of Indiana

On Dec. 11, 1816, President James Madison signed the resolution admitting Indiana to the United States of America. Indiana was the 19th state admitted to the Union. December 11 was officially proclaimed as "Indiana Day" by the General Assembly in 1925.

The state's flag was adopted by the 1917 General Assembly as part of the commemoration of the state's 1916 Centennial celebration. The flag's design was submitted by Paul Hadley of Mooresville.

The torch in the center of the flag symbolizes liberty and enlightenment and the rays represent their far-reaching influence. A full description of the flag's symbolism as stated in the Indiana Code 1-2-2-1 reads, as follows:

Thirteen (13) stars shall be arranged in an outer circle, representing the original thirteen (13) states; five (5) stars shall be arranged in a half circle below the torch and inside the outer circle of stars, representing the states admitted prior to Indiana; and the nineteenth star, appreciably larger than the others and representing Indiana shall be placed above the flame of the torch. The outer circle of stars shall be so arranged that one (1) star shall appear directly in the middle at the top of the circle, and the word "Indiana" shall be placed in a half circle over and above the star representing Indiana and midway between it and the star in the center above it. Rays shall be shown radiating from the torch to the three (3) stars on each side of the star in the upper center of the circle.

In 1800, the Indiana Territory entered into its first governmental stage. Vincennes was the first state capital. William Henry Harrison served as the first territorial governor from 1801 until 1812. During the first stage of territorial government (1800-1805), Gov. Harrison and three judges constituted the legislature that adopted the laws governing the Indiana Territory. The governor made nearly all appointments to local offices and to the militia. He was also in charge of Indian affairs. The judges served as the highest appeals court within the territory.

From a non-representative form of government, territorial Indiana advanced to the representative stage in 1804. In July 1805, the first General Assembly met in Vincennes. Vincennes remained the capital until 1813. Then, due to the population change, Corydon became the new capital.

With Indiana's admission to the Union in 1816, legislators recognized that the town of Corydon was too far south from the northern part of the state. The central part of Indiana was occupied by the Delaware Indians which complicated travel. In 1818, a treaty was signed securing the title to central Indiana under what was termed the "New Purchase." Within three years, the Delaware Indians moved farther west. By 1821, a commission selected and recommended a new site for the capital and called it Indianapolis. Indianapolis became the capital seat by 1825 with the capitol building being completed in 1835.

"The Crossroads of America," became the Indiana’s official motto by a 1937 General Assembly resolution. Today, this expression remains appropriate due to the many cross-country roads that intersect within Indiana's boundaries.

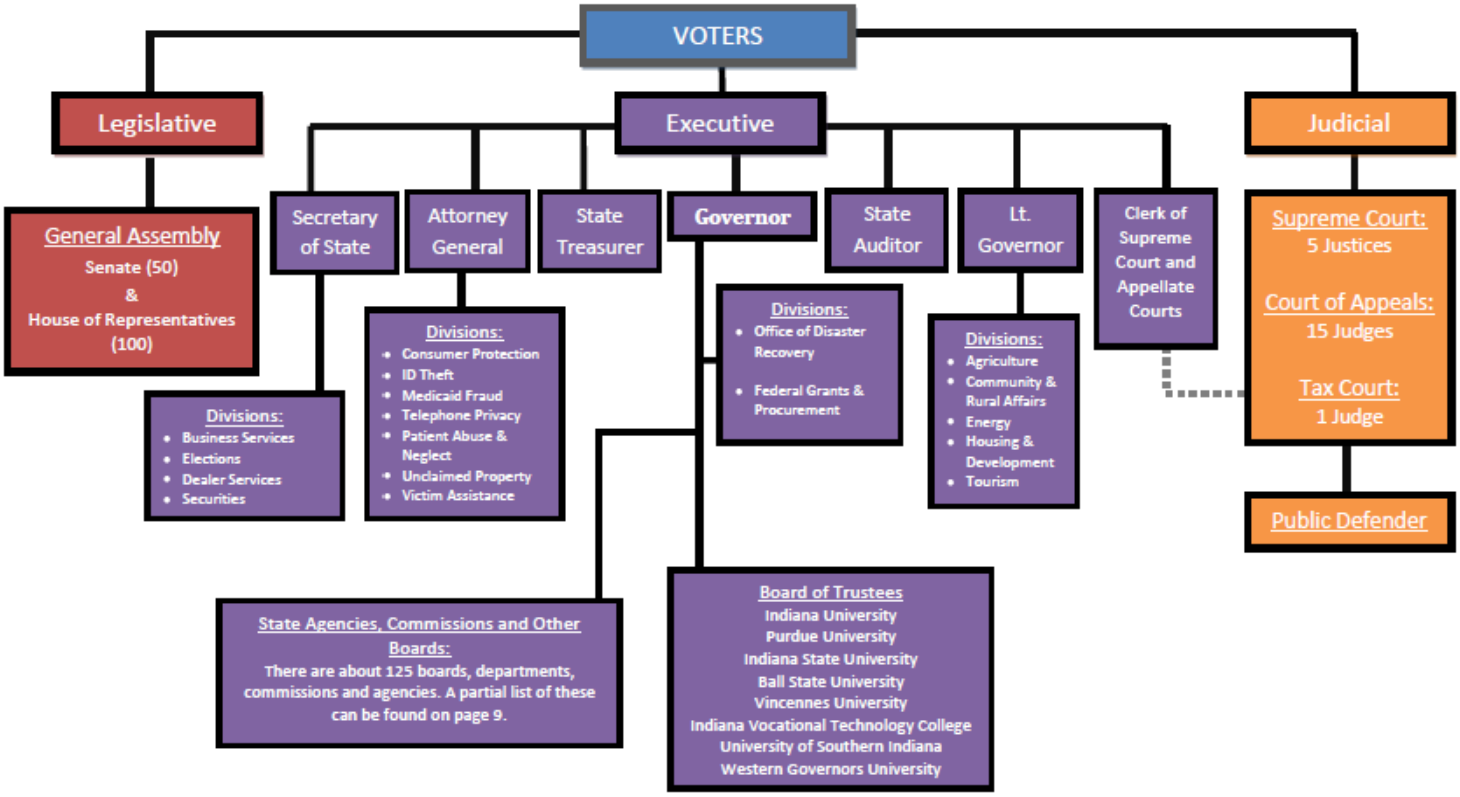
Indiana's present Constitution is its second. The first one was adopted prior to Indiana's admittance to the Union in 1816. Our current constitution was adopted on Nov. 1, 1851. It is the seventh oldest among the 50 states and the fourth shortest.

As of August 2011, Indiana is the nation's 15th largest state with a population of 6,483,802 according to the 2010 census. Indianapolis is the nation's 12th largest city.

A wealth of additional information about Indiana history is available from the Indiana State Library, located at 140 N. Senate Ave., Indianapolis. There you will find many interesting books and booklets published by the Indiana Historical Bureau, the Indiana Historical Society and others that segment Indiana's history chronologically or topically.

State government organizational chart*

Indiana's government organization closely models that of the United State federal government with three branches: executive, legislative and judicial. The chart below represents the structure of Indiana state government:



Updated August 2011

State government agencies*

The following is a partial listing of the agencies that frame Indiana state government along with a brief description of the agency's responsibilities. The agencies listed are those under the executive authority of the governor. For a more comprehensive summary of the agency's function, contact the agency directly.

Accounts, State Board of - prescribes systems of accounting and reporting by public officers within Indiana.

Administration, Department of - oversees the construction, maintenance and operation of state facilities; purchases supplies, equipment and services used by state agencies.

Alcohol and Tobacco Commission - administers and enforces, with the assistance of local authorities, the laws governing the manufacture, distribution and dispensing of alcoholic beverages and regulates the sale, possession and distribution of tobacco products.

Animal Health, Indiana State Board of - licenses livestock dealers and regulates the importation of livestock and poultry to prevent the introduction of diseased animals.

Arts Commission, Indiana - encourages study and presentation of the performing and fine arts.

Budget Agency, State - prepares the state's biennial budget and administers the budget after legislative approval.

Child Services, Department of - responsible for programs concerning child safety, welfare and support.

Civil Rights Commission - administers state laws designed to prevent discrimination in employment, education, housing, credit and access to public accommodations.

Correction, Department of - operates the state's correctional facilities and minimum-security programs.

Criminal Justice Institute - conducts research and evaluates state and local programs associated with law enforcement; the administration of criminal and juvenile justice; and the prevention, detection and solution of criminal offenses.

Economic Development Corporation, Indiana - promotes economic growth for the state.

Education Employment Relations Board, Indiana - administers the law recognizing the right of teachers to organize and bargain collectively.

Environmental Management, Department of - enforces state and federal government laws that protect the environment, making Indiana a cleaner and healthier place in which to live.

Ethics Commission, State - regulates a code of ethics for the conduct of state business.

Family and Social Services Administration - is comprised of five divisions: Office of Medicaid Policy and Planning; Division of Family Resources; Division of Mental Health and Addiction; Division of Aging; and Division of Developmental Disabilities and Rehabilitative Services. FSSA administers federal and state public assistance programs including Medicaid, Supplemental Nutrition Assistance Program (food stamps), and Temporary Assistance for Needy Families among others. Key functions include determining eligibility for benefits, program and waiver management, operation of state mental health facilities, and oversight of child care providers and vocational rehabilitation services.

Financial Institutions, Department of - administers laws that regulate the operations of Indiana-chartered banks and other types of financial institutions.

Gaming Commission, Indiana- oversees riverboat gambling activities.

Governor's Planning Council for People with Disabilities - develops and funds a comprehensive state plan for providing services to Indiana citizens with developmental disabilities.

Health, Indiana State Department of - administers the general health laws of the state and many health activities at the local level.

Historical Bureau - issues and distributes historical publications relating to Indiana.

Homeland Security, Department of - prepares for and responds to emergencies/disasters that result from nature, technology or man-made events. Also offers comprehensive training programs in: firefighting, emergency management, environmental management, fire and building inspections, emergency medical services and search and rescue.

Horse Racing Commission, Indiana - regulates pari-mutuel wagering on horse racing in Indiana.

Indiana Office of Technology - enhances the operation of state government through progressive leadership in providing quality, innovative, cost-effective and timely information technology services.

Insurance, Department of - enforces statutes and regulations applicable to the operation of insurance companies and issuance of insurance policies.

Labor, Department of - seeks to promote the welfare of the Indiana workforce by administering a variety of educational and compliance programs. These are designed to provide the knowledge and tools necessary to guarantee workers rights to safe, healthful, positive work environments and the appropriate compensation.

Law Enforcement Training Board - regulates and administers basic and specialized law enforcement training courses.

Library, Indiana State - provides library service to state government; provides Indiana citizens with specialized library services not generally economically feasible for other libraries of the state.

Local Government Finance, Department of - supervises the Indiana property tax system.

Motor Vehicles, Bureau of – administers the state's registering and titling of motor vehicles and the licensing of motor vehicle operators.

Museum & Historic Sites, Indiana State – preserves, interprets and presents material evidence of Indiana's cultural and natural history in a context that encourages people to actively participate in discovering the world – as it was, as it is and as it can be.

Natural Resources, Department of –oversees the conservation of the state's natural and cultural resources.

Personnel Department, State –administers personnel policies, procedures, programs and benefits for all state employees and agencies under the executive branch of government, with the exception of elected officials, universities and state police.

Police, Indiana State –enforces all criminal and traffic laws and performs other general police functions in Indiana.

Professional Licensing Agency –administers the examinations and licensing of practitioners in various professions and crafts and administers laws regulating 19 groups of health professionals.

Proprietary Education, Commission on –evaluates and accredits all private vocational, technical, trade and correspondence schools doing business in Indiana.

Protection and Advocacy Services Commission, Indiana –protects and promotes the rights of individuals with disabilities through empowerment and advocacy.

Public Retirement System, Indiana –administers the generally applicable retirement plans covering state and local government employees and public school teachers.

Public Records, Commission on –manages state forms, statewide records management program, archival program, records preservation and related functions.

Revenue, Indiana Department of –collects most state and local taxes.

School for the Blind & Visually Impaired, Indiana – is recognized nationally and internationally for its excellence and best practices in educating children and young adults who are blind or have low vision. ISBVI serves those 3 to 22 years old living in all parts of Indiana, many of whom have severe or multiple disabilities which other schools have difficulty serving.

School for the Deaf, Indiana – is a fully accredited school for deaf and hard-of-hearing students in nursery school through high school offering a full range of social activities, including sports, clubs, and organizations. ISD sponsors outreach services throughout Indiana for parents, families, and local school corporations.

Tax Review, Indiana Board of - reviews local government budgets.

Toxicology, State Department of – conducts studies concerning the incidence and affect of alcohol, carbon monoxide, and certain drugs in all motor vehicle traffic accidents involving a fatality and conducts training and certification of breath test operators and equipment.

Transportation, Indiana Department of - establishes and maintains a safe, reliable highway system for efficiently moving people and goods within Indiana.

Utility Consumer Counselor - represents the state's utility consumers in rate cases before the Utility Regulatory Commission, other federal offices, courts and legislative bodies affecting utilities operating in Indiana.

Utility Regulatory Commission, Indiana - regulates the rates charged and services provided by public utilities in Indiana.

Veterans' Affairs, Indiana Department of - provides information and services to the state's veterans and their dependents with the cooperation of the major service organizations.

Veterans' Home, Indiana – is a thriving community providing independent living in a healthy, home-like environment and comprehensive care for veterans and their spouses.

War Memorials Commission, Indiana - handles the preservation and management of various state war memorials and battle flags.

Worker's Compensation Board of Indiana - administers the laws concerning worker compensation and occupational diseases for all Indiana employers.

Workforce Development, Department of - administers the state's unemployment compensation, job training, placement and employment related programs.

*** A complete list of state agencies can be found at:** www.in.gov/core/find_agency.html

---

POLICIES, PROCEDURES AND PROGRAMS

Refer to the **State Personnel Department** (SPD) website (www.in.gov/spd) for more detailed and updated information on the laws, rules, and policies that apply to state employment. The information in this handbook is applicable to employees appointed to permanent positions in state agencies under the authority of the governor. Information about leaves, benefits and many programs are not applicable to persons appointed to positions that are intermittent, temporary, emergency or duration. Employees in the legislative and judicial branches of state government should seek guidance from their supervisors or human resources representatives.

AFFIRMATIVE ACTION

Indiana state government's affirmative action goals are to ensure our workforce reflects the demographics of the state and that discrimination does not exist in the work environment.

The state is committed to an affirmative action program. The goal is to prevent the elimination or underutilization in our workforce of members of any group on the basis of race or color, religion, nationality, age, gender or disability.

Each state agency annually establishes an Affirmative Action Plan (AAP) or policy statement and Organizational Profile. The AAP documents the agency's efforts to hire, promote and maintain a diverse workforce in accordance with the Governor's Affirmative Action Policy Statement. All employees are expected to comply with this policy. Managers and supervisors, who are responsible for meeting business objectives, are expected to fully cooperate in meeting our equal employment opportunity objectives. Their overall performance will be evaluated accordingly.

Back to top

AMERICANS WITH DISABILITIES ACT (ADA)

The state's ADA goals are to ensure all applicants and employees are not discriminated against because of a disability. Also all programs, activities and services must be accessible by persons with disabilities.

The state is committed to complying with all the relevant and applicable provisions of the 1991 Americans with Disabilities Act, as amended, (ADA) and the Rehabilitation Act of 1973. It will not discriminate against any qualified employee or job applicant because of a person's physical or mental disability.

The state will engage in an interactive process to identify reasonable accommodations wherever necessary for all employees or applicants with a known disability. The individual must be qualified to safely perform the duties and assignments connected with the job. Also, the employer may not make any accommodations that impose an undue hardship. Questions regarding reasonable accommodations and/or discrimination on the basis of disability should be directed to your agency's ADA Coordinator or Human Resources Director. SPD Employee Relations Division can be reached at (317) 232-4555 V/TTY or 1-855-SPD-INHR (1-855-773-4647).

Back to top

ANTI-DISCRIMINATION/HARASSMENT POLICY

Each state employee has the right to work in a professional atmosphere which promotes equal opportunities regardless of race, sex, religion, age, nationality, sexual orientation, gender identity or disability. The state will not tolerate, condone or allow any harassment or discrimination whether verbal, physical or environmental. The prevention of harassment policy applies to all work-related activities and conduct whether it involves fellow employees, supervisors, officers or outside clients or contractors who conduct business with the state.

Any person who is aware of or has encountered behavior perceived as harassing or discriminatory is encouraged to report such concerns as soon as possible, regardless who the offender may be. Reports can be made to:

- Supervisors/managers
- Human Resources director
- An agency head
- An agency Affirmative Action coordinator
- Employee Relations Division of State Personnel Dept.
- Indiana Civil Rights Commission
- Federal Equal Employment Opportunity Commission

The state will thoroughly investigate and promptly resolve all such complaints in strict compliance with applicable laws. Any employee violating this policy or retaliating in any way against complainants or witnesses under the policy will be subject to discipline, up to and including dismissal from employment.

Back to top

ARRESTS AND CONVICTIONS

Employees are required to report to their supervisor information within five calendar days of a:

- disposition of criminal charges against the employee
- citation for an infraction occurring while the employee is on duty
- citation for an infraction occurring off duty that impacts the employee's ability to perform assigned duties (e.g., loss/suspension of driving privileges)
- arrest for any misdemeanor or felony

Accrued, paid leave may not be used for any time an employee is incarcerated.

Back to top

ATTENDANCE AND PUNCTUALITY

A state employee is hired to perform an important function in state government. As with any group effort, it takes cooperation and commitment from everyone to operate effectively; therefore, your attendance and punctuality are very important. Absences cause a slowdown in the work and added burdens for fellow employees. Whether your customer is a member of the public or another state employee, it is important that employees are available when needed. Good attendance is something that is expected from all employees. You are expected to report to work as scheduled, on time and prepared to start work. You are also expected to remain at work for your entire work schedule. Absenteeism and tardiness unfavorably impact you and your agency's productivity level. It also takes away from the overall customer service quality provided by the state and will not be tolerated. Tardiness and unauthorized absences will be cause for disciplinary action up to and including dismissal from employment.

Many agencies have developed attendance policies that are based on each agency's needs. These attendance policies provide a framework for effectively measuring and controlling absenteeism and tardiness. As a responsible employee, you must become familiar with your agency attendance policy, guidelines, expectations and consequences.

Understanding the state's leave policies and procedures will provide an effective tool for managing attendance. Any questions regarding attendance should be directed to your supervisor or human resources representative. Policies on leaves of absence are located on the SPD website at www.in.gov/spd/2396.htm.

Back to top

BACKGROUND CHECKS

A general background investigation is conducted on all persons considered for employment and on the statements submitted by the applicant on the application form or resume. The following items may be included in the background check:

- criminal history – county, state and/or federal
- prior employment verification
- credit history
- education verification
- professional license verification
- vehicle operation records
- sex and violent offender registry

Back to top

BULLETIN BOARDS

Bulletin boards are centers of information located within all state agencies. Some information is required by law to be posted. The board may also announce events and activities going on within your agency and elsewhere within state government. Ask your supervisor about any posting restrictions that may apply.

Get into the habit of checking your agency bulletin boards on a regular basis and stay informed.

Back to top

CLASSIFICATION AND COMPENSATION SYSTEM

Within the state's personnel system, all positions (rather than employees and their capabilities) are classified on the basis of assigned duties and responsibilities. The state uses a job classification system known as the Factor Ranking Job Evaluation Plan. Depending on the job requirements, it is assigned to one of the following job categories:

- Clerical/Office Machine Operator/Technician (COMOT)
- Professional/Administrative/Technological (PAT)
- Labor/Trades/Crafts (LTC)
- Protective Occupations/Law Enforcement (POLE)
- Executive/Scientific/Medical (ESM)
- Supervisory and Managerial (SAM)

Job categories are job groupings which are similar enough to allow them common treatment under a job classification system. All jobs in a given category are measured by a common set of factors. The above categories are further subdivided into job families and job classifications/skill levels (or pay grades). Each classification has a salary range minimum and maximum. Learning about job classifications improves your understanding of promotional opportunities.

Determinations of appropriate classification and salary require the approval of the State Personnel Department and the State Budget Agency. Exceptions to the state salary policies cannot be made final without approval of these agencies.

The current salary schedule, salary policies and additional information regarding job categories can be found on the SPD website: www.in.gov/spd/2386.htm. Contact your supervisor or agency HR representative to determine your job classification.

Back to top

COMPENSATION

Overtime designation under the Fair Labor Standards Act (FLSA) All employees are defined as either:

- **Exempt**: Those employees who are employed in an executive, administrative or professional capacity and who are not covered by the federal minimum wage and overtime compensation laws; or

- **Non-exempt**: Those employees who are not employed in an executive, administrative or professional capacity and who are covered by the federal minimum wage and overtime compensation laws.

Your HR office can advise you of the designation of your position. Additional information on overtime payments can be found in Financial Management Circulars issued by the State Budget Agency.

Back to top

COMPLAINT PROCEDURES

Employees in the state classified service may file a complaint specifying the law, rule or policy that is alleged to have been violated in application to that employee or if issued a disciplinary suspension, demotion or dismissal. The Civil Service Complaint Form may be downloaded from the SPD's website at www.in.gov/spd/2399.htm.

Employees in the unclassified service may file a complaint specifying the law, rule or policy that is alleged to have been violated in application to that employee or a dismissal, demotion, discipline or transfer which is alleged to contravene public policy. The Civil Service Complaint Form may be downloaded from the SPD's website at www.in.gov/spd/2399.htm.

An internal agency complaint procedure may also exist in some agencies. Contact your agency HR representative or your supervisor for information about whether such procedures exist in your agency and apply to you.

Back to top

CREDIT UNIONS

Employee credit unions are located within the Indiana Government Center (IGC) complex and may have branches in other cities around the state.

Funds may be deposited into the credit unions as well as other financial institutions that have been approved by the State Auditor's Office for the Payroll Deduction Plan. For more information, contact your agency human resources representative or payroll office. *See also Direct deposit*.

Back to top

CUSTOMER SERVICE

As state employees, our customers are:

- the citizens of the state of Indiana
- your fellow co-workers throughout the various agencies
- contractors and other governmental entities who do business with or for Indiana state government

As customers, they expect and deserve the highest possible service quality received from each state employee. Providing quality customer service should be one of an employee's top priorities and is one of the standards on which the performance of every employee in the state civil service is evaluated. Your ability to willingly provide prompt, courteous and quality service will ensure that you meet the customer's expectations and our obligations. Therefore, strive for excellence in the daily performance of your responsibilities. The satisfaction gained will be both yours and the customer's.

Back to top

DIRECT DEPOSIT

Direct Deposit is a safe and convenient check handling system which automatically deposits payroll checks into personal savings or checking account. The state offers a Direct Deposit program with most financial institutions. Contact your payroll clerk for a list of approved financial institutions.

To set up direct deposit:

- Obtain a Direct Deposit Authorization (State Form 43591)
- Complete the top portion of the form
- Either attach a voided check or take the authorization form to your financial institution and obtain from them the necessary authorization information
- Return the completed Direct Deposit Authorization Form to your payroll clerk

Direct deposits should go into effect for the pay date that the Auditor's Office receives the authorization form. On payday, you may log into PeopleSoft® and view your paystub online by clicking the "*View Payslips*" from the main log-in page.

If you choose not to or fail to complete the direct deposit information, your paycheck will automatically be deposited into a personal Visa® debit card account.

Back to top

DISABILITY, SHORT-TERM and LONG-TERM

The state maintains short-term (STD) and long-term disability (LTD) benefit programs for full-time state employees with at least six months of continuous state employment. No enrollment in this plan is necessary. A payroll deduction based on your salary is started after six months of employment.

Once eligible, employees who become disabled from performing the duties of their positions must apply for disability benefits and fulfill a 30 consecutive calendar day waiting period away from work. Short-term disability benefits are paid at 60% of an employee's base biweekly salary beginning the 31st day off work or the date the benefits application is submitted, whichever is later. Benefits cannot be paid for periods before the application is submitted. Short-term benefits are payable for up to five months of disability.

If an eligible employee continues to be disabled, he or she may receive long-term disability at 50% or 40% of base biweekly salary. Long-term disability may be available for up to four years from the date an employee first became eligible. The amount of payments and the exact duration of benefits depend on a number of factors that are explained in more detail in the Indiana Administrative Code 31 IAC 3.

During an employee's entitlement to these disability benefits, modified duty assignments may be made by the plan, consistent with the employee's medical condition. Such assignments result in higher benefit payments. Employees who are receiving short or long-term disability benefits must report income they receive from other sources and any other work in which they engage. The state uses a third-party administrator to process disability claims. Finally, there are disability benefits available under the Worker's Compensation Act to state employees who suffer an injury or illness arising out of and in the course of their employment.

For more information about these programs or to make a claim for benefits, see your agency's human resources office or visit SPD's website under Disability Forms at www.in.gov/spd/2397.htm.

Back to top

DISCIPLINARY ACTION

If problems develop with an employee's behavior, disciplinary action may become necessary. Types of discipline imposed include reprimand, suspension, demotion and dismissal. The discipline imposed may vary based upon the nature of the offense, work record and any mitigating or aggravating circumstances.

For more specific information about the disciplinary action process, contact your supervisor.

Back to top

DRUG AND ALCOHOL POLICY

Executive Order No. 90-5 prohibits all state employees from operating state-owned vehicles with any measurable amount of alcohol or illegal drug in their bodies. Additionally, Indiana adopted the federal drug-free workplace requirements contained in the 1988 Drug Free Workplace Act. Therefore, as a condition of continued employment, each state employee must:

- Abide by the state's policy that the "unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace."
- Notify his/her employer, within five calendar days, if he or she is convicted of a criminal drug violation in the workplace.

All employees are subject to drug and alcohol testing based upon reasonable suspicion. All state employees assigned to Testing Designated Positions (TDPs) and/or required to have a Commercial Drivers License (CDL) to perform their assigned job duties, will also be subject to pre-employment, post-accident, random, and follow-up drug and alcohol testing. If you have any questions, please contact your supervisor and review the state's Drug and Alcohol Testing Policy at www.in.gov/spd/2396.htm.

Back to top

EMERGENCIES & EVACUATION PROCEDURES

Each work location has procedures for emergencies and evacuations for events such as fires. The procedures for emergencies and evacuations at your office or worksite should be prominently posted. Each employee must become familiar with these procedures. Please contact your supervisor or agency human resources representative for details about the emergency procedures for your worksite and to request any assistance or accommodation you may need in case of evacuation or other emergency.

Back to top

EQUIPMENT & MACHINES

The equipment and machines used on the job are there to assist in accomplishing assigned job duties. Use of all state-owned property is restricted to official state business. Make every effort to keep the equipment clean and in good working condition. If equipment fails to function properly, take any necessary safety precautions and contact your supervisor or the individual designated by your agency to handle any problems.

Back to top

EMERGENCY CONDITIONS

The state personnel director may authorize the closing of a state facility or the curtailing of operations due to emergency conditions. Weather conditions affecting only the ability to commute will not be considered emergency conditions.

When a state facility is closed due to emergency conditions, affected employees may be reassigned to other locations. Each affected employee who cannot be reassigned, or was not on other leave, shall be

given leave with pay. Employees required to work at the affected work location during the emergency shall be granted compensatory time on an hour-for-hour basis in addition to payment of wages.

If conditions of a serious nature exist, but are not sufficient to close facilities or cease operations, the appointing authority may authorize leave without pay for affected employees. Employees may elect to use vacation leave, personal leave or compensatory time off to cover their absence.

The emergency conditions provisions for paid leave or compensatory time shall not apply to employees on sick leave or any other prior-approved leave nor to any other employees who are engaged in emergency response activities, such as, but not limited to snow removal, radio operations or emergency management.

Back to top

EMPLOYEE ASSISTANCE SERVICES FOR YOU (EASY)

Employee Assistance Services for You (EASY) is a voluntary resource and referral program that is available at no cost to all state employees and their families. The program is designed to assist you and anyone in your household with counseling for issues that can result from personal crisis, financial difficulty, interpersonal relationships, substance abuse or other causes. This service is both confidential and professional. In order to receive help, contact the referral office at **1-800-223-7723** or AnthemEAP.com.

Back to top

EMPLOYEE RECOGNITION PROGRAMS

Governor's Long-Term Employee Reception Since 1983, Indiana governors have recognized state employees who have 35 years of service with the state of Indiana. In 2005, the governor realized there are a number of employees with state service exceeding 35 years; therefore, we began to recognize employees with 35, 40, 45, 50, 50+ years of service. A ceremony is held in August recognizing these employees. Each honoree receives a special gift, certificate and an individual or group photo with the governor.

Governor's Public Service Achievement Awards This event recognizes state employees who have gone above the call of duty to make Indiana state government more efficient and effective. Employees are nominated by their supervisor and can be recognized either individually or as a team. A team consists of no less than four members; anything less than four is considered an individual. Individuals receive a $1,000 check; team members share a $4,000 award and all recipients receive a medallion and photo with the governor. The ceremony is usually held during the first week of May in coordination with the national Public Service Recognition week. For a list of past honorees and their accomplishments, log onto www.in.gov/spd/2438.htm.

Employee Suggestion Program State employees are encouraged to submit suggestions that are cost saving or improve the quality of state government to the State Employee Suggestion Program (SESP). Ideas will be evaluated by the affected agency as well as the State Suggestion Committee.

Suggestions are constructive ideas that define a problem and propose a workable and reasonable solution. A suggestion must be an original idea to be considered for an award. Once a suggestion is evaluated, the State Suggestion Committee will determine whether the suggestion shall be approved and whether an award is appropriate.

All state agencies, with the exclusion of Family and Social Services Administration (FSSA), and its full-time employees, are eligible to participate in SESP. FSSA has a separate suggestion program. Any suggestions from FSSA employees are forwarded to FSSA's human resources director.

To submit your idea or to obtain an official Suggestion Form from SPD, visit our website at www.in.gov/spd/2437.htm under **"Employee Suggestions"** or submit your suggestion in an email to spdcommunications@spd.in.gov. The Office of Management & Budget's government efficiency group has a suggestion box as well. Visit www.in.gov/omb/2339.htm for more details.

Spot Bonus Program Awards ranging from $100 to $1,000 are given to reward and recognize outstanding performance "on-the-spot."

Criteria for selection:

- Minimum of six months employment is required at time of receipt of bonus. You must still be an active employee by the state at the time of award.
- You must be engaged in exceptional performance which produced a measurable outcome. Examples include: completing a significant project ahead of schedule with results which exceeded expectations, creating a solution to a problem and/or providing exceptional customer service.
- Agencies have discretion to implement as they deem appropriate, but these bonuses are good vehicles for recognition and celebration.

Back to top

EMPLOYEE DISCOUNT PROGRAM

Many businesses across Indiana offer discounts to state employees. These offers are publicized online at www.in.gov/spd/2439.htm. Most of them require proof of employment, either with a state employee badge or a recent paystub. Always refer to the individual discount for procedures and qualifications. If you have questions, send an email to spdcommunications@spd.in.gov.

Back to top

EMPLOYEE NEWSLETTERS

The Torch is an employee newsletter published monthly by the SPD. *The Torch* informs state employees of benefits, services, events and timely information that may impact them.

The Torch is distributed monthly and is available online at www.in.gov/spd/torchweb.htm. You may submit information for publication or suggest article ideas by submitting them via email to: spdcommunications@spd.in.gov. Deadline for submissions is the 10th of the month prior to the next issue.

Around the Circle is an electronic newsletter distributed weekly to state employees who work in the metro Indianapolis area. Its focus is on items of interest to those who are on or near the downtown government campus. Some notices include upcoming local events, potential traffic problems and information that may affect state employees in the capitol city. To receive this publication, log on to this website and sign up: http://lists.in.gov/mailman/listinfo/atc. There is no cost to subscribe.

Back to top

ETHICS

Public office is a public trust. Government is based upon the consent of the governed. Therefore, you must conduct yourself in such a manner that the general public will have confidence that state business is always for the public good. For example,

- You are to be impartial in the discharge of your duties.
- Decisions and policies must not be made outside the proper channels of state government.
- Public office is not to be used for private gain.
- You may not solicit or accept outside payments for the performance of state duties.
- You may not benefit financially from information of a confidential nature gained through state employment.
- You may not participate in decisions or votes of any kind in which you, your spouse or dependent children have a financial interest.
- You may not accept a gift, favor, service, entertainment, food or drink which could influence your action as a state employee.
- Payment for an appearance, a speech or article may not be accepted if the appearance, speech or article could be considered part of your official duties.
- You may not accept payment of expenses for travel, conventions, conferences or similar activities which could influence your action.
- You may not solicit political contributions from persons or entities that have a business relationship with your agency.
- Supervisors may not solicit political contributions from employees they supervise.
- You may not have outside employment incompatible with your state employment or against your agency's rules.
- Employees may not make unapproved use of state property, personnel or facilities.
- Employees may not use state time for other than state duties.

- For a period of one year after leaving state government, former employees may not financially benefit from a contract they negotiated, prepared or approved.
- Former employees may not assist a person regarding a particular matter in which they participated as part of their state duties for one year after they had that responsibility.

The above statements are *minimum standards*. The official ethics laws and rules are found in IC 4-2-7 and 42 IAC 1. For current ethics laws and rules or for answers to questions, contact the state Ethics Commission at (317) 232-3850 or **www.in.gov/ethics**. To report a violation of the ethics code, contact the Office of the Inspector General by submitting an investigation report at www.in.gov/ig/2330.htm.

Back to top

HOLIDAYS

Indiana state government observes 12 paid, observed holidays each year (view current holidays). Prior to the start of each new year, the governor designates the day of observance for each holiday. All full-time, part-time and hourly employees occupying permanent positions, who are required to work on the observed holiday may opt for compensatory time off on another date or receive holiday payment. Holiday pay is one-tenth of the base biweekly salary; overtime is not taken into account. Temporary and intermittent employees will not receive holiday pay or compensatory time off. They will be paid for any hours actually worked on designated holidays.

The 12 observed holidays are:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Lincoln's Birthday
- Washington's Birthday
- Christmas Day

During election years, two additional holidays will be observed: the May Primary Election and the General Election in November.

Back to top

INFORMATION RESOURCES

Information resources are provided by the state to support state government business. The term "information resources" includes all state hardware, software, data, information, network, personal computing devices, phones and other information technology.

Information Resources User Agreement (IRUA) If you have access to information resources, you must complete online training, sign an IRUA and abide by the requirements set forth by the Indiana Office of Technology (IOT). You **must** complete IRUA web-based training within one to two weeks of your start date. Signing the IRUA is an agreement to adhere to standards requiring state equipment to be used exclusively for state business and requiring employees to take affirmative steps to maintain security and integrity of equipment, software, and data and prevent unauthorized access. If you do not complete the IRUA, access to state-owned resources may be severed until completion.

In addition to the standards required in the IRUA, these general guidelines below apply to you:

Cell phones You should not use cell phones while operating a motor vehicle. If you must use a cell phone, pull over to a safe location, stop the vehicle and then use the phone. This will minimize the risks inherent in using cell phones while operating motor vehicles. Agencies may establish policies restricting the possession and/or use of cell phones in the workplace.

Texting and emailing while operating a motor vehicle is against Indiana state law. As of July 1, 2011, violators can be fined up to $500.

Social media You are expected to adhere to the standards stated in the IRUA. Check the IRUA FAQ page for clarification on the policy or contact IOT Security or re-read the IRUA. Only individuals officially designated by the state or an agency have the right and authority to speak on behalf of the state or agency. You must make clear that your blogs represent your own views and opinions, not those of state officials or agencies. You also need to understand that First Amendment rights apply when you are contributing to the debate on matters of public concern, but do not apply when you are merely griping about your job, co-worker, or superiors.

Text messaging For this policy, the term text messaging includes all electronic messages or graphics; whether sent by email, instant messaging, cell phone texting or other similar technology.

The state recognizes the benefits of text messaging for convenient and expedient real-time business communications. These modes of communication have the potential to be abused, however, resulting in such problems as lost productivity, harassment, security concerns and even possible legal liability.

You are strictly prohibited from transmitting messages with obscene, profane, lewd, derogatory or potentially harassing/discriminatory content. You must not send messages you know or have reason to believe, may be false or misleading.

Any text messages sent using state's resources should not be considered private. The state reserves the right to monitor all such messages. You should be aware that these messages are subject to disclosure to outside third parties. These parties include the court system and law enforcement agencies. You should report any known or suspected violations of this policy to management for investigation. Violations will result in discipline up to and including employment dismissal.

The Indiana law banning text messaging while operating a motor vehicle became effective July 1, 2011. Indiana is the 32nd state to ban texting while operating a vehicle. The new law is restricted to the reading, writing and sending of text messages while a vehicle is in motion. Hands-free (voice-activated) texting is permissible. For this guideline, the term text messaging includes all electronic posts, messages or graphics; whether sent by email, instant messaging, social media, cell phone texting or other similar technology. Indiana Code 9-21-8-59.

Back to top

INSURANCE BENEFITS

Full-time employees are eligible to participate in the following types of benefit programs: health dental, vision, basic life and supplemental life plans and health savings and flexible spending accounts. Each plan offers family or single coverage. Since the benefits change so often, please refer to www.in.gov/spd/2337.htm for more up-to-date information. Email spdbenefits@spd.in.gov or call 317-232-1167 or 1-877-248-0007, toll free.

Back to top

INTERN PROGRAM

The Governor's Public Service Internship Program was created in 1989 to introduce bright and motivated college students who have demonstrated their abilities through academic and extracurricular achievement to the operations and officials of state government. Hundreds of applications are received from students that attend various institutions from the state of Indiana and surrounding states to fill more than 100 positions each summer.

Interns are provided the opportunity to work with state agencies, as well as participate in a Speaker Series which features various elected officials, state agency directors and other government representatives. Students are encouraged to interact with one another regarding their varying experiences and to attend any meetings and forums throughout the Government Center complex that are open to the public and would enhance their summer experience.

Participation requires enrollment in an undergraduate or graduate program from an accredited post-secondary institution. Participants must have completed at least one year at the undergraduate level. Applications are accepted and interviews are conducted from December to mid-March. Course credit can be awarded. Students should work with their institution and assigned agency to compile and complete any necessary documentation. Internships begin after the end of the winter semester and conclude before the beginning of the fall semester.

Back to top

JOB BANK AND eRecruit® APPLICATION/SELECTION PROCESS

The Job Bank is a complete job opportunity listing for all agencies under the governor's authority. *eRecruit®* is a one stop recruitment tool for finding and applying for state positions. It is used as the first stop for job seekers and provides an avenue to improve the quality level of new hires. The use of this tool decreases the amount of time it takes to source candidates. The PeopleSoft®® recruiting solution includes an enhanced applicant experience where candidates can view and apply for job postings electronically from any computer 24 hours a day, seven days a week. The Job Bank can be accessed at www.in.gov/spd/2333.htm. Public access computers are located in the Customer Service Center, Room W160A of the Indiana Government Center's south building and all WorkOne Offices.

Our online process allows applicants to manage searches, place job postings in a centralized job basket and email jobs to others. Vacancies are posted daily. Current state employees can access the job bank through PeopleSoft®® utilizing their PeopleSoft®® login identification number. If you do not know your PeopleSoft®® ID #, a member of your agency human resources team can assist you.

Back to top

JOB DUTIES AND RESPONSIBILITIES

A supervisor will outline your job responsibilities and expected performance standards. You should receive a general job description setting forth the position's essential functions. Please be aware that your job responsibilities may change at any time during your employment. You may be asked from time-to-time to work on special projects or to assist with other work necessary to your agency's operation. Your cooperation and assistance in performing such additional work is expected. The state reserves the right to alter job responsibilities, reassign/transfer job positions or assign additional job responsibilities in accordance with statutes, rules and policies regarding compensation and classification.

Back to top

JURY DUTY

You are eligible for leave without loss of pay for serving on a jury. You are paid your salary, less any amount received from the court, excluding expenses. If you serve as a witness in matters relating to employment with the state you may also be eligible for leave without loss of pay.

Unpaid leave is granted in instances where you are subpoenaed in non-job-related matters. All leaves must be requested in writing and approved by the appointing authority within your agency.

Back to top

LEAVES

Community Service If you volunteer your own time for a governmental entity or charitable organization, then you may be eligible for up to 7.5 hours of paid leave annually to participate in activities for the benefit of a governmental entity or charitable organization. The charitable organization must be exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. The voluntary activities must not promote religion or attempt to influence legislation, governmental policy or elections to public office.

Disaster Relief Services If you are a certified Red Cross volunteer, paid leave up to 15 work days is available for you to participate in disaster relief declared by the governor and required by the Red Cross. The parameters of the certification and leave are set by statute at IC 4-15-14.

Donor–Bone Marrow and Organ Paid leave of not more than five work days to donate bone marrow is available. Paid leave of not more than 30 work days to donate organ(s) is also available. Parameters of these leaves are set by statute at IC 4-15-16.

Family Medical Leave (FML) As a state employee you may be eligible for FML for certain specified circumstances:

- a serious health condition that prevents you from performing the essential functions of your position
- a serious health condition of your spouse, child or parent who requires your care
- birth or placement of a child with you by adoption or foster care
- qualifying need based on a call to active National Guard or Reserve duty for you or your spouse, child or parent
- a serious injury/illness incurred by your spouse, child, parent or next of kin during active duty.

The state of Indiana follows the eligibility requirements of the federal 1993 Family & Medical Leave Act, as amended. Therefore, as a state employee you become eligible for FML after 12 months employment (consecutive or non-consecutive) in a state agency under the governor's executive authority. And, you must complete 1,250 hours of work in the 12-month period immediately preceding the need for family medical leave.

Advance notice of foreseeable leaves is required. Such notice must be provided 30 calendar days before the leave is to begin, or, if less notice was given to you, then on the same or next business day when you learn of the need for leave. In the event of an emergency, you must follow your agency's call-in procedures. In addition, you are required to provide certification within 15 days of the medical or other facts supporting the need for leave.

FML runs concurrently with the state's short/long-term disability plan and in some instances, it will run with Worker's Compensation. Accrued leave used for an FML-qualifying reason will be charged concurrently with FML whenever applicable with or without your request.

If you are eligible for premium overtime, you must use earned compensatory time off concurrently with FML. All available accrued sick leave must be used if you are using FML for the serious health condition of yourself, your spouse, child or parent. If neither comp time nor sick leave is available or appropriate,

then you may choose to use vacation or personal leave concurrently with FML to provide income during the absence. The other option is to take FML as authorized leave without pay. If any portion of the family leave is unpaid, you must pay the appropriate premium to maintain insurance coverage. *See section below: Military Family Leave.*

To obtain additional, detailed information and necessary forms, please visit the SPD website at: www.in.gov/spd/2397.htm. Questions should be directed to the Employee Relations Division of SPD at 1.855.SPD.INHR (1.855.773.4647). Questions related to payroll or attendance forms or codes should be directed to the payroll clerk for your agency. *See Appendix for USDOL Notice to Employees of Rights under Family and Medical Leave Act.*

Funeral As a state employee, you are eligible for leave with pay for attending the funeral of certain relatives or members of your household. This shall not exceed three regularly scheduled consecutive working days and the days must be in conjunction with the date of the death or the funeral. Such leave may be granted upon the death of: your spouse, father, mother, son, daughter, brother, sister, grandparent (including greats); grandchild (including greats) or the spouse of any of these. If you are married, leave may be available for the same members of your spouse's family. You also may be able to take funeral leave for a person living in the same household with you.

Military Leave without loss of pay shall be granted for training or duty in the National Guard, Air National Guard or a reserve component for up to a maximum of 15 working days in a calendar year. Military orders are required and leave is charged in accordance with the orders. If you enter military service for active duty, you are entitled to unpaid leave and, upon request, must be restored to your position or one of similar classification and salary upon completion of your military service consistent with federal law on employment and re-employment rights for members of the uniformed services. If you are on active military duty, you may be eligible for differential pay and continuation of family health care benefits. Please visit www.in.gov/spd/2396.htm for more information.

Military family If you are the child, spouse, parent, grandparent or sibling of a member of the armed forces who is deployed for full-time military service for a period that exceeds 89 days, you will be permitted an unpaid leave of absence. This cannot exceed 10 working days in a calendar year to spend with such active-duty family member. The Family-Medical Leave Act also provides leave for eligible employees whose spouse, child or parent is called to active duty and/or injured while on such active duty. *See also Family Medical Leave (FML).*

Personal The state recognizes there are times when you have personal matters that require attention during regular working hours. Consequently, you are provided with personal leave. This leave is earned at the rate of 7.5 hours for every four months of full-time service. Part-time employees working at least half-time earn 3.75 hours every four months. You cannot accumulate more than 22.5 hours of personal leave. After accruing a total of 22.5 hours time, additional time is automatically credited to your sick leave balance. Your request to use personal leave may not be unreasonably denied. Contact your supervisor to learn the procedures for requesting personal leave.

Sick As a full-time state employee, you accrue 7.5 hours of sick leave every two months, plus 7.5 hours every four months for a total of 67.5 sick hours per year. Employees working at least half-time will accrue at half the rate for full-time service. This leave may be used for your own personal illness or injury, legal quarantine or for an illness or injury of your spouse, child or parent or for persons residing in your household who are dependent upon you for care and support and which necessitates your absence from work. It is also available for visits to health care providers for you or your spouse, child, parent or persons

residing in your household. A physician's statement may be required from an employee requesting sick leave.

Vacation As a full-time state employee you accrue 7.5 hours of vacation for each month of continuous service. With the approval of your supervisor, you may begin to use these days after six months of continuous employment. If you leave state service in good standing after completing at least six months of employment, you will be paid for any accrued but unused and uncompensated vacation leave up to 225 hours. There may be other options for employees who are retiring from state employment. Please contact the SPD Benefits Division at 317.232.1167 or 1.877.248.0007.

Full-time employees normally earn vacation leave at the following rate per year:

- 1 to 4 years of full-time service: 90 hours
- 5 to 9 years of full-time service: 112.5 hours
- 10 to 19 years of full-time service: 150 hours
- 20 or more years of full-time service: 187.5 hours

Part-time employees working at least half-time accrue 3.75 hours vacation for each full month of continuous service. With the approval of your supervisor, you may begin to use these days after 12 months of continuous employment.

Employees working at least half-time but less than full-time earn vacation leave at the following rate per year:

- 1 to 9 years of employment: 45 hours
- 10 to 19 years of employment: 67.5 hours
- 20 to 39 years of employment: 105 hours
- 40 or more years of employment: 142.5 hours

Without pay Authorized leave without pay may be available to you as a state employee whenever such leave is deemed to be in the best interest of the state. The leave request should be submitted in writing and requires written approval by the approving authority within your agency and the state personnel director. Although you retain your job status, no pay or other benefits are received during this leave.

During a leave without pay, you may be eligible to continue your insurance coverage by paying the appropriate premium directly to the respective insurance carrier. The insurance carrier will notify you directly and explain the requirements for keeping your coverage in effect. For further details in advance of any anticipated leave without pay, contact your agency human resources representative. To view all of the current leave programs, visit SPD's website: www.in.gov/spd/2396.htm

Back to top

NO SMOKING POLICY

Indiana Government Center Campus It is the policy of the Department of Administration (DOA), as custodian of state buildings and grounds under Indiana Code 4-20.5-6-5, that all parts of the buildings and grounds of the IGC Campus in Indianapolis be designated as smoke-free.

The Indiana Government Center Campus includes:

- The state-owned and maintained buildings and grounds bounded by Washington St. to the south, West St. to the west, Ohio St. to the north, and Capitol Ave. to the east.

- The state-owned and maintained Washington Street Parking Facility, the Senate Avenue Parking Facility, and their respective grounds.

All state employees and visitors to the IGC campus are expected to comply with this policy, as with all other campus policies. Doing so will help the state maintain a clean, safe and healthy business environment and public gathering place. When necessary, this policy will be enforced as permitted by Indiana's Clean Indoor Air Law (Indiana Code 16-41-37) and other applicable law.

Other state-operated facilities and offices Indiana's Clean Indoor Air Law (Indiana Code 16-41-37) applies to all state facilities and offices. Other restrictions on smoking may also apply, so you must check with your supervisor or agency human resources representative for specific provisions of the non-smoking policy for your worksite.

State-owned/leased/rented vehicles Smoking is prohibited in state-owned vehicles in accordance with the Vehicle Fleet Management Policy. You can find a copy of this policy at www.in.gov/idoa/files/State_of_Indiana_Vehicle_Fleet_Management_Policy.pdf.

Back to top

NURSING MOTHERS, SUPPORT FOR

Nursing mothers shall have reasonable breaks which do not unduly disrupt agency operations and a private location in which to express breast milk for their infant child. Requests should be made to your supervisor on the form in the standardized policy.

Back to top

OUTSIDE EMPLOYMENT

While outside employment is not generally prohibited, such employment must not present a conflict of interest with your state employment. It must not impede or otherwise affect your ability to perform job duties, nor interfere with availability to work overtime. Some agencies have specific restrictions on outside employment, so ask your agency's human resources representative for any agency policies on this

topic. Further, you must comply with the rules of the Ethics Commission concerning potential conflicts of interest. Use of state equipment, materials, premises or time in connection with outside employment is prohibited. Outside employment is not a valid reason for absenteeism, tardiness or poor job performance. The state Ethics Commission can be reached at 317.232.3850 or through their website at www.in.gov/ethics.

Back to top

PARKING

If you work in the IGC complex, you may be eligible for parking privileges in one of the parking facilities maintained by the DOA - Parking Services Office. Parking privileges are granted on the basis of space availability.

There are two garages and one major surface lot managed by DOA. If you are a state employee working at a location outside the IGC complex, your supervisor/manager will advise you of available parking facilities in your area. If you need reasonable accommodation, please contact your agency HR representative.

The Washington Street Parking Garage is located at the corner of Washington and West streets. The entrance is on the east side of the building, accessible via Missouri St. Public parking is available as space permits. During the legislative session, public parking is available in the Washington Street Garage only on evenings and weekends. If you are not assigned to a work station in the Indiana Government Center, you will *not* be able to sign in during normal business hours while the legislature is in session.

The Senate Avenue Parking Garage is located between New York and Ohio streets, with entrances on New York Street and Senate Avenue. To accommodate increased employee parking needs during the legislative session, public parking is suspended in this garage while the legislature is in session. If you are not assigned to a work station in IGC, you will *not* be able to sign in during the legislative session.

Guest parking A limited number of spaces are available to state employees visiting IGC for work-related activities, at no cost to the employee. To obtain approval for this temporary parking privilege, your agency must submit a list of individuals visiting the IGC to the parking garage manager a minimum of one week prior to the session or conference.

Upon arrival, you will be asked to sign in at the designated garage. You should not take a ticket from the ticket dispenser unless directed to do so by the parking attendant. If you take a dispensed ticket, you will be required to pay for parking, as the parking system must account for all tickets taken.

Agencies who wish to pay for the parking of other visitors or guests must do so by reimbursing the individual for parking expense, or making prior arrangements with Parking Services for ID billing.

Preferred Parking Program The state works with the Central Indiana Commuter Services (CICS) to encourage state employees working in central Indiana to carpool, vanpool, bicycle, ride transit or walk to

work. Energy conservation, employee commuting expenses, reduced traffic congestion and improved air quality are some program benefits.

To participate in this regional program, you first must register with CICS at www.cirta.us/commuterconnect/cc-home or via phone at 317-327-RIDE (7433) or toll-free at 888-737-RIDE (7433). By registering, you also become eligible for emergency ride home benefits offered by CICS.

As an additional incentive, the Washington Street and Senate Avenue garages near IGC have convenient, designated preferred carpool parking spaces. Once carpool participants are confirmed via CICS, simply go to your designated garage office for a preferred carpool parking permit application. This will need to be completed for each carpool participant before a preferred carpool parking permit will be issued. Permits will only be issued to carpools of two or more state employees.

Once the preferred carpool parking permit is approved and obtained, carpools can park in the garages' designated Preferred Carpool Parking spaces on ACTIVE carpool days. This program is designed to further encourage carpooling for employees working at or near the IGC. For program questions, please contact the IGC Parking Facilities at (317) 232-0233 or visit the Greening Initiatives at www.in.gov/idoa/2343.htm.

Additional information about state parking procedures can be found on DOA Parking Services website: www.in.gov/idoa/2373.htm.

Back to top

PAYROLL

You are issued a paycheck based on a two-week period. However, not all employees are paid at the same time. Two payroll groups (Group A and Group B) have been established among the various agencies and each group is paid every other week. This information is provided during OnBoarding, along with a list of payroll check dates. Also, your payroll representative can advise you which payroll group your agency belongs to and when you will receive your first check.

To view your payroll stub, log into PeopleSoft®, click on “Self Service,” then under Payroll and Compensation, click on “Pay Inquiry.” Promptly report any discrepancy as well as any other questions to your agency’s payroll department.

Back to top

PERFORMANCE MANAGEMENT

Managing performance toward the achievement of goals is important to you as a state employee and to the state as the employer. Managing and appraising job performance is a supervisory responsibility that includes translating the agency’s strategic plan into individual employee goals that are specific,

measurable, achievable, relevant and timely. You are responsible for understanding your performance expectations, how the performance expectations will be measured and how your performance expectations relate to your agency's strategic objectives.

The purpose of a performance appraisal is to communicate an evaluation of performance for a given period of time. In addition, the performance appraisal guides development of individual skills to the highest possible level. During an appraisal session, you have the opportunity to discuss with your supervisor the strengths and weaknesses in your work performance as well as any training needs you may have. Other work-related issues/problems or employment ambitions should be discussed as well. New employees in the state classified service will receive a performance appraisal during the working test period. In addition, an appraisal will be given annually to all employees in the state civil service. Appraisals will also be given at any time an employee changes supervisors, takes a leave of absence anticipated to be more than 30 consecutive days or when necessary to address performance issues or operational needs.

Information for employees in the state civil service is available at www.in.gov/spd/2394.htm or by calling the SPD Employee Relations division at 1.855.773.4647.

Back to top

PERSONAL CONDUCT

The state respects your privacy interests and recognizes your right to conduct your personal lives free from interference. Nonetheless, you should keep in mind that, even while off duty, you represent the state to the public. In addition, certain types of off-duty conduct may reflect poorly upon your character and judgment. This could also influence your standing as a state employee. Therefore, if you engage in criminal conduct or other unprofessional or serious misconduct off-duty that is determined to be harmful to the state's image, inconsistent with employee expectations or otherwise adversely affects legitimate governmental interests, you may be subject to disciplinary action up to and including dismissal from employment.

Back to top

PERSONAL INFORMATION CHANGES

If you change:

- your name
- home address
- email address
- telephone number
- marital status
- number of dependents or
- emergency information contacts

Report these to your personnel office and payroll department as soon as possible. Please update your PeopleSoft®® account to reflect the changes as soon as possible. Promptly reporting these changes will ensure that your personnel record is updated. It is your responsibility to be sure your records are current to prevent delays in processing tax changes or loss of benefits opportunities. To do so, log into PeopleSoft®, click the Human Resources link on the top left-hand side of the page. Then slide over Self Service and click *Personal Information*. From there you will be able to update any of the information listed above.

Back to top

PERSONNEL RECORDS

Information in your personnel file shall be made available to you or your representative. Other personnel information generally on all employees or groups of employees not particularized by name may be disclosed.

The following information about state employees is considered a matter of public record subject to disclosure pursuant to the Access to Public Records Act. As a result, the following information may be available for release:

- The name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience or dates of first and last employment of present or former officers or employees of the agency
- Information related to the status of any formal charges against the employee
- Information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged

Disclosure of social security numbers by state agencies is governed by Indiana Code 4-1-10-1, *et seq*.

Back to top

POLITICAL ACTIVITY

If you seek an active part in the election process through campaigning and office candidacy, you should become familiar with the laws and regulations for the state and federal government. For example, the state guidelines say that:

- You may not use state materials, funds, property, personnel or equipment for political campaign activity
- As a state employee, you may not be forced to contribute time or money for any political purposes

The state Ethics Commission is available to answer many of your questions. A member of the commission staff will guide you in understanding which political activity is permitted of state employees in the state government's executive branch.

The state Ethics Commission may be reached via telephone at (317) 232-3850, or fax at (317) 232-0707 or you can seek advice by email through its website at www.in.gov/ethics.

Back to top

PUBLIC ADMINISTRATION, OFFENSES AGAINST

There are some crimes that can only be committed by or with public employees: bribery, conflict of interest, official misconduct and ghost employment. If you commit any actions prohibited by these statutes Indiana Code 35-44-1and Indiana Code 35-44-2, you will be subject to disciplinary action, including dismissal and may be subject to prosecution. *See also the Inspector General's website: http://www.in.gov/ig/2341.htm*

Back to top

PUBLIC RECORDS

Information regarding the affairs of government and the official acts of those who represent them is open to the public. The following public records, however, may not be disclosed by a public agency unless access is specifically required by a state or federal statute or court order. Such information includes, but is not limited to:

- Those declared confidential by state statute.
- Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.
- Those required to be kept confidential by federal law.
- Those declared confidential by or under rules adopted by the Indiana Supreme Court.

If you receive public information requests, you must immediately submit those requests to the agency's public information officer to ensure that time limits are met and appropriate responses are provided. Only individuals officially designated by the state or an agency have the right and authority to provide official responses on behalf of the state or agency.

Public records, in all forms and media, must be retained in accordance with the Records Retention Schedules established by agencies and maintained by the Commission on Public Records.

All emails sent or received on government computers and other devices are owned by the state of Indiana and may be public records as defined by the Access to Public Records Act (See Indiana Code 5-14-3-2). Emails are not treated differently than any other records; it is the substance (i.e., content) of the email that is the determining factor establishing the document's retention or destruction. The state's retention schedules are available at www.in.gov/icpr/2766.htm

Emails can be categorized within three broad categories:

- Transitory and duplicate messages, including copies of emails sent to several persons, as well as casual routine or personal communications
- Public records with a less than permanent retention period
- Public records with a permanent or archival retention period

Retention guidelines for each of these categories are as follows:

- Transitory and duplicate messages—these are not required to be retained and may be deleted.
- Less than permanent—Follow retention period for equivalent hard copy records as specified in a retention schedule. The record must be in hard copy or electronic format which can be retrieved and interpreted for the legal retention period. When there is a doubt about the ability to retrieve an electronic record over the retention period of that record, the record may be printed out. Agencies may delete or destroy such records only after receiving signed approval from the Commission on Public Records via the "Records Destruction Notification"—State Form 00016.
- Permanent or archival—Retention may be in the form of a hard-copy printout or microfilm that meets the requirements of 60 Ind. Admin. Code 2. The information must be eye-readable without interpretation. Questions concerning microfilm should be addressed to the Commission on Public Records, Micrographics Division at (317) 232-3381.

Back to top

REFERENCES

All requests for an employment reference must be directed to the HR office of your agency. No manager, supervisor or other employee is permitted to provide a reference for current or former employees related to their employment with the agency without prior authorization from the HR office.

Back to top

RESIGNATIONS

If you decide to leave state employment, a minimum of two weeks, written, advance notice must be given in order to leave in good standing, unless a shorter time period is expressly approved by the appointing authority. You are expected to work each assigned day during that two-week period. Furthermore, use of paid leave cannot be granted beyond the last day you are physically present at work. Leaving in good standing entitles you to consideration for future reemployment or rehire. You should route your resignation letter through your supervisor or to your agency's HR representative. A transfer from one state agency to another need not involve a break in state service if both agencies are subject to the jurisdiction of the SPD. If you provide appropriate notice to your current agency to allow the two agencies to coordinate the transfer, no break in service will be recorded. (*Revised Jan 2013)*

Back to top

RETIREMENT

Hoosier S.T.A.R.T Hoosier S.T.A.R.T. is a voluntary deferred compensation program using two plans allowed under IRS Section 457 and Section 401(a) which offer eligible state employees an effective way to reduce current taxes and to supplement other retirement benefits. This deduction is eligible for all full-time employees. Eligible employees will receive a letter with their first pay check that briefly explains the plan and explains how to opt out of the plan. Available through payroll deduction, the plan permits participants to save up to 92% percent of gross biweekly earnings and to choose among a wide range of competitive investment options. Participants pay no federal, state or local income taxes on their contributions to the deferred compensation plan until they separate from state employment and actually withdraw funds from their accounts. Regardless of age at separation, members may begin receiving payments immediately or elect to delay the start of benefits to a later date. Members may also withdraw their accounts in a lump sum or as monthly payments over several years. There is no waiting period for eligibility.

You may enroll at any time by contacting the Indianapolis Hoosier S.T.A.R.T. office. For more information, call 877-728-6738, option 2. You can also visit the website at www.hoosierstart.com.

Indiana Public Retirement System (INPRS) Legislation approving the merging of the administration of funds of the Public Employees' Retirement Fund (PERF) and the Teachers' Retirement Fund (TRF) creating the Indiana Public Retirement System (INPRS) became effective July 1, 2011. Combined membership totals equal nearly 500,000 members.

Each retirement fund is a separate fund under the oversight of a combined INPRS nine-member board of trustees. Individual funded status for each plan is calculated separately.

INPRS is the controlling authority administering and managing the following plans:

- Public Employees' Retirement Fund
- Teachers' Retirement Fund
- Prosecuting Attorneys' Retirement Fund
- 1977 Police Officers' and Firefighters' Pension and Disability Fund
- Legislators' Retirement System
- Judges' Retirement System
- State Excise Police, Gaming Agent, Gaming Control Officer and Conservation Enforcement Officers' Retirement Plan

INPRS also oversees three non-retirement funds including the Pension Relief Fund, the Public Safety Officers' Special Death Benefit Fund and the state employees' Death Benefit Fund.

- **Indiana State Teachers' Retirement Fund (TRF)**

TRF was established to pay retirement benefits to teachers and administrators working in the public schools. With certain exceptions and additions, state employees who are certified to teach in Indiana and who work as teachers in a state agency or state institution are eligible for membership in TRF.

For more information on eligibility for TRF, please telephone (317) 232-3860.

- **Public Employees' Retirement Fund (PERF)**

The Public Employees' Retirement Fund was created on July 1, 1945, to provide secure, long-term pension benefits for Hoosiers who choose careers in public service.

Effective July 1, 2010, the board of trustees of the Indiana State Teachers' Retirement Fund (TRF) and the Public Employees' Retirement Fund (PERF) was required to appoint and fix the compensation of a common director for TRF and PERF. Each fund is required to pay 50 percent of the director's compensation and each fund is required to cooperate to the extent practicable and feasible in administering and investing the assets of the funds and in hiring investment managers, investment advisors, and other service providers.

All questions about these retirement plans and benefits should be directed to INPRS. If you need to contact INPRS, before you call remember:

- Have your social security number (SSN) *and* passcode ready.
- If you do not have your SSN and/or passcode, stay on the line for a customer service representative.

Call toll-free, PERF: (888) 526-1687 or TRF: (888) 286-3544

Mailing address and Customer Service Center:
One North Capitol, Suite 001
Indianapolis, IN 46204
Email: questions@INPRS.in.gov

Retiree Leave Conversion Program The Retiree Leave Conversion Program allows retirees with at least 10 years of creditable service to convert accrued but unused and uncompensated vacation, sick and/or personal leave into cash up to a maximum of $5,000. Leave is converted at a 20, 35 or 50% rate (dependent upon length of service). Please refer to 31 IAC 4 for clarification and as the controlling authority. The State Personnel Department's Benefits Call Center is available to answer your questions at 317.232.1167 or 1.877.248.0007 or by calling 1.855.SPD.INHR and choosing the Benefits prompt.

Retirement Medical Benefit Accounts Information concerning the Retirement Medical Benefit Account plan, created with Indiana Code 5-10-8.5-11, can be found at www.in.gov/sba/2357.htm. This plan is a benefit to employees who retire after June 30, 2007, and are eligible to receive a normal, unreduced or disability retirement benefit. All questions should be directed to the plan administrator, Key Benefit Administrators, by phone at (317) 284-7150 or (800) 558-5553 or by email at Flexpro@Keybenefit.com.

Back to top

SAFETY AND ACCIDENTS

Safety is each employee's responsibility. The state's goal is to provide a safe and healthy work environment for all employees. This effort is intended to minimize the risk of a work-related injury and/or

illness, human suffering and economic loss. Many accidents can be prevented by using care and caution in the job performance.

If you observe an unsafe act or condition, report it immediately to your supervisor. If safety equipment is provided for the performance of your duties, use it. Always use the safety equipment required or provided for state-owned vehicles. Failure to use designated equipment may result in disciplinary action.

If you are injured while at work, notify your supervisor immediately and no later than 24 hours of the occurrence. You are subject to Indiana Worker's Compensation provisions. If you need medical care after a work injury, your agency and the Worker's Compensation administrator will direct your care, which includes designating a physician. *See also Worker's Compensation.*

Back to top

SOLICITATION

Solicitation by state employees for an outside business is strictly prohibited on state property or time or using state resources.

Solicitation for donations is governed by Executive Order 92-7 which set up the State Employee Community Campaign (SECC), discussed further in the next section. Executive and Ethics Commission Orders on this topic state that the purpose of the SECC is to organize and limit the number of solicitations state employees receive at work. Solicitation for charitable and community assistance donations outside the SECC are not sanctioned.

Attaching signs, placards or the like to any property of the state is prohibited except on appropriate bulletin boards. Distribution of non-work related literature or booths may not be set up on state property without the express approval of the SPD director and DOA commissioner.

Advertising, solicitation or promotional activity for state business or state-sponsored business, with an underlying state governmental purpose should be approved by the SPD director and the commissioner of the Department of Administration who will provide specific guidance on solicitation for those activities.

Solicitation of membership, dues or other internal employee organization business may be conducted only in non-work areas and during non-duty hours. Employee solicitation for funds, membership or individual commitment to other outside organizations is prohibited unless expressly authorized by the SPD director and the DOA commissioner.

Back to top

STATE EMPLOYEE COMMUNITY CAMPAIGN (SECC)

While the State Employee Community Campaign (SECC) is an annual event, new employees, regardless of when they join state employment, are immediately eligible for participation.

You may contribute to any not-for-profit organization that has a §501(c)(3) ruling from the federal Internal Revenue Service. You can choose to set up payroll deductions or make a one-time contribution to your selected charity(s). Kick-off starts in mid-September. Information about SECC is available at www.insecc.org. Each agency has a designed coordinator, along with the statewide coordinator from SPD, and he/she will be available for questions. SECC is authorized by executive order.

Back to top

STATE TRAVEL

State-owned vehicles may be available for use while traveling on state business. If you drive a state-owned vehicle, you must possess a valid Indiana driver's license. Vehicle availability is primarily based upon your agency's approval and the capacity of the Indiana State Motor Pool. The motor pool operates on a first-come, first-served basis.

See the DOA's Fleet Service and Policy Manual and the Indiana State Motor Pool for additional requirements and information.

Since some agencies have their own motor pool, your supervisor will provide you with the information you need for travelling on state business. If you wish to use your own car for official business, you must receive authorization from your agency's approving authority. Specific guidelines have been established for reimbursement of designated expenses incurred. See your supervisor for detailed information on travel reimbursement procedures for your agency.

Back to top

TAXSAVER

Taxsaver provides a tax break if you have a payroll deduction for medical and vision benefits and basic life coverage. Payroll deductions are removed from salary before taxes are calculated. Therefore, taxes are calculated on the remaining reduced salary amount. Since the taxable salary is lower, taxes are lower. Lower taxes mean higher take home pay.

Although most people benefit from Taxsaver, enrollment is not required for the health and life insurance payroll deductions. See your agency's payroll clerk for more information on the Taxsaver benefit program or if you wish to opt out.

Back to top

TELEPHONE DIRECTORY

The state of Indiana telephone directory is available online at www.in.gov/core/find_person.html. The state Information Center is also available to assist you; just dial zero.

Back to top

TELEPHONE USE

Your supervisor will advise you of any specific procedures for handling both incoming and outgoing calls. Information explaining how to operate the telephone equipment used within your agency, set up/change voice mail messages and resolve technical problems should be provided by your supervisor or you may be directed to IOT's Network Services division.

Back to top

TRAINING and DEVELOPMENT

The state is interested in your ability to successfully perform your job duties. Your supervisor/manager may provide or schedule training needed in conjunction with your performance plan or job duties. In addition to whatever training your agency offers, other agencies within state government also present a variety of classes that assist employees in meeting specific needs.

The Indiana Office of Technology (IOT) facilitates certification training in Microsoft, Novell, Citrix, Cisco and CompTIA. These certification courses also qualify for college credit at several Indiana institutions of higher education.

IOT offers IT training at substantial discounts and handles enrollments, customer billing, payments to vendors and tracking of student satisfaction. For more information on IT Training, please contact IOT Customer Service.

SPD sponsors training on management, communication and leadership skills.

Contact your agency's human resource representative, IOT Customer Service at (317) 234-HELP (4357), or the SPD training division at (317) 232-3282 for information regarding available courses. Email your questions to spdtraining@spd.in.gov. Online information is also available: in.gov/spd/2366.htm and www.in.gov/iot.

Back to top

WEAPONS

In accordance with rules promulgated by DOA and the Indiana State Police and applicable laws, weapons are prohibited in the IGC Complex. Firearms and ammunition secured out of sight in a person's locked, personal vehicle are not prohibited. Firearms and ammunition are prohibited in state vehicles, unless required by sworn police officers. Inquiries by state officials about ownership, possession, storage, transportation or use of a firearm or ammunition, other than those used in fulfilling the duties of the employment of the individual, are prohibited. State employees fulfilling their duties on the property of vendors, customers, and others or on property leased by the state must abide by the laws, rules and policies established for those premises by the owners and/or tenants.

Back to top

WORK HOURS

Operational needs vary from agency to agency, function to function and time to time. State agencies may require coverage 24 hours per day, seven days per week or only during usual business hours. There may be seasonal fluctuations or variations in workloads throughout the year based on the specific responsibilities of your agency. Changes may be made in your regular work hours. You may be asked to from time to time to work on special projects or to assist with other work necessary or important to your agency or the state. Your cooperation and assistance in performing such additional work is expected.

The state reserves the right to alter work hours in accordance with statutes, rules and policies regarding compensation and classification.

Note: Your work hours may vary depending on: the agency, its particular function or any emergency situations and/or your classification. Specific information, applicable to your position, is available from your supervisor.

Back to top

WORKER'S COMPENSATION

In accordance with Indiana's Worker's Compensation Act, the state provides comprehensive worker's compensation insurance at no cost to you. This protection covers any work-related injury or illness that requires medical treatment. Worker's compensation coverage does not extend to benefits for injuries that occur during your voluntary participation in any off-duty, state-sponsored recreational, social or athletic activity.

Worker's compensation insurance generally provides limited benefits to eligible workers in the form of medical treatment, compensation for lost wages and compensation for the loss or lost use of parts of the body. Benefits are generally available to you after a short waiting period. If an employee dies in a workplace accident, your dependents may become eligible to collect death benefits.

If you sustain work-related injuries or illnesses, no matter how minor, you must inform your supervisor immediately. Failure to timely report such injury or illness may compromise your eligibility for and ability to claim worker's compensation benefits. The state uses a third-party administrator to process these claims. All potential claims must be submitted on the First Report of Injury Form. See the section above entitled *Safety and Accidents*.

Back to top

WORKING TEST PERIOD IN THE STATE CLASSIFIED SERVICE

If you are appointed to a position in the state classified service, you must undergo a working test period each time you are appointed to a new classification for which you have not already successfully completed a working test period and upon rehire or reemployment. The length of a working test period varies, but is generally as follows:

- Six months for full-time employees
- One year for part-time employees working half time or more
- 18 months for part-time employees working less than half-time

The working test period may be extended for the same amount of time as the original working test period(s) defined above.

The purpose of the working test period is to determine whether your abilities have been satisfactory and whether the appointing authority will continue your employment. If your employment is continued after successfully completing an initial working test period, then you attain rights to due process and just cause for suspension, demotion or dismissal and access to the civil service complaint process to challenge those disciplinary actions. At least once during each working test period your appointing authority shall prepare a performance appraisal.

If you do not successfully complete the working test, one of three actions will be taken:

- Your working test period may be extended
- You may be returned to a different classification in which you previously completed a successful working test period or
- You could be dismissed from employment.

Back to top

APPENDIX

MAP OF THE INDIANA GOVERNMENT CENTER (IGC) COMPLEX: Click here IGC MAP

The broken-line drawings represent the tunnels between the various buildings that make up the IGC complex. These tunnels are accessed from the lower level of the various structures.

USDOL Notice to Employees of Rights under Family and Medical Leave Act

EMPLOYEE RIGHTS AND RESPONSIBILITIES

UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

• For incapacity due to pregnancy, prenatal medical care or child birth;
• To care for the employee's child after birth, or placement for adoption or foster care;
• To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
• For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

• Interfere with, restrain, or deny the exercise of any right provided under FMLA;
• Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information: 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 **WWW.WAGEHOUR.DOL.GOV** U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division WHD Publication 1420 Revised January 2009

Back to top

SPD contact information

Toll free: 1-855-SPD-INHR (1-855-773-4647)
402 W. Washington St. Suite W161
Indianapolis, IN 46204
www.in.gov/spd