

	STANDARD OPERATING PROCEDURE State Form 39870(R/ S- 06)	Reference Number HMR-037
	Subject Flexible Work Arrangements	
	Special Instructions NEW SOP	Effective Date March 7, 2022

I. PURPOSE

Establish guidelines for eligibility and procedure for Remote Work and Alternative Work Schedules. This policy is intended to further governmental efficiency and responsiveness without sacrificing accountability and the inherent benefits of in-person collaboration.

II. POLICY

Participation in Remote Work or an Alternative Work Schedule is voluntary and considered a privilege. It is not an employee right or contract of employment. It is the policy of the Department that the performance of duties should be accomplished in the most efficient and responsive manner and with the greatest care in accounting for proper use of public funds. Operational needs of the department must be a priority and require minimum staffing levels are a primary consideration. In circumstances where work can be effectively accomplished in locations other than state facilities employees may, with prior approval outlined in this policy work remotely, up to 15 hours per week.

III. DEFINITIONS

A. Alternative Work Schedule - A civilian work schedule that deviates from the standard 7.5 hours of work per day, for ten days per pay period.

B. Duty Station - The state work site location where the employee's work is normally performed.

C. Remote Work Site - A mutually agreed upon location where the employee is authorized to work outside of their Duty Station.

D. Remote Work - Performance of assigned work in a location other than the duty station on specified days/hours via authorized technology.

E. Remote Work Agreements - An arrangement, as documented by State Form 56972, identifying the Remote Work responsibilities of both the employee and the Department .

IV. PROCEDURE – REMOTE WORK

A. An employee may be eligible for Remote Work if their work may be effectively performed remotely, their performance, (as determined by their supervisor), is satisfactory, and they are able to work independently. Employees who have not yet demonstrated, or who are not currently demonstrating, satisfactory performance of their job functions are not eligible for Remote Work.

B. An employee may request to remote work up to 15 hours* per week by completing the [Remote Work Agreement](#) and submitting the request to their immediate supervisor for review. An employee shall not engage in remote work prior to receiving approval from their immediate supervisor.

*Note: Requests to work remotely more than 15 hours per work week will not be approved barring a unique operational or business need of the agency. Any exceptions allowing more than 15 hours must be approved by the Superintendent (or designee).

C. The immediate supervisor shall review the remote work request and may approve the request if:

1. Remote work allows the employee to maintain or improve service deliver;
2. Remote work does not impede availability of services to the public or customers;
3. Remote work does not have a negative impact on the Department functions or staff;
4. Remote work improves or maintains employee productivity and satisfaction;
5. The employee maintains a level of satisfactory work level;
6. Employees on probation:
 - a. New hire employees on probation are not eligible.
 - b. Incumbent employees on probation due to lateral transfer or promotion, will be reviewed on a case-by-case basis.
7. The employee can work independently.

D. Remote Work Agreements shall be reviewed annually in conjunction with performance appraisals. However, a supervisor may review a remote work agreement prior to an annual performance review if the employee's work quality necessitates a review. Remote Work is a privilege. A supervisor may terminate authorization for Remote Work for any employee at any time by completing the [Remote Work Agreement Cancellation](#) and providing a copy to the employee.

E. The employee's duties, obligations, responsibilities, and conditions of employment with the state will be unaffected by Remote Work. Remote Work Agreements shall not be construed to alter the employment relationship.

1. Employees authorized to work at a Remote Work Site must accurately account for their hours worked. When reporting hours through PeopleSoft Time and Labor that were worked remotely, employees must select "REMOTE WORK" from the look up feature for "User Field 5" in addition to reporting the hours as "Regular Work Hours – REG." Both the employee and their supervisor are responsible for implementing practices and tools to account for activity and performance.
2. Employees authorized to use Remote Work Site(s) location(s) must be kept current and any changes in the location(s) must be approved prior by their immediate supervisor. Unless approved by the Superintendent (or designee), Remote Work must be performed within the geographical boundaries of Indiana* unless traveling for official functions.

*Note – Remote work should be approved for non-matrix employees whose residence may be located outside of Indiana, but regularly commute to a Duty Station for regular duty hours. Remote work may be approved to occur outside of Indiana if the operational needs of the Department will be met.

3. All workplace policies and performance standards applicable at normal duty stations are also applicable in Remote Work Sites. Policy violations or failures to meet standards are subject to appropriate corrective action in the same manner as if the policy or standard were violated at a normal duty station

4. Disciplinary action may be taken against an employee for failing to comply with the provisions of the Remote Work Agreement or this policy.

F. Schedules

1. Employees must notify their supervisor immediately of any situation that interferes with their ability to perform their job duties at the Remote Work Site and, while unable to perform Remote Work, must utilize the appropriate accrued leave in accordance with applicable leave policies and procedures.

2. To the extent possible, and considering available Office space, agency divisions/departments are encouraged to establish standard, weekly in-person workdays in which all team members report to their Office. When there is an assigned departmental in-office workday, employees of that department must utilize the appropriate accrued leave in accordance with the applicable leave policies and procedures if unable to report to the Office on the established in-person workday.

3. Supervisors may agree to allow employees to occasionally deviate from hours and/or schedules as set forth in their Remote Work Agreement. In making such a determination, the supervisor must consider the employee's productivity and schedule, as well as the business of the agency and the needs of the agency's clients, customers, and stakeholders.

4. Employees shall be available by email, phone, and other communication methods during remote work hours.

5. Employees shall be available for online meetings, conference calls, trainings and other required activities as directed.

6. Employees while performing Remote Work should adhere to their Office's dress and appearance standards.

7. If business conditions require the employee's presence at a state facility, the employee is to report, even if this occurs during normally scheduled Remote Work Site hours.

8. Except for participating in online meetings and calls, employees are prohibited from conducting meetings with clients, customers, or other employees in the employee's home.

G. Equipment and Supplies

1. In determining whether an employee is authorized to work from a Remote Work Site, the

employee must demonstrate to the employee's supervisor that the location is a suitable replacement for the normal duty station. Supervisors are responsible for determining the proposed Remote Work Site is suitable.

2. At a minimum, a Remote Work Site must be safe and must have reliable internet access, a state-issued computer (or a personal computer utilizing IOT-approved security technology), and a phone line (either a state-issued cellular phone, a personal cellular phone compliant with IOT policies, or a landline).
3. Any requests for equipment or supplies needed by the employee for remote work shall be submitted per [FSS-001](#). Agency equipment and supplies provided to an employee shall remain the property of the state and shall be returned to the agency upon the termination of an employee's participation in the remote work program.
4. The use of equipment, software, data, and supplies is limited to use by authorized persons and for authorized purposes related to state business only. Employees shall be responsible for the security of all items furnished by the state. Employees shall report any malfunction in technology or lost or stolen equipment.
5. Employees shall ensure all software and hardware meet Indiana Office of Technology (IOT) standards for access to state backbone, including use of VPN (virtual private network), and that all security procedures and virus/malware protection updates are performed regularly.
6. Employees shall protect against the disclosure of any confidential information, whether hard copy or digital, to any person at the remote work location that does not have Department authorization to receive the information. This includes but is not limited to, spouses, significant other, children, in-home care providers, other family members etc. Employees shall follow all security procedures as outlined in [CIS-006](#), such as locking their workstation, to ensure that no unauthorized access to State equipment or software occurs.

H. Injuries While Performing Remote Work

1. The Department, employee, and supervisor shall follow the state's policies for reporting workplace injuries if an employee is injured while working at the Remote Work Site.
2. The Department is not liable for damages to an employee's personal or real property while the employee is working at the Remote Work Site, except to the extent required under Indiana law.

I. Child/Dependent Care/Personal Business

1. Remote work is not a substitute for child or dependent care.
2. Employees must continue to arrange for child or dependent care to the same extent as if they were working at the Office.
3. Employees must refrain from conducting personal business while working for the state at the Remote Work Site.

V. PROCEDURE FOR ALTERNATIVE WORK SCHEDULE (“AWS”)

A. A non-matrix employee may request to work AWS if:

1. The employee is full-time;
2. The employee is not on probation;
3. The employee’s performance standard is satisfactory or above for the six (6) months prior to the request;
4. The employee has not been the subject of disciplinary action as defined in [IIS-001](#) during the preceding six (6) months;
5. The employee is not required to work a standard shift as defined in [Civilian Rule 6](#)*.

*Note: Multi-shift operations and employees who work a 24-hour rotating schedule with varied days off ([as defined by Civilian Rule 6](#)) are not eligible for an AWS, with the exception of Motor Carrier Inspectors.

B. A request to work AWS shall be submitted by the employee in writing to their immediate supervisor for review and processing.

C. AWS shall be reviewed annually in conjunction with performance appraisals. However, a supervisor may review an AWS prior to an annual performance review if the employee’s work quality necessitates a review. AWS is a privilege. A supervisor may terminate authorization for AWS for any employee at any time by completing a memo and providing a copy to the employee. AWS may be cancelled or suspended at any time without notice if the needs of the Department necessitate a work schedule shift, such as due to short staffing.

D. AWS Schedule:

1. Non-matrix employees shall work four days during the week, totaling 37.5 hours.
2. The shifts shall be as follows: three (3) days at 9.5 hours regular hours (10.5 with lunch), and one (1) day at 9.0 hours regular hours (10 with lunch).
3. The scheduling requirements of AWS schedules do not preclude the adjustments for special details permitted by State Police Overtime Guidelines.
4. With the exception of Motor Carrier Inspectors, employees working an AWS may not begin work earlier than 6:00 am and may not work later than 7:00 pm. Shifts scheduled between these hours shall be at the commander's discretion. For example:
5. During the week of a holiday, the employees shall return to their regular shift of 7.5 hours.
6. Any leave time taken (excluding suspensions and off-payrolls such as FML) or holidays during an AWS week shall be taken in hours, consistent with the AWS work schedule, such

as sick leave for 9 hours on a 9-hour AWS day.

7. It is the responsibility of each commander to ensure that this program is supervised appropriately. It is the responsibility of each Division and District Commander to find the best solution for program implementation for employees under their command.

8. Individuals within a section or unit that volunteer for this program shall be scheduled in such a manner that coverage is consistent throughout the week.

10. Employees that do volunteer for this program and determine that it is a hardship to continue, shall complete their current work week on the AWS prior to their return to a regular 7.5-hour day.

E. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies and procedures.