

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: FLEXTIME AND TELECOMMUTING

CATEGORY: HUMAN RESOURCES

Policy

The Idaho Department of Juvenile Corrections (IDJC) recognizes that flexibility in the workplace can be a way to promote general work efficiencies, meet departmental goals, and assist employees in balancing personal and professional responsibilities. It can also provide a way to manage people, time, space, and workload more effectively, efficiently, and responsively, including helping to decrease facility overhead costs and new hire relocation costs, improve the ability to recruit and retain valuable employees, and extend the hours of customer service.

Telecommuting and flexible assignments do not change the conditions of employment or required compliance with policies. The employee's compensation, benefits, and hours an employee is expected to work will not change as a result of telecommuting, regardless of the work location. All telecommuting and flexible work arrangements must conform to the overtime, record keeping, and provisions of the Fair Labor Standards Act (FLSA) and Idaho Labor Laws.

It is therefore the policy of the IDJC to provide flexible and alternative work arrangements and locations at the discretion of the Director and in accordance with Idaho Code, Division of Human Resource (DHR) rules, and other applicable state and federal laws and rules.

Operating Procedures

I. Flextime

A. An employee who wishes to request a flexible work schedule must submit a completed Flextime Application and Agreement (DJC 272) to their supervisor. The proposed schedule will maintain productivity, will not interfere with the required business operations, and will have an overall benefit to the IDJC and the individual.

B. Time Reporting

1. **Holiday Weeks.** Pay for employees on flextime will not be affected by holiday weeks. Employees will not receive more than 8 hours of holiday pay (HOL).
2. **Flex or compressed schedules** may be suspended during any week in which there is a holiday. Supervisors should make the necessary schedule adjustments during a holiday week to limit an employee's work and leave hours (not including the holiday) to 32 hours.
3. **Break or rest periods** cannot be forfeited to shorten the work day. Refer to Hours of Work and Rest Periods (349) policy and procedure for further guidance.

- C. Occasional/temporary changes to schedule for short periods of time up to two weeks do not require the DJC 272 form.
- D. Approvals/Modifications/Denials
 - 1. The supervisor must take into consideration the nature of the position and the obligations of the departmental unit, as well as the 24 hours per day operations of the institutions, and establish all work schedules appropriately.
 - 2. The immediate supervisor and the appropriate Division Administrator must both approve the request, which will then be forwarded to Human Resources to place in the employee's personnel file. A copy of the approved request will be given to the employee.
 - 3. Approvals are to be reviewed regularly, with no approval extending beyond one year without review by the supervisor.
 - 4. The employee will modify the flex schedule arrangements to meet business needs, e.g., attend meetings or activities in person where participation is essential to accomplish the work.
 - 5. Employees, supervisors and/or Division Administrators may modify or terminate a flextime schedule at any time with written notice. Ideally, a request should be given with at least seven business days' notice; however, due to work requirements, work performance, or abuse of schedule, the agreement may be terminated immediately.
 - 6. A request for flextime which is denied will be discussed with the employee.

II. Telecommuting

A. Eligibility/application

- 1. The telecommuting option is a job assignment not a benefit of employment, and no employee is entitled to telecommute simply by virtue of their employment with the state.
- 2. Telecommuting may not be suitable for all employees or for all job duties. For example, telecommuting is not suitable for receptionists or those employees in direct care positions. Employees who require on-going training or direct supervision, do not work well independently, or have performance/behavior issues are not suited for telecommuting.
- 3. Telecommuting is not intended to be used in place of sick leave, Family Medical Leave, Workers' Compensation leave, or any other type of leave. The IDJC may consider offering telecommuting as an opportunity for partial or full return to work based on IDJC policies, state and federal laws, and the criteria normally applied to decisions on telecommuting.
- 4. This policy does not address short-term periods involving telecommuting, such as working from home on occasion or on the road during business travel.
- 5. Interested employees must complete a Telecommuting Application and Agreement (DJC-082). Individuals requesting telecommuting arrangements

must be employed with the IDJC a minimum of 12 months of full-time, continuous, regular employment and have exhibited above average performance (Solid/Sustained or Exemplary), in accordance with the state's performance appraisal process. In certain circumstances, the Director may waive this requirement.

6. All state of Idaho employees are expected to work within the state of Idaho. If the IDJC has a need for an employee(s) to work outside of the state of Idaho, the IDJC must first have approvals from the Division of Financial Management and DHR before hiring or allowing an existing employee to regularly perform assigned duties from an out-of-state location.

B. Conditions and costs associated with the alternate work site

1. The conditions and costs associated with telecommuting will be discussed, mutually agreed upon, and detailed in the Telecommuting Application and Agreement (DJC-082).
2. The conditions include, but are not limited to:
 - a. The employee will maintain a safe and secure work environment and is responsible for any furnishings, maintenance, and costs associated with the alternate work site.
 - b. The employee will maintain the safety and security of any IDJC equipment and information used at the alternate work site.
 - c. The employee will conduct meaningful and productive work while at the alternate worksite, following all IDJC policies and adhering to the agreed-upon work schedule and assignments.
 - d. The employee will ensure they continue to meet performance standards related to Promoting Responsible Government, Professionalism, Customer Focus, and, if applicable, Leadership.
 - e. The employee will establish a working environment free from distraction and background noise.
 - f. The employee will modify telecommuting arrangements to meet business needs, such as attending meetings or activities in person where telecommuting is not optimal to accomplish the work.
 - g. The employee will not provide care to others at the alternate work site or engage in any non-work activities during the assigned work schedule.
 - h. The employee will immediately report to the supervisor any theft, breaches of security, changes to work schedule, or on-the-job accidents.
 - i. Any violations of the Telecommuting Application and Agreement (DJC-082) or IDJC policy may result in corrective or disciplinary action up to and including dismissal from employment.

C. Approval/denial

1. The employee should route the Telecommuting Application and Agreement (DJC-082) through the supervisor and Division Administrator for approvals. The supervisor and Division Administrator will review the DJC-082 form and discuss with the employee, reviewing the considerations outlined therein.
2. An approved DJC-082 form is submitted to the Human Resource Officer (HRO) for the Director's approval.
3. A DJC-082 form that is denied will be discussed with the employee.
4. The Director, or designee, has the sole authority to establish telecommuting arrangements. Consideration will be given to all reasonable requests; however, arrangements will be authorized only when in the best interests of the IDJC.
5. When the DJC-082 form is approved by all applicable authorities, including the Director, the employee and supervisor will have read the state DHR Telecommuting Policy, as well as the IDJC Flextime and Telecommuting (351) policy and procedure to ensure complete understanding of the conditions.
6. DJC-082 form must be fully signed off and approved at least 15 business days prior to the identified start date.

D. Duration/review/modification/termination

1. Telecommuting schedules may be for a specified number of hours or days per week. Working off-site should not normally be done more than three (3) days a week.
2. The approved DJC-082 will not extend beyond a period of one year; the agreement will be reviewed for renewal, alteration or dissolution by the signing parties annually.
3. The approved DJC-082 form may be modified by any signing party, after consideration of a written request of either the employee or the IDJC.
4. The employee and the IDJC agree and understand that the approved DJC-082 form may be terminated at the request of either party. The request must be made in written form and must provide, at a minimum, a 15 business day notice.
5. The Director can and may terminate the telecommuting agreement immediately due to urgent, unforeseen work requirements, abuse of schedule, misconduct, work performance or any other unforeseen circumstance or occurrence.
6. All equipment, records, materials, and supplies are to be returned to the supervisor in good condition within five (5) business days of termination of the telecommuting agreement.

Reference: [Glossary of Terms and Acronyms](#)
 U.S. Fair Labor Standards Act
 DHR Telecommuting Policy

Desk Manual(s): *None*

Related Policies: [Fair Labor Standards Act](#) (321)
 [Work Schedules](#) (348)
 [Hours of Work and Rest Breaks](#) (349)
 [Time Records and Reporting](#) (350)
 [Work-Related Employee Injury or Illness](#) (375)

Related Forms: [Telecommuting Application and Agreement](#) (DJC-082)
 [Flextime Application and Agreement](#) (DJC-272)