

Is there a business case for flexible working?

Experts have been debating the merits and demerits of flexible working for some years now. But as an employer, what are your liabilities? More importantly, what are the things you ought to keep in mind to make this strategy yield the best possible returns?



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At Godrej Industries, employees are offered a basket of flexible options to choose from such as flexi time, part-time work, work from home etc. The company says it has witnessed fall in the number of applications for sick leaves after it reworked its sick-leave policy and made it uncapped and trust-based. "When we first introduced flexible working policies for our team members, some supervisors were open to the new working options, while some others were apprehensive about the impact of these policies," says Sumit Mitra, head, group human resources and corporate services, **Godrej Industries and Associate Companies** (GILAC). "However, over time, we have seen that flexible policies, designed to accommodate individ-

ual needs, most definitely boost morale, creativity and productivity."

Like Godrej Industries, a host of companies such as Accenture, IBM and Motorola, offer need-based flexi-work options, including remote working. With technology available to enable flexi-workers to be connected, productive and accountable, the stigma attached to flexi-working has eroded to an extent. However, remote working remains synonymous with home working for many businesses leaving workers to set up their own workspaces and maintain them. A recent report by Regus finds that businesses do not realise that these makeshift offices could turn into a liability as the legislation of many countries states that employee safety is the employer's responsibility when they are carrying out work tasks regardless of location. In the UK, for instance,

firms are liable for any accident caused by the equipment it has supplied to a worker.

So while cloud applications, bring your own device and rising commuting costs are driving up demand for remote working, businesses need to evaluate the liabilities and risks involved before offering such policy. So what are the things employees should keep in mind before offering employees a flexible working arrangement?

"Data protection is very important in the implementation of any remote working policy, especially for the tech industry," says Avik Biswas, partner, **RDA Legal**. "It is important to ensure that the home system has enough infrastructure to protect data. The other issue to consider is insurance: whether it should extend to the home location. The third thing is to avoid discrimina-

tion. So ask yourself, who are you extending it to? Is it a uniform policy?"

In the absence of clear legal direction, most flexi-work arrangements in India Inc at this point are worked out based on agreements between the employer and employee. "So there can be instances where an employee says that the policy is discriminatory in nature. Since India does not have a culture of punitive damages, the risk for the employer is mitigated. However, there is no legal impediment to somebody actually claiming it. So the policy has to be uniform. And as far as possible it should not be at the discretion of the manager. But the moment discretion comes in there is possibility of discrimination. So the employment contract must clearly lay down the ground rules," adds Biswas.

Also, working from a remote location or on flexible timing entails creation of a professional space at home, which is an additional cost that most Indian firms are not willing to pay. "Our survey indicates that 72 per cent of the country's workforce that works from home or from remote locations has to finance their own workspace. What Indian employers need to address is the cost and safety aspects of working from out-of-office locations," says Harsh Lambah, country manager at **The Regus Group**.

Lambah contends that transferring the cost to the employee who avails of the flexibility option is not going to make them happy. When firms cannot offer professional working spaces at home, they might consider offering employees access to fully equipped workspaces close to home. This way, while offering a fully compliant environment for flexible workers, firms can save on the costs they would have otherwise incurred setting up fully functional offices, while enhancing overall productivity.

Once the basic guidelines are established, companies can focus on individual cases and tailor the arrangements according to needs of the employee and the demands of her job.

At **ZS Associates**, for example, all the employees

are provided with a company laptop and a monthly allowance for broadband connection along with one-time installation fees. The laptops are camera enabled and come with Cisco softphone installed for video calls. "This has been a welcome change for us. Five years back when we were evaluating technology, we were worried about the remote connectivity but now broadband connectivity can be taken for granted even in remote infrastructure. Since we handle support functions for our clients in Europe and the US, it means employees have to take calls later in the evenings. Remote working solutions mean employees can work from anywhere and don't have to stay late in office," says Chaitrali Singh, director, HR, **ZS Associates**.

Mahindra Comviva promotes flexi-work arrangements for employees based on work accountability rather than on work hours clocked. "Flexi-hours are targeted at core-working instead of exact coming-in and leaving hours, the total hours per week, however, have to be met. Work from home is treated equal to normal hours and, therefore, compensation and benefits remain unchanged. In cases where part-time working or project-based work is assigned for long duration, compensation, contract terms and conditions undergo a change based on mutual agreement," says Sandyp Bhattacharya, head, HR & SVP management services, **Mahindra Comviva**.

While drawing up the arrangement, most managers ensure it is fair to both the remote employee and company in question. Says Aditya Narayan Mishra, CEO, **CIEL HR Services**, "To address competing requests from other employees, organisations should be very clear what kind of profiles are allowed for remote working. For certain critical projects within the same office, remote working cannot be allowed. It is important how you frame the communication so that employee expectation is clear — whether it is for flexi time, attendance required and career growth. Set the expectation right."