Remote Work

What should be done if a remote worker becomes sick with COVID-19 and is required to be quarantined?

For employees who are nonexempt under the federal Fair Labor Standards Act (FLSA) and state wage and hour laws, employers are not required to compensate for any time not worked. However, it may be a best practice to provide some sort of compensation during this time.

Exempt employees, in contrast, if they work any part of a workweek, must be paid their salary for the full week. If an exempt employee does not work at all during a workweek, salary payment is not required. Employers may require employees to use PTO, sick or vacation time, as well.

However, state and local law may require paid sick time. Collective bargaining agreements, employment contracts or company policies may dictate other payment practices and should be considered.

An employer should take steps to make the remote worker feel supported as a valued member of the greater team.

What should be included in a remote work policy?

Implementing a telecommuting policy and agreement communicates employer expectations in a clear and consistent manner to remote workers. A workplace policy should address:

- The process for making remote working requests;

- Equipment and supplies;

- Safety concerns;

- Wage and hour issues, particularly regarding nonexempt employees; and

- Duration of arrangements.

  Supervisors should be trained on the particular challenges that arise when managing a remote team.

May an employer encourage employees to work remotely in an effort to control transmission?

Yes. The Equal Employment Opportunity Commission (EEOC) has stated that remote work is one strategy to control transmission of the coronavirus. Employees with disabilities that put them at high risk for complications associated with COVID-19 may request to work remotely as a reasonable accommodation to reduce chances of infection.

An employer should follow best practices when engaging in flexible working arrangements. Consider implementing a telecommuting policy and agreement to ensure that employer expectations during this time are clear.

How does a company safeguard equipment and data security when it is taken home by employees?

Mobility often requires employees to have remote access to a company's intellectual property, unique processes, client information and other confidential business information that have allowed the business to grow and thrive. An employer should take steps to protect the information in order to ensure the information is not used by others to the detriment of the business.

A telecommuting policy and agreement should address equipment and supplies expectations, as well as the return of the employer's materials. A nondisclosure agreement with the remote worker may be advisable.

What are some of the challenges to employee engagement and productivity when working from home?

Employees who telework face challenges to maintaining engagement and connection with their organizations. This can be especially true in situations, like the coronavirus COVID-19 pandemic, when employees may be required to work from home suddenly for an extended period.

Challenges include:

- **Isolation** - It is easier for an employee to feel connected and part of a team when they are in the office and can share ideas quickly and easily every day. Individuals working remotely have fewer interactions with coworkers and must plan more in order to connect and collaborate.

- **Distractions** - The home environment provides ample opportunities for distraction, from television to pets to unlimited snacks in the refrigerator. If family members also are home (e.g., the children are out of school), that can add an additional layer of potential disruption to work.

- **Work/life balance** - It is very easy for individuals working from home to tie themselves to their desks, continually check email or work on projects at all hours of the day, blurring the lines between work and home life.

- **Visibility** - "Out of sight, out of mind" is a maxim that encapsulates a fear of those teleworking. Employees may perceive a lack of support from their organization or their supervisor, and may fear the loss of opportunities to work on key projects or to be considered for a special assignment or promotion.

  Awareness of these challenges can help employers prepare and take steps to minimize the impact of these challenges on employees' engagement and productivity.

How can managers keep teleworkers engaged?

When employees regularly work from home or other locations away from the office, they may feel disconnected from their coworkers and the organization. Recent research shows that actively working with a team is a key factor for promoting employee engagement. Managers and supervisors can help employees who work remotely remain engaged by:

- Increasing the amount of communication generally;

- Holding regularly scheduled calls and meetings more frequently;

- Providing socialization time before starting meetings (e.g., asking how people are doing and about their activities outside of work);

- Using appropriate collaborative technology to facilitate group work; and

- Assigning projects that require collaboration and teamwork.

What can an employer do to discourage employees from transferring company data to personal email accounts or cloud storage accounts (e.g., Apple iCloud, Google Drive) while working remotely?

Encourage employees who are able to take a work computer or laptop home to download a copy of the information needed onto the computer or laptop. If the employee is unable to take a computer or laptop home with them, speak to the supervisor or IT support about access options, including a loaner laptop or access through a secure method to company-hosted email.

What guidance can an employer give to employees working remotely about protecting and destroying work documents?

While employees may be tempted to print and take documents home for review, it may lead to the loss or misplacement of confidential or sensitive company information. Employers should encourage employees to use online capabilities to view documents online, if possible. If an employee must print work-related documents, advise them to print selectively and safeguard them. Employees should also either bring them back to work for secure destruction or seek other ways for proper destruction.

What guidance can an employer provide employees on setting up a safe and comfortable workstation at home?

Employees should be encouraged to make their workstation as ergonomic as possible to reduce injury. For example, employees should sit with a balanced head and wrist position, shoulders relaxed and feet flat on the floor or footrest. Employees should have adequate lower back support and a computer screen at a comfortable height.

Also, regular breaks should also be encouraged throughout the day for a variety of reasons. For instance, taking even a microbreak of two minutes can help avoid mental and physical fatigue, lower risks of aches and pains and increase blood and oxygen circulation. Employees may take a walk around the block, grab a snack or do some stretches. Employees should feel able to take breaks without fear of judgment or reprisal.

Source: Reed Business - XpertHR