REMOTE WORK

MANAGEMENT GUIDE

WHAT'S INSIDE

Remote work has been an attractive strategy for employers to respond to changing business needs and to demonstrate a commitment to employee work-life balance.

Remote and hybrid work helps companies reap benefits including:

- Reduced real estate costs
- Decreased employee recruitment and training costs
- Improved employee effectiveness and engagement
- Enhanced business continuity capabilities

It is essential that managers effectively identify positions and employee characteristics that are most suitable for remote work, understand federal employment regulations involved in remote working, and implement a plan to keep remote and hybrid workers engaged.

POSITIONS SUITABLE FOR REMOTE OR HYBRID WORK

Many positions are suitable for remote and hybrid work:

- Positions where most work involves electronic transmission of information where there is no risk of breaching client privacy/confidentiality
- Positions that require minimal supervision or have limited face-to-face contact with clients at the employee's worksite

But some may not be suitable:

- Location-specific jobs where duties must be perfomed onsite, such as a receptionist who needs to be available to greet customers or support the day-to-day needs of office employees
- Trainee or intern positions where onsite training may be helpful and direct supervision is necessary

CHARACTERISTICS OF A SUCCESSFUL REMOTE OR HYBRID WORKER

Employees who work in an eligible position and demonstrate the following qualities typically make the best remote or hybrid workers.

General

- Strong organizational and time management skills
- Solid written and verbal communication skills
- Self-starter with a good degree of self-discipline
- Able to work with limited supervision
- Able to establish work-life boundaries
- Home environment or remote workspace that is supportive and free from distractions

Performance

- Successful completion of any remote work training period
- Strong performance record and knowledge of their position

Technology

- Able to use remote work equipment effectively for communication and job duties (phone, email, instant messaging, videoconferencing)
- Resourceful when facing technology issues

CHARACTERISTICS OF AN EFFECTIVE MANAGER

Success for a remote or hybrid team starts from the top with an effective manager who understands how best to communicate and engage employees.

Communication

- Clearly identifies and communicates workplans, goals, and desired outcomes
- Communicates effectively verbally and in writing
- Addresses issues appropriately and in a timely manner
- Acknowledges and celebrates employee achievements
- Demonstrates flexibility
- Prefers proactive strategies to reactive responses

Performance

- Uses performance metrics, rather than direct oversight, to manage
- Demonstrates comfort with providing feedback on a consistent basis
- Encourages professional development
- Provides equipment and resources, such as necessary technology, required to succeed

TIPS FOR EFFECTIVE MANAGEMENT OF REMOTE AND HYBRID WORKERS

A successful supervisor will set clear expectations and manage based on an employee's performance. Communication, technology, training, and planning can also help managers ensure their workforce is engaged and productive.

Be Prepared

- Familiarize yourself with the company's remote or hybrid work policy
- Understand the selection methods used for determining if an employee is suited for remote or hybrid worker, and be able to explain this information to employees
- Test drive remote work equipment before "going live"
- Be prepared for IT issues and develop contingency plans
- Design a remote work orientation and training process
- Develop a checklist of supplies provided to remote and hybrid workers
- Review federal regulations that interact with remote work

Discuss Items with New Remote Workers

- The company's remote and hybrid policy and agreement
- Rules to use company remote work equipment
- How to handle routine maintenance or troubleshooting of equipment
- Preferred contact method
- Rules for notifying manager or IT regarding equipment issues or damage
- Expectations regarding hours worked
- How to handle unscheduled overtime
- How often remote workers are expected to check in with the office
- If/when/how often employee is expected to be present in the office

Keep Remote Workers Engaged

- Recognize that characteristics of an effective remote or hybrid worker (self-motivated, works well alone) can also subject the employee to feeling isolated
- Assign a more experienced remote worker to serve as the employee's mentor to create a support system
- Include remote workers in team meetings and in office celebrations by coordinating for them to be onsite or through technology
- Recognize that remote workers may not get the same information onsite employees do and check in often
- Establish a schedule for face-to-face contact, but be flexible

Stay Connected with Technology

- Collaborative platforms for calls and messaging (Zoom, Teams, Slack, GoToMeeting)
- Company intranet, shared drives, and VPNs
- Instant messaging (Teams, Slack, Google Chat)
- Phone calls

FEDERAL EMPLOYMENT LAWS TO KNOW

QUICK GUIDE

- Fair Labor Standards Act (FLSA)
- Occupational Safety and Health Act (OSHA)
- Workers' Compensation (WC)

- Americans with Disabilities Act (ADA)
- Family and Medical Leave Act (FMLA)
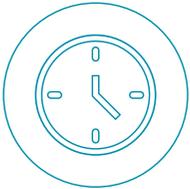
Fair Labor Standards Act (FLSA)

The FLSA establishes overtime rules and recordkeeping standards regarding hours worked.

- The term "hours worked" includes all time during which an employee is required or allowed to perform work for the employer, regardless of where the work is done
- There are a few challenges that can arise for managers of remote workers, including:
  - Reporting and monitoring of hours
    - √ Require sign in using a timesheet or electronic timekeeping service
  - Working off the clock
    - √ Communicate that remote workers who do not record their time worked accurately risk having remote work privileges revoked
  - Pre-approval of overtime
    - √ Communicate any company policies regarding pre-approval of overtime

Occupational Safety and Health Act (OSHA)

OSHA requires employers to provide workplaces free from known hazards and record workplace injuries.

- OSHA requires that workplace injuries, including those that happen at a home office be recorded by the employer
- OSHA does not require inspections of remote workers' homes
  - OSHA will not conduct inspections of home offices nor hold employers liable for their employees' home offices
  - If OSHA were to receive a complaint about a home office, the complainant will be advised of this policy
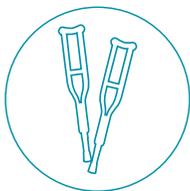
Worker's Compensation (WC)

Worker's Compensation provides compensation to employees who develop an injury or illness during employment.

- Determining whether a remote worker's injury/illness is covered under WC is challenging because it must be determined if the injury was a result of a home office workplace or a residential situation
- Injuries or illness that an employee may consider work-related (including slips or falls) should be reported to the supervisor immediately, regardless of the location where it occurred
- Managers should report these injuries to HR as quickly as possible, within 24 hours
- It is not the manager's or HR's role to determine if the injury is work-related. This decision is made by the WC carrier

Americans with Disabilities Act (ADA)

The ADA requires employers with 15 or more employees to provide reasonable accommodation for employees with disabilities.

- While remote work may be considered a reasonable accommodation in some situations, employers are not required to provide remote work as an accommodation
  - o Employer may consider regular job duties, employee eligibility and available technology when determining if remote work is a suitable reasonable accommodation for the situation

Family and Medical Leave Act (FMLA)

The FMLA is a federal law that provides eligible employees of qualified employers with job-protected leave for the employee's serious health condition or to care for a family member with a serious health condition.

- Remote work is an option when an employee is on approved FMLA leave as indicated by their physician. Remote work usually has to be approved in a separate process from an FMLA approval
- Remote workers are still eligible for parental leave, in accordance with company policies

DISCUSSION QUESTIONS

Q Dora has worked for ABC Company for eight months and has been on a performance improvement plan for two months due to tardiness issues. She is requesting to start a remote schedule so that she can avoid traffic issues which would solve her tardiness. Would you approve or deny her request to work remotely?

Answer

Dora's request for remote work could be denied due to her current performance record.

Q Martha is a regular remote worker who is on an approved FMLA leave for her condition. According to the medical certification, she is incapacitated due to a recent knee replacement surgery and her doctor expects her leave to last through December 1. On November 20, you receive an email from Martha that indicates she is working remotely. Is this permitted under the FMLA?

Answer

No. If Martha believes she is fit to return to work, she must have the health care provider who initially completed the medical certification update the form accordingly.

Q During a conference call while working from his home office, Joe had gotten up to run to the kitchen and slid on a banana peel which caused him to fall and land on his back. Is this injury covered by workers' compensation?

Answer

It is not your job to determine this and it should be reported to HR immediately so that a decision can be made by the WC carrier.

Q Rob is a new employee with XYZ Company in Arlington, but he'll be working remotely for the first time ever as he lives in New York. What are some things you can do to make sure he still feels like part of the team through his first weeks at work?

Answer

The possibilities are endless, but a few ideas include:

- Videoconference with the team on Rob's first day
- Assign a mentor for Rob
- Develop a communication plan for Rob so he knows how often and which methods are best for check in