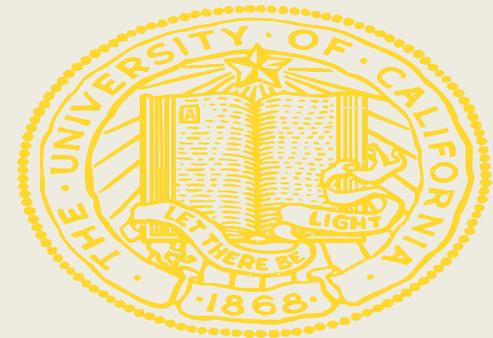


Making Telecommuting Work

Guidance for Supervisors and Managers



“Telecommuting” allows employees to work in offices located off-site and within employees’ homes. It is becoming more popular as organizations look for ways to provide for business continuity, eco-friendliness, and building/space management.

20 million to 30 million Americans work from home at least one day a week, [Global Workplace Analytics and the Telework Research Network](#).

To make telecommuting successful, managers must:

- **Learn how to identify the positions and the employees who are most suitable for telecommuting.**
- **Understand federal employment laws that apply to telecommuting arrangements.**

After this session, you will be able to:

- **Identify the types of positions suitable for telecommuting.**
- **Describe the characteristics an employee must have to be a successful telecommuter.**
- **Keep telecommuters informed and included in their workgroup and UCOP.**
- **List at least 5 tips for the effective management of telecommuters.**
- **Identify employment laws affecting telecommuters.**

What positions are suitable for telecommuting?

➤ Job Characteristics:

- The majority of the work involves the electronic transmission of information may be suitable if data, privacy or confidentiality are not at risk.
- Minimal supervision requirements.
- Limited face-to-face contact with customers or clients.

➤ Case-by-Case Considerations:

- Light-duty assignments
- Americans with Disabilities Act (ADA)
- Religious accommodation requests

➤ Location-Specific Purpose – likely not suitable for telecommuting:

- Service desk
- Executive assistant

Note: A position's suitability does not guarantee that the employee is suitable for telecommuting.

Characteristics of a Successful Telecommuter

- Excellent time management skills
- Self-motivated/self-starter
- Strong written and verbal communication skills
- Works well with limited supervision
- Strong performance record and job knowledge
- Successfully completed their training phase
- Technically savvy enough to work effectively remotely
- Supportive home environment free from household distractions



Case Study 1

Consider whether you would approve or deny the following telecommuting request. Why?

Maria has been with UCOP 9 months. For the past 2 months, she has been on a performance improvement plan due to tardiness issues. She is requesting that she start telecommuting so that she can be home to ensure her kids get on the school bus on time. She believes that telecommuting would solve her tardiness issues.

Case Study 2

James has been with UCOP for 3 years in the role of Applications Programmer 4 (exempt). He has consistently received performance ratings of meets or exceeds expectations. He has asked to be able to telecommute two days per week to allow him to focus on projects for the campus clients. He is able to check in with clients via e-mail, phone, and Skype as required. He believes the offsite location will position him to provide his clients with better, faster service.

Major Employment Laws that Apply to Telecommuters

- **FLSA – Wage and hour compliance**
- **OSHA – Workplace safety**
- **WC – Workers' compensation**
- **ADA – Americans with Disabilities Act**
- **FMLA – Family Medical Leave Act**

The Fair Labor Standards Act (FLSA) applies to telecommuters under the concept of Place of Work.

Exempt employees report time worked in increments of 8 hours, and are paid a monthly salary, with no overtime

Non-exempt employees report time worked in ¼ hour increments, are paid based on hours worked, and are eligible for overtime

Because of wage and hour compliance issues, telecommuting agreements are not advised for non-exempt employees. Challenges include:

- **Reporting and monitoring of hours**
- **“Working off the clock”**
- **Pre-approval of overtime**

Occupational Safety and Health Administration (OSHA)

- **OSHA is a federal agency that requires employers to provide workplaces free from known hazards.**
- **Recording of workplace injuries, including those in home offices, applies to telecommuters.**
- **OSHA will not conduct inspections of employees' home offices.**
- **Per OP telecommuting agreement, employees agree to maintain a safe and secure work environment.**

Workers' Compensation (WC)

- **Workers' Compensation is a medical payment and wage replacement benefit law that provides employees compensation when they sustain an injury or develop an illness during the course of employment.**
- **Employees must report immediately to supervisors an injury or illness they consider work-related, including slips and falls, regardless of whether it occurred on UC premises or a home office.**
- **OP supervisors must report the injuries to Nina Chew in Local HR within 24 hours (Nina.Chew@ucop.edu).**
 - **Information and forms are on the web: <http://www.ucop.edu/local-human-resources/op-life/leaves-of-absence/when-injury-occurs-supervisor.html>**

Americans with Disabilities Act (ADA)

- **The Americans with Disabilities Act is a federal law that requires employers with 15+ employees to provide reasonable accommodation for employees with disabilities.**
- **A “reasonable accommodation” is any change in the work environment or in the way things are customarily done that enables the individual with a disability to apply for a job, perform a job, or gain equal access to the benefits and privileges of a job.**
- **Telecommuting may be considered a reasonable accommodation under the ADA.**

Family Medical Leave Act (FMLA)

- **The Family Medical Leave Act is a federal law entitling employees to job-protected and unpaid leave for qualified medical and family reasons. FMLA applies to telecommuters.**
- **Telecommuting is not an option when employees are incapacitated with a “serious health condition” and are on approved leave until released by their treating physician.**
- **Telecommuting is not a substitute for child care when the family member is not covered under the FMLA.**
- **Coordinate all FMLA requests through the supervisor and Nina Chew in Local HR (Nina.Chew@ucop.edu).**

Keeping Telecommuters Informed and Involved

- Traditional modes of communication, dependent upon face-to-face interaction, need to be supplemented so telecommuters do not feel forgotten when they are off-site.
- You may want to assign a more experienced telecommuter to serve as a “mentor.”
- Include telecommuters in office celebrations, make arrangements for them to be on-site or use technology (e.g. audio or video conferencing).



Keeping Telecommuters Informed and Involved (continued)

- **Provide telecommuters an orientation including:**
 - **Review of telecommuting procedures**
 - **Use of available equipment and tools**
 - **Routine maintenance and troubleshooting of equipment**
 - **Management's preferred contact method**
 - **Expectations for communicating project deadlines and deliverables**

- **Establish a clear understanding of:**
 - **How often telecommuters will “check in” with the office, i.e. phone and e-mail**
 - **When and how often telecommuters are expected in the office**

Safe and Secure Work Environment

- **The employee is responsible for maintaining a safe and secure work environment.**
- **The off-site workspace should be arranged in an ergonomically sound manner.**
 - **Environment Health and Safety (EH&S) available to provide guidance**
 - **May conduct virtual evaluations if employees are working remotely more than 50 percent time**
- **The employee is responsible for setting up furniture for the offsite workspace (desk, chairs, etc.).**

Tips for Effective Management of Telecommuters

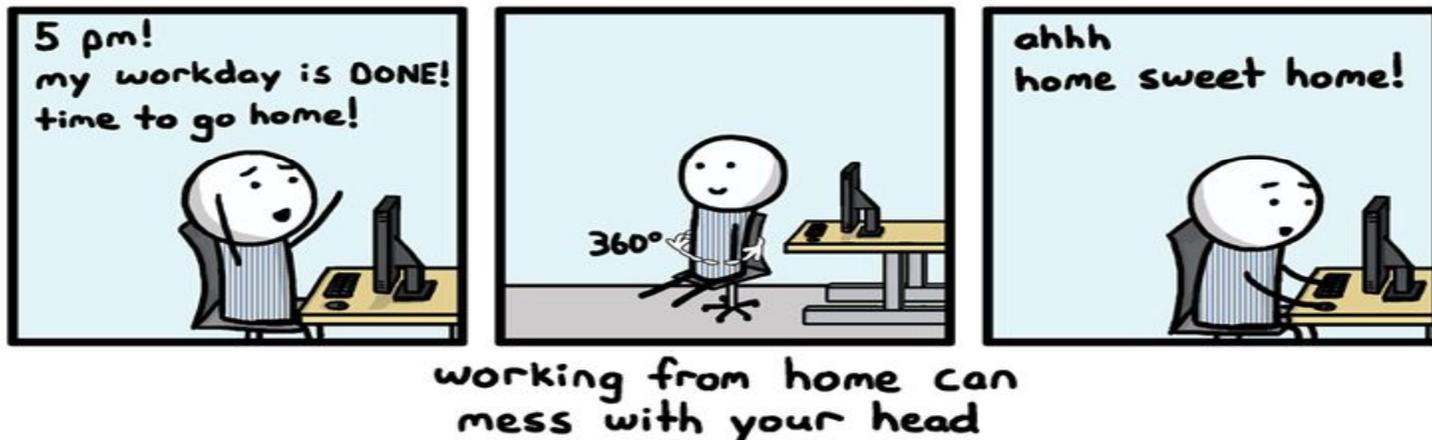
- **Understand telecommuting procedures and the selection methods used.**
- **Have employees test-drive any equipment or tools before “going live.”**
- **Plan for technology issues and develop contingency plans.**
- **Clearly define and enforce your expectations:**
 - **Your preferred contact method.**
 - **Reporting personal injuries or damage to equipment.**
 - **Emphasize the need to be flexible.**
- **Develop ways to keep telecommuters informed, integrated and able to collaborate with on-site employees and management.**
- **Communicate, communicate, communicate.**

Tips for the Telecommuting Employee



Summary

- Not all positions, situations, or individuals are suitable for telecommuting.
- Federal employment laws apply to telecommuters: FLSA, Workers' Compensation, OSHA, ADA, and FMLA.
- Managers need to keep telecommuters informed and feeling part of their workgroup within ITS and UCOP.
- Managers must set clear expectations of off-site employees.



OP Local Human Resources

- **Consult with your HR Business Partner for guidance, tools and resources**

<http://www.ucop.edu/local-human-resources/staff-contacts/find-hr-business-partner.html>