

WORK FROM HOME FAQs

We've heard the tough questions before, and can provide some answers!



Does Workers' Comp apply to teleworkers? Yes, workers' comp applies to the person not the place.



How can I as the employer mitigate liability issues for the home work place? Ask employees to provide their work hours and identify where in the house they are working, as a start.



What are the current ergonomic standards for a home office? What does OSHA require – if anything? Do we need to conduct home-office inspections? OSHA suggests that employers provide easy to understand guidance on ergonomics. Home inspections are strongly discouraged.



Is teleworking a substitute for child or elder care? No, a teleworker must focus on his or her job, not handle demanding child or elder-care situations. However, due to their flexibility, teleworkers are better able to manage their work /family schedules. There are exceptions such as when elder care involves minimal distraction.



Some local jurisdictions have laws prohibiting home-based businesses – does this apply to teleworking? Mostly no, unless an employee's work activity includes nuisance activities that the bans apply to, like receiving an extraordinary number of deliveries each day.



Why can't we simply continue to offer teleworking informally? Allowing supervisors and staff to decide when, where and how often? We could launch this immediately – everyone knows how to work from home – no need for training. Informal programs lead to misunderstandings at best, legal liability at worst. An official policy protects the employer, along with advance agreements with teleworkers.



Can employees deduct home office expenses from their taxes? No.

We can provide more detail about any of these questions, or answer any that aren't on this list! Contact us at info@SmartCommuteMetroNorth.org, or find more information: SmartCommuteMetroNorth.org/teleworking



Can employees be reimbursed for purchasing home office supplies? This is up to the employer to decide, but once a decision is made, document it in the teleworking policy.



What happens when an employee has employer property at their home office and that person is fired or leaves without notice? What is my legal recourse for retrieval? It might be easiest to count it as a loss. A policy should define what is required, but retrieval will involve the sheriff. Never withhold a final paycheck!



Does an employee's home insurance policy cover third-party meetings at their home if there is an injury? No. Employers should require that third-party meetings happen in the office or in a public place.



What do labor unions think about teleworking? If it benefits the employee and the employer addresses the impact it will have on office workers, they support it. Beware of pitching "productivity increases."



Does an "equitable offering" mean that everyone can telework? Can I exclude employees who have small living spaces where they can't create an office at home? An employer needs a clear criterion in policy as to who is eligible. Not all positions are compatible with remote work, nor are all employees. Regarding home environment, the concern is often about distractions at home or working in non-ergonomic set ups, both of which have simple solutions most of the time.



Why did Yahoo abandon their telework program? The most famous decision Marissa Mayer made as Yahoo CEO was to eliminate remote work. She did this in order to facilitate "impromptu interactions." However, with a balanced telework policy (two days remote, three days in the office), along with intentional communications, employers reap the benefits of work-life balance as well as collaboration, which was Marissa Mayer's primary concern.

Now, for the *easy* answers, check out our **Teleworking Page**:
smartcommutemetronorth.org/teleworking/

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