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Three-Step Telework Tune-Up

Starting with the Blackberry...and now with iPhones, tablets, laptops, Surface Pros, flash drives, Skype and a wide variety of other technology, today's work environment often is not limited to 9 to 5 or bound by four walls. Instead, work can happen *anytime* and *anywhere*. In fact, customers may expect it and business needs may demand it. As a result, many employees work remotely from time to time, taking a phone call from the car, answering emails from the coffee shop or handling pressing matters from the sideline of their kid's soccer game. While "telework" may sometimes include this type of incidental remote work, more often "telework" arises as part of a formal arrangement in which the company allows the employee to regularly perform work from home or other approved alternative work site, for all or part of the work week, for a specified period of time or permanently.

Telework continues to speed into the mainstream, driven by technology advances, recruitment and retention expectations, and overhead expense savings. An effective telework policy (<http://www.stradley.com/insights/publications/2014/06/newsflash-successful-telecommuters>) is a strong start. To keep telework arrangements on track, however, remember to schedule some routine maintenance following this checklist.

□ Check for Leaks

Consult with information technology professionals to confirm remote work electronic equipment (e.g., laptops, smartphones, tablets, etc.) meets company-wide information security standards. Ideally, remote workers should use company-provided electronic equipment, not their own. Any equipment used for remote work should be subject to regular security updates by information technology professionals, and the company should establish the ability to remotely wipe data from lost or stolen devices. Likewise, remote workers should be reminded of the need to maintain the security of both paper documents and information technology resources, including the need to shred confidential documents, install regular electronic security updates, physically secure electronic equipment, report lost or stolen equipment to the company immediately, and avoid using public Wi-Fi.

□ Kick the Tires

Speak with supervisors and teleworkers to confirm telework arrangements are not slowly deflating. Is the teleworker still a strong contributor to the work product? Available during scheduled work hours? Engaged with the team and clients? If exempt from overtime, is the teleworker still performing the higher-level and/or supervisory duties that support overtime-exempt status? If the answer to any of these questions is "no," consider whether appropriate course corrections will address the concern (e.g., including teleworkers in team meetings via videoconference or required in-person attendance, enforcing time and attendance policies, identifying additional projects most suitable for telework, etc.) before revoking the telework arrangement completely.

□ **Pump the Brakes**

Check in with the company’s tax, human resources and compliance professionals to confirm that each telework arrangement remains compliant with current law. For example, if the teleworker is based in a location out of state, have tax professionals reviewed whether the company is required to register to do business and withhold payroll taxes in that state? Are there any new sick leave or other employment laws at the remote work location applicable to the employee? Is the employee still appropriately classified as either exempt or nonexempt from overtime based on the telework duties actually being performed? Is the remote work location identified at the outset

of the telework arrangement still the same, and do teleworkers know they must report any injuries to the company immediately? Are telework arrangements approved or denied regardless of sex or other protected classification, and are they used effectively when necessary to reasonably accommodate an eligible employee with a disability? Have remote workers completed all necessary compliance training?

Telework arrangements prove successful for many businesses. Once an effective telework policy is in place, schedule routine maintenance to keep the telework arrangement working for your business.

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