IT'S 10AM, DO YOU KNOW WHERE YOUR EMPLOYEES ARE?

EMPLOYERS' CONSIDERATIONS OF REMOTE WORK

parma

THE
Sweet Success
OF RISK MANAGEMENT
PARMA ANNUAL CONFERENCE
FEBRUARY 7-10, 2023
SACRAMENTO CONVENTION CENTER

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S P E A K E R S
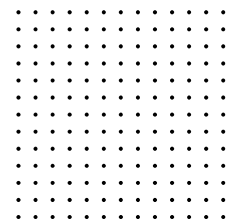
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Takeaways

Understand various implications of Remote Work

Better management of Remote Work staff

Potentially mitigate legal pitfalls of Remote Work practices

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Poll Question?

- What is your agency's current remote work policy?

- How many days per week may an employee be fully remote?

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Considerations for Remote Work!

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Organizational Fit - Essential vs. Non-Essential Personnel
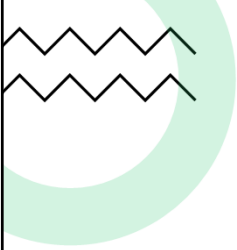
Policy & I-9 Verification

Job descriptions

Safety & Security

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Poll Question?

- Am I obligated to send required notices to my remote employees even if they are posted at our worksite?
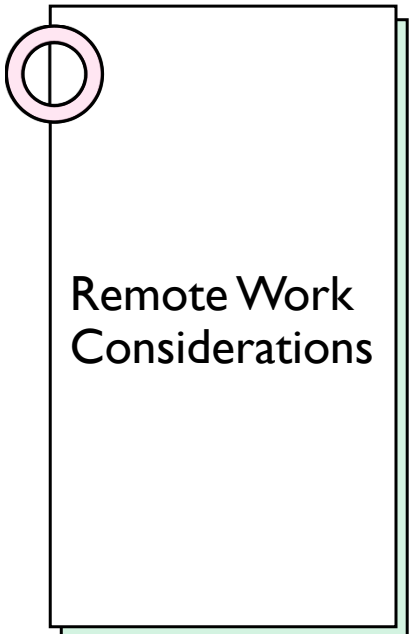
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EQUIPMENT AND TECHNOLOGY

RISK MANAGEMENT PERSPECTIVE
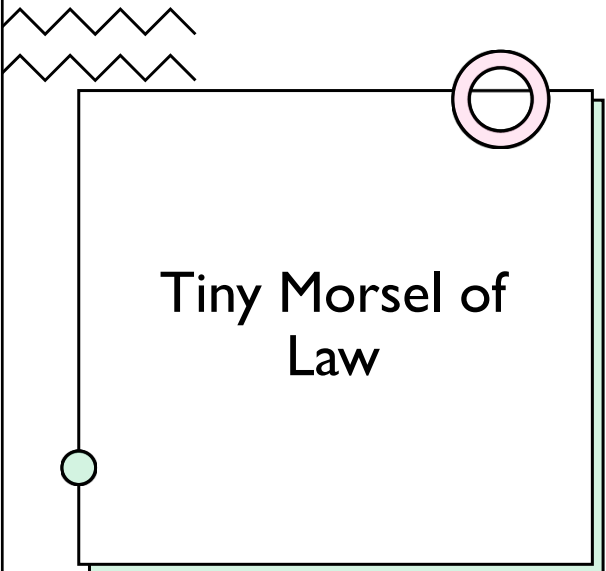
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Remote Work Considerations

Remote workspace is adequate to allow for effective & efficient work with reliable telephonic/internet connectivity.

Identify the responsibility of liability for loss, theft or damage to equipment.

Evaluate the method of connecting to an entity's network infrastructure.

Are remote workers allowed to use their personal equipment?

Office supplies.

Reasonable accommodation equipment.

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Tiny Morsel of Law

- Labor Code 2802 states that an employer shall indemnify his or her employees for all necessary expenditures or losses incurred by the employee in direct consequence of the discharge of their duties.

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CYBER SECURITY

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Ergonomics

RISK MANAGEMENT PERSPECTIVE

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Workspace Ergonomics

In any environment, ensure employees practice good ergonomics.

Identify if remote workers are responsible for absorbing any costs related to remodeling and initial set-up of the workspace.

Remote workers and their supervisors should complete ergonomics training that includes self-adjustments to equipment.

Have remote workers complete a remote workspace ergo assessment and reviewed by their supervisor.

During performance evaluation periodic check-ins ask a remote worker about their workstation.

A supervisor must know when to ask for a third-party remote workspace ergonomic evaluation.

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WAGE, HOUR AND EXPENSES

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Wage & Hour Considerations

Non Exempt workers should have a daily schedule to avoid accumulating 40 hours of work

All work performed must be counted towards the 40 hours.

Use of cellphones to track time worked. Supervisors should be aware of when they are contacting employees.

Weigh the reasonable accommodation equipment against a possible WC or ADA claim.

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MANAGING REMOTE WORK

HUMAN RESOURCE PERSPECTIVE

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Communication

- Method of communicating (Phone, email, text, zoom etc.)
- Create agendas for meetings
- Clear goals, deadlines and expectations
- Feedback
- Do Not Micromanage!!! But be attentive to burnout
- Consider "Social"

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REMOTE WORK POLICY

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Checklist for Remote Work Policy

- Compliance
- Work schedule and required times of availability
- Procedures guidelines for checking in and best contact method
- Participation in regularly scheduled meetings
- How expenses will be handled and any employee documentation requirements
- Employer provided equipment and rights to control and monitor such equipment
- Security, privacy and confidentiality
- Maintaining a safe work environment

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In Closing

Questions

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Managing Remote Worker Tips

To ensure efficiency whether transitioning current employees to remote work or hiring new employees for remote work, here are a few helpful tips that will aid in the process.

Onboarding remote employees

- **Send new hires IT hardware and manuals.** Order computers and other hardware remote workers need well ahead of their start date. Confirm they have received all necessary equipment for their work and ensure the IT department is available to assist with set up if necessary. Make sure new remote workers have the following to get started:
    - Laptop
    - Mouse
    - Keyboard
- **Help new remote employees complete HR paperwork.** Having your new hires sign employment contracts and other legal documents can be time-consuming if they need to print, scan, and email all copies or send them via mail. Consider using an e-signature tool, like HelloSign or DocuSign, so that employees can add their signatures digitally and share contracts with you in a secure environment.
- **Get them up to speed on your company culture.** Remote employees are part of your culture, despite not being in the office. To help them understand the culture, share:
    - Your employee handbook or policy manual in digital format
    - Any presentations or literature on your company values
    - Pictures and videos from all-hands meetings
- **Ensure new hires understand how to use your communication tools.** Describe the best ways to contact team members and how to troubleshoot communication technology. Also, if relevant, provide manuals on how to set up:
    - Company email
    - Group messaging tool
    - Video conference software
    - Web phone application
- **Prompt hiring managers to set specific goals and expectations.** Remote workers should not wait until their manager is online to learn what their next tasks are. Make sure hiring managers:
    - Develop and share a task calendar after new hires' training and onboarding sessions
    - Define short-term and long-term goals
    - Schedule weekly one-on-one meetings to discuss upcoming projects, progress and resolve potential issues
- **Set up meetings with their team members and other key employees.** These meetings could be one-on-one and/or group calls. During their first days, remote employees should meet with:
    - Their coworkers
    - Their manager and direct reports
    - Employees from other departments they will work closely with
- **Arrange role-specific training.** It is often challenging to train remote employees, as real-time communication is usually limited. To effectively train remote workers:
    - Use interactive training courses that are user-friendly and include games and quizzes to boost engagement
    - Record product demos to better explain features through video

- o   Follow up after each training session to answer questions
- **Arrange training with your IT department.** Remote workers should get familiar with:
  - o   File-sharing applications and cloud backup software (like Google Drive, Dropbox, Carbonite)
  - o   Computer security (for example, how to lock laptops and install anti-virus software)
  - o   Password management and data encryption tools to pro

<u>**Current employee remote work onboarding**</u>

Equipment and Technology:

- Inventory necessary equipment employees will need to perform job remotely (e.g., laptops, docking stations, monitors, phones, printers, office supplies).
- Assess adequacy of IT support to assist employees working remotely
- Address security, privacy and confidentiality concerns and protocols

Preparedness:

- Have employees prepare to begin remote work at a moment's notice. For example, ask employees to bring home any necessary materials at the end of the day in case the need for remote work should arise (e.g., laptop, working documents)
- Take time now to digitize any relevant physical documents to make remote working easier
- If allowed, have employees screenshot any physical calendars, sticky notes, whiteboards, or other physical documentation they may need.

Effectively Managing Remote Workers:

There are several steps you can take to ensure that the remote work time (whether temporary or permanent) goes well for your workers and for your organization.

- Designated daily or weekly communication type and method
  - o   Communications platform that all workers will be required to participate in for group meetings. It could be through a phone conference, email, instant messaging, Slack, Go to Meeting, Zoom, and/or some other designated tool.
  - o   Create agendas for team meetings as well as minute meetings to help solidify communications.
- Have each manager explain their preferred method of communication. Don't rely too heavily on email or text. Call your employees or schedule video conferences.
  - o   Provide clear goals, project deadlines and expectations.
  - o   Provide feedback.
  - o   Do not micromanage – if you don't do it while they are in the office, don't do it while remote. Track overall productivity and goals instead of minute-by-minute activity.
  - o   Watch for overwork, as there is less of a clear boundary between work and home. Manage burnout and stress and use overtime policies requiring prior approval of overtime for non-exempt employees.
  - o   Consider digital "social" time now and again – you can play a game at the end of the meeting, do some stretching, or send everyone a muffin basket before the morning meeting starts.

How to manage struggling remote workers

Keep in mind, remote work may not be for everyone... while monitoring employee productivity you may discover an underperforming employee that is struggling. Again, communication is ESPECIALLY important! Here are some considerations that may help with a resolution:

- Tackle issues as they arise/happen
- Identify root of underperformance
- Set clear targets
- Monitor progress
- Do not be afraid to dismiss

Checklist for a Remote Work Policy:

The following are some key elements of any remote work policy:

- Need to comply with all employer policies, practices, and instructions.
- The work schedule and required times of availability, including meal and rest breaks (for non-exempt). Prohibit off-the-clock work and overtime without prior approval.
- Procedures and policy for checking in and best contact method.
- Participation in regularly scheduled meetings.
- How communication with staff will be handled.
- How meetings with customers, clients or other third parties will be handled.
- Employer provided equipment and that employer maintains control of such property.
- Right to monitor equipment
- Security, privacy, and confidentiality policies including whether work can be done at a coffee shop for instance due to these concerns.
- Maintaining a safe work environment

Closure Notes

While it is absolutely possible for companies to learn to telecommute effectively, it does not happen automatically. Shifting from a physical workspace to virtual offices can challenge the most seasoned managers. Remember to keep in mind the following... Have empathy and understanding that we are all in this together. Take the time to say Good Morning to your staff. Grow personal connections with fun and do not forget the social aspect of the relationship. Always implement evaluations for your remote work program to regularly consider its progress and areas of needed improvement!

Remote Work Considerations
Risk Management Perspective

Equipment and IT Network

1. By job description identify equipment, software and remote work network connection speed / bandwidth requirements and include these in the employee's remote work agreement.

    a. The size of the workspace must be adequate to allow for effective and efficient work and provide reliable telephonic and/or internet connectivity as well as access to all the necessary agency systems and tools needed to accomplish the work.

    b. Determine if remote workers are provided with office equipment (e.g., computer, software, printer, and network access line). Ensure the equipment remains the property of the entity. Pre-determine methods of repair, maintenance, and IT support to the remote worker.

    c. Identify responsibility of liability for the loss, theft, or damage of an entity's owned computer equipment used in the employee's home.

    d. If approved, non-business use must follow the entity's guidelines, policies, and procedures.

    e. For employees who use their personal equipment for telecommuting outline who is responsible for the installation, repair, and maintenance of the equipment.

    f. Communicate if the entity will or will not assume liability for loss, damage, or wear of employee-owned equipment.

2. Evaluate the method of connecting to an entity's network infrastructure. Connection must be through the entity's IT approved method of remote access and authentication. At no time must an electronic device that is connected remotely to the entity's network be left unattended without locking the screen. Determine if a screen saver should be set with the auto-lock function with the password protected option set to a maximum of a 10-minute time period. Additional considerations:

    a. Ensure an entity's IT security requirements are implemented and maintained by the remote worker. This can include VPNs, Anti viruses, essential software updates, strong passwords/changing passwords, home office WIFI security, employer central storage (SharePoint), and secure virtual platforms for meetings.

    b. Multi-factor authentication.

    c. Automatic timeout for inactivity.

    d. Monitoring software.

3. Ensure use and non-use of confidential data is included in the remote work agreement.

    a. Employees working remotely should be informed about an entity's information in their possession, or accessible through the use of equipment in their possession, regardless of the work location. Consider if any data requires encryption.

4. Identify the process of a remote worker's office supplies.

   a. Are office supplies available for a remote worker to obtain during the remote worker's in-office work period?

   b. Will the entity reimburse out-of-pocket expenses for supplies normally available in the office?

5. Reasonable accommodation equipment.

   a. Pre-determine what types of reasonable accommodation equipment could be provided to a remote worker.

      i. Assistive technology to help employees use accessible information technology like screen enlargement or voice recognition software, or a large screen monitor.

      ii. Furniture and workplace accommodations such as task lighting, noise cancelling headphones, or special ergonomic chair.

      iii. Assistance services like interpreters for persons with hearing impairments or who are Deaf readers for persons with visual impairments or who are visually impaired.

ERGONOMICS

An entity should consider how new processes and risk controls will be monitored for operational effectiveness. In any office setup, employees must have and practice good ergonomics.

1. Remote workers must work in an environment that allows them to perform their duties safely and efficiently. Employees are responsible for ensuring their work areas comply with the health and safety requirements covered in an entity's remote work policy.

   a. An entity should consult with general counsel on whether the entity and/or department may request photographs of the employee's designated work area to determine compliance with health and safety rules.

2. Communicate if employees who work at home are responsible for absorbing any costs related to remodeling and/or initial set-up of the workspace.

3. Encourage remote workers and their supervisors to complete ergonomics training that includes employees making self-adjustments to equipment.

   a. Tip: VectorSolutions has a good refresher course entitled General Office Ergonomics. A lot of information in this training can be applied to a home office setting.

4. Ensure each remote worker and their supervisor completes a remote workspace ergonomics assessment.

   a. Tip: Refer to ACWA JPIA's "Ergonomic Tips for the Remote Employee" resource which contains hyperlinks to:

Remote Work Considerations
Risk Management Perspective

      i. CCOHS Answers on Home Office – simple outline of risks and solutions for home office.

     ii. NIH Office Checklist – office ergonomic checklist.

    iii. The Back School Videos – free variety of office ergonomic videos.

5. During employee "check-ins" or periodic evaluations the employee's supervisor should ask about the remote worker's home office setup.

6. When an remote worker mentions discomfort body mechanics or challenges with equipment the supervisor should connect with a responsible person about a remote work ergonomics evaluation.

    a. The Back School offers remote worker ergonomics evaluations.

    b. Entity's WC carrier may have resources.

Ergonomic Tips for the Remote Employee

An employer should consider how new processes and risk controls will be monitored for operational effectiveness. In any office setup, employees must have and practice good ergonomics.

• **Designated Space**	Create a space that can be dedicated for computer use. A desk or kitchen table would be ideal. Sitting on a bed or couch for long periods of time should be avoided.
• **Monitor**	If using a laptop try to place the screen about an arms length away (18"-30") and keep eye level within the top 1/3 of the screen. If you need to elevate the laptop, be sure not to block the vent on the bottom of the laptop. The use of an external monitor would be ideal.
• **Keyboard and Mouse**	Try to avoid using the laptop keyboard and mouse, as it would be difficult to maintain good ergonomic posture. If at all possible, use an external keyboard and mouse. The work surface should be at elbow height and wrists should be in a neutral position. Avoid extended reaches.
• **Chair**	If using a chair that cannot be adjusted, i.e. kitchen chair, remember to use a cushion to sit on and a rolled up towel for lower back support.
• **Phone**	Use a headset or speakerphone when making/taking calls.
• **Lighting**	Ensure proper lighting and avoid direct sunlight hitting the monitor to reduce eye stain due to glare.
• **Plan your Day**	Establish a schedule, i.e. set a routine. It's a workday, try to eliminate distractions as best as possible.
• **Breaks**	Take regular breaks away from your work area. If you are able, take a walk or do stretches. Below are examples of stretches that can be done at home. ***Remember to hydrate and change your position regularly!***
• **Training**	Take online training on VectorSolutions. A good refresher course is ***General Office Ergonomics***. If you want CEUs, then take the timed ***Water Industry General Office Ergonomics*** class. A lot of information in this training can be applied to a home office setting.
• **Wellness**	Information can be found on the ACWA JPIA's website Wellness page.
• **Additional Resources**	CCOHS Answers on Home Office – Simple outline of risks and solutions for home office. NIH Office Checklist – Office ergonomic checklist Back School Videos – Various ergonomic specific videos Letter of Interpretation - OSHA explanation of employers responsibility for safety and health hazards for employees working at home.
• **Vehicle Ergonomic Resources**	Mobile Office – Ergonomics in the Mobile Office CRE-MSD – In-Vehicle computing Ergonomics checklist HAVIS – Mobile Computing Ergonomics

Using a table or counter with your equipment at the right height for you will place the least amount of strain on your body. Risk of injury decreases and you can work longer and more efficiently.
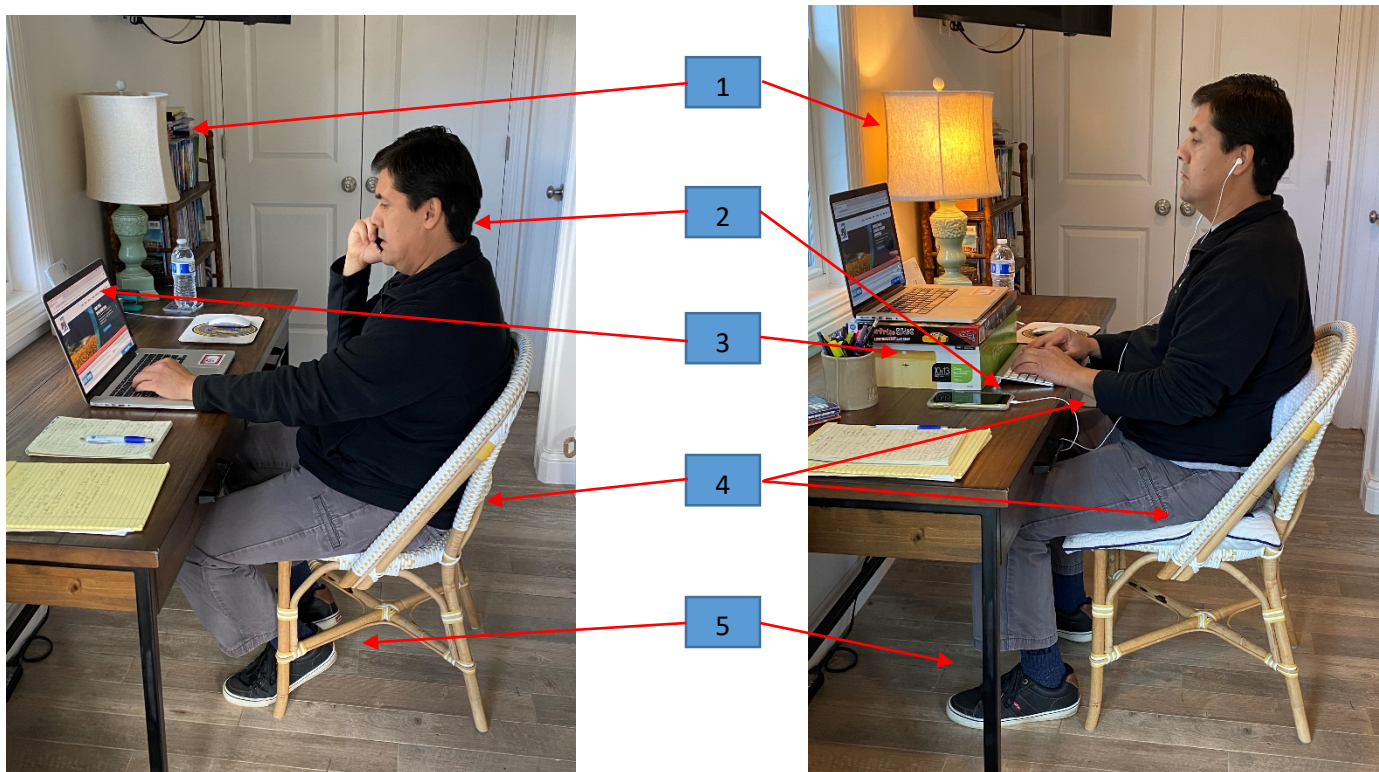
1. Ensure you have proper lighting.
2. Use headphones or speakerphone to reduce neck and shoulder strain.
3. Use a box and/or books to elevate laptop to eye level to reduce neck strain. Remember not to block the vent on the bottom of the laptop.
4. Use a cushion to sit on and a towel to provide lumbar support. The cushion can also be used to provide the proper height. The keyboard should be at elbow height and your wrists in a neutral position. Avoid extended reaches.
5. Keep feet flat on floor or use boxes to provide foot support.

Use headphone

Use boxes/books to elevate laptop and keyboard

Wear supportive shoes when standing
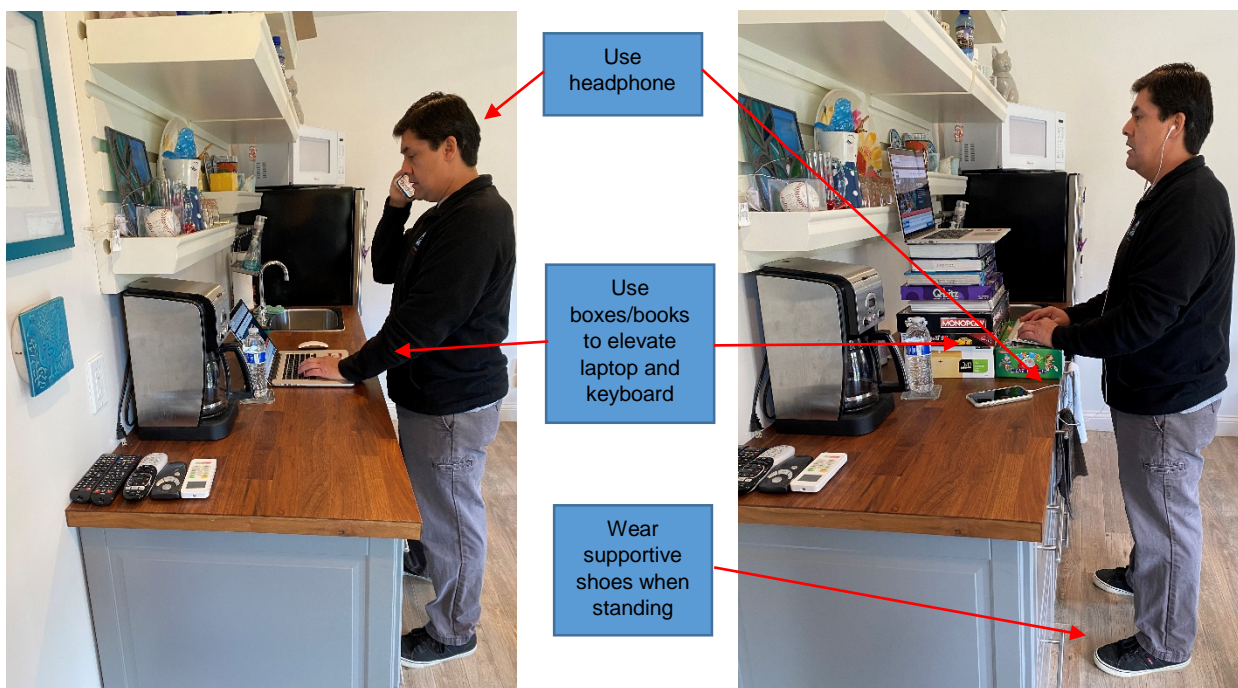
Stretches for people who work at computers

REMEMBER TO HOLD EACH STRETCH FOR 5-10 SECONDS AND BREATHE

These stretches are for your benefit to increase your flexibility and comfort. You may feel tension and tightness while performing some of these, but you should not feel pain. If you feel pain, back off the stretch a little until it feels more comfortable. If you have a current injury or feel uncomfortable doing these stretches, please check with your caregiver prior to continuing these exercises to ensure they are appropriate for you.

1 REACH FOR THE SUN

Stand up and raise your arms above your head. Keeping your feet on the ground, inhale deeply and reach up further, feeling your spine lengthen.

2 NECK LENGTHEN

Sitting or standing up straight, pull chin backward so your ears are above your shoulders and you have a double chin. Hold & breathe. Relax & repeat.

3 LATERAL NECK

Place one hand behind your back or hold the bottom of a chair. The other hand gently pulls your ear to the shoulder. Hold & breathe. Repeat other side.

4 BETWEEN-THE-SHOULDER-BLADES

Sit or stand up straight. Reach forward at shoulder level and grasp both hands together; turn them out. Keep chin tucked in. Gently pull arms forward. Hold 10 seconds. Relax and repeat.

5 EAGLE

Cross your right arm over top of your left arm at the elbow. Bend elbows to 90 degrees and turn palms towards each other. Raise interlocked arms up towards the level with shoulder until you feel the stretch between the shoulder blades. Hold 10 seconds. Relax and repeat other side.

6 UPPER SHOULDER

Gently push one arm at the elbow across your body at shoulder level. Hold and breathe. Repeat other side.

7 CHEST PULL

Bring arms out to the side, keeping elbows at shoulder height. Squeeze shoulder blades together and hold 10 seconds. Relax and repeat.

8 FINGER WEB

Make a fist with your hands and squeeze. Then split your fingers apart and hold a few seconds. Shake them out. Relax and repeat.

9 FINGERS-UP

Stretch arm straight forward and turn fingers up. Gently pull the palm of the hand toward you and hold 5-10 seconds. Relax and repeat other hand.

10 FINGERS-DOWN

One arm straight ahead, elbow straight, turn fingers down. Gently pull back of hand toward you. Hold & breathe. Repeat other hand.

11 FINGER PULL

In this yoga stretch, start with the index finger and gently pull it back with the other hand, feeling the stretch into the palm. Hold for 5 seconds and then move to the middle finger and repeat. Continue until each finger on one hand, including the thumb, has been done. Repeat with the opposite hand.

12 BACK EXTENSION

Stand with feet shoulder-width apart and knees slightly bent. Hands on your hips and eyes facing forward (keep your neck neutral). Gently arch your back backwards and hold 5-10 seconds. Breathe. Relax and repeat.

13 QUADRICEPS & HIP FLEXOR STRETCH

Holding onto something, grab your ankle with the other hand. Push your hip forward and hold 5-10 seconds. Relax and repeat other leg.

14 SHOULDER SHRUG/ RETRACT

Raise both shoulders up towards your ears, pull them back, and then push shoulder blades DOWN into your back pockets. Hold under your chair for 5-10 seconds. Relax and repeat.

15 HIP & GLUT STRETCH

Sitting down, cross one foot over the opposite knee. Keeping the raised knee out to the side and the hips level, gently push the raised knee down. Hold 5-10 seconds. Relax and repeat other leg.

16 PALMING

Close your eyes and place your hands over top. Relax your eyes. Hold for 10-20 seconds.

References: UCSF Environment, Health and Safety; Ergonomics & Human Factors Program: Ergonomics Tips for Remote Work