

How to Evaluate a Telecommute Request

No employee has an absolute right to telecommute. Only business needs should be considered. An employer may not legally refuse a request on the basis of the requestor's gender, age, or other legally protected class status if other similar requests have been granted.

1. Is there a procedure for requests to be presented, recorded, evaluated, answered, and limited in time?
2. Will the requested home work interfere with the performance of essential duties?
3. Can the tasks to be performed at home be done without any substantial reduction in performance quality or quantity?
4. Do any duties require use of certain equipment or tools that cannot be replicated at home?
5. Can the tasks performed at home be done without loss of privacy, confidentiality, integrity, or security of county or private information, files or equipment?
6. Can the tasks be performed at home in a manner that minimizes the risk of loss or damage to the employee, or to county information, files, equipment, computer systems or files, or other property? If not, what is the additional risk of damage, liability or loss?
7. Can the tasks be performed without impairing the supervisor's ability to supervise the employee as effectively as the methods already used (phone, fax, email, voice, direct supervision, etc)? If phone contact is substituted for face contact, is it as regular, reliable or cost-effective?

8. What methods can be put in place to ensure that hours reported as worked are actually worked (comparable to what is used at the workplace)?
9. Is there a need for face-to-face interaction and coordination of work with other employees, outside colleagues, clients, or customers? Can the homework tasks be performed at home without a loss of teamwork or other interactive relationships?

What This Means For Counties

Work at home opportunities must be provided systematically under equal opportunity guidelines. The employer must allow employees with disabilities an equal chance to participate in any telecommuting system which is made available to other employees. Under the FMLA, the employee is not entitled to do tele-work or work from home at all. An employer should put in place reasonable guidelines for all requests to work at home, to reduce risk exposure and avoid complaints of unfairness or illegality.

If the employer determines that some job duties must be performed in the workplace, then the important thing is to develop standards and apply them even-handedly when the county receives such requests.

For more information, contact CTSI at 303-861-0507.