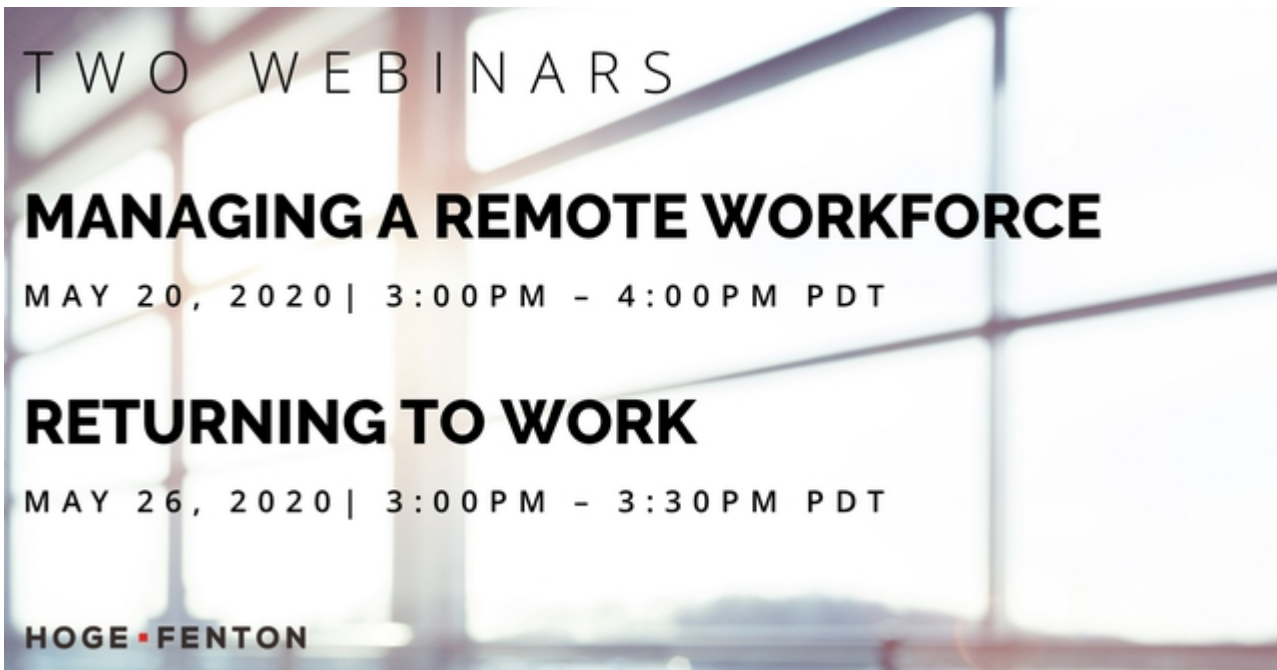


TWO WEBINARS: MANAGING A REMOTE WORKFORCE / RETURNING TO WORK



Get More Information and Register for these Valuable Webinars:

- **Webinar 1: May 20th, 3:00-4:00pm: Managing a Remote Workforce**
- **Webinar 2: May 26th, 3:00-3:30pm: Returning to Work**

As the situation with the COVID-19 pandemic and resulting shelter-in-place orders continues to shift, employers are evaluating when, how, and if they should return their employees back to the workplace. With that decision, employers must evaluate a number of issues to ensure their employees' safety and limit employer liability, whether employees return to work or work from home.

Managing a remote workforce comes with its own challenges. With the unexpected shift to working from home when the shelter-in-place orders went into effect, most employers did not have time to consider the risks and to put safeguards in place. However, as remote working becomes an ongoing and potentially long-term option, employers should take the time to consider the following:

- Have you taken sufficient **security measures** to protect the company's confidential information and other private information? How do your employees ensure that their new "coworkers" (e.g., roommates, spouses, children) do not have access to your confidential information?
- How are you tracking and **paying non-exempt employees** for their time? Are non-exempt employees taking meal and rest breaks, working overtime, working off-the-clock? And if employees take breaks in the middle of the day to home school their children, do you owe a split shift premium?
- What are necessary and reasonable **business expenses** for which you must reimburse your employees? Are you required to reimburse your employees for home internet and cell phones? What about home office space, increased utility costs, light bulbs, soap, and toilet paper?
- Have you complied with **municipal ordinances** (e.g., paid sick leave, minimum wage) in effect where your employees are working?
- If your employee slips and falls in their kitchen while making their lunch, is that covered by **workers' compensation**?
- If you have to terminate the employment relationship, how do you ensure you pay **final wages** timely?

With respect to **returning to work**, employers must consider a different host of issues, including:

- How do you determine who must come back to work and **avoid discrimination claims**? Can you prohibit high-risk employees from returning to work?
- Can and should you **test employees** and/or **take their temperature and monitor their symptoms**?
- How do you ensure **employee safety**?
- Must you **accommodate employees** who cannot return to work because their childcare providers are not available?
- Can you require employees to return to work or terminate them for **refusing to return to work** if they are scared, nervous, or anxious about contracting COVID-19?
- What are your obligations if an employee contracts COVID-19 at work? Is this covered by **workers' compensation**?

Hoge Fenton's Employment Law team will host a two-part webinar series to cover these issues:

- **Webinar 1: May 20th, 3:00-4:00pm: Managing a Remote Workforce**
- **Webinar 2: May 26th, 3:00-3:30pm: Returning to Work**

Click below to register for each webinar:

MANAGING A REMOTE
WORKFORCE

RETURNING TO WORK

Please reach out to our advisors below if you need more guidance or visit our **COVID-19 Resources** page.



Sarju Naran
Chair & Shareholder
+1.408.947.2456
[email here](#)



Jenn Protas
Shareholder
+1.408.947.2435
[email here](#)



Ashlee Cherry
Attorney
+1.408.947.2457
[email here](#)

This information is provided as an educational service by Hoge Fenton for clients and friends of the firm. This communicate is an overview only, and should not be construed as legal advice or advice to take any specific action. Please be sure to consult a knowledgeable professional with assistance with your particular legal issue. © 2020 Hoge Fenton

Related Attorneys

- Sarju A. Naran
- Jenn Protas
- Ashlee N. Cherry