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GUIDANCE FOR THE PREPARATION OF YOUR TELECOMMUTING POLICY AND PROCEDURE

Telecommuting poses unique and significant challenges to employers who are statutorily required to take “every precaution reasonable in the circumstances” to ensure that their workplaces are safe. However, employers are often in the dark regarding the rights and obligations of telecommuters. Presently, the law regarding telecommuting appears to be significantly underdeveloped and, in some respects, contradictory.

While workers who telecommute on a permanent or temporary basis may still be covered under workers’ compensation in some jurisdictions, it is not yet clear everywhere. Unless and until this issue is settled in your province, you should treat remote work as falling under the application of relevant health and safety legislation and take every precaution reasonable in the circumstances to protect the health and safety of your employees. What is appropriate will depend on the work and the workspace.

As with any workplace policy, your telecommuting policy should be reasonable, and clearly communicated to your employees with adequate notice. Adopting this “best practice” approach will assist you in meeting your “due diligence” standard and will also help to protect you considering the uncertain (and developing) area of health and safety law as it pertains to telecommuters.

The Canadian Centre for Occupational Health and Safety (CCOHS) fact sheet, [Telework / Telecommuting](https://www.ccohs.ca/oshanswers/hsprograms/telework.html) and the [Telework Home Office Health and Safety Guide](https://www.ccohs.ca/products/publications/telework.html) offers general guidance.

**Best Practices**

Your telecommuting policy can pre-emptively address issues including:

* Setting clear expectations, not only with respect to hours and location of work, but also with respect to such things as work deliverables and response time, availability by phone or email during regular business hours, not having other commitments including dependent care responsibilities during regular business hours, requiring that notice be provided when the employee’s regular business hours are to change, etc.
* Setting expectations and limitations on the use of employer-owned and/or employee-owned equipment for performing remote work.
* Setting expectations and limitations on the expenditure of employer and/or employee funds for the purchase of equipment for performing remote work.
* Imposing rules to protect physical safety (for example, requiring space have certain features to meet occupational health and safety requirements), as well as confidentiality and privacy.
* Setting out anticipated disciplinary action in the event of a breach of the remote work agreement and/or policy.
* Providing for the ability to withdraw eligibility for remote work at the employer’s discretion.

Things to consider in the policy would include:

* The workspace: could address safety inspections by the employee, ergonomics, tripping hazards, etc.
* Reporting: This would outline means of reporting an illness or injury stemming from a home-based workplace incident.
* Definition of ‘work time’: Because a worker is in their home, what might constitute ‘work time’ as opposed to ‘personal time’?
* Travel: Consider the reasons a telecommuter might need to travel to the employer’s office as it relates to the employees work obligations

*We suggest that you remove the introductory pages when preparing your company’s policy.*

TELECOMMUTING POLICY AND PROCEDURE FOR NAME OF BUSINESS

**Purpose**

Name of business considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others.

The purpose of this procedure is to:

* Provide guidelines for employees while working away from the office.
* Outline and apply the requirements of home or temporary workspaces as they pertain to relevant health and safety legislation guidelines.

**Procedure**

* With the approval of the relevant manager, name of business may permit some employees to telecommute on a temporary basis if their role requires regular travel to meet with clients or vendors and during extraordinary circumstances.
* It is the expectation of name of business that the employee will properly secure all assets and any confidential information that they have in their possession and are using on behalf of name of business.
* Name of business will provide the necessary tools for the employee to telecommute, but there is an expectation that the employee will take all necessary steps to ensure that their workspace is free from any physical hazards and will be set up such that it will prevent any injury to the employee.
* Specific considerations for setting up the remote workspace should include:

1. A workspace that is easily accessible without physical hazards within or on route to the workspace.
2. Proper ergonomic setup of the workspace to avoid any repetitive strain injuries.

* Name of business will reimburse the employee for business-related expenses, such as telecommunications costs (telephone, internet, etc.) that are reasonably incurred in carrying out the employee's job.
* The employee is committed to their normal hours of work and to performing their work efficiently and diligently.
* Telecommuting does not change the number of hours worked regularly under the employment contract.
* The objectives set out in the performance program and career plan remain in effect and each employee must ensure that they meet those requirements.
* Employees should continue to take regular breaks from their work to stretch and move around in order to prevent repetitive strains.
* If an employee is travelling to pick up supplies for their remote worksite or to meet a client or vendor while telecommuting, they will be covered by worker’s compensation in the event of an injury.
* If an employee does sustain an injury during the time they are telecommuting, this needs to be reported to name, title, function and their manager immediately so that appropriate steps can be taken to notify the worker’s compensation.
* Employees should only use a name of business computer and should ensure that all connections to name of business intranet sites and documentation are through a secure internet connection.
* If an employee suspects that there has been a breach of privacy or the work that they were completing may have been compromised, this needs to be reported to their manager right away so that name of business can minimize the impact of such breach.

*Appendix A*

* *Office Ergonomics Setup Guidelines*

Insert the date

Name of business reserves the right to amend this policy at any time.

TELECOMMUTTING POLICY AND PROCEDURE AGREEMENT FOR NAME OF BUSINESS

We are pleased to welcome you to the name of business team.

This is a good opportunity to provide you with a copy of the Telecommuting Policy and Procedure agreement, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Telecommuting Policy and Procedure. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact name and telephone number.

All the name of business policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We name of business are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

**ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE TELECOMMUTING POLICY AND PROCEDURE.**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, attest that I have read the Telecommuting Policy and Procedure agreement and its’ various components, including the following:

* List any additional addendums (*if applicable*)

I acknowledge having received all the relevant information that I need in order to have a good understanding of the content and scope of this policy.

Employee - Print Name

Employee - Signature Date

Employer’s Signature Date

*The original copy is given to the employee and the employer retains a photocopy for their files.*

**Appendix A**

**Office Ergonomics Setup Guidelines**

**Chair**

Choose a chair that supports your spinal curve. Adjust the height of your chair so that your feet rest flat on the floor or on a footrest and your thighs are parallel to the floor. Adjust armrests so your arms gently rest on them with your shoulders relaxed.

**Key Objects**

Keep key objects – such as your telephone, stapler or printed materials – close to your body to minimize reaching. Stand up to reach anything that can’t be comfortably reached while sitting.

**Keyboard and Mouse**

Place your mouse within easy reach and on the same surface as your keyboard. While typing or using your mouse, keep your wrist straight, your upper arms close to your body and your hands slightly below the level of your elbows. Use keyboard shortcuts to reduce extended mouse use. If possible, adjust the sensitivity of the mouse so you can use a light touch to operate it. Alternate the hand you use to operate the mouse by moving the mouse to the other side of your keyboard.

**Telephone**

If you frequently talk on the phone and type or write at the same time, place your phone on speaker or use a headset rather than cradling the phone between your head and neck.

**Footrest**

If your chair is too high for you to rest your feet flat on the floor – or the height of your desk requires you to raise the height of your chair – use a footrest. If a footrest is not available, try using a small stool or stack of sturdy books instead.

**Desk**

Under the desk, make sure there’s clearance for your knees, thighs and feet. If the desk is too low and can’t be adjusted, place sturdy boards or blocks under the desk legs. If the desk if too high and can’t be adjusted, raise your chair. Use a footrest to support your feet as needed. If your desk has a hard edge, pad the edge or use a wrist rest. Don’t store items under your desk.

**Monitor**

Place the monitor directly in front of you, about an arm’s length away. The top of the screen should be at or slightly below eye level. The monitor should be directly behind your keyboard. If you wear bifocals, lower the monitor an additional 1-2 inches for more comfortable viewing. Place your monitor so that the brightest light source is to the side.

**Get up and Move**

Take a break at least once an hour to walk around the home office or stretch. Stretching your body is the only thing that can combat the health issues and fatigue that result from prolonged sitting.

## The Canadian Centre for Occupational Health and Safety (CCOHS) fact sheet [Office Ergonomics](https://www.ccohs.ca/oshanswers/ergonomics/office/) offers some additional guidance.