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When Salaried Employees Leave the Office Nest



By Michelle Leach
CRM Buyer
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The economic, environmental and energy-related benefits of a telework program come down to the "three P's": policies, processes and procedures, according to Chuck Wilsker and Jack Heacock, founders of TelCoa. "Any disagreements other than those created by fraudulent operators are a direct result

of poor ... policies, processes and procedures, which are a direct result of organizational laziness."

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Of the nearly 6 million people (including this writer) who consider home their primary place of work, 2.8 million -- slightly more than 2 percent of the population -- are employed by someone else, not "self-employed," according to the U.S. Census Bureau. When accounting for those working at least one day from home, these figures shoot up to 20 to 30 million employees, reported the [Telework Research Network](#).

A startling 75 percent of those hoping to realize economic and other benefits associated with this model are transitioning to it without having a formal telework program in place, according to [The Telework Coalition](#) (TelCoa).

This lack of planning can make employers vulnerable to wage and hour disputes, said Pamela J. Bourne, a labor attorney with [Woods & Aitken](#). However, some of the same technologies utilized to make telework possible may be deployed to avoid the disputes and penalties associated with improper

management of work hours and status.

US Government: We've Got an App for That!

In May, the [Department of Labor](#) debuted its timesheet app for iPhone and iPod touch to help employees track hours worked and determine wages owed to them.

"This app will help empower workers to understand and stand up for their rights when employers have denied their hard-earned pay," said DoL Secretary Hilda L. Solis.

Since its release, [iTunes](#) reviews have ranged from: "Does exactly what you'd expect for a simple time tracker" from Kravlor, who gave it five stars, to "I'm now waiting to hear from an employee who claims their pay is wrong because it doesn't match the amounts on this app. Taxes? Deductions? Garnishments? Meal and rest break penalties? Nice try, but this totally misses the mark and will only cause more wage and hour disputes!!" from David Odom, who gave the app a dismal one star.

"As to the smartphone app being employee-friendly," Bourne told CRM Buyer, "there are two different ways to look at that, and one of them is that it can also help employers resolve OT disputes and it may encourage employees to go to the employer if they're not getting their pay early. And if there is a discrepancy, it's a lot easier for the employer to fix it now than for it to go on for two years like that."

In recent years, the DoL has hired more investigators, noted Bourne, in keeping with an administrative climate that is more enforcement-focused than in recent years.

Mind Your Classification!

Improper classification represents an area where employers may inadvertently be exposed to legal action, she noted, particularly when it comes to associates working in nontraditional environments, such as full-time from home or as road warriors.

"Typically, we have problems with exempt employees that should have been non-exempt when they work over 40 hours," she said. Under the Federal Labor Standards Act, non-exempt employees are entitled to OT pay. In addition, non-exempt employees must fill out timesheets, but in the case of an exempt employee with no records to back up claims, disputes can become a "he said, she said," noted Bourne, with the law tending to side with employees in such a cases.

An audit of an employer's telework program should first look at whether an employee is properly classified.

"You have to evaluate what they do in their normal work-related tasks away from the office, and it is something that is not easy to do," she said. Second, policies and training must be in place to clearly establish an employee's normal work hours and what is allowed outside of these hours.

"There are many cases where an employer has a policy where the employees cannot work off-the-clock, but the practice is different than the policy, because employees are on their handheld phones and sending emails," Bourne said, noting that this situation and an environment in which employees

are always "on" effectively undermines the policy.

The training side comes into play when managers must be taught to refrain from emailing associates (or expecting a response back) outside of specified work hours, according to Bourne.

The IT department may be brought into the mix, she said, to ensure that any authorized OT hours were actually worked; i.e., IT personnel may confirm an employee logged into his work email at the time specified on his timesheet.

"These are not a new set of problems for employers -- just a new way of dealing with them," Bourne stressed.

The Equation for Telework Success

The economic, environmental and energy-related benefits of a telework program come down to the "three P's": policies, processes and procedures, according to Chuck Wilsker and Jack Heacock, founders of TelCoa.

"Any disagreements other than those created by fraudulent operators are a direct result of poor ... policies, processes and procedures, which are a direct result of organizational laziness," Wilsker and Heacock told CRM Buyer via email. "HR in particular is fearful of distributed work, which makes them research and redefine how, when and where work is performed in the face of often daunting government regulations and taxation proclivities."

Those making the tele-transition should anticipate and avoid any such disputes through written telework agreements addressing the issues, Wilsker and Heacock advised, rather than having to recover from the errors and omissions that are so prevalent in frequently used ad-hoc telework arrangements.

These issues are the result of laws and governmental policies that are "mired in 15-to-20-plus-year-old status quo thinking -- including that of the judicial system," they pointed out.

"There is a predisposition to keep the old industrial-era overlapping and obsolete protocols and ways of working," according to Wilsker and Heacock, who mentioned "obsolete taxation," as well as decisions based on transportation and real estate priorities.

Technology at Work for Telework

Four years ago, [Marriott International's](#) global reservation sales and customer care center debuted its "remote agent program" -- myPlace by Marriott.

Now, 35 percent of its more than 1,300-strong workforce serve as myPlace agents. These include disabled workers would have faced the challenges of traveling to the office in a "traditional" work model.

These employees have been seamlessly integrated into the broader organization, said L. Kaye Dengel, SVP of Marriott sales and customer care offices.

That's in part due to its leveraging technology to engage employees who might otherwise be isolated from the broader organization, she told CRM Buyer.

Virtual team meetings are held to keep at-home agents involved, she noted, and information is often recorded to be shared virtually with such agents.

Generally speaking, engagement scores are higher for remote agents, said Dengel, due to "work-life balance."

The organization has also leveraged a lab setup to prepare the agents for the technical demands of the job from the office "nest" before they spread their metaphorical wings at home, said Lisa Lane, area general manager for Marriott global reservation sales and customer care.

"Before they go home, we give them the computer, and they set it up here and make calls just like they would at home," she told CRM Buyer.

Just as telework is not for every employee, it's not suited for every employer, either, Dengel pointed out.

"It is not for those that don't have an appetite for change," she said. "It does require a lot of changes across in-house business processes. You have to be diligent and do the planning." **EDT**

Michelle Leach has covered business news for TV affiliates, dailies and regional business publications for more than a decade. A graduate of Northwestern University's Medill School of Journalism with an emphasis in economics, Michelle also enjoys working with entrepreneurs on blogs, white papers and marketing content.



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