TELECOMMUTING

A GUIDE FOR EMPLOYEES AND EMPLOYERS

CRHA
Ordre des conseillers
en ressources
humaines agréés

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A WORD FROM THE DIRECTOR-GENERAL

■ ■ ■ ■

With the COVID-19 pandemic, we had to turn massively to telecommuting to maintain the economy and ensure the survival of our organizations. For some, this was familiar territory; for others, it was new, and shifted many paradigms.

Yet this practice is not a new one. Remote work, or telecommuting, was first identified by American researcher Jack Nilles[1]. He was trying to find a solution to traffic congestion at the time. Since the internet had not yet been invented, the engineer envisioned workers working at satellite offices near their homes, rather than at headquarters. He predicted that technological developments would push the concept of telecommuting even further, but that it would be capped by the organizational culture of business. What a visionary!

Nearly fifty years on, things have changed. Telework is not only practised by freelancers; now both full-time and part-time employees can be telecommuters, as well. They all have one thing in common : They use the internet and information technology to do their work.

1. GAN, VICKY (2015). *THE INVENTION OF TELECOMMUTING*, BLOOMBERG CITY LAB,
HTTPS ://WWW.BLOOMBERG.COM/NEWS/ARTICLES/2015-12-01/WHAT-TELECOMMUTING-LOOKED-LIKE-IN-1973

Manon Poirier, CRHA

DIRECTOR-GENERAL OF THE ORDRE DES CONSEILLERS EN RESSOURCES HUMAINES AGRÉÉS

This form of organization presents both advantages and disadvantages, as shown in the table below. Ideally, telecommuting should be established after a period of reflection to determine the objectives, available resources, and project cost. It's also essential to obtain legal advice on managing telecommuters, and make sure that it's suited to company culture. And finally, smooth operation entails helping telecommuters adapt to their work tools, communications methods, and management processes.

The COVID-19 pandemic will not end overnight. Telecommuting is therefore a great option for companies that can maintain or implement it. And it's very likely that beyond the pandemic, this new way of organizing the workplace will have attracted a number of new players, and organizations will need to consult their employees and decide whether telecommuting is their new normal—whether occasionally, a few days per week, or full-time. However, remote work needs to be properly set up so that employees and employers can enjoy the benefits—and, as much as possible, avoid the drawbacks.

Happy reading!

Manon Poirier, CRHA

**DIRECTOR-GENERAL
OF THE ORDRE DES CONSEILLERS EN RESSOURCES HUMAINES AGRÉÉS**

TELECOMMUTING:
PROS AND CONS

	EMPLOYER	EMPLOYEE
ADVANTAGES	▪ MAINTAIN OR INCREASE PRODUCTIVITY ▪ ATTRACT AND RETAIN STAFF ▪ REDUCE ABSENTEEISM ▪ LOWER OFFICE RENTAL COSTS	▪ LESS TIME SPENT COMMUTING ▪ BETTER WORK/LIFE BALANCE ▪ INCREASED AUTONOMY ▪ LOWER COSTS (TRAVEL, CLOTHING, LUNCHES, ETC.) ▪ FLEXIBLE SCHEDULE
DISADVANTAGES	▪ CONTINUOUS SUPERVISION IS HARDER TO MAINTAIN ▪ COMMUNICATION BARRIERS	▪ SOCIAL ISOLATION ▪ COMMUNICATION BARRIERS ▪ TROUBLE UNPLUGGING ▪ DISTRACTIONS IN THE HOUSEHOLD

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Responsibility

This document is provided for information purposes only and is not a professional opinion on this subject. The information contained herein should always be assessed in light of personal experience, and in case of doubt, the Order encourages the reader to consult an expert in the matter.

It should also be noted that this document is current at the date of publication, but may be modified over time, or become obsolete.

Caution

The goal of this Guide is to support companies and organizations with planning, setting up and managing telecommuting. It provides general information, is neither an obligation nor standard, and should be considered as a reference guide or suggestions for action. The advice and recommendations proposed herein are based on best practices; they can easily be adapted to specific circumstances and limitations and should be imbued with the company's own culture.

FOREWORD

In the wake of the COVID-19 pandemic, many companies were forced to revise their operations overnight and implement telework for some or all of their employees. At the same time, they had to adjust their management methods and ways of communicating with their workers.

With this new *Telecommuting : A Guide for Employers and Employees*, the Ordre des conseillers en ressources humaines agréés (CRHA) hopes to provide a **framework of practices for working remotely**. The Order hopes to provide managers and employees a clear structure of the responsibilities of each party with regard to management, communications, data protection, and workplace health and safety.

The Ordre des CRHA also aims to advise leaders and managers by demystifying the ins and outs of telecommuting. Using this detailed reference guide, they can efficiently and effectively introduce remote work to their companies and maintain it over the long term, if not permanently.

After all, managing telecommuters is one of the challenges some 23.8% of CHRPs have been faced with since the start of the COVID-19 pandemic, according to a survey by the Ordre des CRHA held May 25-28, 2020. Furthermore, a survey held May 12-14, 2020 by digital technology and software firm VMware Canada revealed that a majority of employees (62%) who worked remotely during the crisis want to work from home more frequently— if not full-time—in the future. Just 8% of remote workers want to go back to the office on a regular basis, like they did before the COVID-19 pandemic.

This Guide begins by covering the challenges around planning, setting up and organizing this way of working. It then details the legal framework required, as well as issues related to mental health. It closes with advice on best practices for organizations, managers, and employees for successful remote working.

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PLANNING, IMPLEMENTING, AND ORGANIZING TELECOMMUTING

WHAT IS TELECOMMUTING?

L'Office québécois de la langue française describes telecommuting as a "professional activity executed in whole or in part outside the employer's offices, using digital and telecommunications tools." In a report produced in 2016, the Comité sectoriel de main-d'œuvre de la chimie, de la pétrochimie, du raffinage et du gaz specified that like the self-employed, employees may be considered telecommuters.

For its part, in a report published in 2018, the Centre interuniversitaire de recherche en analyse des organisations (CIRANO) argued that remote work is performed by "salaried employees of an organization" who perform their professional tasks "at home or any other location close to the residence." They use information technology "to ensure productivity and communications" with work colleagues, managers, clients, and suppliers.

This guide defines telecommuting as a professional activity performed by part-time or full-time paid employees using information technology at a location other than the employer's establishment. There is a relationship of subordination between the employer and the telecommuter.

Before establishing telecommuting, the company should take time to plan a strategy to determine objectives. For example, the company could take advantage of the situation by boosting its brand as an employer to attract new talent and retain current personnel. Reduced fixed costs (rent, electricity, heating, etc.) may be among the goals, along with reduced absenteeism and improved work/life balance for employees.

The company should also make sure its organization's culture is suited to telecommuting. Its values, rules and policies should be compatible with this new way of working so that employees may contribute to its success.

Form a practical standpoint, the company should identify the administrative framework that will govern the transition and the conditions of remote working, and the financial and material resources needed for this shake-up in the organization.

REMOTE WORKING CONDITIONS

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When deciding on remote working conditions, the company should create a multi-disciplinary committee made up of the following representatives, inasmuch as possible :

- Human resources management
- Information technology
- Finances
- Legal matters
- Employee representative

Supervisors and managers of telecommuters, along with an employee representative, must take part.

First, the committee will determine how the remote work is to be performed. They then will proceed to implementation, then follow-up. Training on remote work will help them understand this form of organization.

The company can survey the workforce to help guide committee decisions. Their answers will offer a snapshot of their concerns about and interest in remote work.

Remote work could be part of a pilot project or gradual introduction for part or all the staff, depending on their position, their department, or the project they're working on.

It's also essential to develop a telecommuting policy. This will help the company set out objectives and expectations for the remote worker, along with the rules, policies, and procedures of the organization.

Employers should provide clear directives on the following :

- Eligible employees
- Work schedules
- Equipment provided
- Reimbursables
- Data security
- Communication
- Performance management
- Training needs
- Telecommuting health and safety

Alongside this telecommuting policy, a remote working agreement may be signed by employees and their employers. This document attests that the employee has read and understood the remote working agreement and is committed to respecting it. It includes any particularities specific to that employee. It also stipulates the time period of the remote working arrangement, if applicable, and termination procedure.

FOR MORE INFORMATION

CENTRE FACILITANT LA RECHERCHE ET L'INNOVATION DANS LES ORGANISATIONS (CEFRIO)
Organizational challenges with telecommuting in Quebec (in French only)

GOVERNMENT OF QUEBEC
Telecommuting framework – Public Service Commission (in French only)

UNION OF QUEBEC MUNICIPALITIES
Telecommuting policy template (in French only)

See also Six things you need to include in your work-from-home policy, produced by the Ordre des CRHA.

ELIGIBLE EMPLOYEES

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Companies that choose to implement telecommuting must examine the nature of the positions to see how well they transfer to remote work. This change must not negatively impact the company's operations. A position is suitable for telecommuting if it meets certain criteria : high level of autonomy, low need for supervision and potential for remote performance and results evaluations.

Employers must also ensure that the remote worker is able to :

- Communicate effectively with the internal team, as well as outside collaborators and clients;
- Have all necessary tools and equipment at home;
- Use digital documents and other online resources;
- Obtain technical or digital support as needed;
- Ensure secure access and a data protection system.

Companies must also consider their employees' aptitude to working remotely given their tasks and responsibilities and interactions with clients or internal colleagues. Employees need to be autonomous, disciplined, and productive, along with having good organizational skills. They must also have good communication and problem-solving skills and execute their functions as expected. Deadlines and good outcomes must be priorities.

During recruitment activities, these requirements may be added to candidate profiles.

TELECOMMUTING SCHEDULES

Employers and employees must agree on a remote work schedule. They must also agree on the number of hours worked remotely and in the company offices, if applicable. If telecommuters must occasionally or regularly be present at the workplace, they must have an assigned workspace (unused desk, conference room, etc.).

Employers must also be specific about the framework of telework. The nature of workers' professional tasks and work outcomes must remain unchanged when workers transfer to telework. Unionized employees must respect the work hours and schedules outlined in the collective agreement, or, if applicable, an employer-union letter of agreement will be drafted outlining the new terms and conditions.

Depending on the company's management approach, the employer must decide whether to impose a strict daily work schedule, or whether the employee will determine the work hours whilst being present for certain pre-determined periods. In the case of the working time arrangement, employees must respond to queries received within an agreed-upon timeframe taking into account the work equipment used. Where employees are to be available on call, this must be highlighted.

It is to the company's advantage to implement a working hours management system to better manage telecommuter schedules. This system allows for better follow-up as well as faster overtime approvals if required.

[Please refer to Section 2 of this Guide for more information on the provisions of the provincial labour standards laws on calculating overtime hours.](#)

While employees are working remotely, their availability is to remain the same as if they were present at the workplace. They are entitled to a minimum of one unpaid meal break of 30 minutes for workdays longer than 5 hours, according to employment standards and depending on the provisions of their employment contract or collective agreement. If an employee must be available during this break, the time must be remunerated.

Employees must be aware of the procedure to follow for taking a planned or unplanned day off, and for planning holidays. They are entitled to the same time off as provided for in the labour standards laws, employment contract, or collective agreement.

EQUIPMENT PROVIDED

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Employers must ensure that telecommuters have all work tools they need to perform their tasks and be efficient and productive. They cannot expect employees to devote part of their wages to the purchase, lease or maintenance of material, equipment, or merchandise to the point where they would be earning less than minimum wage, according to labour standards law.

In the event an employee already has work tools at home, he cannot demand repayment from the employer. If the remote worker does not have all the necessary equipment, the employer must provide them to ensure efficiency and productivity. This may include the following :

DESKTOP OR LAPTOP	MONITOR	HEADSET	CAMERA	PRINTER/SCANNER
CABLES	HARD DRIVE	SOFTWARE	ADDITIONAL SERVER	UNINTERRUPTED POWER SUPPLY

Where this equipment is **loaned**, it remains company property. The employee alone may use them as part of his professional functions. The employer may take it back at any time, and the employee must return it.

Employees commit to respecting the rules surrounding the use of this equipment, specifically with regard to downloading software, applications or illegal or pornographic content. They must additionally take measures against theft, damage, and abuse. Otherwise, they must reimburse the cost of lost or damaged equipment.

There should be guidelines regarding equipment maintenance and repair. Telecommuters must also be able to communicate with the tech support team.

Should an employee need additional equipment, he should advise the employer, who will determine whether the equipment is necessary. The employer will then decide whether to provide the equipment to the employee, or to reimburse the purchase.

Please see tax rules applied to expenses related to home use

REIMBURSEMENT

In order to attract and retain new talent, employers may also choose to take on certain expenses, such as :

Employers must determine the costs they will assume as well as those that are the telecommuter's responsibility. They are not obliged to reimburse expenses related to the employee's workspace (office supplies, internet, phone bills, heating, cleaning, etc.). However, they must provide documents attesting to cost sharing so that telecommuters can include them in their next income tax return. Telecommuters must work at least 50% of the time at home to qualify.

OFFICE SUPPLIES (PAPER, PENCILS, INK CARTRIDGES, ETC.)	**OFFICE FURNITURE**	**TELECOMMUNICATION**	**INTERNET**
COST OF A MUNICIPAL PERMIT (DEPENDING ON MUNICIPALITY)	**INCREASE IN HOME INSURANCE PREMIUMS**	**TRAVEL EXPENSES**	**CLEANING COSTS**

DATA SECURITY

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Employers must put in place measures to ensure data security, keeping two aspects in mind :

Security within the employee's residence

It should be determined ahead of time which documents, programs, and data telecommuters may keep at home. Employees should have access only to information they need to execute their functions. Consequently, employers must define the rules governing the storage of documents containing confidential information (in a room with a smoke detector or a locked filing cabinet, for instance), as well as document transmission, distribution, and destruction.

Secure access to the company's virtual infrastructure

Where telecommuters have access to the company network, employers must define the terms of use and technology to guarantee communication security : VPN, private cloud service, antivirus software, firewalls, backup software, etc. Employers must also retain the services of reliable data protection providers.

Employee responsibility must be engaged so that recommended precautions are taken to preserve data security and confidentiality. For example, employee computers should not be left on unsupervised, and passwords must not be shared. When discussing confidential information, outdoor discussions should be avoided.

Employers have everything to gain in offering their employees training on private data protection and information security. There should also be a contact person in case of security problems.

COMMUNICATION

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Employers need to be clear about communications with their telecommuters.

The preferred communication tools (email, IM, document sharing, video conferencing, etc.), the times when these tools should be used (unexpected question, daily follow-up, team meeting, emergency, etc.), and with whom they should be used (work colleagues, supervisor, manager, client, external collaborator, etc.) should be established.

By setting regular appointments with telecommuters, employers can maintain communication consistency and, consequently, ensure effective follow-up on the work accomplished, favour healthy management, and prevent conflict. Employers must also specify those times when employees are required to respond to communications, as well as the timeframe they must do so.

Creating an informal communications channel (happy hour, virtual coffee break, discussion threads, etc.) promotes team spirit by allowing members to maintain and develop relationships.

For their part, employees must provide updates on the work being done, keep up with employer communications, and advise when support is needed. They must also advise their employer if they need to temporarily stop working. Unionized employees must receive all notices and communications from their union. They need to understand their union's composition and the ways to communicate with representatives.

PERFORMANCE MANAGEMENT

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Employers must determine the work plan, clearly explain objectives and deadlines, and ensure telecommuters have all the tools they need to execute their work. Along the way, employers should ensure regular follow-up with remote workers, depending on their needs for management, their skills, and their weaknesses. Employees must explicitly commit to meeting employer expectations.

Employers assess remote worker performance using established indicators for the position held. These indicators must be specific, measurable, achievable, realistic, and timely, following the SMART technique objectives. They must also be comparable, for instance to prior results or to desired results.

Employers can thus evaluate telecommuter performance according to the results obtained (files processed, sales closed, project progress, number of customers served, new customers added, etc.).

They can also measure employee performance according to the time spent on tasks, such as data entry, email drafting, meetings, or analysis reports.

Telecommuters may manually fill out a time sheet or report how time is spent using software or an app. Employers can then analyze the results to create a typical telecommuter profile of optimal time use on various tasks. They can also compare the schedules of two remote workers with the same functions.

Employers can also assess the number of delays or errors recorded by a telecommuter and implement disciplinary measures if too many defects are recorded. More positively, employers can also take note of tasks accomplished within deadlines and files that were responsibly managed.

As in the office, employers can support remote worker motivation by highlighting successes and demonstrating inclusivity within the team.

TRAINING NEEDS

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When a company decides to go the telecommuting route, it needs to develop a training program for telecommuters and their supervisor/manager and colleagues. This program must be established before telecommuting begins. It should include skills training along with knowledge training, particularly where staff members exhibit limitations in certain areas.

The entire team—**telecommuters**, **colleagues**, and the **supervisor/ manager**—need to understand telecommuting and what the company objectives are. To make sure everyone is on the same page, the organization may offer training on the following themes :

- Telecommuting policy
- Advantages and disadvantages of telecommuting
- Effective communication and collaboration
- The use of equipment and technology
- Best practices to ensure data security
- Remote working relationships
- Tech support

To help **telecommuters** understand this new way of working, the following training is recommended :

- Furnishing the workspace
- Time management and work organization
- Good productivity habits
- The need to set boundaries between work and private life
- Motivation and stress management

Supervisors/managers may benefit from the following training :

- Telecommuting success factors
- Recruiting telecommuters
- Results management and follow-up
- Managing one team at the office and another remotely
- Leading a virtual meeting
- Developing team spirit
- Solving remote work-related problems

To ensure good dynamics between **managers and telecommuters**, it's recommended they take their training together on the following themes :

- Work organization
- Performance management
- Telecommuter and manager responsibilities
- The remote worker's career path
- Procedure in case of accident or injury

FOR MORE INFORMATION

CENTRE FACILITANT LA RECHERCHE ET L'INNOVATION DANS LES ORGANISATIONS (CEFRIO)
Organizational challenges with telecommuting in Quebec (in French only)

SECTOR COMMITTEE FOR CHEMICALS, PETROCHEMICALS, REFINING AND GAS
Guide d'implantation du télétravail en entreprise (in French only)

SEE OUR ARTICLES

Implanter un programme de télétravail : ce que vous devez savoir! (in French only)

Le télétravail *est là pour rester* : 11 conseils pour adapter votre organisation à cette réalité (in French only)

LEGAL FRAMEWORK FOR TELECOMMUTING

LEGISLATIVE FRAMEWORK

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There is no legislative or regulatory framework specific to telework in Quebec. Organization may refer to the general legislative provisions governing the workplace, such as the Employment Standards Act (ESA), the Industrial Accidents and Professional Diseases Act and the Occupational Health and Safety Act for businesses under federal jurisdiction.

Remote work may also take place in the context of collective labour relations. The Labour Code recognizes that the union is the sole and exclusive negotiating agent for a bargaining unit. Employers must respect the role of the union. For its part, the union must also respect the employer's exclusive right to direct its workforce under the provisions of the collective agreement (also known as the right of management or direction).

Where a collective agreement specifically provides for the option to work remotely under certain terms or conditions, the employer must comply with the provisions of the collective agreement by cooperating with the accredited association to establish new terms of employment for remote workers. The same applies if the collective agreement provides for a specific workspace or if the employer cannot change the location of the workplace.

On the other hand, if the collective agreement does not cover remote work or does not proscribe changing the location of the workplace, employers may, by virtue of their right of management, establish a remote working policy that applies to all employees, including unionized workers.

Obviously, this policy cannot unilaterally modify, without agreement with the union, the working conditions already outlined in the collective agreement (such as work schedules, time off, expected availability, etc.).

Therefore, in addition to the general legislative provisions that govern labour rights in Quebec, unionized organizations must make sure they comply with the collective agreement applicable to telecommuters.

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Attention!

Employers that allow telecommuting should make sure to have a valid telecommuting policy or agreement in place. Otherwise, the result might be uncertainty, abuse, problems applying the policy, or dissatisfaction on the part of the employees.

INTRODUCING A TELECOMMUTING POLICY

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Apart from the necessary adjustments to the workplace and certain items that might be included in a remote working agreement, the terms intrinsic to the execution of work by employees should remain unchanged in a remote working context.

Therefore, employers and employees may expect the same conditions to continue to apply.

Consequently, employees who enjoyed particular working conditions should be able to keep them while working remotely. En exchange, employers should be able to rely on the same level of efficiency and productivity as before.

If an employer unilaterally and substantially changes an employee's working conditions without the employee's agreement, this might in some cases amount to a constructive dismissal. To avoid problems, the introduction of telecommuting must be the result of a common agreement between employee and employer when working conditions, like working hours or location, are altered.

In a non-unionized setting, employers who want to unilaterally impose remote work need to think about the terms of the employment contract. Some contracts already allow the employer to alter working conditions, including the workplace, while others either specify a particular location or don't mention this subject at all. Both latter cases are potential constructive dismissal claims. Employers must then demonstrate that imposing remote work does not represent "a substantial change in the fundamental terms of the employment contract," that these fundamental terms remain unchanged and that remote work is actually an advantage to the employee.

What is a constructive dismissal?

A constructive dismissal occurs when an employer unilaterally makes a substantial change to a fundamental term of the employment agreement without reasonable notice, which leads or could lead the employee to resign.

READ OUR ARTICLE ON CONSTRUCTIVE DISMISSAL :
Congédiement déguisé ou démission – démêler le vrai du faux (in French only)

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Attention!

While the employment contract offers employers relative latitude as to the workplace location, unilaterally imposing remote work might create a problem, specifically with regard to the right to privacy guaranteed by the Canadian Charter of Rights and Freedoms. Employers cannot conclude that an employee has tacitly agreed to waive his right to privacy by the sole fact of working from home. This waiver must be explicit, clear, freely and with full knowledge as to what is being waived. It's always recommended to have the telecommuting agreement signed.

See the section on respecting rights and freedoms.

REGULAR WORK SCHEDULE

Turning to telecommuting should not substantially alter employee work hours. The hours and schedules of unionized employees as set out in the employment contract should not be changed. Nor should the nature of the work be altered to the point where shifts need to be changed.

Best practices

- The telecommuting policy should indicate that remote working is a discretionary, and not an essential, condition of employment.

- It's better to sign a remote working agreement than to unilaterally impose telecommuting.

OVERTIME
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Employers must respect the regular work week of 40 hours (Art. 52 of the LNT) or pay overtime to employees subject to the provisions of the LNT.

However, the overtime calculation for hours beyond the regular work week set out in this article 52 of the LNT does not apply to employees working off-site whose hours are unmonitored. Indeed, accounting for overtime may be complicated by the context of telecommuting, since employers have less control over the hours worked by employees. Furthermore, employees working from home may be reached at any time, and the regular work week is often soon exceeded. Over time, this could result in significant costs for the organization.

Best practices

- Provide a clear provision detailing that employees must obtain authorization from their employer for each hour of overtime worked.

- Introduce an efficient system to manage work hours and overtime approval.

Caution

The LNT states that "employees working off-site whose hours are unmonitored" (Art. 54(4) of the LNT) cannot use the regular 40-hour work week to calculate overtime. Organizations may be tempted to use this exception to avoid paying overtime to their home-based employees. But their chances of succeeding aren't very good.

The fact of executing work off-site does not preclude monitoring the hours worked. For the exception to apply, the organization must be entirely unable to monitor an employee's work schedule. The law states that where employers can track their employees' use of time and impose certain obligations on them, the hours can be monitored. Unmonitored hours are not unverifiable!

FOR MORE INFORMATION SEE THE INTERPRETATION OF THIS ARTICLE ON THE COMMISSION DES NORMES, DE L'ÉQUITÉ, DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL (CNESST) **WEBSITE.**

EMPLOYEE AVAILABILITY

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Although employees are working from home, their availability should not change. For their part, employers must be sure to respect time off and not require complete availability. Although employees are working from home, they still have the right to a minimum weekly rest period of 32 consecutive hours, as well as a daily unpaid meal period of 30 minutes when the working period exceeds 5 consecutive hours.

Best practices

▪ Implement an unpaid hours management system (breaks, meals, etc.)

▪ Ensure proper coordination and management of work team schedules.

Attention!

Where employees must remain available and at their workstation during meal periods, even at home, the meal period must be remunerated.

PRODUCTIVITY MEASURES

Organizations must adopt employee supervision and evaluation and discipline processes, even where employees are not physically at the work place.

Employees and managers alike must understand the organization's expectations of its workforce. Managers can then provide proper follow-up when a telecommuter slacks off.

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Caution

Productivity measurement tools can sometimes be intrusive. Employers must at all times respect employee rights guaranteed by the Canadian Charter of Rights and Freedoms.

See section on respecting rights and freedoms.

EMPLOYEE ABSENCES OR UNAVAILABILITY

The rules of the organization concerning absences and unavailability should continue to apply to telecommuting employees, whether these rules are governed by the law, the employment contract, or the collective agreement.

Under Quebec legislation, telecommuters may be absent from work due to illness, organ or tissue donation, accident, domestic violence, sexual violence, or a criminal act. Telecommuters may also be absent to fulfill family or parental obligations (e.g. caring for a child or sick parent). This shall not be considered an "abuse" of remote working.

MANAGING CLAIMS OF PSYCHOLOGICAL HARASSMENT

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Workplace psychological harassment is humiliating behaviour involving repeated gestures, words, or behaviours. Psychological harassment may occur at the workplace and off-site, such as social media, email, phone, videoconference, etc.

In a telecommuting context, current laws and regulations concerning psychological harassment continue to apply. Employers must respect their obligations in this matter. As it may be harder to monitor or keep track, companies need to implement effective measures to prevent harassment, intervene when needed, and support victims of harassment.

Best practices

- Make sure that the psychological harassment prevention policy and the treatment of complaints covers all workspaces.

- Review complaint mechanisms and investigation processes to go beyond the usual workplace.

RESPONSIBILITY FOR WORK TOOLS
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The employer's legal obligation is set out in article 85.1 of the LNT. This stipulates that "the employer may not charge an employee a fee for the purchase, use or maintenance of material, equipment, raw materials or merchandise that would result in the employee receiving less than minimum wage." Should this be the case, the company must provide the equipment the employee needs to execute his work remotely. On the other hand, employers are not obliged to reimburse employees who already owned the equipment needed to perform the work at the time of hire.

Where employees do not own the minimum basic equipment needed to perform the work from home, employers must provide it.

Attention!

Organizations do not necessarily need to provide all the equipment they normally provide at the usual workplace.

The employer must continue to respect its workplace health and safety obligations as set out by current law, including providing appropriate office tools or equipment to protect worker health and safety.

On this subject, see section on legislative provisions governing workplace health and safety

Tip!

By providing employees with work tools, companies enjoy greater flexibility with regard to workplace management. They are in a better position to respect their obligations, specifically with regard to workplace health and safety and privacy protections, by preventing the use of these work tools by third parties, which include the employee's family members.

Best practices

- Provide the equipment needed to execute the work, including in most cases, a phone or headset, computer, keyboard, and mouse (for office positions).

- Consider providing additional equipment to favour employee efficiency and productivity. Employers who do not provide their employees with adequate work tools cannot complain about decreased efficiency.

THE RIGHT TO DISCONNECT

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The right to disconnect means the right not to respond to emails or calls outside work hours, unless "relevant and necessary". While the right to disconnect is recognized in various jurisdictions around the world (including France), it's still not recognized in Quebec.

However, employers may at their discretion provide a clause limiting the use of digital tools in the telecommuting policy. Obviously, creating general rules on this matter might be difficult, since individual functions and responsibilities vary.

REIMBURSEMENT

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Employers usually cover work-related travel expenses. The remote work policy should specify the expenses assumed by remote workers, specifically with regard to travel.

Employers have no legal obligation to provide employees with phone lines or internet access They are not obliged to cover expenses related to owning and maintaining the workspace. In this regard, employees may qualify for certain tax deductions under the federal Revenue Act.

INSURANCE AND LIABILITY

The owner of an asset is generally responsible for insuring it. As the employer needs to provide employees with the basic necessary work equipment, these assets are normally the responsibility of the employer, subject to the terms of any insurance policies in effect.

Remote workers might also receive clients, colleagues or third parties at their home as part of their work. If applicable, employees must ensure their home is safe to avoid any accidents that might impact their employer's liability, as well as their own.

Attention!

Employers are not protected from lawsuits, even if an accident occurs at the home of one of their employees. Article 1463 of the Quebec Civil Code states that employers are responsible for mistakes made by their employees, regardless of whether the employer himself has committed an error.

Best practices

- To avoid problems with insurance claims, organizations should inform their insurers that some employees are now working from home and, if applicable, are using the organization's equipment.

- If necessary, organizations should ensure the telecommuter's home is covered by a liability policy that permits third-party visits to the home.

REGULATIONS

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Some municipalities regulate the use of private homes for purposes other than residential. They may, for instance, impose limits on the area or location of the workspace (sometimes restricted to the basement or ground floor), the option to receive clients at the home, or the number of clients.

Best practices

- The telecommuting policy should state that employees are to commit to complying with applicable municipal regulations and that employers assume no responsibility in this regard.

- Employees should inform their employer right away if they cannot comply with municipal regulations.

RESPECTING RIGHTS AND FREEDOMS

The arrival of telecommuting blurs the line between work and private life for workers. Employers face a triple challenge : to respect worker privacy, to fulfill their obligations, and to protect the interests of the company.

Employers using telecommuting must ensure they continue to exercise their management rights whilst respecting the fundamental rights of workers as set out in the Canadian Charter of Rights and Freedoms and the Quebec Civil Code, such as the right to privacy.

Attention!

Employees who accept to work from home do not automatically waive their right to privacy. This waiver must be explicit, clear, freely and with full knowledge as to what is being waived.

Having accepted that his home has become his workplace, the employee must understand that his expectation to privacy is limited insofar as the employer can continue to exercise its management rights and respect its legal obligations (e.g. health and safety).

Note

Employees who accept to work from home must accept to be contacted there, including by video conferencing, which implies that colleagues, clients, and others may see the interior of their home.

A signed telecommuting agreement, in which the employee specifically waives his right to privacy in circumstances necessary to the proper operation of the remote work, will justify the employer's actions in this regard.

Monitoring employees

The general rules of monitoring employees at work apply to the context of telecommuting. Obviously, some adjustments will have to be made, since the monitoring is to be done directly at the employee's home.

Employers must limit their monitoring, for example by :

- Monitoring only the employee's work tools and those used by other members of the family;

- Avoiding monitoring the employee outside working hours;

- Using only reliable, verifiable data that take into account normal technical problems when performing performance or use of time evaluations.

Attention!

Adopting a telecommuting policy is the right thing to do. But it needs to be properly applied. Employers must therefore ensure that managers and supervisors are aware of the limits to their management rights in a telecommuting context.

Note

Monitoring is more justifiable and less intrusive when done directly on the equipment provided by the employer.

Remember :

- Supervision measures must allow for effective, reliable measurement of employee productivity and work time;

- Providing employees with work tools does not then mean that they can have no expectation of privacy with exchanges made using its tools (email, internet, telephone);

- If greater intrusion into private life is necessary, for instance a visit to the employee's home or obtaining information about the employee's home (e.g. photos), the organization must justify the intrusion with reasonable reasons, obtain the employee's explicit consent, and find the least intrusive means and time to do it.

PROTECTING PERSONAL INFORMATION, CONFIDENTIALITY, AND DATA SECURITY

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By virtue of the Public Sector Access to Information Act and the Privacy Act, as well as the Private Sector Personal Information Protection Act, public organizations and businesses are obliged to put in place measures to ensure the protection of personal data. This obligation extends to remote work.

Also, in the telecommuting context, certain events might impact the protection of a company's confidential data. For instance, an employee might leave an email open for all to see while dining with friends, or give the computer password to a family member, who might then inadvertently share confidential company documents.

In this regard, in order to ensure the confidentiality of the data or deal with a negligent employee, it's important to let employees know from the start what their obligations are. According to the Quebec Civil Code, protecting company data confidentiality is part of the general obligation of loyalty of employees to their employers. In order to avoid damages to the organization, the employer should establish clear guidelines regarding the protection of confidential data.

Best practices

PUT IN PLACE APPROPRIATE TECHNICAL AND ORGANIZATIONAL MEASURES FOR INFORMATION SECURITY, SUCH AS :

- Providing employees with secure equipment and using strict authentication mechanisms.

- Setting up a virtual private network (VPN) where possible and using end-to-end encryption.

- Using service suppliers (e.g. videoconferencing) with proven personal information protection practices that comply with current legislation;

- Where possible, using password-protected videoconferencing;

- Ensuring employees have access only to the information they need to perform their remote work (principle of least privilege).

INTRODUCE BENCHMARKS FOR THE PROTECTION OF CONFIDENTIAL INFORMATION, PERHAPS IN A DATA PROTECTION POLICY, OR INSERT A SECTION ON THE DATA SECURITY IN THE REMOTE WORKING AGREEMENT WHICH SHOULD :

- Inform employees about their legal and contractual obligations regarding confidentiality;

- Provide instructions on the practices to introduce to ensure data confidentiality;

- Outline employee responsibility in protecting data confidentiality and security (e.g. not leaving the computer unattended, not sharing passwords);

- Determine ways to securely store confidential data (e.g. locked room or filing cabinet);

- Determine ways to limit the visibility of hard copy documents containing confidential data;

- Make sure work-related employee conversations are kept confidential (e.g. avoid working on the balcony when having potentially confidential discussions).

EMPLOYEE TRAINING :

- Offer employees training on private data protection and information security when working remotely;

- Provide employees with the names and contact info for key personnel in the event of security problems or a device is lost or stolen.

TELECOMMUTING HEALTH AND SAFETY ISSUES

Although there is no legal framework specific to telecommuters, they do have legal protections. At the provincial level, the provisions of the LSST and LATMP apply equally to remote workers. The definition of 'worker' under both laws applies to the individual telecommuter and his home represents the workplace.

EMPLOYER RESPONSIBILITIES

. . . .

Although the telecommuter is not physically at the company's location, by virtue of the Quebec Civil Code and the LSST the employer is responsible for worker health, safety and physical well-being. Employers thus have specific legal obligations set out by the LSST, including :

- Ensuring that the organization of the work, along with the methods and techniques used to execute it, are safe and do not threaten the worker's health or well-being;

- Verifying the maintenance of the workplace, providing sanitation facilities, drinking water, lighting, ventilation, and appropriate heating, and making sure that meals taken at the workplace are consumed under sanitary conditions;

- Using methods and techniques to determine, monitor, and eliminate hazards to worker health and safety;

- Taking fire protection measures per regulations;

- Providing safe materials and keeping them in good condition;

- Thoroughly informing workers of work-related hazards and offering appropriate training and supervision to provide workers with the skills and knowledge needed to perform their work safely.

In practice, some of these obligations may seem harder to apply to remote workers. They might even seem to violate their right to privacy, for instance in the case where an employer might want to visit an employee's home to make sure it is secure.

Fortunately, with the employee's consent, the employer may use different methods to fulfil this obligation :

- Request photos of the workstation.
- Take a virtual tour.
- Send someone to install required work equipment, particularly where specific rules require it.
- As needed, perform an in-person inspection where circumstances warrant.

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Attention!

Employers using telecommuting must take care to respect the privacy and inviolability of employee residences. These rights are guaranteed by the Canadian Charter of Rights and Freedoms.

EMPLOYEE RESPONSIBILITIES

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In accordance with the LSST, employees also have health and safety obligations, including taking the necessary measures to protect their safety, security and physical well-being, and taking part in identifying and eliminating workplace hazards and professional illnesses. Telecommuters should be motivated to collaborate with their employers in organizing a safe, secure workspace in their home.

The company telecommuting policy should, then, require that employees :

- Make sure that the workspace complies with health and safety standards.
- Maintain a safe, secure, hazard-free workspace for the duration of the telecommuting agreement.
- Immediately report any workplace accident or illness to their employer.

For optimal home office preparation, telecommuters should :

CLOSE DOOR AND DRAWERS AND PUT AWAY BULKY ITEMS

TIE UP WIRES AND CABLES
TO AVOID TRIPPING HAZARDS

PROVIDE ADEQUATE LIGHTING IN THE WORKSPACE

CHECK AIR VENTILATION

SET UP AN ERGONOMIC WORKSTATION

ESTABLISH A SET WORK SCHEDULE

DEFINE THE RULES OF COHABITATION WITHIN THE HOUSEHOLD
(E.G. NOT BE DISTURBED DURING A VIDEOCONFERENCE)

During work hours, remote workers should :

ALWAYS PERFORM WORK AT THE SAME PLACE

OFTEN CHANGE POSITION
(STANDING OR SEATED)

STRETCH

LOOK AWAY FROM THE MONITOR EVERY 20 MINUTES

TAKE REGULAR BREAKS

AVOID ANSWERING THE FAMILY PHONE

USE A HEADSET FOR PHONE CALLS
(TO AVOID NECK INJURY)

When a workplace accident occurs or an employee comes down with a professional illness, he is responsible for informing his superior.

In case of workplace accidents, telecommuters may be covered by the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) if the following criteria are met :

- They are full-time or part-time employees.
- The accident occurred suddenly and unpredictably.
- The accident occurred during the execution of work duties.

FOR MORE INFORMATION

CANADIAN CENTRE FOR OCCUPATIONAL HEALTH AND SAFETY
Telework / Telecommuting

SECTOR COMMITTEE FOR CHEMICALS, PETROCHEMICALS, REFINING AND GAS
Guide d'implantation du télétravail en entreprise
(in French only)

ÉDUCALOI
Télétravail : des accidents de travail peuvent aussi arriver
(in French only)

TELECOMMUTER COMPENSATION

....

Employers are responsible for ensuring telecommuter health and safety. They are also responsible for workplace injuries that arise during remote work.

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Attention!

Telecommuters may make workplace injury claims. When a work-related accident or illness arises as part of the work done, telecommuters qualify for advantages under LATMP as well as LSST.

Under the LATMP, in case of accident, the employee must inform the employer as soon as possible. This is all the more important in the context of remote work, since the employer will need to perform an investigation to verify the circumstances of the accident and whether it really did take place in a work context.

⚠️

Attention!

In such a situation courts will proceed to an analysis on a case-by-case basis, depending on the evidence. Injuries occurring at home will usually raise problems of burden of proof.

Note

The Quebec occupational injury compensation program is a no-fault plan. Unless the employer can demonstrate willful or gross negligence on the part of an employee, a claim cannot be contested for an injury arising from remote work. It would also be difficult to invoke lack of control over the workplace arrangement to attempt to justify blame sharing.

Best practices

- Clearly explain to employees the regulatory standards their workspaces are subject to when not controlled by the organization.

- Provide advice and training on what constitutes a safe home-based workspace, specifying how to arrange a proper workstation.

- Educate workers on the protocols of reporting occupational accidents/incidents, including the contact persons, and tell them to immediately report any accident or incident arising from their work or related to it, even if it happened at home.

MENTAL HEALTH ISSUES

PREVENTIVE APPROACH

Telecommuter mental health is a constant preoccupation for employers, particularly if the remote work was quickly imposed in a crisis. To successfully implement remote work, employers must take the necessary measures to preserve employee well-being and to react quickly in times of trouble.

COMMUNICATION

For supervisors and managers, communication is key. They must keep regular contact with remote workers, whether spontaneously or in standard group or one-one-one meetings. They also need to decide on the communication tools to be used depending on the type of communication and time of day. Supervisor and managers should be transparent during these exchanges, specifically with regard to fixed objectives, the means available to attain them, the roles and responsibilities of all members, and the changes made within the company. They might also highlight a telecommuter's successes and invite him to contact his work colleagues, supervisor or manager if needed.

LIFESTYLE HABITS

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For a smoother introduction to telecommuting, the company may send information on good lifestyle habits to adopt, whether in a weekly newsletter or during a team meeting. For instance, it's recommended to set up a comfortable workspace, establish a fixed schedule, take breaks throughout the day, and do some physical activity. Employers might also suggest that remote workers contact their colleagues daily, and try to be kind in cases of conflict. To those with children, it's a good idea to suggest that they be clear about their work schedule with their loved ones and share childcare duties.

RESPONSIVENESS

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Supervisors and managers should be open-minded and responsive to their remote workers, particularly those who find themselves in this position due to circumstances beyond their control. Supervisors and managers should invite workers to share their personal or professional concerns (e.g. work/life balance) and where possible, propose solutions such as new resources or training. If an employee is going through a rough patch, the right approach is to respect his abilities while offering support and a degree of flexibility.

HARASSMENT

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To prevent conflicts, companies must make clear that no form of psychological or sexual harassment will be tolerated at the workplace, during and after working hours, regardless of where staff execute their work. Organizations must have an established policy on this subject. Updates may be needed to cover all workplace locations.

Managers and supervisors should be watchful for unresolved conflict and incivility which might give rise to psychological or sexual harassment. They also must require that telecommuters and their colleagues communicate virtually with respect, pay attention to the words they use, and adopt a polite tone during exchanges. Sharing rude jokes or images should be prohibited.

MUTUAL AID

■■■■

Supervisors and managers may start initiatives to promote mutual aid among remote workers. For example, a discussion thread on a collaborative platform, or a virtual meeting, allows employees to talk about their struggles and, most importantly, share solutions they've found to better organize their schedule, entertain the kids, or clear their mind. A support group could also be set up internally to offer advice as needed. Supervisors and managers should take part in these initiatives to keep a finger on the pulse of the team and make any changes that might be needed.

DIFFICULTY AND SIGNS OF DISTRESS

Supervisors and managers should be watchful for troubles experienced by remote workers. A variety of common challenges may affect their well-being, such as :

- Isolation
- Trouble setting boundaries between work and private life
- Household distractions
- Risk of working longer hours than before
- Lowered awareness of changes within the company
- Fear of not being adequately supervised
- Poor comprehension of guidelines and communications
- Lack of work tools and equipment
- Inadequate training

Supervisors and managers must be on the lookout for signs of distress from the telecommuter, such as :

PHYSICAL	PSYCHOLOGICAL	BEHAVIOURAL
- HEADACHES, NECK TENSION - GI PROBLEMS - SLEEP DISORDERS - LOSS OF APPETITE - FATIGUE	- WORRY AND INSECURITY - FEELING OVERWHELMED - NEGATIVE ATTITUDE - DISCOURAGEMENT - SADNESS - ANGER	- TROUBLE CONCENTRATING - DISORGANIZATION - IRRITABILITY, AGGRESSIVENESS - WITHDRAWAL - INCREASED USE OF MEDICATION, DRUGS OR ALCOHOL

SOURCE : MINISTER FOR HEALTH AND SOCIAL SERVICES

AVAILABLE RESOURCES

It is in the interest of supervisors and managers to listen to their telecommuters and be there for them when they want to discuss their problems. They might also want to discreetly share their concerns about the remote worker's behaviour. They then are responsible for referring the worker to the appropriate resources. A list of resources should be available to telecommuters at all times, on a company intranet site or in a newsletter.

INFO-SOCIAL 811
OPTION 2

écoute entraide
HELPLINE
514-278-2130 OU 1-855-EN-LIGNE

LigneParents
LIGNEPARENTS
1-800-361-5085

TEL-AIDE
514-935-1101

TEL-JEUNES
TEL-JEUNES
1-800-263-2266

ORDRE DES PSYCHOLOGUES DU QUÉBEC
514-738-1223 OU 1-800-561-1223

BEST TELECOMMUTING PRACTICES

In light of the information provided in the preceding sections, here is a summary of best practices to adopt or maintain with regard to telecommuting.

FOR ORGANIZATIONS

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BUILDING A TELECOMMUTING FRAMEWORK

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Before turning to telecommuting, it is in the company's interest to build a collective telecommuting framework, with a strategic approach to prioritizing objectives, human, material, and financial resources, and health and safety issues.

A multi-disciplinary committee could then take over and decide the methodology surrounding setting up telecommuting and developing telecommuting policies. This committee determines how telecommuting is introduced into the company :

- Pilot project
- Gradual implementation
- Instant transfer

It should also determine which employees will be telecommuting :

- The entire staff
- Part of the staff
- Select employees depending on position, department, or project they're working on.

All employees who are transferred home must study the telecommuting policy and if necessary, sign a telecommuting agreement including clauses relevant to their position.

FOR MORE INFORMATION

CENTRE FACILITANT LA RECHERCHE ET L'INNOVATION DANS LES ORGANISATIONS (CEFRIO)
Organizational challenges with telecommuting in Quebec (in French only)

GOVERNMENT OF QUEBEC
Telecommuting framework – Public Service Commission (in French only)

UNION OF QUEBEC MUNICIPALITIES
Telecommuting policy template (in French only)

See also Six things you need to include in your work-from-home policy, produced by the Ordre des CRHA.

MAINTAINING OPERATIONS

▪ ▪ ▪ ▪

The company needs to assess which positions can be transferred to remote work without compromising operations, using the following criteria :

- Low need for supervision.
- Outcomes can be evaluated remotely.
- The employee's personality is suited to remote work :
  - Autonomy
  - Discipline
  - Resourcefulness
  - Strong communication skills

To ensure proper operation, the company must provide clear guidelines on a variety of aspects of the work schedule.

WORK HOURS	▪ THE NUMBER OF HOURS THE REMOTE WORKER PERFORMS MUST BE THE SAME AS WHEN AT THE WORKPLACE.
FLEXIBILITY OFFERED TO TELECOMMUTERS	▪ GUIDELINES MUST MATCH THE CLAUSES CONTAINED WITHIN THE EMPLOYMENT CONTRACT OR COLLECTIVE AGREEMENT.
EMPLOYEE AVAILABILITY	▪ THIS MUST BE THE SAME AS WHEN AT THE WORKPLACE. WHERE BREAKS CANNOT BE TAKEN, THE TIME MUST BE REMUNERATED.
OVERTIME	▪ OVERTIME MUST BE PRE-AUTHORIZED TO AVOID WASTE.
HOLIDAYS AND TIME OFF	▪ A PROCEDURE MUST BE ESTABLISHED SO THE TELECOMMUTER KNOWS WHO TO INFORM.

To ensure remote worker productivity, the organization should provide the **equipment** needed to execute the work.

And the company must specify the **costs** it will cover vs. those to be assumed by the remote worker. However, to make itself more attractive, the company may assume costs it would not ordinarily cover.

ENSURE DATA SECURITY

Data protection should be a company priority. The company should acquire the necessary technology to ensure communications security and document confidentiality.

VIRTUAL PRIVATE NETWORK (VPN)	**PRIVATE CLOUD SERVICE**	**ANTIVIRUS**	**FIREWALL**	**BACK-UP SOFTWARE**

For security reasons, the company might want to provide telecommuters with computers to remotely access the network.

The use of this equipment should be covered by clear guidelines :

- Only the employee may have access to it as part of his professional functions.
- Measures must also be taken to prevent equipment theft, damage, and abuse.
- Employees are to follow a pre-established procedure in the event a repair or maintenance is required.

It is in the company's interest to give directions on the documents, programs, and data that telecommuters may keep at home. It should only provide what is required to execute the work. For instance, telecommuters may be asked to :

STORE CONFIDENTIAL REPORTS IN A LOCKED FILING CABINET

AVOID LEAVING THE COMPUTER UNATTENDED

NOT SHARE PASSWORDS

COMMUNICATING

■ ■ ■ ■

The company must put in place communication tools to facilitate regular exchanges between telecommuters and their managers, such as :

E-MAIL	IM	POCKET COMPUTER OR PERSONAL ASSISTANT	DOCUMENT SHARING	VIDEO CONFERENCING

■ ■ ■ ■

The times these tools are to be used (e.g. for a spontaneous question, daily follow-up, or a weekly team meeting), and with whom (internal team, outside collaborators, clients) needs to be specified.

Tip!

Employers should set out the communications responsibilities of both managers and employees in the telecommuting policy. Specifically, employees should communicate regularly, and as frequently as needed with their immediate superior and other team members, just as though they were at the workplace. Managers should also perform periodic follow-ups with their telecommuting team members.

DEVELOPING A TRAINING PROGRAM

To promote telecommuting success, it is in the company's interest to develop a training program for all team members : telecommuters, colleagues and supervisors/managers. This program should start before telecommuting begins, and include work skills training along with life skills training.

For **telecommuters** to fully benefit from this new way of working, courses on setting up a home office, time management, and good habits to manage stress and maintain productivity are recommended.

To promote a healthy dynamic between **managers** and **telecommuters**, it is suggested that they upgrade their organization, performance management, individual responsibilities, and procedures to be followed in case of accident or injury as a group.

FOR MORE INFORMATION

CENTRE FACILITANT LA RECHERCHE ET L'INNOVATION DANS LES ORGANISATIONS (CEFRIO)
Organizational challenges with telecommuting in Quebec (in French only)

SECTOR COMMITTEE FOR CHEMICALS, PETROCHEMICALS, REFINING AND GAS
Guide d'implantation du télétravail en entreprise (in French only)

SEE OUR ARTICLES

Implanter un programme de télétravail : ce que vous devez savoir! (in French only)

Le télétravail *est là pour rester* : 11 conseils pour adapter votre organisation à cette réalité (in French only)

FOR MANAGERS

....

In a telecommuting context, managers must double their efforts to establish fluid communication and virtual proximity within their work teams, whilst steering each employee toward greater autonomy in executing their tasks.

To reach these two objectives, managers must evolve toward a leadership style that seeks to mobilize rather than discipline; to lead and inspire, rather than to control.

Where telecommuting is quickly imposed with no transition period or preparation time, managers must take into account that this context may generate stress and anxiety among employees.

EXERCISING LEADERSHIP

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Managers should adapt their management style to the context of telecommuting. They will become facilitators of sorts who help telecommuters overcome obstacles. They need to make sure that their remote workers:

- Are engaged in their work.
- Understand the purpose of their tasks.
- Have the necessary skills and knowledge sets.
- Master their work tools.
- Collaborate effectively with their colleagues.

■ ■ ■ ■

The manager's goal is to help the employee progress to greater autonomy, by increasing task complexity or reducing support given from one assignment to the next.

Where telecommuting is implemented in a crisis, managers must more than ever exercise leadership that is both "authentic" and "kind". This means:

- Taking the time to enquire about each employee's particular situation and adjust expectations accordingly.
- Acknowledging that this is a learning curve for all and sharing their own struggles in order to encourage vulnerable employees to share theirs and ask for help.

FOR MORE INFORMATION

INSTITUT DU LEADERSHIP
Le leadership situationnel : webinaire de Ghislaine Clot (in French only)

REVUE GESTION – HEC MONTRÉAL
Télétravail : la gestion efficace des équipes dispersées (in French only)

See also the following presentation by the president of the Ordre des CRHA, Manon Poirier, on Human Resources Week :

Êtes-vous un bon gestionnaire pour votre équipe? (in French only)

MANAGING PERFORMANCE REMOTELY

The best management style for remotely managing performance is results-oriented leadership. Managers need to focus on an employee's deliverables rather than his attitudes and behaviours.

Use SMART to define objectives in order to translate deliverables into "results".

These objectives are :

S	**M**	**A**	**R**	**T**
SPECIFIC	MEASURABLE	ATTAINABLE	REALISTIC	TIMELY

FOR MORE INFORMATION

SEE OUR ARTICLE :
Quatre clés pour gérer la performance en télétravail
(in French only)

LEADING A REMOTE TEAM

Normally companies have internal rules as defined in the employee manual. This includes the workday schedule and break times. Managers need to provide their telecommuting teams a similar reference, in keeping with company culture.

Remote workers should be able to find out :

- What does a typical remote workday look like?
- Is the schedule fixed or variable?
- Are break times the same?
- Are there certain periods of the day where we need to be available to management?
- What are the points of contact with colleagues and managers?
- What communications platforms should be used and under what circumstances?

Managers must establish a contact calendar with their team, including :

- Team meetings for group alignment.
- Individual check-ins to enquire about the state of mind, offer support and provide feedback on work objectives.

The framework proposed to remote workers must be both clear and flexible. It should evolve over time, according to the particular needs of people, teams, and companies.

ENSURING GOOD COMMUNICATIONS

▪ ▪ ▪ ▪

With telecommuting, communication is one of the most important management skills. Managers need to be great communicators—direct, clear, and concise in every exchange. They also need to avoid assumptions by constantly checking their perceptions against their team.

A good manager also needs to communicate with telecommuters on a regular basis in order to :

- Check up on work performed.
- Discuss objectives.
- Make sure all necessary tools are provided.
- Find out whether assistance is required.

💡 **Tip!**

Any communications method can be used to keep in touch with team members—email, phone calls, and video conferencing. Obviously, methods that allow supervisors and employees to see each other are encouraged for closer contact and more open dialogue.

LEADING VIRTUAL MEETINGS

A key remote management role is leading both group and one-on-one meetings. Again, it's important to be clear and concise during these exchanges, which can be supplemented with a written report afterward.

To keep participants engaged, virtual meetings must be :

- interactive
- divided into short blocks separated by breaks

Managers must keep in mind that introverted employees, or those not so comfortable using technology, may tend to remain in the background in group meetings. Extra effort needs to be put in to include these employees in the conversation by directly asking for their opinion during group or individual meetings.

SOCIALIZING

Worker isolation is an important hazard of telecommuting. Managers have a role in promoting socializing among workers.

For instance, they might :

- Plan for a few minutes of free conversation at the start of each meeting.
- Encourage collaboration between team members.
- Set up a buddy system where each employee is responsible for checking up on a colleague.
- Encourage spontaneous contact between colleagues and/or managers to generate informal exchanges.

MOBILIZING AND MAINTAINING ENGAGEMENT

Managers need to constantly see to remote worker mobilization. It should be noted that each employee has different motivation levers.

Here are five levers managers can work on :

PURPOSE	RECOGNITION	INFLUENCE	ACCOMPLISHMENT	SOCIAL AFFILIATION
The majority of workers want their work to have purpose. Managers can review the company mission, vision, and values, using storytelling techniques.	Some employees are fuelled by signs of acknowledgement such as congratulations, mentions, and awards. Successes could be highlighted on a weekly basis.	Some employees want to feel as though they have an impact on a company's destiny. Managers can engage them in the decision process.	Some employees want to feel that they are progressing and improving in their work. It's appropriate to give them tasks and challenges to suit their skills and motivation.	Employees want to feel like they're part of a team. The manager might plan a happy hour or outing at a park whilst observing social distancing.

Managers need to get to know their team members to activate the right levers to mobilize individuals.

CREATING A CLIMATE OF TRUST

To favour worker engagement, managers can adopt a posture of trust toward telecommuters. If managers trust that employees will follow orders and do their best, they can create a work climate that favours engagement and mobilisation. Several studies have shown the importance of establishing a climate that favours exchanges, based on trust and reciprocity, in mobilizing teamwork.

FOR EMPLOYEES

....

To employees, telecommuting may represent a solution to a better work/life balance, as well as gaining autonomy and enjoying greater flexibility. However, remote work also has risks arising from social isolation, distractions in the home and trouble disconnecting from work. Under these circumstances, employees need to contribute to developing a workspace.

SETTING UP THE WORKSTATION

At home, telecommuters need a secure workspace for their own health and safety. They need all the tools and equipment needed to execute their professional tasks.

Remote workers set up their workstations ergonomically, mindful of the hazard of the physical strains of computer work.

FOR MORE INFORMATION

ASSOCIATION POUR LA SANTÉ ET LA SÉCURITÉ DU TRAVAIL DU SECTEUR DES AFFAIRES SOCIALES
Office Ergonomics - Working at the computer

CÉGEP DE SHERBROOKE
Aide-mémoire pour bien régler et bien aménager un poste de travail informatisé (in French only)

COMMISSION DES NORMES, DE L'ÉQUITÉ, DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL (CNESST)
Conseils ergonomiques pour le travail à l'ordinateur (in French only)

Telecommuters need to make the necessary adjustments to ensure that :

HEAD IS STRAIGHT OR BENT SLIGHTLY DOWN

EYES ARE IN LINE WITH THE TOP OF THE SCREEN

SHOULDERS ARE RELAXED

BACK IS VERTICAL OR LEANING BACK SLIGHTLY

ARMS ARE CLOSE TO THE BODY, FORMING AN ANGLE OF 90 TO 135 DEGREES

THIGHS ARE PARALLEL TO THE GROUND

ANKLES, KNEES AND HIPS FORM A 90-DEGREE ANGLE

FEET TOUCH THE GROUND
(A FOOTREST MAY BE ADDED)

It's up to the employer to provide the computer (powerful enough to support applications and programs) and other hardware (fax, copier, etc.) the employee needs to execute the work.

MAINTAINING WORK/LIFE BALANCE

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Telecommuting blurs the line between work and personal life. Telecommuters run the risk of being distracted by family life. And conversely, work can encroach upon private life.

Employees must **determine their most productive work hours**, given their family constraints and personal dispositions, in accordance with guidelines from their manager.

Informed of the work hours, the family will be better able to respect the telecommuter's need for quiet. Children may benefit from a system of images or colour codes to help them understand when a parent cannot be disturbed.

Establishing a work schedule with colleagues also help employees clarify :

- The hours when they're available, to reduce intrusive phone calls outside working hours.
- Expectations with regard to response delays, so that colleagues know when they can expect an answer.

As not all telecommuters work the same hours, some remote workers may receive communications outside of their working hours. To maintain the boundary, telecommuters will need to refrain from responding by shutting off work app notifications.

FOR MORE INFORMATION

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX
Don't forget about mental health – Organize your telework

UNIVERSITÉ DE MONTRÉAL
Comment survivre psychologiquement au télétravail en temps de pandémie?
(in French only)

WORKING AT A REALISTIC, SUSTAINABLE RATE

While being productive, remote workers must not burn out. The ever-present work tools in the home may lead a remote worker to spend more hours working than he would at the office.

His work schedule must include the following :

PERIODS OF FOCUSED WORK

TIME NEEDED FOR VARIOUS COMMUNICATIONS

A TIME CUSHION FOR UNEXPECTED EVENTS

BREAKS TO EASE THE MIND AND BODY

FOR MORE INFORMATION

INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC
Recommandations concernant la réduction des risques psychosociaux du travail en contexte de pandémie – COVID-19 (in French only)

EFFECTIVE COMMUNICATIONS

Communication is essential to ensure that telecommuting is healthy and effective, with respect to content, format, and timing. Remote workers need to agree with their supervisors and colleagues on the ways they communicate—when, how, and what kind of information.

However, not all communications tools are created equal. Emails are great for factual information. Videos, with their non-verbal language, humanize communications and favour expressions of all kinds—exploratory ideas, concerns about a working approach, or satisfaction in being assigned a task.

Employees need to determine the method of communication best suited to their current need.

ESTABLISHING A RELATIONSHIP OF TRUST

With telecommuting, the frequency of communications is based on trust. Managers might be insistent, for instance wanting to know the state of progress of a file, and disturb employees outside their working hours. To avoid intrusions in their private lives, employees may request a discussion with their manager to define tasks, establish priorities and agree on production times and ways to communicate file status.

Employees may also have this discussion with their colleagues to ensure successful collaboration.

STAYING PRODUCTIVE

Telecommuters no longer enjoy the stimulating presence of their colleagues. Distance may reduce their commitment to the organization. The prerequisites of productivity are motivation and teamwork.

Employees are motivated when they understand the purpose of their tasks and receive feedback on the quality and usefulness of their work.

To this end, employees may :

- Request specifics on the objectives to reach and make sure to dispel any uncertainties when receiving an assignment from a superior.
- Check with the superior, in the execution of the assignment, if they are going in the right direction and whether some aspects needed to be worked further.
- Request feedback to see whether their work met expectations post-delivery.

Telecommuters need to feel like their personal contribution is advancing a group-led project. To feel like they're part of the team, they need to determine with their colleagues those shared time period for verbal exchanges, so that they're not solely reliant on emails.

MAINTAINING SOCIAL RELATIONSHIPS

A work team is united by a common objective and the feeling of belonging to the organization, along with the social relationships that arise from informal exchanges, like coffee breaks.

Telecommuters need to continue these informal exchanges that humanize work relationships.

To this end, telecommuters can :

- Take part in a virtual water cooler, an internal exchange platform reserved for informal discussions that employees can log onto at break times and chat with others.
- Organize a flash video conference to say hello to a colleague whose workday is starting at the same time.
- Build an anti-solitude squad with a few close colleagues to call and chat with live.
- Accept that some aspect of private life, or a family member, might occasionally interrupt a video conference, connecting work life with human relationships.

FOR MORE INFORMATION

INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC
Recommandations concernant la réduction des risques psychosociaux du travail en contexte de pandémie – COVID-19 (in French only)

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX
Don't forget about mental health – Organize your telework

APPENDICES

APPENDICES

1 | SAMPLE TELECOMMUTING AGREEMENT

- DIRECTIVE ON TELEWORK
- MODÈLE DE LA CHAMBRE DE COMMERCE ET D'INDUSTRIE THÉRÈSE-DE-BLAINVILLE (CCITB) (P.15) (in French only)

2 | TELECOMMUTING TOOLS

This list is for information purposes only, is not exhaustive, and does not engage in any way the responsibility of the Ordre des CRHA.

COLLABORATIVE WORK TOOLS
- GOOGLE GSUITE
- MICROSOFT OFFICE 365

PROJECT AND TEAM MANAGEMENT
- WRIKE
- TRELLO
- MONDAY

REMOTE CONNECTION TO SERVERS OR COMPUTERS
- TEAMVIEWER
- MICROSOFT REMOTE DESKTOP
- MAC REMOTE DESKTOP

COLLABORATIVE/TEAM COMMUNICATION TOOLS
- SLACK
- FACEBOOK WORKPLACE
- MICROSOFT TEAMS

VIDEO CONFERENCING TOOLS
- ZOOM
- GOOGLE MEET
- SKYPE
- JOIN.ME
- GOTOMEETING

ONLINE DOCUMENT MANAGEMENT TOOLS
- GOOGLE DRIVE
- DROPBOX
- ONEDRIVE
- ZOOZL
- WETRANSFER

USEFOOL RESOURCES AND REFERENCES

USEFOOL RESOURCES AND REFERENCES

PUBLIC ORGANIZATION WEBSITES

CÉGEP DE SHERBROOKE
AIDE-MÉMOIRE POUR BIEN RÉGLER ET BIEN AMÉNAGER UN POSTE DE TRAVAIL INFORMATISÉ (in French only)

CANADIAN CENTRE FOR OCCUPATIONAL HEALTH AND SAFETY
TELEWORK/TELECOMMUTING

COMMISSION DES NORMES, DE L'ÉQUITÉ, DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL (CNESST)
CONSEILS ERGONOMIQUES POUR LE TRAVAIL À L'ORDINATEUR (in French only)

GOVERNMENT OF QUEBEC
TELECOMMUTING FRAMEWORK – PUBLIC SERVICE COMMISSION (in French only)

INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC
RECOMMANDATIONS CONCERNANT LA RÉDUCTION DES RISQUES PSYCHOSOCIAUX DU TRAVAIL EN CONTEXTE DE PANDÉMIE – COVID-19 (in French only)

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX
DON'T FORGET ABOUT MENTAL HEALTH – ORGANIZE YOUR TELEWORK

UNION OF QUEBEC MUNICIPALITIES
TELECOMMUTING POLICY TEMPLATE (in French only)

UNIVERSITÉ DE MONTRÉAL
COMMENT SURVIVRE PSYCHOLOGIQUEMENT AU TÉLÉTRAVAIL EN TEMPS DE PANDÉMIE? (in French only)

ENTREPRENEUR AND BUSINESS SUPPORT RESOURCES

ASSOCIATION POUR LA SANTÉ ET LA SÉCURITÉ DU TRAVAIL DU SECTEUR DES AFFAIRES SOCIALES
OFFICE ERGONOMICS - WORKING AT THE COMPUTER

CENTRE FACILITANT LA RECHERCHE ET L'INNOVATION DANS LES ORGANISATIONS (CEFRIO)
LES ENJEUX JURIDIQUES DU TÉLÉTRAVAIL AU QUÉBEC (in French only)

LES ENJEUX ORGANISATIONNELS DU TÉLÉTRAVAIL AU QUÉBEC (in French only)

CENTRE INTERUNIVERSITAIRE DE RECHERCHE EN ANALYSE DES ORGANISATIONS (CIRANO)
IMPACTS POTENTIELS DU TÉLÉTRAVAIL SUR LES COMPORTEMENTS EN TRANSPORT, LA SANTÉ ET LES HEURES TRAVAILLÉES AU QUÉBEC (in French only)

SECTOR COMMITTEE FOR CHEMICALS, PETROCHEMICALS, REFINING AND GAS
GUIDE D'IMPLANTATION DU TÉLÉTRAVAIL EN ENTREPRISE(in French only)

COMITÉ SECTORIEL TECHNOCOMPÉTENCES
GUIDE D'IMPLANTATION DU TÉLÉTRAVAIL EN ENTREPRISE (in French only)

ÉDUCALOI
TÉLÉTRAVAIL : DES ACCIDENTS DE TRAVAIL PEUVENT AUSSI ARRIVER (in French only)

REVUE GESTION – HEC MONTRÉAL
TÉLÉTRAVAIL : LA GESTION EFFICACE DES ÉQUIPES DISPERSÉES (in French only)

ORDRE DES CONSEILLERS EN RESSOURCES HUMAINES AGRÉÉES

7 KEYS TO SUCCESSFUL TELECOMMUTING

SIX THINGS YOU NEED TO INCLUDE IN YOUR WORK-FROM-HOME POLICY

In French only :

ÊTES-VOUS UN BON GESTIONNAIRE POUR VOTRE ÉQUIPE?

IMPLANTER UN PROGRAMME DE TÉLÉTRAVAIL : CE QUE VOUS DEVEZ SAVOIR!

LE HARCÈLEMENT PSYCHOLOGIQUE AU TRAVAIL À L'ÈRE DE LA PANDÉMIE

LE TÉLÉTRAVAIL *EST LÀ POUR RESTER* : 11 CONSEILS POUR ADAPTER VOTRE ORGANISATION À CETTE RÉALITÉ

LES 6 COMMANDEMENTS DE LA CHARTE DU GESTIONNAIRE BIENVEILLANT

QUATRE CLÉS POUR GÉRER LA PERFORMANCE EN TÉLÉTRAVAIL

SE RESPONSABILISER POUR UNE RELANCE EN TOUTE SÉCURITÉ

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