

working from home: employer guidelines

It's essential to have a robust process in place if your staff request to work from home.

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While it needs to be given careful consideration, there are steps you, as an employer, can take to cover yourself and comply with workplace health and safety legislation if you decide to allow staff to work from home.

While having employees who work from home on a regular basis can be of great benefit to both you and your employees, you continue to be responsible for their workplace health and safety. In saying this I don't mean to scare you away from the thought, as working from home allows you to keep valuable staff happy, retain them by having flexible options and improve their productivity. The benefit to employees is that they can fulfil their family obligations more easily and/or have a better work/life balance in general. However, what I do mean to do is ensure you are aware that your health and safety obligations and responsibilities you have for employees in the general workplace extends to the home for those employees working from home.

You simply cannot afford to be complacent when it comes to employees working from home. Recently a Telstra employee in Brisbane, working from home, suffered an injury after falling down the stairs – twice in two months. The tribunal found that the falls arose out of employment with Telstra and, as a result, they will have to pay compensation for the employee's lost income and any loss of future earning potential. This case highlights how important it is to meet all your health and safety obligations, even when it comes to remote/home offices.

PRIOR CONSIDERATIONS

There are some things you need to consider in deciding whether to allow your employees to work from home. Is the employee's job

suitable to be performed from home? What equipment will be necessary for an employee to undertake work and what are the costs involved? How often will they work from home? How will it affect others in the team or organisation and how will you minimise the effect? Consider also how you will assess the employee's performance and the effect of working alone and putting systems in place things to minimise any effect.

Once you've given the request consideration and agree to the employee working from home, you need to firstly put the agreement in writing. If the request is due to the flexible working arrangements entitlement under the *Fair Work Act 2009* that was introduced on 1 January 2010 as part of the National Employment Standards, a written response to decline or accept the request is required within 21 days.

Formalise the agreed arrangements in writing and be sure to include the days and hours the employee will be working from home (this is particularly important for workers compensation). You should also include access for you as an employer to check the workplace is safe and systems are in place. Also, consider a trial period or review date, conditional upon completing a checklist on a regular basis.

WORKPLACE HEALTH AND SAFETY CHECKLIST

Ensure that the home office is safe and free of risks to health. Each employee working from home must complete a workplace health and safety (WH&S) checklist – once on commencement and then on an agreed, ongoing timeframe.

The checklist requires the employee to check off specific things to ensure that

their home office complies with specific WH&S requirements. For example: is there a working smoke detector? Is there an ergonomic work station set up? Is a fire extinguisher readily available? Is a basic first aid kit easily accessible? Are exits from the work area clear and unobstructed? Are all electrical cords and appliances safely secured? Are there sufficient power points to prevent overloading? Are there any tripping hazards? Are all floor coverings safe and non-slip? Are there appropriate handrails on any stairs? Is the lighting appropriate for the work being undertaken? Is there proper ventilation and adequate heating/cooling?

As a starting point I would recommend doing a search on 'working from home', 'office safety' or 'ergonomics' on the website of your state department responsible for workplace health and safety. You don't need legal advice but it may be worthwhile getting someone who is qualified and had experience in WH&S to look over it for you. Ensure that relevant systems are in place to report hazards that are identified and incidents that may occur.

AUDIT THE HOME OFFICE

Finally, as an employer of an employee working from home on a regular basis, you are obligated to audit their home office on an annual basis, just as you would in your corporate workplace office. I know this sounds over the top but you simply can't just take their word for it by way of the checklist. You are still responsible, so you need to check.

Upon reflection of the steps to comply with WH&S legislation, putting the agreement in writing, introducing a checklist, putting risk management systems in place and auditing the workplace – you will ensure that working from home is done, safely.

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