

July 27, 2020

Guidelines to managing employees working from home



The Covid-19 pandemic, and by extension the national lockdown, has opened the door for employees working from home on a more permanent basis.

Thanks to ever-changing and improved technology, working from home has become more convenient, accessible and cost-effective. For many companies, working from home will become the modus operandi beyond lockdown.

Working from home poses certain challenges that companies will need to overcome to ensure maximum employee productivity.

These challenges include distractions, lack of resources, information and face-to-face supervision, lack of discipline/motivation, isolation, etc. The purpose of this blog is to provide employers and managers with guidelines to manage and overcome the challenges of working from home and ease employee transition to efficient remote working.

Equip employees with information, training and resources required to work from home

The fundamental aspects of any company are 1) the skills of its employees and 2) the tools at their disposal.

Therefore, it is important for every employer to ensure that their employees improve their skills through training and that they have all the necessary resources/tools at their disposal to perform these skills while working from home. These tools include access to the internet, laptops, printers and other technology such as email, Zoom/Skype, MC Teams, etc.

- Employers can facilitate better communication and effectively identify remote technical shortcomings by asking employees working from home to complete a questionnaire or needs list.
- Another avenue for enhancing efficiency is to encourage self-improvement within a remote worker setting. Self-identification of a technical or skills-based shortcoming will allow management to prioritise their training or offer information sessions and so doing empower workers to complete their assignments proficiently.
- *Managers and employers should encourage employees to commence online training in new or different skills/fields to ensure a variety of skills amongst employees.*

Encourage regular check-ins

Managers/Employers should facilitate daily/weekly check-ins with all their employees via phone calls, video calls, MC Teams meetings, WhatsApp groups, emails or a combination of the above. This can be done on a one-on-one basis or in groups depending on the manager/employer's preference.

- It would be beneficial to conduct at least one video call per month with all employees to assist with possible loneliness experienced during lockdown conditions and thereafter, while also reassuring the individual employees that they are part of a team through social interaction.
- Having these check-ins will provide employees with a platform where they can raise their concerns/needs, allowing for continuous communication to ensure that employee and management expectations are both informed and reasonable.
- Managers can supervise and evaluate employee performance by setting clear goals and expectations. These follow-ups will also enhance supervisory oversight, allowing management to determine whether an employee has failed to reach their defined goal and when to proceed with remedial/disciplinary action.

Set clear expectations and goals

Since face-to-face supervision is limited for remote employees, it is of extreme importance that managers/employers set clear goals for their employees. This allows the employer to set more clearly defined and tangible expectations for the workforce and ensure transparency, discipline and progress.

- It would therefore be beneficial for managers/employers to set clear deliverables and metrics so that they can track and measure the outcomes and results of the employee's work and then reward or reprimand them accordingly.
- Further, employees can be commended when they reach goals or as recognising an employee's hard work and dedication will assure them that they are appreciated, improve morale and encourage employee independence.

Conversely, employees who failed to reach their predetermined goals due to their own conduct or poor work ethic must be disciplined or identified for remedial action at the next check-in.

Implement disciplinary action where required

A prime factor in effective remote working is to implement disciplinary action when and where needed.

- Warnings can be issued to employees when they fail to reach their targets, fail to comply with company policies or are absent from their workstation during their specified working hours, etc.
- The employees working from home will still be subject to all the rules and regulations of the company and the Disciplinary Code of Conduct will therefore still be applicable and will be used as a guideline to decide on the appropriate action that must be taken for the specific misconduct, even if they are working remotely.

It is important to note that all the normal processes must be complied with when issuing warnings or conducting disciplinary hearings for employees working from home.

The Code of Good Practice: Dismissal, provides the following “*this approach (progressive discipline) regards the purpose of discipline as a means for employees to know and understand what standards are required of them. Efforts should be made to correct employees’ behaviour through a system of graduated disciplinary measures such as counselling and warnings*”.

Therefore, when issuing warnings on employees, it is recommended to follow a personal approach through consulting with employees as it allows mutual employer-employee understanding regarding the operational standards required of them.

What are the disciplinary hearing options?

A notice of disciplinary hearing can be served on an employee in person or via email, as long as there is proof that the employee received the notice and that he/she understands it. Therefore, it is critically important that the notice served on the employee lists the allegations/charges in a clear and concise manner, in a language that the employee understands and contains all the employee’s rights.

- Disciplinary hearings may be conducted virtually, as was confirmed in the case of MTWU obo Nonyane and Star Express CC where the arbitrator ruled as follows: “...I would however find that Skype would be acceptable for an inquiry of this nature as it is a video call.”

Therefore, disciplinary hearings can be conducted in person or by means of videoconferencing, provided that the employer complied with all the obligations outlined in the Code of Good Practice: Dismissal and that it was convenient, fair, just and equitable under the circumstances to do so. Having a virtual disciplinary hearing will save the employer and the employee time and costs and is therefore definitely an option to consider.

How to set up and implement a work-from-home policy

The creation and implementation of a remote working policy would combine all the above aspects into a written document, which would be provided to the relevant employees, thus ensuring that employees know and meet their expected goals and are also aware of the disciplinary measures that will be taken in the event they become neglectful of their agreements or predetermined expectations set out by their supervisors.

- Working from home would not always be possible for everyone in your workplace and therefore it would be important to specify the scope and application of the work-from-home policy.
- The policy should also be clear with regard to the responsibilities and expectations of the employee and should therefore specify the resources/support the company will provide and what the employee's own responsibilities are. *The policy should also mention how tools, goods and information provided to the employees should be protected while they are working from home.*
- Further, the policy should include a reporting and check-in clause setting out how the check-ins will take place and what alternative platforms would be available for employees to contact their managers or employers should the need arise. The hours during which the employee is to remain contactable or open to communications should be stated specifically in the policy document.
- The policy can also be used to set out tasks or outputs and what is expected from employees while they are working remotely. The employees are still expected to uphold the image of the company and therefore it would be important, for example, to mention the email or online etiquette to be applied while working in their home environment.
- Lastly, there should be a clear outline as to the consequences should the employee fail to adhere to the content of the policy or any other company rules while they are working remotely.

SERR Synergy is able to assist employers and simplify the efficient drafting of remote working policies (work-from-home policy) to safeguard the client in the event of labour disputes. *We provide our clients with proficient and world-class labour law guidance that empowers employers to deal with their workforce-related supervising policy,* chairing virtual or in-person disciplinary hearings and guiding our clients with regard to disciplinary warnings and remedial action.

About the Author:

Angelique van der Sandt joined *SERR Synergy* in March 2016. She is a Labour legal advisor at our Cape Town Branch. She is an admitted attorney of the High Court of South Africa and completed her Bachelor of Arts (B.) in Law and subsequent Bachelor of Laws (LLB) degrees, Law School and post-graduate Certificate in Advanced Labour Law at the University of Pretoria.

Reference list of sources consulted:

Larson, B.Z., Vroman, S.R. and Makarius, E.E., 2020. A guide to managing your (newly) remote workers. *Harvard Business Review*, 18.

<https://hbr.org/2020/03/a-guide-to-managing-your-newly-remote-workers>

[https://www.forbes.com/sites/forbescoachescouncil/2018/05/30/top-15-tips-to-effectively-manage-remote-employees /#37a56776503c](https://www.forbes.com/sites/forbescoachescouncil/2018/05/30/top-15-tips-to-effectively-manage-remote-employees/#37a56776503c)

MTWU obo Nonyane v Star Express CC (Case no: GPRFBC25323)

http://www.nbcrfli.org.za/Arbitration%20Awards%202013/GPRFBC25323_Nonyane.pdf

©*SERR Synergy*, www.serr.co.za