



A-Z OF EMPLOYING

Working From Home Policy

Our guide for Employers and Managers

**SUPPORTING,
FACILITATING &
REPRESENTING
BUSINESS**

Business**Central** 

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It should not be a substitute for professional advice.

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Purpose and Application

- 1.1. [Insert Company Name] (“the Company”) recognises that there may be circumstances where it would be beneficial or convenient for an employee to work from home. The Company may therefore, at its sole discretion, and on a case-by-case basis, allow employees to work from home (temporarily or otherwise).
- 1.2. Working from home arrangements are discretionary and do not constitute a contractual entitlement or create an expectation of permanency, unless such arrangement has been expressly contractually agreed between the Company and the particular employee. The Company sets the following conditions:
 - a. The Company may, at its sole discretion, determine whether or not an employee’s duties are suitable to be conducted temporarily from the employee’s home (or some other location away from the Company’s premises);
 - b. The Company reserves the right to vary, modify or end any working from home arrangement at any time for any reason (in consultation with the employee);
 - c. The Company does not generally support working from home in situations where an employee or someone who is dependent upon an employee for care is sick or injured;
 - d. Employees working from home are required to comply with all of the Company’s policies and instructions, including but not limited to its health and safety policies, procedures and instructions; and
 - e. The Company may take disciplinary action, up to and including termination of employment for breaches of this policy and/or obligations related to this policy.
- 1.3. The Company and its employees recognise their respective obligations under the Employment Relations Act 2000 (and any other relevant provisions in the Company’s policies and/or employment agreements) in respect of working from home requests and arrangements.

Responsibilities

- 1.4. It is the responsibility of the Company/relevant manager to ensure that:
 - a. Due consideration is given and timely responses to requests for working from home are provided;
 - b. Where a request for flexible working arrangements (including working from home requests) pursuant to Part 6AA of the Employment Relations Act 2000 is received, the request is fairly considered and responded to in accordance with the relevant obligations under Part 6AA of the Employment Relations Act 2000;
 - c. Where a request for short-term flexible working arrangements by a person affected by family violence (including working from home requests) pursuant to Part 6AB of the Employment Relations Act 2000 is received, the request is fairly considered and responded to in accordance with the relevant obligations under Part 6AB of the Employment Relations Act 2000 (the Company’s family violence leave policy, if any, applies in this respect);

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- d. Employees who are approved to work from home are not disadvantaged and not unjustifiably offered adverse terms and conditions than those Employees based in the Company's office premises; and
 - e. Appropriate steps are taken to ensure that employees who are approved to work from home are not working excess hours on a regular basis.
- 1.5. It is the responsibility of the employees to ensure that:
- a. Where a request for working from home is made pursuant to Part 6AA of the Employment Relations Act 2000, such request satisfies the requirements set out in that Act;
 - b. Where a request for working from home is made pursuant to Part 6AB of the Employment Relations Act 2000, such request satisfies the requirements set out in that Act (the Company's family violence leave policy, if any, applies in this respect);
 - c. They accurately record their actual hours of work and that they do not work excessive hours outside their contractually agreed and nominated hours of work on a regular basis;
 - d. They must be available to be contacted during the agreed/nominated hours of work;
 - e. They take appropriate rest and meal breaks in accordance with the Employment Relations Act 2000 and any corresponding agreement between the employee and the Company;
 - f. They perform their duties and obligations to the best of their abilities and do not mislead the Company in any way while working from home.

Terms and Conditions

- 1.6. Employees who work from home are managed by the Company in the same way and are subject to the same terms, conditions and policies of employment, unless the particular arrangements/circumstances warrant and or/justify different treatment.
- 1.7. Due to the remote nature of working from home arrangements, and the Company's reduced ability to control the employee's home working environment, additional arrangements must be finalised before the employee can commence working from home, and specific terms, conditions and obligations also apply, as set out in this policy.

Health and Safety

- 1.8. Employees must ensure that they comply with and abide by their obligations under the Health and Safety at Work Act 2015, its subsequent amendments and any substituting legislation.
- 1.9. Employee will ensure that they comply with and abide by their obligations under all policies, procedures, directions and instructions from the Company regarding health and safety and will take all reasonably practicable steps to ensure that in the performance of their duties, they do not undermine their own health and safety or the health and safety of any other person.
- 1.10. In particular, in order to meet their responsibilities under the Health and Safety at Work Act 2015, employees who work from home are required to ensure that:

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- a. They have or make available a suitable work space to enable and ensure the effective and safe performance of their duties, and their work activities are kept separate from domestic/family activities;
- b. They take all reasonably practicable steps to ensure their safety while working from home. This includes identifying, managing, eliminating, isolating and/or minimising potential hazards, as well as immediately reporting such actual/potential hazards to the Company;
- c. All work equipment is properly installed and used in accordance with the manufacturer's and/or the Company's instructions (for example, ensuring that electrical sockets/plugs are not overloaded, and that wires and cables are tidy and controlled);
- d. They take all reasonable steps to keep the Company's technology and equipment safe and in working order;
- e. The seating and lighting available to them is appropriate and sufficient for the safe and effective performance of their duties, and any potential health and safety risks in this respect are immediately notified to the Company;
- f. Any work-related hazards or materials are stored securely and are not accessible to family members or others who might be in, or have access to, the home-based workplace;
- g. They manage their working time effectively, including taking appropriate rest and meal breaks;
- h. They are aware of the risks associated with working alone and take steps to manage them, including bringing any concerns to the immediate attention of the Company;
- i. Any sickness or injury or work-related health issues are immediately reported to the Company, as if the employee was working in the Company's office;
- j. They have reasonable access to an appropriate first aid kit; and
- k. They immediately communicate any concerns or problems in relation to the above, or in relation to working from home in general, with their manager and/or another representative of the Company.

Work Location (Home Office Equipment, Utilities and Travel)

- 1.11. The Company and the employee will agree what (specifically what areas of the employee's home, for example home office, spare room, kitchen, bathroom) will be considered to constitute the workplace for the purposes of the performance of the employee's work duties, and also for the purposes of ACC and occupational health and safety considerations. Areas not covered by that agreement will be deemed not a workplace for the purposes of any ACC claim and/or occupational health and safety considerations, unless the particular context requires otherwise.
- 1.12. The workspace/workstation the employee intends using needs to be initially approved by the Company and may be inspected from time to time, to ensure it is suitable for the effective and safe performance of the employee's duties. Employees are expected to consent to such reasonable inspections. Inspections may be undertaken by the Company and/or an occupational therapist or other appropriate person to be nominated by the Company.
- 1.13. The Company may also request photographs of the employee's workstation at any time, and such photographs will be placed on record.

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- 1.14. The Employee must immediately notify the Company of any change to the home office set-up that may adversely affect the employee's ability to effectively and safely perform their duties.
- 1.15. Unless expressly agreed otherwise, the Company will not be responsible for meeting or contributing to any costs associated with the setting up, maintenance and operation of the home-office (for example, furniture and utilities), except for the provision of necessary equipment (e.g. IT, stationery) to enable the employee to perform their duties. If the Company provides any such equipment, the employee must take all reasonable steps to keep the provided equipment safe and in working order.
- 1.16. The employee may be required to travel to and from the Company's office premises from time to time (for example, to attend meetings, etc.). Such travel time does generally not amount to work time and the employee will meet all costs associated with such travel/commuting requirements, unless expressly agreed or the context requires otherwise.
- 1.17. The employee must immediately notify the Company of any changes to their home/home-office address and contact details.

Hours of Work

- 1.18. The employee and the Company/the employee's manager will agree to the hours that the employee can/will work from home, and will document this.
- 1.19. Any work from home hours should not exceed the employee's usual and agreed hours of work on a regular basis.
- 1.20. The Company may request the employee to document/record their actual hours of work (including time worked outside of and/or in addition standard office hours and/or agreed hours), and to provide such documentation/records to the Company.

Security Considerations

- 1.21. All Company policies and instructions regarding the protection of confidential business information continue to apply in the context of any working from home arrangement. Business/work-related information and data is to be kept secure, either in locked storage or by restricting access to work-related files on computers (for example, by using passwords, etc.).
- 1.22. The employee will safeguard all business/work-related information and documentation from access by other members of the household and/or visitors.

Risk Management

- 1.23. For insurance purposes, both the Company and the employee must be able to distinguish between work and personal time in the home. To reduce the Company's potential liability for ACC claims, the Company along with the employee are to set standard parameters for hours to

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be worked at home, this may include the employee recording their breaks, among other work related things.

- 1.24. To prevent liability on the part of the Company and maintain appropriate professionalism, employees are not permitted to have clients or other business guests meet at their home. Such meetings should be scheduled in the client's office or the Company's office premises, unless agreed otherwise on a case-by-case basis.
- 1.25. The employee with a standard schedule of working at home should maintain appropriate levels of homeowners or renters insurance coverage to protect individual and Company assets.
- 1.26. The employee must ensure that they do not have other commitments outside of the Company's business at the time they are working from home (for example, it is not appropriate to combine home-based work with caring for dependants during work hours).

Policy Amendments

- 1.27. The Company is entitled to amend and vary its policies from time to time at the Company's sole discretion and all employees are required to observe such policies.

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