

BEST PRACTICES IN THE HOME-BASED EMPLOYMENT OF PEOPLE WITH DISABILITIES



CANADIAN CENTRE ON DISABILITY STUDIES



Best Practices in the Home-Based Employment of People with Disabilities
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INTRODUCTION

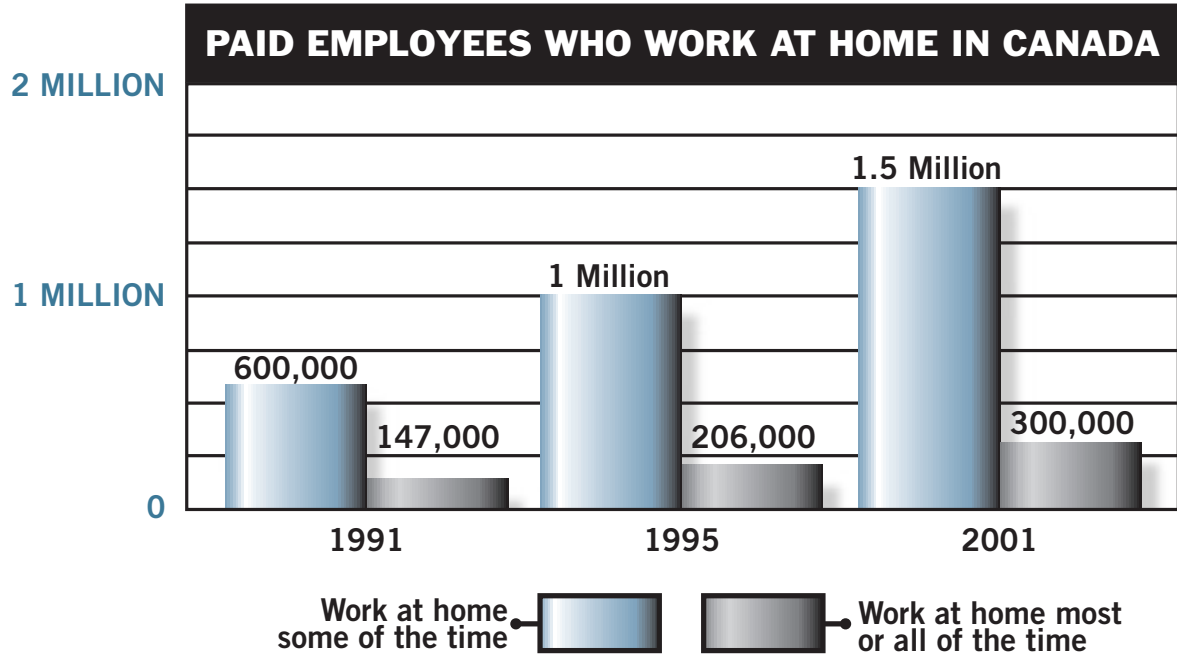
WORKING AT HOME

Working at home has become increasingly common in Canada. A 1995 Statistics Canada survey found that one million paid employees—almost one in ten—did some work at home, including 200,000 people who did most or all of their work at home.¹ These figures represented a 40-50 per cent increase from an identical 1991 survey. Statistics Canada also expects the 2001 census to show continued growth in home-based work and telework.²

“Telework” (or “telecommuting”) refers to people who work away from their employers’ workplaces some or all of the time, using computer and telecommunications technologies.

A diverse combination of factors is fueling this growth in home-based telework. Workers with demanding work and family responsibilities are seeking more flexible work arrangements. Employers are using telework to reduce overhead costs, increase productivity, and attract and retain highly-skilled workers who desire flexible work arrangements. Advances in computer and telecommunications technologies are reducing the need for workers to be assembled in central locations.

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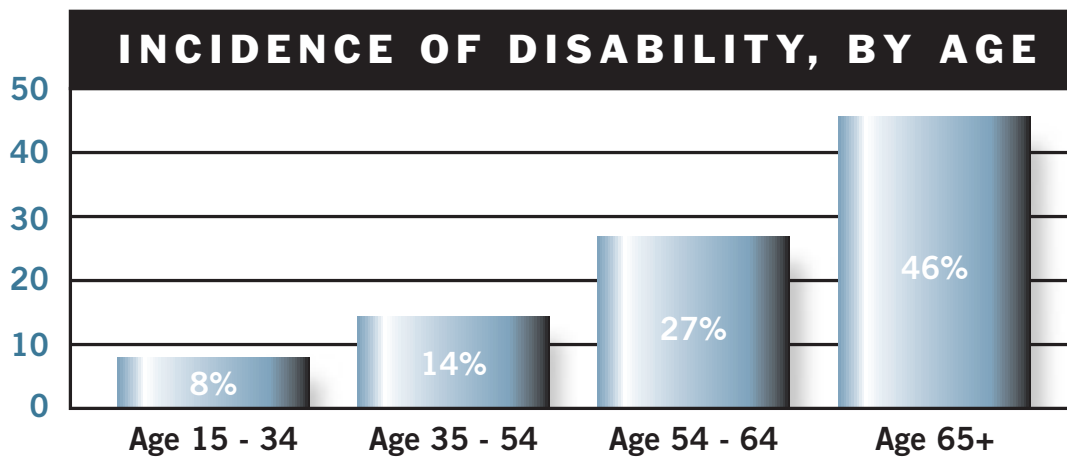
Sources: 1991 and 1995 figures are from Statistics Canada’s 1991 and 1995 Surveys of Work Arrangements. 2001 figures are estimates based on Statistics Canada’s growth projections.

¹This handbook and the study it is based on are primarily concerned with working at home *for an employer*. The 1995 Statistics Canada survey, however, also found that 1.1 million Canadians operated home-based businesses.

²For further information about research on home-based work and telework, see the final report of this study. Information about obtaining a copy is listed on the inside front cover of this handbook.

WORKERS WITH DISABILITIES

According to Statistics Canada, 2.3 million Canadians aged 15 to 64 reported some level of disability in the 1991 Health and Activity Limitation Survey.³ Almost one in ten employed Canadians—more than one million—are persons with disabilities. Some use wheelchairs, scooters, canes and other mobility aids. Some are blind. Some are deaf. Many people with disabilities, however, may not have any noticeable signs of disability. Depending on the physical accessibility of an environment, accommodations, or the attitudes of other people, many people with disabilities may only experience disability in some situations. Some may encounter disability in other life activities, but not at work. Additionally, some workers with disabilities concerned about their future career opportunities may be reluctant to disclose their disabilities to employers, even though accommodations could minimize or eliminate the disabilities they experience.



Source: Statistics Canada, 1991 Health and Activity Limitation Survey (HALS)

PREVIOUS RESEARCH

Four previous studies have examined home-based work and disability in Canada, but there are considerable gaps in our understanding of the experiences of home-based teleworkers with disabilities. For example, only two of the previous studies were based on information provided by persons with disabilities who worked at home.⁴ The most ambitious study of telework and disability in Canada was a 1995-97 pilot project involving 18 federal government employees in the National Capital Region (Ottawa) and Quebec. That study's findings are limited because all of the participants were employees of a single, large organization with a formal telework program. Additionally, although several summary reports are available in English, the full report is only available in French. (See the Resources section on page 52 for further information about these previous studies.)

³Statistics Canada conducted another survey of persons with disabilities in the fall of 2001, but updated statistics were not available at the time this handbook was published.

⁴A 1994 study relied on information from employers, disability consumer groups and persons with disabilities who did not work at home. An unpublished 1997-98 study examined employers' attitudes towards home-based work by persons with disabilities.

THE STUDY

Our study involved twenty-one (21) persons with disabilities who worked at home for employers, most in the city of Winnipeg. Some worked at home all the time, while others divided their time between their homes and their employers' workplaces.⁵

Participants worked in a wide variety of jobs and for employers of varying sizes. Some were managers and professionals, while others were casual and contract workers who are increasingly regarded as part of an emerging "contingent" workforce. Participants' occupations included researcher, interviewer, project coordinator, counsellor, social worker, interpreter/translator, church worker, desktop publisher, engineering technologist and program officer. Others worked in accounting, banking and building maintenance.

Twelve of the 21 study participants were women and nine were men. Most were between 35 and 54 years of age. Most of the participants had university degrees. Others were college graduates or had attended some university.⁶

Most participants reported that they experienced physical/mobility disabilities. Six participants had visual disabilities. Nine reported medical conditions such as multiple sclerosis, diabetes, fibromyalgia, arthritis, or post-polio syndrome. Other participants reported disabilities related to learning, mental health and environmental sensitivities. Seven indicated that they had multiple disabilities. None reported hearing disabilities.

The 21 workers with disabilities completed a questionnaire, attended focus group meetings and maintained diaries of their experiences working at home. Five persons who supervised home-based workers with disabilities attended a separate focus group meeting. The preliminary stages of the research also included key informant focus group meetings with agencies that provide employment services to persons with disabilities, consumer-based advocacy organizations, employers and unions.

Following the completion of data collection, all participants were invited to attend several meetings where the findings of the study and preliminary best practices were discussed. Approximately half of the participants were also asked to review a draft version of this handbook.

⁵Our study excluded persons whose only work at home was paid or unpaid overtime work they did in the evening or on weekends after working a full day or week at their employer's workplace.

⁶The prevalence of university graduates in the study is notable. In the 1991 Health and Activity Limitation Survey, Statistics Canada found that only six percent of Canadians with disabilities, and 14 percent of persons *without* disabilities, were university graduates.

BEST PRACTICES

The purpose of this handbook is to provide guidelines and best practices for the planning, implementation and maintenance of successful home-based telework arrangements involving workers with disabilities. There are suggestions for:

- employers
- workers with disabilities
- unions
- policymakers
- service agencies
- consumer advocacy organizations
- researchers



This icon and bold blue text indicate best practices and other suggestions for successful home-based work arrangements.

Our research found that the experiences of persons with disabilities who work at home are similar in many ways to the experiences of persons *without* disabilities who work at home. Therefore, some of the suggestions and best practices about persons with disabilities working at home may also apply to the situations of persons without disabilities who work at home. However, some persons with disabilities who work or want to work at home experience additional benefits and/or challenges. Many of the suggestions and best practices address issues that are particularly relevant to persons with disabilities.

Two broad goals underlie this handbook. Persons with disabilities who want to work at home for reasons unrelated to their disabilities should have the same access to those opportunities as persons without disabilities. Additionally, persons with disabilities should also have additional access to home-based telework if they see working at home as an appropriate and effective way of accommodating disabilities that they experience.

Working at home is an attractive opportunity for some persons with disabilities, but it is not a broad solution to the employment barriers encountered by persons with disabilities in Canada or anywhere else. For persons with disabilities who want or need to work at home, home-based work can be an effective way of accommodating disability. It is not, however, a substitute for accommodations in traditional workplaces. Many people with disabilities—just like many people *without* disabilities—are not interested in working at home. They want and are entitled to access to jobs in traditional workplaces. This handbook provides suggestions to provide increased access to home-based work for persons with disabilities who want or need to work at home.

BEST PRACTICES FOR EMPLOYERS

INTRODUCTION

Organizations of many kinds—large corporations, governments, small businesses and non-profit organizations—have found that home-based telework is a human resource tool that offers new opportunities to:

- **accommodate** existing employees who have disabilities
- **retain** existing employees who develop disabilities
- **attract** and **recruit** new employees from a larger, more diverse pool of job seekers

ACCOMMODATING AND RETAINING EMPLOYEES WITH DISABILITIES

Recruiting new employees can be time-consuming, expensive and risky. In most cases, retaining existing employees is more desirable than recruiting new ones. As many workers approach retirement age, increasing numbers of your employees will experience injuries, illnesses and other conditions that can result in disabilities. Some of your existing employees with disabilities will likely experience greater disability as they grow older.

Providing the option of working at home allows employers to accommodate and retain employees with disabilities whose only other alternatives may be long-term disability benefits, early retirement, or unemployment. Home-based work can also prevent employers from losing valued employees to competitors that provide more flexible work arrangements.

ATTRACTING AND RECRUITING PERSONS WITH DISABILITIES

Some people with disabilities like the option of working at home for exactly the same reasons as many persons without disabilities:

- uninterrupted time to concentrate on major tasks
- flexibility to deal with family and other non-work responsibilities
- ability to work outside of standard hours

Other people with disabilities, however, want to work at home as an accommodation for work disabilities they experience, such as:

- the employer's workplace is not accessible
- flexibility to change position or rest when fatigued
- freedom from transportation difficulties
- better access to attendant services
- avoiding slippery winter conditions
- easier to manage pain at home

For some people with disabilities, working at home may be their only employment possibility. For others, working at home allows them to produce better results than working in a conventional workplace.

Organizations that provide home-based work as an accommodation strategy have access to a large pool of candidates who have disabilities. With labour shortages in many sectors of the economy, that's a competitive advantage.

ASSESSMENT

Statisticians and futurists predict that more and more workers are going to want to work at home. A good telework policy lays the groundwork for successful telework arrangements for persons with and without disabilities. If your organization doesn't have an established telework policy, it's time to develop one. If your organization already has a telework policy, you can devote more of your attention to the planning required for the successful implementation of individual telework requests.

Many factors can affect the success of a telework arrangement, including the employee, the job, the manager, co-workers, and the organization's information technology. These and other organizational factors may also be affected when one or more employees work at home. Careful planning provides the foundation for maximizing successes and minimizing challenges.

Many of the telework web sites listed in the Resources section on page 52 include advice about creating organizational telework policies. Additionally, some large organizations have posted their telework policies on the World Wide Web:

Government of Canada:

http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/TB_853/tele_work_e.html

Government of Saskatchewan:

http://www.gov.sk.ca/psc/hr_manual/ps1104.htm

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ACCESSIBLE TELEWORK POLICIES

Persons with disabilities should have the same opportunity to telework as persons without disabilities.



Telework policies are inclusive when they do not include barriers to employees and candidates with disabilities.

For example, some employers consider the costs of equipment, telecommunications, etc. when deciding to grant or reject telework requests. When considering telework requests from persons with disabilities, the costs of assistive technology or other accommodations for disability should not be considered telework costs. These are accommodation costs, not telework costs.

"The best practice is to treat a home-based employee who happens to have a disability in the same manner that you treat any home-based employee. Many companies have employees that work from home, and that number is growing all the time. And I just think the fact that the employee does or does not have a disability, you should have the same policy that deals with all employees."

[teleworker/manager with disabilities]

UNIONS AND TELEWORK POLICY

Our study and previous research have found that unions have a number of concerns about the impact of telework for individual workers and for the overall well-being of workers. These concerns include isolation, reduced access to job opportunities, and difficulties maintaining boundaries between work and non-work lives.



If an organization's employees are represented by a union, the organization's telework policy needs to comply with the collective agreement.

NEGOTIATING THE ARRANGEMENT

In our study, the majority of the home-based teleworkers with disabilities did not have formal agreements with their employers. Teleworkers with informal arrangements, however, reported difficulties that arose from not having a formal agreement.

"The only thing I would really want to see changed is the way in which it was structured. There was no actual formal agreement in place. There's sort of just an understanding that we had. It wasn't very structured, and I think that may have been part of the reason why there was some resentment from the staff, or that I felt there was some resentment."

[teleworker with disabilities]



A written telework agreement jointly developed by an employee and employer (and union representative, where appropriate) establishes common understandings, expectations and responsibilities.

Some things a telework agreement should include are:

- the employee's work responsibilities
- number of days/hours to be worked at home
- work schedule (regular or flexible)
- specific performance expectations and criteria for evaluation
- expectations and roles of supervisor
- responsibility for providing and maintaining necessary equipment
- responsibility for workplace health, safety and injuries
- guidelines for resolving problems

One manager described the telework agreement he and his employee negotiated.

“When I suggested this possibility to my management, they were a bit apprehensive. I think they had gotten into a work-at-home situation that didn’t work out at all...They suggested that we sign a contract, that we detail all the expectations on both parts and we sign this as a contract. At the end of the day, [teleworker] and myself worked out all of our expectations, and we came to what we called an agreement. We detailed expectations and then just agreed that we’d try to live up to these. We didn’t sign it or anything. I felt that was a bit too formal. But you still need to have some expectations in place.”

[manager of teleworker with disabilities]

In addition to their concerns about telework, unions also have broad concerns about persons with disabilities in the workplace, including the retention of members who have disabilities, the re-employment of injured workers with disabilities, and increased employment equity hiring.



If an organization’s employees are represented by a union, the negotiation of telework arrangements should include the union as well as the employee and employer.

There may be initial challenges and adjustments required at the beginning of a new telework arrangement.



A trial period with guidelines for problem-solving and formal evaluation facilitates the implementation and adjustment of telework arrangements.

Many workers and employers are relatively satisfied with home-based telework arrangements. There are, however, instances where serious challenges are encountered, and the teleworker and/or employer is dissatisfied with the arrangement.



Establish terms—including length of advance notice required—for terminating the telework arrangement if it proves to be unsatisfactory for either party. Teleworkers—including teleworkers with disabilities—should have the option of maintaining their employment by working at the employer’s official workplace.

SUPERVISION

The successful implementation of innovative practices often includes initial challenges and adjustments. Managers of teleworkers with disabilities told us that realistic expectations and creative problem-solving are important skills for managers.

“I think there’s really two key ingredients to make this work. One is the person who’s being considered for telework—whether they’re disabled or not—their maturity and personal drive and ability to work to objectives without having to be observed. The second is the supervisor. If you’re not comfortable with the person not being in front of you, and not being able to watch them over their shoulder, then it’s going to be a very hard arrangement. You have to have a real commitment by the manager or supervisor to making it work. Both parties have to really want to make it work. I just don’t think that this is for the faint of heart, or [a manager who is] not really sure where they’re going, because it’s not. I mean, you can find ways to make it not work very easily.”

[manager of teleworker with disabilities]

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PERFORMANCE MANAGEMENT

Some managers in our study indicated that managing teleworkers wasn’t any more difficult than managing employees in the office.

“Managing remotely really hasn’t posed a problem...I would have to say there really wasn’t, I don’t find much difference at all.”

[manager of teleworker with disabilities]

Others reported that they had some initial difficulties or had to make adjustments to evaluate the performance of employees with disabilities who work at home.

“I can evaluate the staff who are in the office very easily because I see what they’re doing on a very regular basis. I see the assignments come in and go out and so on. It’s a lot easier to evaluate them.”

[manager of teleworker with disabilities]

MANAGER AND TELEWORKER AGREE THAT INTRUSIVE MONITORING ISN'T NECESSARY



One teleworker and his manager reported that the teleworker's home office computer is a "slave" unit connected to a "host" computer at the employer's office. Whatever the teleworker does on his home office computer is duplicated on the monitor of the host computer in the employer's office. At the beginning of the telework arrangement, the host computer was located in an office where the manager sometimes monitored the teleworker's computer activity. Both were uncomfortable with this arrangement.

The teleworker said "That kind of made me feel a little uneasy [laughing] because that's like having people sitting [watching] over your shoulder." His manager agreed, saying "it felt sort of uncomfortable. It felt like I was spying. Now [teleworker's] host PC is in [a storage area]. That way we rarely look at it. He works on large projects and I know that the flow of material is going on a pretty regular basis. I work with his data myself and I see that it's constantly changing at an acceptable rate, so I know that things are working out well...You can tell by the changes that are happening with the data that he's very productive. There's no need to get into that kind of monitoring."




MANAGING BY RESULTS

If you're accustomed to managing and evaluating performance by observing employees at work, the prospect of supervising employees who work at home may be intimidating. How do you know when they are working? Are they really working when they say they are?

Managing by results rather than by observable activities can minimize this concern.

-  When negotiating a telework agreement with an employee, jointly establish clear goals with measurable objectives and deadlines.
-  Jointly consider accommodations that the teleworker with a disability may require to achieve the desired results. (See "Reasonable Accommodation" on page 15 for further information about common kinds of accommodations.)

Feedback on performance is essential to the success of persons who work at home.

-  Provide regular forums to discuss progress, achievement of intermediate objectives and any challenges encountered.
-  Don't wait until a formal performance evaluation to address problems or acknowledge satisfactory performance.
-  Establish a schedule for formal performance evaluations. Ask the teleworker to identify his or her strengths, accomplishments and any areas requiring improvement. Be alert for productivity-enhancing technological innovations or work practices.

For persons with disabilities who do all or most of their work at home, providing adequate feedback may require some adjustments from your regular practices.



Use telephone and e-mail to provide regular feedback and encouragement that you would provide to office-based employees during face-to-face meetings or informal encounters.

COMMUNICATIONS

The productivity and success of persons with disabilities who work at home is dependent on having access to the same information as your office-based employees. This may seem like a challenge, but some adjustments to your communications policies and practices will go a long way to ensuring satisfactory communications with employees who work at home. You may even find that these adjustments provide enhanced communication throughout your workplace.

In many workplaces, large amounts of information are exchanged through face-to-face communications, either in one-to-one discussions or group meetings. Solutions to problems and new ideas often emerge out of these discussions. Routine information is often distributed or circulated in print. Employees with disabilities who spend a substantial amount of time working at home are at risk of missing out on valuable information unless they, you and your other employees develop creative approaches to keeping them “in the loop”.

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Advise teleworkers and office-based employees that they all have responsibility for ensuring effective communication within your organization.

Using previously underutilized capabilities of your existing telecommunications systems can enhance communications with home-based workers.

For example, for routine non-urgent communications, group e-mail is an efficient means of transmitting an identical message to all members of a work group, including those who work at home. Some telephone voicemail systems provide the same capability.

MEETINGS

Several managers in our study said that managers need to be vigilant about remembering to include home-based workers in important meetings and to find innovative ways of doing that. Some managers admitted to sometimes forgetting to include employees with disabilities who work at home.

“You know, if she’s not there, you don’t see her. I have found where an issue has come up and I’ve called staff together and realized ‘[teleworker] should be here,’ but she’s at home and I don’t want to drag her in on short notice for something like that. You have to always be aware of that.”

[manager of teleworker with disabilities]

Some teleworkers with disabilities in our study who worked at home all the time felt that persons who do some of their work at their employers' workplaces are more satisfied. Employees feel less isolated when they do some of their work at the office, and employers have some opportunity for face-to-face contact with teleworkers.

"[Teleworker] is a very social person...For him that probably has a lot to do with why he doesn't necessarily spend the whole time at his home office. He's in a downtown office, so he has a lot of interaction with a lot of people every day. For him I think that's one of the keys to not staying at home, because he enjoys that interaction. It is something that both the manager and the employee has to manage very closely, otherwise there's a real feeling of isolation and it can be definitely a negative."

[manager of teleworker with disabilities]



Whenever possible, persons with disabilities who work at home should be encouraged to attend important meetings in person.

A manager who supervises several teleworkers—including at least one who has a disability—told us that her organization provides shared workstations for teleworkers to use on days they attend meetings at the office.

"We have regularly scheduled meetings that we expect people to come in for. On those days they have the option of staying in the office or going back home. The bulk of people return home...but people have the option, if they want to come in for a day."

[manager of teleworker with disabilities]

SCHEDULING MEETINGS

Some people with disabilities who work at home may experience challenges attending meetings. The following best practices suggest ways of planning meetings to accommodate teleworkers with disabilities.



Schedule meetings to accommodate persons whose disabilities may affect their energy or availability at certain times of the day.

Some persons with disabilities who work at home may not have the flexibility to alter their schedules to attend meetings called on short notice.

If meetings that home-based workers with disabilities are planning to attend must be cancelled or postponed, they should be notified well in advance of the scheduled meeting date.

When scheduling meetings, be aware that persons with disabilities who use para-transportation systems, like Winnipeg's Handi-Transit, likely need to book transportation several days in advance. They may also be penalized for canceling bookings on short notice.



Whenever possible, schedule meetings with sufficient notice to allow teleworkers who use para-transportation to book rides.

Employers may need to provide taxis to allow some teleworkers with disabilities to attend meetings called on short notice.

USING TECHNOLOGY

Technology can enhance the opportunities for home-based workers with disabilities to participate in workplace meetings or events.



When a home-based worker with a disability is not able to attend a meeting in person, make arrangements for him or her to participate via teleconferencing or videoconferencing.

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“[Working at home] was really interesting, and it was also very beneficial because I could sleep when I needed to. I didn’t have the stress of getting up every morning and figuring out if the Handi-Transit bus would be here on time, if I’d make the meeting. [Employer] had phones set up in their offices where we were doing meetings...and I would call in, they’d put me on the speaker so I didn’t have to miss out on any of their regular meetings.”

[teleworker with disabilities]

The cost of the technology and the need for high speed Internet access are significant barriers to the widespread use of videoconferencing for group meetings, even within large organizations. There are, however, several inexpensive software packages that allow individuals in different locations to have videoconference meetings using their personal computers. Microsoft NetMeeting is downloadable for free from <http://www.microsoft.com/windows/netmeeting>. It transmits video and audio, and also provides “document-conferencing” capabilities that allow colleagues at different sites to view and edit each other’s documents, spreadsheets, presentations, etc.

E-mail and network access are crucial to the productivity of many persons who work at home. One teleworker in the study who works with large computer files told us that his organization has a limitation on the size of e-mail file attachments. Instead of being able to transmit large files to colleagues instantaneously and at low cost, this forces him to use couriers, which are slower and more costly.



Ensure that your organization's information technology provides home-based workers with adequate access to your organization's information and systems.

ACCESS TO PRINT INFORMATION

More and more information can be transmitted and stored electronically, but most workplaces still utilize large amounts of paper documents. There are a variety of solutions for transmitting print information to persons with disabilities who work at home.



Ensure that print materials (e.g. memos) delivered to office-based employees' mailboxes, desks, or posted on bulletin boards are also delivered to persons with disabilities who work at home.

Choose a delivery method according to the size and time-sensitivity of the document.



Fax is the best choice for short documents that require prompt reply or action. A courier is the best choice for long documents that require prompt response. Mail is a suitable choice for documents that are not time-sensitive and would be unjustifiably expensive to courier or inconvenient to fax.

Some people with disabilities cannot access print information.



As much as possible, communicate information in forms accessible to persons with disabilities who work at home. Where necessary, use human supports and/or technology (e.g. scanning and Optical Character Recognition software) to provide print information in accessible formats.

If you post print information in common areas (e.g. bulletin boards), advise teleworkers to check for new postings whenever they are in the office. Be aware, however, that people who work at home will not have equal access to time-limited information such as job postings. Additionally, some people with vision or learning disabilities cannot access print information. Also, people who use wheelchairs or have other mobility disabilities may have difficulty accessing print information posted on bulletin boards. For these reasons, it is often preferable to distribute information to teleworkers with disabilities by e-mail or fax.

REASONABLE ACCOMMODATION

DUTY TO ACCOMMODATE

Working at home can be an effective accommodation for disability. Some people with disabilities, however, may require additional accommodations to work from home at their full productivity. These accommodations are usually no different than the ones you would provide if the employee with a disability worked in your office.

The Canadian and Manitoba human rights codes require employers to accommodate workers with disabilities, unless the employer can establish that doing so would constitute an “undue hardship”. The Manitoba Human Rights Code does not restrict this requirement to work that is performed at an employer’s primary workplace. Therefore, the duty of employers to accommodate workers with disabilities includes persons with disabilities who work at home. (See Appendix One on page 56 for further information about the Manitoba Human Rights Code.)

MOST ACCOMMODATIONS ARE INEXPENSIVE

Creativity, flexibility and collaborative problem-solving are the keys to successful accommodations. Although some job accommodations require costly modifications and technology, most do not. The U.S.-based Job Accommodation Network has conducted surveys of employers for over ten years, and consistently finds that most job accommodations cost less than US\$500.

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COMMON ACCOMMODATIONS

Flexible Work Arrangements

Many of the home-based workers with disabilities in our study identified the ability to work flexible hours as an important accommodation. In most cases, they required this flexibility to work when they were most productive and rest or sleep when necessary. Other flexible work arrangements include adjusting job descriptions to remove tasks which may be difficult to accommodate, and adding tasks which are easier to accommodate (or do not require any accommodation).

Technology

Most of the teleworkers with disabilities in our study did their jobs with the same technology as teleworkers without disabilities: telephones, computers, the Internet, e-mail and fax machines. Some people with disabilities, however, do require assistive technology to do their jobs. Some of the assistive technology used by home-based workers in this study included large monitors, adapted keyboards, voice recognition software, screen reader software and Braille.

The range of hardware and software available is far too vast to list here. See the Resources section on page 52 for useful sources of information about assistive technology in Manitoba and on the World Wide Web.

The federal government has an Enabling Resource Centre in Ottawa that loans and provides advice about assistive technology to federal departments. Although few organizations have an extensive resource like this, many organizations have some internal information and expertise on the accommodation of disability.



Make use of knowledge about assistive technology and other accommodations possessed by other managers and employees in your organization.

Human Supports

Human supports are crucial accommodations for some persons with disabilities. These include interpreters, readers and personal attendants. Persons with disabilities who utilize these services are your best source of information about obtaining these services. Many of the organizations listed in the Resources section on page 52 can also provide information.

CAREER DEVELOPMENT

Some studies have found that people who work at home sometimes feel that their career development and career advancement opportunities have suffered because they are “out of sight, out of mind”. The following practices can help employers enhance the career development of home-based employees with disabilities, and benefit from the increased contributions these employees will be able to make to the organization.

Challenging assignments and team projects provide opportunities for employees to demonstrate their competence, initiative and leadership.



Ensure that employees with disabilities who work at home have equal opportunities to take on challenging assignments and lead team projects.

Provide opportunities for discussions about career development at least once per year as part of the formal performance evaluation cycle.

Much of the learning that takes place in workplaces is communicated informally. For example, employees who discover time-saving shortcuts in computer programs often share their discoveries enthusiastically with nearby co-workers in the office. These informal learnings, however, are rarely communicated in a systematic way throughout a department or organization. Persons with disabilities who work at home may lose out on productivity-enhancing innovations.



Encourage employees to share informal learning with home-based workers by telephone, e-mail, or fax.

Encourage home-based employees to communicate their informal learnings with employees who work in your office.

Provide forums for all staff—including those who work at home—to share recent informal learning at regular staff meetings, occasional presentations, or annual retreats.

Some people with disabilities who work at home may require accommodations to have access to formal training opportunities. For example, persons who need frequent rest breaks may not be able to attend day-long courses, or programs which span several consecutive days.

One manager who attended a focus group meeting was seeking a way of including a home-based worker with a disability in an upcoming week-long training course.

“I’m not sure what we’re going to do. We might have to do kind of an in-house train-the-trainer type of a thing, and have [home-based worker] sit down at certain times with one of our own staff and run through the same exercises.”

[manager of teleworker with disabilities]



Make accessibility a priority when choosing training providers and training sites. Choose training sites that are accessible to people with disabilities.

Alert trainers and training providers about the accessibility requirements of persons with disabilities.

Explore e-learning, CD-ROM learning and other technological alternatives to conventional classroom training that requires home-based workers with disabilities to travel to a training site.

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CHALLENGES OF WORKING AT HOME

ISOLATION

Some home-based teleworkers appreciate the solitude and freedom from common workplace distractions that working at home provides. Other people who work at home, however, miss the social interaction of the workplace. For example, teleworkers may have less ability to:

- discuss problems and celebrate accomplishments with colleagues
- participate in informal meetings
- share non-work experiences

Any teleworker can experience feelings of isolation, but some persons with disabilities who work at home may be at greater risk. For example, some of the teleworkers with disabilities in our study worked at home all or most of the time because the assistive technology they used at home was not available at the employer’s workplace. This barrier limits their opportunities to do some of their work in the employer’s workplace.

Informal discussions about non-work matters are common in most workplaces. These discussions may not directly contribute to productivity, but reasonable amounts of discussion of non-work matters has the potential to enhance productivity indirectly by strengthening relationships between employees.



Encourage home-based and office-based employees to use the telephone and e-mail for the kind of non-work discussions that occur face-to-face in the office.

Several of the people with disabilities in our study worked in their employers' offices for many years before becoming teleworkers. One of these teleworkers reported that she has maintained a close relationship with the co-worker with whom she used to share an office. Her co-worker keeps her informed of office matters by telephone and e-mail.

Phone, e-mail and other telecommunication options are becoming increasingly valuable tools for minimizing isolation and facilitating teamwork. In most organizations, however, telecommunications have not replaced face-to-face contact.



Encourage and create opportunities for people with disabilities who work at home to come into the office.

“I suggested to [teleworker]—we actually made it part of the agreement—that she was going to have to come into the office on a regular basis. We usually have our regular staff meetings, so that would be a good reason for bringing her into the office. Then she could spend some time in the office, see staff, see what’s going on. I felt that would help her get over a bit of the isolation of being at home. We also suggested that if [teleworker] is feeling well and she’s getting around well, she could come into the office and pick up some of her assignments, rather than us sending it out to her—just another excuse for getting her into the office to talk to people and see how things are going.”

[manager of teleworker with disabilities]

Some managers said that they encourage teleworkers to create informal “buddy systems”, either with co-workers in the office or other co-workers who work at home.

Social events take place in many organizations, either at the workplace itself during working hours, or at external locations during or outside of working hours. These events include brief celebrations of employee birthdays, potluck lunches, off-site dinners, parties, or celebrations of holidays.



When scheduling work-related social events, remember to include and accommodate home-based teleworkers with disabilities. Consider times and locations that are convenient and accessible for all employees.

CO-WORKERS

Depending on the characteristics of the organization and its employees, some office-based employees may be resistant to telework. Some may feel resentment towards co-workers with disabilities who work at home. These feelings can create formidable barriers to the success of home-based teleworkers with disabilities.

“We did run into that to some extent, we still do. There are some things people just can’t do from home, so they have to ask someone in the office to do it for them. Sometimes that’s a little bit of a problem.”

[manager of teleworker with disabilities]



Clearly communicate to employees that the organization is committed to flexible work arrangements for all employees and accommodations for employees with disabilities.

Establish guidelines defining working relationships between home-based workers and office-based employees. For example, provide guidance to employees about adaptations they may need to make to accommodate home-based workers.

“[Teleworker] relies on a lot of [paper] information. If he was in the office, he could actually go and retrieve a lot of that information himself. Now he has to rely on [office] staff to do that for him. The person that he was phoning to supply this information was complaining that [teleworker] is putting more pressure on him. I just explained to him that’s part of his job. That’s what he’s here for, he has to do that. We just sat down and had a talk about it, and he seemed to accept what I was saying after we were done.”

[manager of teleworker with disabilities]

Some office-based employees may have legitimate concerns about the impact home-based teleworkers have on their workloads and productivity.



Watch for situations where home-based workers make excessive requests for information or assistance from employees in the office. The affected employee(s) may have suggestions about more efficient or appropriate alternatives. Explore opportunities for office-based and home-based employees to exchange some duties.

MAINTAINING HEALTHY BOUNDARIES

Working at home can blur the boundary between work, family and other non-work parts of a person’s life. This can lead to situations where work intrudes on family life and other situations where family life can intrude on work life. The home-based teleworkers in our study described more difficulties keeping work from crossing into their non-work lives.

Overtime Work

Participants in the study described how their work sometimes extends beyond traditional hours of work. In some cases, external demands were clearly the primary motivating factor. In other cases, participants described internal factors, or a combination of internal and external forces, as the motivation behind working overtime.

“It’s not always easy for me to walk away from the work. When you’re in an office, at quitting time it’s quitting time and you can walk away. But [it’s different] when you’re working out of the home. I’ve spent a lot of extra hours in the evening doing stuff that nobody in the office really knew about, but I wanted to get it completed. I had all these great ideas and this project should do this, etc., etc. So I would put in all the extra time, and that to me is a really big negative about working at home.”

[teleworker with disabilities]



Encourage home-based employees to create healthy work routines, e.g. have regular start and end times, take regular breaks, etc.

Have regular meetings to discuss and, if necessary, adjust workloads of home-based teleworkers with disabilities.

Work-Family Conflict

Previous research has found that people who work at home sometimes face challenges balancing their work and family lives. In our study, one teleworker with several young children described how his work caused conflict with his wife and children.

“I wanted to prove to myself that I could do this, that I could work from home, that I could prove this to my employer. Now [employer] knows I can do the work, so I have been spending [more] time with my kids. But for a while there, my wife and I were having problems. She was always getting mad. ‘Why are you working so much?’ I’d get the questions from the kids. ‘Dad, why can’t you spend time with me?’ I just wanted to prove myself, and I have proved myself. I still work a lot, don’t get me wrong. I still put a lot of work in.”

[teleworker with disabilities]



Employers help teleworkers with disabilities minimize conflict with family members by regularly reviewing and, if necessary, adjusting workloads and deadlines.

Dedicated work telephone lines and e-mail accounts paid for by employers are two tools that facilitate this separation. One person who works at home described how she is able to use her employer’s phone system from her home.

“If you’re going to define boundaries in terms of your office space at home, it’s very important to do that... When I’m working from home, I can call into my line at work and dial out from their long distance so I don’t have to call long distance from my home phone. So it’s really well set up that way, it makes it a lot easier.”

[teleworker with disabilities]

People with disabilities who work at home have a right to privacy and to keep their work and home lives separate.



Establish guidelines for times when supervisors and co-workers can telephone home-based teleworkers and/or expect a response.

If it is necessary for co-workers to meet with home-based workers in their homes, ensure that these are arranged at times which are convenient for the employees who work at home.

THE COSTS OF WORKING AT HOME

Telework provides employers and teleworkers with opportunities to save money. Large organizations that have many teleworkers who work at home have reduced office space requirements. Small organizations with limited office space can expand their workforces without moving to larger, more expensive facilities. Teleworkers often report savings on transportation, clothing and restaurant lunches.

There are, however, costs associated with working at home, particularly computers and telecommunications. Teleworkers lose the use of a portion of their homes. When teleworkers split their time between office and home, some employers provide similar equipment in two locations.



Employers should usually provide or pay for all of the equipment and services an employee requires to work at home.

One of the home-based workers in our study is a member of a team that works with a large dataset. He does his work at home through a connection to his employer’s local area network (LAN). His manager described the equipment and connections the organization provided.

“[Teleworker] works with a very large database that we all access, so we’ve set up a live connection for him to do that...We put a workstation in his house, installed software that allows him to communicate live with our local area network... Everything seems to be working really, really well...We found that [teleworker’s] productivity went up [since he’s been working at home].”

[manager of teleworker with disabilities]

Another manager who participated in the study manages five employees who do most of their work at home using equipment provided by the employer.

“Within our department, we provide the workstation which includes the full computer, and both the lines for telephone and the computer...A lot of our records are electronic, so everybody has access to a mainframe where they record information. They also have access to our LAN and our intranet where we’re trying to post most of our reference material, which again makes it easier for anybody who is working at home.”

[manager of teleworker with disabilities]

Another manager said that his company has a fund specifically to pay for accommodations for employees with disabilities.

“It allows every employee with a disability a certain amount of dollars every year to put towards any kind of equipment that they would need for special needs in any respect, be it office, be it home office, whatever. Managers don’t feel that if they allowed something to happen it would come out of their budget and therefore be concerned about allowing things to happen. It really gave managers and employees the freedom to be able to do these things.”

[manager of teleworker with disabilities]

In our study, some teleworkers with disabilities used their own computers, residential telephones, etc. Some small employers indicated that they would have difficulty providing equipment to employees who work at home.

“[Teleworker] had her own workstation...She had a computer, fax. Everything was there. An organization like mine [has] a very modest budget. We wouldn’t have been able to outright pay for a total home system for someone at home. We would have had to have gone somewhere for a donation. That’s not out of the question, because we often go to organizations for donations, but that’s where you’d have to build in the extra time required to build a budget proposal.”

[manager of teleworker with disabilities]

Some teleworkers may be willing to use their own computers and residential telephones for work, but this can result in challenges for employees and employers. Home-based workers may have difficulty keeping work and non-work communications separate, or encounter conflict with other family members who also use the computer, telephone, etc. Employers have limited control over the security and confidentiality of work-related information stored on computers owned by employees.

Tax Benefits for Employers

In some parts of the U.S. where pollution and traffic congestion are serious problems, governments provide tax incentives to organizations with substantial numbers of teleworkers. We haven't reached that point in Manitoba, but there are tax deductions available to businesses that provide assistive technology and other accommodations for employees with disabilities.

Canada Customs and Revenue Agency (CCRA) generally regards business purchases of computer hardware, software and other equipment as capital assets whose costs can only be deducted from taxable income over multiple years. At current capital cost allowance rates, it takes at least four years to write off the majority of the costs of computer hardware and software purchases.

When businesses incur capital costs to accommodate persons with disabilities, CCRA allows the organization to deduct the full cost in the year the cost is incurred.



Employers should take full advantage of the preferential income tax benefits CCRA provides to businesses for eligible disability-related purchases.

Canada Customs and Revenue Agency Guide T4002 (“Business and Professional Income”) provides details about disability-related deductions for businesses. See the Resources section on page 55 for further information about this and other CCRA documents.

Tax Benefits for Teleworkers

Teleworkers who do most of their work at home can claim income tax deductions for using a portion of their home as a workplace. To support their claims for workplace-in-the-home expenses, teleworkers must have their employers sign CCRA Form T2200 (“Declaration of Conditions of Employment”).



Employers should review CCRA Interpretation Bulletin IT-352R2 and, if appropriate, sign T2200 forms for eligible teleworkers who do most of their work at home.

The Income Tax Act is very complex and each telework arrangement is unique. Consult your accountant and/or the Canada Customs and Revenue Agency for clarification about how the preceding information applies to your organization.

TECHNICAL SUPPORT

Most teleworkers with or without disabilities use computers to do their work. Some teleworkers with disabilities also use assistive technology. Trouble-shooting and solving the technical problems that can arise with computers and assistive technology can affect the productivity of persons with disabilities who work at home.

“I’ve never really asked for technical support. So far I’ve been kind of stumbling through any problems I’ve had, and I’ve tried to do it myself. So I don’t know, if I ever had a real problem with my computer, if that would be something that [employer] would give me support on. I’d have to ask my boss about that.”

[teleworker with disabilities]

“The tech support work does strike me as an obstacle. It might not be for [other focus group participant] who knows how to do all the computer stuff...Any things that would be provided in an office situation, if you’ve got to provide them yourself, are more difficult.”

[teleworker with disabilities]

A 1995-97 federal government pilot project also found that teleworkers with disabilities reported that access to technical support for assistive technology was a challenge. Teleworkers who are expected to solve their own technical problems lose valuable work time, and are likely to be less effective and efficient than skilled technical support specialists.



Employers enhance the productivity of teleworkers with disabilities by providing technical support for computers, equipment and assistive technology.

SECURITY

Some managers in large organizations told us that their Information Technology staff often has concerns about the security of computer data and networks when an employee works at home.

“Anything that connects to the LAN electronically, if it’s in the household, somebody can put other software on it. They’re always worried about everything from viruses to changing the infrastructure of the LAN, etc. So there’s a built in deterrent to getting that kind of arrangement from our technology people. So you have to always deal with that issue as you go along.”

[manager of teleworker with disabilities]

“Security is one of the big issues that we ran into when we were discussing putting [teleworker] out at his house. Live access to the LAN, which could be at any time of the day or night. That was a big hurdle. We resolved that through the informal agreement that [teleworker] and I struck, that there were certain things he just couldn’t do, and at certain times we just didn’t want him connecting to the LAN.”

[manager of teleworker with disabilities]

Moderator: “Did that calm the concerns of the Information Technology people?”

“It did, to a certain degree. I think time probably did that better. [Teleworker] has not done any of the things they were concerned about, so it never presented itself as a problem.”

[manager of teleworker with disabilities]

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Work with teleworkers and Information Technology specialists to solve information security issues.

LEGAL ISSUES

Most of the legislation that governs work in the province of Manitoba was written prior to the recent increases in the number of persons doing home-based telework. As a result, there are many legal issues concerning home-based work that are not explicitly addressed by Manitoba labour legislation, and interpretations are still evolving. In general, however, Manitoba employers have the same legal obligations to employees who work at home as they do towards employees who work in a traditional workplace. The major exception to this general rule is for workers who are regarded as independent contractors. See page 40 for further information about the distinction between employees and independent contractors.

EMPLOYMENT STANDARDS

The Manitoba Employment Standards Code promotes fairness in the workplace for both employees and employers. Some of this Code's provisions include minimum wage, vacation entitlements, general holidays, meal breaks, maternity and parental leave, and notice of termination. It applies to all persons who work for an employer as an employee, regardless of where the work is performed.

Subsection 80 of the Employment Standards Code states that employers who employ persons who work at home must maintain a record of the worker's name and address, a description of the type and amount of work done by the worker, the rate and actual amount of their wages, and any deductions. (See Appendix Two on page 58 for more information about the Manitoba Employment Standards Code.)

WORKPLACE SAFETY AND HEALTH

Manitoba's Workplace Safety and Health legislation also applies to paid work done at home, as long as an employee/employer relationship exists. With the worker's consent, provincial workplace safety and health officers can enter a private home for the purpose of inspecting the safety and health of the home office. If the home-based worker does not consent, a court order is required for a safety and health officer to enter the home.

WORKPLACE INJURIES

In general, Manitoba employers are liable for injuries sustained by their employees in the course of their work, regardless of the location where the work is performed. This, however, is an area where policy and legislation are still in the emergent stage, and determining what caused the accident and how much liability is attached to the employer may be subject to interpretation. For example, current legislation and policy does not specify whether or not—or how much—an employer would be liable if a home-based worker gets up from his or her workstation and trips on a child's toy.

SUMMARY CHECKLIST

- ✓ Ensure that your organization's telework policy does not include barriers to persons with disabilities.
- ✓ Jointly develop a written agreement that establishes common understandings, expectations and responsibilities.
- ✓ Manage by results.
- ✓ Ensure that home-based teleworkers have access to information by making any necessary adjustments to your communications policies and practices.
- ✓ Plan meetings that accommodate home-based teleworkers with disabilities.
- ✓ Some teleworkers with disabilities may require assistive technology or other job accommodations to work at their full productivity. Most job accommodations are inexpensive.
- ✓ Enhance the career development opportunities of teleworkers with disabilities by ensuring that they have equal opportunities to take on challenging assignments, lead team projects and share informal learnings.
- ✓ Jointly discuss ways of minimizing isolation, work-family conflict and other challenges teleworkers with disabilities may experience.
- ✓ To manage the extra costs of working at home, employers should usually provide or pay for all of the equipment and services an employee requires to work at home.
- ✓ Employers enhance the productivity of home-based teleworkers with disabilities by providing technical support for computers, equipment and assistive technology.

Working at home is an attractive option for some people with disabilities, but home-based work should not be a substitute for more suitable accommodations in your workplace. For many people with disabilities—just like many people without disabilities—working at home holds little or no appeal. Home-based work should be just one of a broad range of accommodation possibilities for retaining employees with disabilities, as well as attracting and recruiting candidates with disabilities.

BEST PRACTICES FOR HOME-BASED WORKERS WITH DISABILITIES

INTRODUCTION

The home-based teleworkers in our study told us that working at home has allowed them to overcome challenges and barriers they experience in traditional workplaces. We also found, however, that people with disabilities who work at home can experience challenges to negotiating, implementing and maintaining a successful home-based work arrangement. This section presents best practices and suggestions for persons with disabilities who are considering working at home, as well as for persons with disabilities who are already working at home.

WHY WOULD YOU WANT TO WORK AT HOME?

For some people with disabilities, working at home is a desirable alternative to working at an employer's workplace. For others, it is not an option. It is the only way they can work.

Some of the reasons for working at home cited by the participants in this study included:

- access to disability supports
- access to assistive technology
- extreme weather
- health

Working from home enabled one participant in this study to have better access to attendant care:

“At home, I just pick up the phone whenever I need the help, and my orderlies are there.”

[teleworker with disabilities]

Some participants worked at home because their employers' workplaces were not fully accessible. For example, some persons who owned their own assistive technology worked for employers who were unable or chose not to provide that assistive technology in the workplace.

For other study participants, Manitoba weather patterns presented challenges. Some told us that they worked at home because they risked falling and injuries when walking on slippery winter surfaces. Extreme temperatures intensified the pain related to one worker's disability. Working at home reduces his need to go out on cold and hot days.

Working from home enabled other participants to manage their health-related disabilities more effectively.

“Since I really started feeling the onset of [chronic condition] I get tired. And if I get tired, I can rest because I find I do get tired often, and I get tired very deeply, but I rebound very quickly.”

[teleworker with disabilities]

BENEFITS AND COSTS OF HOME-BASED EMPLOYMENT

Home-based work may help you be more productive in your work, maximize your contributions, or manage the effects of your disability more easily. Whatever the reason, weigh the costs and benefits of home-based work before you make your decisions.

Enhancing Flexibility

Working at home may allow you to arrange your work schedule to accommodate your needs. Working flexible hours can have a positive impact on work and family life. It can also enable you to work when you are most productive and rest when necessary.

Reducing Costs

You may find you save time and money by working at home.

“[I save money by] not having to prepare or buy lunches. I save on bus fare and dress clothes.”

[teleworker with disabilities]

Managing Family Life

Telework may provide you with greater flexibility to manage your daily family demands, including the needs of aging parents or family members with disabilities:

“My [spouse] also has a disability—she has [chronic condition] very bad—and she has good days and bad days...When she has a bad day and she can’t work...I can be home with her and help her with whatever she needs. So, from that point of view, working from home is very beneficial for me as well.”

[teleworker with disabilities]

Increasing Productivity

Home-based work may help you to work more productively and feel better about your job.

“What I’ve really noticed when I’m working out of the main office is that I’m not nearly as productive. So working at home is a lot more productive than working in the main office. That’s the main benefit for me.”

[teleworker with disabilities]

Tax Benefits for Home-Based Workers

Employees who do most of their work at home may claim income tax deductions for using a portion of their home as a workplace. To support your claim for workplace-in-the-home expenses, you must have your employer sign Canada Customs and Revenue Agency (CCRA) Form T2200 (“Declaration of Conditions of Employment”). For further information about tax deductions for working at home, see CCRA Interpretation Bulletin IT-352R2 and other tax resources listed on page 55.

The Income Tax Act is very complex and each telework arrangement is unique. Consult your accountant and/or the Canada Customs and Revenue Agency for clarification about how this information applies to you and your organization.

SELF-ASSESSMENT: IS HOME-BASED WORK RIGHT FOR ME?

Developing and presenting a credible and convincing home-based work plan to an employer may be one of the most difficult challenges facing you. It can be particularly difficult if you suggest home-based work to an employer who has no previous experience with this flexible work arrangement.

To present a persuasive argument for home-based work, you will need to first determine if home-based work is right for you. These questions can be adapted to meet your individual needs.

- Am I the kind of person who is suitable to do home-based work? Can I work independently without much support from coworkers and supervisors?
- Do I have adequate office and storage space in my home? Do I have a room at home that I can convert into an office without causing any hardships to other members of my family or household?
- Do I have a personal computer I can use for work, or do I need the employer to supply one? Is my employer able to provide me with one?
- What is the level of my competence in computers? Can I troubleshoot minor computer problems without on-site technical support?
- How can I involve my employer, unions and disability organizations in identifying my accommodation needs? Are there funding sources (e.g. disability organizations, service agencies, employers, etc.) who can provide me with financial support for assistive devices?

Your responses to these questions may give you valuable information to assess your potential success in home-based work.

Other tips for success:

- Improve your likelihood of success by recognizing and acting on the strengths and weaknesses that you identified above.
- Ensure you have the appropriate skills, such as word processing, to complete the job tasks without on-site support from supervisors and coworkers.

- Be clear about your work schedule and, if necessary, establish ground rules with family members, friends and neighbours.
- Manage your time by developing daily or weekly work plans and completing your job tasks or assignments within the scheduled time.
- If you spend some days working at your employer's office, try to arrange your schedule so that you conduct tasks such as reading, writing, research, planning, scheduling, data entry and telephone calls on days you work at home. Schedule meetings with co-workers, supervisors and clients for days you intend to be in the office.
- Ensure that you have the working tools—including any necessary assistive devices—that you need to enhance your job performance. For example, access to e-mail can facilitate communication between you, your supervisor and co-workers.
- Create a conducive working environment in your home office, and ensure that you are free from distractions or interruptions.

You can check your own suitability for home-based work against these guidelines. Your responses can also provide important insights you may want to use when negotiating with your employer.

NEGOTIATING THE ARRANGEMENT

Successful telework arrangements need to address the needs of both workers with disabilities and their employers. You and your employer will need to negotiate an agreement that addresses both of your needs.

If you want to work at home as an accommodation for disability, you will have to initiate the process. If you work for or are seeking a job with an employer that has never had any employees working at home, you may face the difficult task of introducing home-based work to a skeptical employer. One study participant had the following experience when she first proposed working at home.

“I said ‘I could work as much as possible at the office, but there are times when my [disability] gives me problems and I can’t come into the office. If there’s a way to work from home, I will do it.’ At first, it was like ‘it [working at home] is not done in [organization]; nobody works from home.’”

[teleworker with disabilities]

Employers sharpen their negotiating skills regularly, but many persons with disabilities may have fewer opportunities to develop sophisticated negotiating skills. Several participants in our study suggested that persons with disabilities who are unemployed or receiving income assistance may experience greater challenges to proposing and negotiating a home-based work arrangement. Persons who lack confidence and have limited negotiating skills may accept any terms offered by a potential employer.



Seek support from disability organizations and other organizations that may be able to assist you in developing negotiation skills.

If you are a member of a union, seek your union's advice and assistance negotiating a home-based work arrangement.

When you negotiate with your employer, draw on a range of strategies.



Identify home-based work as an accommodation for disability if that is a reason you want to work at home.

Develop an individualized home-based work plan using the information you generated from the self-assessment process. This plan may serve as your point of reference when you are negotiating with your employer.

One participant in this study developed a home-based work plan before entering into negotiations with her employer. This plan allowed her to anticipate and pre-empt some of the employer's concerns.

"In my own mind I had already anticipated what might be some of the issues around [working at home]. What I did was look at resolutions to these anticipated problems, so that I would have answers at the ready if there would be any questions about what would happen."

[teleworker with disabilities]

Another participant suggested that a good negotiation strategy highlights the benefits an employer can gain by providing home-based work as an option for persons with disabilities.

"I think when you talk to employers it's really important to point out that some people don't have an option, and the only way they are going to remain in the labour force and be productive is to work from home. If these people want to work from home, the employers are getting creative and committed employees who truly want to work, because this is the only way they can work."

[teleworker with disabilities]



If you think your employer will experience reduced overhead costs if you work at home, make your employer aware of these savings.

Negotiate what costs your employer will incur and costs you will be responsible for.

Ensure that some of your employer's cost savings do not inadvertently become part of your expenses. For example, there could be hidden expenses such as increased electricity or heating costs, as well as more obvious expenses like the installation and rental of an additional phone line. All these issues should be discussed while negotiating the home-based work arrangement.



Jointly establish, with your employer, how your job performance will be evaluated.

Issues to consider include: how many hours you are required to work per day; how your work will be evaluated; whether the evaluation will be based on your activities or the results you produce. If you see opportunities to re-structure some of your job tasks in ways that will enhance your performance working at home, discuss this option you're your employer.

Successful negotiation can be a confidence-building process through which you and your employer identify and address mutual concerns. A result can be the development of a mutually agreed framework for your telework arrangement. After developing a work plan, you can set that plan in motion. The success of home-based work will depend on the ability of you and your employer to manage the implementation of the home-based working arrangement.

SUPERVISION

If your supervisor has little or no previous experience with home-based telework or other flexible work arrangements, he or she may have some concerns about supervising and evaluating the performance of a home-based worker. The following strategies can help you foster a collaborative working relationship with your supervisor, thereby creating a positive working atmosphere that can maximize your productivity.



Some home-based employees find it useful to maintain a daily diary or log of their work activities and accomplishments.

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Keeping a written record of your work may be useful for formal performance evaluation purposes. It may also serve as a tool for self-evaluation, helping you to identify your strengths and weaknesses, and their impact on your productivity. This information can help you revise your work schedule and habits to improve your productivity and working relationships with your supervisor and co-workers.



Make a concerted effort to complete your job assignments within their established deadlines. If you need extra time or cannot meet a deadline, inform your supervisor and co-workers in advance. You may need to seek help from your supervisor if you experience difficulties completing your job tasks.

Keep the office informed about your work schedule, including any changes and times you will not be available. In this way, your supervisor and co-workers will know when and where to get hold of you.

COMMUNICATIONS

Your ability to communicate effectively with your supervisor and coworkers is a key to being a successful home-based teleworker. By establishing a good communication network between your home office and the workplace, you will enhance the ability of employers to supervise and evaluate your work, as well as minimize potential miscommunication and conflict.



Take the initiative to stay informed about office procedures, work group goals and changes of company policies and working guidelines.

Establish an efficient communication network between you and your employer and coworkers.

Using e-mail to receive and submit assignments may improve your work productivity.

Install a separate work telephone line in your home office if possible.

A separate work phone reduces the possibility of an embarrassing situation in which a child or guest might answer a work-related telephone call on your residential phone.



Try to transfer hard copy materials from workplace to the home office or vice-versa when attending a meeting at the workplace.

You may also make use of courier, fax and mail. Couriers are especially useful for longer time-sensitive documents, while fax is useful for shorter urgent documents.

ACCOMMODATING DISABILITY NEEDS

Working at home can provide an accommodation for some workers with disabilities. Some persons with disabilities may require additional accommodations to work at home successfully. Identifying and accommodating your disability needs is a key ingredient of successful telework.

Canadian and provincial human rights codes require employers to provide accommodations for workers with disabilities. (See Appendix One on page 56 for excerpts from the Manitoba Human Rights Code.)



If necessary, remind your employer of their duty to accommodate your disability needs whether you are working at their workplace or your home office.

If you are represented by a union, inform your union representative of your disability accommodation requirements also.

Some participants in our study rested when they felt fatigued and worked when they felt most productive.



Work with your manager to identify ways to adapt your working hours and style to accommodate your disability.

Remind your employer, supervisor, coworkers and clients of your disability needs when discussing scheduling of meetings. Encourage your employer to use teleconferencing and videoconferencing to allow you to participate in meetings while working at home.

If you use a paratransit service, like Winnipeg's HandiTransit, you will need adequate notice of meetings so that you can make transportation arrangements. When meetings are cancelled, you may need to be notified about the cancellation at least 24 hours before the meeting. Teleconferencing and videoconferencing are particularly useful for meetings with short notice time.



Suggest that your employer use e-mail or voice mail when making general announcements about new company policies, meetings, social activities and other routine information.

If you cannot access print materials, encourage your supervisor and co-workers to provide you with work-related materials in accessible formats such as large print, Braille, or electronic text via e-mail or on diskette.

CAREER DEVELOPMENT

Some studies have found that people who work at home experience obstacles to professional development and promotion because employers and colleagues have limited familiarity with their job skills and working habits. The following suggestions may help overcome such challenges.

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When negotiating a telework arrangement with an employer, ensure that working from home will not have any adverse impact on your seniority. If your workplace is unionized, seek the union's support when drafting the formal agreement. The union will ensure that the language to be used in the formal agreement safeguards your rights.

Show your willingness to take on challenging work assignments and provide leadership.

Upgrade your job skills regularly, keeping up with new developments in your field. Take upgrading courses and attend job-related workshops, especially those organized by your employer.

Much of the informal learning that takes place in workplaces is not communicated in a systematic way throughout a department or organization. For example, one manager who participated in our study said:

“A challenge that I'm trying to sort out is a lot of informal learning takes place when people are in the office. You see something your co-worker does on their computer, and you say ‘Hey, how did you do that?’ The people [who work] at home in our organization, my sense is that they're missing out on that. So we need to make some sort of conscious effort to, in our meetings, maybe say ‘Did you know you could do this, did you know you could do that?’ Just to make sure that they still pick up on a lot of those things.”

[manager of teleworker with disabilities]



Share informal learning successes with co-workers by e-mail, fax or phone, and encourage them to do the same.

Technology can be a very useful learning tool. You can improve your skills and job performance through training on the computer, audiocassettes, or videocassettes.



Stay current with developments in your field by joining work-related e-mail listservs and accessing work-related websites.

Be your own professional development expert by using video, CD-ROM, or audio educational materials.

Listservs provide a forum for e-mail discussions between persons who have some shared interest. This makes listservs a powerful tool for asking questions and posting suggestions to a group of people who share an interest, but are geographically dispersed. There are many web sites that allow you to create your own listserv discussion group for free. Currently, the most dominant one is Yahoo! Groups (<http://groups.yahoo.com>). The Resources section on page 52 provides additional sources of information about listservs.

CHALLENGES OF WORKING AT HOME

Persons who work at home—whether or not they have disabilities—sometimes experience challenges. Some feel isolated from their co-workers, supervisors and organizations. Others have difficulty maintaining healthy boundaries between their work and family responsibilities. Issues of security and confidentiality can also pose challenges. The following best practices and suggestions can help you avoid or minimize these challenges when you work at home.

ISOLATION

Our study and other research have found that some teleworkers enjoy working at home for the solitude and freedom from common workplace distractions. Other people who work at home, however, miss the social interaction of the workplace. For example, teleworkers may have fewer opportunities to:

- discuss problems and celebrate accomplishments with colleagues
- participate in informal meetings
- share non-work experiences

“When you work in an office setting, you’re much more connected with the staff people that work in the office. Now I feel like an outsider, now that I’m working so much of my time away from the office. So I don’t feel part of the office...Sometimes you get overlooked. But I think they try to make a conscious effort to try to keep me sort of posted of all the things that are happening related to the office. I really appreciate that.”

[teleworker with disabilities]

“It’s easy to stop and chat for a few minutes with people [in the office] and say “Hi, how was your weekend and how are things going?” To do it with people over the phone requires a conscious effort to make the phone calls and to keep in touch for no real reason other than just saying “hi” and keeping the relationship going. It takes a lot more discipline to do that with people who are not in the office, especially if you have more than one person [working at home].”

[manager of teleworker with disabilities]

Any teleworker can experience feelings of isolation, but some persons with disabilities who work at home may be at greater risk. For example, some of the teleworkers with disabilities in our study worked at home all or most of the time because the assistive technology they used at home was not available at the employer's workplace. This barrier limits their opportunities to do some of their work in the employer's workplace.

Informal discussions about non-work matters are common in most workplaces. These discussions may not directly contribute to productivity, but they have the potential to enhance productivity indirectly by strengthening relationships between employees. Several of the people with disabilities in our study worked in their employers' offices for many years before becoming teleworkers. One has maintained a close relationship with the co-worker with whom she used to share an office.

"Oh yes, especially my old roommate, or office mate. We always interchange e-mail. She always phones me and gives me the latest politics, what's going on, you know, stuff like that."

[teleworker with disabilities]

Phone, e-mail and other telecommunication options are becoming increasingly valuable tools for reducing isolation and building teams.

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Use the telephone and e-mail for the kind of non-work discussions that occur face-to-face in the office.

Join or initiate an e-mail listserv or message board for home-based workers or all of the employees of your organization.

Despite the increasing sophistication and power of telecommunications, face-to-face contact with supervisors, co-workers and customers remains important in many organizations.



Whenever possible, create and find opportunities to spend time at your employer's workplace.

CO-WORKERS

People who work at home sometimes encounter challenges working with office-based co-workers. Depending on the nature of the organization and the way telework arrangements have been implemented there, some of your co-workers may feel that telework is a form of favoritism. Others may feel that their own workloads have increased if they are responsible for providing information to you or other home-based workers via telephone, fax, or e-mail.

"I think that I had the sense, when I started working at home, that there was some resentment from the staff. That may have been imagined, I don't know...I don't know that they ever requested it, but they were not working from home, so maybe they were seeing that as sort of a special arrangement."

[teleworker with disabilities]



Suggest that your employer explain the concept of telework to other workers, highlighting the benefits to the company and to you as a person with disabilities.

As much as possible, avoid making excessive information requests to co-workers at your employer's workplace.

Explore the possibility of exchanging some duties with office-based co-workers.

MAINTAINING HEALTHY BOUNDARIES

At times, some participants in our study found that their work intruded in other parts of their lives.

"I wanted to prove to myself that I could do this, that I could work from home, that I could prove this to my employer. Now [employer] knows I can do the work, so I have been spending time with my kids. But for a while there, we were having problems, my wife and I. She was always getting mad. "Why are you working so much?" I'd get the questions from the kids. "Dad, why can't you spend time with me?" I just wanted to prove myself, and I have proved myself. I still work a lot, don't get me wrong. I still put a lot of work in."

[teleworker with disabilities]

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Maintaining clear boundaries between work and family life may improve your chances of succeeding at home-based telework.

Some participants in this study reported that friends or relatives expected them to have flexibility to engage in non-work activities (e.g. babysit) during their normal working hours. Others identified strategies to minimize other interruptions.

"I find that people don't recognize a home office unless you make it defined as a home office. People still call you in the afternoon and ask if you want to change your long distance service, and people will knock at the door trying to do something. It wasn't just friends or family, I mean strangers. So you really have to make it an office at home. I put a sign up on my door "not available from three to six o'clock," number one, if I was sleeping and I didn't want the doorbell going off...I think we really have to define an office at home as a respected space and we can only do that. We can't expect other people to do that. It's up to us to do that."

[teleworker with disabilities]

Although relatively few of the participants in our study had young children living with them, other studies have found that persons who attempt to work at home and care for pre-school age children at the same time often encounter difficulties. Other studies have found, however, that parents of school-age children may be able to provide temporary care when their children are sick, or pick them up from school during regular work hours, while continuing to work productively at home.



Develop a work schedule and discuss it with members of your family.

Establishing a regular work routine makes it easier for your family and friends to know when you are working and “off limits”. Several participants with teenaged children reported that they established guidelines for when it was and was not appropriate for their children to interrupt them while they were working.

“She’s old enough now that if I say “You know what? I’ve got to spend the next three hours doing this,” she would say “okay” and she would leave me alone. But I can see how it would be a difficulty for people with young children.”

[teleworker with disabilities]

People who work at home need to develop a balanced approach to work and family life.

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Take regular coffee and lunch breaks.

Take regular vacations. Taking a vacation provides an opportunity to develop a fresh perspective on your work.

SECURITY AND CONFIDENTIALITY

The ability to keep work-related documents secure and confidential when working from home were two concerns cited by employers who participated in the study. Security and confidentiality may be compromised when you are transferring work documents between your employer’s workplace and your home office. Additionally, unless you manage your home office and store work documents carefully, family members or friends may have access to confidential information.



Keep confidential work information within the confines of your home office, and limit the number of people who have access to your home office. Store confidential information in locked drawers or cabinets.

Make use of passwords to prevent unauthorized access to work-related computer programs and files.

Communicate confidential information to your supervisor or employer by telephone or in face-to-face meetings.

Transfer confidential hard copy materials between your employer’s workplace and your home office yourself. Collect or drop off such materials when attending meetings.

LEGAL ISSUES

Although some people worked at home prior to the 1990's, research has found that the number of Canadians who work at home has grown substantially in the past decade. As a result, most of the legislation that governs work in the province of Manitoba does not provide specific protections for persons who work at home because the legislation was written before home-based telework became common. In general, however, Manitoba employers have the same legal obligations to employees who work at home as they do towards employees who work in a traditional workplace. The major exception to this general rule is for workers who are regarded as independent contractors.

EMPLOYEE OR INDEPENDENT CONTRACTOR?

In general, employees are paid a regular wage or salary for work done on a full-time or part-time basis for a specified or indeterminate period of time. An employee works under the direction of an employer who determines where, when and how the work is done. In most cases, the employer provides a work space and equipment. Employers are obligated by law to pay Employment Insurance (EI) and Canada Pension Plan (CPP) premiums for employees, as well as collect income tax from employees and remit to the appropriate governments.

Independent contractors are self-employed individuals who are hired for a specific task or period of time. Independent contractors have considerable control over how, when and where their work is done. For example, they normally utilize their own equipment and are free to sub-contract a portion of a project to another contractor. Independent contractors often have multiple clients. Organizations that hire independent contractors do not normally deduct income tax from contractors' pay, or pay EI or CPP premiums on their behalf.

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EMPLOYMENT STANDARDS

The provisions of the Manitoba Employment Standards Code include minimum wage, vacation entitlements, general holidays, meal breaks, maternity and parental leave and notice of termination. It applies to all persons who work for an employer as an employee, regardless of where the work is performed. Subsection 80 states that employers who employ persons who work at home must maintain a record of the worker's name and address, a description of the type and amount of work done by the worker, the rate and actual amount of their wages, and any deductions. (See Appendix Two on page 58 for more information about the Manitoba Employment Standards Code.)

WORKPLACE SAFETY AND HEALTH

Manitoba's Workplace Safety and Health legislation also applies when employees do paid work at home. With the worker's consent, provincial workplace safety and health officers can enter a private home for the purpose of inspecting the safety and health of the home office. If the home-based worker does not consent, a court order is required for a safety and health officer to enter the home.

WORKPLACE INJURIES

Responsibility for workplace injuries is another area where current legislation and policy do not specifically address home-based work. In general, however Manitoba employers are liable for injuries sustained by their employees in the course of their work, regardless of the location where the work is performed. Determining the cause of an accident, however, as well as liability, may be subject to interpretation. For example, current legislation and policy does not specify whether or not—or how much—an employer would be liable for an injury that occurred when an employee trips on a child's toy left in his home office.

SUMMARY CHECKLIST

Finally, here is a summary of key best practices that can improve your chances of negotiating, implementing and maintaining a successful home-based work arrangement.

- ✓ Conduct an honest and realistic self-assessment. Consider how suitable your skills, inclinations and previous experience are for working at home.
- ✓ Using the information you generated from the self-assessment process, develop an individualized home-based work plan. Use this plan to negotiate with your employer.
- ✓ Work collaboratively with your supervisor. Make sure you provide her or him with your work schedule so that she or he always knows how to reach you.
- ✓ Some home-based employees find it useful to maintain a daily record of their activities and accomplishments.
- ✓ Establish a good communication network between your home office and your employer's regular workplace, including access to your employer's e-mail system and installation of a separate telephone line for your home office.
- ✓ Establish with your employer that working at home will have no adverse impact on your seniority and working conditions.
- ✓ Identify and accommodate your disability needs.
- ✓ Maintain clear and healthy boundaries between your work and family lives.

Improve your chances of succeeding at home-based work by implementing these and other best practices.

BEST PRACTICES FOR OTHER ORGANIZATIONS

INTRODUCTION

While home-based work arrangements are primarily the responsibility of an employer and the worker, other organizations—including yours—could have an impact on these arrangements. In workplaces that are unionized, **unions** are critical players in home-based work arrangements. Disability **service providers**, disability **employment agencies** and disability **consumer advocacy organizations** can raise the profile of home-based work arrangements as accommodative options for employers and workers. You can also assist with necessary accommodations or assistive technologies when the arrangements are in place. **Government ministries**, including those which legislate and regulate in the areas of labour and health and safety standards, can ensure that home-based workers are covered by existing standards, or amend the standards accordingly. Finally, **researchers** can create new knowledge about these home-based work arrangements and their implications for people with disabilities.

This section of this guide will outline, by theme, key activities that each of these organizations can undertake to address home-based work for people with disabilities. The best practices and suggestions in the Employer section will apply to your organization as an employer. The section below outlines best practices relevant to your on-going work.

CREATING APPROPRIATE GOVERNING FRAMEWORKS

Employment in Manitoba is governed by a variety of standards including collective agreements, labour codes and health and safety standards. Those organizations with responsibility for each of these need to ensure that their governing frameworks can accommodate home-based work arrangements.

UNIONS AND NEGOTIATED AGREEMENTS

Most of the participants in our study did not have formal written agreements stipulating the terms and conditions of the arrangement. Those who did, worked in large organizations with unionized workplaces. Not all unionized workplaces, however, did have formalized agreements.



Unions can provide employers and employees additional resources to negotiate letters of understanding or agreements about home-based work arrangements. Specific language about home-based work arrangements can also be incorporated into collective agreements.

When we spoke with union representatives, they all identified the importance of some form of telework agreement, preferably formal and possibly in the collective agreement. Two public service union representatives indicated that their policies specify that telecommuting can only be initiated by an employee, and the employee, employer and union have to agree on the telecommuting arrangement.

The following article is from a collective agreement between a union and employer in Manitoba. Although some points may not be consistent with earlier sections of this handbook, this sample article provides collective agreement language on telework/telecommuting that may be adapted by other unions developing language on telework.

DEFINITION

- 1 **Telecommuting:** An employee who on a periodic basis, during his/her scheduled work hours, fulfils his/her job responsibilities at a work site other than his/her primary work location.

TELECOMMUTING PRINCIPLES

- 2 Telecommuting is a co-operative arrangement between an employee and his/her Supervisor and each case will be reviewed on a case by case basis.
- 3 Telecommuting is based on:
 - the needs of the job, employee, work group and the company,
 - the employee's past and present levels of performance.
- 4 Jobs suitable for telecommuting are characterized by having clearly defined tasks and work products, measurable work activities, and minimal special equipment requirements.
- 5 An employee's performance is measured by output or results achieved.
- 6 The terms and conditions of employment with the company and the Collective Agreement still apply.
- 7 Each telecommuting arrangement is voluntary and jointly agreed to by the Supervisor, employee and Union by signing a Telecommuting Agreement which may be terminated at any time normally with two (2) weeks notice by the supervisor or employee.

TELECOMMUTING EQUIPMENT

- 8 In each telecommuting arrangement, the supervisor and employee determine the need for telecommuting equipment. The employee normally provides all telecommuting equipment.

EXCEPTION: The company will provide telecommuting equipment if justified based on the needs of the company and the nature of the work assignment.

- 9 If the supervisor determines that the employee should have company-owned equipment in his/her off-site location, the equipment may be provided with the Department Manager's approval. If approved, the installation, repair and maintenance of telecommuting equipment becomes the company's responsibility. The supervisor tracks the equipment's use in meeting the department's specific goals.

LABOUR LEGISLATION

Existing codes and standards have not yet completely caught up with the newer forms of home-based work. While there is some legislation which recognizes work that is done in the home, it frequently focuses on industrial home-based work (e.g. sewing) rather than telework that involves information or communication.



Relevant labour standards, such as the Manitoba Labour Code and Manitoba Workplace Health and Safety Act, apply to home-based workers with disabilities. Unions can ensure that their workers are aware of this and work with governments to address any gaps. Disability groups can also advocate for appropriate legislative or regulatory changes.

Some of the key issues of concern raised by union and employer key informants in our research concerned liability for injuries that occur while workers worked at home, and the health and safety of home offices and work spaces. In Manitoba, employers are responsible for injuries their workers suffer while working at home, although the interpretation of the extent of their liability is still emerging. (See Appendix Two on page 58 for excerpts from the Manitoba Employment Standards Code.) As a result, one union key informant noted that some employers may want to enter homes to inspect home offices for health and safety. Although they are not entitled to do so without the worker's permission, workers who are eager to work at home usually grant the employer permission to enter and inspect their home offices. Manitoba safety and health officers need to obtain either the worker's permission or a court order to enter a worker's home to assess their offices.

The Ontario Employment Standards Act has specific provisions related to homeworkers, including a minimum wage premium, written job details and written pay details. These refer primarily to industrial homeworkers.

See <http://www.gov.on.ca/LAB/es/homewrke.htm> for details.

PROMOTING TELEWORK IN HIRING PRACTICES AND EMPLOYMENT SERVICES

Some workers with disabilities may not see home-based work as an accommodative strategy for their disabilities. Others cannot find jobs that could be home-based, or cannot afford the personal costs of establishing home offices. Disability employment service providers can work with employers in targeted fields to create a database of jobs that could be used as home-based jobs.



Organizations that provide employment support to people with disabilities can work with employers to identify and advertise jobs that could be home-based and identify industries that are most open to home-based work.

Government could provide financial assistance to workers and/or employers to assist in establishing home offices.

Our study drew on people with disabilities who work conducting research, as counsellors, project managers, in banking, program officers, interpreters/translators and engineering technologists. Governments can lead the way by example, creating opportunities for people with disabilities to find telework and providing financial supports for workers and employers to facilitate creating telework environments. Two recent examples from the United States illustrate the type of initiatives governments can take to create telework opportunities for people with disabilities.

On July 26, 2000 President Clinton issued a memorandum calling on the heads of U.S. federal agencies, especially those using call centres, to identify federal jobs that could be home-based and filled by people with significant disabilities. (The text of “Memorandum on Employing People with Significant Disabilities to fill Federal Agency Jobs that can be performed at Alternate work sites” is available on the World Wide Web at: http://www.dol.gov/_sec/programs/ptfead/pressreleases/072600gpr.htm.)

On February 1, 2001 President George W. Bush created an “Access to Telework” fund as part of the New Freedom Initiative for persons with disabilities. The fund provides matching grants to states to guarantee low-income loans for people with disabilities to purchase equipment to telecommute from home. This initiative also provides additional tax benefits for companies that contribute computers and Internet access to employees with disabilities who work at home. (Further information about this fund is available on the World Wide Web at: <http://usgovinfo.about.com/newsissues/usgovinfo/library/weekly/aa020201b.htm>.)

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ACCOMMODATION PRACTICES

Some of our study’s participants said they work at home because previous employers had not accommodated them satisfactorily when they disclosed their disabilities or requested accommodation. People with learning disabilities or mental health disabilities often experience greater risks in disclosing these disabilities to employers when negotiating a home-based work arrangement.

Home-based work for some was a strategy to avoid further humiliation and/or disappointment.

“When I have tried to go in the front door and either work without disclosing or work with disclosing, I’m not accommodated in the manner in which I need...I’m patronized, and my sense of dignity and self-confidence suffers. So for me, instead of going in the front door...I’ve gone in the back door and looked for work that I can manipulate and massage to my purposes and my needs without the employer knowing that’s what I’m doing.”

[teleworker with disabilities]



Agencies that provide employment services can provide advice to consumers on strategies to deal with disclosing their disability in the context of home-based work.

ALTERNATIVES TO DISABILITY BENEFITS OR EARLY RETIREMENT

Several study participants noted that working at home kept some people with disabilities off long-term disability benefits or from early retirement. Union key informants also suggested that employers who are willing to make minor accommodations sometimes prefer to offer long-term disability benefits when employees with disabilities require greater accommodation.



Insurance companies and private and Canadian pension plans work with employers to enable workers to use home-based work as an alternative to being on long-term disability benefits or a disability pension.

MONITORING EMPLOYMENT PRACTICES

Unions can monitor and participate in a variety of issues related to home-based work including the arrangements and working conditions. Workers or employees can also work with disability service providers to ensure safe and healthy working conditions.

SETTING UP THE ARRANGEMENTS

Implemented properly, home-based work can be used successfully as a way of helping injured workers return to work. Key informants from unions, however, reported that some employers used home-based work as a premature and overly aggressive return-to-work strategy for injured workers. This can cause harm to some workers. As well, some union key informants noted that some employers have offered workers with disabilities early retirement packages that include opportunities to create home-based businesses to which the employer will sub-contract work. In both cases, employees have not initiated these home-based work arrangements to address their own needs.



Unions monitor home-based work arrangements to ensure they are initiated by the employee to address their needs.

Employers noted that it can be difficult to identify employees with, what they saw were, the necessary skills or aptitudes for working at home. At times this means changing the parameters of the job, including the job description, to enable the worker to work at home.



When job parameters are changed to enable telework, unions need to participate to ensure workers' interests are protected.

One employer created tools for developing a competency-based job description and identifying which jobs could be appropriate for home-based work. These need to be negotiated within the confines of any collective agreement, not on an ad-hoc basis.

“There’s a tremendous amount of discipline required when working at home, in terms of how you manage your time and how responsible you are committing that time to the work you are being paid to do. When assessing somebody’s competencies to be able to be responsible in those areas, I think it’s very important and ... we’re going to a more competency-based staffing profile now than we did years ago.”

[employer key informant]

SOME KEY COMPETENCIES USED BY ONE EMPLOYER FOR A PROJECT TEAM MEMBER

- collaboration
- change-focussed
- results-oriented
- creativity and innovation
- organization
- process improvement
- negotiation skills
- leadership
- experience
- knowledge

WORKING CONDITIONS

Many of the home-based workers in this study discussed how they frequently worked overtime.

“One of the problems with me—and I think this goes hand in hand with the type of disability I’ve got—is that it’s not always easy for me to walk away from the work. When you’re in an office, if you work 9:00 to 5:00 or 8:00 to 4:00, at quitting time, it is quitting time, and you can walk away.”

[teleworker with disabilities]

For some, working beyond normal hours was a pain management strategy. Others did it because they felt they were less productive than able-bodied workers.



Unions can assist home-based workers with disabilities prevent or minimize overwork issues by ensuring that all employees are being compensated appropriately for overtime, or workload expectations are adjusted according to individual worker’s capacities.

Union representatives noted they have more difficulty monitoring the working conditions of members who work at home.



Unions monitor use of sick days in home-based work arrangements.

Researchers study the use of sick days by people with disabilities who work out of their home, especially in relation with the use of other benefits.

Many of the study participants who maintained diaries about working at home experienced illness as they completed their diaries. Many noted they worked even though they were ill. For some, working at home allowed them to carry out work-related tasks in between resting or for short periods during their illness.

“I am still battling a case of influenza. Staying at home allowed me to work when I doubt I would have gone into the office.”

[teleworker with disabilities]

For people with disabilities there can be a fine line between needing to use sick days to address illness, and then having to draw on other benefits such as short-term disability when their sick time is used up. Researchers may provide additional understanding of possible patterns in sick day use.

“I was able to rest my eyes for approximately 20 minutes today. I have been having sinus headaches the last couple of days. This I would not have been able to do at the office.”

[teleworker with disabilities]

ISOLATION

Isolation can be a major drawback for anybody who works at home, but it can be especially difficult for workers with disabilities, depending on their levels of energy, mobility issues or access to communications. In telework arrangements where unions have not been involved in setting up the arrangement, union representatives may not know who is working at home and thus may not be able to represent them effectively.

“Yes, it’s difficult to represent [home-based workers] that have been disciplined or discharged when you didn’t even know they were on staff.”

[union key informant]



Unions keep in touch with their workers on a regular basis.

“I’ve had experience where we’ve had some tradespeople who were injured on the job and [the employer has] given them office work to do at home. The union knew nothing about it. But down the road—three or four years down the road—the worker comes forward and says ‘I got shafted’ and then we had to get involved. I’ve had a lot of those experiences.”

[union key informant]

A number of the study’s participants mentioned they would feel less isolated if they had a network either of co-workers or other people who work at home.



Disability organizations can create or facilitate a network for people with disabilities who work at home.

“Any new person who is going to be working at home [would benefit from] a network of people who would voluntarily speak with him about their experiences. It’s a small community of people working at home. It’s bigger as the days go on, but it’s still a relatively small community in a workforce. And I think that anytime I touched upon somebody who worked from home, I’d say ‘Really? Well, what do you do? Do you have a computer? Do you...?’ It’s an interesting community to be in. Anytime you can share that information, I think it can help. I think a network would be a good idea.”

[teleworker with disabilities]

PROVIDING DISABILITY SERVICES

Both workers with disabilities and their employers have experienced difficulty in getting the necessary disability services to accommodate disability needs. Organizations which provide disability services can work with employers and employees to address gaps in service.

Some workers who require disability services, such as attendant care at work, find them more difficult to access at the employer’s workplace. Access to these services can be easier to provide at home.

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Disability service providers can often provide better access to disability services at home, especially for services such as attendant care.

One of the study’s participants noted that she continues to work at home partly because she gets better access to attendant care at home. On days that she has to go to her employer’s workplace, she usually has to ask co-workers to assist with her personal needs.

“At home, I just pick up the phone, whenever I need the help, and my orderlies are there...I’m at home, and at least I feel safe there, you know, because there I have the people I need help from. So that’s important.”

[teleworker with disabilities]

Several key informant employers noted they have difficulty getting information about assistive technologies and other accommodation solutions for workers with disabilities who work at home or want to work at home. While some employers have internal resources—information and financial—these are usually larger employers. Some outside resources would be of use to employers and workers.



Disability organizations, both service and consumer organizations, can provide resources and information for employers and workers, especially in the area of assistive technologies.

"I find sometimes, when I'm working with somebody in my work place that has a disability, sometimes they don't know what they need for accommodations, even though I say we're willing to accommodate. I end up working with that person and doing some research and calling head office. We have an [advisory group] that helps get in touch with other people in the organization that have disabilities, that can maybe help me with what they're doing....sometimes too when you're looking at working at home, there might be special needs that both the employer and the person with a disability don't even know they need."

[employer key informant]

ENSURING OPEN, FLEXIBLE UNIONS

As noted above, unions often have difficulties keeping in touch with and providing consistent support to workers at home. One union key informant reported that one of the workers he represents was not informed of a labour-management dispute, and continued to work for a week after the work stoppage began. Others noted there are problems getting home-based teleworkers with disabilities to meetings where information is shared.



Unions provide consistent support to all members, including workers with disabilities who chose to work at home. Alternative and creative forms of communications, including telephone, e-mail or creating a buddy system with other union members, may be useful.

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FURTHER AREAS FOR RESEARCH

While there has been considerable research on the situation of teleworkers, there has been only limited study of the unique situations of teleworkers with disabilities. Study participants noted many different areas where more information would be helpful.



Researchers could undertake a comparative study of the different costs associated with workers with disabilities in an office and those at home.

Researchers could undertake a comparative study of workers with disabilities and those without disabilities, both of which work at home.

Some measurement of the effects of home-based work on productivity, especially for people with disabilities, would be a useful research tool.

SUMMARY CHECKLIST

Home-based work, as an option for workers with disabilities, is primarily the concern of the employer and their employee. Yet to make telework arrangements successful, other organizations need to be involved. Unions, disability organizations, governments and researchers can contribute to strengthening these arrangements using their own expertise.

- ✓ Unions can provide resources and support to workers. They can provide draft language for letters of agreement or collective agreements.
- ✓ Governments can, in consultation with employers, workers, unions and disability organizations, revisit labour legislation in light of changes to home-based work.
- ✓ Disability organizations can provide resources to workers and employers to fill knowledge gaps at different stages in developing and implementing home-based work arrangements.
- ✓ Researchers can provide additional information about the situations of home-based workers with disabilities and the complexities of their accommodative strategies.

RESOURCES

*TELEWORK WEB SITES**

CANADIAN TELEWORK ASSOCIATION

<http://www.ivc.ca>

Web site containing wealth of information for teleworkers and managers, including compilations of recent news. A section is devoted to information for persons with disabilities.

TW-INFO

<http://www.tw-info.org/>

Canadian web site offers assessment tools and advice for teleworkers and managers.

GIL GORDON ASSOCIATES

<http://www.gilgordon.com>

Includes an extensive FAQ section (<http://www.gilgordon.com/telecommuting/faq.htm>) with advice for teleworkers and managers.

IVILLAGE

<http://www.ivillage.com>

The “work” section of this web site includes information and discussion forums for women working at home.

SOHO-CAN

<http://groups.yahoo.com/group/SoHo-Can>

SOHO-CAN is an e-mail listserv for Canadians who work in home offices and/or operate home-based businesses.

YAHOO!GROUPS

<http://groups.yahoo.com>

This web site allows individuals with shared interests to create free e-mail discussion groups.

*At the time this handbook was published, several of these web sites were not fully accessible to some persons with disabilities. They have been included here because they provide valuable information that is accessible to other people with disabilities, and which is not available on more accessible web sites.

DISABILITY WEB SITES

DISABILITY WEBLINKS

<http://www.disabilityweblinks.ca>

This web site provides access to federal, provincial and territorial government programs and related services for persons with disabilities in Canada.

WORKINK

<http://www.workink.com> (National site)

<http://mb.workink.com> (Manitoba site)

This virtual employment resource centre offers extensive resources for persons with disabilities, employers and practitioners.

ASSISTIVE TECHNOLOGY AND ACCOMMODATIONS

ABLEDATA

<http://www.abledata.com>

ADAPTIVE TECHNOLOGY RESOURCE CENTRE

<http://www.utoronto.ca/atrc/>

ALLIANCE FOR TECHNOLOGY ACCESS

<http://www.ataccess.org>

CANADIAN COUNCIL ON REHABILITATION AND WORK

302-500 University Avenue, Toronto, Ontario M5G 1V7

Telephone: (416) 260-3060 Fax: (416) 260-3093

Job Accommodation Service (toll-free): 1-866-CCRWJAS (1-866-227-9527)

E-mail: info@ccrw.org

Web site: <http://www.ccrw.org>

CCRW provides a toll-free Job Accommodation Service for persons with disabilities, employers, and others seeking information on employment and disability.

CANADIAN NATIONAL INSTITUTE FOR THE BLIND

1080 Portage Avenue, Winnipeg, Manitoba R3G 3M3

Telephone: (204) 774-5421 TTY: (204) 775-9802

Fax: (204) 775-9802

E-mail: jsheldon@mb.cnib.ca

Web site: <http://www.cnib.ca/divisions/manitoba/index.htm>

CANADIAN PARAPLEGIC ASSOCIATION

825 Sherbrook Street, Winnipeg, Manitoba R3A 1M5
Telephone: (204) 786-4753 Fax: (204) 786-1140
E-mail: winnipeg@canparaplegic.org
Web site: <http://www.canparaplegic.org/mb/>

INDEPENDENT LIVING RESOURCE CENTRE

311A-393 Portage Avenue, Winnipeg, Manitoba R3B 3H6
Telephone: (204) 947-0194 Toll-free: 1-800-663-3043
TTY: (204) 947-0194 Fax: (204) 943-6625
E-mail: thecentre@ilrc.mb.ca
Web site: <http://www.ilrc.mb.ca>

MANITOBA LEAGUE OF PERSONS WITH DISABILITIES

105-500 Portage Avenue, Winnipeg, Manitoba R3C 3X1
Telephone: (204) 943-6099 Toll-free: 1-888-330-1932
TTY: (204) 943-6099 Fax: (204) 942-3146
E-mail: mlpd@mb.sympatico.ca
Web site: <http://www.mlpd.mb.ca>

REACHING E-QUALITY EMPLOYMENT SERVICES

608-294 Portage Avenue, Winnipeg, Manitoba R3C 0B9
Telephone: (204) 947-1609 TTY: (204) 947-3480 Fax: (204) 947-2932
E-mail: rees@escape.ca
Web site: <http://www.escape.ca/~rees/>

SOCIETY FOR MANITOBANS WITH DISABILITIES

825 Sherbrook Street, Winnipeg, Manitoba R3A 1M5
Telephone: (204) 975-3010 Toll-free: 1-866-282-8041 Fax: (204) 975-3073
TTY: (204) 784-3713 (in Winnipeg) Toll-free TTY: 1-866-282-8041
E-mail: info@smd.mb.ca
Web site: <http://www.smd-services.com/>

The SMD also has offices in Brandon, Dauphin, Morden, Selkirk, Steinbach and Thompson.

TEN TEN SINCLAIR HOUSING INCORPORATED

1010 Sinclair Street, Winnipeg, Manitoba R2V 3H7
Telephone: (204) 339-9268 Fax: (204) 663-1016
E-mail: info@tenten.mb.ca
Web site: <http://www.tenten.mb.ca>

TAXATION RESOURCES FOR TELEWORKERS AND EMPLOYERS

CANADA CUSTOMS AND REVENUE AGENCY

<http://www.ccra-adrc.gc.ca>

OVERVIEW OF EMPLOYMENT EXPENSE DEDUCTIONS

<http://www.ccra-adrc.gc.ca/tax/individuals/topics/employment/menu-e.html>

GUIDE T4044 (“EMPLOYMENT EXPENSES”)

<http://www.ccra-adrc.gc.ca/E/pub/tg/t4044eq/t4044eq-01.html>

WORK-SPACE-IN-THE-HOME EXPENSES

http://www.ccra-adrc.gc.ca/E/pub/tg/t4044eq/t4044eq-05.html#P313_26467

FORM T2200 (“DECLARATION OF CONDITIONS OF EMPLOYMENT”)

<http://www.ccra-adrc.gc.ca/E/pbg/tf/t2200eq/README.html>

INTERPRETATION BULLETIN IT-352R2 (EMPLOYEE’S EXPENSES, INCLUDING WORK SPACE IN HOME EXPENSES)

<http://www.ccra-adrc.gc.ca/E/pub/tp/et352r2w/et352r2w.html>

T4002 (“BUSINESS AND PROFESSIONAL INCOME”)

<http://www.ccra-adrc.gc.ca/E/pub/tg/t4002eq/README.html>

PREVIOUS RESEARCH

Boucher, Normand, Carl Oullet, and Sylvie Fourier. 1999. *Guide d’implantation du télétravail pour les personnes ayant des incapacités*. Quebec: La Croissée.

Lapointe, F., D. Massé, N. Beaudoin, P. Mabillean, D. Szlamkowicz, and C. Geoffroy. 1998. *Projet Emploi-ACCÈS: Rapport de recherche*. Montreal: TECSO.

<http://www.gladnet.org/infobase/telework/employment/EMPL-ACC.htm>.

Lapointe, F., D. Massé, P. Mabillean, and N. Beaudoin. 1998. *JOB-ACCESS Project: Executive Summary*. Montreal: TECSO.

<http://www.gladnet.org/infobase/telework/employment/EA-SUMM.htm>.

Price Waterhouse. 1994. *Final Report on the Study of Canadians with Disabilities Working at Home*. Hull, Quebec: Human Resources Development Canada (Employment Equity Branch).

APPENDIX ONE: EXCERPTS FROM THE MANITOBA HUMAN RIGHTS CODE

“DISCRIMINATION” DEFINED

Sub-section 9(1)(d) of the Manitoba Human Rights Code defines one kind of discrimination as “failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection 9(2).” The characteristics listed in sub-section 9(2) include “physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair, or any other remedial appliance or device.”

DISCRIMINATION IN EMPLOYMENT

Sub-section 14(1) states that “No person shall discriminate with respect to any aspect of an employment or occupation, unless the discrimination is based upon bona fide and reasonable requirements or qualifications for the employment or occupation.” Sub-section 14(2) specifies that “any aspect of an employment or occupation” includes:

- “(a) the opportunity to participate, or continue to participate, in the employment or occupation;
- (b) the customs, practices and conditions of the employment or occupation;
- (c) training, advancement or promotion;
- (d) seniority;
- (e) any form of remuneration or other compensation received directly or indirectly in respect of the employment or occupation, including salary, commissions, vacation pay, termination wages, bonuses, reasonable value for board, rent, housing and lodging, payments in kind, and employer contributions to pension funds or plans, long-term disability plans and health insurance plans; and
- (f) any other benefit, term or condition of the employment or occupation.”

UNDUE HARDSHIP

Sub-section 43(4) states that employers may be exempted from complying with the Code “where the party contravening the Code establishes that the cost or business inconvenience that would result from providing appropriate access or amenities would constitute an undue hardship...”

Note: These are excerpts from the Manitoba Human Rights Code which pertain to the employment of persons with disabilities. For further information, contact the Manitoba Human Rights Commission or consult the Code.

Manitoba Human Rights Commission
7th floor—175 Hargrave Street
Winnipeg, Manitoba R3C 3R8
Telephone: (204) 945-3007
Toll Free: 1-888-884-8681
TTY: 945-3442
Fax: 945-1292
E-mail: hrc@gov.mb.ca
Web site: <http://www.gov.mb.ca/hrc/>

APPENDIX TWO: PROVISIONS OF THE MANITOBA EMPLOYMENT STANDARDS CODE ON HOME WORK

DIVISION 11 HOME WORK

MEANING OF HOME WORK

80 (1) In this section, “homework” means work that an employee performs at his or her home, but does not include the sale of goods or services.

EMPLOYER TO MAINTAIN RECORDS

80 (2) An employer that engages individuals to do home work shall keep and maintain, and make available to an officer on request, at the principal place of business of the employer in the province a record of the name and address of each employee, a description of the type and amount of work done by the employee, the rate of wages for the work, any amount deducted from wages earned by the employee, and any other prescribed information.

DIRECTOR MAY IMPOSE CONDITIONS RESPECTING WAGES

80 (3) The director [of the Employment Standards Branch] may impose conditions and limitations on an employer in respect of the wages of an individual employed to perform home work when the director considers it necessary or advisable to do so to ensure compliance with the provisions of this Code.

CANADIAN CENTRE ON DISABILITY STUDIES

56 The Promenade
Winnipeg, Manitoba, Canada
R3B 3H9

