

Wardrobe Malfunctions, Zoombombing, and Other Torrid Tales from the Home Front (US)

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With more of us working from home than ever during the COVID-19 public health crisis, employers and employees face unique challenges. Videoconferences have replaced in-person meetings, and our pets, kids, and partners are now our temporary “coworkers.” From the occasional mild annoyances, like barking dogs and ringing doorbells, to the truly humiliating examples trending on social media (be sure to turn off the camera on your videoconference before using the restroom!), employers must take added steps to ensure a safe, respectful, harassment-free, fully clothed workplace.

No Shirt, No Shoes, No Employment

Virtual meetings and videoconferences have replaced in-person meetings and working in the office, resulting in countless viral examples over the past several months of employees engaging in regrettable behavior they (hopefully) wouldn’t dream of partaking in at the office. From [attending videoconferences sans pants](#) to [brazenly consuming alcohol](#) during working hours (beer being the drink of choice when quarantine-working) to [abusing household pets](#), employees have been caught in highly compromising positions while working from home. These viral mishaps not only risk embarrassment to employees involved and possible need for HR intervention, but can pose serious PR nightmares for their employers.

That the behavior occurred at home rather than in the office is no defense. Employers must maintain expectations for a professional work environment for their employees even when employees are working from home. Therefore, they should remind their employees that the policies and disciplinary procedures that apply when they are working in the workplace, including the code of conduct and anti-discrimination and anti-harassment policies, remain in effect while they are working remotely. The employee who substitutes an offensive avatar for his headshot in the video chat or who relives her party days with a piña colada in hand during the online quarterly sales meeting should be disciplined just as if they had pulled the same stunt in the office. Further, employers should adapt their discrimination and harassment reporting procedures to ensure there is still an effective way for employees to report inappropriate conduct they experience while working from home. Even though HR professionals are working remotely still themselves, they must still promptly investigate

complaints of discrimination and harassment, even if that requires conducting phone or video interviews remotely and reviewing documents remotely.

Home Sweet Homepage....Except If You're a Hacker

Employees transacting business via videoconferencing creates security vulnerabilities that many employers may not be aware of or prepared to combat. Along with the typical security concerns incumbent with working away from the workplace, such as data breaches, phishing emails, and mishandling confidential information, employers must now wrestle with 21st century security challenges. For example, “[Zoombombing](#)” — the act of infiltrating a public Zoom (or other videoconference) call in order to project offensive or pornographic images to unsuspecting meeting participants using the screen-sharing feature — has become increasingly popular among internet trolls, and can create serious problems for employers. Employers should coordinate with their IT professionals to identify videoconferencing service platforms with robust security measures in place, and to activate all available security safeguard settings to protect employees from harassment and sensitive information from hackers.

“What Day Is It??!” Tips for Maximizing Employee Productivity

With so much of the American workforce working from home and distracted by family, children, homeschooling, pets, and the siren song of Netflix (yes, we’re still watching!), and with fewer demands on employees during ubiquitous shelter-in-home orders and customer financial challenges, employers are understandably concerned that employees’ productivity at home may suffer. However, studies show that working from home not only benefits employees by eliminating their daily commutes and giving them more control over their schedules, it also in some case, *increases* productivity and leads to healthier lifestyles. Employers should consider encouraging employees to implement the following steps to maximize productivity during working (at home) hours:

- *Set up a distraction-free space.* Employers should encourage employees to have a designated quiet space set up for work to help them stay focused and minimize distractions. Employees will be much more productive if they are working in an office-like space rather than in their bed or on their couch. To reduce eye strain and repetitive strain injuries, this should be a desk, kitchen or dining table, or other well-lit area with a clean, flat surface.
- *Follow a set schedule and keep a To-Do List.* Employers should encourage their employees to maintain the same (or a similar) schedule as they did when they were in the workplace. Also, writing down daily or weekly goals will help employees stay on track and organized.
- *Maintain colleague outreach.* Employers should utilize the various communication tools at their disposal to replace internal face-to-face team meetings with virtual meetings, keeping in mind the potential pitfalls discussed above.
- *Take a break and take a walk.* Employers should encourage employees to take periodic breaks, as employees often do when in the office. Taking breaks and walks will keep them refreshed physically, and help them remain focused throughout the day. In states with mandatory meal and rest breaks, employers should be sure that these are scheduled and that employees are taking these breaks as required.

Employers grappling with these and other COVID-19-related issues should feel free to reach out to

counsel to ensure they are fulfilling their legal obligations to their employees while their employees are working remotely.

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