

Working from home Employer & Employee Occupational Health & Safety Duties

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Working from home

1. WFH as containment during the COVID-19 epidemic
2. Determining whether and how WFH may be instituted
3. Brief occupational H&S risk assessment and checklist
4. Advice to employees who WFH

Working from home

WFH as containment during the C19 epidemic

Working from home - why

1. General C19 containment at employer
2. Specific C19 containment for vulnerable employees
3. Ad hoc containment during C19 quarantine or isolation

Working from home – OHSA/LRA

1. OHSA

- "**workplace**" means any premises or place where a person performs work in the course of his employment
- "**reasonably practicable**" means practicable having regard to-
 - Severity and scope of the hazard
 - State of knowledge concerning that hazard
 - Means of removing or mitigating that hazard or risk
 - **Availability and suitability** of means to remove or mitigate that hazard
 - Cost of removing or mitigating in relation to the benefits deriving therefrom

2. LRA

“workplace” means the place or places where the employees of an employer work.....

- *Focus on workers as a collectivity rather than as separate individuals*
- *Location is not primary: functional organisation*

Association of Mineworkers and Construction Union and Others v Chamber of Mines of South Africa and Others [2017] 7 BLLR 641

<https://www.werksmans.com/legal-updates-and-opinions/working-from-home-but-are-you-really-at-work/>

Working from home

Determining whether and how WFH may be
instituted

Should/could and employee WFH? Employee factors

1. Does the employee agree to work from home?
2. Does the employee have sufficient and adequate physical space and facilities at home?
3. Is the home environment a safe work environment?
4. Impact of WFH on family-, social-, professional environment

Should/could and employee WFH? Common factors

1. Where is the 'home'?
2. What parts of the house will be considered the 'workplace'?
3. Is there sufficient security?
4. Hours of work: normal availability, overtime arrangements?
5. Scope of homework: listing of work assignments, due dates, work expectations, etc.
6. Hardware requirements: equipment, desk, chair, computer, fax, general office supplies, etc.?
7. Software requirements, communication and e-access to the employer's computer systems:
8. Communication
 - When and how often the employee will check for messages?
 - Will the primary contact method be by telephone or e-mail?
 - What number to call to reach employee at home. Is there an alternative number?
 - Who will have access to home-office phone number?

Should/could and employee WFH?

Common factors

9. Travel and driving requirements, transport mode and routes
10. Duties and rights in respect of incidents and injury of the employee during homework (immediate reporting, investigation, responsibility for damage to equipment etc.)
11. Will the change to WFH be initiated with a trial period? For how long?
12. Key Performance Areas and indicators for homework: e.g. meeting deadlines, overall and/or employee productivity, progress of individual or team assignments, availability to receive and return calls, impacts on the employee at home as well as other staff in the office, customer service delivery, the ability to attend meetings, even on short notice etc?
13. System ensuring employee's access to information as if employee was at workplace; e.g. notice boards, meetings, COVID-19 updates?

Should/could and employee WFH?

Employer factors

1. Does employer agree to allow certain employees to work from home?
2. Can employee's tasks be performed to required standard?
3. Full time/part time; is all work WFH or must employee also work away from home?
4. Practical arrangements
 1. Responsibility, authority, KPA/I: written agreement/policy (or e.g. Netherlands legislation)
 2. Setting up
 3. Practical arrangements (working hours, overtime, communication, costing and reimbursement, incident reporting, travel arrangements, cyber security, supervision etc.)
 4. OHS (setting up, ongoing assistance, self-inspection, ?access/authority to employee's house for OHS inspection, reporting incidents)

Working from home Scope

1. Administrative work mostly
2. Physical work: fine assembly, seamstress and other textile work

Working from home

Brief occupational H&S risk assessment and
checklist

Working from home

OHS risk assessment: physical factors

1. Uneven surfaces, loose tiles-mats-rugs, extension cords, toys etc. or slippery floors or steps and staircases causing slips, trips and falls
2. Ergonomics of manual tasks (printing, copy-and scan, binding, carrying boxes etc.)
3. Workstation ergonomics
4. Environmental hazards: air quality, noise, illumination, fire
5. Driving for work
6. Electrical safety
7. Security

Working from home

OHS risk assessment: psycho-social factors

1. Isolation
2. Rostering and working hours
3. Space constraints
4. Dealing with children, family; multiple WFH (partner, students)
5. Work-life imbalance
6. Professional development and progression

Working from home

Advice to employees who WFH

WFH Employee assistance

Does your home meet the following?

Security

1. Your home is generally safe and working there does not expose you to violence (e.g. gang activities, home violence etc.)
2. Being at home does not pose a risk for attacks, burglary or hold up and your equipment and documents (both electronic and physical) are not visible to unwanted persons.
3. Your home security is sufficient to prevent unauthorised entry whilst you are working there.
4. Confidentiality can be maintained.

WFH Employee assistance

Does your home meet the following?

Emergency arrangements

1. You have planned an escape route in case of a fire and the exit path is reasonably direct.
2. You have a list with emergency telephone numbers (see safety topic)
3. During your working hours, your direct management can be contacted by telephone.
4. The company's procedure for reporting incidents is known to you.

WFH Employee assistance

Does your home meet the following?

General

1. Your working area has sufficient ventilation, lighting, heating/cooling, to enable you to work in clean healthy air, with sufficient light and in at a comfortable temperature.
2. Your computer work area should not force you to stare into glaring light or reflections (such as off a white wall on which the sun shines); you may have to change position in the day.
3. Any heaters, fans or air conditioners are securely positioned to avoid falling and away from any hazardous items such as flammable or combustible materials. You should preferably not use heaters with glowing elements as these pose a higher fire risk.
4. The floor area is even and clear from tripping hazards such as extension cords, rugs or loose carpet tiles.
5. The area you are working from is not exposed to excessive noise.
6. You have sufficient space in which to work and store your equipment such as files, laptop and printer.
7. The work area is separate from other hazard areas in the home such as open fire or hot cooking surfaces.

WFH Employee assistance

Does your home meet the following?

Stress

1. You are sufficiently separated from disruptions such as pets and children, to avoid repeated stressful disruption.
2. You are able to maintain regular contact with a manager / supervisor.
3. You have sufficient support for any computer- or IT problems.
4. You have access to assistance at the employer in case the stress is too much

WFH Employee assistance

Does your home meet the following?

Electrical Safety

1. The owner of the property (either you or your landlord) has an electrical certificate of compliance.
2. There is an earth leakage unit which you can check (see safety topic)
3. There is no obvious damage to electrical equipment in use.
4. There are sufficient sockets to prevent overloading. If you need multiple plugs, it may be safe to use a multi-plug with a safety circuit in it.
5. Electrical plugs and leads are not worn or faulty. Leads must not have self-made joints, but must be intact and in the state they were bought.

WFH Employee assistance

Does your home meet the following?

Work station and computer equipment

1. There is comfortable leg space at the work station.
2. A footrest is available if needed.
3. The chair you use is comfortable, stable and free from obvious defects.
4. The heights and viewing distance of your computer monitor allow for comfortable work without neck-, shoulder- or back strain.
5. Your monitor and keyboard are placed directly in front of you and you don't have to twist your body or neck to work on the computer.
6. Your telephone or cell phone are within comfortable reach and a speaker / headset / hands-free setting is available for extended phone calls

WFH Employee assistance

Does your home meet the following?

Work practices

1. Your work requirements at home allow you to adopt and maintain a safe working posture.
2. Any physical work, which you require to do during home-work (e.g. lifting, pushing or carrying type tasks for moving office equipment, files or boxes), is well within your physical capacity.
3. Your work planning ensures that long periods of continuous stationary activity are avoided and regular changes of position, stretching, standing or alternative tasks are incorporated in your home work schedule; this includes rest breaks at intervals and standing at least once every hour of sitting.

WFH Employee assistance

Does your home meet the following?

Driving for work

1. When driving for work is required, the shortest and safest route of travel is used.
2. Where this is not feasible, your manager has made arrangements so that you are able to obtain permission for an alternative route to be used.

WFH Employee assistance

Does your home meet the following?

COVID-19

1. You are familiar with the symptoms associated with the virus and immediately seek medical attention if you or a member of your household presents with same.
2. You adhere to social-distancing and other non-pharma principles when leaving your house.
3. You regularly wash your hands.
4. You are able to isolate yourself or a member of your household in the event of a COVID-19 infection.

Safety topic: emergency numbers

SA Police services	10111
	Local station
Ambulance service	
My direct supervisor/manager	Land:
	Cell:
Company security manager	Land:
	Cell:
Company IT manager	Land:
	Cell:
Company SHE officer/manager	Land:
	Cell:
Company H&S clinic/ wellness centre	Land:
	Cell:
COVID-19 24 h hotline	0800 029 999

Safety topic: computer station checklist

For safe seating at a workstation

1. Ensure that your seat is sturdy, stable and comfortably cushioned.
2. The seat should have a backrest, preferably with support to the lower back.
3. The seat pan must not be too small or squash you.
4. The seat pan should not be too long; it should not press against the back of your knees or lower legs.
5. If the seat has armrests to support the forearms, these should not affect the safe position or interfere with movement whilst operating the station.

Safety topic: computer station checklist

For a safe working posture

1. Sit with thighs parallel to floor, knees in a 90° angle and lower legs \pm perpendicular to the floor.
2. Sufficient clearance space between top of thighs and working surface for computer; your thighs should not be trapped.
3. Legs and feet sufficient clearance space under work surface; knees should not touch anything under desk and you should position yourself so that you are able to get close enough to the keyboard.
4. Feet must rest flat on floor. You may require foot rests to support feet; thighs may be slightly elevated above knees.
5. Your head and neck should be upright in-line with your body and not bent forward or backward.
6. You should face forward and your head, neck and body should not be rotated to look or work sideways.
7. Your body should be vertical (perpendicular to floor); you may lean back in your chair's backrest but should not have to lean forward.
8. Your shoulders and upper arms should be in a relaxed position in-line with your body; they should not be elevated or stretched forward.
9. The forearms should be at about 90 degrees to the upper arm, so that the hands, wrists and forearms are straight and in-line.

Safety topic: computer station checklist

For a safe keyboard and mouse

1. Working platform on which keyboard or mouse are placed should be stable and large enough.
2. The keyboard should be placed away from the edge of the platform, so that the wrists can rest.
3. Mouse should fit your hand and be placed next to the keyboard in such a manner that it can be operated without reaching.

Safety topic: computer station checklist

For a safe position of the screen

1. The type, size and arrangement of the screen should fit the purpose; e.g. a small monitor may not be suitable for work with intricate designs.
2. Ensure that the screen is placed directly in front of you; you should never have to twist the head, neck or body to face the screen.
3. Ensure that the screen is not placed in front of a windows or light, which forces you to stare in glare; similarly, you should check that light is not reflected on your screen; at home, you may have to change your working position as the sun moves in the course of the day.
4. Place the screen so that the top position of the cursor is at or below eye level; your head and neck should not have to bend forward.
5. Similarly, the distance which the screen is placed away should allow to read without having to lean either forward or backward.
6. If you require multifocal lenses, you should place the screen so that you can read it without bending the head or neck backward.

Safety topic: computer station checklist

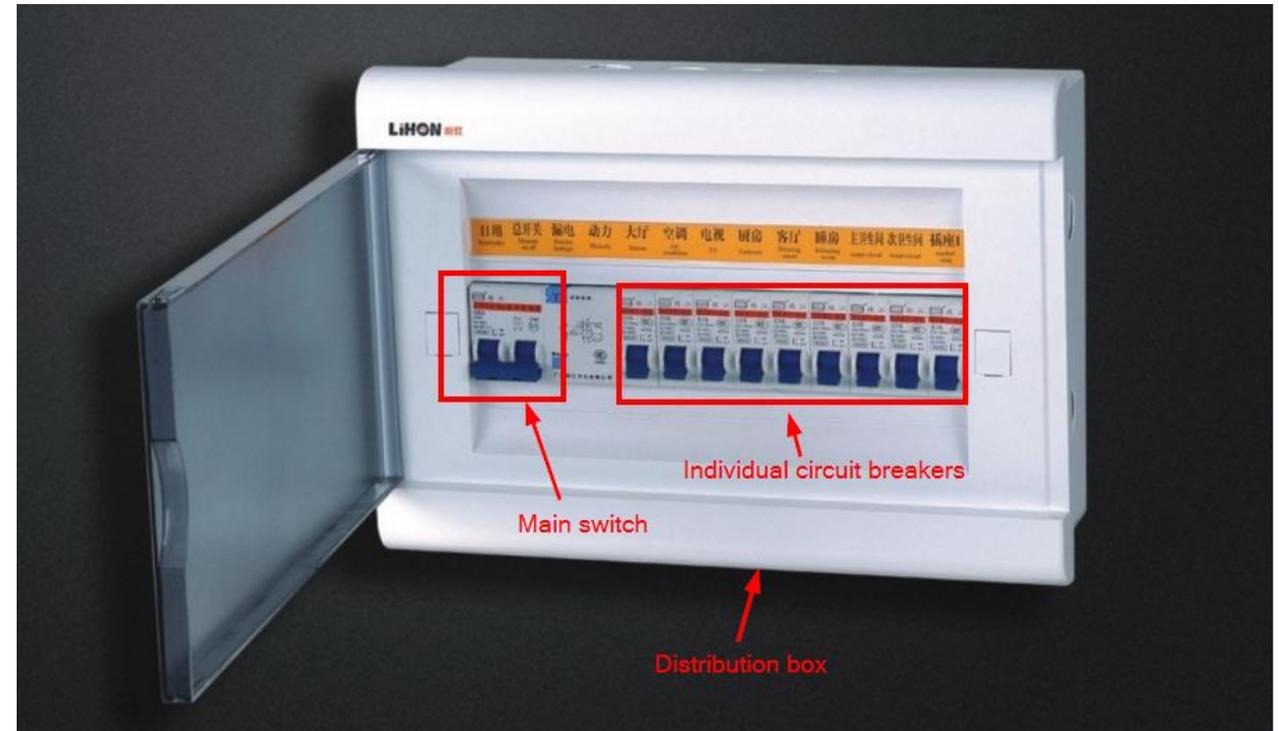
For safe tasking at home

1. When using telephone at computer station, have hands-free system, so you may retain safe position.
2. If possible, arrange your home station with possibility to adjust working posture from time to time.
3. Try to organise variety in tasks or schedule micro-breaks or recovery pauses while at the computer workstation. Take a break every hour, get up and be away from the computer for 3-5 minutes.
4. Eye-strain can be relieved with the 20-20-20 technique:
5. (a) Every **20** minutes
6. (b) Stare away from the screen to a point **20** feet (7 meters) away
7. (c) For **20** seconds.
8. You should make sure that the computer workstation, seat, working platform and all components and accessories are maintained in serviceable condition and keep functioning properly. See also electrical safety.

Safety topic home electrical safety

Check your main Distribution Board (DB) for conformance

1. The main municipal electrical supply cable comes into the DB and is then distributed to the individual circuit breakers and, from there, to all the circuits such as the stove, geyser, lights and plugs.
2. The DB also houses the earth leakage unit.



Safety topic: home electrical safety

1. In a larger house the main DB may branch out to smaller boards (for instance at swimming pool pumps, gate motors and outbuildings).
2. Each DB is controlled by a main switch in or next to the DB and labelled 'main switch'.
3. Circuit breakers function as a fuse; when a current flow in a circuit exceeds the rating of the breaker, it will trip and cut off the electricity supply to that circuit.
4. The main DB should be in a safe place where it can easily be reached in case of emergency (i.e. not too high), away from where children can get to it and not behind stoves where it cannot be reached when there is a cooking fire.
5. The earth leakage unit can detect small leakages of electricity and, when this happens, the earth leakage switch automatically turns off or 'trips'.
6. There is a small test button to test the unit periodically. It is a vital safety feature for any installation and should always be installed.

Safety topic: for your wellbeing

1. Choose a dedicated workspace and set yourself up for success.
2. Communicate expectations with all that will be home with you. Tell them about distractions and planned breaks.
3. Create routine and take breaks as planned.
4. Identify your high productivity periods and try to structure work around this.
5. Communicate proactively with your team and keep abreast of priorities.
6. Use technology to stay connected and remain easy to reach.
7. Make time to check-in socially with colleagues.
8. Stay hydrated and eat healthy food.
9. Plan and stick to a daily finishing time.....also for late e-mails.
10. Make time to exercise and stretch regularly.

Adapted from Aspen Pharmacare

Thank you

Further reading and references

- https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---act_emp/documents/publication/wcms_745024.pdf
- <https://www.ccohs.ca/oshanswers/hsprograms/telework.html>
- <https://www.hse.gov.uk/toolbox/workers/home.htm>
- <https://www.safework.nsw.gov.au/resource-library/COVID-19-Coronavirus/working-from-home-under-covid-19>