

U.S. Department of Labor Issues New Employer Guidance Related to Teleworking

New Jersey Governor Phil Murphy's Executive Order 107 provides, among other things, that all businesses and non-profits must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements through the use of technology that equips the individual to access necessary materials.

The U.S. Department of Labor (DOL) recently issued new guidance regarding teleworking in response to the reality that teleworking can be an effective defense against the spread of the COVID-19 virus. Given that teleworking may remain the status quo for many businesses for at least the near future, the following DOL guidance will assist employers in offering teleworking arrangements that are compliant with the Fair Labor Standards Act (FLSA):

Teleworking Generally Should Not Affect Salaries of Employees Exempt from the FLSA, But May Impact Employees Who Are Not Exempt from the FLSA:

DOL Encourages Alternative Arrangements for Employees Who Cannot Telework:


Reimbursement of Business Expenses Associated with Teleworking Under Certain Circumstances

The Department of Labor's Occupational Safety and Health Administration (OSHA) Does Not Regulate Teleworking in Home Offices

Suggested Best Practices for Employers

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