



## 2025 Labor & Employment Seminar

June 11-13, 2025

### REMOTE CONTROL: MANAGING THE NEW POST-COVID WORKFORCE

Dawn Dillon  
YOUNG MOORE & HENDERSON  
Raleigh, North Carolina  
[Dawn.Dillon@youngmoorelaw.com](mailto:Dawn.Dillon@youngmoorelaw.com)

Gero Schneider  
TIEFENBACHER

## POST-COVID EMPLOYEMENT CHANGES

- POSITIVE IMPACTS
  1. Improved work life balance
  2. Increased productivity
  3. Reduced commute time and costs
  4. Lower operational costs
  5. Expanded talent pools
  6. Reduced stress
  7. Environmental benefits
- NEGATIVE IMPACTS
  1. Social isolation
  2. Communication/collaboration difficulties
  3. Blurred work/life boundaries
  4. Home office constraints
  5. Technology dependence
  6. Management and supervision challenges
  7. Accessibility disparities
  8. Potential for overworking

COVID 19 triggered an unprecedented shift towards remote work fundamentally altering how and where many people performed their jobs.

### A. REMOTE WORK

Our Experience:

- Average work from home (WFH) days has increased since COVID – companies who did not have any WFH options now allow some
- New policies governed more by production goals – risks of accommodation claims
- From height, number of WFH days is decreasing

### B. ACCOMMODATION CLAIMS – ADA REMOTE WORK

- There may be more accommodation claims under the ADA as employees desire to continue remote work following the COVID pandemic and claim that they were able to WFH previously
- EEOC factors to determine “undue hardship:”
- Nature/cost of accommodation;
- Overall financial resources of facility, # persons employed, effect on expenses
- Overall financial resources, size, # employees, type of location
- Impact of accommodation on operation of facility

### C. ACCOMMODATION AND WFH

- Production is considered an essential function of a job. Employer not obligated to lower production standards for employee with disability
- Remember to go through interactive process

### D. TECHNOLOGICAL ADVANCES POST-COVID

- Meetings, meetings and more meetings!
- ERA of Electronic Meetings ZOOM, TEAMS
- PROS:
- Efficiency increased

- Less travel expense
- Opportunities to work with others in separate geographical area
- CONS:
- Lack of true connection
- Difficult to mentor via screen time
- IT Department generation of new and useful reports related to productivity, engagement, cost not previously utilized
- High-speed internet connectivity in more remote places
- E-Commerce boost and supply chain strengthening
- Increased cyber security

### E. CHANGES IN PROTOCOL POST-COVID

- Crisis Management protocol updates
- Plan in place in all departments
- Recruiting/onboarding/supervising updates and challenges
- Expectations of WFH
- Potential larger applicant pool
- Mentor/mentee relationships more difficult