

Does Employer Have to Let Employee Telework from Hawaii?



A case raising the question of how far employers must go to accommodate employees who want to work from home during COVID involved a professor who wanted to stay in Hawaii after finishing his one-year sabbatical because of the health risks being in Canada would pose to one of his kids. You can work remotely, the university responded, as long as you do it in Canada. The Qu bec arbitrator found the no-telework-from-abroad policy reasonable given the tax and insurance difficulties and sympathized with the university's wish not to set a dangerous precedent of letting employees work from wherever in the world they want. However, it ruled that the university should also be prepared to consider exceptions to the policy, especially where: i. teleworking is mandatory under COVID rules; ii. employees don't need to be physically present to do their work duties; iii. the time zone difference wouldn't affect the quality of their work; and iv. the request is based on the health of the employee's child [*Syndicat des professeurs et professeures de l'Universit  Laval (SPUL) and Universit  Laval*, January 28, 2021].