

On Working from Home

Career Development





This column feels a little strange, because even though I always submit my articles well in advance of their scheduled publication date, most of what I have written so far has been unlikely to be much affected by subsequent developments. But today as I write this, it is unclear to me (or anyone) just how long or how fiercely the COVID-19 pandemic is going to rage.

In some ways, I feel like I am writing a letter to our future. And I certainly hope that our future has more or less recovered from the epidemic and that not too many more people have died or otherwise been devastated. But I am pretty sure that no matter what has happened in the time between writing and publication, the world will no longer be the same as the one we left behind in 2019.

And in some ways, it may be better. Attitudes toward working at home will shift. Over the past several weeks, most businesses have been requiring any employees whose jobs permitted them to work from home. I am guessing that even after the epidemic is over, many corporations will have a more accepting attitude toward work-at-home programs than they had before COVID-19.

From a historical perspective, the working from home trend is interesting. Until the Industrial Revolution in the mid 17th and early 18th centuries that required workers to work in clustered factories, most people were either farmers, artisans, or merchants who worked from small workshops inside or very near their homes. Corporations followed, with office buildings located downtown. The shift that is occurring now, in which technology has enabled many more people to do the same kinds of work they used to need to commute for, seems almost to bring that full circle. Even before the pandemic, many people had begun questioning whether the benefits of working “on prem” were worth the costs, in terms of real estate expense, commuting time, etc. Plus, working remotely enables

access to a talent pool of professionals who once would have required expensive or unwilling relocations. This means we can collaborate with people around the world in ways we never did before. As our society becomes more accepting of working from home, there are ways to make it easier and more seamless.

First, if you just recently started working at home, take this as an opportunity to assess your typical personal office routine. Decide whether those same practices are right for you at home or if they instead should be modified anyway now that you are taking a fresh look. For example, should you try using a standing desk versus sitting for eight hours a day? Should you work a standard continuous eight to 10-hour day or break it up into different chunks so that you can take a physical or mental fitness or family break? If you have been using your company-issued laptop but actually prefer the one you have been using personally at home, can you transition to using that one? If so, what do you have to do ensure you meet appropriate privacy and other requirements? Do you have to make sure all your work data is segregated from your personal items to avoid litigation discovery problems? The examples could go on and on. The point is to carefully reconsider what you do in this context.

Second, what are some general security/privacy considerations in working from home you need to take into account as a lawyer for your company? Are you using a company VPN to securely access and save files? If not, is your home network properly secured? Do you have an encrypted wifi network with a strong password so neighbors can't access your files? If you don't store all your work files on the company network, where do you store them? Are they safely encrypted there?

Third, are your home broadband connections and wifi network fast enough to participate in videoconferencing, screen sharing, virtual collaboration, and other features that might better enable you to work from home? If not, can you upgrade? And if your company won't pay for any such upgrade, can you deduct the incremental expense on your tax return?

I have been working from home for some time. Here are some considerations and tips for those of you who may be new to it.

Scheduling

Determine what schedule works for you and your colleagues and clients. If it is a continuous eight to 10-hour day, set your own and your family's and your clients' expectations about when you plan to start and wind down every day. And then stick to it, whatever you decide works best. If you plan to work five hours, then take a two-hour break to be with your family or tend to personal business, and then work another four to five hours, that works too. Try to follow a regular schedule and set expectations around it.

It is easy for people who haven't done this often before to err too far on either working too many hours or working too few. Working from home must be fair to your employer and to yourself. When you are working, make sure you can focus and work hard and well. And when it's time to wind down, wind down.

Consider how to handle the time you used to spend on commuting too. I spent about two hours every day commuting and decided that, since I used to spend about half that time doing work, I would add an hour to my "office time" every day to make up for it. That still gave me back an hour I didn't have before, and I think the hour of work time at home was more productive than when I worked on the train. So that was a win for everyone.

Home office setup

Not everyone will need everything I am recommending, but I find all of them useful, not just for your professional work but also for your personal work. In no particular order, I recommend:

- **A dedicated office space**. I know that not everyone can have the luxury of a dedicated private office with a door you can close to reduce sound and avoid interruptions. If you can manage it, it will make a huge difference.
- **If not, at least try to find a place where you can work in relative isolation**. Lawyers deal in confidential matters and working from home will mean conference and videoconference calls as well as privileged documents and other materials you will want to sequester. Plus, having a dedicated space will help reinforce the notion among family or other housemates that you expect to be left undisturbed during your scheduled work hours.
- **A standing desk**. These needn't be expensive; I bought one for less than US$80, and I find it makes a world of difference to be able to switch periodically between standing and sitting.
- **A healthy desk chair**. We are often spoiled by our companies when it comes to desk chairs, and don't realize until we no longer have them how much they helped avoid the kinds of aches and pains that can come from sitting in a bad one. Good desk chairs can be expensive, but you probably don't need a Herman Miller Aeron or comparable high-end chair unless you have back problems. And if you have a standing desk and use it, you won't be spending as much time sitting anyway. Just make sure the one you use is ergonomically sound.
- **A computer or pro-level tablet you enjoy using, with a good keyboard and trackpad or mouse, and monitor**. Whether you work on PCs or Macs, if you use a laptop as your main computer, get some peripherals that will prevent eyestrain and RSI.
- **A largish monitor (at least 24 inches, if you can) and preferably one with high resolution**. You may not think you'd be bothered by a low-resolution screen, and you probably don't need 4K, but eye fatigue can become very noticeable after a while. A comfortable mouse and keyboard are also a must, as is a local storage disk for backup and extra space in the event you lose internet connectivity and still need to work.
- **A decent printer**. Look, I hope the day will soon come when we do away with paper and move entirely to digital documents. That day is not yet here. The good news is that color laser printers have become surprisingly affordable, both in terms of purchase price (~US$300) and ink supply.
- **A good scanner**. As long as we still wind up dealing with paper documents, we will need scanners if we want to convert them to digital, which I highly recommend. Good scanners have become very capable and fairly inexpensive, and you can use them for your personal business as well as for work.

I have been using a Fujitsu ScanSnap scanner for over a decade. They can take a stack of more than 50 sheets and scan and OCR it within minutes. They have a nice, small footprint and are relatively quiet. I use them to scan in paper mail and other documents so I can file and work with digital copies. Then, unless there is a compelling legal reason to save the originals, I shred them. Obviously, if you decide to do that, you also have to have a trustworthy digital storage system. I back up everything both on prem and in the cloud.

- **An effective shredder**. If you are anything like me, you are constantly surprised by the volumes of paper that seem to replicate like tribbles. I have an inexpensive commercial grade shredder that takes up to 20 sheets at a time, and I make a routine of scanning and shredding at least once a month.

Not familiar with tribbles? Think rabbits, only worse. “The Trouble with Tribbles” was a classic episode from the original Star Trek. Look it up sometime.

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