



COVID-19 FAQ

2. If an employer is requiring employees to work from home, is the employer obligated to provide any additional equipment to the employees? Can an employer make employees use their personal cell phone to conduct official business?

Date Added: 03/30/20

Answer: There is no federal law that prohibits an employer from requiring you to use your own computer or other personal electronic equipment such as cell phones, but some states may have laws about what employers can and cannot ask employees to pay for. We generally recommend that the employer provide all necessary equipment such as computers for at-home work. This is important for patient privacy purposes as well as maintaining integrity of all data stored on those devices.

Employers should work with their employees to establish hours of work for employees who telework and a mechanism for recording each teleworking employee's hours of work. Non-exempt employees must receive the required minimum wage and overtime pay free and clear. This means that when a covered employee is required to provide the tools and equipment (e.g., computer, internet connection, facsimile machine, etc.) needed for telework, the cost of providing the tools and equipment may not reduce the employee's pay below that required by the FLSA.