

**BIAS INTERRUPTERS FOR MANAGERS & ORGANIZATIONS**  
*Hybrid Work Best Practice Guide*

“The big quit.”

That’s what HR officials are calling the post COVID-19 labor market because so many employees are deciding to quit rather than return to full-time on-site work.<sup>i</sup> One in two people report they won’t return to jobs that don’t offer remote work.<sup>ii</sup> Not surprisingly, nine in ten large companies intend to embrace a hybrid working model, with many employees expected to come into the office one to four days a week.<sup>iii</sup> Work expectations have changed forever and companies that try to buck the trend risk losing the war for talent in a tight labor market.

83% of employers say that remote work has worked well during the pandemic, with studies documenting increased rates of productivity, even under the most trying circumstances.<sup>iv</sup> Post-pandemic, work from home is anticipated to yield a productivity boost because the pace of innovation has picked up and work arrangements are now optimized.<sup>v</sup> However, we have heard from many people whose employers have ordered them back to work, often abruptly, despite the fact that they have been working successfully from home for over a year, and that tens of thousands of childcare centers are still closed, summer camps are shuttered, and many schools are still unsure about whether they’ll open in the fall. This is a recipe for turnover and in some instances illegal.

Making hybrid work successful requires careful thought and intentional planning. This toolkit will help organizations successfully transition to a hybrid work model.

**WHAT’S AT STAKE?** Mishandling the return to on-site work can present legal problems and risks reinforcing social inequality in four different ways.

**Reinforcing class privilege.** One dramatic, and positive, development during the pandemic was the democratization of access to remote work. Before 2020, remote work was typically the province of the privileged. During the pandemic, employers saw firsthand that not only managers but also admins and others with desk jobs can work successfully from home. Yet we hear that many employers are insisting that clerical staff and less-senior professionals return to full-time on-site work, often with very short notice. This is a step in the wrong direction.

**Reinforcing gender and non-caregiver privilege.** The pandemic exposed the holes in the care infrastructure that enables workers to get to work. When schools closed and child care shortages arose, mothers were the “backup-plan” for the entire economy – and as a result millions more women than men took unpaid leave, turned down promotions,<sup>vi</sup> or cut their work hours.<sup>vii</sup> An estimated 4.5 million childcare slots have been lost (perhaps permanently), sharply driving up the cost of childcare – leaving many parents in a lurch.<sup>viii</sup> Additionally, caregiving

employees may also be reluctant to return to on-site work due to fears of bringing COVID home to children too young to be vaccinated, elderly relatives, or other family members still vulnerable to severe cases of COVID.

Among college-educated parents of young children, mothers report wanting full-time remote work post-pandemic 50% more often than fathers.<sup>ix</sup> If managers return to worksites full-time, and only women and caregivers wind up working hybrid or remote schedules, companies run the risk of reinforcing notions that flexible work arrangements are an accommodation for less-dedicated workers, entrenching a “work ghetto for women.”<sup>x</sup>

**Reinforcing race privilege.** Prior to the pandemic, Black and Latinx employees made up 30% of the labor force, yet they made up 50% of the people who left or lost a job to care for children in June/July 2021.<sup>xi</sup> People of color are more likely to have caregiving responsibilities and to live in multi-generational households with children or elderly relatives who may be unvaccinated or high-risk.<sup>xii</sup> Black, Latinx, and Indigenous community members also are roughly 3 times as likely to be hospitalized, and twice as likely to die of COVID as white people, making many apprehensive about on-site work and schooling.<sup>xiii</sup>

A sharply lower percentage of Black (3%) than white (21%) employees were interested in returning to work as of March 2021.<sup>xiv</sup> Why? Remote work provides a buffer against bias and daily micro-aggressions: Black employees reported a 64% increase in the ability to manage stress, and a 50% increase in feelings of belonging at their organization after the switch to remote work.<sup>xv</sup>

**Reinforcing ableism.** Remote work is vital for certain individuals with disabilities, particularly those with compromised immune systems. Ordering all employees back to on-site work without regard to employees’ right to accommodation for disability is illegal – although it’s happening.

### **CREATE A PLAN! Here is your toolkit.**

- Get input from your employees. Surveys<sup>xvi</sup> show that managers and workers want different work styles post pandemic. Get out of your manager “optimism bubble”<sup>xvii</sup> that assumes you understand what people want, and ask them. [Sample survey is available here.](#)
- Decide on a target date for a return to in-person work or hybrid work with an in-person component.
- Make sure you understand the [legal requirements surrounding return to in-person work.](#)
- Create a workplace safety plan cleaning, group size, mask and vaccination requirements, including reasonable accommodations.<sup>xviii</sup> Make sure your policy is in compliance with all local, state, and federal laws.
- Review and revise your accommodations process. [Refer to this list of sample accommodations for in-person work.](#)

- Create a remote work/telework policy.<sup>xix</sup>
- Craft your announcement on return to in-person work. [Sample announcement is available here.](#)
- Make a plan to provide training, resources and language to managers on [best practices](#) for managing, measuring, motivating and rewarding employees with caregiving responsibilities and a hybrid workforce.

### **STEP ONE: Set A Return Date That Allows Employees Enough Time to Transition**

We are hearing reports of employers who abruptly order everyone back to work, sometimes with only a few days' notice. This is a recipe for losing valued employees and jeopardizing diversity goals as many mothers and other caregivers, individuals with disabilities, junior staff, and people of color feel they may have no option but to leave.

Some basic principles:

- Give employees *at least* 45 days' notice (preferably 60 days) so they can organize childcare and eldercare arrangements and arrange transportation for their commutes.
- Give employees and HR enough time to submit, review, and approve accommodation requests from employees who are legally entitled to accommodations. Do not require an employee with an unresolved accommodation request to return until a final determination has been made.
- Include with the return-to-work announcement a strong safety plan – from vaccination and masking requirements to cleaning and air quality protocols to limits on group gatherings – to immediately reassure workers that the organization takes the continued risk seriously.

### **STEP TWO: Develop and Disseminate an Accommodations Process**

Individuals seeking accommodations due to disability, pregnancy, breastfeeding, or religion are entitled to accommodations so long as they do not impose an undue hardship on their employers. The fact that 83% of employers said that remote work functioned well during the pandemic could be used as evidence that remote work is feasible in a given job.<sup>xx</sup>

Keep in mind, too, that people with some medical conditions cannot take the vaccine, and many employees who themselves are vaccinated have children at home who are not vaccinated, or family members at home who have medical conditions that make them vulnerable to severe cases of COVID. The legal landscape is complex. Review our [FAQ page for employers](#) and [list of possible accommodations](#) for employees as you design your accommodation process.

### STEP THREE: Develop a Hybrid Model That Works for Your Company

Every company is different. Here are guidelines for creating a hybrid model that works for your org.

- *Survey employees.* Proceeding without knowing what your employees value is shooting in the dark! Use our [survey](#); your employees may well value some things that are easy to give them.
- *Company, department, or team?* Some companies will want the same policy companywide; other companies will go department by department or team by team. A word of caution: rigorous research documents that treating workplace flexibility as a one-off individualized accommodation for individuals is not the right model because it marginalizes those who use it.<sup>xxi</sup> This does not mean that everyone needs the same schedule, but it does mean that team-wide buy-in is important. Ensure fairness. Pre-pandemic, some managers “got it,” and others didn’t. Having access to a flexible schedule was considered winning the “boss lottery.” That only breeds tension, stress, mistrust and ill-will.
- *Lead from the top.* Like it or not, leaders set organizational culture. Make sure the new policy comes from leadership, not just HR. Leaders, don’t just release a statement, talk about the new policy to socialize it, and model new practices to normalize them.
- *What does hybrid mean?* Working remote, or distributed, full-time is very different from working in the office two, three, or four days a week. Some companies will want to require the same format across the company, while other companies will require the same format for people in the same job category, or delegate those decisions to departments or teams. Some different formats:
  - Each employee works some days in the office
  - Some employees are always remote/distributed, while some are always in person
  - Employees can change work schedules depending on seasonal or external demands

The key is setting expectations around when people need to be available to make work effective.

- *Work availability.* Always home should not mean “always on.” The key is setting expectations around work hours. Some companies, have implemented “core hours” where everyone is expected to be online, across time zones and physical work locations to allow overlap for synchronous communication and collaboration.<sup>xxii</sup>
- *Don’t limit remote/flexible work to high-level professionals.* Instead, be analytical. Obviously, a cafeteria worker or grocery store clerk cannot work remotely. But they can have more say and control in their schedules.<sup>xxiii</sup> Yet any desk or phone job probably can be done somewhere other than in a physical office. Remember that junior and lower-paid professionals often are more likely than higher-paid ones to live farther away from downtown cores and would, value not having lengthy commutes every day. Remote

work could also make childcare arrangements easier to set up and manage. The pandemic showed that, far from the misconception that overtime-eligible hourly workers cannot work remotely, many did.<sup>xxiv</sup>

- *Everyone knows that remote work is not a substitute for childcare.* Effective remote/distributed work is vastly different from crisis work: during the pandemic, or when wildfires close schools, etc. employees rise to the occasion and put in long hours to meet both work and caregiving demands thrust upon them. Absent crises, parents and caregivers working in remote settings will have time and bandwidth to concentrate on work with children in childcare, school, and after school settings. The best practice is to enhance your Hybrid Work Policy with an Emergency Remote Work Policy for crisis conditions such as wildfires, health emergencies, and extreme weather events.
- *Before transitioning to remote or hybrid work, all employees should work with their managers to come to an agreement on and submit a written memo detailing the following:*
  - Time & place of work
  - Work hours, with expectations for availability outside of work hours
  - Communication methods during work hours (and outside them)
  - Supplies needed (including ergonomic)
  - A method for changing between remote and on-site work
  - Travel – when needed in office/elsewhere, who pays?

## STEP FOUR: Counter On-Site Favoritism

A pre-COVID randomized control trial found that despite being 13% more productive than their in-office peers, remote workers were promoted about half as often.<sup>xxv</sup> On-site favoritism – when on-site employees get plum assignments, accolades, and promotions and remote ones don't – can derail your hybrid working plan. If women, caregivers, and people of color are more likely work remotely, this becomes a diversity, equity, and inclusion (DEI) issue.

Even before the pandemic, 85% to 90% of white men but far lower percentages of women and people of color reported fair access to career-enhancing work.<sup>xxvi</sup> Women and people of color persistently reported during the pandemic that they had even more trouble getting career-enhancing assignments, or more trouble getting access to enough work to keep them busy.

Here are some tips on how to avoid on-site favoritism.

- *Reevaluate “hey you” tasking.* What the military calls “hey you tasking” – handing out assignments to whoever happens to be around – is a recipe for on-site favoritism. Consider shifting to a more formal assignment system.
- *Keep track.* Use our [toolkit](#) to identify what career-enhancing assignments are in your organization. Have managers keep track of who gets them for at least three months.

Look to see if people who work in remote/distributed settings are getting fair access to high-quality assignments – while you’re at it, look for demographic patterns, too.

- *Training.* Make sure managers know that “presence or on-site bias” commonly affects access to high-quality work, and provide training to ensure this does not happen. Bias also affects who does the “office housework” (usually always women) – everything from admin work (who takes the notes and finds a time to meet) to literal housework (who cleans the cups, orders lunch, and plans parties), to emotion work (who acts as the peacemaker and attends to others’ feelings), and to other undervalued work. Use our [survey](#) to find out who is doing the office housework.
- *Meetings?* Meetings, especially those where an employee is requested to join in person, require rigid scheduling that can eat away at deep-thinking time. Train people, before they send that calendar request, to consider whether an asynchronous form of communication (email, Google docs, etc.) might enable the same outcome. Meetings are good for conversations that need real-time feedback, ensuring you have a shared understanding of the goals/outcomes of an individual project, and delivering feedback. Meetings are not necessary for project updates, editing documents, etc. If a meeting is necessary, carefully consider your co-workers’ time zone, working hours, and make sure it’s as easy to participate in the meeting remotely as it is in person.
- *The virtual water cooler.* Research has shown that small talk builds rapport and deepens trust amongst coworkers in addition to enhancing innovation and performance.<sup>xxvii</sup> Add time at the beginning of meetings for casual conversation or consider using apps like [Slack’s Donut](#) to increase comradery and sense of belonging. A recent study demonstrated that when remote interns had opportunities for informal interactions with senior leaders at the company, it made them significantly more likely to receive full-time offers and translated to higher performance ratings.<sup>xxviii</sup> Slack’s [CEO Coffee Lottery](#) function can help create more opportunities for remote employees to have visibility with leadership, and thus opportunities for advancement.
- *Avoid flexibility stigma.* Employees who take advantage of flexibility in terms of when and where they work may face a stigma if these policies are not communicated and implemented effectively. Make it clear that flex arrangements are encouraged by setting an example from the top – and judge work on its quality, not where or when it is performed.

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<sup>i</sup> Curtis, L. (2021). Why The Big Quit Is Happening And Why Every Boss Should Embrace It. *Forbes*. <https://www.forbes.com/sites/lisacurtis/2021/06/30/why-the-big-quit-is-happening-and-why-every-boss-should-embrace-it/?sh=5667e66601c3>.

<sup>ii</sup> Owl Labs & Global Workplace Analytics (2021). State of Remote Work: 2020 COVID edition. <https://resources.owlabs.com/state-of-remote-work/2020>.

- <sup>iii</sup> Alexander, A., Cracknell, R., De Smet, A., Langstaff, M., Mysore, M., & Ravid, D. (2021). What Executives Are Saying About the Future of Hybrid Work. *McKinsey & Company*. <https://www.mckinsey.com/business-functions/organization/our-insights/what-executives-are-saying-about-the-future-of-hybrid-work>
- <sup>iv</sup> PwC (2021). It's Time to Imagine When and Where Work Will Get Done. <https://www.pwc.com/us/en/library/covid-19/us-remote-work-survey.html>; Choudhury, P., Foroughi, C., & Larson, B. (2021). Work-from-anywhere: The Productivity Effects of Geographic Flexibility.
- <sup>v</sup> Barrero, J.M., Bloom, N., & Davis, S.J. (2021). Why Working from Home Will Stick. [https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/why\\_wfh\\_will\\_stick\\_21\\_april\\_2021.pdf](https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/why_wfh_will_stick_21_april_2021.pdf).
- <sup>vi</sup> Miller, C. C. (2021). Shorter Hours, No Promotions: How the Pandemic Stalled Some Parents' Careers. *The New York Times*. <https://www.nytimes.com/2021/07/21/upshot/coronavirus-careers.html>; Rogers, B. (2020). Not in the same boat: Career progression in the pandemic. *Qualtrics*. <https://www.qualtrics.com/blog/inequitable-effects-of-pandemic-on-careers/>.
- <sup>vii</sup> Heggemes, M., Fields, J., García Trejo, Y. A., & Schulzetenberg, A. (2021) Tracking Job Losses for Mothers of School-Age Children During a Health Crisis. *The United States Census Bureau*. <https://www.census.gov/library/stories/2021/03/moms-work-and-the-pandemic.html>.
- <sup>viii</sup> Jessen-Howard, S. & Workman, S. (2020). Coronavirus Pandemic Could Lead to Permanent Loss of Nearly 4.5 Million Child Care Slots. *Center for American Progress*. <https://www.americanprogress.org/issues/early-childhood/news/2020/04/24/483817/coronavirus-pandemic-lead-permanent-loss-nearly-4-5-million-child-care-slots>;
- Jokisch Pollo, M. (2021). The Soaring Costs of Day Care Stifle Some Parents' Return to Work. *NPR Morning Edition*. <https://www.npr.org/2021/06/22/1008986943/the-soaring-costs-of-daycare-stifle-some-parents-return-to-work>.
- <sup>ix</sup> Barrero, J.M., Bloom, N., & Davis, S.J. (2021). Why Working from Home Will Stick. [https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/why\\_wfh\\_will\\_stick\\_21\\_april\\_2021.pdf](https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/why_wfh_will_stick_21_april_2021.pdf).
- <sup>x</sup> Goldin, C. (June 23, 2021). Assessing Five Statements about the Economic Impact of COVID-19 on Women. National Bureau of Economic Research. <https://www.nationalacademies.org/documents/embed/link/LF2255DA3DD1C41C0A42D3BEF0989ACAECE3053A6A9B/file/D52621228D92A7F27319934389D71B45D2FF9D6ABDA3>.
- <sup>xi</sup> US Bureau of Labor Statistics. (2019). Labor Force Characteristics by Race and Ethnicity, 2018. <https://www.bls.gov/opub/reports/race-and-ethnicity/2018/home.htm>; U.S. Census Bureau. (2021). Phase 3.1: Week 33 Household Pulse Survey: Table 6. Childcare Arrangements in the Last 4 weeks, by Selected Characteristics. <https://www.census.gov/programs-surveys/household-pulse-survey/data.html>.
- <sup>xii</sup> Family Caregiver Alliance. (2020). Caregiver Statistics: Demographics. <https://www.caregiver.org/resource/caregiver-statistics-demographics/>; Guzman, S. & Skow, J. (2019). Multigenerational Housing on the Rise, Fueled by Economic and Social Changes. *AARP Public Policy Institute*. <https://www.aarp.org/content/dam/aarp/ppi/2019/06/multigenerational-housing.doi.org.10.26419-2Fppi.00071.001.pdf>.
- <sup>xiii</sup> Centers for Disease Control and Prevention. (2021). Hospitalizations and Death by Race/ Ethnicity. <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html> - footnote03; Biddle, R. (2021). Don't Kill Remote Learning. Black and Brown Families Need It. *New York Times Opinion*. <https://www.nytimes.com/2021/06/07/opinion/remote-learning-nyc.html>.
- <sup>xiv</sup> Combs, V. (2021). Slack Survey Finds That 97% of Black Knowledge Workers Want the Future of the Office to Be Remote or Hybrid. <https://www.techrepublic.com/article/slack-survey-finds-97-of-black-knowledge-workers-want-the-future-of-the-office-to-be-remote-or-hybrid/>.
- <sup>xv</sup> Combs, V. (2021).
- <sup>xvi</sup> PwC. (2021).
- <sup>xvii</sup> Reitz, M., Higgins, J., & Day-Duro, E. (2021). The Wrong Way to Respond to Employee Activism. *Harvard Business Review*. <https://hbr.org/2021/02/the-wrong-way-to-respond-to-employee-activism>.
- <sup>xviii</sup> U.S. Equal Employment Opportunity Commission. (2021). EEOC Issues Updated COVID-19 Technical Assistance. <https://www.eeoc.gov/newsroom/eeoc-issues-updated-covid-19-technical-assistance>.
- <sup>xix</sup> Refer to these resources when creating your remote work and telework policies: Owl Labs (2020). How to Create a Remote Work Policy Quickly [Free Templates]. <https://resources.owl-labs.com/blog/remote-work-policy>; SHRM (2021). Remote Work Resources. <https://www.shrm.org/resourcesandtools/pages/remote-work.aspx>.
- <sup>xx</sup> PwC. (2021).

- <sup>xxi</sup> Kelly, E. L., & Moen, P. (2020). *Overload: How Good Jobs Went Bad and What We Can Do About It*. Princeton University Press.
- <sup>xxii</sup> Collins, M. (2021). Building a Virtual First Culture From the Ground Up. *Future Forum*.  
<https://futureforum.com/case-studies/dropbox/#3-maintaining-team-connection-both-virtually-and-in-person>.
- <sup>xxiii</sup> Williams, J.C., Lambert, S.J., Kesavan, S., Fugiel, P.J., Ospina, L.A., Rapoport, E.D., Jarpe, M., Bellisle, D., Pendem, P., McCorkell, L., & Adler Milstein, S. (2018). Stable Scheduling Increases Productivity and Sales. Research Report. [worklifelaw.org/publications/Stable-SchedulingStudy-Report.pdf](http://worklifelaw.org/publications/Stable-SchedulingStudy-Report.pdf)
- <sup>xxiv</sup> For guidance from SHRM on how to navigate wage and hour requirements for teleworkers, visit <https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/dol-track-telecommuters-work-hours.aspx> and <https://www.shrm.org/resourcesandtools/pages/remote-work.aspx>.
- <sup>xxv</sup> Bloom, N., Liang, J., Roberts, J., Ying, Z. J. (2015). Does Working From Home Work? Evidence From a Chinese Experiment. <https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/wfh.pdf>.
- <sup>xxvi</sup> Williams, J.C., Li, S., Rincon, R., & Finn, P. (2016). Climate Control: Gender and Racial Bias in Engineering? Center for WorkLife Law. UC Hastings College of the Law. Available at: <https://worklifelaw.org/publications/Climate-Control-Gender-And-Racial-Bias-InEngineering.pdf>; Williams, J.C., Korn, R. M., Rincon, R., Finn, P. (2018) Walking the Tightrope: An Examination of Bias in India’s Engineering Workplace. Center for WorkLife Law. UC Hastings College of the Law. Available at: <https://worklifelaw.org/wpcontent/uploads/2018/10/Walking-the-Tightrope-Bias-Indias-Engineering-Workplace.pdf>; Williams, J. C., Multhaup, M., Li, S., Korn, R. M. (2018). You Can’t Change What You Can’t See: Interrupting Racial & Gender Bias in the Legal Profession. American Bar Association & Minority Corporate Counsel Association. <https://www.americanbar.org/content/dam/aba/administrative/women/you-cant-change-what-you-cant-see-print.pdf>; Williams, J.C., Korn, R., & Maas, R. (2021). The Elephant in the Well-Designed Room: An Investigation Into Bias in the Architecture Profession.
- <sup>xxvii</sup> Methot, R., Gabriel, A. S., Downes, P., Rosado-Soloman, E. (2021) Remote Workers Need Small Talk, Too. <https://hbr.org/2021/03/remote-workers-need-small-talk-too>.
- <sup>xxviii</sup> Kessler, S. (2021). Will Remote Workers Get Left Behind in the Hybrid Office?. *New York Times*. <https://www.nytimes.com/2021/08/05/business/dealbook/remote-work-bias.html>; Bojinov, I., Choudhury, P., Lane, J. N. (2021). Virtual Watercoolers: A Field Experiment on Virtual Synchronous Interactions and Performance of Organizational Newcomers. *Harvard Business School Technology and Operations Management Unit Working Paper No. 21-125*. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3855788](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3855788).