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### **Dell's New Remote Work Policy Sparks Debate – Can Employers Balance Remote Work with Career Progression?**

Dell has hit headlines recently for its new work from home policy. According to the policy, fully remote employees will no longer be eligible for promotions. There is an exception, however, for hybrid (i.e., 3 days a week in-office) workers. Unsurprisingly, this policy has sparked debate and confusion as the future of remote work – both at Dell and other companies. Dell's policy seems to contrast the growing trend of companies embracing (and some even preferring) remote work. Further, any policy facially limiting promotions can't be good for retention rates in a competitive market, right?

While it is uncertain the exact reason(s) why Dell implemented this new policy, it has some interesting implications for employers to consider when drafting their own remote work structures/policies or updating them. Some things to consider:

#### **Potential Benefits**

- **Attracting Shared-Value Talent:** By emphasizing or requiring in-office presence, employers frustrated by the lack of accountability, camaraderie, and office culture are likely to attract candidates (both entry-level and managerial transfers) who hold in-person collaboration in high esteem.
- **Improved Culture:** Employers aren't the only ones disappointed by fully remote work. Many employees report feeling disconnected, and some studies have found that fully remote workers don't advance internally at the same pace as hybrid or fully-in-office employees.
- **Rethinking Remote Work Structures:** Dell's policy might spark discussions for employers regarding what the "ideal" balance between remote and in-office work is. This could potentially lead to clearer guidelines and structure of hybrid models, including narrowing expectations for both employers and employees. For example, like in Dell's policy, will an employee be eligible for promotion opportunities if they are fully remote?

#### **Potential Drawbacks**

- **Workplace Accommodations:** To be clear, we haven't reviewed Dell's policy, but we're fairly sure that it will have a carve out for employees to seek or receive exception to this policy as an accommodation for disability or pregnancy (or possibly religion) where in-person attendance to the degree Dell requires isn't an essential function of the job. Whether or not an employer's desired minimum standard for in-person attendance to achieve ends

like mentorship or collaboration will be found to be an essential function will be a highly fact-specific (and possibly jurisdiction-specific) determination.

- **Flexibility:** Most service-oriented jobs now offer some degree of do-it-on-your-schedule flexibility, even if limited to particular tasks. Especially true for highly skilled and younger employees, work-life balance and flexibility are almost must-haves. A strict policy against promotions for remote workers could make it harder to attract and retain employees, especially when competitors offer more flexibility.
- **Employee Morale and Productivity:** Remote workers might see the policy as unfair and demotivating, leading to decreased morale and potentially lower productivity. This could negate any potential gains from increased in-office presence. Going back to retention, this could also make remote workers seek other jobs with competitors.
- **Negative Publicity:** Dell's policy has garnered some negative attention. Employers who follow suit could face the same or similar backlash.

It's uncertain whether Dell's policy shift represents a broader trend or if they will become an outlier. Many companies are adopting hybrid models that combine in-office and remote work, allowing for flexibility while also leveraging the benefits of physical presence (i.e., not hindering promotions). Dell's approach could be seen as a unique response to their internal dynamics/struggles or as a step backwards. Regardless, now is an opportune time to reassess your remote work arrangements and discuss the possible progression of your company and employee growth/retention.

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