

Littler Survey: Employees Want Remote and Hybrid Work More Than Employers Do

(May 12, 2021) – Littler, the world's largest employment and labor law practice representing management, has released the results of its ninth annual survey, completed by 1,160 in-house lawyers, C-suite executives and human resources professionals.

The Littler® Annual Employer Survey, 2021 finds employers navigating a host of issues in the transition to a post-pandemic future – chief among them addressing differences in employers' plans and employees' preferences when it comes to hybrid work models and returning to physical workplaces. The survey report also explores executives' COVID-19 vaccination policies, key regulatory changes expected to impact the workplace in the next year and more.

Divergence in Employer and Employee Views on Post-Pandemic Work

Only 4 percent of the employers surveyed believe that most of their employees who can work remotely would like to return to full-time in-person work and 71 percent believe most would prefer a hybrid model (i.e., a mix of remote and in-person work). However, 28 percent of those employers plan to have most employees return full time and in person, and 55 percent are planning to offer a hybrid model.

This disconnect may be attributed to the unique set of challenges associated with hybrid working models – from scheduling obstacles and physical office changes to maintain social distancing efforts, to ensuring employees working from home don't feel left out or passed over for opportunities. This tracks with the 73 percent of respondents who expressed

concern about workforce management issues that come with employees split between in-person and remote work.

A Cautious Approach to COVID-19 Vaccination Issues

With the increased availability of COVID-19 vaccines, employers now face the thorny issue of whether to ask members of their workforce to voluntarily disclose if they've been vaccinated. Given the potential privacy and discrimination liabilities, employers are moving forward with caution: 41 percent of respondents say they will ask employees to voluntarily disclose, while 32 percent say they will not, and 27 percent are still unsure.

The survey, which follows Littler's COVID-19 Vaccine Survey Report, finds employers still largely encouraging their employees to get vaccinated, with 84 percent providing information to employees about vaccinations. Nearly half (48 percent) are offering paid time off to employees to receive the vaccine and/or recover from its side effects – up from 33 percent who indicated taking this action two months earlier.

Workplace Regulation Concerns Abound

On the regulatory front, most employers (81 percent) are concerned about how changes to paid sick and family leave requirements will impact their businesses in the next year. Other top areas where respondents expect an impact from employment law-related changes include income equality measures (64 percent); inclusion, equity and diversity considerations (55 percent); and healthcare (51 percent).

With expectations of more gridlock in Washington, evolving state and local agency regulations are high on executives' radars, with 83 percent expressing moderate or significant concern over associated enforcement and compliance expectations over the next 12 months. Respondents expressed a similarly high level of concern about the impact of enforcement and compliance in relation to the U.S. Department of Labor (79 percent), Occupational Safety and Health

Administration (76 percent) and Equal Employment Opportunity Commission (70 percent).

Additional Key Findings

Addressing Crisis Fatigue and Employee Well-Being: Most respondents are worried about the pandemic's lasting impact on employee mental health and well-being, with 52 percent moderately to extremely concerned and only 3 percent not concerned at all. Many employers are also making strides to address issues of "crisis fatigue" and employee burnout, with 84 percent offering mental health services and/or Employee Assistance Programs and 52 percent providing in-house well-being programming.

Designing the Post-Pandemic Workplace: Employers are also making changes to their physical offices due to COVID-19. More than half (55 percent) are redesigning their office layouts or considering doing so and 31 percent say the same of office hoteling – whereby employees reserve desks for the day to help companies save space and facilitate flexible work schedules. While 27 percent are focused on reducing the size of their office space, only 2 percent are looking to relocate operations out of cities or densely populated areas.

Navigating Workplace Transformation: With COVID-19 accelerating the reliance on technology in the workplace, employers are taking steps to equip their employees with the technological skills they need to succeed in the future. Nearly half of respondents (49 percent) are developing internal training programs for current employees; 24 percent are hiring more employees with strong technology skills; and 22 percent are conducting an analysis to identify needed skill sets to guide talent planning and job training.

Managing a Global Workforce: Respondents from large companies (with more than 10,000 employees) identified a range of concerns in operating or doing business outside of the United States. Several pandemic-related challenges rose to the top of

respondents' list, including pandemic-related travel restrictions (56 percent), COVID-19-related workplace safety rules (40 percent) and managing remote workers who telecommute from abroad (31 percent). However, even with the pandemic's unprecedented disruption to global workforce management, the longstanding challenge of data privacy issues and protecting confidential information across borders emerged as the primary concern for 60 percent of respondents.