

Legal Issues

Workers' Compensation

Since telecommuters are Wheaton employees, they are covered by Workers' Compensation for injuries sustained while in the course of performing their jobs, subject to state law.

Zoning

There may be local town zoning ordinances or condominium/townhouse owner agreements that affect one's ability to perform business in a personal residence. The employee is responsible for identifying and complying with any such regulations/ordinances/agreements.

Property Insurance

Property insurance coverage on Wheaton furnishings and equipment (e.g., personal computers) applies whether the items are located in a Wheaton office, employee's car, or home. However, the employee is responsible for insuring the alternate work site and any non-Wheaton equipment used on the job.

Automobile Insurance

Automobile insurance for telecommuters is the employee's responsibility, just as it is for those who drive to the office every day.

Liability Coverage

Liability coverage provided by Wheaton is limited to claims by business-related visitors only and subject to policy exclusions and limitations. The telecommuter's homeowner's/renter's insurance must protect against claims by social visitors and family members while in the telecommuter's office space.

Accident Reporting

All accidents related to telecommuters that involve Workers' Compensation must be reported as soon as possible as if working at the office. Any other claim applicable to General Liability, Automobile, or Property coverage should be reported to the telecommuter's supervisor, as well as the Business Manager.

Product Ownership

Any program, plan, document, intellectual property, software, or other product or materials developed by the telecommuter, electronically or otherwise, is the sole property of Wheaton.

State and Local Income Tax

If an employee's residence is located in a different state or municipality than the office, the switch to a telecommuting arrangement may affect the employee's personal income tax obligations. Wheaton may be required to withhold a different amount of state income tax (and, if applicable, local income tax) than if the employee worked in the traditional office. It is important for the employee who works remotely to furnish properly completed state W-4 forms to our Payroll Department. Employees must direct questions regarding the tax implications from telecommuting to their personal tax advisor or the IRS.