# The implications of return-to-office policies for companies



According to a report from Resume.org, nearly a third of companies are gearing up to follow in the footsteps of major corporations like Amazon by enforcing a return-to-office (RTO) policy that mandates employees to work on-site five days a week beginning in 2025. This trend towards stricter office attendance policies is evident across various industries, yet significant legal and operational implications warrant careful consideration before adopting such measures.

One notable case from Arizona involving Big O Tires serves as a cautionary tale for businesses contemplating similar mandates. The Glendale-based tire company initiated a 100% return-to-office requirement, prompting a complaint from an employee who had a disability and sought reasonable accommodations under the Americans With Disabilities Act (ADA). The affected employee asserted that Big O Tires failed to engage in what is known as the 'interactive process', which is a critical dialogue that employers must undertake when addressing accommodation requests.

The Equal Employment Opportunity Commission (EEOC) investigated the complaint and determined that Big O Tires' actions constituted a breach of the ADA. The findings indicated that the company not only neglected to provide the required discussions surrounding reasonable accommodations but also mishandled the employee’s medical records by failing to segregate them from their personnel file, an infringement of ADA’s confidentiality stipulations.

The parties eventually reached a settlement in which Big O Tires agreed to pay $64,500 to the employee. Additionally, the employer committed to several remedial actions including appointing an ADA coordinator, updating and distributing written ADA policies to all staff, providing enhanced Equal Employment Opportunity training for management and HR personnel, establishing a priority placement program for employees seeking reassignment, and submitting regular reports to the EEOC regarding ADA-related complaints.

Melinda Caraballo, the district director of the EEOC Phoenix District Office, commented on the case, stating, “This resolution sends a clear message about the importance of ADA compliance. By addressing these violations and committing to systemic changes, Bell Road Tire and Auto has taken steps to foster a workplace that respects employees’ rights under federal law.”

In light of this case, HR professionals are encouraged to glean several crucial insights before implementing a return-to-office mandate. Firstly, engaging in the interactive process is essential when addressing accommodation requests. Employers are reminded to thoroughly assess requested accommodations and consider viable alternatives, as neglecting this responsibility can result in substantial legal repercussions.

Secondly, flexibility is key in RTO policies. A rigid, blanket approach can deter employees, particularly those needing accommodations. Businesses are urged to adopt a more nuanced method that acknowledges individual circumstances, which not only aids compliance efforts but also fosters a sense of respect and trust among employees.

Additionally, protection of employee confidentiality must be prioritised. Proper handling of sensitive information is fundamental to maintaining trust and avoiding compliance issues. Lastly, comprehensive compliance training for managers concerning ADA regulations is imperative to ensure they are well-informed about accommodation processes. Regular training can mitigate the risk of inadvertent legal violations stemming from managerial oversight or ignorance.

Thus, the experience of Big O Tires illustrates that the implementation of stringent return-to-office mandates must be approached with deliberate caution, ensuring that legal obligations are met while maintaining a harmonious workplace environment. As corporate culture evolves and remote work continues to gain traction, companies will need to weigh the benefits of in-person collaboration against the necessity for accommodating diverse workforce needs.

Source: [Noah Wire Services](https://www.noahwire.com)

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