

Backward progress? Why Yahoo's telecommuting policy change may not have been good, but it wasn't all bad.

by Tracy Kane

There has been much water-cooler (or, perhaps more appropriately, coffee-shop) chatter and media backlash over the relatively new Yahoo CEO, Marissa Mayer's, decision to require workers to show up at the office rather than work remotely. The rationale behind the swift policy change was that Yahoo is in crisis, floundering and suffering from a lack of cooperative energy amongst its employees. She theorized that what was really lacking at Yahoo and preventing the company from being innovative and successful was a working culture where employees did not have sufficient ties to and connection with the company institution and with each other. The way to correct this, she reasoned, was to bring people back into the building to build camaraderie and collaboration.

Some commentators were quick to say the move was turning the clock back on flexible work schedules and that such inflexibility is what had kept so many women out of the workforce or in a diminished role for so many decades. Others highlighted the seeming hypocrisy of Mayer's mandate for "face time," taking employees' away from their families while maintaining maximum flexibility for herself with a newly built nursery for her infant next to her office. The quick reactionary responses aside, I think perhaps what struck a chord with most people is that the overwhelming trend, particularly in the past decade, was moving toward a working environment where technology and the nature of the work predominantly performed in our economy allowed us to seemingly achieve, or at least have a bit more control over, that elusive work-life "balance" by being present in both our family sphere and our work sphere almost simultaneously. According to the U.S. Census Bureau and the Survey of Income and Program Participation (SIPP), 13.4 million people worked at least one day a week at home in 2010, which represents a 35 percent increase over the last decade. Additionally, home-based workers tend to be employed in management, business, and financial occupations as the responsibilities and tasks associated with management and business translate well to home-based work, while computer, engineering, and science occupations are increasingly home-based with such sectors seeing a 69 percent rise in home-based workers between 2000 and 2010. (Source: 2010 American Community Survey and 2000 U.S. Decennial Census).

The problem, of course, and one that Yahoo is struggling with, is that technology has its limits and many people today even recognize that telecommuting is not the promised land of work-heaven we thought it was going to be. We still struggle to balance all of our relationships - whether it is with our family, co-workers, or institutional structures. On the one hand, I have heard countless stories of people complaining about how working outside the office means they never leave work. On the other hand, employers and employees alike are seeing collegiality among co-workers diminish as we spend more time away from the office and/or each other. The other problem is that even with all of our technology, we remain human beings (for the moment!). Humans run on relationships, it's just how we are wired, and relationships require presence (shared experience) and tending. If you neglect it, the relationship dies (or at least goes dormant). We all seem to understand this concept as it relates to our family members and friends, but it is also true with respect to our relationships with our co-workers and colleagues. In this way, Mayer wasn't wrong when she diagnosed a cultural problem at Yahoo. People didn't come to the same office space and, therefore, they didn't know each other. As a result, they weren't working together, which left the company not working at all.

So what's the solution? As with any ecosystem, there is no one magic cure. Mayer diagnosed a problem and developed one possible cure. I don't know whether it will work. My sense is that forced (as opposed to organic) culture does not produce the kind of culture you were looking for. As a general matter, I don't think there was anything inherently wrong with Mayer's policy, but she might have been more thoughtful (for example, which positions were absolutely necessary to being in the office and what other accommodations did employees need to make the transition and balance with family obligations work?) and politically skillful (for example, hold employee town hall meetings to discuss the problem and potential solutions rather than emailing a memo - not the best way to start building new relationships!) in the way in which she implemented it.

What would I have done? I can't say for sure, but I am inspired by IDEO CEO, Tim Brown's, concept of Design Thinking, which embodies the idea of solving problems through empathy. Whether you are designing a product, a service, or a policy, the best things will come from a process that utilizes empathy for the person or people using them. Empathy means that you understand the way another person views the world around them without feeling the way that they feel. Perhaps if company policy-makers used this kind of design thinking when developing and implementing new or different policies, employees would feel validated and included in the process. This is not just for the sake of being warm and fuzzy. Employees who feel connected to the mission, values, and goals of the company and to their colleagues are more productive (See, e.g., McKinsey & Co., "Unlocking value and productivity through social technologies," finding that improved communication and collaboration

through social interaction among workers improved productivity by 20-25 percent, available at http://www.mckinsey.com/insights/high_tech_telecoms_internet/the_social_economy. See also, Amabile, Teresa and Steven Kramer, "Employee Happiness Matters More Than You Think," Business Week, available at http://www.businessweek.com/debateroom/archives/2012/02/employee_happiness_matters_more_than_you_think.html).

The best company policies for all workers (management, employees, men, and women) are ones designed to balance company goals and needs (think: profits) with employee empowerment and flexibility, all the while requiring accountability that is supportive, not punitive. Don't get me wrong, I recognize that this is no easy task and perhaps more than a bit aspirational, but if we aren't setting the bar high we will never come close to reaching it. I think moving away from liberal telecommuting policies is not necessarily a step backwards, but certainly crafting company policies without considering the full spectrum of goals, values, and needs of both the institution and the employees is not progress.



Tracy is an attorney with Dodson, Parker, Behm & Capparella, PC, providing business law and estate planning advice to businesses and their owners. She is a graduate of Vanderbilt University Law School and former law clerk to the Honorable Richard Dinkins on the Tennessee Court of Appeals.