



Mineral



Question of the Week

August 5, 2026

Question

Can we require or allow certain groups of employees, but not others, to work from home?

ANSWER

Yes. Employers may offer different benefits or terms of employment to different groups of employees as long as the distinction is based on non-discriminatory criteria. For instance, a remote work option or requirement can be based on the type of work performed, employee classification (exempt v. non-exempt), or location of the office or the employee. Employers should be able to support the business justification for allowing or requiring certain groups to work remotely.

This Q&A does not constitute legal advice and does not address state or local law.