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These Are the Legal Risks of Bringing Workers Back to the Office

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Christopher J. Moran

Chris Moran, a partner in the Labor + Employment Practice Group of Troutman Pepper Locke, was quoted in the February 15, 2025 *Fast Company* article, “[These Are the Legal Risks of Bringing Workers Back to the Office](#).”

“Many employees treated it as a suggestion,” Chris Moran, an employment lawyer at Troutman Pepper Locke, says of early RTO policies. “That was something I don’t know that employers saw coming—that a significant percentage of employees felt so strongly that they preferred to work remotely and were willing to sort of ignore [mandates].”

...

As Trump’s administration imposes strict RTO mandates for the federal workforce, however, it’s possible the private sector will feel even more emboldened to embrace punitive measures to ensure employees comply with their in-office requirements. “Now, with what’s going on in the federal government, there’s perhaps a little more cover for an employer to take the approach that they really mean it this time,” Moran says.

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Moran believes it’s likely that private sector employers will continue to see a spike in disability discrimination claims—something he observed when academic institutions started asking teachers to return to the classroom in the aftermath of the pandemic. “There was a spike in the number of people who said, ‘I have a disability, and a reasonable accommodation is working from home, and good luck proving that it’s not a reasonable accommodation because we just did it for two years,’ ” he says. “I would expect that will happen again in other private settings, as well.”

Other employment discrimination

But it’s not just disability-based employment claims that might be on the rise. “What we’re hearing a lot of right now is: ‘We want everybody back,’ ” Moran says. “That has the ease of saying, well, unless you have a disability, we don’t have to deal with making exceptions, one way or the other.” The reality, however, is that there are always exceptions to these policies—as was the case prior to the pandemic, when certain workers were allowed to work from home occasionally or even secured permanent remote arrangements.

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