

Chapter 83

(House Bill 136)

AN ACT concerning

State Personnel – Teleworking – ~~Eligibility~~ Statewide Program and Goals

FOR the purpose of requiring ~~that at least a certain percentage of certain State employees participate in certain telework programs; providing that this Act applies to all employees in the Executive Branch of State government; authorizing certain supervisors to approve certain requests to telework under certain circumstances; requiring certain supervisors to provide certain State employees certain information in writing; requiring the Department of Budget and Management to submit certain reports to the General Assembly~~ the Secretary of Budget and Management to establish a statewide telework program and adopt a statewide telework policy and telework guidelines; authorizing the head of a unit in the Executive Branch of State government to designate positions for which employees are eligible to telework; requiring a unit in the Executive Branch of State government to have a goal of a certain percentage of the eligible employees in the unit participating in a certain telework program; providing for the application of this Act; defining a certain term; and generally relating to a statewide telework program and telework goals for State personnel ~~and eligibility to telework.~~

BY adding to

Article – State Personnel and Pensions
 Section 2–308
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

2–308.

(A) IN THIS SECTION, “TELEWORK” MEANS TO WORK AT A LOCATION OTHER THAN A TRADITIONAL OFFICE SETTING OR AN EMPLOYEE’S USUAL AND CUSTOMARY WORKSITE, INCLUDING:

- (1) THE EMPLOYEE’S HOME;**
- (2) A SATELLITE OFFICE; AND**

(3) A TELEWORK CENTER.**~~(A)~~ (B) THIS SECTION APPLIES TO:**

(1) ALL EMPLOYEES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; AND

(2) ALL UNITS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING UNITS WITH INDEPENDENT PERSONNEL SYSTEMS.

(C) THE SECRETARY SHALL:

(1) ESTABLISH A STATEWIDE TELEWORK PROGRAM; AND

(2) ADOPT A STATEWIDE TELEWORK POLICY AND TELEWORK GUIDELINES.

(D) (1) THE HEAD OF A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT MAY DESIGNATE THE POSITIONS FOR WHICH AN EMPLOYEE WOULD BE ELIGIBLE TO TELEWORK.

(2) A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL HAVE A GOAL OF AT LEAST 15% OF ELIGIBLE EMPLOYEES PARTICIPATING IN THE STATEWIDE TELEWORK PROGRAM ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.

~~(B) AT LEAST 20% OF ELIGIBLE, NONESSENTIAL STATE EMPLOYEES SHALL PARTICIPATE IN A TELEWORK PROGRAM.~~

~~(C) (1) IF A STATE EMPLOYEE REQUESTS TO BECOME A TELEWORKER, THE SUPERVISOR OF THE EMPLOYEE MAY APPROVE THE REQUEST OF THE EMPLOYEE TO TELEWORK UNLESS THE SUPERVISOR DETERMINES THAT THE EMPLOYEE'S POSITION IS NOT SUITABLE FOR TELEWORKING.~~

~~(2) A SUPERVISOR WHO DENIES A STATE EMPLOYEE'S REQUEST TO TELEWORK SHALL PROVIDE TO THE STATE EMPLOYEE A WRITTEN DESCRIPTION OF THE FACTORS CONTRIBUTING TO THE SUPERVISOR'S DENIAL.~~

~~(D) THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, BY OCTOBER 1 OF EACH YEAR FOR THE PREVIOUS FISCAL YEAR ON:~~

~~(1) THE NUMBER OF EMPLOYEES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT WHO:~~

~~(I) PARTICIPATED IN A TELEWORK PROGRAM; AND~~

~~(II) APPLIED TO TELEWORK;~~

~~(2) EFFORTS TO EXPAND THE NUMBER OF STATE EMPLOYEES WHO TELEWORK; AND~~

~~(3) ANY OTHER INNOVATIVE PRACTICES DESIGNED TO REDUCE THE NUMBER OF STATE EMPLOYEES COMMUTING TO WORK.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, April 9, 2013.