

(PRE-FILED)

By: **Delegate Cryor**
Requested: November 10, 2004
Introduced and read first time: January 12, 2005
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Teleworking Implementation Program**

3 FOR the purpose of establishing a Teleworking Implementation Program; requiring
4 the Secretary of Budget and Management to establish a telework policy for
5 agencies in the Executive Branch of State government; requiring each agency in
6 the Executive Branch of State government to submit a telework plan to the
7 Department of Budget and Management; specifying the contents of the telework
8 plan; requiring each agency to offer a certain percentage of eligible employees
9 the opportunity to telework by a certain date; authorizing an agency to use
10 funds appropriated for the Program for certain purposes; requiring an agency to
11 make certain certifications before expending certain funds; requiring an agency
12 to provide teleworking employees with certain electronic documents; requiring
13 an agency to adopt certain regulations and guidelines; requiring the Secretary to
14 annually submit a certain report; and generally relating to the Teleworking
15 Implementation Program.

16 BY adding to
17 Article - State Personnel and Pensions
18 Section 2-801 through 2-805, inclusive, to be under the new subtitle "Subtitle
19 8. Teleworking Implementation Program"
20 Annotated Code of Maryland
21 (2004 Replacement Volume)

22 Preamble

23 WHEREAS, Workers are an organization's greatest asset and offering a
24 telework option can help recruit and retain valued employees; and

25 WHEREAS, When employees work in more convenient locations, time lost from
26 sick days, late arrivals, and stressful commutes is converted into productive work
27 periods; and

28 WHEREAS, Technology is changing the workplace both in terms of where work
29 is done and how it is done; and

1 WHEREAS, Maryland's communities can benefit from teleworking, which gives
2 workers more time to spend at home with their families; and

3 WHEREAS, Having fewer commuters on the roads, especially at peak hours,
4 lowers the cost of road maintenance and the demand for building new highways and
5 improves the quality of life for residents; and

6 WHEREAS, Fewer or shorter commutes mean less air pollution and the
7 conservation of gasoline and other energy sources; and

8 WHEREAS, By lowering the wasted economic cost of traffic congestion and
9 making the State a more attractive place in which to live and do business,
10 teleworking can improve the State's overall economic health; now, therefore,

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

13 **Article - State Personnel and Pensions**

14 **SUBTITLE 8. TELEWORKING IMPLEMENTATION PROGRAM.**

15 2-801.

16 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (B) "PROGRAM" MEANS THE TELEWORKING IMPLEMENTATION PROGRAM.

19 (C) "TELEWORKING" MEANS USING TELECOMMUNICATIONS TECHNOLOGY TO
20 WORK AT A LOCATION OTHER THAN A TRADITIONAL OFFICE SETTING.

21 2-802.

22 (A) THERE IS A TELEWORKING IMPLEMENTATION PROGRAM.

23 (B) THE PURPOSE OF THE PROGRAM IS TO ALLOW STATE EMPLOYEES TO
24 WORK AT A LOCATION OTHER THAN A STATE OFFICE THROUGH THE USE OF
25 TELECOMMUNICATIONS TECHNOLOGY.

26 2-803.

27 THE SECRETARY SHALL ESTABLISH A TELEWORK POLICY FOR AGENCIES IN
28 THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

29 2-804.

30 (A) (1) EACH AGENCY IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT
31 SHALL SUBMIT A TELEWORK PLAN TO THE DEPARTMENT.

32 (2) THE TELEWORK PLAN SHALL:

1 (I) IDENTIFY POSITIONS WITHIN THE AGENCY THAT ARE
2 APPROPRIATE FOR TELEWORKING;

3 (II) CALCULATE THE APPROPRIATE NUMBER OF TELEWORKING
4 DAYS PER MONTH FOR EACH POSITION THAT THE AGENCY HAS IDENTIFIED AS
5 APPROPRIATE FOR TELEWORKING; AND

6 (III) ESTABLISH TELEWORKING ELIGIBILITY CRITERIA FOR
7 EMPLOYEES WHO ARE IN POSITIONS THAT THE AGENCY HAS IDENTIFIED AS
8 APPROPRIATE FOR TELEWORKING.

9 (B) THE PERCENTAGE OF ELIGIBLE EMPLOYEES OF AN AGENCY IN THE
10 EXECUTIVE BRANCH OF STATE GOVERNMENT THAT MUST BE OFFERED THE
11 OPPORTUNITY TO TELEWORK IS:

12 (1) 10% BY DECEMBER 31, 2006;

13 (2) 25% BY DECEMBER 31, 2007;

14 (3) 50% BY DECEMBER 31, 2008;

15 (4) 75% BY DECEMBER 31, 2009; AND

16 (5) 100% BY DECEMBER 31, 2010.

17 (C) (1) AN AGENCY IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT
18 MAY USE FUNDS APPROPRIATED FOR THE PROGRAM TO:

19 (I) INSTALL AND MAINTAIN TELEPHONE LINES AND
20 TELECOMMUNICATIONS EQUIPMENT AT THE PRIVATE RESIDENCE OF AN EMPLOYEE
21 WHO HAS BEEN AUTHORIZED TO TELEWORK BY THE AGENCY OR AT AN ALTERNATE
22 WORK SITE THAT HAS BEEN APPROVED BY THE AGENCY; AND

23 (II) PAY FOR TELECOMMUNICATIONS SERVICES, SUCH AS A
24 MONTHLY FEE FOR CONNECTION TO THE INTERNET, THAT ARE NECESSARY FOR AN
25 EMPLOYEE WHO HAS BEEN AUTHORIZED TO TELEWORK BY THE AGENCY.

26 (2) BEFORE AN AGENCY MAY EXPEND FUNDS UNDER PARAGRAPH (1) OF
27 THIS SUBSECTION, THE HEAD OF THE AGENCY MUST CERTIFY TO THE DEPARTMENT
28 THAT THE EXPENDITURE:

29 (I) MEETS PROGRAM REGULATIONS AND GUIDELINES AND THAT
30 THE AGENCY HAS INSTALLED ADEQUATE SAFEGUARDS TO PREVENT ABUSE; AND

31 (II) IN THE CASE OF TELECOMMUNICATIONS SERVICES, COVERS
32 ONLY THE AMOUNT OF TIME THAT AN EMPLOYEE USED THE SERVICE FOR
33 TELEWORKING PURPOSES.

34 (D) THE DEPARTMENT SHALL REQUIRE AGENCIES IN THE EXECUTIVE
35 BRANCH OF STATE GOVERNMENT TO PROVIDE TELEWORKING EMPLOYEES WITH

1 ELECTRONIC COPIES OF RELEVANT AGENCY TELEPHONE DIRECTORIES AND
2 REPORTS.

3 2-805.

4 EACH AGENCY IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL
5 ADOPT REGULATIONS AND GUIDELINES NECESSARY TO CARRY OUT THE PROGRAM.

6 SECTION 2. AND BE IT FURTHER ENACTED, That on or before December
7 1 of each year, the Secretary of Budget and Management shall submit a report to the
8 Senate Budget and Taxation Committee and the House Appropriations Committee, in
9 accordance with § 2-1246 of the State Government Article, concerning the effect of the
10 Program within each agency in the Executive Branch of State government and each
11 agency's progress in meeting the telework goals required by this Act.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect July 1, 2005.