

(PRE-FILED)

By: **Senators Garagiola, Green, Kelley, Ruben, and Stone**

Requested: September 15, 2005

Introduced and read first time: January 11, 2006

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Employee Teleworking Act**

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; requiring an agency to adopt
10 certain regulations and guidelines; requiring the Secretary to annually submit a
11 certain report; and generally relating to the Teleworking Implementation
12 Program.

13 BY adding to
14 Article - State Personnel and Pensions
15 Section 2-801 through 2-805, inclusive, to be under the new subtitle "Subtitle
16 8. Teleworking Implementation Program"
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2005 Supplement)

19 **Preamble**

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

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

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

27 WHEREAS, Increased teleworking is likely to save tax payer dollars by
28 reducing the need for office space; 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 ON OR BEFORE OCTOBER 1
32 OF EACH YEAR.

33 (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;

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

9 (IV) PROVIDE THE TOTAL NUMBER OF TELEWORKING DAYS IN AN
10 AGENCY DURING THE PREVIOUS FISCAL YEAR BY MULTIPLYING THE NUMBER OF
11 EMPLOYEES TELEWORKING BY THE NUMBER OF DAYS THE EMPLOYEES
12 TELEWORKED; AND

13 (V) INCLUDE THE TOTAL COST OR SAVINGS TO THE AGENCY AS A
14 RESULT OF THE PROGRAM.

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

18 (1) 5% BY JULY 1, 2007;

19 (2) 10% BY JULY 1, 2008;

20 (3) 15% BY JULY 1, 2009;

21 (4) 20% BY JULY 1, 2010; AND

22 (5) 25% BY JULY 1, 2011.

23 2-805.

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

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

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect July 1, 2006.