

HOUSE BILL 136

P4

3lr1041

By: **Delegate A. Miller**

Introduced and read first time: January 17, 2013

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2013

CHAPTER _____

1 AN ACT concerning

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

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

19 BY adding to

20 Article – State Personnel and Pensions

21 Section 2–308

22 Annotated Code of Maryland

23 (2009 Replacement Volume and 2012 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – State Personnel and Pensions**

4 **2-308.**

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

8 **(1) THE EMPLOYEE’S HOME;**

9 **(2) A SATELLITE OFFICE; AND**

10 **(3) A TELEWORK CENTER.**

11 **~~(A)~~ (B) THIS SECTION APPLIES TO:**

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

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

16 **(C) THE SECRETARY SHALL:**

17 **(1) ESTABLISH A STATEWIDE TELEWORK PROGRAM; AND**

18 **(2) ADOPT A STATEWIDE TELEWORK POLICY AND TELEWORK**
19 **GUIDELINES.**

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

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

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

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

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

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

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

14 ~~(i) PARTICIPATED IN A TELEWORK PROGRAM; AND~~

15 ~~(ii) APPLIED TO TELEWORK;~~

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.