

SB 710_CBF_Support_RobinClark.pdf

Uploaded by: Clark, Robin Jessica

Position: FAV



CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

Senate Bill 710

State and Local Government and Private Employers – Teleworking

Date: February 25, 2021
To: Senate Finance Committee

Position: Support
From: Robin Clark, Maryland Staff Attorney

Chesapeake Bay Foundation **SUPPORTS** SB 710 which requires state and local governments to develop telework programs and policies for their employees and maximize the number of employees eligible for telework to the extent practicable.

An increase in telework will help reduce greenhouse gas emissions that harm the Bay through nitrogen oxide deposition

This legislation's requirement that state and local government develop telework programs and maximize, to the extent practicable, the number of employees eligible for telework and supports greater adoption of telework throughout the State. The legislation also encourages private employers to develop policies that enable employees to work offsite and sets the intent of authorizing a tax credit to assist private employers offset costs for the development and implementation of telework policies.

An increase in telework will help reduce greenhouse gas emissions. Data from the Maryland Department of Environment shows that telework adoption could reduce greenhouse gases from between .57 and .79 million metric tons of carbon dioxide equivalent.¹ Nearly one-third of the nitrogen pollution in the Chesapeake Bay comes from air pollution (nitrogen oxide). As described by the Department of the Environment's overview of its Greenhouse Gas Reduction Plan, "The plan's strategies to reduce greenhouse gas emissions will also reduce Maryland's nitrogen oxide emissions, thereby advancing the State's efforts to restore the Bay."²

Reducing Greenhouse Gas Emissions statewide helps confront climate change and the negative effects on the Chesapeake Bay, including severe weather, sea level rise, and warmer water temperatures

Increasing frequency and severity of storms due to climate change results in more soil erosion, sewer overflows, flooding, and polluted runoff. These activities dump nitrogen, phosphorus, and sediment into rivers and the Bay. As a result, our waters experience more dead zones and algal blooms. Larger than average inflows of fresh water threaten oysters and push other Bay-life out of their traditional habitats.

As described by the Maryland Department of Environment, "slowing the rate of sea level rise can have a positive impact on the living resources of the Bay by reducing sediment loads and improving habitat quality."³ Climate change also leads to increased water temperature. Warmer waters have a decreased capacity to hold dissolved oxygen, exacerbating the Bay's fish-killing dead zones and contributing to algal blooms. Rising water temperatures are stressing fish from the Bay's iconic striped bass to Pennsylvania's

¹ Maryland Department of Environment, [Working Remotely to Reduce Pollution](#), presentation to the Maryland Commission on Climate Change Mitigation Work Group, July 14, 2020 at 5.

² Maryland Department of Environment, Climate Change Maryland, Chesapeake Bay restoration benefits (last visited Jan. 24, 2021)

³ Id.

Maryland Office | Philip Merrill Environmental Center | 6 Herndon Avenue | Annapolis Maryland 21403 | 410 268-8816 | CBF.ORG



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

beloved brook trout. Temperature sensitive species are at risk, like eel grass, a food source for migratory waterfowl and important habitat for blue crabs. Significant changes in water temperature displace Bay species, impacting fishing.

During the COVID-19 State of Emergency, public and private sector employers are activating continuity of operations plans, and many are providing telework options to protect the health of employees and the public. This bill takes a timely and reasonable step to acknowledge the potential long-term benefits of telework for our State and in a way that could help Maryland attain its greenhouse gas reduction goals and support the Chesapeake Bay's recovery.

CBF urges the Committee's FAVORABLE report on SB 710.

Maryland Office | Philip Merrill Environmental Center | 6 Herndon Avenue | Annapolis Maryland 21403 | 410 268-8816 | CBF.ORG

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Bay and its resources.

BaltimoreCounty_FAV_SB0710.pdf

Uploaded by: Conner, Charles

Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

CHARLES R. CONNER III, ESQ.
Director of Government Affairs

JOEL N. BELLER
Deputy Director of Government Affairs

BILL NO.: **SB 710**

TITLE: State and Local Government and Private Employers –
Teleworking

SPONSOR: Senator King

COMMITTEE: Finance

POSITION: **SUPPORT**

DATE: February 25, 2021

Baltimore County **SUPPORTS** Senate Bill 710 – State and Local Government and Private Employers – Teleworking. This legislation would require counties and municipalities to establish a program allowing employees to telework.

COVID-19 has upended life as we knew it, forcing businesses and residents to shut their doors indefinitely. Many have lost their jobs, their homes, and any control over their lives. Teleworking has offered a safe and effective solution for ensuring the continuity of government during a global pandemic. It has allowed local employees to perform their duties without putting the health of themselves and their families at risk.

By mandating that governing bodies have some sort of telework policy in place, this legislation ensures that governments across the state are prepared for any health emergency like COVID-19. Additionally, teleworking policies can promote equitable employment opportunities. Teleworking policies expand the hiring pool to individuals who are not able to afford a car to commute to work or for whom the commute would be burdensome. A statewide telework policy would not only be vital for emergencies, but could also establish a more efficient government as the state recovers from this pandemic.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 710. For more information, please contact Chuck Conner, Director of Government Affairs, at cconner@baltimorecountymd.gov.

SB710 Sponsor Testimony.pdf

Uploaded by: King, Senator Nancy

Position: FAV

NANCY J. KING
Legislative District 39
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MAJORITY LEADER



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SPONSOR STATEMENT

Senate Bill 710 –State and Local Government and Private employers - Teleworking

February 25, 2021

Madame Chair and Members of the Finance Committee:

COVID-19 has forced many changes in our lives, and one of those changes was how government entities and private employers conducted their businesses. Teleworking provided government agencies way to ensure continuance of government and it offered private employers a way to conduct their businesses in a safe manner.

By allowing so many employees to telework in Maryland and the surrounding region, employers have been able to minimize health risks for employees and their families. And along with minimizing health risks we have also experienced the added benefit of less cars on the roads, less congestion on our highways and the correlating reduction in greenhouse gases.

Senate Bill 710 takes in to account all of the positives that we have seen from teleworking and will require state and local governing bodies to maintain a telework program. This bill expands the current requirement for Executive Branch State agencies to implement a telework program to the Legislative and Judicial Branches of state government. And it further requires all branches to maximize the number of eligible employees that could telework, removing the prior Executive Branch goal of 15%.

Senate Bill 710 further provides intent language that encourages private-sector employers to develop and implement telework policies for their businesses. And while not mandated, the intent language speaks to authorizing a tax credit to assist private-sector employers in offsetting costs incurred for the development and implementation of a telework policy.

We have learned many lessons during this pandemic and the benefits and successes of teleworking is just one of those lessons and so I respectfully request a favorable report on Senate Bill 710.

SB 710 Telework.pdf

Uploaded by: Riley, Denise

Position: FAV



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Marietta English
PRESIDENT

Kenya Campbell
SECRETARY-TREASURER

**Written Testimony Submitted to the
Maryland Senate Finance Committee
SB 710 - State and Local Government and Private Employers – Teleworking
February 25, 2021**

SUPPORT

Chair Kelley and members of the committee. On behalf of the American Federation of Teachers - Maryland (AFT-Maryland), which represents more than 20,000 state, county and municipal government employees, educators, and healthcare workers across Maryland, I urge you to support SB 710 - State and Local Government and Private Employers – Teleworking.

On November 10, 2020, the governor ordered the state to “immediately execute a period of mandatory telework across state agencies, except for essential, direct public-facing services and other essential personnel.”

However, many state employees were not permitted to convert to teleworking, and were required to work in-person, despite not being in public-facing services, or in positions with an essential designation. In many cases, employees were told they were now considered “essential,” despite that designation having no relevance to the pandemic emergency faced by the state.

The health and well-being of government employees and for all the citizens of the state are not served by forcing in person work and random exclusion from the governor’s mandatory telework order. AFT-MD agrees that the physical presence of certain employees is necessary, however, the current practice of using irrelevant emergency or essential designations to determine eligibility for mandatory telework is not justified.

It is apparent the state needs guidance from the legislature regarding telework. HB 73 will require the state to adopt telework policies and guidelines each year and to report to the legislature the number of employees participating in the telework program.

We ask this committee for a favorable report on SB 710. Thank you.

Marietta English
President

SB710_USM_FWA_Clark.pdf

Uploaded by: Clark, Andy

Position: FWA



SENATE FINANCE COMMITTEE

Senate Bill 710

State and Local Government and Private Employers – Teleworking

February 25, 2021

Favorable with Amendment

Chair Kelley, Vice Chair Feldman and members of the committee, thank you for the opportunity to share our thoughts regarding Senate Bill 710. The bill requires a governing body's designee, to establish telework programs and adopt a certain telework policy and telework guidelines; requiring the State Court Administrator and the President of the Senate and the Speaker of the House to establish a telework program, policy and guidelines. Last March, the University System of Maryland (USM) issued temporary guidance on telework to promote employee, student, and community health and safety by encouraging social distancing, including self-isolation, during the presence of COVID-19. The USM agrees with the fundamental purpose of Senate Bill 710. However, as written, there would be significant fiscal implications related to necessary information system changes to align the USM's telework program with the Department of Budget and Management (DBM). The USM has a cybersecurity standard that is functionally compatible with the State's standard as required by statute. USM standards account for many nuances of cybersecurity in public higher education and compliance/adherence to another standard would be costly and introduce unnecessary risk to our IT Security program. Due to the uncertainty of the cost to conform the USM's human resources IT system to DBM the USM respectfully requests an amendment.

On page 3, after line 12, add the following language:

“(IV) FOR THE UNIVERSITY SYSTEM OF MARYLAND CONSTITUENT INSTITUTIONS, THE CHANCELLOR.”

The USM is supportive of updating telework policy and guidance overall and would like Senate Bill 710 to reflect the USM's discretion to designate and approve positions for telework based on operational necessity. The university environment is unique in its mission to provided academic instruction, research and public service. That mission reflects the work-need diversity of faculty and staff and the application of telework standards that need nuanced attention and oversight.

Again, the USM is favorable with the aforementioned amendment on Senate Bill 710.

SB710_AFSCME3_SWA.pdf

Uploaded by: Gilmore , Denise

Position: FWA



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Patrick Moran - President

Testimony
SB 710 – State and Local Government and Private Employers –
Teleworking
Support with Amendments

AFSCME Council 3 represents 30,000 state and higher education employees in Maryland. Whether telework is mitigating the potential exposure to a deadly virus, assisting in reducing pollution, or aiding in the recruitment and retention of workers during a staffing crisis, allowing employees the flexibility of choosing their work location has proven to be an important tool in improving quality of life. SB 710 makes improvements to existing law by including local government, judiciary, legislative, and private employees. The COVID-19 pandemic, however, has also forced the discussion of *who* can telework into the forefront.

A September 2020 survey of AFSCME members working in State Government, Higher Education, and the Judiciary found that out of 1000 employees, 80% were teleworking for the first time. The other 20% of the survey respondents, who often had the same or similar job duties as those in the survey who were allowed to telework, were still being denied the option to work remotely by their manager despite the public health crisis. Some were teleworking for the first time because they ordinarily have public-facing jobs and the pandemic forced office closures, while others finally received the necessary equipment enabling them to work from home. However, for many, nothing had previously prevented telework—the option to telework was just being extended to them for the first time. Among the survey respondents being denied telework, it was far too common to have two workers carrying the same job classification and daily responsibilities but who were working in different state agencies, to be able to telework in one agency but not the other.

While existing state law established a telework program for state employees – and in 2013 the Maryland General Assembly placed a 15% participation goal among eligible employees – changes are necessary to ensure that all employees who are capable of working remotely have equitable access to participate in the state telework program.

As such, AFSCME Council 3 proposes the following amendments to SB 710:

- 1. Include Maryland’s Higher Education employees under the Bill.**
 - We’ve had difficulty in the past getting the Universities and Colleges to follow personnel legislation if they aren’t specifically referenced.
 - The same issues that exist for employees in the state agencies with teleworking also exist with higher education employees.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

2. **Require telework policies to be negotiated where there is an exclusive bargaining representative.**
 - The Department of Budget and Management has taken the position that telework policies do not need to be negotiated and are the sole prerogative of management.
 - This is simply untrue. In the memorandum of understanding between AFSCME and the State of Maryland, similar terms of employment like flexible schedules and alternate work schedules have been negotiated.
 - Telework policies have been negotiated in multiple other states by AFSCME affiliates and here in Maryland, AFSCME has negotiated telework policies in some of our higher education institutions and in the Division of Parole and Probation.
3. **Require that participation in telework is voluntary and that those who do choose to telework are treated the same as non-teleworkers for the purposes of performance evaluations, access to trainings, assignments, promotions, and discipline.**
 - This amendment is important for ensuring that those who choose to telework aren't forced into a second tier of employment. Teleworkers should have the same rights on the job as non-teleworkers.
4. **Require that telework can only be terminated for cause and that state employees may grieve disputes.**
 - Requiring cause to terminate telework agreements and allowing state employees to grieve disputes are important for ensuring that the option to telework is equitable. When Gov. Hogan announced mandatory telework for eligible state employees and managers failed to comply, employees had little to no recourse.
5. **Set a minimum threshold for what telework programs must cover, including:**
 - Office supplies
 - Hours of work
 - Equipment (both employers supplied and personal)
 - Expenses incurred by the employee
 - Mileage and travel
 - Training for employees and managers
 - Discipline and performance

This amendment codifies many of the terms that are already included in the Department of Budget and Management's telework policy.

6. **SB 710 requires the State to produce an annual report to the General Assembly on the number of state employees who are eligible to telework. Include in this report information on the savings realized through the telework program and demographical information of who is participating in the telework program by race, gender, location, and job grade.**
 - The reporting mechanism in SB 710 is important for legislative oversight. Expanding this oversight to include information on savings incurred and who is actually participating, and not just eligible to participate, will hopefully promote a long-term and equitable telework program within state government.

Fair telework policies contribute to happier workers, reduced traffic congestion, cleaner air, and cost-savings for the employer by way of office leases and workers' compensation expenses. It's a win-win!

We urge the committee to provide a favorable report with these amendments on SB 710. Thank you.

MD Judiciary - Testimony SB710.pdf

Uploaded by: Elalamy, Sara

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Finance Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 710
State and Local Government and Private Employers - Teleworking
DATE: February 3, 2021
(2/25)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 710. This bill, if passed, would require the appropriate official of each local government, municipality, and branch of state government to establish a telework program and adopt a telework policy and guidelines for his or her respective entity. The bill also would require each entity to coordinate with the Department of Information Technology to ensure the adequacy of information and security protections for information and information systems used while teleworking.

First, current law recognizes that the Judiciary has broad authority to set its own personnel policies, which include a telework policy.

Md. Code Ann., State Pers. & Pens. § 2-201 provides:

Except as otherwise provided by law, an employee in the Judicial, Legislative, or Executive Branch of State government is governed by the laws and personnel policies and procedures applicable in that branch.

Telework is inherently a personnel policy. The Judiciary operates as an almost entirely public facing entity and, in order to effectively provide access to justice, it must have control of its staffing needs without the imposition of generic metrics.

The Judiciary ensures that its personnel policies apply consistently across the various Judicial Branch units. Maryland Rule 16-801 (b) states:

Budget, Procurement, and Personnel Standards. All units of the Judiciary above shall prepare their proposed budgets and exercise procurement and personnel decisions in conformance with standards and guidelines promulgated by the State Court Administrator.

The above, coupled with the existing Judiciary telework policy, negate the requirements in the proposed bill. Moreover, Division I of the State Personnel and Pensions article,

where the proposed legislation is located, is largely only applicable to the Executive Branch. Accordingly, this bill, if enacted, would undermine existing statutory law by unnecessarily attempting to encroach on the Judiciary's authority to establish its own personnel policies.

Most importantly, the bill conflicts with the Maryland State Constitution's clear recognition of the separation of powers between the branches of government. Article 8 of the Maryland Constitution's Declaration of Rights recognizes: "That the Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other."

In addition, Article IV, § 18 of the Maryland Constitution grants to the Chief Judge of the Court of Appeals administrative authority over Judicial Branch: "The Chief Judge of the Court of Appeals shall be the administrative head of the Judicial system of the State." Employee telework policies are an administrative matter that falls squarely within the Chief Judge's constitutional duties.

Unlike the other policies to which the Judiciary is subject¹ and which do not impose on judicial functions, the proposed legislation would impose on the Judiciary's day-to-day functioning and therefore it runs afoul of the separation of powers. In acknowledging the limited powers of the legislative branch to impose authority on the judicial branch, the Court of Appeals in *Attorney Gen. of Maryland v. Waldron*, 289 Md. 683, 699 (1981) stated:

There can be no doubt, however, that the deferential respect accorded the legislative branch by the judicial must neither undermine nor dilute the fundamental authority and responsibility vested in the judiciary to carry out its constitutionally required function, an aspect of which, as we have seen, is the supervision of practicing attorneys. Nonetheless, the flexibility that inheres in the separation of powers doctrine allows for some limited exertion of legislative authority. As a consequence of this elasticity, we have recognized, first, that the General Assembly may act pursuant to its police or other legitimate power to aid the courts in the performance of their judicial functions[.]

By instituting specific telework requirements on the Judiciary, the legislature exceeds its permissible "limited exertion of legislative authority . . . to aid the courts in the performance of their judicial function." Instead, the proposed legislation "dilutes the fundamental authority and responsibility vested in the judiciary to carry out its

¹ Specifically, § 2-203, inquiries into criminal record or criminal history of job applicants, is applicable to the Judiciary ("this section applies to all employees in the Judicial, Legislative, and Executive branches of State government."). Also, and probably more analogous to the telework requirement, § 2-311 expressly includes the Judiciary and prohibits requiring an employee to take leave if the employer can provide a reasonable accommodation for the employee's limitation caused or contributed to by pregnancy or childbirth.

constitutionally required function.” The administration of justice does not end at the doors of the courtroom. Rather, the clerk’s offices, where the teleworking requirements would have a large impact, are crucial in ensuring that actions are promptly processed and scheduled, communicating with the bar and the general public, and otherwise allowing each courthouse to function smoothly. The Judiciary must maintain administrative control over employee staffing, including and decisions about teleworking, in order to carry out the judicial function.

The Judiciary already has a telework policy in place that meets the needs of the Judicial Branch as well as its own IT department and, thus, the bill is both unnecessary and administratively burdensome. Moreover, the bill runs afoul of the separation of powers doctrine.

cc. Hon. Nancy King
Judicial Council
Legislative Committee
Kelley O’Connor

SB 710_UNF_MML.pdf

Uploaded by: Fiore, Justin

Position: UNF



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

February 25, 2021

Committee: Senate Finance Committee

Bill: _____ SB 710 – State and Local Government and Private Employers – Teleworking

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes SB 710, which would mandate local governments adopt a teleworking policy that maximizes the number of eligible employees to participate.

Local governments are already utilizing teleworking as we each do our part to combat the Coronavirus pandemic and many intend to continue a robust program in a post-pandemic setting. The policies adopted by our cities and towns are much more complex and thoughtful than maximizing the number of eligible employees, **including probationary periods, home-office requirements, security measures, conflicts of interest, compensation, performance evaluations, grievance procedures, and more.** As introduced, this legislation could require a municipality to pay for an employee's printer or internet service in order to work from home. It simply does not provide the flexibility for local governments to implement a functional and productive teleworking policy.

Reflecting the uniqueness and complexity of Human Resource decisions, the “who, what, when, and how” of teleworking should continue to be a function of local governments, who are very much leading the way. As we have throughout the pandemic, MML is happy to assist our membership by acting as a repository for certain policies and sharing them when needed.

For those reasons, the Maryland Municipal League opposes SB 710 and respectfully requests an unfavorable committee report.

FOR MORE INFORMATION CONTACT:

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Justin Fiore

Manager, Government Relations

SB0710-FIN_MACo_OPP.pdf

Uploaded by: Jabin, Drew

Position: UNF



Senate Bill 710

State and Local Government and Private Employers – Teleworking

MACo Position: **OPPOSE**

To: Finance Committee

Date: February 25, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **OPPOSES** SB 710. While well-intentioned, this bill would place a mandate on county governments to carry out new state policy and maximize the number of employees teleworking, regardless of necessity.

As a rule, MACo resists state policies that result in costly or burdensome local implementation. There is nothing in SB 710 indicating the State will provide any funding to assist local jurisdictions with all of the costs associated with the logistics, cybersecurity, telecommunications, equipment, policies and procedures, or any other requirements that surround teleworking from an employers' perspective. Due to the COVID-19 pandemic, all counties have implemented some form of telework, but it is at the county's discretion.

Counties are currently already meeting the spirit of this legislation, but the vague language "to the extent practicable" is concerning as it could place staffing decisions in the hands of the State, instead of local jurisdictions where it is currently and appropriately placed.

Also, the language potentially applies at a position level. There is little consideration if an individual in a given position has performance problems, the appropriate home environment, or whether their work is able to be conducted remotely. On a more extreme reading, one could assume this potentially requires the county to provide the work environment by paying for internet connections to homes that are not served by broadband, ADA upgrades, etc.

SB 710 is unnecessary and oversteps the boundaries of local autonomy and accordingly, MACo urges the Committee to issue a **UNFAVORABLE** report on **SB 710**.

SB 710- Unfavorable- City of Havre de Grace .docx

Uploaded by: Rybczynski, Adam

Position: UNF



City of Havre de Grace

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February 25, 2021

The Honorable Delores G. Kelley
Chair, Finance Committee
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

**RE: Oppose - SB 710 – State and Local Government and Private Employers –
Teleworking**

Madam Chair and The Honorable Members of the Finance Committee:

The City of Havre de Grace opposes Senate Bill 710. If passed, the legislation would require a municipal government to establish a telework policy and, to the extent practicable, maximize the number of eligible employees participating.

The City of Havre de Grace has a workforce consisting of less than 140 employees, most of whom are in positions that perform essential functions not eligible for telework. City employees eligible for telework may do so currently under the City's telework policy implemented on an as-needed basis at the city administration's approval.

SB 710 does not identify any reason why a municipal government would need a permanent telework policy. While telework is appropriate under certain circumstances, there are many benefits to having staff working together on-site, the most important being the efficient delivery of public services.

While the City of Havre de Grace does not oppose telework, the City does oppose state government mandating how a municipal government operates without providing any justification and believes the decision to utilize a telework policy should remain with a municipality.

The City of Havre de Grace urges the Committee to give SB710 an unfavorable report.

SB710 - Maryland Motor Truck Association - Informa

Uploaded by: Campion, Louis

Position: INFO



Maryland Motor Truck Association

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HEARING DATE: February 25, 2021

BILL NO/TITLE: **SB710 - State and Local Government and Private Employers - Teleworking**

COMMITTEE: Finance

POSITION: **Letter of Information**

As introduced, SB710 would have no impact on the commercial trucking industry; however, Maryland Motor Truck Association (MMTA) would like the Senate Finance Committee to be aware of amendments being considered in the House's cross-filed legislation (House Bill 73) that would change this bill into a mandate on certain employers to implement and maintain a teleworking policy. This is simply impossible in certain industries, like trucking.

The House's amendments specifically require employers with more than 50 employees to "implement and maintain a telework policy for its employees..."

Everyday Maryland's trucking industry delivers critical supplies such as food, water, medicine, fuel, and other necessities. Truck drivers, mechanics, dispatchers, and safety personnel are all essential in the safe and efficient delivery of the goods Marylanders depend on daily. Trucks are the hub of Maryland's distribution wheel, playing a vital role in support of the state's manufacturing, agricultural, grocery and retail industries.

Teleworking is simply not an option for the commercial trucking industry. Should the House move forward with its amendments, MMTA urges the Senate Finance Committee to reject those amendments and retain the original language in Senate Bill 710.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a not-for-profit trade association representing the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to supporting and advocating for a safe, efficient and profitable trucking industry across all sectors and industry types, regardless of size, domicile or type of operation.

For further information, contact: Louis Campion, (c) 443-623-4223

SB 710 Teleworking (King) FIN 2.25.21.docx.pdf

Uploaded by: Wilkins, Barbara

Position: INFO



Maryland

DEPARTMENT OF BUDGET
AND MANAGEMENT

LARRY HOGAN
Governor

DAVID R. BRINKLEY
Secretary

BOYD K. RUTHERFORD
Lieutenant Governor

MARC L. NICOLE
Deputy Secretary

SENATE BILL 710 State and Local Government and Private Employers - Teleworking (King)

STATEMENT OF INFORMATION

DATE: February 25, 2021

COMMITTEE: Senate Finance

SUMMARY OF BILL: SB 710 requires State and local government agencies to establish a telework program and encourages private sector employers to do the same. It intends for the General Assembly to authorize a tax credit to assist private sector employers in offsetting the costs incurred for the development and implementation of a telework policy, including hiring consultants or other support services, if federal funds are made available for that purpose. This legislation would take effect on October 1, 2021.

This bill modifies and expands SPP §2-308 Teleworking, to include the Judiciary and Legislative branches of State government. It removes the goal to have 15% of eligible employees participating in the telework program and replaces it with the requirement to have the maximum number of eligible employees teleworking. The Department of Information Technology (DoIT) is charged with issuing guidelines to protect equipment and maintain security of information.

On or before December 1st each year, each unit of State government, or the principal department in which the unit is located, shall report to the Senate Budget and Taxation Committee and the House Appropriations Committee, on the number of eligible employees participating in the applicable telework program.

EXPLANATION: Per the Governor's directive, in response to the COVID 19 pandemic, all employees who are successfully able to perform their job duties remotely are now teleworking. To increase telework options, the State has relaxed prior telework requirements and now allows teleworking employees to have very flexible work hours which requires that they complete their eight .hours of work time within a 24 hour period, to work from home even with children at home and defers to supervisors regarding telework performance instead of mandating cumbersome tracking forms

As a result, the number of eligible teleworkers in State government has significantly increased since mid-March 2020. As of January 2021, 46% of State employees were teleworking at least 50% of the work week. With current technology, it has proven to be a successful solution for many employees. Long-term, this may result in cost savings with less needed office space and overhead costs of having employees in a central office location.

The Department of Budget and Management (DBM), in collaboration with other State Personnel Management System agencies, anticipates permanently adopting many of the current practices which have proven to be successful.

**For additional information, contact Barbara Wilkins at
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