

HOUSE BILL 1293

P4

9lr0423

By: **Delegates Ali and Gutierrez**

Introduced and read first time: February 13, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees Teleworking Act**

3 FOR the purpose of establishing a Teleworking Implementation Program; authorizing
4 certain employees in certain units of State government to participate in a
5 certain program; requiring the Secretary of Budget and Management to
6 establish a telework policy for agencies in the Executive Branch of State
7 government; requiring each agency in the Executive Branch of State
8 government to submit a telework plan to the Department of Budget and
9 Management; specifying the contents of the telework plan; requiring each
10 agency to offer a certain percentage of eligible employees the opportunity to
11 telework by a certain date; requiring an agency to adopt certain regulations and
12 guidelines; requiring the Secretary to annually submit a certain report; and
13 generally relating to the Teleworking Implementation Program.

14 BY adding to

15 Article – State Personnel and Pensions

16 Section 2–801 through 2–805 to be under the new subtitle “Subtitle 8.
17 Teleworking Implementation Program”

18 Annotated Code of Maryland

19 (2004 Replacement Volume and 2008 Supplement)

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

22 **Article – State Personnel and Pensions**

23 **SUBTITLE 8. TELEWORKING IMPLEMENTATION PROGRAM.**

24 **2–801.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "PROGRAM" MEANS THE TELEWORKING IMPLEMENTATION
4 PROGRAM.

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

8 **2-802.**

9 (A) THIS SUBTITLE APPLIES TO ALL EMPLOYEES OF ALL UNITS IN THE
10 EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING ANY UNIT WITH AN
11 INDEPENDENT PERSONNEL SYSTEM.

12 (B) THERE IS A TELEWORKING IMPLEMENTATION PROGRAM.

13 (C) THE PURPOSE OF THE PROGRAM IS TO ALLOW STATE EMPLOYEES
14 TO WORK AT A LOCATION OTHER THAN A STATE OFFICE THROUGH THE USE OF
15 TELECOMMUNICATIONS TECHNOLOGY.

16 **2-803.**

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

19 **2-804.**

20 (A) (1) EACH AGENCY IN THE EXECUTIVE BRANCH OF STATE
21 GOVERNMENT SHALL SUBMIT A TELEWORK PLAN TO THE DEPARTMENT ON OR
22 BEFORE OCTOBER 1 OF EACH YEAR.

23 (2) THE TELEWORK PLAN SHALL:

24 (I) IDENTIFY POSITIONS WITHIN THE AGENCY THAT ARE
25 APPROPRIATE FOR TELEWORKING;

26 (II) CALCULATE THE APPROPRIATE NUMBER OF
27 TELEWORKING DAYS PER MONTH FOR EACH POSITION THAT THE AGENCY HAS
28 IDENTIFIED AS APPROPRIATE FOR TELEWORKING;

1 (III) ESTABLISH TELEWORKING ELIGIBILITY CRITERIA FOR
2 EMPLOYEES WHO ARE IN POSITIONS THAT THE AGENCY HAS IDENTIFIED AS
3 APPROPRIATE FOR TELEWORKING;

4 (IV) PROVIDE THE TOTAL NUMBER OF TELEWORKING DAYS
5 IN AN AGENCY DURING THE PREVIOUS FISCAL YEAR BY MULTIPLYING THE
6 NUMBER OF EMPLOYEES TELEWORKING BY THE NUMBER OF DAYS THE
7 EMPLOYEES TELEWORKED; AND

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

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

13 (1) 5% BY JULY 1, 2010; AND

14 (2) 10% BY JULY 1, 2011.

15 **2-805.**

16 **EACH AGENCY IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT**
17 **SHALL ADOPT REGULATIONS AND GUIDELINES NECESSARY TO CARRY OUT THE**
18 **PROGRAM.**

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

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2009.