

SB 2397

SD-1

**RELATING TO
TELECOMMUTING**

A BILL FOR AN ACT

RELATING TO TELECOMMUTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Traffic-related congestion on Hawaii's roadways
2 continues to increase every year. The morning and evening
3 commutes are marked by long delays and increased time spent on
4 the road as thousands of vehicles traverse Hawaii's highways and
5 streets. With longer commute times, the working people of
6 Hawaii are spending more time in their vehicles instead of using
7 that time productively at work or at home with their families.
8 The increase in vehicles on Hawaii's roadways results in
9 the people of Hawaii becoming more dependent on foreign fossil
10 fuel sources. Currently, Hawaii has one of the highest prices
11 for gas in the nation. In comparison to their mainland peers,
12 the workers of Hawaii are using a larger percentage of their
13 disposable income to pay for transportation to work. Many
14 workers who commute to work by car will continue or increase
15 Hawaii's reliance on foreign fossil fuel sources, creating
16 carbon emissions that contribute to the deterioration of
17 Hawaii's fragile environment.



1 The legislature finds that numerous studies across the
2 nation have demonstrated that telecommuting provides an
3 opportunity for employers to increase employee productivity,
4 decrease employee sick leave, increase the labor pool, and even
5 improve employee retention. The growth of telecommuting is
6 partly attributable to the greater availability of broadband
7 technology, employees placing a greater emphasis on work-life
8 balance, rising office rents, and improvements in internet
9 security.

10 The legislature further finds that telecommuting is a
11 practical solution to environmental concerns and quality of life
12 issues that arise because of long commutes to work. Hawaii
13 should lead by example and further encourage, promote, and
14 increase efforts to adopt telecommuting as a workplace
15 alternative to increase employee productivity, boost employee
16 morale, and join in worldwide efforts to reduce air pollution.

17 The purpose of this Act is to establish a temporary
18 telecommuting task force to develop incentives and
19 recommendations to encourage and expand telecommuting
20 opportunities in the public and private sectors.



1 SECTION 2. (a) There is established the telecommuting
2 task force within the department of human resources development
3 for administrative purposes only.

4 (b) The department of human resources development shall
5 assist the task force, including by providing data, as
6 appropriate.

7 (c) The task force shall be composed of the following
8 members:

9 (1) Two members to be appointed by the president of the
10 senate, one of whom shall be from the public sector
11 and one of whom shall be from the private business
12 sector;

13 (2) Two members appointed by the speaker of the house of
14 representatives, one of whom shall be from the public
15 sector and one of whom shall be from the private
16 business sector;

17 (3) The director of business, economic development, and
18 tourism, or the director's designee;

19 (4) The director of human resources development, or the
20 director's designee;



1 (5) The director of labor and industrial relations, or the
2 director's designee;

3 (6) The director of transportation, or the director's
4 designee;

5 (7) The chief information officer, or the officer's
6 designee;

7 (8) A member from the Hawaii Government Employees
8 Association appointed by the speaker of the house of
9 representatives; and

10 (9) A member from a local business organization appointed
11 by the president of the senate.

12 The director of human resources development shall serve as
13 chairperson of the task force.

14 (d) The task force shall:

15 (1) Develop incentives and recommendations to encourage
16 and expand telecommuting opportunities in the public
17 and private sectors throughout the State that will
18 help to alleviate the high cost of commuting, reduce
19 Hawaii's dependence on fossil fuel, reduce traffic
20 congestion on Hawaii's roadways, and provide the
21 workers of Hawaii with an opportunity to spend more



1 time either working from home or with their families,
2 rather than in traffic;

3 (2) Establish subcommittees within the task force to
4 address issues specific to public sector and private
5 sector employees;

6 (3) Develop a public awareness campaign plan;

7 (4) Study and analyze the telecommuting policies of the
8 federal government and jurisdictions that are similar
9 in size to Hawaii; and

10 (5) Address any other matters deemed relevant by the task
11 force.

12 (e) The task force shall submit a draft report to the
13 legislative reference bureau no later than June 30, 2019. The
14 legislative reference bureau shall assist the task force with
15 finalizing the report and drafting any proposed legislation.
16 The task force shall submit a final report of its findings and
17 recommendations to the legislature no later than August 1, 2019.

18 SECTION 3. The telecommuting task force shall cease to
19 exist on June 30, 2020.

20 SECTION 4. This Act shall take effect upon its approval.

21



Report Title:

Telecommuting Task Force; Department of Human Resources
Development

Description:

Establishes a temporary telecommuting task force to develop
incentives and recommendations to encourage and expand
telecommuting opportunities in the public and private sectors.
(SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*



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TESTIMONY

DAVID Y. IGE
GOVERNOR



RYKER WADA
INTERIM DIRECTOR

JASON MINAMI
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
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March 21, 2018

**TESTIMONY TO THE
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT**

For Hearing on Thursday, March 22, 2018
9:15 a.m., Conference Room 309

By

RYKER WADA
INTERIM DIRECTOR

**Senate Bill No. 2397, S.D. 1
Relating to Telecommuting**

WRITTEN TESTIMONY ONLY

CHAIRPERSON JOHANSON, VICE CHAIR HOLT AND MEMBERS OF THE HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT:

The Department of Human Resources Development ("DHRD") appreciates the intent of S.B. 2397, S.D. 1, but has **comments** on this measure.

This bill establishes a temporary telecommuting task force within DHRD, and names the director or the director's designee as the chairperson, to develop incentives and recommendations to encourage and expand telecommuting opportunities in both the public and private sectors. DHRD's scope of authority is to administer human resources programs for only the State's Executive Branch workforce and does not have jurisdiction over private sector employers or other branches of government. As such, if there may be more appropriate departments and/or entities to oversee the task force particularly with respect to opportunities in the private sector.

DHRD also has logistical concerns with this bill as there is no provision for funding or allocations of positions to provide administrative support to the task force, which would include researching the telework policies of the federal government and other jurisdictions, developing a public awareness campaign plan, disseminating materials to task force members for their review/analysis, ensuring that provisions of chapter 92, HRS are followed (e.g., filing of the meeting agenda, making copies of task force materials available for public inspection, drafting of the minutes of the meetings, etc.), and drafting of the report and any proposed legislation to the Legislature. Should

this committee be inclined to pass this bill out of committee, DHRD respectfully asks that funding and positions be discussed and considered.

Thank you for the opportunity to provide comments on this measure.

Charlotte A. Carter-Yamauchi
Director

Shawn K. Nakama
First Assistant

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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

SB2397 SD1 RELATING TO TELECOMMUTING

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Director

Presented to the House Committee on Labor and Public Employment

Thursday, March 22, 2018, 9:15 a.m.
Conference Room 309

Chair Johanson and Members of the Committee:

Good morning Chair Johanson and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on S.B. No. 2397, S.D. 1, Relating to Telecommuting.

The purpose of this measure is to establish a temporary telecommuting task force that is administratively attached to the Department of Human Resources Development to develop incentives and recommendations to, among other things, encourage and expand telecommuting opportunities in the public and private sectors.

The measure also requires the Legislative Reference Bureau to assist the telecommuting task force in finalizing the report and drafting any proposed legislation.

The Bureau takes no position on the merits of this measure, but submits the following comments for your consideration.

As a general matter, we note that the task force established in this measure contains no members of the Legislature and will be administratively attached to an executive branch agency. The Bureau is statutorily directed to use its resources and services to assist the Legislature and its members, unless otherwise directed by the Legislature.

Accordingly, we have some concerns with how the measure is currently drafted with respect to the work requested of the Bureau. The language of the measure requires the Bureau to take on the responsibility of providing report editing and drafting services, even

though the task force is administratively housed within an executive department with considerable staff and other resources at its disposal. We note that the Task Force is largely made up of representatives from public entities that have vast resources compared to the Bureau and, as such, could easily provide the necessary editing and drafting responsibilities.

If the Committee decides to keep the Bureau involved in assisting the task force with finalizing its report and proposed legislation, the Bureau believes that the services requested under the measure would be manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by other studies or additional responsibilities, such as conducting, writing, or finalizing other reports, drafting legislation, or both, for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.

SB-2397-SD-1

Submitted on: 3/21/2018 7:18:40 AM

Testimony for LAB on 3/22/2018 9:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

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**LATE
TESTIMONY**