

Honolulu, Hawaii

MAR 04 2022RE: S.B. No. 2940
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Government Operations and Ways and Means,
to which was referred S.B. No. 2940, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to require state departments, agencies, boards, and commissions to develop policies under which eligible employees may be authorized to telework.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Office of Enterprise Technology Services, and one individual. Your Committees received testimony in opposition to this measure from the Department of Human Resources Development; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees find that the global coronavirus disease 2019 pandemic has placed a historic strain on the continuity of state and local government operations. Telework rapidly emerged as a critical tool in the provision of essential services, while maintaining public health and safety protocols. Your Committees further find that telework has the potential to reduce strain on the State's physical infrastructure and increase adaptability by developing a flexible and distributed work force. Telework can also promote the State's environmental goals by reducing traffic



congestion and related carbon emissions. Accordingly, this measure will promote the development of teleworking as a permanent aspect of state government and ensure consistency in telework policies across state departments.

Your Committees note the testimony of the Office of Enterprise Technology Services, suggesting the provision of cybersecurity training. Your Committees also note the testimony of the Department of Human Resources Development, identifying the Telework Program Guidelines adopted by the Department in 2010 (Telework Policy) and ongoing collective bargaining related to teleworking that will result in updates to the Telework Policy.

Your Committees have therefore amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Designating the Department of Human Resources Development as the agency responsible for the State's telework policy;
- (3) Adopting the Department of Human Resources Development's recommendations on the definition of "telework" and regarding telework policy;
- (4) Deleting various requirements of specific state departments;
- (5) Clarifying the State's telework policy;
- (6) Clarifying that this measure shall not infringe on collective bargaining under chapter 89, Hawaii Revised Statutes, related to teleworking;
- (7) Requiring the Department of Human Resources Development to:
 - (A) Regularly update the Telework Policy, which shall be the State's telework policy;
 - (B) Make the Telework Policy, as updated, publicly available to all employees by publication on its website;



- (C) Provide all state department heads, relevant staff, and eligible employees with interactive training programs, including best practices for teleworking and cybersecurity; and
- (D) Consult and work with the Department of Accounting and General Services regarding any necessary reallocation of office space or resources;
- (8) Clarifying the Department of Human Resources Development's reporting requirements;
- (9) Deleting the Department of Human Resources Development's research requirements;
- (10) Appropriating an unspecified amount of funds for the expenses required to implement this measure and the establishment of two full-time equivalent (2.0 FTE) positions within the Department of Human Resources Development;
- (11) Making the appropriation contingent on the completion and publication of the updated Telework Policy;
- (12) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (13) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


As affirmed by the records of votes of the members of your Committees on Government Operations and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2940, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2940, S.D. 2, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Government
Operations and Ways and Means,



DONOVAN M. DELA CRUZ, Chair

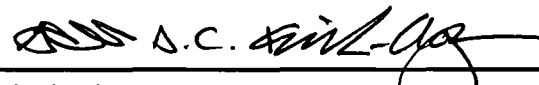


SHARON MORIWAKI, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2940,SDI	Committee Referral: GVO/WAM	Date: 3/3/22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			<i>ML</i>
KIDANI, Michelle N.				X
MISALUCHA, Bennette E.	.	X		
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.		X		
WAKAI, Glenn	X			
FEVELLA, Kurt				X
TOTAL	7	2		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes