

JAN 24 2024

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# A BILL FOR AN ACT

RELATING TO REMOTE WORK.

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

1           SECTION 1. The legislature finds that there are a  
2 meaningful number of state jobs that can be performed by working  
3 remotely, rather than reporting to work in a physical state  
4 office. Additionally, while housing is expensive across the  
5 State, there are areas in Hawaii, including rural portions of  
6 Hawaii, Maui, and Kauai counties, that have substantially less  
7 expensive housing than in urban and more populated areas. The  
8 department of human resources development reported to the 2023  
9 legislature that nearly four thousand of seventeen thousand  
10 civil service positions in the state executive branch were  
11 vacant as of November, 2022, not including the university of  
12 Hawaii system or the department of education.

13           The legislature further finds that identifying state jobs  
14 that are good candidates for remote work; identifying areas of  
15 the State where housing is relatively affordable but good-paying  
16 jobs are not readily available; and pairing the remote jobs with  
17 remote Hawaii workers, would meaningfully address issues of



1 affordability, help keep local families in Hawaii, and  
2 strengthen community ties.

3       The legislature also finds that there are significant  
4 economic benefits for local communities when their resident  
5 populations can live, work, shop, and play in the community.  
6 Local businesses in the community benefit from a more stable  
7 population base. Local civic organizations in the community  
8 benefit from more highly engaged residents. Local schools in  
9 the area benefit from a more robust and consistent student  
10 population. Local students graduating from their area schools  
11 are more likely to stay in, or return to, their communities if  
12 they know their employment prospects in those areas are greater.  
13 Local economies can be fortified and help to distribute economic  
14 strength across the State and beyond the major population  
15 centers. A bigger government sector in rural and neighbor  
16 island communities further helps diversify local economies and  
17 supports resilience in the event of future economic downturns.

18       There are workers in areas across Hawaii who would live  
19 near their families and in their communities if they could  
20 afford to do so. To assist with aligning the needs of families'  
21 housing and jobs, the legislature finds that funds should be



1 invested in these areas to ensure that these areas have  
2 sufficient broadband infrastructure to support an increase in  
3 remote workers and sufficient co-working facilities to assist  
4 people who want to stay in their communities to work but do not  
5 have appropriate space in their own homes. Co-working  
6 facilities can also be used for community events in the  
7 evenings, weekends, and off-work hours. Existing state  
8 facilities, like state libraries could be utilized as co-working  
9 facilities.

10 Through efforts such as the mandate of the school  
11 facilities authority to build educator workforce housing on  
12 underutilized department of education land, the State is  
13 aligning the demands for work and jobs while making them both  
14 accessible to communities near where workers live, work, play,  
15 and shop. People often leave their communities to look for work  
16 in other places when they cannot find good-paying jobs in their  
17 own communities. Connecting workers in those communities with  
18 jobs they can perform remotely will enable them to stay in their  
19 communities, strengthening and solidifying community ties as a  
20 result.



1           The coronavirus disease 2019 (COVID-19) pandemic led to  
2 much of the State working remotely full-time. Workplace  
3 flexibilities also played a significant role nationwide in  
4 ensuring employees were able to meet both their work and family  
5 responsibilities. The federal government has had remote work  
6 options for its employees since the 1970s. Before the COVID-19  
7 pandemic, only three per cent of federal employees teleworked  
8 every day, but that amount grew substantially during the peak of  
9 the pandemic when a record fifty-nine per cent of employees  
10 worked from home daily. Accordingly, in March 2020, the United  
11 States Office of Management and Budget released guidance on  
12 telework flexibilities for the federal government.

13           Even after the COVID-19 pandemic, telecommuting and remote  
14 services have remained popular. This has led to renewed  
15 interest in strategies to create more sustainable communities.  
16 Federal agencies, such as the Transportation Research Board of  
17 the National Academy of Sciences, have published guidelines for  
18 implementing the shift to a remote, hybrid, and flexible work  
19 schedules beyond the pandemic and into the future. Remote  
20 services such as e-learning, online shopping, and telemedicine,



1 which also expanded during the pandemic, continue to reduce the  
2 need for in-person interactions and travel.

3 According to the 2023 California Air Resources Board  
4 project:

5 "Telecommuting can reduce how much people drive when  
6 employees no longer have to travel to and from work,  
7 reducing the number of vehicle trips and driving on the  
8 road. Moreover, telecommuting can lessen the need for  
9 office space, which can free up land for other purposes,  
10 such as public parks or affordable housing, and reduce the  
11 need for new infrastructure development. This  
12 transformation can contribute to sustainable land use  
13 patterns and promote more compact, walkable, and bikeable  
14 communities."

15 The legislature finds that, for remote work to make life  
16 more affordable in Hawaii, remote work should be established in  
17 conjunction with developing sustainable communities, as this  
18 would decrease the need for vehicle ownership and allow a  
19 substantial proportion of a household budget to be spent on  
20 other amenities to make life affordable and even more  
21 pleasurable for working families. Unfortunately, transportation



1 costs tend to be borne disproportionately by the most vulnerable  
2 in the community and must be addressed alongside affordable  
3 housing strategies, or these inequities will persist. In  
4 Hawaii, Ulupono Initiative's *Vehicle Economy Study* (2021) showed  
5 that personal vehicles cost an additional \$16,200 per household  
6 per year, or \$8,100 per vehicle per year, and that, regardless  
7 of whether households owned cars, the public cost of sustaining  
8 Hawaii's vehicle economy amounts to roughly \$15,000 per taxpayer  
9 per year, or \$24,400 per household per year. For a state where  
10 household median income is roughly \$80,000 per year, these costs  
11 amount to about thirty per cent of household pre-tax income.

12 Providing transportation options along with affordable  
13 housing will not only make life more affordable in Hawaii, but  
14 also support broader efforts to reduce greenhouse gas emissions  
15 to support the State's decarbonization goals. According to the  
16 Honolulu connect transportation demand management plan,  
17 approximately thirty to fifty per cent of trips made by people  
18 driving alone in Honolulu are under three miles, which presents  
19 a key opportunity for shifting travel behavior to more  
20 sustainable and affordable modes of transportation.



1 To address the issue of sustainable communities, the city  
2 and county of Honolulu's HNL connect program is set within a  
3 robust policy context of several plans and informed by studies  
4 that emphasize that affordability lies not only in housing but  
5 also the infrastructure supporting it, including and especially  
6 the transportation system. Following a similar policy context  
7 statewide would ensure a more positive outcome for local and  
8 working families in Hawaii. Examples of these plans include:

- 9 (1) The city and county of Honolulu's 2020-2025 climate  
10 action plan;
- 11 (2) Energy conservation and emissions reduction plan for  
12 city transportation systems;
- 13 (3) Oahu regional transportation plan 2050;
- 14 (4) Honolulu complete streets law (section 14-18, Revised  
15 Ordinances of Honolulu);
- 16 (5) Oahu pedestrian plan (2022);
- 17 (6) Oahu bike plan (2019);
- 18 (7) Statewide transportation demand forecasting model;
- 19 (8) Oahu general plan (2021);
- 20 (9) Neighborhood transit-oriented development plans;
- 21 (10) Bikeshare organizational study (2014); and



1           (11) The forthcoming vision zero action plan, Honolulu  
2                   strategic transportation plan and Oahu mobility hub  
3                   study.

4           Remote work also exposes existing inequities in the system  
5 that need to be addressed as the option to work from home  
6 expands. The Oahu metropolitan planning organization's August  
7 2021 study on telework *Work Where You Live* found that not  
8 everyone's job allowed them to telework; seventy-four per cent  
9 of employees participated in teleworking from March 2020 through  
10 March 31, 2021. Those that teleworked were satisfied, but  
11 tended to live further away (the median daily commute time for  
12 telework employees was forty-one minutes while the median  
13 commute time for non-telework employees was shorter at just  
14 twenty-nine minutes), and the telework employees between the  
15 ages of eighteen to forty-four had childcare responsibilities  
16 during the pandemic. Telework personnel were also more likely  
17 to be female (fifty-nine per cent) compared to non-telework  
18 personnel (fifty-three per cent). The median household income  
19 for employees who teleworked was \$98,639. For non-telework  
20 employees, the median income was slightly lower at \$94,467.





1           To address inequities faced by those in lower income  
2 groups, remote and hybrid work policies should consider the most  
3 common issues faced by teleworkers during the pandemic, and  
4 beyond. Oahu metropolitan planning organization's Compilation  
5 of Best Practices cites that the most common issues faced by  
6 teleworkers during the pandemic were overworking or inability to  
7 unplug, nonwork distractions, technology problems, and lack of  
8 reliable Wi-Fi.

9           The legislature finds that, to address these issues for  
10 remote workers and implement best practices, employers should  
11 consider the following recommended remote work employment  
12 practices:

- 13           (1) Establishing policies that provide clear guidelines  
14           for teleworking that also allow departments to  
15           establish their own teleworking practices within those  
16           guidelines;
- 17           (2) Establishing clear procedures for implementing a fair  
18           and consistent teleworking policy;
- 19           (3) Providing appropriate training sessions and materials  
20           to support training;



1           (4) Providing ongoing support when requested, and clear  
2           communication of updates as needed, recognizing that  
3           employees and managers must invest additional effort  
4           to ensure their communications are effective, their  
5           message is clear, and that they are providing a  
6           continuous flow of information;

7           (5) Technology:

8           (A) Providing employees at an alternate worksite with  
9           the tools and the training to perform their job,  
10          including a computer, broadband connection and  
11          programs that are comparable to what they would  
12          have available in the central worksite;

13          (B) Updating technology to support access to files  
14          for employees working away from a central  
15          worksite and still maintaining security, as there  
16          has been a market trend away from organization-  
17          owned and -controlled computing resources towards  
18          mobile, cloud, and leased computing resources (a  
19          trend that the federal government is embracing);  
20          and



- 1 (C) Ensuring teleworkers and office workers have
- 2 access to collaboration tools;
- 3 (6) Engaging in frequent consultations with unions to
- 4 ensure a clear understanding of policy and procedures
- 5 and how it benefits employees;
- 6 (7) Allocating resources appropriately to support
- 7 technology investment and on-going training and
- 8 support;
- 9 (8) Developing plans to identify the best design and use
- 10 of onsite work facilities to accommodate the changing
- 11 needs of the workforce;
- 12 (9) Subsidizing childcare and eldercare arrangements;
- 13 (10) Providing stable broadband and quick resolution of
- 14 technology issues;
- 15 (11) Providing access to mental and physical health breaks;
- 16 (12) Introducing or reintroducing a vanpool subsidy where
- 17 transit is sparse; and
- 18 (13) Providing free transit for county and state employees
- 19 where transit is a viable option.

20 It is the legislatures intent to conduct a statewide remote  
21 work study and develop and administer a remote work program,



1 that strengthens remote work infrastructure to increase  
2 affordability in Hawaii to keep local working families in the  
3 state, and incentivize the return of former residents, manage  
4 the shift to a more modern and flexible work future, and  
5 decrease local families' transportation costs. Accordingly, the  
6 purpose of this Act is to:

7 (1) Require the department of human resources development  
8 to:

9 (A) Conduct a statewide remote work study;

10 (B) Review any recent remote work studies done by the  
11 counties;

12 (C) Develop and administer a remote work program; and

13 (D) Submit the study to the legislature twenty days  
14 prior to the convening of the regular session of  
15 2025; and

16 (2) Appropriate funds.

17 SECTION 2. (a) The department of human resources  
18 development shall:

19 (1) Conduct a statewide remote work study;

20 (2) Review any recent remote work studies done by the

21 counties, such as the August 2021 telework study *Work*



1           *Where You Live* by the Oahu metropolitan planning  
2           organization; and

3           (3) Develop and administer a remote work program.

4           (b) The remote work program shall incorporate the outcomes  
5 of the remote work study into one- and two-year action plans and  
6 include an equity component that ensures that areas benefitting  
7 from the remote work program are distributed fairly. The remote  
8 work study shall:

9           (1) Identify state jobs that are suitable to be performed  
10           remotely;

11           (2) In coordination with the university of Hawaii economic  
12           research organization, identify areas of the State  
13           that have a combination of lower housing costs and  
14           decreased access to good-paying jobs;

15           (3) In coordination with the Hawaii broadband and digital  
16           equity office, analyze the condition of the existing  
17           broadband infrastructure in the areas of the State  
18           that have a combination of lower housing costs and  
19           decreased access to good-paying jobs; and

20           (4) In coordination with the Hawaii broadband and digital  
21           equity office and other appropriate departments and



1 agencies, identify other resources needed to support  
2 remote work in the State, including but not limited to  
3 access to child care, access to remote working  
4 equipment, community anchor institutions, technology,  
5 and training.

6 (c) The department of human resources development shall  
7 submit the remote work study to the legislature no later than  
8 twenty days prior to the convening of the regular session of  
9 2025.

10 (d) The study and remote work program shall be applicable  
11 only to residents of the State.

12 (e) For purposes of this section, "remote work" means a  
13 job that includes time spent working at a location other than a  
14 state office. "Remote work" includes a job both fully remote  
15 jobs and hybrid work options.

16 SECTION 3. In accordance with section 9 of article VII of  
17 the Hawaii State Constitution and sections 37-91 and 37-93,  
18 Hawaii Revised Statutes, the legislature has determined that the  
19 appropriations contained in Act 164, Regular Session of 2023,  
20 and this Act will cause the state general fund expenditure  
21 ceiling for fiscal year 2024-2025 to be exceeded by



1 \$ or per cent. This current declaration takes  
2 into account general fund appropriations authorized for fiscal  
3 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
4 only. The reasons for exceeding the general fund expenditure  
5 ceiling are that:

- 6 (1) The appropriation made in this Act is necessary to  
7 serve the public interest; and
- 8 (2) The appropriation made in this Act meets the needs  
9 addressed by this Act.

10 SECTION 4. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2024-2025 for  
13 the establishment of one full-time equivalent (1.0 FTE)  
14 position, who shall be exempt from chapter 76, Hawaii Revised  
15 Statutes, to support the development of the remote work program  
16 established pursuant to section 2 of this Act.

17 The sum appropriated shall be expended by the department of  
18 human resources development for the purposes of this Act.

19 SECTION 5. This Act shall take effect on July 1, 2024.

20

INTRODUCED BY:



# S.B. NO. 3296

**Report Title:**

DHRD; Remote Work Study; Program; Action Plan; Position;  
Establishment; Report; Expenditure Ceiling; Appropriation

**Description:**

Requires the Department of Human Resources Development to: (1) conduct a remote work study; (2) review any recent remote work studies done by the counties; (3) develop and administer a remote work program; and (4) submit the study to the Legislature prior to the convening of the Regular Session of 2025. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation.

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

