

JAN 24 2024

A BILL FOR AN ACT

RELATING TO TELEWORKING.

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

1 SECTION 1. The legislature finds that the coronavirus
2 disease 2019 pandemic led to the widespread use of telework.
3 The legislature notes that upgrades in technology have made it
4 possible for more people to telework, and the department of
5 human resources development is currently in the process of
6 adopting a teleworking framework for the State's executive
7 branch agencies. The legislature further finds that annual data
8 on telework adoption and usage in the State should be provided
9 to help guide future legislation, policy recommendations, and
10 decision-making relating to teleworking in the State.

11 Accordingly, the purpose of this Act is to:

12 (1) Require the department of human resources development
13 to:

14 (A) Submit an annual report to the legislature on the
15 telework policies of the executive branch and
16 various metrics on the adoption, usage, and



1 productivity of teleworking by each department
2 within the executive branch;

3 (B) Purchase and implement a pilot telework
4 monitoring system to assess the productivity of
5 telework employees within up to three state
6 departments or portions of departments; and

7 (C) Also apply the pilot telework monitoring system
8 to in-office employees in the selected
9 departments to compare the productivity levels of
10 in-office versus teleworking employees; and

11 (2) Appropriate moneys to develop, implement, and
12 administer the pilot telework monitoring system and
13 establish two full-time equivalent positions.

14 SECTION 2. Chapter 76, Hawaii Revised Statutes, is amended
15 by adding a new section to part I to be appropriately designated
16 and to read as follows:

17 "§76- Executive branch; telework; policies; metrics;
18 annual report. (a) The department of human resources

19 development shall submit an annual report to the legislature, no
20 later than twenty days prior to the convening of each regular
21 session, on the telework policies of the executive branch and



1 various metrics on the adoption, usage, and productivity of
2 teleworking by each department in the executive branch,
3 including, at a minimum:

- 4 (1) A summary of telework usage for each agency;
- 5 (2) The number of employees that are authorized to
6 telework in relation to the total number of employees
7 in each agency;
- 8 (3) The number of hours that the employees spent
9 teleworking;
- 10 (4) The number of employees in each department with
11 positions that could effectively telework;
- 12 (5) The number of requests that each department received
13 to telework;
- 14 (6) The number of requests to telework that each agency
15 approved and denied;
- 16 (7) The number of grievances that were filed due to a
17 denied request to telework;
- 18 (8) The outcomes of any grievances filed;
- 19 (9) An assessment of the productivity of telework
20 employees, based on data from a telework monitoring
21 system;



1 (10) An analysis of computer programs currently available
2 to departments, or that can be easily acquired by
3 expanding existing software suites, that can be used
4 to track telework employees' progress and performances
5 on deliverables and tasks;

6 (11) The number of employees in each department that had
7 their telework privileges revoked due to performance
8 or behavioral issues; and

9 (12) Any other relevant teleworking metrics that would help
10 inform future legislation, policy recommendations, and
11 decision-making regarding teleworking in the State.

12 The report may also contain other findings and recommendations,
13 including any proposed legislation.

14 (b) The department of human resources development shall
15 consult with all appropriate departments and agencies to obtain
16 the necessary data or information to complete the annual report.
17 All state departments and agencies shall share data and
18 information with the department of human resources development
19 to support the implementation of this section."

20 SECTION 3. (a) The department of human resources
21 development shall purchase and implement a pilot telework



1 monitoring system to assess the productivity of telework
2 employees within up to three state departments, or portions of
3 departments, selected by the director of human resources
4 development. The telework monitoring system shall be awarded on
5 a National Association of State Procurement Officials cloud and
6 shall include:

- 7 (1) Customizable dashboards to monitor employee
8 deliverables, task progress, and performance;
 - 9 (2) Benchmark indicators for supervisors and employees to
10 see whether an employee is meeting the requirements to
11 continue to telework;
 - 12 (3) Integrated training and support for managers who
13 supervise teleworking employees on use of the telework
14 monitoring systems and strategies for using the
15 telework monitoring system to better manage employees'
16 deliverables and tasks;
 - 17 (4) Integrated training and support for employees on use
18 of the telework and in-person monitoring system; and
 - 19 (5) A contract for scheduled maintenance services.
- 20 (b) The pilot telework monitoring system shall also
21 include a component that can be applied to in-office employees



1 in the selected departments to track productivity levels of
 2 in-office employees to serve as a productivity baseline
 3 statistic when measuring the productivity of teleworking
 4 employees.

5 SECTION 4. In accordance with section 9 of article VII, of
 6 the Constitution of the State of Hawaii and sections 37-91 and
 7 37-93, Hawaii Revised Statutes, the legislature has determined
 8 that the appropriations contained in this Act will cause the
 9 state general fund expenditure ceiling for fiscal year 2024-2025
 10 to be exceeded by \$, or per cent. The reasons
 11 for exceeding the general fund expenditure ceiling are that the
 12 appropriations made in this Act are necessary to serve the
 13 public interest and to meet the needs provided for by this Act.

14 SECTION 5. There is appropriated out of the general
 15 revenues of the State of Hawaii the sum of \$3,000,000 or so much
 16 thereof as may be necessary for fiscal year 2024-2025 to
 17 develop, implement, and administer the pilot telework monitoring
 18 system, including testing and reporting.

19 The sum appropriated shall be expended by the department of
 20 human resources development for the purposes of this Act;
 21 provided that the appropriation made by this section shall not



1 lapse at the end of the fiscal biennium for which the
2 appropriation is made; provided further that all moneys from the
3 appropriation unencumbered as of June 30, 2026, shall lapse as
4 of that date.

5 SECTION 6. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$180,000 or so much
7 thereof as may be necessary for fiscal year 2024-2025 to
8 establish two full-time equivalent positions as follows:

9 (1) One full-time equivalent (1.0 FTE) staff position to
10 assist work with a pilot program developer and
11 executive branch departments to gather information and
12 develop, implement, and administer the pilot telework
13 monitoring system; and

14 (2) One full-time equivalent position to serve as the
15 statewide telework coordinator; provided that the
16 position's duties shall include:

17 (A) Drafting the annual report required by section 2
18 of this Act;

19 (B) Enhancing training for employees and supervisors
20 to effectively manage teleworking and hybrid



1 employees' progress and performance on meeting
2 required tasks; and

3 (C) Assisting with the expansion of the pilot program
4 to all executive branch departments.

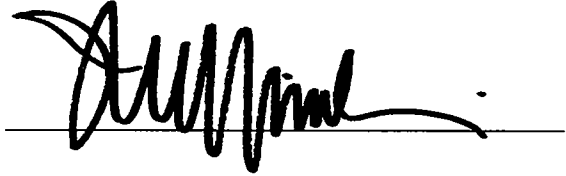
5 The sum appropriated shall be expended by the department of
6 human resources development for the purposes of this Act.

7 SECTION 7. New statutory material is underscored.

8 SECTION 8. This Act shall take effect on July 1, 2024.

9

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "A. M. ...", is written over a horizontal line.

S.B. NO. 3371

Report Title:

DHRD; Teleworking; Telework Monitoring System; Pilot; Annual Report; Positions; Training; Appropriations; General Fund Expenditure Ceiling Exceeded

Description:

Requires and appropriates moneys for the Department of Human Resources Development to submit an annual report to the Legislature on the telework policies of the Executive Branch. Establishes requirements for a pilot telework monitoring system to assess the productivity of telework employees. Appropriates funds to develop, implement, and administer the pilot telework monitoring system and to establish positions. Declares that the appropriations exceed the state general fund expenditure ceiling for 2024-2025.

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

