



State of Utah

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Governor

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Department of Government Operations Division of Human Resource Management

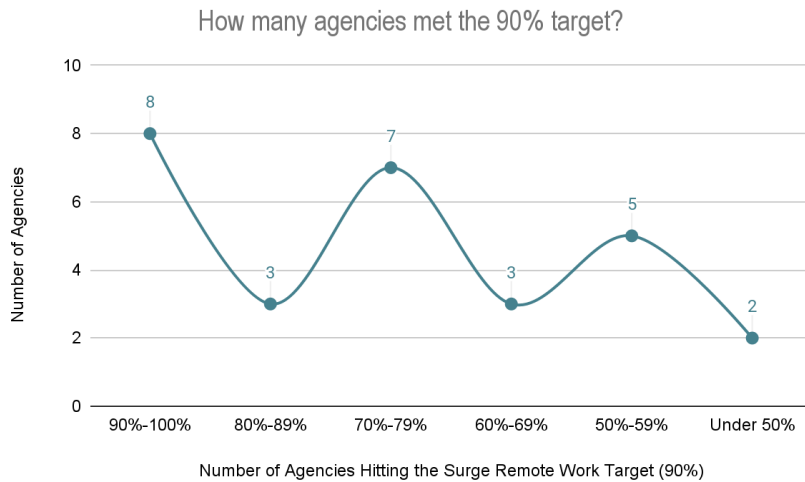
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The following represents the report that is required by [SB15 \(2021 Session\)](#) due annually by October 1. This information was gathered by the Division of Human Resource Management (DHRM) directly from the agencies and represents the best current understanding. This year, our team developed deeper insights into these programs, while reporting on metrics that were required by SB 15 quantitatively, we also explored insights qualitatively. We are happy to answer any questions related to this information that you may have.

EXECUTIVE SUMMARY

- For Fiscal Year 2023, 46.5% of the executive branch's total workforce was deemed eligible to participate in surge remote work on mandatory action and special circumstance days. As of September 22, 2022, from August 2021 to present, 74.2% of the total shifts scheduled for surge eligible employees were worked remotely on mandatory action/special circumstance days.
- 8 of the 28 agencies hit the target goal of 90% surge eligible employees remote working on mandatory action/special circumstance days. 11 of the agencies report at 80% or higher surge eligible employees remote working on mandatory action/special circumstance days.



- The percentage of eligible employees who worked remotely on surge days in FY22 ranges considerably by agency, from a high of 134% to a low of 48%. The average across all executive agencies is 76%. A [dashboard](#) is available which contains a complete summary by agency of eligible employees numbers and surge participation rates, which may be filtered by fiscal year.
- Reasons for not achieving the 90% target include underestimating the number of surge days that would be declared and/or needing surge eligible employees in the office. Agencies with more than 100% initially underestimated the number of employees who were eligible. Aggregated reasons for missing 90% are shown in Figure 3, and details by agency are available in Appendix 2.
- Recommendations from agencies on how to improve remote work participation include improving communication and training with employees, considering a different threshold for surge days and adjusting the definition of remote work to also include those who use public transportation or some other way that also reduces pollution. See Appendix 1 for more info.

FIGURE 1: PERCENTAGE OF SURGE ELIGIBLE EMPLOYEES FY23

Agencies were asked to again identify the number and percentage of employees eligible for remote work or surge remote work. This figure represents a sum of those responses for the current fiscal year (July 2022-June 2023).

Agency	Employee Count	Surge Eligible	% Surge Eligible	FT Remote Eligible	% FT Remote Eligible
Career Service Review Office	2	2	100%	0	0%
School & Institutional Trust Fund Office	13	13	100%	2	15%
Public Service Commission	15	15	100%	0	0%
Board of Education	404	399	99%	290	72%
Financial Institutions	55	53	96%	42	76%
Department of Insurance	96	78	81%	21	22%
Cultural and Community Engagement	224	177	79%	101	45%
Department of Environmental Quality	383	290	76%	299	78%
Department of Government Operations (DGO)	1337	844	63%	55	4%
Governor's Office of Economic Opportunity	92	61	66%	51	55%
Governor's Office	181	116	64%	15	8%
School & Institutional Trust Lands Administration	55	34	62%	0	0%
Department of Workforce Services	2140	1264	59%	1102	51%
Department of Veterans' Affairs	33	19	58%	11	33%
Tax Commission	628	345	55%	217	35%
DHHS	5597	3047	54%	598	11%
Labor Commission	128	64	50%	42	33%
Department of Natural Resources	2105	969	46%	106	5%
Department of Commerce	443	194	44%	4	1%
Board of Pardons & Parole	45	19	42%	0	0%
Department of Agriculture and Food	309	116	38%	17	6%
Department of Transportation	1731	586	34%	139	8%
Department of Corrections	2223	507	23%	83	4%
Department of Public Safety	1402	268	19%	130	9%
Utah National Guard	393	58	15%	0	0%
Alcoholic Beverage Services	670	46	7%	4	1%
Capitol Preservation	12	0	0%	0	0%
	20716	9641	46.5%	3292	15.9%

FIGURE 2: SURGE REMOTE WORK PARTICIPATION RATES FY22

Shifts represent the number of employees who are approved to not attend the office on a special circumstance or mandatory action work day. This figure represents the total shifts worked remotely against the total potential shifts on a special circumstance or mandatory action days for fiscal year 2022. Employees on approved leave were included and counted in the remote work total (Total TW / Leave).

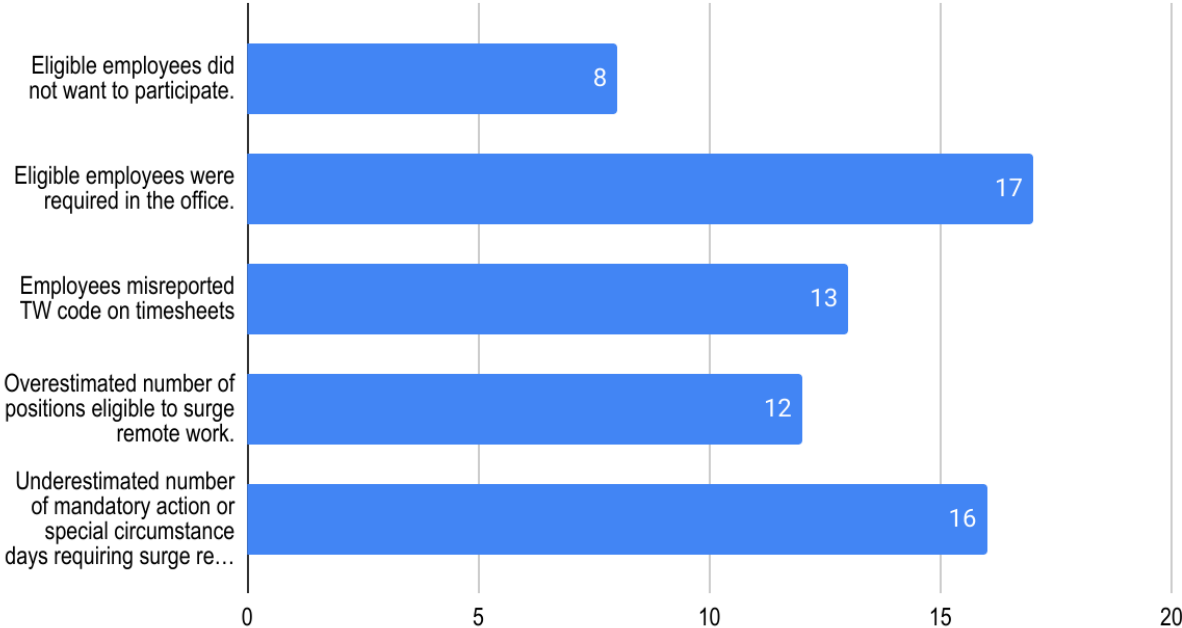
Agency Name	Total TW Shifts	Shifts on Leave	Total TW / Leave	% Surge	Total Eligible
Capitol Preservation	19	13	32	null	0
Governor's Office	2,586	818	3,404	71%	4,802
Governor's Office of Energy	305	96	401	99%	407
Governor's Office of Economic Opportunity	2,196	611	2,807	75%	3,724
Tax Commission	11,647	4,614	16,261	92%	17,738
Career Service Review Office	11	8	19	119%	16
Department of Government Operations (DGO)	34,201	10,243	44,444	81%	54,782
Department of Public Safety	8,634	7,640	16,274	48%	33,712
Utah National Guard	1,692	905	2,597	54%	4,794
Department of Human Services	47,549	19,676	67,225	71%	95,060
Department of Health	38,693	7,035	45,728	75%	61,054
Board of Education	13,090	3,660	16,750	95%	17,640
Department of Corrections	5,866	10,385	16,251	51%	31,605
Board of Pardons & Parole	317	259	576	75%	768
Department of Veterans' Affairs	493	111	604	63%	966
Department of Environmental Quality	11,347	2,833	14,180	87%	16,268
School & Institutional Trust Fund Office	78	48	126	64%	198
School & Institutional Trust Lands Administration	857	486	1,343	72%	1,862
Department of Natural Resources	12,744	7,057	19,801	51%	38,514
Department of Agriculture and Food	1,758	1,095	2,853	51%	5,586
Department of Workforce Services	47,275	15,997	63,272	102%	62,328
Alcoholic Beverage Services	769	380	1,149	57%	2,009
Labor Commission	3,756	632	4,388	134%	3,283
Department of Commerce	5,881	1,783	7,664	79%	9,653
Financial Institutions	1,543	426	1,969	77%	2,548
Department of Insurance	3,287	720	4,007	97%	4,116
Public Service Commission	425	108	533	67%	792
Cultural and Community Engagement	4,305	911	5,216	84%	6,174
Department of Transportation	15,067	5,706	20,773	107%	19,453

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TOTALS	276,391	104,256	380,647	76%	499,852

FIGURE 3: AGGREGATE REASONS FOR LOWER THAN 90%

Agencies were asked to identify if any of the following reasons applied in terms of explaining why they were unable to achieve a 90% target of surge remote work. This figure represents a sum of those responses.

Sum of Agency Data Validated Reasons for Not Hitting 90%



APPENDIX 1: CURATED RECOMMENDATIONS

- Since surge remote work days are related to air quality, consider allowing employees that use public transportation, carpool, walk, bike, etc. to work be able to participate as a surge remote worker.
- 90% is unrealistic and especially hard to meet when there are consecutive surge days; sometimes for a week or longer. There should be limitations or adjustments to expected percentages when there are multiple surge days in a row.
- More employees may be able to participate in surge remote work if surge days were less frequent. It was recommended to choose a standard other than orange days, because they happen so often.
- Increased training and greater clarity of expectations.

APPENDIX 2: AGENCY RESPONSES FOR SUB-90% RESULTS

- **Governor's Office** - No response given
- **Governor's Office of Economic Opportunity** - With the calming of the pandemic, our office experiences a significant amount of meetings, international visits, conferences, events, travel, etc. requiring our team to participate in person.
- **Department of Government Operations** - There were times when surge days were fairly disruptive to daily operations, especially when onsite meetings with teams or customers had already been scheduled. DGO will be reviewing and updating which positions are surge remote work eligible.
- **Public Safety** - According to DHRM, DPS has 1,648 employees. 200+ workers are consultants, temporary (PT instructors at POST), or board members. The agency does not consider these individuals as regular employees. With that considered, the total number of employees is estimated at 1,445. Based on these numbers, DPS reported to GovOps in the "Streamlining and Modernize State Government - Government Operations in the Context of Widespread Remote Work" on June 22, 2021, that 377 positions are eligible for remote work on surge days. The report also stated that of eligible positions, 291 were participating in the program at the beginning of FY22. If using these numbers, DPS would have 18,473 "# of TW Eligible Shifts" instead of the 33,712 shifts listed in the dashboard. The "% of eligible shifts worked" would total 88% versus the 48% presented in the dashboard. Further, if considering employees who actually participated in the program (291), DPS would have worked over 100% of the eligible shifts. In short, DPS believes it has either met or nearly met the 90% goal. With that said, DPS identified issues that have contributed to changes in the number of eligible surge workers over the year and the number of hours reported. First, some employees changed positions during the year and moved from surge eligible to in-office workers. Second, some eligible employees did not want to participate due to: the home environment being not conducive to remote work; the employee felt their personality would not be an effective remote worker; the employee had disciplinary issues and was required to report to an in-person work environment. Third, several surge periods were week-long events, creating public safety issues where employees have specific duties they must perform in an office setting. Fourth, in-person meetings mix non-surge workers (i.e. law enforcement) with surge workers that are held on surge days that require in-person due to the sensitivity of the issues being discussed or the need for in-person training. Fifth, some surge employees reported not receiving the notifications promptly. This is likely because many DPS employees do not have work mobile phones. Sixth, some employees may not have used the TW code when coding their time. To address the two last issues, DPS has updated our internal notification system to ensure we can send notifications to all of our surge workers through work and/or personal cell phones. While this system was implemented in June 2021, unfortunately, most of our surge workers did not sign up to receive these notifications. In addition, with every other surge notification, our communication team includes a reminder to code their hours to TW.
- **Utah National Guard** - UNG has been diligent in trying to support this goal, including federal employees in the effort as well as state employees. Below are some things we have learned. 1.

Last year, when I reported positions eligible to surge remote work, I considered it on any given day. This metric does not accurately measure the potential. I failed to anticipate the effect of several consecutive surge days. Many positions can surge remote work one day. Almost no positions can surge remote work for a week at a time. This year, I adjusted the eligible positions based on that experience. 2. When the concept of surge remote work days came out, I viewed that as something that would happen during winter inversions. The reality was there were more days in the summer, including periods of more than one consecutive week. Several employees who would be able to surge remote work in winter are doing environmental field work in Spring through Fall and cannot surge remote work during that time. This year, I reported those positions as ineligible for that reason. 3. The ability to surge depends on IT connectivity working remotely. It doesn't always work. The standard IT used by the state does not meet the security requirements of the military. If my computer can't connect from home, I'm going to the office so I can work. 4. Everything we do should support mission readiness or we should not be doing it. The mission will always trump a surge remote work day. If we have an important meeting, we are going to go into the office, surge day or not.

- **Department of Human Services** - A big factor was the misuse of TW and not correctly identifying eligible employees
- **Department of Health** - A big factor was the TW reporting as well as what we defined as eligible
- **Department of Corrections** - Some of this we are feeling out as we go. With the prison being primarily a 24/7/365 operation that requires the vast majority of staff to be present in person to run the prison, our ability to telework fluctuates a little bit. The prison move and everything associated with the move was not conducive to teleworking either.
- **Board of Pardons and Parole** - I have been working with my supervisors to track surge eligible staff members who work remotely on each designated day. That continues to today. Based on that tracking, an average of 86.3% Board of Pardons and Parole surge eligible staff members did work remotely on designated days. I will work with the team to ensure our staff are also reporting properly on their timesheets in order to get the proper representation. Although the Board is very close to the 90% requirement based on our own tracking, we have struggled on the best approach that meets our staffing requirements, while still trying to meet the spirit behind surge telework for state employees. We have staff members who are able to work remotely, but on one or two days a week, they must be in the office (e.g. to conduct hearings). If a surge day hits on one of those days, the surge eligible employee likely is not working remotely. We have identified a few positions that are surge "potential," meaning from time to time, based on the work and workload, these "potential" staff members may be able to work remotely on surge designated days. That assists us to coming close to meeting the 90% requirement, while also ensuring our team is available to conduct daily business.
- **Department of Veterans Affairs** - There were employees who were not using the TW code when they were teleworking. We will send out an email to everyone reminding them of when to use the TW code and how important it is to use it correctly.
- **Department of Environmental Quality** - DEQ was very close to meeting the target goal at 87% participation. The shortfall occurred because of how surge work eligibility was estimated for FY22. A detailed explanation is provided below. Some positions require duties that must be

accomplished in the office on every work day. However, many of these same positions can telework at least 50% of the time according to specific schedules. Because of this, there will always be workers that have been deemed "surge work eligible" that need to work on a surge day. The remedy for this is to reevaluate the eligibility for these particular positions since they aren't truly eligible to surge work on "any given day." This accounts for the overestimate in positions deemed eligible in FY22. Corrections to positions formerly deemed surge eligible will be made to the spreadsheet for FY23. In addition, the spreadsheet requesting the data should be modified in how it is asking the question about those eligible to work at least 50% of the time. The question currently asks "Of the number in column G, how many of these positions can telework on a regular basis 50 percent or more per week?" This question presumes that there will be more employees eligible for surge remote work (column G) than there are employees who can telework at least 50% of the time. This is not the case with our agency as explained above. Some positions allow teleworking according to a specific schedule, but because surge days are unknown beforehand, surge remote work cannot always be accomplished on these days by these positions. It would be more appropriate for the question to ask "Of the number in column F...", which would measure against total employee count instead.

- **School & Institutional Trust Fund Office** - State Surge days are intended to be met by all staff. On occasion, preexisting in person meetings have been scheduled with investment managers who are traveling from out of town. The meetings are typically scheduled well in advance of when a surge day is declared. In addition to in person meetings, there are investment specific reports that can only be completed from our Bloomberg terminal located in the office. It is worth noting that a quarter of our employees either take public transportation or bike to work. Moving forward, SITFO will enforce the surge day mandates for employees who do not need to be in the office to complete their work. The projected FY23 participation rate should increase from 64% to 76% and closer to the desired 90% threshold when possible.
- **School & Institutional Trust Lands Administration** - SITLA requires that TW Eligible employees work a minimum of 2 days per week in the office regardless of mandatory action days in a week. We have also found out that employees and their supervisors have not been consistent in using and approving the TW code on time cards. There are some mandatory action days on days of board meetings etc when employees choose to come to the office in spite of it being a mandatory action day. We do not require them to be in the office on those days but we also do not require them to telework. Employees in SITLA's rural offices (a total of 15) chose to work in the local office and should not be counted in the numbers. They can be treated as essential even though they could work from home if necessary.
- **Department of Natural Resources** - The bill is confusing where in some places it seems mandatory and in other places it says that agencies are to encourage employees to telework. In many cases a position may be set up as eligible to telework on a surge day but there is an important meeting or disposition or critical function that must be done in person.
- **Department of Agriculture & Food** - 90% is not a realistic goal
- **Department of Beverage Services** - There is not just one answer but all the above listed items contributed to our failure

- **Department of Commerce** - Commerce has a number of front desk and customer facing employees. While these employees telework, typically they are needed for service coverage on the days that they are scheduled to work in the office. We also have an investigations unit within the department that requires some of our employees to do interviews, inspections, and other in-person interactions that sometimes prevent employees from surge teleworking even though they participate in telework regularly. Our preference was to make those employees telework and surge telework eligible even though we knew that often they would not be able to participate and drive numbers below 90%. While Commerce has been consistent in sending surge notifications to employees that mention the TW requirement, I have no doubt some employees are not filling it out every time so it's likely our number of 61% is under reported. Finally, our business operations do not function as well when we have several weeks in a row of telework in the summer and winter. For that reason, supervisors will sometimes hold in-person meetings to reconnect during periods of long surge telework periods.
- **Department of Financial Institutions** - The Examiner I position required training and mentoring to occur despite Surge Days. We have become better at remote training, but should change the Examiner I Surge Telework Eligible count to 0 to reflect actual practice.
- **Public Service Commission** - With such a small staff of approximately sixteen people, participation percentages for the Public Service Commission are significantly impacted by specific circumstances. For example, one of those sixteen employees who is eligible chooses never to work remotely for personal reasons. And defining eligibility is complicated for such a small staff, where every employee really is eligible but we also have to maintain a physical presence to keep our office open. So being eligible doesn't mean a specific employee can take every surge day - we have to do a rotation to keep the office open. And finally, participation depends on what is scheduled for a specific day. If there is a hearing or a technical conference, some employees who otherwise would be eligible simply can't work remotely. We are being conscientious about pursuing the objectives of this important program within the realities of our tiny staff.
- **Department of Cultural and Community Engagement** - Most of our employees are able to work 1-2 straight days, maybe even a few more, remotely. However, we have had surge work stretches extending into multiple weeks of surge remote work days. In this case, even eligible employees need to come in periodically, as in-person tasks that can be put off for a few days can typically not be put off indefinitely. Additionally, we have had meetings scheduled with boards, commissions or external partners that could not easily be rescheduled.