

Senator Daniel McCay proposes the following substitute bill:

WORKFORCE SOLUTIONS FOR AIR QUALITY

AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Mike Winder

LONG TITLE

General Description:

This bill enacts reporting and other requirements for the Department of Human Resource Management (DHRM) related to teleworking by state employees.

Highlighted Provisions:

This bill:

▶ defines terms;

▶ requires DHRM to:

• cooperate with state agencies to provide and measure teleworking options for state employees during bad air quality days and other certain days; and

• provide an annual written report regarding teleworking by state employees during bad air quality days and other certain days; and

▶ requires the Governor's Office of Management and Budget to notify state agencies of mandatory action days for air quality and special circumstance days to encourage teleworking by eligible employees.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **67-19-46**, Utah Code Annotated 1953

30

31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **67-19-46** is enacted to read:

33 **67-19-46. Teleworking progress report.**

34 (1) As used in this section:

35 (a) "Mandatory action day" means a day where notice has been issued at least 48 hours
36 in advance by the director of the Division of Air Quality that the concentration of air pollutants
37 measured in a county are predicted to reach or exceed levels of air pollution that are unhealthy
38 for sensitive groups.

39 (b) "Special circumstance day" means a day where predicted heavy snowfall or other
40 situations pose a risk to employee safety or employee health as determined ~~§~~ **[at least 24 hours in**
41 **advance]** ~~←§~~ **by the Governor's Office of Management and Budget** ~~§~~ **or a designee of the**
41a **Governor's Office of Management and Budget** ~~←§~~ .

42 (c) "Surge teleworking" means an employee who temporarily teleworks on a
43 mandatory action day or a special circumstance day.

44 (d) "Surge telework eligible" means all employment positions identified as telework
45 eligible and employment positions identified as able to telework temporarily for mandatory
46 action days or special circumstance days.

47 (e) ~~§~~ **"Telework" or** ~~←§~~ **"Teleworking" means an employee working from home** ~~§~~ **, or**
47a **from an approved worksite other than the location from which the employee would otherwise**
47b **work,** ~~←§~~ **through the use of a**
48 computer, the Internet, a telephone, or other technology to complete work-related duties and
49 maintain contact with colleagues, clients, or a central office as needed.

50 (2) (a) The department shall assist each state agency with identifying positions that are
51 surge telework eligible.

52 (b) The department may identify and distribute to each state agency strategies and best
53 practices to increase the use of teleworking by the agency's employees during mandatory action
54 days and special circumstance days.

55 (3) The Governor's Office of Management and Budget ~~§~~ **or a designee of the Governor's**
55a **Office of Management and Budget** ~~←§~~ shall inform each state agency
56 in a timely manner of mandatory action days and special circumstance days.

57 (4) On or before October 1 of each year, the department shall provide a written report
58 to the Economic Development and Workforce Services Interim Committee describing:

59 (a) the number of employees and the percentage of employees from each agency that
60 are identified as telework eligible and surge telework eligible;

61 (b) except for the initial written report on or before October 1, 2021, the number of
62 employees and the percentage of employees from each agency that have teleworked during
63 mandatory action days and special circumstance days during the previous fiscal year;

64 (c) for each agency that has not met the target goal of 90% of surge telework eligible
65 employees teleworking on mandatory action days or special circumstance days, impediments to
66 achieving the target goals and recommended strategies to achieve the target goals in the future;
67 and

68 (d) for each agency, recommendations for any actions by the Legislature to increase the
69 number and percentage of surge telework eligible employees.