

1 **WORKFORCE SOLUTIONS FOR AIR QUALITY**

2 **AMENDMENTS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Daniel McCay**

6 House Sponsor: Mike Winder

8 **LONG TITLE**

9 **General Description:**

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

12 **Highlighted Provisions:**

13 This bill:

14 ▶ defines terms;

15 ▶ requires DHRM to:

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

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

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

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

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

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

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

67-19-46. Teleworking progress report.

(1) As used in this section:

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

(b) "Special circumstance day" means a day where predicted heavy snowfall or other situations pose a risk to employee safety or employee health as determined by the Governor's Office of Management and Budget or a designee of the Governor's Office of Management and Budget.

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

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

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

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

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

(3) The Governor's Office of Management and Budget or a designee of the Governor's

58 Office of Management and Budget shall inform each state agency in a timely manner of
59 mandatory action days and special circumstance days.

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

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

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

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

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