

2995

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to teleworking programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as the "telework-  
2 ing expansion act".  
3 S 2. Legislative findings. The legislature hereby finds and declares  
4 that the health and safety of the population living in an around the  
5 densely populated New York city metropolitan region is a matter of state  
6 concern, as is the economic vitality and the effectiveness of mass tran-  
7 sit in that region, all of which are threatened by the amount of traffic  
8 congestion inside of, and into, New York city, and the overcrowded  
9 buses, subways and railroads within the region. Traffic congestion is  
10 particularly harmful to the mass transit bus systems run by the Metro-  
11 politan Transportation Authority, creating delays and hindering the  
12 growth of essential surface mass transportation systems, and the entire  
13 mass transit system suffers from severe overcrowding. The negative  
14 impact of traffic congestion in New York city on the health, economy and  
15 mass transit systems of the downstate region, as well as the overcrowd-  
16 ing of the region's mass transit systems, were established at legisla-  
17 tive hearings in the spring of 2007, as well as during the hearings and  
18 reports of the legislatively created New York City Traffic Mitigation  
19 Commission. During these hearings, it was established that a very large  
20 number of New York city employees drive to work both from points within  
21 New York city and without, that New York city lacks a working and  
22 adequate telecommuting program for its employees, and that an effective  
23 telecommuting program would significantly reduce the number of such  
24 employees driving to work. Likewise, a telecommuting program for New  
25 York city employees would also allow employees who use mass transit to

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 work from home, thereby alleviating the current overcrowding in the  
2 region's mass transit systems. Such a program as established by this  
3 legislation would accomplish the state's concern that the health, safe-  
4 ty, economic vitality and mass transit operations of the downstate  
5 region by preserved and protected.

6 S 3. The administrative code of the city of New York is amended by  
7 adding a new section 12-140 to read as follows:

8 S 12-140 TELEWORKING PROGRAMS. A. EACH AGENCY SHALL ESTABLISH A POLICY  
9 AND PROGRAM TO ALLOW EMPLOYEES TO PERFORM ALL OR A PORTION OF THEIR  
10 DUTIES THROUGH TELEWORKING TO THE MAXIMUM EXTENT POSSIBLE WITHOUT DIMIN-  
11 IShed EMPLOYEE PERFORMANCE. EACH AGENCY SHALL DESIGNATE A "TELEWORK  
12 COORDINATOR" TO BE RESPONSIBLE FOR OVERSEEING THE IMPLEMENTATION OF  
13 TELEWORKING PROGRAMS.

14 B. FOR THE PURPOSES OF THIS SECTION, THE TERM "TELEWORK" SHALL MEAN TO  
15 PERFORM NORMAL AND REGULAR WORK FUNCTIONS ON A WORKDAY THAT ORDINARILY  
16 WOULD BE PERFORMED AT THE AGENCY'S PRINCIPAL LOCATION AT A DIFFERENT  
17 LOCATION, THEREBY ELIMINATING OR SUBSTANTIALLY REDUCING THE PHYSICAL  
18 COMMUTE TO AND FROM SUCH AGENCY'S PRINCIPAL LOCATION.

19 S 4. This act shall take effect on the ninetieth day after it shall  
20 have become a law.