

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. CAHILL -- read once and referred to the Committee on Labor

AN ACT to create a demonstration program and task force on teleworking

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "Telework 2011 Act".  
3 S 2. Legislative intent. The legislature takes notice of the growing  
4 practice of the use of telework as a future form of work away from the  
5 principal place of employment. Telecommuting is being used more and more  
6 by businesses as a way to save money for employers by reducing real  
7 estate costs, reducing contributions to workers' compensation premiums,  
8 allowing more freedom for a balance between work and family life for  
9 employees, reducing air pollution and traffic congestion, reducing  
10 absenteeism, and accommodating those who are disabled. For these  
11 reasons, telework has a very promising future as a form of out of the  
12 office work.  
13 Teleworking warrants further research to enable the state to move a  
14 step closer to using it as a way to save taxpayer's money, while also  
15 benefiting the state and its employees.  
16 S 3. Definitions. As used in this act, the following terms shall have  
17 the following meanings:  
18 (a) "Remote work center (telework center)" means a workspace typically  
19 close to employees' homes used part-time by remote workers in full-time  
20 or part-time employment.  
21 (b) "Satellite office" means a workspace typically used full-time by  
22 employees who live near them.  
23 (c) "Telecommuter" means an employee who has a primary office in his  
24 or her employer's office, but has the training, permission, and telecom-

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

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1 putting technology to work on an as-needed basis in a remote location,  
2 typically in the employee's home.

3 (d) "Teleworker" means an employee with the training, permission, and  
4 telecomputing technology to work part- or full-time in a location other  
5 than his or her employer's main office.

6 S 4. Telework 2011 task force and demonstration program. (a) There is  
7 hereby created the telework 2011 task force consisting of the depart-  
8 ments of environmental conservation, transportation, and civil service,  
9 the workers' compensation board, the office of general services, and the  
10 office of advocate for persons with disabilities. The task force shall  
11 be chaired by the designee of the governor. The chair may appoint other  
12 state administrative agencies which may prove beneficial to the work of  
13 the task force as ad hoc members. The chair may also appoint individuals  
14 and representatives of organizations other than state administrative  
15 agencies to an advisory committee to advise on any aspect of its func-  
16 tions, powers, and duties. The temporary president of the senate and  
17 the speaker of the assembly shall each appoint a liaison to the task  
18 force. The advisory committee may be compensated for only actual and  
19 necessary expenses from existing funds from task force agencies.

20 (b) The task force shall be the administrative forum for:

21 (1) identifying ways to improve productivity through teleworking; and

22 (2) advancing the goal of promoting teleworking.

23 (c) The task force shall:

24 (1) identify technical assistance and training for state agencies to  
25 assist them in implementing teleworking;

26 (2) identify and recommend means to improve productivity, reduce  
27 costs, and enhance the quality of life of employees through teleworking;

28 (3) identify and assist in the development and dissemination of useful  
29 models for teleworking; and

30 (4) review applicable statutes and budget authorization, the current  
31 activities, regulations, policies, proposed budgets and proposed legis-  
32 lation of the demonstration program agencies which would affect tele-  
33 working and make recommendations to those agencies and the governor's  
34 office, as appropriate, on any changes that would facilitate telework-  
35 ing.

36 (d) The task force shall implement a demonstration program involving  
37 employees of the following state departments: banking, health, insur-  
38 ance, and transportation and the division of housing and community  
39 renewal, in collaboration with such agencies.

40 (1) In the first phase, the task force and demonstration program agen-  
41 cies shall identify suitable employees for participation.

42 (2) In the second phase, the task force agencies shall study the  
43 impact of teleworking on the demonstration program agencies, including  
44 benefits and detriments to the agencies and the employees. Each task  
45 force agency shall apply its expertise as follows: The department of  
46 environmental conservation shall report on the impact teleworking has  
47 upon the environment, the workers' compensation board shall report on  
48 the impact on workers' compensation claims, benefits, and premiums, the  
49 department of transportation shall report on reductions in transporta-  
50 tion use, the department of civil service shall report on the impact to  
51 employees and employers concerning absenteeism and productivity, the  
52 office of general services shall report reductions in necessary office  
53 and parking space, and the office of the advocate for persons with disa-  
54 bilities shall report on the benefits of accommodation to those who are  
55 permanently and temporarily disabled.

1 S 5. Report. Eighteen months after the implementation of the demon-  
2 stration program, it shall be concluded, and the task force shall report  
3 its findings and recommendations to the governor and the legislature.  
4 Such report shall be bound and made available to the public.

5 S 6. This act shall take effect on the first of November next succeed-  
6 ing the date on which it shall have become a law.