STATE OF NEW YORK

3725

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

Introduced by M. of A. EPSTEIN, GUNTHER -- 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:

Section 1. Short title. This act shall be known and may be cited as the "Telework 2023 Act".

§ 2. Legislative intent. The legislature takes notice of the growing practice of the use of telework as a future form of work away from the principal place of employment. Telecommuting is being used more and more by businesses as a way to save money for employers by reducing real estate costs, reducing contributions to workers' compensation premiums, allowing more freedom for a balance between work and family life for employees, reducing air pollution and traffic congestion, reducing absenteeism, and accommodating those who are disabled. For these reasons, telework has a very promising future as a form of out of the office work.

Teleworking warrants further research to enable the state to move a step closer to using it as a way to save taxpayer's money, while also benefiting the state and its employees.

§ 3. Definitions. As used in this act, the following terms shall have the following meanings:

(a) "Remote work center (telework center)" means a workspace typically close to employees' homes used part-time by remote workers in full-time or part-time employment.

(b) "Satellite office" means a workspace typically used full-time by employees who live near them.

(c) "Telecommuter" means an employee who has a primary office in his or her employer's office, but has the training, permission, and telecomputing technology to work on an as-needed basis in a remote location, typically in the employee's home.

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

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

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§ 4. Telework 2023 task force and demonstration program. (a) There is hereby created the telework 2023 task force consisting of the departments of environmental conservation, transportation, and civil service, the workers' compensation board, the office of general services, and the office of advocate for persons with disabilities. The task force shall be chaired by the designee of the governor. The chair may appoint other state administrative agencies which may prove beneficial to the work of the task force as ad hoc members. The chair may also appoint individuals and representatives of organizations other than state administrative agencies to an advisory committee to advise on any aspect of its functions, powers, and duties. The temporary president of the senate and the speaker of the assembly shall each appoint a liaison to the task force. The advisory committee may be compensated for only actual and necessary expenses from existing funds from task force agencies.

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

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

(2) advancing the goal of promoting teleworking.

(c) The task force shall:

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

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

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

(4) review applicable statutes and budget authorization, the current activities, regulations, policies, proposed budgets and proposed legislation of the demonstration program agencies which would affect teleworking and make recommendations to those agencies and the governor's office, as appropriate, on any changes that would facilitate teleworking.

(d) The task force shall implement a demonstration program involving employees of the following state departments: financial services, health, and transportation and the division of housing and community renewal, in collaboration with such agencies.

(1) In the first phase, the task force and demonstration program agencies shall identify suitable employees for participation.

(2) In the second phase, the task force agencies shall study the impact of teleworking on the demonstration program agencies, including benefits and detriments to the agencies and the employees. Each task force agency shall apply its expertise as follows: The department of environmental conservation shall report on the impact teleworking has upon the environment, the workers' compensation board shall report on the impact on workers' compensation claims, benefits, and premiums, the department of transportation shall report on reductions in transportation use, the department of civil service shall report on the impact to employees and employers concerning absenteeism and productivity, the office of general services shall report reductions in necessary office and parking space, and the office of advocate for persons with disabilities shall report on the benefits of accommodation to those who are permanently and temporarily disabled.

§ 5. Report. Eighteen months after the implementation of the demonstration program, it shall be concluded, and the task force shall report its findings and recommendations to the governor and the legislature. Such report shall be bound and made available to the public.

§ 6. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.