

SB798, SD1

RELATING TO
TELECOMMUTING

LAB, EDB, FIN

SB798 SD1



Submit Testimony

Measure Title: RELATING TO TELECOMMUTING.

Report Title: Telecommuting Task Force; Department of Business, Economic Development, and Tourism; Department of Human Resources Development

Description: Establishes a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors. Takes effect 1/7/2059. (SD1)

Companion:

Package: None

Current Referral: LAB, EDB, FIN

Introducer(s): GABBARD, K. RHOADS, Dela Cruz, Galuteria, Ruderman, Wakai

Sort by Date		Status Text
1/20/2017	S	Introduced.
1/23/2017	S	Passed First Reading.
1/23/2017	S	Referred to JDL/ETT.
2/17/2017	S	The committee(s) on JDL/ETT has scheduled a public hearing on 02-22-17 2:00PM in conference room 414.
2/22/2017	S	The committee(s) on JDL recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in JDL were as follows: 5 Aye(s): Senator(s) Keith-Agaran, K. Rhoads, Gabbard, Kim, L. Thielen; Aye(s) with reservations: none ; 0 No(es): none; and 0 Excused: none.
2/22/2017	S	The committee(s) on ETT recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in ETT were as follows: 3 Aye(s): Senator(s) Wakai, Taniguchi, L. Thielen; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Baker, Galuteria.
3/3/2017	S	Reported from JDL/ETT (Stand. Com. Rep. No. 708) with recommendation of passage on Second Reading, as amended (SD 1) and placement on the calendar for Third Reading.
3/3/2017	S	Report adopted; Passed Second Reading, as amended (SD 1).
3/3/2017	S	48 Hrs. Notice 03-07-17.
3/7/2017	S	Passed Third Reading, as amended (SD 1). Ayes, 25; Aye(s) with reservations: none . Noes, 0 (none). Excused, 0 (none). Transmitted to House.
3/7/2017	H	Received from Senate (Sen. Com. No. 264) in amended form (SD 1).
3/9/2017	H	Pass First Reading
3/9/2017	H	Referred to LAB, EDB, FIN, referral sheet 27
3/10/2017	H	Bill scheduled to be heard by LAB on Tuesday, 03-14-17 9:00AM in House conference room 309.

A BILL FOR AN ACT

RELATING TO TELECOMMUTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Traffic-related congestion on Hawaii's roadways
2 continues to increase every year. The morning and evening
3 commutes are marked by long delays and increased time spent on
4 the road as thousands of automobiles traverse Hawaii's highways
5 and streets. With longer commute times, the working people of
6 Hawaii are spending more time in their vehicles instead of using
7 that time productively at work or at home with their families.

8 The increase in automobiles on Hawaii's roadways results in
9 the people of Hawaii becoming more dependent on foreign fossil
10 fuel sources. Currently, Hawaii has one of the highest prices
11 for gas in the nation. In comparison to their mainland peers,
12 the workers of Hawaii are using a larger percentage of their
13 disposable income to pay for transportation to work. Many
14 workers continuing to commute to work by car will continue or
15 increase Hawaii's reliance on foreign fossil fuel sources,
16 creating carbon emissions that contribute to the deterioration
17 of Hawaii's fragile environment.



1 The legislature finds that numerous studies across the
2 nation have demonstrated that telecommuting provides an
3 opportunity for employers to increase employee productivity,
4 decrease employee sick leave, increase the labor pool, and even
5 improve employee retention. The growth of telecommuting is
6 partly attributable to the greater availability of broadband
7 technology, employees placing a greater emphasis on work-life
8 balance, rising office rents, and improvements in internet
9 security.

10 The legislature further finds that telecommuting is a
11 practical solution to environmental concerns and quality of life
12 issues that arise because of long commutes to work. Hawaii
13 should lead by example and further encourage, promote, and
14 increase efforts to adopt telecommuting as a workplace
15 alternative to increase employee productivity, boost employee
16 morale, and join in worldwide efforts to reduce air pollution.

17 The purpose of this Act is to establish a temporary
18 telecommuting task force to develop incentives and
19 recommendations to encourage and expand telecommuting
20 opportunities in the public and private sectors.



1 SECTION 2. **Telecommuting task force; membership; duties;**
2 **reporting.** (a) There is established the telecommuting task
3 force within the department of business, economic development,
4 and tourism for administrative purposes only.

5 (b) For purposes of this Act:

6 (1) The telecommuting task force shall collaborate with
7 the department of human resources development; and

8 (2) The department of human resources development shall
9 assist the task force, including by providing data, as
10 appropriate.

11 (c) The task force shall be composed of the following
12 members:

13 (1) Two members to be appointed by the president of the
14 senate, one of whom shall be from the public sector
15 and one of whom shall be from the private business
16 sector;

17 (2) Two members appointed by the speaker of the house of
18 representatives, one of whom shall be from the public
19 sector and one of whom shall be from the private
20 business sector;



- 1 (3) The director of business, economic development, and
- 2 tourism, or the director's designee;
- 3 (4) The director of human resources development, or the
- 4 director's designee;
- 5 (5) The president of the University of Hawaii system, or
- 6 the president's designee;
- 7 (6) A member from the Hawaii Government Employees
- 8 Association appointed by the speaker of the house of
- 9 representatives; and
- 10 (7) A member from a local business organization appointed
- 11 by the president of the senate.

12 The members of the task force shall collectively appoint a

13 chairperson of the task force from amongst themselves.

- 14 (d) The telecommuting task force shall:
- 15 (1) Develop incentives and recommendations to encourage
- 16 and expand telecommuting opportunities in the public
- 17 and private sectors throughout the State that will
- 18 help to alleviate the high cost of commuting, reduce
- 19 Hawaii's dependence on fossil fuel, reduce traffic
- 20 congestion on Hawaii's roadways, and provide the
- 21 workers of Hawaii with an opportunity to spend more



1 time either working from home or with their families,
2 rather than in traffic;

3 (2) Establish subcommittees within the task force that
4 address issues specific to public sector and private
5 sector employees;

6 (3) Develop a public awareness campaign plan; and

7 (4) Address any other matters deemed relevant by the task
8 force.

9 (e) The telecommuting task force shall report its findings
10 and recommendations to the legislature no later than August 1,
11 2018. The legislative reference bureau shall provide
12 administrative and staffing support to the telecommuting task
13 force in drafting the report.

14 SECTION 3. The telecommuting task force shall cease to
15 exist on June 30, 2019.

16 SECTION 4. This Act shall take effect on January 7, 2059.

17



Report Title:

Telecommuting Task Force; Department of Business, Economic Development, and Tourism; Department of Human Resources Development

Description:

Establishes a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors. Takes effect 1/7/2059. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.





**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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Written Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

Tuesday, March 14, 2017
9:00 A.M.
State Capitol, Room 309

in consideration of
SB 798, SD1
RELATING TO TELECOMMUTING.

Chair Johanson, Vice Chair Holt, and Members of the Committee.

The Department of Business, Economic Development & Tourism (DBEDT) offers comments on SB798, SD1, which establishes a temporary telecommuting task force within DBEDT with support from the Department of Human Resource Development (DHRD) and the Legislative Reference Bureau (LRB).

DBEDT appreciates the intent of the bill to encourage telecommuting opportunities that will help alleviate traffic congestion and increase quality of life. However, we have a concern that there may be more appropriate departments to which the task force could be administratively attached. DBEDT supports reducing the use of fossil fuels for transportation, however, DBEDT recommends transit oriented development to reduce traffic congestion, use of fossil fuel, and increase family time.

If the Committee is inclined to move this measure, DBEDT further recommends that the bill be amended to exempt the temporary task force from Chapters 26-34 and 92.

Thank you for the opportunity to provide testimony.



Testimony by:
FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 14, 2017
9:00 a.m.
State Capitol, Room 309

S.B. 798, S.D. 1
RELATING TO TELECOMMUTING

House Committee on Labor and Public Employment

The Department of Transportation (DOT) **supports** S.B. 798, S.D. 1, which establishes a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors.

In order to ensure a sound strategy for implementing telecommuting within the Executive Branch, the DOT recommends that lessons learned from an earlier initiative by the Department of Human Resources and Development eight years ago be shared with the subject proposed taskforce. This earlier initiative resulted in little or no progress within the Executive Branch, mainly due to liability and cost issues associated with implementation. There were also change management issues, in that supervisors and managers were reluctant to oversee their employees remotely.

Thank you for the opportunity to provide testimony.

Charlotte A. Carter-Yamauchi
Director

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First Assistant

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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

SB798, SD1 RELATING TO TELECOMMUTING

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Director

Presented to the House Committee on Labor & Public Employment

Tuesday, March 14, 2017, 9:00 a.m.
Conference Room 309

Chair Aaron Ling Johanson and Members of the Committee:

Good morning Chair Johanson and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on S.B. No. 798, S.D. 1, Relating to Telecommuting.

The purpose of this measure is to establish a temporary telecommuting task force that is administratively attached to the Department of Business, Economic Development, and Tourism to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors.

The measure also requires the Legislative Reference Bureau to provide administrative and staffing support to the telecommuting task force in drafting the report.

The Bureau takes no position on the merits of this measure, but submits the following comments for your consideration.

As a general matter, we note that the task force established in this measure contains no members of the Legislature and will be administratively attached to an executive branch agency. The Bureau is statutorily directed to use its resources and services to assist the Legislature and its members, unless otherwise directed by the Legislature.

Accordingly, we have some concerns with how the measure is currently drafted with respect to the work requested of the Bureau. The language of the measure requires the Bureau to take on the responsibility of providing administrative and staffing support to the

telecommuting task force in drafting its report, even though the task force is administratively housed within an executive department. We note that the Task Force is largely made up of representatives from public entities with vast resources compared to the Bureau and, as such, could easily provide the necessary staffing and drafting responsibilities. We have particular concerns that the reference in the measure to "administrative and staffing support" could be read more broadly than may be intended. The Bureau lacks the resources, including but not limited to sufficient research staff, to provide any administrative or logistical support to individual Legislators or non-legislative committees, working groups, or task forces of this nature, especially ones that involve multiple subcommittee meetings. Moreover, the Bureau does not possess the facilities to accommodate meetings of a task force, nor do we possess any priority for requesting use of any of the conference rooms throughout the Capitol.

If the Committee decides to recommend the passage of this measure and desires to keep the Bureau involved, we respectfully request that it be amended to specifically deleted references to "administrative and staffing support" and limit the Bureau's involvement to assisting the task force with the finalizing of a report and any proposed legislation in relation thereto. Furthermore, if the measure is amended to require the Bureau to finalize the task force's report and draft proposed legislation, we would also request that a draft report be submitted to the Bureau no later than October 1, 2017, so that work on that report would not adversely impact our ability to provide our core services to the Legislature for the upcoming 2018 Regular Session.

If the measure is amended to address the concerns noted above and the Committee decides to have the Bureau assist with finalizing the report and proposed legislation, the Bureau believes that the services requested under the measure would be manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting, writing, or finalizing other reports, drafting legislation, or both, for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.

SB798, SD1

Late Testimony

**LATE****LATE****LATE****DISABILITY AND COMMUNICATION ACCESS BOARD**

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 14, 2017

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT**Senate Bill 798, SD1 – Relating to Telecommuting**

The Disability and Communication Access Board (DCAB) supports Senate Bill 798, SD1 Relating to Telecommuting. The purpose of this bill is to establish a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors.

Under Americans with Disabilities Act's (ADA) Title I employment provisions, allowing a person with a disability to work via telecommuting may be considered a reasonable accommodation. DCAB believes that this measure could be expanded to include options for employees with disabilities to telecommute in both the public and private sectors. Including options for individuals with disabilities of working age expands work opportunities for another pool of people who either may not have had a chance to previously engage in competitive employment or who have been underemployed.

On page 3, Section 2, the membership in the task force could be expanded to include a representative from the Department of Human Services, Division of Vocational Rehabilitation, preferably a person with a disability to participate as a task force member and draw on his or her real life experiences as a person with a disability in the work force and to investigate whether or not telecommuting is a viable option to increase employment for people with disabilities. This would provide a diverse viewpoint to widen the perspective of recommendations coming from the task force.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee


for FRANCINE WAI
Executive Director



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Labor and Public Employees

LATE

Testimony by
Hawaii Government Employees Association

LATE

March 14, 2017

S.B. 798, S.D. 1 - RELATING TO TELECOMMUTING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of S.B. 798, S.D. 1 which establishes a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in both the public and private sectors.

Honolulu consistently ranks as one of the worst cities in our nation for traffic congestion. With increased commute times, employees are spending more time sitting in their vehicles at the direct expense of quality time with family and friends or productively at work. We support the creation of a temporary telecommuting task force which would develop incentives and recommendations to encourage telecommuting opportunities for employees. Additionally, we appreciate the opportunity to be an active participant in this conversation.

Thank you for the opportunity to testify in support of S.B. 798, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director