

STAND. COM. REP. NO. 560

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 830
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Government Operations and Labor, Culture and the Arts, to which was referred S.B. No. 830 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require each department to establish a telework and alternative work schedule policy;
- (2) Establish a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy;
- (3) Require departments to allow, when feasible, employees who act as a caregiver to telework or use an alternative work schedule; and
- (4) Require the Department of Human Resources Development to submit a report of its findings and recommendations, including any proposed legislation and specific budget requests, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022.

Your Committees received testimony in support of this measure from the Department of Human Resources Development; Department of



Education; Department of Transportation; Office of Planning; Hawai'i State Commission on the Status of Women; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; American Association of University Women of Hawaii; Hawaii Children's Action Network Speaks!; Planned Parenthood Votes Northwest and Hawaii; and twelve individuals. Your Committees received comments on this measure from the Department of Public Safety.

While your Committees are in strong support of increasing state productivity, increasing employee quality of life, and reducing costs associated with staff turnover and office space through teleworking, your Committees recognize that mandating a specific percent of employees from each department to telework may prevent certain departments from meeting their core responsibilities and requiring each department to establish its own teleworking policy may lead to inconsistencies across the executive branch. Your Committees further recognize that issues pertaining to employee working conditions have historically been subject to collective bargaining negotiations between the employer and the exclusive employee representative and believe that prior to imposing teleworking requirements on individual departments, it would be prudent to study best practices for teleworking and to work with executive branch departments and affected exclusive bargaining representatives in developing effective telework policies and procedures.

Accordingly, your Committees have amended this measure by:

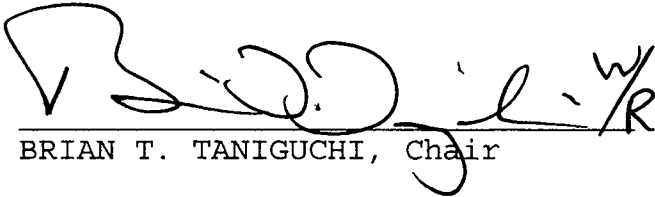
- (1) Removing language that would have:
 - (A) Required each department to establish a telework and alternative work schedule policy;
 - (B) Established a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy; and
 - (C) Required departments to allow, when feasible, employees who act as a caregiver to telework or use an alternative work schedule;




- (2) Inserting language that directs the Department of Human Resources Development to convene a working group of stakeholders from the executive branch departments and affected exclusive bargaining representatives to update and create policies and procedures relating to telework and alternative work schedules to address the caregiving and other needs of state employees;
- (3) Requiring the Department of Human Resources Development to report on its proposed telework and alternative work schedule policies and procedures, including any recommendations on proposed legislation or specific budget requests, to the Legislature prior to the convening of the Regular Session of 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 830, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 830, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Government
Operations and Labor, Culture
and the Arts,



BRIAN T. TANIGUCHI, Chair

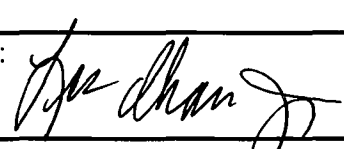


SHARON MORIWAKI, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:* SB 830	Committee Referral: GVO/LCA, WAM	Date: 2/17/21		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes