
A BILL FOR AN ACT

RELATING TO EMPLOYMENT.

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

1 SECTION 1. The legislature finds that the ongoing
2 coronavirus pandemic has profoundly impacted women and their
3 ability to support themselves and their families. Women have
4 experienced the majority of job losses since the start of the
5 pandemic, and child care center and school closures have further
6 undermined the ability of women to maintain paid employment.
7 According to the United States Department of Labor, women left
8 the job market at four times the rate of men in September 2020.
9 Between August and September 2020, 865,000 women dropped out of
10 the United States workforce compared to 211,000 men. The New
11 York Times has referred to the loss of women from the workforce
12 as a "shecession."

13 Disruptions to the child care and education system have
14 required women to function simultaneously as an employee and a
15 caregiver. The duality of roles is more challenging than ever.
16 Working from home is preferable to being forced out of the
17 workforce en masse due to strict return-to-office policies.



1 The legislature further finds that the State continues to
2 implement an outdated telework policy that wrongly prohibits
3 caregiving while teleworking. Women are unfairly penalized by
4 this policy because societal norms reinforce stereotypes of
5 women as primary caregivers. When Hawaii public schools closed
6 their doors in mid-March 2020 and thrust educational
7 responsibilities onto parents, women overwhelmingly performed
8 those additional tasks. Child care centers also closed for all
9 but essential employees. Within state government, emergency
10 telework was not uniformly extended to public workers despite
11 the child care crisis. As schools and child care programs
12 reopened with reduced capacities, many women and families were
13 left with no choice but to continue working and caregiving at
14 the same time.

15 The legislature also finds that states like Virginia,
16 Maryland, and California have invested in telework for their
17 state employees prior to the pandemic because telework increases
18 productivity, increases employee quality of life, and may reduce
19 costs associated with staff turnover and office space. Telework
20 may also help employers retain women employees for the remainder



1 of the pandemic and continue to support women in the workforce
2 thereafter.

3 The purpose of this Act is to require the legislative
4 reference bureau to conduct a study on best practices for
5 teleworking and the use of an alternative work schedule for
6 state employees and submit a report of its findings and
7 recommendations, including proposed legislation, to the
8 legislature no later than twenty days prior to the convening of
9 the regular session of 2022.

10 SECTION 2. The legislative reference bureau shall conduct
11 a study on telework and the use of alternative work schedules
12 for state employees. The study shall include best practices and
13 recommendations on the following:

- 14 (1) Standards and procedures for telework and use of
15 alternative work schedules;
- 16 (2) Categories of employees and positions that may be
17 suitable for telework or an alternative work schedule;
- 18 (3) Broad categories of positions that may be unsuitable
19 for telework or an alternative work schedule, and an
20 explanation for the determination;



- 1 (4) The feasibility of allowing employees who act as a
2 caregiver for a household member to telework or use an
3 alternative work schedule;
- 4 (5) Including the use of alternative work locations as a
5 location from which to telework;
- 6 (6) Impacts of teleworking on the use of state information
7 technology assets;
- 8 (7) Allowing eligible employees to use computers,
9 computing devices, or related electronic equipment not
10 owned or leased by the State to telework;
- 11 (8) Incentive programs to encourage the use of telework
12 and alternative work schedules:
- 13 (9) Promotion of telework and alternative work schedule
14 options for eligible employees by management; and
- 15 (10) Annual percentage targets, by department, for the
16 number of positions eligible for telework or an
17 alternative work schedule.

18 SECTION 3. Each state department and agency shall
19 cooperate with the legislative reference bureau in providing the
20 information and data necessary to conduct the study.



1 SECTION 4. The legislative reference bureau shall submit a
2 report of its findings and recommendations, including any
3 proposed legislation, to the legislature no later than twenty
4 days prior to the convening of the regular session of 2022.

5 SECTION 5. This Act shall take effect upon its approval.



H.B. NO. 567 H.D. 1

Report Title:

Telework; Telecommuting; Alternative Work Schedule; Work From Home; Study; LRB

Description:

Requires the legislative reference bureau to conduct a study on telework and the use of alternative work schedules for state employees. Requires state departments and agencies to cooperate with the legislative reference bureau. Requires the legislative reference bureau to submit a report of its findings and recommendations, including proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2022. (HD1)

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