

---

---

# A BILL FOR AN ACT

RELATING TO TELEWORKING.

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

1           SECTION 1. The legislature finds that the coronavirus  
2 disease 2019 pandemic led to the widespread use of telework.  
3 The legislature notes that upgrades in technology have made it  
4 possible for more people to telework, and the department of  
5 human resources development is currently in the process of  
6 adopting a teleworking framework for the State's executive  
7 branch agencies. The legislature further finds that annual data  
8 on telework adoption and usage in the State should be provided  
9 to help guide future legislation, policy recommendations, and  
10 decision-making relating to teleworking in the State.

11           Accordingly, the purpose of this Act is to:

12           (1) Require the department of human resources development  
13           to:

14           (A) Submit an annual report to the legislature on the  
15           telework policies of the executive branch and  
16           various metrics on the adoption, usage, and



1 productivity of teleworking by each department  
2 within the executive branch;

3 (B) Purchase and implement a pilot telework  
4 monitoring system to assess the productivity of  
5 telework employees within up to three state  
6 departments or portions of departments; and

7 (C) Also apply the pilot telework monitoring system  
8 to in-office employees in the selected  
9 departments to compare the productivity levels of  
10 in-office versus teleworking employees; and

11 (2) Appropriate moneys to develop, implement, and  
12 administer the pilot telework monitoring system and  
13 establish two full-time equivalent positions.

14 SECTION 2. Chapter 76, Hawaii Revised Statutes, is amended  
15 by adding a new section to part I to be appropriately designated  
16 and to read as follows:

17 "§76- Executive branch; telework; policies; metrics;  
18 annual report. (a) The department of human resources  
19 development shall submit an annual report to the legislature, no  
20 later than twenty days prior to the convening of each regular  
21 session, on the telework policies of the executive branch and



1 various metrics on the adoption, usage, and productivity of  
2 teleworking by each department in the executive branch,  
3 including, at a minimum:

- 4     (1) A summary of telework usage for each agency;  
5     (2) The number of employees that are authorized to  
6     telework in relation to the total number of employees  
7     in each agency;  
8     (3) The number of hours that the employees spent  
9     teleworking;  
10    (4) The number of positions in each department staffed by  
11    employees who could effectively telework;  
12    (5) The number of requests that each department received  
13    to telework;  
14    (6) The number of requests to telework that each agency  
15    approved and denied;  
16    (7) The number of grievances that were filed due to a  
17    denied request to telework;  
18    (8) The outcomes of any grievances filed;  
19    (9) An assessment of the productivity of telework  
20    employees, based on data from a telework monitoring  
21    system;



1       (10) An analysis of computer programs currently available  
2       to departments, or that can be easily acquired by  
3       expanding existing software suites, that can be used  
4       to track telework employees' progress and performances  
5       on deliverables and tasks;

6       (11) The number of employees in each department that had  
7       their telework privileges revoked due to performance  
8       or behavioral issues; and

9       (12) Any other relevant teleworking metrics that would help  
10       inform future legislation, policy recommendations, and  
11       decision-making regarding teleworking in the State.

12       The report may also contain other findings and recommendations,  
13       including any proposed legislation.

14       (b) The department of human resources development shall  
15       consult with all appropriate departments and agencies to obtain  
16       the necessary data or information to complete the annual report.  
17       All state departments and agencies shall share data and  
18       information with the department of human resources development  
19       to support the implementation of this section."

20       SECTION 3. (a) The department of human resources  
21       development shall purchase and implement a pilot telework



1 monitoring system to assess the productivity of telework  
2 employees within up to three state departments, or portions of  
3 departments, selected by the director of human resources  
4 development. The telework monitoring system shall be obtained  
5 through a National Association of State Procurement Officials  
6 cooperative contract or a procurement subject to chapter 103D,  
7 Hawaii Revised Statutes, and shall include:

- 8 (1) Customizable dashboards to monitor employee  
9 deliverables, task progress, and performance;
- 10 (2) Benchmark indicators for supervisors and employees to  
11 see whether an employee is meeting the requirements to  
12 continue to telework;
- 13 (3) Integrated training and support for managers who  
14 supervise teleworking employees on use of the telework  
15 monitoring systems and strategies for using the  
16 telework monitoring system to better manage employees'  
17 deliverables and tasks;
- 18 (4) Integrated training and support for employees on use  
19 of the telework and in-person monitoring system; and  
20 (5) A contract for scheduled maintenance services.



1 (b) The pilot telework monitoring system shall also  
 2 include a component that can be applied to in-office employees  
 3 in the selected departments to track productivity levels of  
 4 in-office employees to serve as a productivity baseline  
 5 statistic when measuring the productivity of teleworking  
 6 employees.

7 SECTION 4. In accordance with section 9 of article VII, of  
 8 the Constitution of the State of Hawaii and sections 37-91 and  
 9 37-93, Hawaii Revised Statutes, the legislature has determined  
 10 that the appropriations contained in this Act will cause the  
 11 state general fund expenditure ceiling for fiscal year 2024-2025  
 12 to be exceeded by \$ , or per cent. The reasons  
 13 for exceeding the general fund expenditure ceiling are that the  
 14 appropriations made in this Act are necessary to serve the  
 15 public interest and to meet the needs provided for by this Act.

16 SECTION 5. There is appropriated out of the general  
 17 revenues of the State of Hawaii the sum of \$ or so much  
 18 thereof as may be necessary for fiscal year 2024-2025 to  
 19 develop, implement, and administer the pilot telework monitoring  
 20 system, including testing and reporting.



1           The sum appropriated shall be expended by the department of  
 2 human resources development for the purposes of this Act;  
 3 provided that the appropriation made by this section shall not  
 4 lapse at the end of the fiscal biennium for which the  
 5 appropriation is made; provided further that all moneys from the  
 6 appropriation unencumbered as of June 30, 2026, shall lapse as  
 7 of that date.

8           SECTION 6. There is appropriated out of the general  
 9 revenues of the State of Hawaii the sum of \$                    or so much  
 10 thereof as may be necessary for fiscal year 2024-2025 to  
 11 establish           full-time equivalent (           FTE) positions as  
 12 follows:

13           (1)           full-time equivalent (           FTE) staff position  
 14                   to assist work with a pilot program developer and  
 15                   executive branch departments to gather information and  
 16                   develop, implement, and administer the pilot telework  
 17                   monitoring system; and

18           (2)           full-time equivalent (           FTE) position to  
 19                   serve as the statewide telework coordinator; provided  
 20                   that the position's duties shall include:



- 1 (A) Drafting the annual report required by section 2
- 2 of this Act;
- 3 (B) Enhancing training for employees and supervisors
- 4 to effectively manage teleworking and hybrid
- 5 employees' progress and performance on meeting
- 6 required tasks; and
- 7 (C) Assisting with the expansion of the pilot program
- 8 to all executive branch departments.

9 The sum appropriated shall be expended by the department of  
10 human resources development for the purposes of this Act.

11 SECTION 7. New statutory material is underscored.

12 SECTION 8. This Act shall take effect on July 1, 2050.



**Report Title:**

DHRD; Teleworking; Telework Monitoring System; Pilot; Report; Positions; Training; Appropriations; General Fund Expenditure Ceiling Exceeded

**Description:**

Requires and appropriates moneys for the Department of Human Resources Development to submit an annual report to the Legislature on the telework policies of the Executive Branch. Establishes requirements for a pilot telework monitoring system to assess the productivity of telework employees. Appropriates funds to develop, implement, and administer the pilot telework monitoring system and to establish positions. Declares that the appropriations exceed the state general fund expenditure ceiling for 2024-2025. Effective 7/1/2050. (SD2)

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

