

## **BILL ANALYSIS**

S.B. 1032  
By: Watson  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that certain state employees who wish to work from home are required to obtain approval from the head of the employee's agency or department on a case-by-case basis. The parties point out that this law makes it difficult for state agencies to develop telework and flexible-hour policies that allow employees to work from home and predict that such a policy could help lessen traffic congestion in areas with high concentrations of state employees, among other benefits. S.B. 1032 seeks to provide for the creation and implementation of an alternative work site policy at certain state agencies.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1032 amends the Government Code to authorize the administrative head of a state agency to adopt an agency policy that authorizes the supervisor of an employee of the agency to permit the employee to work from an alternative work site, including the employee's residence, as the employee's regular or assigned temporary place of employment. The bill requires such a policy to identify factors the state agency will consider in evaluating whether a position is suitable for an alternative work site, including whether the position requires on-site resources, whether the provision of in-person service is essential to the position, and whether in-person interaction is essential to the position; to require an employee who will work from an alternative work site to enter into an agreement with the agency that establishes the employee's responsibilities and requirements for communicating with and reporting to the agency; and to provide for the revocation of an employee's permission to work from an alternative work site if the position is no longer suitable for an alternative work site based on the identified factors or the employee violates the agreement between the employee and the agency.

S.B. 1032 requires the Department of Information Resources (DIR), not later than November 1 of each even-numbered year, to compile and submit a report to the legislature regarding the agencies that have adopted an alternative work site policy and authorizes the Texas A&M Transportation Institute to assist in creating the report. The bill requires the report to include a list of agencies that have adopted a policy; a description of the policies' requirements; an estimate of the number of employees who work from an alternative work site under a policy; an assessment of the productivity, efficiency, and value to taxpayers of employees working from an alternative work site under a policy; an assessment regarding the policies' effect on congestion; and any other information DIR determines to be relevant and beneficial.

S.B. 1032 authorizes a state employee who works from an alternative work site as part of an approved agency policy, with the approval of the employee's supervisor, to complete all or part of the employee's working hours, including compensatory time and overtime, at times other than the regular working hours established for state employees. The bill subjects an employee who works from an alternative work site to existing agency compensatory time and overtime policies.

**EFFECTIVE DATE**

September 1, 2015.