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SENATE BILL NO. 1336**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on General Laws

on January 24, 2001)

(Patron Prior to Substitute—Senator Puller)

A *BILL* to amend the Code of Virginia by adding in Chapter 2 of Title 2.1 a section numbered 2.1-20.1:9, by adding in Chapter 5.6 of Title 2.1 sections numbered 2.1-51.31:1 and 2.1-51.31:2, and by adding in Article 1 of Chapter 15 of Title 15.2 a section numbered 15.2-1512.3, relating to telecommuting by public employees.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 2.1 a section numbered 2.1-20.1:9, by adding in Chapter 5.6 of Title 2.1 sections numbered 2.1-51.31:1 and 2.1-51.31:2, and by adding in Article 1 of Chapter 15 of Title 15.2 a section numbered 15.2-1512.3 as follows:

§ 2.1-20.1:9. State agencies to establish telecommuting policy; reporting requirement.

In accordance with the statewide telecommuting policy, to be developed by the Secretary of Administration pursuant to § 2.1-51.31:1, the head of each state agency shall establish a telecommuting policy under which eligible employees of such agency may telecommute to the maximum extent possible without diminished employee performance or service delivery. The policy shall identify types of employees eligible for telecommuting and any incentives or benefits of telecommuting and shall be updated periodically as necessary. The head of each state agency shall annually report to the Secretary of Administration or his designee on the status and efficiency of telecommuting.

§ 2.1-51.31:1. Secretary to establish telecommuting policy.

A. The Secretary, in cooperation with the Secretary of Technology and in consultation with the Council on Technology Services, shall establish a comprehensive statewide telecommuting policy under which eligible employees of state agencies or localities, as determined by state agencies or localities, may telecommute, and the Secretary shall periodically update such policy as necessary.

B. The telecommuting policy described in subsection A shall include, but not be limited to, model guidelines, rules and procedures for telecommuting. Such policy shall also include an incentive program, to be established and administered by the Department of Human Resources Management, that may encourage state employees to telecommute and that may encourage the state agencies' management personnel to promote telecommuting.

§ 2.1-51.31:2. Secretary to advise and assist public and private sectors regarding telecommuting; report to the General Assembly.

A. The Secretary shall advise and assist state agencies and, upon request, localities in planning, developing and administering programs, projects, plans, policies and other activities to promote telecommuting by employees of state agencies or localities.

B. The Secretary may, upon request, advise and assist private sector employers in the Commonwealth in planning, developing and administering programs, projects, plans, policies and other activities for telecommuting by private sector employees and in developing incentives to encourage private sector employers in the Commonwealth to utilize employee telecommuting.

C. The Secretary shall report annually to the General Assembly on the status and efficiency of telecommuting in the Commonwealth.

§ 15.2-1512.3. Telecommuting by local government employees; reporting requirement.

Each local government is authorized and encouraged to establish and implement a telecommuting policy under which eligible employees of such local government may telecommute to the maximum extent possible without diminished employee performance or service delivery.