

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-2817.1 of the Code of Virginia, relating to state agency*
3 *telecommuting policies.*

4 [H 1021]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-2817.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.2-2817.1. State agencies to establish alternative work schedules; reporting requirement.

9 A. In accordance with the statewide telecommuting and alternative work schedule policy, to be
10 developed by the Secretary of Administration pursuant to § 2.2-203.1, the head of each state agency
11 shall establish a telecommuting and alternative work policy under which eligible employees of such
12 agency may telecommute, participate in alternative work schedules, or both, to the maximum extent
13 possible without diminished employee performance or service delivery. The policy shall identify types of
14 employees eligible for telecommuting and alternative work schedules, the broad categories of positions
15 determined to be ineligible for telecommuting and the justification therefor, any benefits of
16 telecommuting including the use of alternate work locations that are separate from the agency's central
17 workplace, and any benefits of using alternative work schedules. The policy shall promote use of
18 Commonwealth information technology assets where feasible but may allow for eligible employees to
19 use computers, computing devices, or related electronic equipment not owned or leased by the
20 Commonwealth to telecommute, if such use is technically and economically practical, and so long as
21 such use meets information security standards as established by the Virginia Information Technologies
22 Agency, or receives an exception from such standards approved by the CIO of the Commonwealth or
23 his designee. The policy shall be updated periodically as necessary.

24 B. The head of each agency shall set annual percentage targets for the number of positions eligible
25 for alternative work schedules. By July 1, 2009, each state agency shall have a goal of not less than 25
26 percent of its eligible workforce participating in alternative work schedules. *By January 1, 2010, each*
27 *state agency, except the Department of State Police, shall have a goal of not less than 20 percent of its*
28 *eligible workforce telecommuting.*

29 C. The head of each state agency shall annually report to the Secretary of Administration or his
30 designee on the status and efficiency of telecommuting and participation in alternative work schedules,
31 including specific budget requests for information technology, software, telecommunications connectivity
32 (i.e., broadband Internet access, additional telephone lines, and online collaborative tools), or other
33 equipment or services needed to increase opportunities for telecommuting and participation in alternate
34 work locations.

35 D. As used in this section:

36 "Alternate work locations" means approved locations other than the employee's central workplace
37 where official state business is performed. Such locations may include, but not be limited to the home
38 of an employee and satellite offices.

39 "Alternative work schedule" means schedules that differ from the standard workweek, 40-hour
40 workweek schedule, if such schedules are deemed to promote efficient agency operations. Alternative
41 work schedules may include, but not be limited to, four 10-hour days, rotational shifts, and large-scale
42 job sharing.

43 "Central workplace" means an employer's place of work where employees normally are located.

44 "Telecommuting" means a work arrangement in which supervisors direct or permit employees to
45 perform their usual job duties away from their central workplace, in accordance with work agreements.

46 "Work agreement" means a written agreement between the employer and employee that details the
47 terms and conditions of an employee's work away from his central workplace.