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**HOUSE BILL NO. 2033**

Offered January 14, 2009

Prefiled January 13, 2009

A *BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 28.1, consisting of sections numbered 2.2-2832 through 2.2-2836, relating to state employees; four-day work week.*

Patrons—Lingamfelter and Cole

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 28.1, consisting of sections numbered 2.2-2832 through 2.2-2836 as follows:**

**CHAPTER 28.1.****FOUR-DAY WORK WEEK.**

§ 2.2-2832. *Short title; policy.*

A. *This chapter may be cited as the "Work 4 Savings Initiative."*

B. *By enacting this chapter, the General Assembly finds that state government should strive to become the model employer of qualified people, conserve energy for taxpayers and employees, reduce traffic congestion, provide to the public extended hours of access to government services, and create incentives for the use of the Internet to access state services.*

C. *The Virginia Information Technologies Agency shall work with state agencies subject to this chapter to develop incentives for the use of the Internet to access state services.*

§ 2.2-2833. *Definitions.*

*As used in this chapter, unless the context requires a different meaning:*

"Department" means the Department of Human Resource Management.

"Director" means the Director of the Department of Human Resource Management.

"State agency" means any authority, board, department, instrumentality, institution, agency, or other unit of state government. State agency shall not include any county, city, or town or any local or regional governmental authority.

"State employee" means any person who is regularly employed full time on a salaried basis, whose tenure is not restricted as to temporary or provisional appointment, in the service of, and whose compensation is payable, no more often than biweekly, in whole or in part, by the Commonwealth or any department, institution, or agency thereof.

§ 2.2-2834. *Mandatory four-day work week program; responsibility of Governor.*

A. *Implementation of a four-day work week program shall be mandatory for all state agencies when the General Assembly has authorized a transfer from the Revenue Stabilization Fund created pursuant to § 2.2-1828. Thereupon, the Governor shall, by executive order, direct state agencies to implement the four-day work week program within such time and manner as directed in the executive order, not to exceed 60 days of the issuance thereof.*

B. *The Governor may rescind the executive order requiring implementation of the four-day work week program at the beginning of the fiscal year when there is no transfer from the Revenue Stabilization Fund.*

§ 2.2-2835. *Duties of the Department.*

*The Department shall:*

1. *Establish and implement a program in accordance with § 2.2-2834, that requires state employees to work a four-day work week consisting of four 10-hour days per week, Monday through Thursday, the impact of which is fiscally neutral and keeps state employee annual holiday leave accrual whole. For the purposes of this subdivision, federal or state holidays that occur Monday through Thursday of any week shall be counted in that week toward one of the four work days;*

2. *Assist state agency heads in implementing the program established by the Department, including but not limited to ensuring state employees have sufficient opportunity to make adjustments to their personal schedules including child or adult care as appropriate;*

3. *Establish a toll-free "Work 4 Savings Initiative" telephone hotline and website to provide information to the public about operational hours and online capabilities for state government services;*

4. *Monitor the impact of the four-day work week program on (i) cost savings to the Commonwealth in terms of energy consumption and transportation costs and (ii) recruitment and retention of qualified state employees; and*

5. *Report annually to the Governor and the General Assembly on the implementation of the program,*

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59 including data on any cost savings to the Commonwealth and its employees, and any recommendations  
60 to improve the program.

61 § 2.2-2836. Exemptions.

62 The provisions of this chapter shall not apply to:

63 1. The Alcoholic Beverage Control Board as it relates to the operation of government stores in  
64 accordance with § 4.1-119;

65 2. Public institutions of higher education or other state-operated educational facilities and libraries;

66 3. The State Lottery Department as it relates to the operation of state lottery games;

67 4. Public museums and other state-operated cultural centers and public parks;

68 5. The Virginia Department of Transportation as it relates to highway maintenance and construction,  
69 and the operation of traffic control, emergency operation centers, and toll facilities or ferries;

70 6. Any transportation authority directly engaged in the transport of the public;

71 7. The Virginia Port Authority;

72 8. The Virginia National Guard or its armories as required;

73 9. The Department of Corrections in the operation of state correctional facilities involving direct  
74 interaction with the prison population;

75 10. The Department of Emergency Management;

76 11. The Department of State Police, including the Virginia Fusion Center, and crime and forensic  
77 laboratories;

78 12. Conservation police officers of the Department of Game and Inland Fisheries;

79 13. The Virginia Marine Police;

80 14. State-operated medical centers, hospitals, emergency rooms, and health clinics.

81 15. The judiciary and those personnel in the Office of the Attorney General who must interact with  
82 the judiciary on Fridays.

83 16. State elected officials, constitutional officers, and their personal staff with obligations to be  
84 available to the citizens of the Commonwealth.

85 17. The Governor, his personal staff or Cabinet Secretaries and their personal staff, when the  
86 Governor determines their presence is required to conduct official business.

87 18. Any non-state employee who provides contracted services to any state agency, unless the contract  
88 is amended to facilitate the "Work 4 Savings Initiative."

89 19. Any standing emergency maintenance or information technology response operation designed to  
90 repair or correct state infrastructure in support of state operations that must occur on Fridays.

91 20. Any facility, including utilities, information technology centers, domestic animal or wildlife  
92 shelters or hatcheries, and food service storage or processing centers, that requires essential daily  
93 maintenance, attendance, or care that otherwise cannot be serviced through emergency response or  
94 reduced manning operations.

95 2. That the provisions of this act shall expire on July 1, 2012.