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1　　　　　　　　　　　　　　　　**HOUSE BILL NO. 1023**
2　　　　　　　　　　　　House Amendments in [ ] - February 15, 2010
3　　*A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 1.2, consisting of*
4　　　　*sections numbered 30-19.21, 30-19.22, and 30-19.23, relating to telecommuting for employees within*
5　　　　*the legislative branch of state government.*
6　　　　　　　　　　　　　　　　　　　──────────
　　　　　　　　　　　　　　　Patron Prior to Engrossment—Delegate Hugo
7　　　　　　　　　　　　　　　　　　　──────────
8　　　　　　　　　　　　Referred to Committee on Science and Technology
9　　　　　　　　　　　　　　　　　　　──────────
10　　　**Be it enacted by the General Assembly of Virginia:**
11　**1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 1.2, consisting**
12　**of sections numbered 30-19.21, 30-19.22, and 30-19.23, as follows:**
13　　　　　　　　　　　　　　　　　　　*CHAPTER 1.2.*
14　　　　　　　　　　　　　*GENERAL ASSEMBLY PERSONNEL ACT.*
15　　　*§ 30-19.21. Definitions.*
16　　　*As used in this chapter:*
17　　　*"Alternate work locations" means approved locations other than the employee's central workplace*
18　*where official state business is performed. Such locations may include, but not be limited to, the home*
19　*of an employee and satellite offices.*
20　　　*"Alternative work schedule" means schedules that differ from the standard eight-hour day, 40-hour*
21　*workweek schedule, provided such schedules are compatible with agency operations. Alternative work*
22　*schedules shall include, but not be limited to, four 10-hour days, shift work, and large-scale job sharing.*
23　　　*"Central workplace" means an employer's place of work where employees normally are located.*
24　　　*"Telecommuting" means a work arrangement in which supervisors direct or permit employees to*
25　*perform their usual job duties away from their central workplace in accordance with work agreements.*
26　　　*"Work agreement" means a written agreement between the employer and employee that details the*
27　*terms and conditions of an employee's work away from his central workplace [in accordance with a*
28　*telecommuting policy established pursuant to § 30-19.22] .*
29　　　*§ 30-19.22. Alternative work schedules and telecommuting; eligible employees.*
30　　　*A. The head of each agency within the legislative branch of state government shall establish a*
31　*telecommuting and alternative work schedule policy under which eligible employees of such agency may*
32　*telecommute, participate in alternative work schedules, or both. Such policy shall authorize eligible*
33　*employees to participate in a telecommuting or alternative work schedule program for up to eight days*
34　*per month, provided such participation does not diminish employee performance or service delivery. The*
35　*head of each agency may adopt a policy authorizing participation in a telecommuting or alternative*
36　*work schedule program for more than eight days per month. The policy adopted by each agency shall*
37　*prohibit the use of telecommuting and alternative work schedules during any session or special session*
38　*of the General Assembly. Nothing in this chapter shall be construed to require any employee to*
39　*participate in a telecommuting program or alternative work schedule.*
40　　　*B. The policy shall identify types of employees and the positions eligible for telecommuting and*
41　*alternative work schedules and identify the categories of positions determined to be ineligible for*
42　*telecommuting or alternative work schedules. For those positions determined ineligible for*
43　*telecommuting or alternative work schedules, the policy shall state the justification for the ineligibility.*
44　　　*C. The policy shall promote use of Commonwealth information technology assets where feasible but*
45　*may allow for eligible employees to use computers, computing devices, or related electronic equipment*
46　*not owned or leased by the Commonwealth to telecommute, if such use is technically and economically*
47　*practical, and so long as such use meets information security standards [~~of the Division of Legislative~~*
48　*~~Automated Systems~~ as established by the Virginia Information Technologies Agency, or receives an*
49　*exception from such standards approved by the CIO of the Commonwealth or his designee] . The policy*
50　*shall be updated periodically as necessary.*
51　　　*§ 30-19.23. Exemptions from alternative work schedules and telecommuting.*
52　　　*This chapter shall not apply to the Capitol Police.*