

AN ACT

relating to authority for certain state employees to work flexible hours and to work from home or other authorized alternative work sites.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 658.006, Government Code, is amended to read as follows:

Sec. 658.006. VARIED [~~STAGGERED~~] WORKING HOURS.

(a) Normal working hours for employees of a state agency may be staggered for traffic regulation or public safety.

(b) An employee who works from an alternative work site as part of a policy approved under Section 658.010 may, with the approval of the employee's supervisor, complete all or part of the employee's working hours, including compensatory time and overtime, at times other than the regular working hours established under Section 658.005. An employee who works from an alternative work site is subject to existing agency compensatory time and overtime policies.

SECTION 2. Section 658.010, Government Code, is amended by amending Subsection (b) and adding Subsections (c), (d), and (e) to read as follows:

(b) Except as provided by Subsection (c), the [~~The~~] employee's personal residence may not be considered the employee's regular or assigned temporary place of employment without prior

1 written authorization from the administrative head of the employing  
2 state agency.

3 (c) The administrative head of a state agency may adopt an  
4 agency policy that authorizes the supervisor of an employee of the  
5 agency to permit the employee to work from an alternative work site,  
6 including the employee's residence, as the employee's regular or  
7 assigned temporary place of employment.

8 (d) A policy adopted under Subsection (c) must:

9 (1) identify factors the state agency will consider in  
10 evaluating whether a position is suitable for an alternative work  
11 site, including whether:

12 (A) the position requires on-site resources;

13 (B) the provision of in-person service is  
14 essential to the position; and

15 (C) in-person interaction is essential to the  
16 position;

17 (2) require an employee who will work from an  
18 alternative work site to enter into an agreement with the agency  
19 that establishes the employee's responsibilities and requirements  
20 for communicating with and reporting to the agency; and

21 (3) provide for the revocation of an employee's  
22 permission to work from an alternative work site if:

23 (A) the position is no longer suitable for an  
24 alternative work site based on the factors identified under  
25 Subdivision (1); or

26 (B) the employee violates the agreement entered  
27 into under Subdivision (2).

1       (e) Not later than November 1 of each even-numbered year,  
2 the Texas Department of Information Resources shall compile and  
3 submit a report to the legislature regarding the agencies that have  
4 adopted a policy under Subsection (c). The Texas A&M  
5 Transportation Institute may assist in creating the report. The  
6 report shall include the following information:

7               (1) a list of agencies that have adopted a policy;

8               (2) a description of the policies' requirements;

9               (3) an estimate of the number of employees who work  
10 from an alternative work site under a policy;

11               (4) an assessment of the productivity, efficiency, and  
12 value to taxpayers of employees working from an alternative work  
13 site under a policy;

14               (5) an assessment regarding the policies' effect on  
15 congestion; and

16               (6) any other information the Texas Department of  
17 Information Resources determines to be relevant and beneficial.

18       SECTION 3. This Act takes effect September 1, 2015.

S.B. No. 1032

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1032 passed the Senate on April 22, 2015, by the following vote: Yeas 22, Nays 8.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1032 passed the House on May 25, 2015, by the following vote: Yeas 77, Nays 63, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor