

IN THE SENATE

SENATE BILL NO. 1191

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE PERSONNEL SYSTEM; PROVIDING LEGISLATIVE INTENT; AMEND-
2 ING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
3 67-5344, IDAHO CODE, TO ESTABLISH A LIMITATION REGARDING TELECOMMUTING
4 AND TO PROVIDE FOR MONITORING OF EMPLOYEE PRODUCTIVITY; AMENDING CHAP-
5 TER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5345,
6 IDAHO CODE, TO PROVIDE REQUIREMENTS FOR SALARY ADJUSTMENTS AND SAVINGS;
7 AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SEC-
8 TION 67-5346, IDAHO CODE, TO ESTABLISH A HUMAN RESOURCES AND EMPLOYEE
9 COMPENSATION LEGISLATIVE STUDY COMMITTEE; PROVIDING A SUNSET DATE; AND
10 DECLARING AN EMERGENCY.
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. LEGISLATIVE INTENT. (1) Recognizing that the Division of Hu-
14 man Resources has adopted a policy regarding state employee telecommuting,
15 it is hereby the policy of the State of Idaho that, in order to best serve
16 the citizens of the state, the state employee workforce be present in the
17 workplace during working hours. Accordingly, it is hereby the policy of the
18 state that employee telecommuting be utilized only on a limited basis. Fur-
19 ther, it is the policy of the state that employee productivity be monitored
20 during telecommuting.

21 (2) It is also the intent of the Legislature that employee salary in-
22 creases awarded as a result of additional funding provided by the Legisla-
23 ture shall take effect on July 1st and that salary savings be tracked.

24 (3) Finally, it the intent of the Legislature that human resources, em-
25 ployee compensation, and benefit-related matters regarding the employees of
26 the State of Idaho be given further Legislative study and review.

27 SECTION 2. That Chapter 53, Title 67, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 67-5344, Idaho Code, and to read as follows:

30 67-5344. TELECOMMUTING -- MONITORING OF PRODUCTIVITY. (1) Every state
31 department listed in section 67-2402(1), Idaho Code, including every state
32 agency organized under such department, shall ensure that no more than fif-
33 teen percent (15%) of its employees telecommute on any given work day.

34 (2) Every state department and state agency subject to the provisions
35 of subsection (1) of this section shall regularly monitor, at least monthly,
36 the work product, work quality, and output of employees who are approved to
37 telecommute to ensure that such employees are productive and effective while
38 telecommuting.

39 (3) Employee work hours shall be recorded so as to designate and track
40 any hours worked while telecommuting.

1 (4) The provisions of this section shall not apply to employees who are
2 unable to report to their place of work due to a closure of such workplace.

3 SECTION 3. That Chapter 53, Title 67, Idaho Code, be, and the same is
4 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
5 ignated as Section 67-5345, Idaho Code, and to read as follows:

6 67-5345. REQUIREMENTS -- SALARY ADJUSTMENTS AND SAVINGS. (1) Except
7 in individual circumstances provided for by the requirements of this chap-
8 ter, employee salary increases awarded as a result of additional funding
9 provided by the legislature shall take effect on July 1 of the year of such
10 appropriation.

11 (2) Agencies shall track salary savings and shall use such savings for
12 personnel costs in the same fiscal year as such funds were appropriated or
13 else return such moneys to the general fund. For the purposes of this sec-
14 tion, "salary savings" means the difference between an amount appropriated
15 for an agency's personnel budget and the agency's actual personnel costs.

16 SECTION 4. That Chapter 53, Title 67, Idaho Code, be, and the same is
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
18 ignated as Section 67-5346, Idaho Code, and to read as follows:

19 67-5346. HUMAN RESOURCES AND EMPLOYEE COMPENSATION LEGISLATIVE STUDY
20 COMMITTEE. (1) There is hereby established a human resources and employee
21 compensation review committee for the purpose of undertaking and complet-
22 ing a study of the state employee compensation and benefits system as well as
23 other human resources-related subject matter.

24 (2) The committee shall consist of eight (8) members, with four (4) mem-
25 bers from the senate, one (1) of whom shall be cochair of the committee, and
26 four (4) members from the house of representatives, one (1) of whom shall be
27 cochair of the committee. Members from the senate shall be appointed by the
28 president pro tempore of the senate, and members from the house of represen-
29 tatives shall be appointed by the speaker of the house of representatives.
30 The committee shall meet as often as may be necessary for the proper perfor-
31 mance of its duties upon the call of the cochairs.

32 (3) The committee is authorized to study and to develop legislation re-
33 garding:

- 34 (a) Employee compensation strategies, including total compensation;
- 35 (b) The concept of merit increases for specific occupational groups;
- 36 (c) Agency-specific human resource compensation issues;
- 37 (d) Temporary merit increases and their funding sources;
- 38 (e) Agency use of funding appropriated for personnel costs;
- 39 (f) Health insurance and related matters, including costs;
- 40 (g) PERSI, retirement plans, and related matters, including costs;
- 41 (h) Human resources policies, including telecommuting and employee
42 productivity; and
- 43 (i) Any other subject matter related to employee compensation, em-
44 ployee benefits, and human resources.

45 (4) The committee shall deliver a final report of its findings, recom-
46 mendations, and proposed legislation, if any, to the second regular session
47 of the sixty-seventh Idaho legislature.

1 SECTION 5. The provisions of Section 2 of this act shall be null, void,
2 and of no force and effect on and after June 30, 2024. The provisions of Sec-
3 tion 4 of this act shall be null, void, and of no force and effect on and after
4 January 31, 2024.

5 SECTION 6. An emergency existing therefor, which emergency is hereby
6 declared to exist, this act shall be in full force and effect on and after its
7 passage and approval.