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CHAMBER ACTION

Senate

House

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Floor: 3/AD/2R
4/16/2008 3:02 PM



1 Senator Saunders moved the following **amendment**:

2
3 **Senate Amendment (with directory and title amendments)**

4 Delete line(s) 437-554

5 and insert:

6 Section 2. Subsection (3) of section 110.171, Florida
7 Statutes, is amended to read:

8 110.171 State employee telecommuting program.--

9 (3) By September 30, 2009 ~~October 1, 1994~~, each state
10 agency shall identify and maintain a current listing of the job
11 classifications and positions that the agency considers
12 appropriate for telecommuting. Agencies that adopt a state
13 employee telecommuting program must:

14 (a) Give equal consideration to career service and exempt
15 positions in their selection of employees to participate in the
16 telecommuting program.



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17 (b) Provide that an employee's participation in a  
18 telecommuting program will not adversely affect eligibility for  
19 advancement or any other employment rights or benefits.

20 (c) Provide that participation by an employee in a  
21 telecommuting program is voluntary, and that the employee may  
22 elect to cease to participate in a telecommuting program at any  
23 time.

24 (d) Adopt provisions to allow for the termination of an  
25 employee's participation in the program if the employee's  
26 continued participation would not be in the best interests of the  
27 agency.

28 (e) Provide that an employee is not currently under a  
29 performance improvement plan in order to participate in the  
30 program.

31 (f) Ensure that employees participating in the program are  
32 subject to the same rules regarding attendance, leave,  
33 performance reviews, and separation action as are other  
34 employees.

35 (g) Establish the reasonable conditions that the agency  
36 plans to impose in order to ensure the appropriate use and  
37 maintenance of any equipment or items provided for use at a  
38 participating employee's home or other place apart from the  
39 employee's usual place of work, including the installation and  
40 maintenance of any telephone equipment and ongoing communications  
41 costs at the telecommuting site which is to be used for official  
42 use only.

43 (h) Prohibit state maintenance of an employee's personal  
44 equipment used in telecommuting, including any liability for  
45 personal equipment and costs for personal utility expenses  
46 associated with telecommuting.



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47 (i) Describe the security controls that the agency  
48 considers appropriate.

49 (j) Provide that employees are covered by workers'  
50 compensation under chapter 440, when performing official duties  
51 at an alternate worksite, such as the home.

52 (k) Prohibit employees engaged in a telecommuting program  
53 from conducting face-to-face state business at the homesite.

54 (l) Require a written agreement that specifies the terms  
55 and conditions of telecommuting, which includes verification by  
56 the employee that the home office provides work space that is  
57 free of safety and fire hazards, together with an agreement which  
58 holds the state harmless against any and all claims, excluding  
59 workers' compensation claims, resulting from an employee working  
60 in the home office, and which must be signed and agreed to by the  
61 telecommuter and the supervisor.

62 (m) Provide measureable financial benefits associated with  
63 reduced office space requirements, reductions in energy  
64 consumption and reductions in associated emissions of greenhouse  
65 gases resulting from telecommuting. State agencies operating in  
66 office space owned or managed by the department shall consult the  
67 facilities program to ensure its consistency with the strategic  
68 leasing plan required under s. 255.249(3) (b).

69 (4) The telecommuting program for each state agency, and  
70 pertinent supporting documents, shall be posted on the agency's  
71 website to allow access by employees and the public.

72  
73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete line(s) 6-14

76 and insert:

Bill No. CS for CS for CS for SB 1544



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77 | hearing; amending s. 110.171, F.S.; requiring each state  
78 | agency to complete a telecommuting program by a specified  
79 | date which includes a listing of the job classification  
80 | and positions that the state agency considers appropriate  
81 | for telecommuting; providing requirements for the  
82 | telecommuting program; requiring each state agency to post  
83 | the telecommuting program on its website; amending s.  
84 | 163.04,