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Senate Bill 673
An Act Concerning Improved Telecommuting
Programs for the State's Workforce

Testimony of Dr. Martin Anderson
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Government Administration and Elections Committee
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Good afternoon, Senator Slossberg, Representative Caruso and Members of the Government Administration and Elections Committee. My name is Dr. Martin Anderson and I am the Deputy Commissioner of Administrative Services ("DAS"). I am here today to offer testimony regarding Senate Bill 673, an Act Concerning Improved Telecommuting Programs for the State's Workforce.

DAS supports telecommuting programs for state employees. As you may be aware, DAS developed Telecommuting Guidelines for state employees over a decade ago, following the enactment of Public Act 96-168. A copy of the State Telecommuting Program Guidelines is attached to my written testimony for your information.

Expanding the Reasons to Approve Telecommuting Arrangements

DAS is happy to work with members of this committee to discuss ways to increase the number of employees who participate in the State's existing telecommuting program and to expand the criteria by which a request for telecommuting would be evaluated. DAS is also happy to work with the legislature to identify other ways to reduce traffic congestion and carbon emissions, such as the creation of a system of alternate work sites in district or regional offices around the state.

Agencies and DAS Must Retain Authority to Approve Telecommuting Arrangements

However, Senate Bill 673 completely eliminates the requirement that employees obtain permission from their appointing authorities and DAS before working from home. Although Raised Bill 673 makes general references to situations in which telecommuting arrangements are appropriate, under the proposed language no one -

not the agency head nor the Commissioner of Administrative Services - would have the authority to deny a request to telecommute.

This is of concern because there are many state jobs for which telecommuting is not appropriate or even feasible, such as jobs that involve supervising others or working closely with other team members, or being physically available to the public. Additionally, jobs that require the employee to use special equipment, to access confidential or protected data, or to share materials, records or other work products with co-workers may not be conducive to telecommuting.

Furthermore, telecommuting is not necessarily an appropriate option for all employees. While telecommuting may work well for individuals who are self-motivators, require little supervision, and possess good time management and organizational skills, other individuals perform better in a traditional office environment.

As currently worded, SB 673 would *entitle any* state employee, regardless of his or her job, to telecommute merely upon asking.

SB 677 - State Computer Use

On a related note, I would like to take this opportunity to draw your attention another bill before you today, Senate Bill 677, an Act Concerning the Use of State Computers on Non-State Property.

This bill, which bars state employees from removing from his or her place of employment any state-issued computer that contains personal or confidential information, directly conflicts with the goals advanced by SB 673. Such a blanket prohibition would render telecommuting extremely difficult, if not impossible.

Moreover, SB 677 also impedes the State's ability to develop the alternate work strategies necessary for agencies to effectively create continuity of operations plans in the event of a pandemic flu or similar statewide emergency that may affect state buildings, systems and employees.

The Department of Information Technology has developed a comprehensive statewide policy that generally prohibits personal or confidential information on laptops and mobile devices, but also includes thoughtfully-crafted procedures and risk mitigation processes for instances where exceptions are warranted to ensure that state business can continue. We respectfully suggest that the Committee consider this information prior to acting on this bill.

I would be happy to answer any questions that you may have.