

- SUBJECT:** Providing for telework by state agency employees
- COMMITTEE:** Delivery of Government Efficiency — committee substitute recommended
- VOTE:** 11 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Cook, Curry, Olcott, Rodríguez Ramos, Tinderholt, Troxclair
- 0 nays
- 2 absent — Campos, L. Garcia
- WITNESSES:** For — Ann Bishop, TPEA; Chase Norris, TSEU; Sam Bickley
- Against — None
- BACKGROUND:** Some have suggested that establishing a formal, statewide telework policy for state employees in statute would provide agencies with more flexibility to achieve their missions even when physical office space is lacking or costly, and ensure that both agencies and employees had clear expectations for telework.
- DIGEST:** CSHB 5196 would allow the administrative head of a state agency to enter into an agreement with an employee authorizing telework in order to address a lack of office space or provide reasonable flexibility that enhanced the agency’s ability to achieve its mission. Such an agreement would have to be in writing, include the reasons telework was being authorized, state the terms for revocation, and be renewed at least once a year after the employees began telework. The agency could revoke the agreement at any time and without notice. A state agency could not offer telework as a condition of employment.
- An agreement under the bill would not prohibit the agency from requiring an employee to report to a regular or assigned temporary place of employment or another location on a day on which the agreement otherwise authorized telework for a meeting, special event, or other

engagement for which the agency determined in-person interaction was necessary.

CSHB 5196 would require a state agency that authorized telework to develop a plan addressing the agency's telework policies and procedures. The plan would have to establish criteria for evaluating an employee's performance while teleworking, performance standards to ensure that performance remained satisfactory, a productivity monitoring system, and physical and information security controls at teleworking sites. The plan also would have to ensure that a teleworking employee was subject to the same rules and disciplinary actions as any other employee and prohibit an employee from conducting in-person business at the employee's residence. The agency would be required to publish the plan on its website.

The bill would take effect September 1, 2025.