

**[STAFF WORKING DRAFT]**

MARCH 27, 2007

110TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To \_\_\_\_\_

---

IN THE SENATE OF THE UNITED STATES

MARCH —, 2007

Mr. STEVENS (for himself and Ms. LANDRIEU) introduced the following bill;  
which was read twice and referred to the Committee on

---

**A BILL**

To \_\_\_\_\_

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telework Enhance-  
5 ment Act of 2007”.

6 **SEC. 2. FEDERAL GOVERNMENT TELEWORK REQUIRE-**  
7 **MENT.**

8 (a) IN GENERAL.—

1           (1) ELIGIBILITY.—Within 1 year after the date  
2 of enactment of this Act, the head of each Executive  
3 agency shall establish a policy under which each em-  
4 ployee of the agency, except as provided in sub-  
5 section (d), shall be eligible to participate in  
6 telework.

7           (2) PARTICIPATION POLICY.—The policy shall  
8 ensure that eligible employees participate in telework  
9 to the maximum extent possible without diminishing  
10 employee performance or agency operations.

11       (b) APPLICATION TO JUDICIAL BRANCH EMPLOY-  
12 EES.—Within 1 year after the date of enactment of this  
13 Act, the Chief Justice of the United States shall establish  
14 a policy for employees of the judicial branch under which  
15 such employees, except employees designated by the Chief  
16 Justice as employees to whom the policy does not apply,  
17 shall participate in telework to the maximum extent pos-  
18 sible without diminishing employee performance or judicial  
19 operations.

20       (c) APPLICATION TO LEGISLATIVE BRANCH EMPLOY-  
21 EES.—

22           (1) HOUSE OF REPRESENTATIVES.—Within 1  
23 year after the date of enactment of this Act, the  
24 Speaker of the House of Representatives, in con-  
25 sultation with the Minority Leader of the House,

1 shall establish a policy for employees of the House  
2 of Representatives under which such employees, ex-  
3 cept employees designated by the Speaker as em-  
4 ployees to whom the policy does not apply, shall par-  
5 ticipate in telework to the maximum extent possible  
6 without diminishing employee performance or House  
7 operations.

8 (2) SENATE.—Within 1 year after the date of  
9 enactment of this Act, the Majority Leader of the  
10 Senate, in consultation with the Minority Leader of  
11 the Senate, shall establish a policy for employees of  
12 the Senate under which such employees, except em-  
13 ployees designated by the Majority Leader as em-  
14 ployees to whom the policy does not apply, shall par-  
15 ticipate in telework to the maximum extent possible  
16 without diminishing employee performance or Senate  
17 operations.

18 (3) OTHER LEGISLATIVE BRANCH EMPLOY-  
19 EES.—Within 1 year after the date of enactment of  
20 this Act, the Speaker of the House of Representa-  
21 tives and the Majority Leader of the Senate jointly  
22 shall establish a policy for employees of the legisla-  
23 tive branch who are not employees of either House  
24 under which such employees, except employees des-  
25 igned by the Speaker and the Majority Leader as

1 employees to whom the policy does not apply, shall  
2 participate in telework to the maximum extent pos-  
3 sible without diminishing employee performance or  
4 legislative branch operations.

5 (d) INELIGIBLE EMPLOYEES.—

6 (1) EXECUTIVE AGENCIES.—Subsection (a)(1)  
7 does not apply to executive agency employees—

8 (A) whose duties involve the daily handling  
9 of secure materials, necessary contact with spe-  
10 cial equipment, or daily physical presence;

11 (B) who are assigned to national security  
12 or intelligence functions; or

13 (C) whose functions are otherwise inappro-  
14 priate for teleworking and which are designated  
15 by the head of the agency as functions to which  
16 the policy does not apply.

17 (2) JUDICIAL AND LEGISLATIVE BRANCH EM-  
18 PLOYEES.—The Chief Justice and the officers of the  
19 Senate and House of Representatives described in  
20 subsection (c) may designate as ineligible to partici-  
21 pate in telework employees whose duties are the  
22 same as, or similar to, the duties described in para-  
23 graph (1).

1 **SEC. 3. TRAINING AND MONITORING.**

2 The head of each executive agency shall ensure  
3 that—

4 (1) telework training is incorporated in the  
5 agency's new employee orientation procedures;

6 (2) periodic employee reviews are conducted for  
7 all employees, including those described in section  
8 1(a)(3), to ascertain whether telework is appropriate  
9 for the employee's job description and the extent to  
10 which it is being utilized by the employee.

11 **SEC. 4. TELEWORK MANAGING EMPLOYEE.**

12 (a) IN GENERAL.—The head of each executive agen-  
13 cy, the Chief Justice, the Speaker of the House of Rep-  
14 resentatives, and the Majority Leader of the Senate shall  
15 appoint a full time senior level employee of the agency,  
16 the judicial branch, the House of Representatives, and the  
17 Senate, respectively as the Telework Managing Officer.  
18 The Telework Managing Office shall be established within  
19 the office of the chief administrative officer or a com-  
20 parable office with similar functions.

21 (b) DUTIES.—The Telework Managing Officer  
22 shall—

23 (1) serve as liaison between employees engaged  
24 in teleworking and their employing entity;

25 (2) ensure that the organization's telework pol-  
26 icy is communicated effectively to employees;

1           (3) encourage all eligible employees to engage  
2           in telework to the maximum practicable extent con-  
3           sistent with meeting performance requirements and  
4           maintaining operations;

5           (4) assist the head of the agency in the develop-  
6           ment and maintenance of agencywide telework poli-  
7           cies;

8           (5) educate administrative units on telework  
9           policies, programs, and training courses;

10          (6) provide written notification to all employees  
11          of specific telework programs and employee eligi-  
12          bility;

13          (7) focus on expanding and monitoring agency  
14          telework programs;

15          (8) recommend and oversee telework-specific  
16          pilot programs for employees and managers, includ-  
17          ing tracking performance and monitoring activities;

18          (9) promote teleconferencing devices;

19          (10) develop monthly productivity awards for  
20          teleworkers;

21          (11) develop and administer a telework per-  
22          formance reporting system; and

23          (12) assist the head of the agency in desig-  
24          nating employees to telework to continue agency op-  
25          erations in the event of a major disaster (as defined

1 in section 102 of the Robert T. Stafford Disaster  
2 Relief and Emergency Assistance Act (42 U.S.C.  
3 5122)).

4 (c) REPORT.—The Telework Managing Officer shall  
5 submit a report to the head of the employing agency, the  
6 Chief Justice, the Speaker of the House of Representa-  
7 tives, or the Majority Leader of the Senate, as the case  
8 may be, and the Comptroller General at least once every  
9 12 months that includes a statement of the applicable  
10 telework policy, a description of measures in place to carry  
11 out the policy, and an analysis of the participation by em-  
12 ployees of the entity in teleworking during the preceding  
13 12-month period.

14 **SEC. 5. ANNUAL TELEWORK AGENCY RATING.**

15 (a) IN GENERAL.—The Comptroller General shall es-  
16 tablish a system for evaluating—

17 (1) the telework policy of each executive agency,  
18 the judicial branch, and the legislative branch; and

19 (2) on an annual basis the participation in tele-  
20 working by their employees.

21 (b) REPORT.—The Comptroller General shall publish  
22 a report each year rating—

23 (1) the telework policy of each entity to which  
24 this Act applies;

1           (2) the degree of participation by employees of  
2           each such entity in teleworking during the 12-month  
3           period covered by the report; and

4           (3) for each executive agency—

5                 (A) the number of employees in the agen-  
6                 cy;

7                 (B) the number of those employees who  
8                 are eligible to telework;

9                 (C) the number of employees who engage  
10                on a regular basis in teleworking; and

11                (D) the number of employees who engage  
12                on an occasional or sporadic basis in tele-  
13                working.

14 **SEC. 7 DEFINITIONS.**

15        In this Act:

16           (1) EMPLOYEE.—The term “employee” has the  
17           meaning given that term by section 8101(1) of title  
18           5, United States Code, but does not include—

19                 (A) justices of the Supreme Court, judges  
20                 of Courts of Appeals, or judges of the District  
21                 Courts;

22                 (B) a Member of the United States House  
23                 of Representatives; or

24                 (C) a United States Senator.



1           (2) EXECUTIVE AGENCY.—The term “Executive  
2           agency” has the meaning given that term by section  
3           105 of title 5, United States Code.

4           (3) TELEWORK.—The term “telework” means a  
5           work arrangement in which an employee regularly  
6           performs officially assigned duties at home or other  
7           worksites geographically convenient to the residence  
8           of the employee that—

9                   (A) reduces or eliminates the employee’s  
10                  commute between his or her residence and his  
11                  or her place of employment; and

12                   (B) occurs at least 2 business days per  
13                  week on a recurring basis.

○