

## **LOCAL LAW “P” FOR 2022**

### **A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGARDING A TELEWORKING PROGRAM FOR EMPLOYEES**

Introduced: 11/14/22

By Mr. Efekoro:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

#### **Section 1. Title.**

This Local Law shall be known as the "Albany County Employees Teleworking Law".

#### **Section 2. Purpose.**

The Albany County Legislature has a long history of supporting our County workforce, and it will continue to do so while adjusting to the changing nature of work. This Local Law provides teleworking options for County employees and has numerous benefits for both the County and its employees. First, allowing employees to telework reduces greenhouse gases by both reducing the number of cars on the road and allows opportunities for the County to substantially reduce its carbon footprint. Second, it promotes work/life balance for County employees, allowing more time for leisure activities or the ability to stay at home with family. These benefits will positively affect not just the County workforce, but their families, communities, and the environment as well.

#### **Section 3. Teleworking Programs.**

The Albany County Department of Human Resources shall establish written policies which allow Albany County employees, where reasonable and not detrimental to work performance, to perform all or a portion of their duties through remote teleworking, with periodic evaluations and reconsideration. Each County agency shall designate a telework coordinator responsible for overseeing the implementation of its teleworking program.

#### **Section 4. Definitions.**

Whenever used in this Local Law, the following terms shall have the following meanings:

(a) "Telework" shall mean the performance of regular work functions at a remote location rather than at the county agency's principal office location; and

(b) "County Agency" shall mean any Albany County department, division, public authority, public benefit corporation, office, or other governmental entity which performs a governmental or proprietary function for the county.

(c) "Telework coordinator" shall mean the person designated for each County agency who is responsible for overseeing that agencies' teleworking program.

## **Section 5. Eligibility; Decisions on Applications.**

- (1) Employees may request to telework by completing a teleworking application provided by the telework coordinator.
- (2) Eligibility for teleworking shall be determined by the Human Resources Department in conjunction with the County agency's telework coordinator, following an assessment of the regular work duties required by each title or title category, with such employee input as may be necessary. These determinations shall be applied similarly across the employees within each title or category in each Department.
- (3) Decisions on teleworking applications shall be made within 30 business days from the date the application is received and must be written and include an approval, approval in part, denial, or denial in part.
- (4) If an application for telework is denied in full or in part, reasons for the denial must be listed in the denial document.
- (5) Prior to starting remote work pursuant to a teleworking program, all employee performance standards for each title or title category shall be reduced to writing.

## **Section 6. Supersession.**

Nothing in this Local Law shall supersede existing laws, regulations, or personnel policies applicable to employees with injuries, illnesses, environmental health conditions, or disabilities, or with the reasonable application of employee-earned leave time including, but not limited to, sick, compensatory, paid or unpaid family leave, Federal or State guaranteed leave time, or vacation time.

This Local Law shall not supersede any existing telework policies and/or programs which resulted from any collective bargaining agreement with Albany County.

## **Section 7. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such

order or judgment shall not affect, impair, or invalidate the remainder of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

#### **Section 8. Effective Date.**

This local law shall take effect 90 days after its filing with the Secretary of State.

*Referred to Law and Personnel Committees – 11/14/22*