

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Leslie Analyst: LuAnna Hass Bill Number: AB 753
Related Bills: See Legislative History Telephone: 845-7478 Introduced Date: February 19, 2003
Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agencies/Alternate Work Schedules/Report

SUMMARY

This bill would require state agencies to prepare a written report regarding alternative work schedules (AWS) for employees of the agency.

PURPOSE OF THE BILL

According to the author's staff, the purpose of this bill is to accumulate data prior to changing laws regarding state agencies and work schedules.

EFFECTIVE/OPERATIVE DATE

This bill would be effective and operative January 1, 2004, and specifies that each agency shall have a report submitted by June 31, 2004.

POSITION

Pending.

ANALYSIS

STATE LAW

Under current law it is the policy of the state that state employees work eight hours in a day and 40 hours in a week. Workdays and workweeks of a different number of hours may be established in order to meet the varying needs of the different state agencies. Further, the Governor may require that the 40-hour workweek be worked in four days if the Governor determines it is in the best interest of the state to do so.

THIS BILL

This bill would require each state agency that employs more than 15 full-time employees in the Sacramento area to prepare and submit a written report to the Department of Transportation and the Legislature. The report is due by June 31, 2004, and would include the following information:

- Potential courses of action the state agency may take to provide its employees AWSs on a voluntary basis that would enable an employee to commute to and from work at times other than between 7:45 a.m. and 9:00 a.m., and 4:45 p.m. and 6:00 p.m.
- The feasibility of implementing AWS options.

Board Position:

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Department Director
Gerald H. Goldberg

Date
03/13/03

- The desirability of implementing AWS options, including, but not limited to, the advantages and disadvantages of AWS.
- Potential legal action or other repercussions to implementing AWS options.
- The steps the state agency has undertaken or currently plans to undertake to begin implementation of voluntary AWS options whenever feasible.

This bill states that it should not be construed as encouragement for state agencies to require their employees to adopt AWS options.

IMPLEMENTATION CONSIDERATIONS

Preparing the report required in this bill would not significantly impact the department's programs and operations.

PROGRAM BACKGROUND

Where AWS supports the operational and transportation objectives of the department, FTB management has the authority to use such scheduling. The department has instituted guidelines and procedures that allow its employees to work AWS. The guidelines outline the operational factors that should be considered when implementing an AWS. The procedures detail the terms and conditions of AWS and the processes for establishing and controlling individual workweeks. The department permits employees to work either a 9/8/80 or 4/10/40 schedule. It is estimated that 36%, or 1,800 of FTB's 5,000 employees, are on an AWS. In addition, the department allows employees that work eight-hour days or an AWS to adjust their hours so that they may arrive for work or leave at the end of the day at times that are before or after the peak commute times outlined in this bill.

OTHER STATES' INFORMATION

Since this bill only requires a study of state agencies and AWS options, a comparison to other states would not be relevant.

FISCAL IMPACT

This bill would not significantly impact the department's costs.

ECONOMIC IMPACT

This bill would not impact state income tax revenues.

LEGISLATIVE STAFF CONTACT

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