



Table 1: Workplace Flexibility Initiatives by State

State	Statute, Regulation, Policy, or Executive Order	Scope		Source		
		Public	Private	Environmental	Employment	Other
AZ	Alternative work schedules statute for state employees. ARIZ. REV. STAT. ANN. § 41-783.	●			●	
	Flexible, 40-hour workweek. ARIZ. ADMIN. CODE § R2-5-502.	●			●	
	Reimbursement for telecommuting, public transportation, van pool, bus. ARIZ. REV. STAT. § 41-786.	●			●	
	Clean air act directives, telecommuting and flexible hours should be considered when setting work schedules for law enforcement work groups. ARIZ. ADMIN. CODE § R13-5-204.	●			●	
	Travel reduction mandate for major employers. ARIZ. REV. STAT. § 49-588.	●	●	●		
	Adjusted work hour plans for employers with 500+ employees. ARIZ. REV. STAT. § 49-454.	●	●	●		
	85% of municipal employees must work adjusted work hours in cities with more than 50,000 people. ARIZ. REV. STAT. § 9-500.04.	●		●		●
	Regulation stipulates when adjusted work hours under ARIZ. REV. STAT. § 9-500.04 may occur. ARIZ. ADMIN. CODE § R2-1-602.	●			●	
	Arizona’s telecommuting program was established by the governor’s executive order. Ariz. Exec. Order No. 93-16.	●				●
	The state employee telecommuting participation goal was increased to 20% by executive order. Ariz. Exec. Order No. 2003-11.	●				●
The Arizona telecommuting policy provides a state-wide framework, but details are left to telework agreements. State of Arizona Telework Policies, available at: http://www.teleworkarizona.com/mainfiles/employee/epolicies.pdf	●					
CA	Education statute allows university teachers, librarians, and counselors over age 55 to reduce to a part-time schedule. CAL. EDUC. CODE § 89516.	●				●
	Statute specifies employee appeal process to repeal alternative work schedules. CAL. LABOR CODE § 517.	●			●	
	Flexible schedules, alternative schedules, and telecommuting must be	●		●		

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	considered as part of congestion reduction plans. CAL. GOV'T CODE § 65089					
CA <i>cont'd</i>	Statute stipulates procedure for an organized employer to implement an alternative work schedule. CAL. LABOR CODE § 511.	•	•			•
	Requires agencies to establish and implement a telecommuting program where practical and beneficial. CAL. GOV'T CODE § 14201.	•				•
	It is a misdemeanor to share/use personal information acquired for rideshare/telecommuting for any other purpose without express written permission. CAL. PENAL CODE § 637.6.					•
CO	Statute sets parameters to allow retired government employees to work after retirement and retain retirement benefits. COLO. REV. STAT. § 24-51-1101.	•			•	
	Transportation statute authorizes public sector and private entity cooperation to establish, among other things, telecommuting programs. COLO. REV. STAT. § 43-1-1202.	•	•			•
FL	Family Support Personnel Policies Act mandates establishment of model policies for family support, including flex time, part-time, shared employment, and compressed time positions. FLA. STAT. §§ 110.1521 to 110.1523.	•			•	
	Family Supportive Work Program Administrative Rules. FLA. ADMIN. CODE ANN. R. 60L-23. Regulations were repealed January 1, 2002, except for rules concerning attendance and leave; FLA. STAT. § 110.1055 repealed all existing rules unless expressly readopted.	•			•	
	State employee job sharing statute encourages using shared employment positions to promote more part-time career opportunities. It stipulates when a full-time position may be converted, requires employee consent for occupied positions, and employee retains bargaining unit status. FLA. STAT. § 110.21.	•			•	
	Statute defines "shared employment" as part-time career employment that is full-time employment responsibilities divided among part-time employees. FLA. STAT. § 110.107.	•			•	
	Shared employment regulations. FLA. ADMIN. CODE ANN. R. 60L-33.0032.	•			•	

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FL <i>cont'd</i>	State employee telecommuting statute allows employees to voluntarily participate, no adverse impact on advancement, but agencies have authority to designate positions eligible for telecommuting. FLA. STAT. § 110.171. (Recently revised to require an agency with a telecommuting program to post available positions on its website and provide measurable financial benefits associated with reduced office space, energy consumption, and a reduction in greenhouse gases.)	●			●	
	Statute allows agency and employee to agree to a part-time position as part of a phased-retirement plan; also allows agency to transfer employees 65+ to less responsible position if performance is unsatisfactory. FLA. STAT. § 110.124(4).	●			●	
	Stipulates how, if at all, a state employee's retirement benefits are impacted by post-retirement re-employment. FLA. STAT. § 121.091.	●			●	
	Regulations address employment after retirement under FLA. STAT. § 121.091. FLA. ADMIN. CODE ANN. R. 60S-4.012.	●			●	
	Executive Office of the Governor authorized to establish annual recognition for family-friendly workplaces. FLA. STAT. § 409.179. No indication such a program has ever been implemented.		●			●
GA	Georgia Technology Authorities may provide and approve policies and goals designed to increase telecommuting among state employees as part of the state technology plan. GA. CODE ANN. § 50-25-4.	●				●
	Stipulates when retired state employees may be reemployed and retain retirement benefits. GA. CODE ANN. § 47-2-110.	●			●	
	Allows municipalities to determine what retirement benefits part-time employees will receive. GA. CODE ANN. § 47-5-42.	●				●
HI	Allows agencies flexibility for wage and schedule setting of non-organized public employees, within specified restrictions. HAW. REV. STAT. §§ 89C-1 to 89C-7.	●			●	
IL	Statute authorizes flexible work schedules for higher education positions at the University of Illinois, and similar statutes exist for other state universities. 110 ILL. COMP. STAT. 305/1e.	●				●

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IL <i>cont'd</i>	Director of Central Management Services may authorize flexible hour positions in state agencies such as flexible hours, part-time jobs, job-share. 20 ILL. COMP. STAT. 415/9.	●			●	
	Business owners within the Chicago ozone non-attainment area may earn emission reduction credits by using telecommuting and compressed workweeks. 625 ILL. COMP. STAT. 33/15.		●	●		
	Authorizes initiative to recognize small and large employers for family-friendly practices. 20 ILL. COMP. STAT. 605/605-865.		●			●
KY	Telecommuting option for classified service personnel, at the agency's discretion; personnel secretary's authorization to create the regulation is under KY. REV. STAT. § 18A.110. 101 KY. ADMIN. REGS. 2:095 § 7.	●			●	
	In 2005 policies and procedures were added that permit probation and parole officers to telecommute. 501 KY. ADMIN. REGS. 6:270.	●			●	
ME	Statutes promote alternative working hours, including part-time, job-share, and flexible schedules for greater employee efficiency and broader recruitment. ME. REV. STAT. tit. 5, §§ 901 – 903.	●			●	
	Statute encourages head start programs to work with private and public employers to accommodate flexible schedules. ME. REV. STAT. tit. 22, § 3740.					●
MD	Pension statute requires reporting on the use of part-time employees and alternative work schedules. MD. CODE ANN., STATE PERS. & PENS. § 4-302.	●			●	
	Regulation stipulates that an employee working less than 50% of the work week is not part-time. MD. CODE REGS. 17.04.03.14.	●			●	
MA	Statute requires plan for the use of flexible work hours in state executive agencies, reporting on flexible employment, and authorizes rule making to implement flexible hours. MASS. GEN. LAWS ch. 7 § 6F	●			●	
	Alternative Work Options Program policies, guidelines, and information sheets on flextime, part-time, job-share, compressed workweek, and telecommuting are available at http://www.mass.gov , "Human Resources Division Policies and Benefits."	●			●	

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MN	Statute stipulates when and how state employee may be re-employed post retirement, including “postretirement option” positions. MINN. STAT. § 43A.346.	●			●	
	Statute prohibits state agency from capital investment plan in a state building unless agency has a plan to increase telecommuting amongst employees working in the building. MINN. STAT. § 16E.05.	●				●
NE	Regulation provides for classified employees utilization of flexible scheduling, compressed work week, telecommuting, and job-sharing, providing that non-exempt employees work forty hours per week, and agency is open 8 am to 5 pm Monday through Friday. 273 NEB. ADMIN. CODE §§ 9-009. 9-010.	●			●	
	Retired county workers may return to part- or full-time employment and receive retirement benefits, provided they meet break in service requirements. NEB. REV. STAT. § 23-2320.	●			●	
NJ	Regulation allows agency to utilize flextime to accommodate employee or agency needs. N.J. ADMIN. CODE § 4A:6-2.6.	●			●	
	Smart Moves Program entitled employers to a tax credit, up to 10% of the costs of commuter transportation benefits for “alternative means of commuting” included compressed work week and telecommuting. N.J. STAT. ANN. § 27:26A-15.		●			●
NY	1978 executive order declared flex schedules and part-time work priorities in government agencies to increase number and caliber of available employees.	●				●
	Statute gives Department of Economic Development the responsibility to promote advantages of flexible work arrangements to businesses. NY ECON. DEV. LAW § 100.		●			●
	The economic development, environmental conservations, public service, and transportation statutes were amended in 1993 to require a plan to maximize telecommuting amongst several state agencies. 1993 NY ALS 307 codified at NY Econ. Dev. Law § 100, NY CLS ECL § 3-0301, NY CLS Pub Ser § 5, NY CLS Trans § 14.	●		●	●	●

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NC	The Work Options Program was enacted to implement flexible work hours, job-sharing, and permanent part-time positions with the goal of increasing employee morale and productivity, increasing the use of available labor force without decreasing an agency's hours of operation. N.C. GEN. STAT. §§ 126-74 – 126-79.	●			●	
	The Office of State Personnel was required to implement a policy that promotes telecommuting with a goal of reducing state employee vehicle commuting by 20% without a reduction in work hours or productivity. N.C. GEN. STAT. § 143-215.107C.	●		●		
	Teleworking policy states how and when an employee may telecommute, addresses workplace safety, and employee productivity. State Personnel Manual, Employment and Records § 3, p. 14.1 – 14.4, Teleworking Program (Aug. 17, 2000).	●			●	
ND	The telecommuting incentive program for state employees expired on June 30, 2005. N.D. CENT. CODE § 54-06-24.1.	●			●	
OH	State employees working flexible hours must work 40 hours per week, but may work more or less than eight hours per day. OHIO REV. CODE ANN. § 124.01.	●			●	
	Flexible hour employee's schedule may be structured differently, in accordance with the state employees' schedules statute. OHIO REV. CODE ANN. § 124.18.	●			●	
OK	State agencies are encouraged to adopt flextime and alternative schedules to increase employee morale, productivity, allow employees to meet family needs, and provide increased service to the public. OKLA. STAT. tit. 74, § 840-2.26.	●			●	
	Public employees utilizing an alternative work schedule may exceed the standard eight hour work day. OKLA. STAT. tit. 61, § 3.	●			●	
OR	Each agency must develop a telecommuting policy; the purpose is to encourage telecommuting to improve employee performance, decrease commuting costs, and help agencies realize cost savings. OR. REV. STAT. § 240.855.	●			●	

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OR <i>cont'd</i>	State employee safety and health division regulations explicitly state that telecommuting worksites are not businesses. OR. ADMIN. R. 437-001-0015.	●				●
	State-wide telecommuting policy is mandatory to all agencies, but whether a position is suitable for telecommuting is at the agency's discretion. Oregon State HR Policy 50.050.001 Telecommuting (Aug. 1, 2008).	●			●	
	Environmental regulation includes compressed workweek and telecommuting as possible methods for Portland areas employers to reduce car commuting. OR. ADMIN. R. 340-242-0290.		●	●		
RI	The State Employees Alternative Work Schedules Act of 1987 promotes alternative work schedules for public employees. R.I. GEN. LAWS §§ 36-3.1-1 to 36-3.1-8.	●			●	
	The state employee retirement system specifies when and how a retired public employee may re-enter public employment. R.I. GEN. LAWS § 36-10-36.	●			●	
SC	A public employee statute authorizes the use of alternative schedules and telecommuting to increase efficiency and reduce costs. S.C. CODE ANN. § 8-11-15.	●			●	
	Alternative schedule regulations. S.C. CODE ANN. REGS. 19-707.01.	●			●	
	Agencies are authorized to use flextime schedules, including hours before 8:30 am and after 5 pm. S.C. CODE ANN. § 8-11-17.	●			●	
	When and how retired state workers may resume work, and its impact on retirement contributions and allowance. S.C. CODE ANN. § 9-1-1790.	●			●	
TN	A state employee regulation allows an agency to assign one or more part-time employee in a full-time position on a job-sharing basis. TENN. COMP. R. & REGS. 1120-2.09.	●			●	
	Job-sharing state employees will be given the opportunity to return to full-time positions, if possible, prior to an agency's initiation of a layoff. TENN. CODE ANN. § 8-30-320.	●			●	
	A retirement statute stipulates when a state employee can return to work after retirement. TENN. CODE ANN. § 8-36-805.	●			●	

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TX	A state agency may fill a full-time position with one or more part-time employee. TEX. GOV'T CODE ANN. §658.009.	●			●	
	The state's Clean Air Act requires an employee telecommuting program as part of an emissions reduction project for a facility to qualify for an emissions permit. TEX. HEALTH & SAFETY CODE ANN. § 382.05193.		●	●		
VA	The Office of Telework Promotion and Broadband Assistance was established by executive order in 2006. Commonwealth of Virginia Exec. Order No. 35 (2006), available at: http://www.otba.vi.virginia.gov/pdf/EO_35.pdf	●	●			●
	The Office of Telework Promotion and Broadband Assistance was codified in 2008. VA. CODE. ANN. § 2.2-225.1.	●	●			●
	The Secretary of Administration is charged with the responsibility of establishing a statewide telecommuting and alternative work schedule policy. VA. CODE. ANN. § 2.2-203.1.	●			●	
	The Secretary of Administration must advise and assist agencies in developing telecommuting programs, and may advise the private sector concerning telecommuting programs. VA. CODE ANN. § 2.2-203.2.	●	●		●	
	Every agency must establish alternative work schedule and telecommuting policies, with a goal of 25% of the <u>eligible</u> workforce utilizing alternative schedule by July 1, 2009, and 20% of the eligible workforce telecommuting by January 1, 2010. VA. CODE ANN. § 2.2-2817.1.	●			●	
	The state employee telecommuting policy requires every agency to create internal policies and procedures concerning what broad job categories will be allowed or prohibited from telecommuting. Department of Human Resources Management Policies and Procedures Manual, Policy No. 1.61, Effective 8/16/02, revised 9/10/05.	●			●	

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VA <i>cont'd</i>	Telework!VA, established by the Department of Rail and Public Transportation is designed to reduce commuter traffic congestion. The program offers private for-profit and non-profit companies up to \$35,000 in start-up costs for implementing a teleworking program. It also offer e-tutorials on how to set-up a telework program. http://www.drpt.verginia.gov/projects/teleworkva.aspx ; http://wwteleworkva.org/getStarted/index.aspx .		●	●		
	A statute authorizes telecommuting for local government employees. VA. CODE ANN. § 15.2-1512.3.	●			●	
	A statute stipulates normal retirement, early retirement, and reentry for state employees. VA. CODE ANN. § 51.1-216.	●			●	
WA	A statute allows for alternative work schedules for state employees. WASH. REV. CODE § 41.04.390.	●			●	
	The state's Clean Air Act requires transportation management plans from local governments in the most air-polluted counties to reduce single-vehicle commuting. WASH. REV. CODE § 70.94.521.	●		●		
	Major employers, public or private, in effected areas are required to implement commute reduction plans which may include flexible schedules or alternative schedules such as a compressed workweek. WASH. REV. CODE § 70.94.531.	●	●	●		
	The Director of the Department of General Administration has the authority to establish an interagency board to develop consistency in commute reduction plans across agencies, including flexible and alternative schedules. WASH. REV. CODE § 70.94.551.	●			●	
	The Department of Transportation has statutory authority to provide public agencies, private for-profit or non-profit employer, and property managers with grant funding for ride share plans, including telework. WASH. REV. CODE § 70.94.996.	●	●			●
	DOT regulations further detail the grant program. WASH. ADMIN. CODE 468-60-010, 468-60-020.					●
	The state provides a tax incentive to employers who provide financial incentives to employees to rideshare, including telework. WASH. REV. CODE § 82.70.020.		●			●

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DC	The mayor may establish work hours rules and regulations, but such rules must include flexible work schedules within a forty hour workweek when practical and feasible. D.C. CODE § 1-612.01.	●			●	
	The government employee regulations further detail how flexible schedules, alternative work schedules, compressed work week, and telecommuting may be utilized by employees. D.C. MUN. REGS. tit. 6, §1208 (flexible schedules); D.C. MUN. REGS. tit. 6, § 1209 (alternative work schedules); D.C. MUN. REGS. tit. 6, § 1210 (compressed work week); D.C. MUN. REGS. tit. 6, §1211 (telecommuting).	●			●	
WV	A state employee statute outlines how and when a state employee may reenter the public workforce after retirement. W. VA. CODE § 5-10-48.	●			●	
WI	All state agencies are required to make permanent classified positions available that offer more flexible schedules, such as part-time and flextime, to increase the number of productive citizens able to participate in the workforce. The legislature recognized, “that traditional full-time work patterns fail to meet the needs off many potentially productive citizens who, due to age, health or family circumstances, are effectively prevented from engaging in full-time employment.” WIS. STAT. § 230.215.	●			●	
WY	The Personnel Division’s Personnel Rules outline the alternative work schedules available to state employees, defining telework, flextime, compressed workweek, and how agencies and employees may utilize these alternative work schedule options. WYO. CODE R. § 006-140-018.	●			●	
	Boomers and Businesses Program is a cooperative program between the state and AARP. http://www.boomersandbusiness.com/about.html					●