



State of New Mexico

Office of the Governor

Bill Richardson
Governor

EXECUTIVE ORDER 2008-028

ESTABLISHING A STRONG TELEWORK AND FLEXIBLE WORK HOURS PROGRAM TO HELP REDUCE FUEL USE AND TAXPAYERS COSTS

WHEREAS, escalating transportation fuel costs have created significant challenges for the nation and the citizens of New Mexico;

WHEREAS, state government is the largest employer in the State of New Mexico and should take a leadership role in adopting programs that reduce fuel use and taxpayer costs;

WHEREAS, Executive Order 2005-049 ordered that all vehicle procurement and fleet utilization policies and procedures be assessed and adjusted to reduce fuel-related energy usage;

WHEREAS, Executive Order 2007-053 established a "Lead by Example" energy efficiency initiative that included a "goal of all Executive Branch state agencies to achieve a 20% usage reduction below 2005 levels in the state fleet and transportation-related activities by 2015 based on the average transportation-related energy usage per state employee" and instructed the General Services Department (GSD), with assistance from the Energy, Minerals and Natural Resources Department (EMNRD) and the Department of Transportation (DOT), to develop an implementation plan to achieve that goal;

WHEREAS, Executive Order 2007-053 instructed GSD to present a draft of the vehicle energy efficiency implementation plan to the Climate Change Action Implementation Team (hereinafter "Team"), as established in Executive Order 2006-069, by July 1, 2008, and instructed the Team to submit its final recommendations to the Clean Energy Development Council (CEDC), as established in Executive Orders 2004-019 and 2006-069, by October 1, 2008;

WHEREAS, Executive Order 2007-053 created a "Lead by Example Coordinator" position at GSD to develop and implement clean and renewable energy strategies throughout state government;

WHEREAS, Governor Bill Richardson directed the state personnel director to examine options for telework and alternative work schedules;

WHEREAS, telework and alternative work schedule studies have shown economic and organizational benefits to employers resulting from less sick leave, reduced hiring and training costs, increased employee productivity and morale, and reduced space and parking needs;

WHEREAS, telework and alternative work schedules are viable tools for reducing commute trips, reducing air pollution and greenhouse gases associated with fossil fuel combustion, and saving energy by reducing the consumption of gasoline;

WHEREAS, telework and alternative work schedules provide state agencies and employees with options to keep state government operating during emergencies such as natural disasters; and

WHEREAS, the State Personnel Office strives to set a positive example and provide best practices for our state's employers – large and small.

NOW THEREFORE, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby order the establishment of the State of New Mexico Telework and Alternative Work Schedule Program, which shall consist of the following:

1. The State Personnel Office shall establish policy guidelines as well as methods for the collection of data for the New Mexico State Telework and Alternative Work Schedule Program by July 15, 2008. The guidelines shall encourage agencies to consider opportunities for the cross-use of agency resources and facilities.
2. Under the direction and guidance of the State Personnel Office, each state agency shall adopt a written policy that defines specific criteria and procedures for telework and alternative work schedules. The policy shall be adopted and sent to the Director of the State Personnel Office by September 1, 2008.
 - a. The policy shall require the agency to consider an employee's request to telework and/or to work an alternative work schedule in relation to the objectives of this Executive Order and the agency's operating, business, and customer needs.
 - b. The policy shall include clear accountability measures to ensure that productivity levels and citizens' services are not compromised.
 - c. The policy shall take into account those operations within an agency, such as law enforcement or 24/7 facilities, that may not be adaptable to this initiative.

3. Agencies shall provide the State Personnel Office with a copy of their written policies. The State Personnel Office will maintain the policies on file for the purposes of data collection and sharing of best practices with other agencies and employers.
4. The State Personnel Office shall conduct surveys as necessary to identify how many state employees participate in telework and/or alternative work schedules.
5. The State Personnel Office, in consultation with GSD and DOT, shall provide a biannual report to the Office of the Governor by July 1 and December 1 each year. The report shall include the following information, supported by data collection methods established by the State Personnel Office:
 - a. Number of agencies participating in telework and alternative work schedule programs;
 - b. Number of employees teleworking;
 - c. Number of employees working an alternative work schedule;
 - d. Summary and effectiveness of efforts made by agencies to promote and encourage telework and alternative work schedules, including successes and barriers;
 - e. Number of participants utilizing public transportation and/or commuter services; and
 - f. Other information that may be requested by the Office of the Governor.

I FURTHER DIRECT the acceleration of "Lead by Example" measures, as described in Executive Order 2007-053, to achieve energy efficiency goals for state fleet and transportation-related activities.

1. GSD and EMNRD shall work with GSD's Lead by Example Coordinator to develop, as part of the responsibilities enumerated in Executive Orders 2005-049 and 2007-053, a plan to create a pool of short term lease vehicles and enhance short-term lease capabilities for the existing fleet, to enable matching the most efficient vehicles to the intended use.
2. The State Personnel Office and DOT shall work with GSD's Lead by Example Coordinator to assess, improve, and promote the state's flex-pay transit deduction program to encourage state employees to use public transit.
3. The Department of Information Technology shall work with GSD's Lead by Example Coordinator to assess, improve, and promote State government's use of

technology, such as telephone, video, and internet conferencing, to improve productivity and to support telework and reduce unnecessary employee travel.

The following definitions shall apply for the purposes of this Executive Order:

- "Agency" means a state agency in the executive branch with employees in the classified service and covered by State Personnel Board rules and regulations.
- "Telework" means to work from an office significantly nearer to the employee's home than the employee's principal place of employment, resulting in a reduced commute by the employee.
- "Alternative Work Schedule" means a fixed work schedule whereby the daily hours of a full-time employee may vary from the agency's normal work hours, allowing for fewer commute trips by the employee and/or a significant reduction in commute time achieved by avoiding travelling during peak traffic hours.

THIS ORDER does not alter any existing collective bargaining agreements.

THIS ORDER supersedes any other previous orders, proclamations, or directives to the extent they are in conflict. This Executive Order shall take effect immediately and remain in effect until such time as it is rescinded by the Governor.

ATTEST:


MARY HERRERA
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 19TH DAY OF JUNE, 2008

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO


BILL RICHARDSON
GOVERNOR

