

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 191

49th Legislature, 2nd Session, 2010

Tracking Number: .180991.1

Short Title: Temporary 4-Day Work Week for Some Employees

Sponsor(s): Senator Cynthia Nava and Others

Analyst: James Ball

Date: February 2, 2010

Bill Summary:

SB 191 adds a new section to state law in FY 11 to require all state and legislative agencies to adopt a four-day, 40-hour work week, with offices open and available to the public 10 hours of each four-day week. Exempted from these requirements are:

- public safety employees, including state police, correctional officers and other law enforcement personnel and required administrative or other necessary support staff;
- health care professionals in state facilities that provide continuous care and required administrative or other necessary support staff; and
- staff in legislative agencies if a different schedule is necessary to prepare for legislative session and for building services personnel.

Among its other provisions, the bill:

- requires that all school districts adopt a four-day week that provides the equivalent of a regular school year, except that a local school board may exempt maintenance and other specified positions from the requirement as it deems necessary;
- provides that no personnel or school transportation contracts be entered into for FY 11 if they do not stipulate a four-day week;
- requires the Supreme Court to order the adoption of a four-day workweek for those judicial agencies and courts for which such a schedule is feasible, while providing for a different schedule for employees of the Supreme Court Building Commission;
- permits the Governor to declare by executive order other positions for which it is necessary to maintain a standard workweek or schedule, including maintenance employees and those at such tourist-oriented entities as state parks, museums, and monuments;
- and requires the State Personnel Office (SPO) to work with the Governor's office and other elected officers of the executive branch to implement the provisions of SB 191.

In FY10, SB 191 permits:

- state agencies of the executive, judicial, and legislative branches of government to adopt a four-day, 40-hour workweek as soon as practicable; and
- school districts to convert some or all of their administration and school to a four-day week except as limited by contractual requirements.

Fiscal Impact:

SB 191 makes no appropriation.

Fiscal Issues:

According to the analysis of SB 191 by the Public Education Department (PED), there could be savings for school districts in costs associated with:

- utilities, amounting to approximately 17 percent or \$12.0 million annually, assuming the use of utilities would be reduced by one day each week at 100 percent;
- transportation, amounting to \$445,000 daily or \$13.3 million annually, based on a 30-day reduction; and
- food services, amounting to approximately \$10.0 million annually in operational and food service funds combined.

The PED analysis also notes that some of the school districts already operating on a four-day week have not seen significant utilities savings.

Substantive Issues:

According to the SPO analysis of SB 191, by existing executive order, the executive agencies are required to adopt a written policy that defines specific criteria and procedures for tele-work and alternative work schedules. Four, 10-hour days in a workweek would be considered an alternative work schedule. The SPO analysis also cites both advantages and disadvantages of the four-day workweek of 10-hour days.

Among the advantages often cited are:

- reduced fuel costs;
- decreased absenteeism;
- increased productivity;
- improved job satisfaction and morale;
- reduced personnel turnover;
- reduced energy costs;
- improved work-life balance; and
- reduced traffic congestion.

Among the disadvantages often cited are:

- there is, in fact, decreased productivity due to diminishing returns;
- no fuel savings;
- issues with child care;

- impacts on public transportation systems;
- decreased family time;
- decreased quality of life;
- decreased employee morale; and
- perpetual employee exhaustion.

SPO also indicates in its analysis of SB 191 that there are no direct personnel savings based on the number of hours worked since buildings must still be heated or cooled and electricity usage will be similar to that of the 40-hour workweek.

In addition, with state government being the largest employer in the state, a change to agencies and schools has a direct impact on the private sector as businesses must adjust when they are open and how they do business.

An unintended consequence of SB 191 could be the unknown impact of well over 300,000 children and youth statewide being at home or on the streets and in the shopping malls one day a week or the need of parents to absorb the cost of day care for at least the younger children.

Technical Issues:

Charter schools are not mentioned in SB 191 as falling under the requirements for a four-day school week.

Background:

According to SPO, many public and private sector employers have switched to a four-day week schedule with mixed results. Utah has operated under this system for about a year-and-a-half and reports many positive results. However, Ohio found “less than stellar results from its experiment with four-day workweeks and reverted to five-day weeks.”

Related Bills:

None as of 2-1-2010.