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Texas House moves to shore up telework rules for state workers

The bill was inspired by a March order from Gov. Greg Abbott that agencies start bringing back employees who had been working remotely since the pandemic.

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AUSTIN — Legislation [creating rules](#) that spell out how state agencies can allow employees to work remotely passed with overwhelming support Wednesday in the Texas House.

House Bill 5196, by state Rep. Giovanni Capriglione, R-Southlake, was inspired by a [March order](#) from Gov. Greg Abbott that agencies start bringing back employees who had been working remotely since the pandemic.

The bill would establish a framework for telework policies within state agencies, which currently have myriad approaches. Some require workers to be in the office every workday, while others let large numbers — if not the majority — work remotely, either full- or part-time.

The bill “provides a practical, structured solution for our state agencies to offer telework arrangements with clear expectations,” Capriglione said on the House floor.

The legislation passed 132-11 with no floor debate.

Nearly 150,000 people work for the state’s more than 100 agencies, and most of them work in the office, according to state officials. Many agencies, however, found that they were able to raise productivity, save money on office utility bills and leases, and retain employees by offering broad work-from-home flexibility.

Although telework is nothing new in state government, the practice came under fire in recent months after President Donald Trump ordered federal workers to return to their offices — largely vacant in the years after the 2020 pandemic lockdowns forced most of the nation’s nonessential workforce into their homes during Trump’s first term.

Capriglione's bill comes weeks after Abbott ordered agencies to review their postpandemic telework rules and update them to have the most on-site workers as possible. He said the legislation erases gray areas in the law.

The pandemic resulted in more state employees working remotely without updated policies covering those arrangements — while Abbott's directive sought to return to prepandemic conditions without much clarity on how to account for office space and parking challenges, among others, Capriglione said during committee testimony in April.

The bill would create rules for telework policies within the section of the Texas Government Code that covers [state employees](#).

Agency directors would continue to be able to design telework policies and let employees work remotely under the legislation, but they would be required to review those arrangements annually and submit them to the state in writing.

They also would need to show the telework arrangements “address a lack of office space” or “provide reasonable flexibilities that enhance the agency's ability to achieve its mission,” according to the bill.

The bill also stipulates that agencies cannot use a guarantee of telework as a condition of hiring — only the possibility of it as an agency policy — and allows agencies to revoke a telework arrangement at any time for any reason without notice.

“This bill is about giving state agencies the tools and the flexibility they need to effectively manage today's workforce,” Capriglione said. “What this bill does is actually strengthen current rules.”

Supporters of the legislation, including several current and former state employees who testified during its committee hearing, herald the bill as an essential tool that can build morale and efficiency.

“My family chose Texas, and I chose this job,” Sam Bickley, a hydrologist at the Texas Commission on Environmental Quality, testified. “Now I'm asking each and every one of you to choose workers like me.”