

By: Senator(s) Harden

To: Appropriations

SENATE BILL NO. 2159

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE FOR FLEXIBLE OFFICE HOURS FOR CERTAIN STATE AGENCIES AND  
3 TO PROVIDE FOR STAFF DURING SUCH FLEXIBLE OFFICE HOURS; AND FOR  
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 25-1-98, Mississippi Code of 1972, is  
7 amended as follows:

8 25-1-98. (1) In addition to any other times required by  
9 statute, all state offices shall be open and staffed for the  
10 normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday  
11 through Friday, except on legal holidays as set forth in Section  
12 3-3-7. The Governor may designate certain state offices and  
13 institutions as providers of essential services and require that  
14 they be open and staffed on legal holidays. The Board of  
15 Directors of the Mississippi Industries for the Blind may, in its  
16 discretion, require that its offices and operations be open and  
17 staffed on legal holidays. Employees required to work on legal  
18 holidays shall earn compensatory leave under the provisions of  
19 Section 25-3-92. No employee shall receive additional vacation or  
20 sick leave benefits for working on a legal holiday, nor shall this  
21 section be construed to authorize any additional compensation as  
22 an alternative to the accrual of compensatory leave except as  
23 specifically provided for in a legislative appropriation. The  
24 provisions of this section shall not be construed to limit the  
25 hours of operation of any agency or to abrogate any action taken  
26 during hours other than those stated, nor shall these provisions  
27 apply to any offices that do not customarily stay open five (5)  
28 days a week. The provisions of this section shall not apply to

29 the military department of the State of Mississippi or to the  
30 armories, field training sites, air bases or other installations  
31 of the Mississippi National Guard.

32 (2) A workday for a state employee in a full-time employment  
33 position shall be eight (8) hours in duration at a minimum  
34 exclusive of time off for meals. The appointing authority shall  
35 develop work schedules which ensure that each full-time employee  
36 works a full workday and shall provide the State Auditor with a  
37 copy of the regular work schedule of the appointing authority.

38 (3) In addition to any other times required by statute, the  
39 following state agencies shall be open and staffed for the normal  
40 conduct of business from 8:00 a.m. until 8:00 p.m., Monday through  
41 Saturday: (a) the Department of Human Services; (b) the Division  
42 of Medicaid; (c) the State Department of Health; and (d) the  
43 Mississippi Employment Security Commission. The administrative  
44 head of the appropriate divisions and bureaus of such agencies  
45 shall assign employees to flexible working hours in order to  
46 accommodate the flexible office hours prescribed herein, and no  
47 employee assigned to such flexible office hours shall receive  
48 additional compensation, vacation leave or compensatory leave  
49 benefits for staffing the office during such period of time.

50 **SECTION 2.** This act shall take effect and be in force from  
51 and after July 1, 2004.