

By: Representative Currie

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1193

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE CONDITIONS FOR STATE EMPLOYEES ENGAGING IN TELEWORK; AND
3 FOR RELATED PURPOSES.

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

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

7 25-1-98. In addition to any other times required by statute,
8 all state offices shall be open and staffed for the normal conduct
9 of business from 8:00 a.m. until 5:00 p.m., Monday through Friday,
10 except on legal holidays as set forth in Section 3-3-7. The
11 Governor may designate certain state offices and institutions as
12 providers of essential services and require that they be open and
13 staffed on legal holidays. The Board of Directors of the
14 Mississippi Industries for the Blind may, in its discretion,
15 require that its offices and operations be open and staffed on
16 legal holidays. Employees required to work on legal holidays
17 shall earn compensatory leave under the provisions of Section
18 25-3-92. No employee shall receive additional vacation or sick



19 leave benefits for working on a legal holiday, nor shall this
20 section be construed to authorize any additional compensation as
21 an alternative to the accrual of compensatory leave except as
22 specifically provided for in a legislative appropriation. The
23 provisions of this section shall not be construed to limit the
24 hours of operation of any agency or to abrogate any action taken
25 during hours other than those stated, nor shall these provisions
26 apply to any offices that do not customarily stay open five (5)
27 days a week. The provisions of this section shall not apply to
28 the military department of the State of Mississippi or to the
29 armories, field training sites, air bases or other installations
30 of the Mississippi National Guard.

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

37 (2) An appointing authority may authorize telework for one
38 or more of its employees in the following instances:

39 (a) When the Governor has declared an emergency under
40 Chapter 33, Title 33, Mississippi Code of 1972, authorizing
41 appointing authorities to allow telework;

42 (b) When the appointing authority has determined that
43 an employee has a medical condition that necessitates such



44 employee be protected from exposure to members of the agency staff
45 or the public;

46 (c) When an employee is responsible for the care of a
47 person who has been ordered to quarantine under an order of the
48 Mississippi State Department of Health; or

49 (d) When access to the workplace is barred by inclement
50 weather or other conditions which make it dangerous for employees
51 to report to their assigned place of work.

52 (3) In order to implement a telework policy for one or more
53 of its employees, an appointing authority shall:

54 (a) Determine whether or not telework is in the best
55 interest of the agency. In doing so, the appointing authority
56 shall seek guidance from the Mississippi State Personnel Board in
57 determining what forms of work activities can be effectively and
58 efficiently managed through a telework arrangement.

59 (b) Establish procedures to protect any information
60 that is privileged or confidential under state or federal law.

61 (c) Require all teleworking employees to sign a
62 telework agreement that sets out their work schedule, provides for
63 supervisory oversight through the review of work product and
64 deliverables on a regular basis, requires the protection of
65 privileged or confidential information that is managed remotely on
66 an agency computer or other devices, establishes protocols for
67 accessibility to co-workers and clients, workplace safety and any
68 other matters deemed appropriate by the appointing authority.



69 (d) Establish work schedules that ensure that some
70 personnel are at the appointing authority's offices to provide
71 direct contact with the public.

72 (4) For purposes of subsections 2 and 3 of this section, the
73 term "telework" means a work flexibility arrangement under which
74 an employee performs duties, responsibilities, or other authorized
75 activities from an approved worksite other than the location from
76 which the employee would otherwise work.

77 **SECTION 2.** This act shall take effect and be in force from
78 and after July 1, 2022.

