

By: Senator(s) Blackwell, Younger,  
Chassaniol, McMahan, Polk, Norwood, Parker

To: Accountability,  
Efficiency, Transparency

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2810

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THE TERMS AND CONDITIONS FOR ALLOWING STATE EMPLOYEES TO  
3 ENGAGE IN TELEWORK; AND 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. (1) (a) In addition to any other times required  
8 by statute, all state offices shall be open and staffed for the  
9 normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday  
10 through Friday, except on legal holidays as set forth in Section  
11 3-3-7. The Governor may designate certain state offices and  
12 institutions as providers of essential services and require that  
13 they be open and staffed on legal holidays. The Board of  
14 Directors of the Mississippi Industries for the Blind may, in its  
15 discretion, require that its offices and operations be open and  
16 staffed on legal holidays. Employees required to work on legal  
17 holidays shall earn compensatory leave under the provisions of  
18 Section 25-3-92. No employee shall receive additional vacation or



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

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

40 (a) When the Governor has declared an emergency under  
41 Title 33, Chapter 15, Mississippi Code of 1972, authorizing  
42 appointing authorities to allow telework;



43 (b) When the appointing authority has determined that  
44 an employee has a medical condition that necessitates such  
45 employee be protected from exposure to members of the agency staff  
46 or the public;

47 (c) When an employee is responsible for the care of a  
48 person who is under order to quarantine by the Department of  
49 Health;

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

53 (e) In accordance with a telework policy, approved by  
54 the State Personnel Board, as provided in subsection (3) of this  
55 section. This paragraph (e) shall stand repealed on July 1, 2023.

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

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

63 (b) Establish procedures to protect any information  
64 that is privileged or confidential under state or federal law;

65 (c) Require all teleworking employees to sign a  
66 telework agreement that includes their work schedule, provides for  
67 supervisory oversight through the review of work product and



68 deliverables on a regular basis, requires the protection of  
69 privileged or confidential information that is managed remotely on  
70 an agency computer or other devices, establishes protocols for  
71 accessibility to coworkers and clients, workplace safety, and any  
72 other matters deemed appropriate by the appointing authority; and

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

76 (4) For purposes of subsections (2) and (3) of this section,  
77 the term "telework" shall mean a work flexibility arrangement  
78 under which an employee performs duties, responsibilities, or  
79 other authorized activities from an approved worksite other than  
80 the location from which the employee would otherwise work.

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

