

By: Representative Read

To: Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 1356

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO  
2 REVISE CERTAIN PROVISIONS REGARDING THE USE OF TELEWORK BY  
3 EMPLOYEES OF STATE SERVICE AGENCIES; 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 of any state service agency  
39 within the meaning of Section 25-9-107 may authorize telework for  
40 one or more of its employees in accordance with a telework policy,  
41 approved by the State Personnel Board, as provided in subsection  
42 (3) of this section.



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

45                   (a) Determine whether or not telework is in the best  
46 interest of the agency. In doing so, the appointing authority may  
47 seek guidance from the State Personnel Board in determining what  
48 forms of work activities can be effectively and efficiently  
49 managed through a telework arrangement;

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

52                   (c) Require all teleworking employees to sign a  
53 telework agreement that includes their work schedule, provides for  
54 supervisory oversight through the review of work product and  
55 deliverables on a regular basis, requires the protection of  
56 privileged or confidential information that is managed remotely on  
57 an agency computer or other devices, establishes protocols for  
58 accessibility to coworkers and clients, workplace safety, and any  
59 other matters deemed appropriate by the appointing authority; and

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

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



68 (5) All agencies \* \* \* under the jurisdiction of the State  
69 Personnel Board shall report to the \* \* \* board the names \* \* \*,  
70 \* \* \* job titles, office schedule and telework schedule \* \* \* of  
71 the employees who are performing telework for their agencies. On  
72 or before December 31 of each year, the State Personnel Board  
73 shall make a report related to the utilization of telework  
74 policies to the Chairmen of the House and Senate Appropriations  
75 Committees, the Accountability, Efficiency and Transparency  
76 Committees, and the Joint Legislative Committee on Performance  
77 Evaluation and Expenditure Review.

78 (6) Absent emergency circumstances, the State Personnel  
79 Board shall not process any personnel actions within the system of  
80 record otherwise allowable for an agency under its purview, unless  
81 and until that agency is in compliance with this section.

82 (7) The State Personnel Board \* \* \* shall promulgate rules  
83 for the administration of this section which shall be binding upon  
84 state service agencies within the meaning of Section 25-9-107.

85 ( \* \* \*8) Subsections (2) through (6) of this section shall  
86 stand repealed on July 1, 2025.

87 **SECTION 2.** This act shall take effect and be in force from  
88 and after July 1, 2024.

