

By: Senator(s) Robinson, Rhodes

To: Business and Financial
Institutions

SENATE BILL NO. 2832

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO
2 AMEND THE STATE TELEWORK POLICY; TO REQUIRE STATE AGENCIES TO
3 COMPLY WITH THE PROVISIONS OF THIS ACT TO PARTICIPATE IN TELEWORK
4 PRACTICES; TO REQUIRE THE STATE PERSONNEL BOARD TO PROMULGATE
5 RULES FOR COMPLIANCE FOR THE STATE AGENCIES UNDER THEIR PURVIEW;
6 AND FOR RELATED PURPOSES.

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

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

10 25-1-98. (1) (a) In addition to any other times required
11 by statute, all state offices shall be open and staffed for the
12 normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday
13 through Friday, except on legal holidays as set forth in Section
14 3-3-7. The Governor may designate certain state offices and
15 institutions as providers of essential services and require that
16 they be open and staffed on legal holidays. The Board of
17 Directors of the Mississippi Industries for the Blind may, in its
18 discretion, require that its offices and operations be open and
19 staffed on legal holidays. Employees required to work on legal
20 holidays shall earn compensatory leave under the provisions of



21 Section 25-3-92. No employee shall receive additional vacation or
22 sick leave benefits for working on a legal holiday, nor shall this
23 section be construed to authorize any additional compensation as
24 an alternative to the accrual of compensatory leave except as
25 specifically provided for in a legislative appropriation. The
26 provisions of this section shall not be construed to limit the
27 hours of operation of any agency or to abrogate any action taken
28 during hours other than those stated, nor shall these provisions
29 apply to any offices that do not customarily stay open five (5)
30 days a week. The provisions of this section shall not apply to
31 the military department of the State of Mississippi or to the
32 armories, field training sites, air bases or other installations
33 of the Mississippi National Guard.

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

41 (2) An appointing authority of any state service agency
42 within the meaning of Section 25-9-107 may authorize telework for
43 one or more of its employees in accordance with a telework policy,
44 approved by the State Personnel Board, as provided in subsection
45 (3) of this section.



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

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

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

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

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

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



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

81 (6) All agencies shall be in compliance with the provisions
82 of this act by September 30, 2024. In the event that an agency is
83 not in compliance, and absent emergency circumstances, the State
84 Personnel Board shall not process any personnel actions within the
85 system of record otherwise allowable for agencies under its
86 purview, unless and until that agency is in compliance with this
87 section.

88 (* * *7) The State Personnel Board * * * shall promulgate
89 rules for the administration of this section which shall be
90 binding upon state service agencies within the meaning of Section
91 25-9-107.

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

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

