

SENATE BILL NO. 2080

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE REPEAL DATE ON THE AUTHORITY OF STATE SERVICE AGENCIES
3 TO ALLOW TELEWORK IN ACCORDANCE WITH A POLICY APPROVED BY THE
4 STATE PERSONNEL BOARD; AND FOR 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) (a) In addition to any other times required
9 by 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 (b) A workday for a state employee in a full-time
33 employment position shall be eight (8) hours in duration at a
34 minimum exclusive of time off for meals. The appointing authority
35 shall develop work schedules which ensure that each full-time
36 employee works a full workday and shall provide the State Auditor
37 with a copy of the regular work schedule of the appointing
38 authority.

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

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

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

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

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

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

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

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

79 (6) The State Personnel Board may promulgate rules for the
80 administration of this section which shall be binding upon state
81 service agencies within the meaning of Section 25-9-107.

82 (7) Subsections (2) through (6) of this section shall stand
83 repealed on July 1, * * * 2027.

84 **SECTION 2.** This act shall take effect and be in force from
85 and after July 1, 2025.

