

By: Senator(s) Sparks

To: Economic and Workforce
Development

SENATE BILL NO. 2289
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT ALL AGENCIES UNDER THE PURVIEW OF THE STATE PERSONNEL
3 BOARD SHALL REPORT TO THE BOARD INFORMATION ABOUT THE INDIVIDUALS
4 WHO PERFORM REMOTE WORK FOR THEIR AGENCIES; TO PROHIBIT THE STATE
5 PERSONNEL BOARD, ABSENT EMERGENCY CIRCUMSTANCES, FROM PROCESSING
6 ANY PERSONNEL ACTIONS WITHIN THE SYSTEM OF RECORD OTHERWISE
7 ALLOWABLE FOR AGENCIES UNDER ITS PURVIEW UNLESS AND UNTIL SUCH
8 AGENCY IS IN COMPLIANCE WITH THIS ACT; TO REQUIRE THAT THE STATE
9 PERSONNEL BOARD PROMULGATE RULES FOR THE ADMINISTRATION OF THIS
10 ACT; TO REMOVE THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

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

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



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

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

44 (2) An appointing authority of any state service agency
45 within the meaning of Section 25-9-107 may authorize * * * remote
46 work for one or more of its employees in accordance with a * * *



47 remote work policy, approved by the State Personnel Board, as
48 provided in subsection (3) of this section.

49 (3) In order to implement * * * the remote work policy for
50 one or more of its employees, an appointing authority shall:

51 (a) Determine whether or not * * * remote work is in
52 the best interest of the agency. In doing so, the appointing
53 authority * * * shall seek * * * permission from the State
54 Personnel Board in determining what forms of work activities can
55 be effectively and efficiently managed through a * * * remote work
56 arrangement;

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

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

68 (d) Employees shall be present in the office at least
69 three (3) days per week except if approved by the Governing
70 Authority and the Personnel Board, except for those employees



operating under the Americans with Disability Act or any other applicable federal or state law; and

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

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

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

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



95 (7) Subsections (2) through (6) of this section shall stand
96 repealed on July 1, * * * 2028.

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

