

EXECUTIVE ORDER No.

2025-31

WHEREAS, the State of South Carolina is committed to ensuring government operates as effectively and efficiently as possible not only by maintaining continuity and accessibility in state government operations but also by recruiting and retaining talented state employees; and

WHEREAS, advances in technology have created new opportunities for increased flexibility in how certain state government work can be performed, and such technological capabilities can be utilized in specified conditions both to enhance the services provided and to minimize expenses; and

WHEREAS, pursuant to section 8-11-15(B) of the South Carolina Code of Laws, as amended, “[s]tate agencies may use alternate work locations, including telecommuting, that result in greater efficiency and cost savings”; and

WHEREAS, the State of South Carolina has successfully utilized the aforementioned technological developments during hazardous weather events, *see* Executive Order No. 2025-17, § 1(C), and the COVID-19 pandemic, *see* Executive Order No. 2020-11, § 1(A); Executive Order No. 2021-12, § 5(D), to maintain the continuity of government operations and the provision of critical services; and

WHEREAS, while telecommuting and remote-work arrangements shall remain available to state agencies and departments under certain circumstances and in accordance with section 8-11-15 of the South Carolina Code of Laws, the undersigned previously determined that it was necessary and appropriate to review and reevaluate the State’s policies and procedures and to consider revising the same to provide the requisite clarity, consistency, and accountability; and

WHEREAS, the South Carolina Department of Administration (“Department”), through its Division of State Human Resources (“State HR”), has conducted a comprehensive review and analysis of best practices related to telecommuting and remote work and has proposed updated policies and procedures to guide and support state agencies in the implementation and administration of such arrangements; and

WHEREAS, in accordance with section 8-11-210 of the South Carolina Code of Laws, as amended, State HR is authorized “to administer a comprehensive system of personnel administration responsive to the needs of the employees and agencies and essential to the efficient operation of [s]tate [g]overnment,” which “shall be applicable to all [s]tate agencies, departments, institutions, boards, commissions and authorities,” unless otherwise provided by law; and

WHEREAS, for the aforementioned and other reasons, the undersigned has determined that it is necessary and appropriate to modify the State’s existing policies and procedures pertaining to the utilization of telecommuting and remote-work arrangements by agencies, departments, and employees; and

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby order and direct as follows:

Section 1. Adoption of Updated Telecommuting and Remote Work Policies and Procedures

A. I hereby adopt and direct State HR to implement the updated Telecommuting and Remote Work Policies and Procedures promulgated by State HR, as authorized by section 8-11-15(B) of the South Carolina Code of Laws.

B. This Order, as well as State HR’s Telecommuting and Remote Work Policies and Procedures, shall apply to all Cabinet Agencies, as defined by Executive Order No. 2025-23, and to all other state agencies, departments, offices, and entities under the authority of the undersigned. In addition to the foregoing, absent a specific exemption or unless otherwise provided by law, State HR’s Telecommuting and Remote Work Policies and Procedures “shall be applicable to all [s]tate agencies, departments, institutions, boards, commissions and authorities” subject to State HR’s jurisdiction or regulatory authority in accordance with section 8-11-210 of the South Carolina Code of Laws.

Section 2. Implementation, Evaluation, and Accountability

A. All state agencies, departments, offices, and entities subject to this Order or subject to State HR’s jurisdiction or regulatory authority shall take appropriate steps to

implement the updated Telecommuting and Remote Work Policies and Procedures, as adopted herein, including by developing internal protocols, training programs, and oversight mechanisms to ensure compliance and accountability.

B. Agency heads are directed to assess their respective operations and workforce requirements to determine the suitability of telecommuting and remote work arrangements, consistent with the updated Telecommuting and Remote Work Policies and Procedures, as adopted herein, and to document all such determinations in writing.

C. State HR shall not make any alterations or exceptions to the updated Telecommuting and Remote Work Policies and Procedures, either on an individual or class-wide basis, without the prior approval of the undersigned or the undersigned's designee.

D. State HR shall provide technical assistance to agencies, departments, and officials regarding implementation of the updated Telecommuting and Remote Work Policies and Procedures and shall monitor practices for consistency therewith and compliance with this Order. State HR shall also collect data and periodically evaluate the effectiveness of telecommuting and remote-work arrangements and shall periodically report its findings to the undersigned and the Department of Administration.

Section 3. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this Order, as the undersigned would have issued this Order, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office of the Governor, the Department, and State HR to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect unless modified, amended, superseded, or rescinded by subsequent Order.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 11th DAY
OF SEPTEMBER, 2025.**

HENRY DARGAN MCMASTER
Governor

ATTEST:

MARK HAMMOND
Secretary of State