



STATE OF MISSISSIPPI
OFFICE OF THE STATE AUDITOR
SHAD WHITE
STATE AUDITOR

September 14, 2020

Dr. Glenn Boyce, Chancellor
University of Mississippi
P. O. Box 1848
University, Mississippi 39677

Chancellor Boyce,

As you know, a University of Mississippi employee, Professor James Thomas, engaged in a “#ScholarStrike” on Tuesday, September 8th, and Wednesday, September 9th, 2020. Prof. Thomas acknowledged this in an email to students and in multiple social media posts. His email to students outlined his “work stoppage” and the work-related tasks he would not be performing.

Strikes are illegal in Mississippi. Mississippi Code §37-9-75 states that Prof. Thomas “shall” not “promote, encourage or participate in any strike.” The statute also states that any “concerted work stoppage” is illegal. Mississippi Code §37-9-75(2). This prohibition on striking or concerted work stoppages applies to “any person holding a position by employment, contract or appointment with a public employer,” which includes Prof. Thomas. Miss. Code §25-1-105. In fact, §37-9-75(2) condemns striking in the strongest possible terms, stating that strikes or work stoppages “shall be illegal, unprotected and contrary to the public policy of the State of Mississippi.”

The penalties for striking are in §37-9-75, and they are clear. If an employee has engaged in a strike, a court “shall order the termination of his or her employment.” Miss. Code §37-9-75(8).

In my capacity as State Auditor, I am charged with demanding “the recovery of any amounts representing public funds . . . illegally expended. . . .” Miss. Code §7-7-211. A salary paid to a striking employee would be public funds illegally expended under §37-9-75. The purpose of this letter is, first, to inform you that we have gathered documents regarding Prof. Thomas’s strike. Agents from my office have also spoken with Prof. Thomas. These documents will be sent to your office in coming days.

Second, I am requesting that you withhold Prof. Thomas’s pay for the two days he did not work. The University should also proceed to court to hear the matter of Prof. Thomas’s termination, per the requirements in §37-9-75.

The University of Mississippi has been very cooperative in this matter, so thank you for your assistance. Please let me know if you have questions.

Sincerely,

A handwritten signature in blue ink, appearing to be "Shad White", written over the word "State Auditor".

State Auditor