



**LOUISIANA DEPARTMENT OF STATE**  
**CIVIL SERVICE**

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**GENERAL CIRCULAR NUMBER 2011-036**

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**DATE: December 16, 2011**

**TO: Heads of State Agencies and Human Resources Directors**

**SUBJECT: Approved Changes to Chapters 6, 10, 15 and 18 of the Civil Service Rules**

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At its General Business meeting held on December 14, 2011 the State Civil Service Commission adopted proposed amendments to Civil Service Rules 6.14, Chapter 10, Civil Service Rule 15.2.1, and Chapter 18 and adopted new Civil Service Rule 6.31.

Based upon comments received by the Department of State Civil Service during the public comment period, the State Civil Service Commission adopted amendments. After adoption of the amendments, the Commission adopted the attached rules.

Civil Service Rules 18.1 is effective December 14, 2011, all other rules will be effective on July 1, 2012.

More information will be made available in January 2012.

Sincerely,

s/Shannon S. Templet  
Director

## **CHAPTER 6 – PAY PLAN**

### **6.14 Performance Adjustments**

- (a) An employee who is in active status as of June 30 of the performance evaluation year becomes eligible for and may be granted a performance adjustment, provided that the appointing authority has determined his performance merits such an adjustment.
- (b) Repeal effective July 1, 2012.
- (c) .....
- (d) Repeal effective July 1, 2012.
- (e) ....
- (f) An employee's eligibility for the increases authorized in Subsection (a) shall not be interrupted by time served in the military service if he is reemployed under the provisions of Rule 23.15.
- (g) Repeal effective July 1, 2012.
- (h) ....
- (i) An employee who has a current official overall Performance Evaluation of “Needs Improvement/Unsuccessful” or equivalent shall not be eligible for any increase under the provisions of this rule.
- (j) Repeal effective July 1, 2012.
- (k) An employee on detail to a position in a higher grade may be eligible for a performance adjustment in the higher job calculated on his individual pay rate in the higher job.

### **6.31 Pay for Employees Appointed at Range Minimum**

An appointing authority may grant a 2% base pay increase to an employee appointed at the minimum of the pay range after that employee has served at least six months. When an appointing authority elects to grant such pay adjustments, they must be granted in a uniform manner to all employees in the same job title who are hired at the minimum of the range. Such pay adjustments may only be granted within twelve months of the effective date of the appointment.

## **CHAPTER 10 – PERFORMANCE EVALUATION SYSTEM**

### **10.1 Performance Evaluation System; Required Components**

- (a) The Performance Evaluation System is a tool used to measure individual performance and to develop employees into high-performing individuals. This Performance Evaluation System is effective July 1, 2012 and applies to all classified employees. The performance evaluation year shall be July 1<sup>st</sup> through June 30<sup>th</sup> of each year. The Performance Evaluation System shall consist of at least the following components:
  - 1. A performance plan that lists the performance factors on which the employee's overall performance will be evaluated,
  - 2. A planning session at which the evaluating supervisor and the employee discuss the performance plan,
  - 3. A standard planning and evaluation form approved by the Director,
  - 4. A three-level evaluation system, and
  - 5. A planning and evaluation instruction manual that is accessible to all employees.
- (b) An appointing authority may make variations to the performance planning and evaluation form or instructions with prior written approval from the Director.

### **10.2 Evaluating Supervisor.**

- (a) The Appointing Authority shall designate an Evaluating Supervisor for each employee. Generally, the Evaluating Supervisor should be the person who, in the Appointing Authority's judgment, is in the best position to observe and document the employee's performance. Failure to designate an Evaluating Supervisor shall be a violation of these rules.
- (b) The Evaluating Supervisor shall be responsible for administering the performance evaluation system for his designated employees in accordance with these Rules and any applicable agency policies. An Evaluating Supervisor who fails to administer the performance evaluation system in accordance with these Rules shall not be eligible for a performance adjustment for that year.

### **10.3 Second Level Evaluator**

- (a) The Appointing Authority shall designate a Second Level Evaluator for each employee. Generally, the Second Level Evaluator is the Evaluating Supervisor's supervisor. The Second Level Evaluator must approve the performance plan and the performance evaluation prepared by the Evaluating Supervisor before they are given to the employee for signature.
- (b) The Second Level Evaluator shall be responsible for administering the performance evaluation system in accordance with these Rules and any applicable agency policies. A Second Level Evaluator who fails to administer the performance evaluation system in accordance with these Rules shall not be eligible for a performance adjustment for that year.

### **10.4 Performance Evaluations**

- (a) Each employee shall be evaluated on his overall performance based on work tasks and behavior standards determined by the evaluating supervisor to be requirements of the employee's job.
- (b) Additionally, each supervisory employee shall be evaluated on his administration of the performance evaluation system as required by these rules.

### **10.5 Performance Plan and Performance Planning Session**

- (a) The Evaluating Supervisor shall prepare a performance plan at the beginning of each evaluation period. The performance plan shall list work tasks and behavior standards on which the employee's overall performance will be evaluated. These shall be recorded on the planning and evaluation form.
- (b) The Evaluating Supervisor shall obtain the Second Level Evaluator's signature approval of the performance planning and evaluation form prior to presenting it to the employee for final signature.
- (c) After obtaining the Second Level Evaluator's signature approval of the performance plan, the Evaluating Supervisor will conduct a performance planning session with the employee.

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- (d) During the planning session, the Evaluating Supervisor shall present the performance planning and evaluation form to the employee and discuss the performance work tasks and behavior standards on which he will be evaluated and the performance that will be expected of him during the coming evaluation period.
- (e) The Evaluating Supervisor and the employee shall sign and date the performance planning and evaluation form to document the planning session. The employee shall be given a copy of the form. Should the employee decline to sign the performance planning and evaluation form, the Evaluating Supervisor shall note this on the form and record the date that the planning session occurred. An employee cannot prevent the planning session from becoming official by refusing to sign the form.
- (f) Planning sessions shall be conducted during the first three (3) calendar months following:
1. the appointment of a new employee;
  2. the permanent movement of an employee into a position having a different position number with **significantly different duties**;
  3. the beginning of the new performance evaluation year (no later than 9/30).
- (g) A performance planning session **may** be conducted when:
1. the employee gets a new Evaluating Supervisor,
  2. performance expectations change, or
  3. the Evaluating Supervisor deems a performance planning session is appropriate.

## 10.6 Overall Performance Evaluation

- (a) At the end of the performance evaluation period, the Evaluating Supervisor shall assign one of the three values listed below to the employee's overall performance based upon the work tasks and behavior standards established in the performance plan.

**Exceptional:** Work and behavior consistently exceeded the performance criteria.

**Successful:** Work and behavior met the performance criteria.

**Needs Improvement/Unsuccessful:** Work and/or behavior did not meet the performance criteria.

- (b) An Evaluating Supervisor may elect to assign an employee who worked less than three calendar months within the performance evaluation year a default overall evaluation of "Not Evaluated." An overall evaluation of "Not Evaluated" shall have the same effect as an evaluation of "Successful." "Not Evaluated" evaluations may be given **only** when:
1. the employee is active as of June 30<sup>th</sup>, the end of the performance year, and
  2. the employee has worked less than three (3) months at the evaluating agency within the performance year, and
  3. the appointing authority determines that not enough time has elapsed to create an evaluation for the employee.

- (c) When an evaluation is in violation of these rules, the employee shall receive an overall evaluation of “Unrated.” “Unrated” evaluations shall have the same effect as an evaluation of “Successful.”

### **10.7 Official Performance Evaluations and Evaluation Sessions**

- (a) Official performance evaluations are required for **all** classified employees. The Evaluating Supervisor shall base the official evaluation of the employee’s performance on the work tasks and behavior standards as stated on the performance planning and evaluation form.
- (b) Official evaluations shall be made after the performance year has ended and must be rendered no later than August 31<sup>st</sup>. All official overall evaluations will be recorded with an effective date of July 1<sup>st</sup>.
- (c) Evaluations become official on the date they are rendered. No evaluations shall be rendered after August 31<sup>st</sup>. To render an official evaluation, the Evaluating Supervisor shall:
  1. complete a performance evaluation form after June 30<sup>th</sup> of the evaluation year,
  2. provide documentation to support an evaluation of “Needs Improvement/Unsuccessful” or “Exceptional,”
  3. obtain the Second Level Evaluator’s signed approval of the evaluation form prior to discussion with the employee,
  4. discuss the evaluation with the employee and present the evaluation form to the employee to be signed and dated, and
  5. give the employee a copy of the evaluation form with his official overall evaluation noted.
- (d) When an employee is not available, the provisions of this rule shall be satisfied when notification to the employee is made by mail. If the employee is notified by mail, the notification shall be deemed timely if it was mailed to the employee’s most recent address on or before August 31<sup>st</sup>, as evidenced by official proof of mailing. The agency must maintain documentation that the employee was notified on or before August 31<sup>st</sup>.
- (e) Should the employee decline to sign the performance evaluation form, the Evaluating Supervisor shall note this on the form and record the date that the evaluation session occurred. An employee cannot prevent the evaluation from becoming official by refusing to sign the form.

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- (f) Evaluations of "Unrated" shall be indicated on the final overall performance evaluation form by the Evaluating Supervisor, Second Level Evaluator, or Human Resources officer. An employee shall be notified when he has been assigned an official overall evaluation of "Unrated".

### **10.8 Effects of the Needs Improvement/Unsuccessful Evaluation**

- (a) An evaluation of "Needs Improvement/Unsuccessful" is not a disciplinary action.
- (b) Any employee whose official overall evaluation is "Needs Improvement/Unsuccessful" shall **not** be:
1. eligible for a performance adjustment, a promotion or permanent status, or
  2. detailed to a higher level position unless approved in advance by the Director of Civil Service.
- (c) An employee whose official overall evaluation is "Needs Improvement/Unsuccessful" may be separated or disciplined in accordance with the rules applicable to the employee's status.
- (d) Permanent employees shall have a right to request a review in accordance with the provisions of rules 10.11 and 10.12.

### **10.9 Effect of the Absence of an Official Evaluation**

An employee who is not evaluated in accordance with the provisions of these rules shall have an official overall evaluation of "Unrated" on the evaluation effective date of July 1<sup>st</sup>. Permanent employees shall have a right to request a review in accordance with the provisions of rule 10.11.

### **10.10 Record Keeping and Reporting Requirements.**

- (a) Each completed performance evaluation form shall be kept in the agency Human Resource office or other designated, secure location not accessible to the public, and shall not be considered a public record. Completed forms must be available upon request to the Department of Civil Service for auditing purposes, to other agencies of the State of Louisiana for purposes of checking employment references and to the employee.
- (b) Each Appointing Authority shall annually report to the Director of Civil Service, in such manner as the Director prescribes, information about evaluations given during the previous year ending June 30<sup>th</sup>. The Director of Civil Service may require more frequent reporting as needed.

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**10.11 Agency Review**

- (a) A permanent employee who receives an overall performance evaluation of “Unrated” or “Needs Improvement/Unsuccessful” may request an official review of that evaluation by an Agency Reviewer(s).
- (b) The appointing authority shall designate the Agency Reviewer or an Agency Review Panel. The Reviewer(s) shall not be either the Evaluating Supervisor or the Second Level Evaluator who signed the evaluation being reviewed.
- (c) The official overall evaluation may only be changed by the Agency Reviewer(s).
- (d) A request for review must be submitted in writing and be postmarked or received in the employing agency’s Human Resources office no later than September 15<sup>th</sup> following the evaluation year. In the request for review, the employee must explain and provide supporting documentation for the request for review.
- (e) If the request for review is timely, the Agency Reviewer(s) must review the employee’s request, the evaluation given and any supporting documentation provided. The contested evaluation must be discussed with the employee and the Evaluating Supervisor.
- (f) The Agency Reviewer(s) shall give the employee, the Evaluating Supervisor, and the Human Resources office written notice of the results of their review. This notification shall be provided no later than October 15<sup>th</sup>. Any change in evaluation shall be retroactive to July 1<sup>st</sup>.
- (g) The performance evaluation form, the employee’s request for review, the Agency Reviewer(s)’ decision, and the supporting documentation attached to the performance evaluation, as well as any documents requested from the employee or supervisor during the review, shall be maintained in the employee’s official personnel file or other secured performance file maintained in Human Resources.

**10.12 Request for Review by the Director of Civil Service**

- (a) A permanent employee who receives an overall evaluation of “Needs Improvement/Unsuccessful” following an Agency Review may request to have his performance file reviewed by the Director or the Director’s designee.
- (b) A request for review under this rule must be postmarked or received by the Director no later than 10 calendar days following the date the employee received the Agency Review decision. In the request, the employee must explain why he is contesting the decision of the Agency Reviewer(s).



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- (c) If the request for review is timely, the Director or his designee shall obtain and review the employee's performance file. The Director may either affirm the overall evaluation or change the overall evaluation to "Unrated". The Director's decision shall be final.
  - (d) The Director shall provide a written decision to the employee, the Evaluating Supervisor, and the Human Resources Officer no later than thirty (30) calendar days following the date the request for review was received.

**10.13 Exceptions.**

The Director may approve exceptions to these Rules.

**10.14 Grievance Process**

The agency's grievance process shall not be used to review or reconsider evaluations or a procedural violation of these rules.

**10.15 – 10.18 Repeal**

**Exhibit “C”**

**CHAPTER 15 – Effecting and Reporting Actions**

**15.2.1 Payroll Periods and Timely Issuance of Paychecks Due to Classified Employees;  
Disbursement of Performance Adjustments**

...

- (c) After an employee has attained eligibility for and the appointing authority has granted a performance adjustment, it shall be disbursed effective October 1<sup>st</sup> of the calendar year that the performance adjustment was granted.

**EXHIBIT “D”**

**CHAPTER 18 – TRANSITION RULES**

**18.1 Transition to New Performance Evaluation System**

The Director shall establish and publish procedures to effect an orderly transition to the performance evaluation system established in Chapter 10 of these rules.

**18.2 Performance Adjustments during transition to Performance Evaluation System**

An employee who has a “Satisfactory” or equivalent rating effective July 1, 2012 shall become eligible for and may be granted a performance adjustment, provided that the appointing authority has determined his performance merits such an adjustment.

**18.3 Repealed effective December 14, 2011**

**18.4 Repealed effective December 14, 2011**