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DATE: January 16, 2013

TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Approved Changes to Civil Service Rules 1.19.1, 1.24.01, 5.6.1, 17.6, 17.15, 17.18, 17.23, 23.4 and 24.2; the repeal of Civil Service Rules 1.20.002, 1.20.1.1, 2.16 and 6.14.1; And the adoption of Civil Service Rule 1.24.004

At its General Business meeting held on December 12, 2012 the State Civil Service Commission adopted proposed amendments to Civil Service Rules 1.19.1, 1.24.01, 5.6.1, 17.6, 17.15, 17.18, 17.23, 23.4 and 24.2. It repealed Civil Service Rules 1.20.002, 1.20.1.1, 2.16 and 6.14.1 and adopted new Civil Service Rules 1.24.004.

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.

All of these rules became effective on December 12, 2012.

Sincerely,

s/Shannon S. Templet
Director

Chapter One Changes

1.19.1 **'Layoff Avoidance Measures'** means actions taken by an appointing authority and approved by the Director and/or the Commission to help prevent a layoff. These include: not granting performance adjustments, granting reduced performance adjustments, reductions in work hours, furloughs and retirement incentives. Another measure, one not needing Civil Service approval, is the required use of leave during agency closures as stated in Rule 17.10.

1.20.002 **Repealed effective December 12, 2012.**

1.20.1.1 **Repealed effective December 12, 2012.**

1.24.004 **'Performance Adjustments'** - means an adjustment to individual pay rate based upon performance, or some other individual equity basis.

1.24.01 **'Performance Appraisal Rating Evaluation'** means the overall rating of an employee, made in accordance with the performance evaluation system established by these Rules.

Chapter Seventeen Changes

17.6 Merit Increases **Performance Adjustments**

When an appointing authority determines that it is necessary not to grant or to reduce performance adjustments in order to avoid or reduce `layoffs, his request is subject to the following:

- (c) Employees whose performance adjustments are affected by this measure shall retain their eligibility for such increases for a three-year period. Such eligibility shall be lost if during that period the employee receives an official evaluation of "needs improvement/unsuccessful."

17.15 Determining the Employees Who Will Be Laid Off or Relocated

- (b) Employees who received a "needs improvement/unsuccessful" on their last official Performance Evaluation System evaluation shall be laid off first. For purposes of layoff determination, the last official evaluation shall refer to an evaluation received no fewer than 60 days prior to the effective date of the layoff.

17.18 Relocation Provisions

- (a) Rights to relocate to a vacant position created as the result of a layoff shall be granted only to permanent employees whose most recent official performance evaluation is "successful" or higher.

- (b) A permanent employee, who accepted a new probational appointment without a break in service for a trial period may be, at the option of the appointing authority, considered as having permanent status for the purpose of layoff.
- (c) For purposes of this rule, an employee with an evaluation of “unrated” or “not evaluated” shall be considered as having an evaluation of “successful” for that evaluation period.

17.23 Department Preferred Reemployment List

- (c) Employees not eligible for this list include:

1. those who moved to a lateral position;
2. employees who declined a movement offer within their organizational unit, commuting area and career field;
3. those whose most recent official performance evaluation at the time of layoff was “needs improvement/unsuccessful”;
4. non-permanent employees; and/or
5. those who have retired from state service.

Chapter Twenty-three Changes

23.4 Promotion

- (b) No employee who has a current official overall Performance Evaluation System evaluation of “needs improvement/unsuccessful” shall be promoted.

Chapter Twenty-four Changes

Rule 24.2 - Status of Non-classified Employees Whose Positions are Declared to be in the State Classified Service or are Acquired by a State Agency

- (g) An employee who enters the State classified service in accordance with this Rule shall have his/her eligibility for performance adjustments under Rule 6.14 and leave earning determined based on the original date of appointment with his/her current or former employer and, upon appointment in the State classified service. However, the Director may approve existing annual eligibility dates for all employees of an entity acquired under this rule that already had a well-established merit pay policy.

Chapter Five Changes

Rule 5.6.1 Effect of Business Reorganization on Encumbered Positions

- (g) Employees whose positions are moved into a lower job classification as a result of the business reorganization shall be eligible to be placed on a Department Preferred Reemployment List (DPRL). Employees on such a list shall be given preferential hiring rights for their department or agency for the job which they occupied prior to the implementation of the business reorganization. Employees shall be ranked in order of length of state service. The employee with the most state service for a given job and parish shall be given the first offer.

1. Eligibility shall be limited to:

- c. the same job title the employee held prior to the implementation of the reorganization;

2. An employee shall be removed from applicable list(s) when:

- a. He is offered a permanent position from the DPRL.
b. He declines or fails to respond to an offer.

4. If the job held by the employee immediately prior to the implementation of the reorganization undergoes a change in the minimum qualification requirements or the title or pay range is changed (including one that is changed upward) after the reorganization, at the request of the employee, he may have his name placed on the list for the newly-revised job title. He shall not be required to meet the new qualifications if sufficient evidence is presented to the Director to show, as determined by the Director that he is returning to a job having essentially the same duties he was performing when affected by the reorganization, unless the lacking qualification is one required by law or under a recognized accreditation program.

Chapter Two changes

Rule 2.16 – Repealed effective December 12, 2012

Chapter Six changes

Rule 6.14.1 – Repealed effective December 12, 2012