



Louisiana  
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**DATE:** July 6, 2016

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

**SUBJECT:** Act 398 of the 2016 Regular Session (Ban the Box)/Unclassified Job Postings through LA Careers

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HB266, now Act 398 of the 2016 Regular Session, becomes effective August 1, 2016. It prohibits a state employer from inquiring about a prospective **unclassified** employee's criminal history until after an interview or conditional offer of employment is made and provides for the consideration of criminal history in making employment decisions.

Positions in law enforcement or corrections or positions for which a criminal background check is required by law are excluded from Act 398.

Act 398 **does not apply to classified employees.**

For agencies desiring to announce unclassified positions via LA Careers in accordance with Act 398 August 1, 2016 and after, State Civil Service has created a new application template named "Unclassified – Ban the Box" that has all questions pertaining to prior convictions eliminated.

Although Act 398 does not apply to classified jobs, the State Civil Service Commission will make the final decision as to whether the criminal history questions will be removed from the standard LA Careers application for classified jobs. A formal presentation will be made to the Commission no earlier than September 7, 2016 regarding this initiative.

Sincerely,

s/Byron P. Decoteau, Jr.  
Director