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GENERAL CIRCULAR NUMBER 2024-001

DATE: January 12, 2024

TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Proposed Amendments to Civil Service Rules 1.14.1, 13.10(a) – (c), 13.11(d)5, and 14.1(a)

The State Civil Service Commission will consider proposed amendments to Civil Service Rules 1.14.1, 13.10(a) – (c), 13.11(d)5, and 14.1(a) at its regularly scheduled business meeting on Wednesday, February 7, 2024. The meeting will be held in the Louisiana Purchase Room of the Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana, at 9 a.m. Individuals who wish to comment should provide feedback prior to the meeting in writing to the Director of the Department of State Civil Service at Post Office Box 94111, Capitol Station, Baton Rouge, Louisiana 70804-9111. Comments may also be directed to the attention of the civilservicecommission@la.gov.

The proposed amendments are in the nature of “clean up” and ensure that all rules correctly define the Commission’s jurisdiction to address discrimination claims. Additionally, the department proposes updates to the rules in furtherance of efforts to update the rules by making grammatical or spelling corrections, re-numbering, making gender references more inclusive, and updating terminology between rules to maintain consistency.

Please see the attachment for details of the amendments and updates to Civil Service Rules 1.14.1, 13.10(a) – (c), 13.11(d)5, and 14.1(a).

Sincerely,

s/Byron P. Decoteau, Jr.
Director



STATE CIVIL SERVICE

Revision of State Civil Service Rules Related to Commission's Jurisdiction to Hear Appeals Based Upon Discrimination

The State Civil Service Commission will consider the proposed amendments of Civil Service Rules 1.14.1, 13.10(a) – (c), 13.11(d)5, and 14.1(a) at its regularly scheduled business meeting on Wednesday, February 7, 2024. Please refer to General Circular No. 2024-001 for more information.

Proposed Effective Date: February 7, 2024

Reason for Amendments:

In Louisiana Department of Agriculture and Forestry v. Sumrall, et al, the Louisiana Supreme Court, consistent with Article 10, §8(B) of the state constitution, limited the jurisdiction of the State Civil Service Commission to hear discrimination claims to those claims based upon a classified employee's political or religious beliefs, sex, or race. These proposed amendments are in the nature of "clean up" and ensure that all rules correctly define the Commission's jurisdiction to address discrimination claims. Additionally, the department proposes updates to the rules in furtherance of efforts to update the rules by making grammatical or spelling corrections, re-numbering, making gender references more inclusive and updating terminology between rules to maintain consistency.

1 **Chapter 1: Definitions of Terms Used in the Rules**

2
3 **1.14.1** ~~'Discrimination': means consideration of a state classified employee's religious or~~
4 ~~political or religious~~ beliefs, sex, or race, ~~or any other non-merit factors in any~~
5 ~~employment decision.~~

6
7 **Chapter 13: Civil Service Appeals**

8
9 **13.10 Appeals to the Commission**

10
11 Only the following persons have a right of appeal to the Commission:

- 12
13 (a) a state classified employee with permanent status who has been removed or subjected
14 to one of the disciplinary actions listed in Rule ~~12.2(b)~~, 12.3(a);
- 15
16 (b) a state classified employee who has been discriminated against in any employment action
17 or decision because of his political or religious beliefs, sex, or race;
- 18
19 (c) a state classified employee who has been adversely affected by a violation of any
20 provision in the Civil Service Article or of any Civil Service ~~R~~rule other than a rule in
21 Chapter 10;

22
23 **13.11 Request for Appeal**

- 24
25 (a) – (d)4.
- 26
27 (d)5. a description of events, including the dates and circumstances thereof, which ~~led~~
28 ~~appellant to believe~~ suggests that the adverse decision was based on ~~his~~
29 Appellant's religious or political or religious beliefs, sex, or race, ~~or any other non-~~
30 ~~merit factor.~~

31
32 **Chapter 14: Prohibited Activities**

- 33
34 (a) No state classified employee ~~person~~ shall be ~~appointed or promoted to, or demoted, or~~
35 ~~dismissed from any position in the Classified Service, or in any way favored or~~
36 ~~discriminated against in any employment decision because~~ with respect to employment
37 in the Classified Service, because of his or her their political or religious ~~opinions~~ beliefs
38 ~~or affiliations, sex, or~~ race, ~~sex, or membership or non-membership in any private~~
39 ~~organization.~~