

JENNIFER PAUL

DOCKET NO. S-18932

VERSUS

CIVIL SERVICE COMMISSION

LDH-EASTERN LOUISIANA  
MENTAL HEALTH SYSTEM

STATE OF LOUISIANA

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**DECISION**

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Rule(s): 9.1; 13.10; 13.11  
Topic(s): Right of appeal; probational appointment  
Appearances: Jennifer Paul, in proper person  
Jenna Young, counsel for ELMHS

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**Statement of the Appeal**

Jennifer Paul was employed by the Louisiana Department of Health, East Louisiana Mental Health Services ("ELHMS") as a Corrections Guard-Therapeutic. She was serving with probationary status. On November 2, 2023, ELMHS notified Ms. Paul of her separation from employment effective that same day.

On November 8, 2023, Ms. Paul appealed her separation. In her appeal, she contends that she was separated without cause, and that her separation was the result of retaliation for her asking questions about overtime and FMLA. She did not request any specific relief.

On November 15, 2023, I issued a notice questioning whether Ms. Paul had established a right of appeal to the Commission. She was given fifteen (15) calendar days to amend her appeal and/or show cause in writing why it should not be summarily dismissed.

I received no response from Ms. Paul.

Based on a review of the record and pursuant to Article X, § 12(A) of the Louisiana Constitution of 1974, I reach the following conclusions.

**Discussion and Conclusions of Law**

Ms. Paul was a probationary employee. As such she was subject to separation from her position at any time, without legal cause, and had no property right to her job. *Murray v. Department of Revenue and Taxation*, 504 So.2d 561 (La. App. 1st Cir. 1986); *Maurello v. Department of Health and Human Resources, Office of Management and Finance*, 510 So.2d 458 (La. App. 1st Cir. 1987); *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 105 S. Ct. 1487, 84 L.Ed.2d 494 (1985). Therefore, Ms. Paul's appeal rights are more limited than those of classified employees with permanent status.

As a probationary employee, Ms. Paul only has a right of appeal to the Commission if she alleges that she has been adversely affected by the violation of the Civil Service Rules or Article, or that she has been discriminated against because of her religious or political beliefs, sex, or race. Civil Service Rule 13.10; *Louisiana Department of Agriculture and Forestry v. Sumrall*, 98-1587 (La. 3/2/99); 728 So.2d 1254.

Despite being given an opportunity to do so, Ms. Paul failed to allege sufficient specific facts supporting a conclusion that a ELMHS discriminated against her based on her race, sex, religious or political beliefs, nor has she established that the action taken violated the

Civil Service Rules or Article. Therefore, she has not established a right of appeal to the Commission.

Accordingly, this appeal is hereby summarily dismissed.

Decision rendered this 8th day of December 2023 in Baton Rouge, Louisiana.

/s/ Martha K. Mansfield

Martha K. Mansfield

Civil Service Commission

Chief Referee/Appeals Administrator