



**Byron P. Decoteau, Jr., Director**

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## GENERAL CIRCULAR NUMBER 2018-038

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**DATE:** December 7, 2018

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

**SUBJECT:** Public Hearing to Amend Civil Service Rules 13.11(a) and 13.36(b)1, and Adopt Civil Service Rules 13.39, and 13.40

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This general circular serves as notice of proposed amendments to Civil Service Rules 13.11(a), 13.36(b)1, and the adoption of Civil Service Rules 13.39, and 13.40. The State Civil Service (SCS) Commission will hold a public hearing regarding these proposals on Wednesday, January 9, 2019, at 9 a.m. The proposed amendments to Civil Service Rules 13.11 and 13.36, and proposed rule 13.39 clarify the definition of “in writing.” Proposed rule 13.40 codifies the ability to “opt in” to electronic filing and details the procedures and responsibilities for electronic noticing participants, while clarifying that signed settlement documents are excluded from electronic filing.

**This hearing will be held in the Louisiana Purchase Room of the Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana. Individuals who wish to comment on these proposed rules may do so at the public hearing, by writing to the Director of the Department of State Civil Service at Post Office Box 94111, Baton Rouge, Louisiana, 70804-9111, or by emailing the Civil Service Commission at [civilservicecommission@la.gov](mailto:civilservicecommission@la.gov). If any accommodations are needed, please notify the Department at (225) 342-8272 prior to the meeting.**

### Summary of Proposal

Please refer to the charts that follow for comparison between the current and proposed rule language.

Chapter 13: Civil Service Appeals	
Current Rule	Proposed Rule
<b>Rule 13.11(a) – Request for Appeal</b>	<b>Rule 13.11(a) – Request for Appeal</b>
A notice of appeal must (a) Be in writing; and	A notice of appeal must

	<p>(a) Be in writing. <b><u>For purposes of this chapter, the terms “written” or “writing” shall include documents created and/or transmitted electronically, including but not limited to emailed or faxed documents; and</u></b></p>
<p><b>Rule 13.36(b) – Application for Review of a Referee's Decision</b></p>	<p><b>Rule 13.36(b) – Application for Review of a Referee's Decision</b></p>
<p>(b) To be effective, an application for review of a referee's decision must:</p> <ol style="list-style-type: none"> <li>1. Be in writing; and</li> </ol>	<p>(b) To be effective, an application for review of a referee's decision must:</p> <ol style="list-style-type: none"> <li>1. Be in writing. <b><u>For purposes of this chapter, the terms “written” or “writing” shall include documents created and/or transmitted electronically, including but not limited to emailed or faxed documents; and</u></b></li> </ol>
	<p><b><u>13.39 Electronic Notice</u></b></p>
	<p><b><u>For purposes of this chapter, the terms “written” or “writing” shall include documents created and/or transmitted electronically, including but not limited to emailed or faxed documents. Any faxed or emailed document shall be considered filed on the date and time such document is received by the Director.</u></b></p>
	<p><b><u>13.40 Electronic Filing</u></b></p>
	<p><b><u>The Appeals Division offers the parties to an appeal the option to receive all notices, orders, and decisions electronically, with the exception of Settlement documents. All settlements must be submitted with the original signatures of the parties.</u></b></p> <p><b><u>Instructions on the procedure to “opt in” are sent with the Notice of Docketing each time a new appeal is filed. Electronic noticing participants are responsible for providing a valid email address for electronic receipt of documents, and must notify the Appeals Division immediately if the email address</u></b></p>

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	<b><u>changes. Participation may be cancelled at any time by written notice to the Appeals Division.</u></b>
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Please distribute this general circular to all classified employees in your agency.

Sincerely,

s/Byron P. Decoteau, Jr.  
State Civil Service Director