



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

Post Office Box 94111  
Baton Rouge, LA 70804-9111  
225.342.8274  
[scsinfo@la.gov](mailto:scsinfo@la.gov)  
[civilservice.la.gov](http://civilservice.la.gov)

## GENERAL CIRCULAR NUMBER 2021-038

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**DATE:** August 31, 2021

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

**SUBJECT:** HURRICANE IDA – Office Closures, Overtime, and Special Leave

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The purpose of this general circular is to provide information on employee leave and overtime as it relates to Hurricane Ida.

### **OFFICIAL OFFICE CLOSURES**

An official office closure can be mandated by the appointing authority or the Governor and occurs when there has been a determination that it is not possible for employees to work due to local conditions. An official office closure may involve one building, an entire facility, an entire city, or an entire area of the state. Typically, for executive branch agencies, the Commissioner of Administration will declare state office closures by specific parishes.

Please monitor directives from the Commissioner of Administration on state official office closures. The listing of official office closures may change throughout the declared emergency.

### **EMPLOYEE OBLIGATIONS DURING OFFICIAL OFFICE CLOSURES**

During an official office closure, employees are obligated to adhere to agency emergency response and communication policies, which may require regular contact with supervisors and managers for further directions regarding return to work. Employees may sign up for emergency alerts at Louisiana.gov or call for emergency office closure information at 225-342-0498 (Baton Rouge) or 800-360-9660 (outside of Baton Rouge). Failure of an employee to return to work when directed may result in the employee being required to use annual or compensatory leave or leave without pay for continued absence, and the employee may ultimately be subject to disciplinary action.

**During an official office closure**, the appointing authority shall determine which employees will report to work.

- **EMPLOYEES NOT REPORTING TO WORK**

Employees who are deemed not to report to work during an official office closure are compensated with leave in accordance with [Civil Service Rule 11.23\(g\)](#). Timekeepers using LaGov-HCM shall use closure code (LSOC) to record the office closure.

- **EMPLOYEES REPORTING TO WORK**

Employees who are deemed to report to work during an official office closure are considered to be working “State Overtime” in accordance with [Civil Service Rule 21.7\(b\)4](#). Such state overtime performed during the official office closure may be compensated at the time and one-half rate. Agencies are not required to compensate State Overtime at this rate; use of this flexibility is at the discretion of the appointing authority. Please refer to Chapter 21 for all available methods of compensation. Timekeepers using LaGov-HCM shall use closure code (LSOC) to record the official office closure in addition to the appropriate overtime codes.

- **EMPLOYEES PERFORMING TELEWORK**

Appointing Authorities shall determine how to handle employees in telework status during an official office closure. Any work performed by a teleworker in a closed location during an official office closure is considered “State Overtime”. Therefore, appointing authorities may wish to instruct all teleworkers to cease work during an official office closure to avoid overtime compensation.

- **EMPLOYEES DIRECTED TO WORK IN OTHER LOCATIONS**

Employees with a work domicile deemed “open” (not listed as an official state office closure) may be directed by the appointing authority to work in a location that has been declared “closed”. Employees who go to work in a closed location are considered to be working “State Overtime” and are compensated in accordance with [Civil Service Rule 21.7\(b\)4](#).

Employees with a work domicile deemed “closed” may be directed by the appointing authority to work in a location that has been declared “open” (a location not affected by the state office closure). Employees must report as directed. Such employees are compensated in regular duty status. State travel regulations may apply in these cases.

- **EMPLOYEES PREVIOUSLY ASSIGNED TO A DIFFERENT LOCATION**

Employees with a work domicile deemed “closed” but who were previously scheduled for an assignment in another location that is open, is compensated in regular duty status. For instance, a trainer who is domiciled in Baton Rouge during a general closure of the Baton Rouge area but is in Shreveport conducting a class on the closure day is not placed on special leave and should perform the work as scheduled.

## **SPECIAL LEAVE**

Special leave may be requested or granted on an individual basis based on circumstances that affect one or more employees but which do not require an official office closure. Examples of these circumstances out of the employee’s control include flooded roads, destroyed or damaged homes requiring the employee to remain at home or in another town, or other similar circumstances. Appointing authorities grant special leave in accordance with [Civil Service Rules 11.23\(d\) and \(g\)](#) to employees on job appointment and to employees in permanent or probational status when the appointing authority has determined that:

- The employee is prevented by an act of God from performing duty (LSAG).
- The appointing authority determines that because of local conditions or celebrations it is impracticable for his employees in such locality to work (LSLC).

The use of special leave maintains an employee who is unable to work in paid status with no reduction to the employee's annual, sick, or compensatory leave balances.

An appointing authority may require the employee to provide documentation to support the need for special leave, and the appointing authority will determine what type of documentation is sufficient for each request.

**EMPLOYEES WORKING IN RESPONSE TO THE HURRICANE EMERGENCY**

Employees who are directed by an appointing authority to perform work related to or in response to a disaster, emergency, or health pandemic declared by the Governor are considered to be working "State Overtime" and may be compensated at the time and one-half rate for hours worked in overtime status in accordance with [Civil Service Rules 21.8 \(e\) and 21.9 \(e\)](#). Such compensation is available only to those employees who are performing duties directly related to the emergency situation. The time and one-half compensation rate does not apply to all hours worked in this situation, **unless duties are performed during an official office closure**, at which time an appointing authority may grant such compensation. Agencies are not required to compensate State Overtime at this rate; use of this flexibility is at the discretion of the appointing authority.

Sincerely,

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