



Byron P. Decoteau, Jr., Director

Post Office Box 94111
Baton Rouge, LA 70804-9111
225.342.8274
scsinfo@la.gov
civilservice.la.gov

GENERAL CIRCULAR NUMBER 2022-004

DATE: January 5, 2022

TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Approved Adoptions to Chapters 1, 11, and 18 of the Civil Service Rules

At its General Business meeting held on January 5, 2022, the State Civil Service Commission adopted Civil Service Rules 1.2.1, 1.25.3, 1.40.001, 1.40.002, 1.40.003, 1.40.004, 11.4.1, and 18.5, effective January 5, 2022.

In summary, the adopted rules formally recognize telework as a flexible work arrangement in Civil Service Rules. This includes definitions for statewide consistency in Chapter 1, and the required components for agency telework policies in CSR 11.4.1. In addition, CSR 18.5 allows for a transition period for state agencies with existing telework policies to continue telework without the Director's approval until June 30, 2022.

The amended rules read as follows:

Chapter 1: Definition of Terms Used in the Rules

1.2.1 Alternative Worksite: A worksite other than the employee's customary/primary in-office worksite, most commonly established through an approved telework agreement.

1.25.3 Primary Worksite: The employee's usual and customary/in-office worksite.

1.40.001 Telework: A work flexibility arrangement under which an employee performs the duties and responsibilities of their position from an approved alternative worksite (e.g., the employee's home).

1.40.002 Telework – Formal: Telework that occurs as part of an approved on-going, regular schedule or within established limits. (e.g., full time or a set number of days per week).

1.40.003 Telework – Situational: Telework that is approved on a case-by-case basis generally for a fixed duration of time and where hours worked are not part of a previously approved, on-going and regular telework schedule. (e.g., telework approved as a result of inclement weather, declared emergency, reasonable accommodations, or office closures).

1.40.004 Teleworker: The term used to describe the employee while working from their approved alternative worksite.

[CHAPTER 11: Hours of Work and Types of Leave Such as Annual, Sick, Compensatory, Special, Etc.](#)

11.4.1 Telework

A department may establish a policy under which employees may participate in telework, including formal and situational telework. Employees are not entitled to telework, nor does participation in telework change the terms and conditions of employment. Business-related, operational needs shall drive decisions regarding suitability of positions for telework, approval of employees to participate in telework, and the approval of which work days employees may be authorized to telework. A department shall maintain a listing of positions that are designated as suitable for telework. A department's policy must have the approval of the Director prior to implementation. At a minimum, policies must include the following conditions and elements:

- a. Affirmatively state that employees are not entitled to telework, but instead telework is driven by business-related, operational needs and can be modified or rescinded at any time.
- b. Affirmatively state that employees are subject to all agency policies and procedures.
- c. Define Formal Telework and Situational Telework.
- d. Identify factors that will be included in determining a position's eligibility for telework.
- e. Identify factors that will be included in determining an employee's eligibility for telework.
- f. Identify how teleworkers will be affected by official office closures.
- g. Establish and identify minimum requirements for alternative worksites, including but not limited to: safety, equipment, network security, and related matters, including which equipment will be provided by the department and that which must be provided by the employee at their cost.
- h. Provide that telework shall not be used to perform personal business during work hours or for any purpose for which leave (annual, sick, etc.) should be requested.
- i. Require employees who are authorized to participate in telework and their supervisors to complete mandatory telework training as established by State Civil Service.
- j. Require employees who are authorized to participate in telework to enter into a written telework agreement with their department, which is reviewed and renewed at least annually. The telework agreement must contain the location of the approved alternative worksite(s).

Departments with approved telework policies shall maintain proper time and attendance records that record an employee's telework days.

[CHAPTER 18: Transition Rules](#)

18.5 Telework Policy – Transition Period

State agencies with telework policies prior to the effective date of this rule may continue to operate under such policies until June 30, 2022. Effective July 1, 2022, state agencies must have a policy approved by the Director under the provisions of Rule 11.4.1 in order for employees to telework.

Should you have any questions about the amendments, please contact your agency's Human Resources Office or your Agency Relationship Manager.

Sincerely,

s/Chris D. Deer
State Civil Service Deputy Director