

**STATE OF LOUISIANA
DEPARTMENT OF CIVIL SERVICE
BATON ROUGE, LA.**

May 17, 2010

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**STATE PERSONNEL MANUAL
TRANSMITTAL SHEET
NO. 464**

To: HEADS OF STATE AGENCIES AND PERSONNEL OFFICERS

Subject: Adoption of new Rule 6.14.1 of the Civil Service Rules

Issue Date: May 17, 2010

At its regular business meeting on May 5, 2010, the Civil Service Commission approved adoption of Rule 6.14.1 with an effective date of July 1, 2010. Explanations for this Rule appear in General Circular No. 1798 and General Circular No. 1799.

If you have any questions, please call your Compensation Coordinator at (225) 342-8083.

Please make the following changes in your Civil Service Rules:

<u>REMOVE</u>		<u>INSERT</u>	
<u>Page</u>	<u>T/S</u>	<u>Page</u>	<u>T/S</u>
20.26.2	452	20.26.2	464
20.26.3	452	20.26.3	452

Sincerely,

s/Shannon S. Templet
Director

- (d) The appointing authority may, at any time within 3 years from the date an employee gained eligibility, grant an employee all or any one of the merit increases for which he has attained eligibility provided the employee has not received an official overall "Poor" or "Needs Improvement" Performance Planning and Review rating for the applicable year(s). A part-time employee shall receive the same credit he would receive if he were employed on a full-time basis.
- (e) All increases herein authorized are subject to the requirement that no employee's pay shall exceed the maximum rate of pay established for the job, or the highest rate within the base supplement authorized for the position occupied.
- (f) An employee's eligibility for the increases authorized in Subsection (a) and (b) shall not be interrupted by time served in the military service if he is reemployed under the provisions of Rule 23.16.
- (g) A former employee who is reemployed following a break in service of one or more working days, except those appointed from a department preferred reemployment list and except those who are restored to duty, under the provisions of Rule 23.16, upon return from military service, shall be considered a "new" employee within the meaning of this rule.
- (h) Any adjustment or increase which an employee receives under the provisions of other rules, unless otherwise indicated, shall not affect such employee's eligibility to receive increases authorized under this rule.
- (i) An employee who has a current official overall Performance Planning and Review rating of "Poor" or "Needs Improvement" shall not be eligible for any increase under the provisions of this rule.
- (j) A former employee who is reemployed following certification from a department preferred reemployment list within a year of the layoff date shall retain the anniversary dates and merit increase eligibilities earned under subsections (a), (b) and (d) for which he has not been granted an increase. If reemployed from a preferred list after one year, he shall be considered a new employee with regard to the establishment of his anniversary date and merit increase eligibility.
- (k) An employee on detail to a position in a higher grade may be eligible for a merit increase in the higher job calculated on his individual pay rate in the higher job.

6.14.1 Temporary Suspension of Merit Increase Authority

All provisions of the Merit Increase Rule shall be suspended for the period of July 1, 2010 through June 30, 2011. During this period of suspension, no appointing authority may grant a merit increase to any employee nor may any employee gain eligibility for a merit increase.

6.15 Red Circle Rates

Rates that fall within the range or within the base supplement authorized for a position become the employee's authorized individual pay rate. Excluding those that fall within the base supplement authorized for a position, individual pay rates that fall above the maximum established for the grade become red circle rates; or, under the conditions outlined below in subsection (d) of this rule, individual pay rates that fall above the base supplement authorized for a position become red circle rates. Such red circle rates remain in effect until the range or range plus authorized base supplement for a position catches up with the rate; however, eligibility for a red circle rate is lost upon separation from state service, or demotion except as provided in part (f) of this rule. Individuals whose salary rates are red circled shall not be eligible for any other pay adjustments provided for in the rules. Red circle rates are assigned under the conditions as outlined below:

- (a) When the job to which a position is allocated is assigned to a lower grade.
- (b) Except as provided in Rule 6.8(d), when a position is reallocated to a job assigned to a lower pay grade.
- (c) When an adjustment (this does not include base supplement) to the pay structure has the effect of lowering the range minimum and maximum for the grade to which a job is assigned.
- (d) When positions are declared to be in the classified service and the employee's current rate of pay falls above the maximum of the range for the grade of the job into which the position(s) are allocated, or above the range plus base supplement authorized for the position allocated. A red circle rate given as a result of an acquisition of a position under Civil Service Rule 24.2 shall be treated in the following manner:
 1. After two years, should the red circle rate of pay exceed the maximum rate of pay of the job to which the position is allocated by over twenty-eight percent, the red circle rate shall be reduced to a figure not more than twenty eight percent above the aforementioned maximum or to the maximum of the base supplement, whichever is higher.
 2. A red circle rate reduced under (d) 1 above may not be reinstated under subsection (g) below.
- (e) When the employee's pay exceeds the maximum of an approved market grade.