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## GENERAL CIRCULAR NUMBER 2021-001

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**DATE:** January 6, 2021

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

**SUBJECT:** COVID-19 – No. 33: Approved Amendments to Civil Service Rules 11.13(a)5 and 11.35(b), and Adoption of Civil Service Rule 11.35(d) – On an Emergency Basis

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At its General Business meeting held on January 6, 2021, the State Civil Service Commission amended Civil Service Rules 11.13(a)5 and 11.35(b), and adopted Civil Service Rule 11.35(d), effective January 1, 2021, on an emergency basis in accordance with Civil Service Rule 2.10(f).

The approved changes to Civil Service Rules Chapter 11: Hours of Work, Annual, Sick and Other Forms of Leave are in response to the expiration of the Families First Coronavirus Response Act (FFCRA), and the Consolidated Appropriations Act, 2021 signed by President Trump on December 27, 2020. In summary, these changes allow for the following:

- Allows the use of sick leave to care for a son or daughter during a health pandemic declared by the Governor.
- Extends the use of Civil Service Rule 11.35(b) through March 31, 2021.
- Allows Appointing Authorities the ability to extend the provisions of the FFCRA through March 31, 2021 on a voluntary basis.

The amended rules read as follows:

### [CHAPTER 11: Hours of Work, Annual, Sick and Other Forms of Leave](#)

#### **11.13 Use of Sick Leave**

- (a) Sick leave may be utilized by an employee who has sufficient leave to his credit for necessary absence from duty because of:
5. The need to care for a son or daughter as defined by the Family and Medical Leave Act when there is a health pandemic declared by the Governor, and there is no other suitable person available to care for the son or daughter because his or her school or place of care has been closed or the childcare provider is unavailable due to a reason directly related to the health pandemic.

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**11.35 Special Leave Related to COVID-19 Health Pandemic**

- (b) An appointing authority may, through March 31, 2021, grant time off without loss of pay, annual leave or sick leave to any healthcare provider or emergency responder who has tested positive for COVID-19 or who has been advised by a healthcare provider to self-quarantine related to COVID-19, or experiencing COVID-19 symptoms and is seeking medical diagnosis.

Such special paid leave shall not extend beyond 15 working days and will be in addition to any other leave benefits afforded by law.

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**11.35 Special Leave Related to COVID-19 Health Pandemic**

- (d) Appointing Authorities may grant paid leave through March 31, 2021 that is consistent with the provisions of the Emergency Paid Sick Leave Act (EPSL) and the Expanded Family Medical Leave Act (EFMLA) as outlined in the Families First Coronavirus Response Act (FFCRA), which expired on December 31, 2020. This leave is only available to employees who have not previously exhausted their leave allotment under the FFCRA.

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

Sincerely,

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