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GENERAL CIRCULAR NUMBER 2021-007

DATE: March 10, 2021

TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Public Hearing to Amend Civil Service Rule 11.35(d) – **WITHDRAWN**

This general circular serves as notice of proposed amendment to Civil Service Rule 11.35(d). The State Civil Service Commission will hold a public hearing regarding this proposal on Wednesday, April 7, 2021, at 9 a.m.

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. If any accommodations are needed, please notify the Department at (225) 342-8272 prior to the meeting.

Summary of Proposal to Amend Civil Service Rule 11.35(d):

The Department is proposing amendments to Civil Service Rule 11.35(d). This rule was originally adopted on an emergency basis by the Commission on January 6, 2021. Under the emergency rule, the provisions of 11.35(d) expire on March 31, 2021. The Department's proposal removes this expiration date and replaces it with an expiration of September 30, 2021.

While the provisions of Families First Coronavirus Response Act (FFCRA) expired on December 31, 2020, the Consolidated Appropriations Act of 2021 extended tax credits to employers who voluntarily granted leave in accordance with the previous provisions of the FFCRA through March 31, 2021. While state governmental agencies are not eligible for such tax credits, the Commission extended the voluntary use of the FFCRA to Appointing Authorities through March 31, 2021, due to the on-going COVID-19 health pandemic.

The current American Rescue Plan Act of 2021, H.R. 1319, currently before the United States Congress is expected to extend the same tax credits related to leave granted in accordance with

the provisions of the former FFCRA through September 30, 2021. State Civil Service continues to monitor this legislation and will provide any necessary changes regarding this proposal to the Commission on April 7, 2021.

The Department is requesting a retroactive approval to April 1, 2021.

| Chapter 11: Hours of Work, Annual, Sick, and Other Forms of Leave | |
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| CURRENT | PROPOSED EMERGENCY RULE 11.35(d) <i>Effective 4/1/2021</i> |
| <p>11.35 Special Leave Related to COVID-19 Health Pandemic</p> <p>(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.</p> | <p>11.35 Special Leave Related to COVID-19 Health Pandemic</p> <p>(d) Appointing Authorities may grant paid leave through March 31, 2021 September 30, 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.</p> |

Sincerely,

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