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## GENERAL CIRCULAR NUMBER 2024-038

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**DATE:** August 9, 2024

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

**SUBJECT:** Proposed Amendments to Civil Service Rules affected by Proposed Amendments to Chapter 10

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At the regularly scheduled business meeting on Wednesday, September 4, 2024, the State Civil Service Commission will consider proposed changes to the following chapters of the Civil Service Rules:

- Chapter 1: Definitions of terms used in the Rules
- Chapter 5: Classification Plan
- Chapter 6: Pay Rules
- Chapter 9: Probationary Period
- Chapter 12: Discipline; Corrective Actions; Separations
- Chapter 13: Civil Service Appeals
- Chapter 17: Layoff Avoidance Measures, Layoffs and Post Layoff
- Chapter 23: Appointments
- Chapter 24: Transfer of Governmental Functions and Acquisitions

The meeting will be held in the Louisiana Purchase Room of the Claiborne Building, 1201 North Third Street, Baton Rouge Louisiana, at 9 a.m. Individuals who wish to comment should provide feedback prior to the meeting in writing to the Director of the Department of State Civil Service at Post Office Box 94111, Baton Rouge, Louisiana, 70804-9111. Comments may also be directed to the attention of the [civilservicecommission@la.gov](mailto:civilservicecommission@la.gov).

Please see the attachment for details of the changes to the chapters referenced above.

For more information on Continuous Performance Management, please visit our [Resource Page](#).

Sincerely,

s/Byron P. Decoteau, Jr.  
SCS Director



## STATE CIVIL SERVICE

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### Proposed Changes to State Civil Service Rules

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#### Civil Service Rules

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Please refer to [General Circular No. 2024-038](#) for more information.

**Proposed Effective Date:** January 1, 2025

**Reason for the Changes:**

The proposed amendments to the chapters referenced above are as a result of the amendments to Chapter 10 ([General Circular No. 2024-037](#)) of the Civil Service Rules. The amendments to these chapters ensure a smooth implementation of Continuous Performance Management as the proposed method to evaluate classified state employees.

1 **Chapter 1: Definitions of terms used in the Rules**

2  
3 1.5.3 ~~Repealed~~ 'Change in Position' for the purpose of the performance evaluation system,  
4 means either a voluntary demotion or the assignment of an employee to another position in the  
5 same or a different job with significantly different duties from those of the position he previously  
6 held, or the movement of an employee to another position in another agency.

7  
8 1.24.01 'Performance Evaluation' means the overall rating of an employee, made in accordance  
9 with the performance evaluation system **Continuous Performance Management** established by  
10 these Rules.

11  
12 1.24.02 ~~Repealed~~ 'Performance Standard' means a statement or description of observable  
13 conditions that define the levels of performance for each major task or duty area.

14  
15 1.26.1 ~~Repealed~~ 'Progress Review' means a scheduled meeting between an employee and his  
16 supervisor in which they discuss the employee's accomplishments and possible problems in the  
17 area of performance (e.g., performance standards), and in which performance criteria is  
18 reviewed and revised if necessary.

19  
20 1.39 ~~Repealed~~ 'Service Rating' means the individual rating of an employee, made in accordance  
21 with the service rating system established by these Rules.

22 **Chapter 5: Classification Plan**

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24 5.6.1 Effect of Business Reorganization on Encumbered Positions.

25 (g) 1. Eligibility shall be limited to:

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29 (d) employees whose most recent ~~official~~ overall performance evaluation rating at the time

30 of the reorganization was "~~e~~Exceptional", "Exceeds Expectations", "~~s~~Successful" or

31 their equivalents;

32

33 **Chapter 6: Pay Rules**

34

35 6.14.2 Repealed Suspension of Performance Adjustments

36 All provisions of the Performance Adjustment Rule shall be suspended for the period of June  
37 29, 2016 through June 29, 2017. During this period of suspension, no appointing authority may  
38 grant a performance adjustment to any employee nor may any employee gain eligibility for a  
39 performance adjustment.

40

41 6.14.3 Repealed Suspension of Performance Adjustments

42 All provisions of the Performance Adjustment Rule shall be suspended for the period of June  
43 29, 2017 through June 30, 2018. During this period of suspension, no employee may gain  
44 eligibility for a performance adjustment.

45

46 6.16.1 Rewards and Recognition

47 Subject to the provisions of Rule 6.29, an appointing authority may, at his discretion, implement  
48 a program of rewards and recognition for individual employees or for employee groups for  
49 significant achievement or employees whose overall performance evaluation rating is  
50 “Exceptional” ~~receive exceptional performance evaluations~~. Such rewards may be either  
51 monetary or non-monetary. If monetary, such rewards shall be a lump sum not to exceed a total  
52 of 10% of the employee’s base salary within a fiscal year. However, rewards for employees whose  
53 overall performance evaluation rating is “Exceptional” ~~receive exceptional performance~~  
54 ~~evaluations~~ shall be limited to a lump sum of up to 3% of the employee’s base pay, not to exceed  
55 \$2,500. Such reward and recognition programs shall be implemented in accordance with written  
56 policies and procedures established by each department. Such policies must receive advance  
57 approval from the Civil Service Commission and shall be posted in a manner that assures their  
58 availability to all employees. Such policies shall also include the public posting of all reward  
59 recipients.

60

61 6.32 Market Adjustments

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65 (e) An employee who has a ~~current official~~ overall ~~pp~~ performance Eevaluation rating of “Needs  
66 ~~Improvement/Unsuccessful~~ or equivalent shall not be granted any increase under the provisions  
67 of this rule.

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70 **Chapter 9: Probationary Period**

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72 9.2 Permanent Appointment Action Following Probationary Period

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76 **(d) No employee who has an overall performance evaluation rating of “Needs Improvement”**  
77 **or “Unsuccessful” shall attain permanent status.**

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80 **Chapter 12: Discipline; Corrective Actions; Separations**

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82 12.6 Non-disciplinary Removals

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84 (a) An employee may be non-disciplinarily removed under the following circumstances:

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86 \*\*\*

87  
88 **6. When the employee has received consecutive, confirmed performance evaluation**  
89 **ratings of “Unsuccessful.”**

90  
91 12.7 Notice of Proposed Action; Employee’s Opportunity to Respond

92 **(a)** When an appointing authority proposes to discipline or remove a permanent employee, the  
93 employee must be given oral or written notice of the proposed action, the factual basis for and  
94 a description of the evidence supporting the proposed action, and a reasonable opportunity to  
95 respond.

96  
97 **(b) When the employee’s removal is proposed under the provisions of Rule 10.10(d), the factual**  
98 **basis for and description of the evidence supporting the proposed action may be satisfied by**  
99 **attaching:**

- 100 **1. A copy of the consecutive “Unsuccessful” performance evaluations, together with all**  
101 **attachments;**  
102 **2. The notice required by Rule 10.10(c); and**  
103 **3. The results of the agency review(s), if any, conducted under the provisions of Rule**  
104 **10.13.**

105  
106 12.8 Written Notice to Employee of Discipline or Removal

107 (b) describe in detail the conduct for which the action is being taken including, where pertinent,  
108 dates, times, places, and names of persons directly involved in or affected by such conduct  
109 (unless their identities are protected by law, in which case, identification may be made as  
110 permitted by law). **When the employee’s removal is proposed under the provisions of Rule**  
111 **10.10(d), the description of the conduct for which the action is being taken may be satisfied by**  
112 **attaching to the written notice the documents required in paragraphs (1) - (3) of Rule 12.7.**

115 **Chapter 13: Civil Service Appeals**

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117 13.10 Appeals to the Commission

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121 (c) a state classified employee who has been adversely affected by a violation of any provision in  
122 the Civil Service Article or of any Civil Service Rule other than a rule in Chapter 10, except as  
123 otherwise set forth in paragraph (h) below.

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127 (n) A state classified employee with permanent status who has been non-disciplinarily  
128 removed as provided by Rule 12.6(a)6. In addition to any other applicable appeal rights, the  
129 employee may allege a procedural violation of Rule 10.10 and/or 10.13 but may not appeal the  
130 merits of the “Unsuccessful” rating. Reversal of the removal based on a procedural violation  
131 of any rule shall not negate the “Unsuccessful” rating giving rise to the 12.6(a)6 removal and  
132 said rating shall constitute the initial “Unsuccessful” rating for purposes of Rule 10.10(e) in the  
133 next rating year.

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136 **Chapter 17: Layoff Avoidance Measures, Layoffs and Post Layoff**

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138 17.15 Determining the Employees Who Will Be Laid Off or Relocated

139 (a) Based on the budget and organizational priorities, the appointing authority will determine  
140 which positions are to be abolished.

141  
142 (b) Employees ~~who received~~ **with an overall performance evaluation of “Needs**  
143 ~~Improvement,” or “Unsuccessful” on their last official Performance Evaluation System~~  
144 ~~evaluation~~ shall be laid off first. For purposes of layoff determination, the ~~last official~~ **overall**  
145 **performance** evaluation **rating** shall refer to ~~an~~ **the overall performance** evaluation **rating**  
146 received no fewer than 60 days prior to the effective date of the layoff.

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150 (f) Employees with veteran’s preference as referred to in Rule 22.7 and whose performance  
151 **evaluation** rating and length of service are at least equal to those of other affected employees  
152 shall be given preference.

153  
154 17.18 Relocation Provisions

155 (a) Rights to relocate to a vacant position created as the result of a layoff shall be granted only  
156 to permanent employees whose **overall most recent official** performance evaluation **rating** is  
157 ~~“Successful”~~ or higher. **For purposes of relocation offers, the overall performance evaluation**  
158 **rating shall refer to the overall performance evaluation rating received no fewer than 60 days**  
159 **prior to the effective date of the layoff.**

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162  
163 (c) For purposes of this rule, an employee with an **overall performance** evaluation **rating** of  
164 ~~“Unrated” or “Not Evaluated”~~ shall be considered as having an **overall performance**  
165 evaluation **rating** of ~~“Successful”~~ for that evaluation period.

166  
167 17.23 Department Preferred Reemployment List

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171 (c) Employees not eligible for this list include:

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- 174  
175 3. those ~~with an overall~~ whose most recent official performance evaluation **rating of**  
176 **“Needs Improvement” or “Unsuccessful”**. ~~the time of layoff was “needs~~  
177 ~~improvement/unsucessful”~~ **For purposes of eligibility, the overall performance**

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evaluation rating shall refer to the overall performance evaluation rating received  
no fewer than 60 days prior to the effective date of the layoff.

181 **Chapter 23: Appointments**

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183 23.4 Promotion

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187 (c) No employee who has a current overall ~~p~~performance evaluation rating of “Needs  
188 ~~Improvement/unsuccessful~~ “Needs Improvement” or “Unsuccessful” shall be promoted.

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190 23.12 Detail to Special Duty

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194 (f) No employee who has a current overall performance evaluation rating of "Needs  
195 Improvement" or "Unsuccessful" shall be detailed to a higher-level position.

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197 **Chapter 24: Transfer of Governmental Functions and Acquisitions**

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199 24.2 Status of Non-classified Employees Whose Positions are Declared to be in the State Classified  
200 Service or are Acquired by a State Agency

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204 (g) An employee who enters the State classified service in accordance with this Rule shall have  
205 his/her eligibility for ~~performance~~ market adjustments under Rule 6.1432 and leave earning  
206 determined based on the original date of appointment with his/her current or former employer  
207 and, upon appointment in the State classified service. However, the Director may approve  
208 existing annual eligibility dates for all employees of an entity acquired under this rule, that  
209 already had a well established merit pay policy.

210