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TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Approved Amendments to Chapter 10 of the Civil Service Rules

At its General Business meeting held on October 2, 2024, the State Civil Service Commission amended Chapter 10 of the Civil Service Rules, effective January 1, 2025.

In summary, the changes to Chapter 10 reflect the implementation of Continuous Performance Management (CPM) as the method to evaluate classified state employees. CPM is a tool used to measure performance and to continuously develop individuals into high-performing employees. CPM does not apply to those employees serving in a classified When Actually Employed (WAE) appointment.

The proposed performance evaluation year shall be January 1 through December 31 of each year.

The amended Chapter reads as follows:

[Chapter 10: Continuous Performance Management](#)

10.1 Continuous Performance Management

Continuous Performance Management is a tool used to measure performance and to continuously develop individuals into high-performing employees. Continuous Performance Management is effective January 1, 2025, and applies to all classified employees except those serving in a classified When Actually Employed (WAE) appointment. The performance evaluation year shall be January 1 through December 31 of each year.

10.2 Continuous Performance Management Required Components

(a) Continuous Performance Management shall consist of a minimum of the following components:

1. A performance planning form approved by the Director which is comprised of a minimum of two performance-based goals and one behavior-based goal;
2. A performance planning session during which the Evaluating Supervisor and the employee discuss the employee's planned goals for the performance evaluation year;
3. A performance evaluation form approved by the Director;
4. A performance evaluation session during which the Evaluating Supervisor and the employee discuss the results of employee's planned goals from the performance evaluation year;
5. An overall performance evaluation resulting in one of five possible ratings.

(b) An Appointing Authority may make variations to the performance planning form and/or the performance evaluation form with prior written approval from the Director.

10.3 Evaluating Supervisor

(a) The Appointing Authority shall designate an Evaluating Supervisor for each employee who shall be a person in the position to observe and document the employee's performance.

(b) The Evaluating Supervisor shall be responsible for the administration of Continuous Performance Management for designated employees in accordance with these rules and any applicable agency policies. Administration includes, but is not limited to, communicating with subordinates throughout the performance evaluation year regarding both satisfactory and unsatisfactory performance and behavior, need for improvement and need for additional training. Such communications may be formal or informal.

10.4 Second Level Evaluator

(a) The Appointing Authority shall designate a Second Level Evaluator for each employee who shall be a person in the position to concur with and approve the performance planning form and the performance evaluation form prepared by the Evaluating Supervisor.

(b) The Second Level Evaluator shall be responsible for the administration of Continuous Performance Management for designated employees in accordance with these rules and applicable agency policies. Administration includes, but is not limited to, periodically meeting with their own subordinates and maintaining a general familiarity with the employees who they will serve as Second Level Evaluator so that they can fulfill their responsibilities in a fair and impartial manner.

10.5 Performance Planning Form and Session

(a) The Evaluating Supervisor shall prepare a performance planning form at the beginning of each performance evaluation year.

(b) Prior to conducting a performance planning session with the employee, the Evaluating Supervisor shall obtain the Second Level Evaluator's concurrence and signature on the performance planning form.

(c) During the performance planning session, the Evaluating Supervisor shall present and discuss the performance planning form with the employee.

(d) The Evaluating Supervisor shall sign and document the date of the performance planning session. The employee shall be given a copy of or access to the performance planning form. An employee cannot prevent the performance planning form from becoming official by refusing to acknowledge receipt of the form.

(e) A performance planning session shall be conducted during the first two calendar months following:

1. The appointment of a new employee; or
2. The permanent movement of an employee into a position having a different position number with significantly different duties; or
3. The beginning of the new performance evaluation year (no later than March 1).

(f) A performance planning session may be conducted when:

1. The Evaluating Supervisor of an employee changes; or
2. The Evaluating Supervisor deems a new performance planning session is appropriate.

10.6 Performance Evaluation Ratings

(a) Following the performance evaluation year, the Evaluating Supervisor shall assign one of the five ratings listed below based on the employee's overall satisfaction of position requirements. Position requirements include, but are not limited to, performance, behavior, and quality/quantity of work. While consistency is a consideration, an extraordinary outcome or egregious conduct may cause a rating to be "Exceptional" or "Unsuccessful".

1. Exceptional: Consistently exceeds position requirements
2. Exceeds Expectations: Occasionally exceeds the position requirements
3. Successful: Meets position requirements
4. Needs Improvement: Occasionally fails to meet position requirements
5. Unsuccessful: Consistently fails to meet position requirements

(b) "Not Evaluated" Rating

1. An employee who is appointed on or after October 1 of the performance evaluation year shall be assigned a "Not Evaluated" rating.
2. When an employee transfers between January 1 and March 1, the gaining agency shall be responsible for assigning a rating of "Not Evaluated" to an employee who has not been rated by the losing agency as of the effective date of the transfer.
3. A "Not Evaluated" rating shall have the same effect as a "Successful" rating.

(c) "Unrated" Rating

1. When an evaluation is in violation of these rules, the Human Resources Office shall assign an "Unrated" rating to the employee.

2. In the absence of a performance evaluation, the Human Resources Office shall assign an “Unrated” rating to the employee.
3. An “Unrated” rating shall have the same effect as a “Successful” rating.

10.7 Performance Evaluation Sessions

(a) Performance evaluations sessions shall be conducted after the performance evaluation year has ended and rendered no later than March 1. All performance evaluation ratings shall be recorded with an effective date of January 1.

(b) The Evaluating Supervisor shall base the evaluation of the employee’s performance on the goals as stated on the performance planning form.

(c) To render a performance evaluation, the Evaluating Supervisor shall:

1. Complete a performance evaluation form and session between January 1 and March 1.
2. Sufficiently support the performance evaluation rating with comments and attach supporting documentation as deemed appropriate. In the case of an “Unsuccessful” rating, comments and documentation combined must be sufficient to support the rating, any potential disciplinary action, and apprise the employee of deficiencies in sufficient detail for the employee to provide defense/explanation in an agency review or appeal setting.
3. Obtain the Second Level Evaluator’s concurrence and signature on the performance evaluation form prior to discussion with the employee.
4. Discuss the evaluation with the employee. Following the discussion, the Evaluating Supervisor and the employee shall sign indicating the evaluation session occurred.
5. Provide the employee with a copy of or access to the completed performance evaluation form and any supporting documentation.

(d) An employee cannot prevent the performance evaluation form from becoming official by refusing to attend the performance evaluation session and/or refusing to acknowledge the performance evaluation form. Should the employee refuse to attend the performance evaluation session and/or acknowledge the performance evaluation form, the Evaluating Supervisor shall document the refusal on the performance evaluation form.

10.8 Effects of a “Needs Improvement” Rating

(a) A performance evaluation rating of “Needs Improvement” is not discipline.

(b) In addition to any other limitations set forth in these rules, an employee who receives a performance evaluation rating of "Needs Improvement" shall not be eligible for:

1. Promotion;
2. Detail to special duty to a higher-level position;
3. Attainment of permanent status;
4. Placement on a DPRL.

(c) An employee who received a performance evaluation rating of “Needs Improvement” in the previous performance evaluation year shall not receive a consecutive rating of “Needs Improvement.”

10.9 Effects of an “Unsuccessful” Rating

(a) A performance evaluation rating of “Unsuccessful” is not discipline.

(b) In addition to any other limitations set forth in these rules, an employee who receives a performance evaluation rating of “Unsuccessful” shall not be eligible for:

1. Promotion;
2. Detail to special duty to a higher-level position;
3. Attainment of permanent status;
4. Placement on a DPRL;
5. Market adjustment.

(c) A permanent employee who receives a performance evaluation rating of “Unsuccessful” may seek review of that rating in accordance with Rule 10.10.

(d) An employee with a confirmed performance evaluation rating of "Unsuccessful" may be disciplined in accordance with the rules applicable to the employee’s status. A rating is not considered confirmed until the agency review process has been completed or the time to request a review has expired.

10.10 Agency Review Process

(a) A permanent employee who receives a performance evaluation rating of “Unsuccessful” may request a review by an Agency Review Panel.

(b) The request for review and any supporting documentation shall be postmarked or received in the employing agency’s Human Resources Office no later than March 16 following the performance evaluation year.

(c) If the request for review is timely, the Appointing Authority shall designate an Agency Review Panel consisting of at least three members who are believed by the Appointing Authority to be impartial and who shall not be the employee’s Evaluating Supervisor or Second Level Evaluator.

1. Members of the Agency Review Panel shall not be subjected to retaliation or discipline as result of their service on the panel or the outcome of the review.

(d) The agency’s Human Resources Office shall review the performance evaluation form for compliance with these rules. If a rule violation is identified, the rating shall be changed to “Unrated” and any agency review which has commenced shall cease.

(e) The Agency Review Panel shall review the employee’s request, the performance planning form, the performance evaluation form and all supporting documentation provided for each. The

evaluation under review shall be discussed with the employee, the Evaluating Supervisor and the Second Level Evaluator separately.

(f) The Agency Review Panel may request and shall be provided any additional documentation deemed necessary to make a determination. The Evaluating Supervisor and employee shall be provided a copy of any additional documentation requested and received by the Agency Review Panel.

(g) The Agency Review Panel shall notify the Human Resources Office of any rule violation identified in the review process and the rating shall be changed to "Unrated". Otherwise, after a review of the documents and discussions described in (e) and (f) above, the Agency Review Panel by a majority vote shall have the option, based on the merits of the review, to:

1. Uphold the performance evaluation rating; or
2. Assign an overall performance evaluation rating of "Needs Improvement".

(h) The Agency Review Panel's decision shall be final, except as provided in paragraph (j) below.

(i) The Agency Review Panel shall give the employee, the Evaluating Supervisor, the Second Level Evaluator and the Human Resources Office written notice of the results of its review. This notification shall be provided no later than April 16.

(j) The agency's Human Resources Office shall ensure that the agency review process is conducted in accordance with these rules. Any violation thereof shall result in a performance evaluation rating of "Unrated."

(k) Any change in the performance evaluation rating shall be recorded by the agency's Human Resources Office on the rating replacement form or the performance evaluation form with an effective date of January 1.

10.11 Planning and Evaluation Notification

(a) When an employee is not available, the provisions of these rules shall be satisfied by notifying the employee via mail or email. The notification shall be deemed timely if it was mailed to the employee's most recent address, as evidenced by official proof of mailing, or emailed to the employee's state issued email address as evidenced by a copy of the dated email together with a "read" receipt, reply email or other affirmative acknowledgment of receipt.

(b) For evaluation sessions, if the employee is notified by mail or email, the notification must be sent on or before March 1. The agency is required to maintain documentation that the employee was notified on or before this date.

10.12 Grievance Process

An agency's grievance process shall not be used to review a performance evaluation rating, reconsider the results of an agency's review or address a procedural violation of these rules.

10.13 Record Keeping and Reporting

(a) The following shall be kept in the agency Human Resources Office or other designated, secure location not accessible to the public, and shall not be considered a public record.

1. Completed performance planning forms;
2. Completed performance evaluation forms;
3. Employee's request for agency review under Rule 10.10, including the completed review by the Agency Review Panel and all supporting documentation considered during the agency review.

(b) All records shall be available upon request to the employee and to State Civil Service for auditing purposes.

(c) In order to satisfy the requirements of Rule 10.14(b), the agency Human Resources Office shall provide a report to the Appointing Authority by April 30 identifying all employees with a confirmed performance evaluation rating of "Unsuccessful" following the end of the performance evaluation year. The report shall also indicate any previous performance evaluation ratings of "Unsuccessful" given to such employees.

(d) Each Appointing Authority shall annually report to the Director, in such manner as the Director prescribes, information about performance evaluation ratings given during the previous year ending December 31. The Director may require more frequent reporting as needed.

10.14 Agency Appointing Authority Responsibilities

(a) Continuous Performance Management is a critical tool for ensuring that the agency meets its goals and objectives by aligning employee performance with the agency's strategic direction. The Appointing Authority plays a pivotal role in this process, ensuring that the Continuous Performance Management system is implemented consistently and fairly across the organization. By reviewing performance outcomes, the Appointing Authority can make informed decisions that reinforce accountability and uphold the agency's standards of excellence.

(b) Upon receiving a listing of employees with confirmed "Unsuccessful" ratings as provided by Rule 10.13 (c), the Appointing Authority shall carefully review the circumstances surrounding each rating. To maintain the integrity of the agency's performance standards and to ensure that underperformance does not impede the agency's mission, the Appointing Authority is responsible for determining whether disciplinary action, up to and including dismissal, is warranted and supported by documentation.

10.15-10.18 Repealed Effective October 2, 2024.**10.19 Exceptions**

The Director may approve exceptions to these rules.

If there are any questions concerning the subject matter of this General Circular, you may contact State Civil Service by emailing SCSInfo@la.gov or by calling (225) 342-8272.

Sincerely,

s/Byron P. Decoteau, Jr.
SCS Director