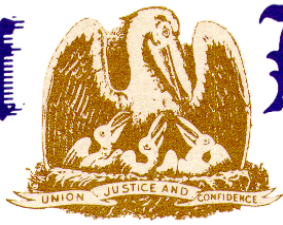


State of Louisiana



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. BJ 2009-11

EXECUTIVE DEPARTMENT – LIMITED HIRING FREEZE

- WHEREAS,** pursuant to R.S. 42:375, the Governor may issue executive orders which prohibit or regulate the filling of any new or existing vacancies in positions of employment in the executive branch of state government (hereafter "hiring freeze");
- WHEREAS,** R.S. 39:84 provides authority to the Governor to regulate and control personnel transactions;
- WHEREAS,** to limit or control the growth in government positions and to prepare for the budget challenges in the ensuing years, prudent fiscal management practices dictate that the best interests of the citizens of the State of Louisiana will be served by the implementation of a hiring freeze in the executive branch of state government to achieve at least a state general fund dollar savings of \$20 million;
- WHEREAS,** higher education plays a vital role for the citizens of our state; and, in addition, higher education in Louisiana has a unique management structure. Recognizing this, the Commissioner of Higher Education shall have the authority to manage the positions within higher education, including the hospitals, within the confines of this Executive Order and any subsequent memorandum issued by the Commissioner of Administration as authorized by this Order limiting the number of Table of Organization (T.O.) and Non-T.O. Full-Time Equivalents (FTEs); and
- WHEREAS,** due to the critical nature of direct patient care and direct public safety positions, special consideration is given to provide more flexibility to the departments in hiring these positions;
- NOW THEREFORE, I, BOBBY JINDAL,** Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

- SECTION 1:** No vacancy in an existing or new position of employment within the executive branch of state government that exists on or occurs after the effective date of this order shall be filled without the express written approval of the Commissioner of Administration. This includes Appropriated Table of Organization Full-Time Equivalent positions (T.O. FTEs), Other Compensation positions (Non-T.O. FTEs), Other Charges positions (Non-T.O. FTEs), job appointments (Non-T.O. FTEs), and restricted appointments (Non-T.O. FTEs).
- A. The following departments, agencies, and/or budget units of the executive branch of the State of Louisiana (hereafter "Unit and/or "Units"), as described in and/or funded by appropriations through Acts 10, 122 (Section 6), and 40 of the 2009 Regular Session of the Louisiana Legislature (hereafter "Acts"), shall be subject to the hiring freeze as provided in this Executive Order:

Executive Branch
Schedule 01—Executive Department
01-100—Executive Office
01-101—Office of Indian Affairs
01-102—Office of the Inspector General
01-103—Mental Health Advocacy Service
01-107—Division of Administration
01-109—Office of Coastal Protection and Restoration
01-111—Governor's Office of Homeland Security & Emergency Preparedness
01-112—Department of Military Affairs
01-114—Office on Women's Policy
01-116—Louisiana Public Defender Board
01-126—Board of Tax Appeals

01-129—Louisiana Commission on Law Enforcement and Administration of Criminal Justice
01-133—Office of Elderly Affairs
01-254—Louisiana State Racing Commission
01-255—Office of Financial Institutions
Schedule 03—Veterans Affairs
Schedule 05—Economic Development
Schedule 07—Transportation and Development
Schedule 08—Corrections Services
Schedule 08—Public Safety Services
Schedule 08—Youth Services
Schedule 09—Health and Hospitals
Schedule 10—Social Services
Schedule 11—Natural Resources
Schedule 12—Revenue
Schedule 13—Environmental Quality
Schedule 14—Louisiana Workforce Commission
Schedule 16—Wildlife and Fisheries
Schedule 17—Civil Service
17-560—State Civil Service
17-561—Municipal Fire and Police Civil Service
17-562—Ethics Administration
17-563—State Police Commission
17-564—Division of Administrative Law
Schedule 19—Higher Education
Schedule 19—Special Schools and Commissions
19B-651—Louisiana School for the Visually Impaired
19B-653—Louisiana School for the Deaf
19B-655—Louisiana Special Education Center
19B-657—Louisiana School for Math, Science and the Arts
19B-662—Louisiana Educational TV Authority
19B-666—Board of Elementary & Secondary Education
19B-673—New Orleans Center for the Creative Arts
Schedule 19—Department of Education
Schedule 19—LSU Health Sciences Center Health Care Services Division
Schedule 21—Ancillary
21-790—Donald J. Thibodaux Training Academy
21-796—Central Regional Laundry
21-800—Office of Group Benefits
21-804—Office of Risk Management
21-805—Administrative Services
21-806—Louisiana Property Assistance
21-807—Federal Property Assistance
21-808—Office of Telecommunications Management
21-810—Public Safety Services Cafeteria
21-811—Prison Enterprises
21-813—Sabine River Authority
21-814—Patient’s Compensation Fund Oversight Board
21-829—Office of Aircraft Services

- B. The Commissioner of Administration is hereby authorized to and shall establish, on a continuing basis, the number of FTEs, hereafter referred to as “positions”, to be frozen for each such department, agency, and/or budget unit specified in Paragraph A of this Section together with the expenditure of funds appropriated for such positions.
- C. After the effective date of this Order, employee transfers, promotions, re-allocations, and the creation of any new positions of employment within the executive branch of state government shall not, in any manner, decrease, or in the case of Non-T.O. FTEs increase, the number of such frozen positions within the department, budget unit, agency, and/or office, within the executive branch of state government below the number frozen determined as provided in this Section unless otherwise adjusted by the Commissioner of Administration.

SECTION 2:

No later than August 3, 2009, in order to implement the freeze provided in Section 1, the head of each Unit listed in Section 1 of this Order shall submit to the Commissioner of Administration (hereafter “Commissioner”) a mid-year budget adjustment plan, on the BA-7 form and questionnaire, which reflects the Unit’s proposed allocation of the position freeze ordered in Section 1 of this Order (hereafter “mid-year budget adjustment plan”), and a rationale or explanation of the mid-year budget adjustment plan.

- A. The allocation of the position freeze shall be implemented by the Unit only upon the Commissioner’s prior written approval of the Unit’s mid-year budget adjustment plan.

- B. Once approved, a mid-year budget adjustment plan may not be changed without the Commissioner's prior written approval.

SECTION 3:

- A. The Commissioner is authorized to grant any departments, agencies, and/or budget units in the executive branch of state government an exemption, on a case-by-case basis, from all or a part of the prohibition set forth in Section 1 of this Order, as the Commissioner deems necessary and appropriate. Such an exemption shall be express and in writing.
- B. Requests for an exemption from all or a part of the prohibition set forth in Section 1 of this Order, on a case-by-case basis, shall be submitted by the secretary or head of a department, or by the head of a budget unit, agency, and/or office which is not within a department. Each request for an exemption shall be in writing and shall contain a description of the exemption sought and full justification for the request.
- C. The Commissioner may develop guidelines pertaining to requests for exemption from all or part of the prohibition set forth in Section 1 of this Order.
- D. If necessary, the Commissioner may develop definitions for the terms and/or the descriptions used in this Order.

SECTION 4:

All departments, budget units, agencies, offices, entities, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate in the implementation of the provisions of this Order.

SECTION 5:

The Governor, in accordance with R.S. 42:375(D) may order the commissioner of administration to withhold allotments in the appropriate category of expenditures from which the salary or compensation of any employee employed in violation of this executive order is paid in an amount equal to such compensation.

SECTION 6:

This Order is effective upon signature and shall remain in effect through June 30, 2010, or until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 24th day of July, 2009.

/S/ Bobby Jindal
GOVERNOR OF LOUISIANA

ATTEST BY
THE GOVERNOR

/S/ Jay Dardenne
SECRETARY OF STATE