

RULE

**Workforce Commission
Office of the Secretary**

Interested Party Petitions (LAC 40:XIX.301)

Under the authority of and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., specifically R.S. 49:953(C)(1), and through the authority granted in R.S. 36:304, the Workforce Commission has adopted LAC 40:XIX.301. The Rule sets forth the procedure that interested parties shall follow when petitioning the Louisiana Workforce Commission to promulgate, amend, or repeal any rule. This Rule is hereby adopted on the day of promulgation.

Title 40

LABOR AND EMPLOYMENT

Part XIX. Louisiana Workforce Commission

Chapter 3. General Rules

§301. Interested Party Petitions

A. Any interested person may petition the secretary of the Workforce Commission requesting the adoption, amendment, or repeal of a rule.

B. A petition for adoption, amendment, or repeal of a rule shall be styled as such and shall include:

1. the petitioner's name, mailing address, email address, and original signature;
2. the specific text or a description of the proposed language desired for amendment or adoption of a rule, or the specific rule and language identified for repeal; and
3. justification for the proposed action with a description of the intended effect.

C. The secretary of the Workforce Commission may deny any petition for adoption, amendment, or repeal of a rule that does not conform to the requirements of this Section.

D. After submission of a petition pursuant to this section, within 90 days of receipt, the secretary of the Workforce Commission either shall deny the petition in writing stating the reasons for denial, or shall initiate rulemaking proceedings in accordance with the Louisiana Administrative Procedure Act. The secretary retains sole discretion to grant or deny a petition.

E. Nothing herein shall be construed to require that the secretary of the Workforce Commission, in granting a petition for adoption, amendment, or repeal of a rule, adopt or employ the specific form or language requested by the petitioner, provided that the Workforce Commission's actions give effect to the substance and intent of the petition.

F. The rulemaking petition shall be submitted by certified mail and addressed to:

Office of the Secretary, Louisiana Workforce Commission
Re: Rulemaking Petition
P.O. Box 94094
Baton Rouge, LA 70804-9094

AUTHORITY NOTE: Promulgated in accordance with RS 36:304 and 49:953 et seq.

HISTORICAL NOTE: Promulgated by Workforce Commission, Office of the Secretary, LR 46:51 (January 2020).

Ava M. Dejoie
Secretary

2001#012