

Regular Session, 2013

HOUSE BILL NO. 663

BY REPRESENTATIVE HARRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL SERVICE/FIRE & POL: Provides relative to certain employment lists established and maintained by the municipal fire and police civil service board and provides for the removal of employees during the working test period

1 AN ACT

2 To amend and reenact R.S. 33:2491(F), 2495, 2551(6), and 2555 and to enact R.S.
3 33:2495.1.1 and 2555.1, relative to municipal fire and police civil service; to provide
4 relative to certain employment lists established and maintained by municipal fire and
5 police civil service boards; to provide relative to employees appointed from the lists
6 to a working test period; to provide for the removal of certain employees during the
7 working test period; to provide with respect to appeals of employees who are
8 rejected after serving a certain period of time of the working test period; and to
9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:2491(F), 2495, 2551(6), and 2555 are hereby amended and
12 reenacted and R.S. 33:2495.1.1 and 2555.1 are hereby enacted to read as follows:

13 §2491. Establishment and maintenance of employment lists

14 The board shall establish and maintain employment lists containing names
15 of persons eligible for appointment to the various classes of positions in the
16 classified service, as follows:

17 * * *

18 F.(1) The minimum and maximum period for which a name may remain
19 upon a ~~promotional and a~~ competitive employment list established and maintained

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 by the board for any of the various classes of positions in the classified fire and
2 police service shall be twelve and eighteen months, respectively, for each list.

3 (2)(a) Notwithstanding any provision of law to the contrary, the minimum
4 and maximum period for which a name may remain upon a promotional employment
5 list established and maintained by the board for any of the various classes of
6 positions in the classified fire and police service shall be twelve and forty-eight
7 months, respectively, for each list.

8 (b) Except as provided in R.S. 33:2491.4(D), the provisions of this Paragraph
9 shall apply to any promotional employment list established and maintained by the
10 board pursuant to this Part for any of the various classes of positions in the classified
11 fire and police service containing the names of eligible persons on and after the
12 effective date of this Subsection.

13 * * *

14 §2495. Working tests

15 A. Every person appointed to a position in the classified service following
16 the certification of his name from a promotional or a competitive employment list,
17 except as provided in R.S. 33:2495.1.1 and except those appointed on a temporary
18 basis, shall be reported to the board as a probational employee within fifteen days of
19 his appointment. The probational employee shall be tested by a working test while
20 occupying the position before he may be confirmed as a regular and permanent
21 employee in the position.

22 B.(1)(a) Except as provided in ~~Paragraphs (2) and (3) of this Subsection~~ R.S.
23 33:2495.1.1, the period of the working test shall commence immediately upon
24 appointment and shall continue for a period of not less than six months nor more
25 than one year.

26 (2)(a) Any probational employee in the classified fire service, except an
27 entry level fireman and an entry level radio, fire alarm, or signal system operator,
28 who has served less than six months of his working test for any given position may

1 be removed therefrom only with the prior approval of the board, and only upon one
2 of the following grounds:

3 (i) He is unable or unwilling to perform satisfactorily the duties of the
4 position to which he has been appointed.

5 (ii) His habits and dependability do not merit his continuance therein.

6 (b) Any such probational employee in the classified fire service may appear
7 before the board and present his case before he is removed.

8 (c) Any such probational employee in the classified fire service who is
9 rejected after having served a working test of six months but not more than one year,
10 may appeal to the board only upon the grounds that he has not been given a fair
11 opportunity to prove his ability in the position.

12 (3)(a)Any probational employee in a position of a competitive class of the
13 classified police service, except an entry level police officer, and an entry level radio,
14 police alarm, or signal system operator, who has served less than six months of his
15 working test for any given position may be removed therefrom only with the prior
16 approval of the board. Any probational employee in a position of a promotional
17 class of the classified police service, who has served less than three months of his
18 working test for any given position may be removed therefrom only with the prior
19 approval of the board. Any such probational employee may be removed only upon
20 one of the following grounds:

21 (i) He is unable or unwilling to perform satisfactorily the duties of the
22 position to which he has been appointed.

23 (ii) His habits and dependability do not merit his continuance therein.

24 (b) Any such probational employee in the classified police service may
25 appear before the board and present his case before he is removed.

26 (c) Any such probational employee in the classified police service appointed
27 to a position of a competitive class who is rejected after having served a working test
28 of six months but not more than one year, may appeal to the board only upon the

1 grounds that he has not been given a fair opportunity to prove his ability in the
2 position.

3 (d) Any such probational employee in the classified police service appointed
4 to a position of a promotional class who is rejected after having served a working test
5 of three months but not more than one year, may appeal to the board only upon the
6 grounds that he has not been given a fair opportunity to prove his ability in the
7 position.

8 ~~(2)(a) Each person selected for appointment to an entry level position in the~~
9 ~~classified service from the competitive firefighter, firefighter/operator, or police~~
10 ~~officer employment list who has demonstrated successful completion of formal~~
11 ~~training as provided in Subparagraph (c) of this Paragraph prior to such appointment~~
12 ~~shall immediately begin the working test.~~

13 ~~(b)(i) Any person selected for appointment to an entry level position in the~~
14 ~~classified service from the competitive firefighter, firefighter/operator, or police~~
15 ~~officer employment list who has not demonstrated successful completion of formal~~
16 ~~training as provided in Subparagraph (c) of this Paragraph prior to such appointment~~
17 ~~shall be employed by the appointing authority and reported to the board as a recruit~~
18 ~~and, whenever practical or possible, shall immediately begin such formal training.~~
19 ~~The formal training shall be provided for through the appointing authority, and the~~
20 ~~period for such formal training shall be for the duration of not more than six months~~
21 ~~from the date of appointment. The formal training period shall conclude six months~~
22 ~~from the date of original appointment or upon the successful completion of the~~
23 ~~formal training, whichever occurs first, at which time the working test shall~~
24 ~~commence. The appointing authority shall, within fifteen days, advise the board of~~
25 ~~the appointment of the recruit as a probational firefighter, probational~~
26 ~~firefighter/operator, or probational police officer as the case may be.~~

27 ~~(ii) Nothing in this Paragraph shall be construed to require that a newly~~
28 ~~appointed firefighter, firefighter/operator, or police officer be terminated should he~~

1 fail to enroll in or complete formal training within the six-month formal training
2 period:

3 (c)(i) ~~Successful completion of formal training as required by this Paragraph~~
4 ~~for a position in the classification of firefighter or firefighter/operator shall be~~
5 ~~demonstrated by certification as Firefighter I in accordance with National Fire~~
6 ~~Protection Association Standard 1001.~~

7 (ii) ~~Successful completion of formal training as required by this Paragraph~~
8 ~~for a position in the classification of police officer shall be demonstrated by~~
9 ~~certification from a peace officer standards and training accredited training program~~
10 ~~as provided by R.S. 40:2405(A).~~

11 (3)(a) ~~Notwithstanding any other provision of law to the contrary, each~~
12 ~~person selected for appointment to an entry level position in the classified service~~
13 ~~from the competitive Fire Communications Officer (I) employment list in the city~~
14 ~~of Shreveport who has demonstrated successful completion of formal training as~~
15 ~~provided in Subparagraph (c) of this Paragraph prior to such appointment shall~~
16 ~~immediately begin the working test.~~

17 (b)(i) ~~Any person selected for appointment to an entry level position in the~~
18 ~~classified service from the competitive Fire Communications Officer (I) employment~~
19 ~~list in the city of Shreveport who has not demonstrated successful completion of~~
20 ~~formal training as provided in Subparagraph (c) of this Paragraph prior to such~~
21 ~~appointment shall be employed by the appointing authority and reported to the board~~
22 ~~as a recruit and, whenever practical or possible, shall immediately begin such formal~~
23 ~~training. The formal training shall be provided for through the appointing authority,~~
24 ~~and the period for such formal training shall be for the duration of not more than six~~
25 ~~months from the date of appointment. The formal training period shall conclude six~~
26 ~~months from the date of original appointment or upon the successful completion of~~
27 ~~the formal training, whichever occurs first, at which time the working test shall~~
28 ~~commence. The appointing authority shall, within fifteen days, advise the board of~~
29 ~~the appointment of the recruit as a probational Fire Communications Officer (I).~~

1 (ii) ~~Nothing in this Paragraph shall be construed to require that a newly~~
2 ~~appointed Fire Communications Officer (I) be terminated should he fail to enroll in~~
3 ~~or complete formal training within the six-month formal training period.~~

4 (c) ~~Successful completion of formal training as required by this Paragraph~~
5 ~~for a position in the classification of Fire Communications Officer (I) shall be~~
6 ~~demonstrated by certification as Telecommunicator in accordance with National Fire~~
7 ~~Protection Association Standards 1061 and 1221.~~

8 C. Upon any employee completing his working test, the appointing authority
9 shall so advise the board and furnish a signed statement to the respective employee
10 of its confirmation and acceptance of the employee as a regular and permanent
11 employee in the respective position or of its refusal to confirm the employee and the
12 reasons therefor. If, at the expiration of an employee's working test period, the
13 appointing authority fails to confirm or reject the employee, such failure to act shall
14 constitute a confirmation. ~~Any employee who is rejected after serving a working test~~
15 ~~of six months but not more than one year may appeal to the board only upon the~~
16 ~~grounds that he was not given a fair opportunity to prove his ability in the position.~~

17 D. The appointing authority may remove, and shall remove upon the order
18 of the board, any employee during his working test period who the board finds, after
19 giving him notice and an opportunity to be heard, was appointed as a result of an
20 error, misrepresentation, or fraud.

21 E. In any event where an employee is permitted under this Section to appeal
22 to the board, the decision of the board shall be subject to the judicial review provided
23 by this Part and the appointing authority and employee shall be governed
24 accordingly.

25 * * *

26 §2495.1.1. Recruit and recruit period

27 A.(1) Each person selected for appointment to an entry level position in the
28 classified service from the competitive firefighter, firefighter/operator, or police
29 officer employment list who has demonstrated successful completion of formal

1 training as provided in Paragraph (4) of this Subsection prior to such appointment
2 shall immediately begin the working test.

3 (2)(a) Any person selected for appointment to an entry level position in the
4 classified service from the competitive firefighter, firefighter/operator, or police
5 officer employment list who has not demonstrated successful completion of formal
6 training as provided in Paragraph (4) of this Subsection prior to such appointment
7 shall be employed by the appointing authority and reported to the board as a recruit
8 and, whenever practical or possible, shall immediately begin such formal training.

9 (b) The formal training shall be provided for through the appointing
10 authority, and the period for such formal training shall be for the duration of not
11 more than six months from the date of appointment. The formal training period shall
12 conclude six months from the date of original appointment or upon the successful
13 completion of the formal training, whichever occurs first, at which time the working
14 test shall commence.

15 (c) The appointing authority shall, within fifteen days, advise the board of
16 the appointment of the recruit as a probational firefighter, probational
17 firefighter/operator, or probational police officer as the case may be.

18 (3) Nothing in this Subsection shall be construed to require that a newly
19 appointed firefighter, firefighter/operator, or police officer be terminated should he
20 fail to enroll in or complete formal training within the six-month formal training
21 period.

22 (4)(a) Successful completion of formal training as required by this
23 Subsection for a position in the classification of firefighter or firefighter/operator
24 shall be demonstrated by certification as Firefighter I in accordance with National
25 Fire Protection Association Standard 1001.

26 (b) Successful completion of formal training as required by this Subsection
27 for a position in the classification of police officer shall be demonstrated by
28 certification from a peace officer standards and training accredited training program
29 as provided by R.S. 40:2405(A).

1 B.(1) Notwithstanding the provisions of Subsection A of this Section or any
2 other provision of law to the contrary, each person selected for appointment to an
3 entry level position in the classified service from the competitive Fire
4 Communications Officer (I) employment list in the city of Shreveport who has
5 demonstrated successful completion of formal training as provided in Paragraph (4)
6 of this Subsection prior to such appointment shall immediately begin the working
7 test.

8 (2)(a) Notwithstanding the provisions of Subsection A of this Section or any
9 other provision of law to the contrary, any person selected for appointment to an
10 entry level position in the classified service from the competitive Fire
11 Communications Officer (I) employment list in the city of Shreveport who has not
12 demonstrated successful completion of formal training as provided in Paragraph (4)
13 of this Subsection prior to such appointment shall be employed by the appointing
14 authority and reported to the board as a recruit and, whenever practical or possible,
15 shall immediately begin such formal training.

16 (b) The formal training shall be provided for through the appointing
17 authority, and the period for such formal training shall be for the duration of not
18 more than six months from the date of appointment. The formal training period shall
19 conclude six months from the date of original appointment or upon the successful
20 completion of the formal training, whichever occurs first, at which time the working
21 test shall commence.

22 (c) The appointing authority shall, within fifteen days, advise the board of
23 the appointment of the recruit as a probational Fire Communications Officer (I).

24 (3) Nothing in this Subsection shall be construed to require that a newly
25 appointed Fire Communications Officer (I) be terminated should he fail to enroll in
26 or complete formal training within the six-month formal training period.

27 (4) Successful completion of formal training as required by this Subsection
28 for a position in the classification of Fire Communications Officer (I) shall be

1 demonstrated by certification as Telecommunicator in accordance with National Fire
2 Protection Association Standards 1061 and 1221.

3 * * *

4 §2551. Establishment and maintenance of employment lists

5 The board shall establish and maintain lists containing names of persons
6 eligible for appointment to the various classes of positions in the classified service,
7 as follows:

8 * * *

9 (6)(a) The minimum and maximum period for which a name may remain
10 upon a ~~promotional and~~ competitive employment list established and maintained by
11 the board for any of the various classes of positions in the classified fire and police
12 service shall be twelve and eighteen months, respectively, for each list.

13 (b) Notwithstanding any provision of law to the contrary, the minimum and
14 maximum period for which a name may remain upon a promotional employment list
15 established and maintained by the board for any of the various classes of positions
16 in the classified fire and police service shall be twelve and forty-eight months,
17 respectively, for each list.

18 (c) The provisions of this Paragraph shall apply to any promotional
19 employment list established and maintained by the board pursuant to this Part for any
20 of the various classes of positions in the classified fire and police service containing
21 the names of eligible persons on and after the effective date of this Subsection.

22 * * *

23 §2555. Working tests

24 A. Every person appointed to a position in the classified service following
25 the certification of his name from a promotional or a competitive employment list,
26 except as provided in R.S. 33:2555.1 and except those appointed on a temporary
27 basis, shall be reported to the board as a probational employee within fifteen days of
28 his appointment. The probational employee shall be tested by a working test while

1 occupying the position before he may be confirmed as a regular and permanent
2 employee in the position.

3 B.(1)(a) Except as provided in ~~Paragraph (2) of this Subsection R.S.~~
4 33:2555.1, the period of the working test shall commence immediately upon
5 appointment and shall continue for a period of not less than six months nor more
6 than one year.

7 (2)(a) Any probational employee in the classified fire service, except an
8 entry level fireman and an entry level radio, fire alarm, or signal system operator,
9 who has served less than six months of his working test for any given position may
10 be removed therefrom only with the prior approval of the board, and only upon one
11 of the following grounds:

12 (i) He is unable or unwilling to perform satisfactorily the duties of the
13 position to which he has been appointed.

14 (ii) His habits and dependability do not merit his continuance therein.

15 (b) Any such probational employee in the classified fire service may appear
16 before the board and present his case before he is removed.

17 (c) Any such probational employee in the classified fire service who is
18 rejected after having served a working test of six months but not more than one year,
19 may appeal to the board only upon the grounds that he has not been given a fair
20 opportunity to prove his ability in the position.

21 (3)(a) Any probational employee in a position of a competitive class of the
22 classified police service, except an entry level police officer, and an entry level radio,
23 police alarm, or signal system operator, who has served less than six months of his
24 working test for any given position may be removed therefrom only with the prior
25 approval of the board. Any probational employee in a position of a promotional
26 class of the classified police service, who has served less than three months of his
27 working test for any given position may be removed therefrom only with the prior
28 approval of the board. Any such probational employee may appeal to the board only
29 upon one of the following grounds:

1 (i) He is unable or unwilling to perform satisfactorily the duties of the
2 position to which he has been appointed.

3 (ii) His habits and dependability do not merit his continuance therein.

4 (b) Any such probational employee in the classified police service may
5 appear before the board and present his case before he is removed.

6 (c) Any such probational employee in the classified police service appointed
7 to a position of a competitive class who is rejected after having served a working test
8 of six months but not more than one year, may appeal to the board only upon the
9 grounds that he has not been given a fair opportunity to prove his ability in the
10 position.

11 (d) Any such probational employee in the classified police service appointed
12 to a position of a promotional class who is rejected after having served a working test
13 of three months but not more than one year, may appeal to the board only upon the
14 grounds that he has not been given a fair opportunity to prove his ability in the
15 position.

16 ~~(2)(a) Each person selected for appointment to an entry level position in the~~
17 ~~classified service from the competitive firefighter, firefighter/operator, or police~~
18 ~~officer employment list who has demonstrated successful completion of formal~~
19 ~~training as provided in Subparagraph (c) of this Paragraph prior to such appointment~~
20 ~~shall immediately begin the working test.~~

21 ~~(b)(i) Any person selected for appointment to an entry level position in the~~
22 ~~classified service from the competitive firefighter, firefighter/operator, or police~~
23 ~~officer employment list who has not demonstrated successful completion of formal~~
24 ~~training as provided in Subparagraph (c) of this Paragraph prior to such appointment~~
25 ~~shall be employed by the appointing authority and reported to the board as a recruit~~
26 ~~and, whenever practical or possible, shall immediately begin such formal training.~~
27 ~~The formal training shall be provided for through the appointing authority, and the~~
28 ~~period for such formal training shall be for the duration of not more than six months~~
29 ~~from the date of appointment. The formal training period shall conclude six months~~

1 from the date of original appointment or upon the successful completion of the
2 formal training, whichever occurs first, at which time the working test shall
3 commence. The appointing authority shall, within fifteen days, advise the board of
4 the appointment of the recruit as a probational firefighter, probational
5 firefighter/operator, or probational police officer as the case may be.

6 (ii) ~~Nothing in this Paragraph shall be construed to require that a newly~~
7 ~~appointed firefighter, firefighter/operator, or police officer be terminated should he~~
8 ~~fail to enroll in or complete formal training within the six-month formal training~~
9 ~~period.~~

10 (c)(i) ~~Successful completion of formal training as required by this Paragraph~~
11 ~~for a position in the classification of firefighter or firefighter/operator shall be~~
12 ~~demonstrated by certification as Firefighter I in accordance with National Fire~~
13 ~~Protection Association Standard 1001.~~

14 (ii) ~~Successful completion of formal training as required by this Paragraph~~
15 ~~for a position in the classification of police officer shall be demonstrated by~~
16 ~~certification from a peace officer standards and training accredited training program~~
17 ~~as provided by R.S. 40:2405(A).~~

18 C. Upon any employee completing his working test, the appointing authority
19 shall so advise the board and furnish a signed statement to the respective employee
20 of its confirmation and acceptance of the employee as a regular and permanent
21 employee in the respective position or of its refusal to confirm the employee, and the
22 reasons therefor. If, at the expiration of an employee's working test period, the
23 appointing authority fails to confirm or reject the employee, such failure to act shall
24 constitute a confirmation. ~~Any employee who is rejected after serving a working test~~
25 ~~of six months but not more than one year may appeal to the board only upon the~~
26 ~~grounds that he was not given a fair opportunity to prove his ability in the position.~~

27 D. The appointing authority may remove, and shall remove upon the order
28 of the board, any employee during his working test period whom the board finds,

1 after giving him notice and an opportunity to be heard, was appointed as a result of
2 an error, misrepresentation, or fraud.

3 E. In any event where any employee is permitted under this Part to appeal
4 to the board, the decision of the board shall be subject to the judicial review provided
5 by this Part and the appointing authority and employee shall be governed
6 accordingly.

7 * * *

8 §2555.1. Recruit and recruit period

9 A. Each person selected for appointment to an entry level position in the
10 classified service from the competitive firefighter, firefighter/operator, or police
11 officer employment list who has demonstrated successful completion of formal
12 training as provided in Subsection D of this Section prior to such appointment shall
13 immediately begin the working test.

14 B.(1) Any person selected for appointment to an entry level position in the
15 classified service from the competitive firefighter, firefighter/operator, or police
16 officer employment list who has not demonstrated successful completion of formal
17 training as provided in Subsection D of this Section prior to such appointment shall
18 be employed by the appointing authority and reported to the board as a recruit and,
19 whenever practical or possible, shall immediately begin such formal training.

20 (2) The formal training shall be provided for through the appointing
21 authority, and the period for such formal training shall be for the duration of not
22 more than six months from the date of appointment. The formal training period shall
23 conclude six months from the date of original appointment or upon the successful
24 completion of the formal training, whichever occurs first, at which time the working
25 test shall commence.

26 (3) The appointing authority shall, within fifteen days, advise the board of
27 the appointment of the recruit as a probational firefighter, probational
28 firefighter/operator, or probational police officer as the case may be.

1 C. Nothing in this Section shall be construed to require that a newly
2 appointed firefighter, firefighter/operator, or police officer be terminated should he
3 fail to enroll in or complete formal training within the six-month formal training
4 period.

5 D.(1) Successful completion of formal training as required by this Section
6 for a position in the classification of firefighter or firefighter/operator shall be
7 demonstrated by certification as Firefighter I in accordance with National Fire
8 Protection Association Standard 1001.

9 (2) Successful completion of formal training as required by this Section for
10 a position in the classification of police officer shall be demonstrated by certification
11 from a peace officer standards and training accredited training program as provided
12 by R.S. 40:2405(A).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Harris

HB No. 663

Abstract: Relative to the municipal fire and police civil service, provides relative to promotional employment lists established for the various classes of positions in the classified police service and provides for the removal of employees during the working test period.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Proposed law retains present constitution and present law.

Present law, relative to both systems, provides that a municipal fire and police civil service board is created in the municipal government. Requires the board to establish and maintain employment lists containing the names of persons eligible for appointment to various classes of positions in the classified service.

Proposed law retains present law.

Present law provides that the minimum and maximum period for which a name may remain upon a promotional and a competitive employment list shall be 12 and 18 months, respectively, for each list.

Proposed law provides that with respect to promotional employment lists established and maintained by the board for the various classes of positions in the classified police service, the minimum and maximum time a name may remain on a list shall be 12 and 48 months, respectively, for each list. Proposed law otherwise retains present law with respect other employment lists maintained by the board.

Present law provides that the provisions of proposed law shall apply to any promotional employment list established and maintained by the board for any of the various classes of positions in the classified police service containing the names of eligible persons on and after the effective date of proposed law. Provides an exception for lists established and maintained for the city of West Monroe.

Present law requires, with some exceptions, that every person appointed to a position in the classified service following the certification of his name from a promotional or a competitive employment list be tested by a working test while occupying the position before he may be confirmed as a regular and permanent employee in the position.

Proposed law clarifies that a person appointed to a position in the classified service shall be a probational employee during the working test period. Requires that the employee be reported to the board as a probational employee within 15 days of his appointment. Proposed law otherwise retains present law.

Present law requires, with some exceptions, that the working test period commence immediately upon appointment and continue for a period of not less than six months nor more than one year.

Proposed law retains present law.

Present law provides that any employee in the classified service, except an entry level fireman and an entry level radio, fire alarm, or signal system operator, who has served less than six months of his working test for any given position may be removed with the prior approval of the board, and only upon one of the following grounds:

- (1) He is unable or unwilling to perform satisfactorily the duties of the position to which he has been appointed.
- (2) His habits and dependability do not merit his continuance therein.

Authorizes the employee to appear before the board and present his case before he is removed. Present law authorizes any employee in the classified service, who is rejected after having served a working test of six months but not more than one year, to appeal to the board only upon the grounds that he has not been given a fair opportunity to prove his ability in the position.

Proposed law retains present law with respect to employees in the classified fire service. Provides that any employee in a position of a competitive class of the classified police service, except entry level police officers and entry level radio, police alarm, or signal system operators, who has served less than six months of his working test may be removed only upon grounds as provided in present law, with prior approval of the board. With respect to any employee in a position of a promotional class of the classified police service, proposed law provides that any such employee who has served less than three months of his working test may be removed only upon grounds provided in present law, with prior approval of the board. Provides that employees in positions of the competitive class and promotional class who are rejected after having served at least six months and three months

of their working test, respectively, may appeal on the grounds provided in present law. Retains present law with respect to authorizing a member to appear before the board to present his case before removal.

Present law requires that each person selected for appointment to an entry level position in the classified service from the competitive firefighter, firefighter/operator, or police officer employment list who has demonstrated successful completion of formal training as provided in present law prior to appointment to immediately begin the working test. Requires any person selected for appointment to any such position who has not demonstrated successful completion of formal training prior to appointment to be employed by the appointing authority and reported to the board as a recruit and to immediately begin formal training. In the city of Shreveport, the provisions of present law only apply to persons appointed to an entry level position in the classified service from the competitive Fire Communications Officer (I) employment list.

Present law requires that the formal training be provided for through the appointing authority for a period of not more than six months from the date of appointment. Requires that the formal training period conclude six months from the date of original appointment or upon the successful completion of the formal training, whichever occurs first, at which time the working test shall commence. Further requires the appointing authority, within 15 days, to advise the board of the appointment of the recruit as a probational employee.

Present law provides that nothing in present law shall be construed to require that a newly appointed employee be terminated should he fail to enroll in or complete formal training within the six-month formal training period.

Present law requires that successful completion of formal training as required by present law for a position in the classification of firefighter or firefighter/operator be demonstrated by certification as Firefighter I in accordance with National Fire Protection Association Standard 1001 and for a position in the classification of police be demonstrated by certification from a peace officer standards and training accredited training program as provided by present law (R.S. 40:2405(A)). In the city of Shreveport, successful completion of formal training for a position in the classification of Fire Communications Officer (I) shall be demonstrated by certification as Telecommunicator in accordance with National Fire Protection Association Standards 1061 and 1221.

Proposed law retains present law.

(Amends R.S. 33:2491(F), 2495, 2551(6), and 2555; Adds R.S. 2495.1.1 and 2551.1)