

2016 Regular Session

SENATE BILL NO. 384

BY SENATOR CORTEZ

MUNICIPALITIES. Provides relative to promotions in the Lafayette Police Department.
(8/1/16)

1 AN ACT

2 To amend and reenact R.S. 33:2491(D)(2) and (H)(2), the introductory paragraph of R.S.
3 33:2494(C)(2) and 2498(C) all as amended by Acts 240 and 243 of the 2015 Regular
4 Session of the Legislature, relative to the Lafayette Police Department; to limit
5 promotions and reinstatements by promotional seniority to certain ranks; and to
6 provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:2491(D)(2) and (H)(2), the introductory paragraph of R.S.
10 33:2494(C)(2) and 2498(C) all as amended by Acts 240 and 243 of the 2015 Regular Session
11 of the Legislature are hereby amended and reenacted to read as follows:

12 §2491. Establishment and maintenance of employment lists

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

16 * * *

17 D.

* * *

(2) Names of persons attaining a passing score on the promotional test in the Lafayette Police Department **for the rank of Lieutenant or above**, or in the Lake Charles Police Department, shall be placed upon the promotion employment list for the class for which they were tested, from highest to lowest, according to their total promotional seniority in the next lower class. If two or more persons possess an equal amount of promotional seniority, the names of those persons shall be placed on the promotional list in the order of departmental seniority, from highest to lowest.

* * *

H.

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(2) When new names are to be placed upon a promotion list for a given class in the Lafayette Police Department **for the rank of Lieutenant or above**, and in the Lake Charles Police Department, the remaining names thereon shall be rearranged with the new names so that all names appearing upon the list for the class shall rank, from highest to lowest, according to total promotional seniority in the next lower class from which the promotion list is established. If two or more persons possess an equal amount of promotional seniority, the names of those persons shall be placed on the promotional list in the order of departmental seniority, from highest to lowest.

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§2494. Certification and appointment

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C.

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(2) Notwithstanding any other provision of law to the contrary, the municipal fire and police civil service system for the cities of Lafayette **for the rank of Lieutenant or above** and Lake Charles shall fill a vacant position in the police department in the following manner:

* * *

1 §2498. Abolition of positions in the classified service

2 * * *

3 C. Notwithstanding the provisions of Subsection B of this Section, in the
4 Lafayette Police Department **for the rank of Lieutenant or above**, and in the Lake
5 Charles Police Department, whenever an entire class is abolished in the classified
6 service, the regular employees of the class shall be demoted to lower classes and
7 priority to positions shall be governed by total promotional seniority earned in the
8 class in the order of highest to lowest. If two or more persons possess an equal
9 amount of promotional seniority, the names of such persons shall be placed on the
10 **promotional reinstatement** list in the order of departmental seniority, from highest
11 to lowest.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

SB 384 Original

2016 Regular Session

Cortez

Present law, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, provides for the promotion, reinstatement and layoff of employees to be based upon "departmental seniority". Present law provides as an exception for promotion, reinstatement and layoff of employees in the Lafayette Police Department (to begin August 1, 2016) and the Lake Charles Police Department (since June 29, 2015) to be based upon "promotional seniority".

Present law defines "departmental seniority" as the total employment computed for an employee beginning with the last date on which he was regularly and permanently appointed to a particular department and worked continuously to and including the date of computation.

Present law defines "promotional seniority" as the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made.

Present law provides the rank progression of police officers to be as follows: police officer, to corporal, to sergeant, to lieutenant, to captain, to major, to chief of police.

Proposed law retains present law, but provides regarding the Lafayette Police Department that the filling of a vacancy based upon promotional seniority shall apply to only to the ranks of lieutenant and above.

Present law provides that, regarding the Lafayette Police Department (beginning August 1, 2016) and Lake Charles Police Department (since June 29, 2015), whenever an entire class is abolished in the classified service, the regular employees of the class shall be demoted to lower classes and priority to positions shall be governed by total promotional seniority earned in the class in the order of highest to lowest. Provides that if two or more persons possess an equivalent amount of promotional seniority, the names of such persons shall be placed on the promotional list in the order of departmental seniority, from highest to lowest.

Proposed law retains present law and corrects the name of the list used when a class of positions is abolished to the reinstatement list.

Effective August 1, 2016.

(R.S. 33:2491(D)(2) and (H)(2), 2494(C)(2)(intro para) and 2498(C) all as amended by Acts 240 and 243 of the 2015 RS)