

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 29

2015 Regular Session

Cortez

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

MUNICIPALITIES. Provides for the city of Lafayette municipal fire and police civil service system. (8/1/16)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removes provisions regarding demotion of persons based on with the least "departmental seniority".
2. Adds provisions if two or more persons possess an equal amount of promotional seniority, then placement on the promotional list is in order of departmental seniority, from highest to lowest.
3. Adds an August 1, 2016 effective date.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 29 Reengrossed

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Present law, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, defines "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 has worked continuously to and including the date of computation.

Proposed law defines "departmental seniority" is defined as the term "seniority" is defined by law and adds "promotional seniority" as a defined term to mean the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made. Requires that employment counted toward seniority in the next lower class include the aggregate of all temporary appointments, the working test period, and employment as a regular and permanent employee in the class, less the aggregate of suspensions without pay while serving in a position of the class.

Present law provides that any person who is appointed from a position in the classified service to serve as deputy police chief or chief of administration of fire department does not forfeit his "seniority" accumulated to the date of his appointment and continues to accumulate "seniority" during the time he holds his position.

Proposed law provides that the deputy police chief does not forfeit his "departmental or promotional seniority" and the chief of administration of fire does not forfeit his "departmental seniority" accumulated to the date of appointment. Provides that the deputy police chief continues to accumulate "departmental or promotional seniority" and the chief of administration of fire continues to accumulate "departmental seniority" during the time that each person holds his position.

Present law, relative to any regular employee who resigns or retires from a position in the classified service with the prior approval of the board, provides that the employee may be reemployed at any time after his resignation or retirement, but must be qualified for the position to which he is reemployed. Requires that the person be reemployed with the "seniority" accumulated through the date of reinstatement. Proposed law requires that the employee be reemployed with the "departmental and promotional seniority" accumulated through the date of reinstatement.

Present law requires the names of persons attaining a passing score on a promotion test to be placed on the promotion employment list for the class for which they were tested, from highest to lowest, according to their total "seniority".

Proposed law instead requires the names of such persons to be placed on the promotion employment list, from highest to lowest, according to their total "departmental seniority". Proposed law adds an exception for the Lafayette Police Department. Requires that names be placed on the promotion employment list, from highest to lowest, according their total "promotional seniority" in the next lower class. Provides that if two or more employees share equal promotional seniority in a class, then those employees are to be listed in order of their "departmental seniority", from highest to lowest.

Proposed law requires that when new names are placed on a promotion list for a given class, the remaining names are to be rearranged with the new names so that all names appear on the list for the class rank, from highest to lowest according to total promotional seniority in the next lower class from which the promotion list is established.

Present law provides that departmental service in certain classified police positions, including police headquarters desk service, jailer, police matron, and operations and maintenance of radio, police alarm or signal system, cannot be counted by the municipal fire and police civil service board of the city in determining the total "seniority" in the departmental service of a person for purposes of ranking the name of that person on a promotional employment list for classified police positions with certain duties or responsibilities. Proposed law provides that departmental service in these positions cannot be counted toward total "departmental or promotional seniority".

Present law provides that promotions to vacant positions shall be filled by qualified applicants in order of seniority in total departmental service.

Proposed law retains these provisions but makes an exception for the Lafayette Police Department as follows:

1. If a vacancy cannot be filled by reinstatement or reemployment then the names of persons on the promotional list are to be certified in the order in which they appear on the list for the class in which the vacancy is to be filled.
2. Appointment for the first vacancy is to be made with the person having the greatest promotional seniority in the next lower rank. Remaining positions to be filled are to be filled by appointing to each succeeding vacancy, the person who is certified to have the next highest promotional seniority in the next lower class.
3. If an appointment is refused then the person certified with the next highest promotional seniority in the next lower class is to be selected.
4. If two or more persons possess an equal amount of promotional seniority in a class, then those employees are to be placed on the promotional list in order of their "departmental seniority" from highest to lowest.

Proposed law provides that whenever an entire class in the Lafayette Police Department is abolished in the classified service, the regular employees of the class are to be demoted to lower classes and priority to positions are to be governed by total promotional seniority earned in the class in the order of highest to lowest. Provides that if two or more employees possess an equal amount of promotional , the names of those persons are to be placed on the promotional list in order of departmental seniority, from highest to lowest.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2473(20), 2481.4(C)(1), 2481.6(C)(1), 2490(E) and (F), 2491(D) and (H), 2491.3(B), 2494(C), and 2498)

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