

RÉSUMÉ DIGEST

ACT 285 (HB 157)

2016 Regular Session

Armes

Existing 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. Existing 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 (large municipalities); 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 (small municipalities).

Prior law, relative to the system applicable to small municipalities, defined the term "seniority" to mean the period of continuous employment in the department.

New law instead defines the terms "departmental seniority" and "promotional seniority". Defines "departmental seniority" to mean the same as the term "seniority" as defined by prior law. Defines "promotional seniority" to mean the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made. Specifies further relative to employment counted toward seniority in the next lower class.

Existing law provides that any person appointed from a position in the classified service to serve as deputy police chief or chief of administration of the fire department did not forfeit his seniority accumulated to the date of his appointment and continued to accumulate seniority during the time he held his position.

New law specifies 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.

Existing law, relative to any regular employee who resigns or retires from a position in the classified service, provides that the employee may, with prior approval of the board, 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 employee be reemployed with the seniority accumulated through the date of reinstatement. New law specifies that the employee be reemployed with the departmental and promotional seniority accumulated through the date of reinstatement or retirement.

Existing law requires each municipal fire and police civil service board to establish and maintain employment lists containing the names of persons eligible for appointment to various classes of positions in the classified service.

Existing law requires that names of persons attaining a passing score on a promotion test be placed on the promotion list according to seniority. New law specifies that names be placed on the promotion list according to departmental seniority, except for the DeRidder Police Dept., where names are to be placed on the promotion employment list according to promotional seniority. If two or more persons possess an equal amount of promotional seniority, then the names must be placed according to departmental seniority.

Existing law provides that departmental service in certain classified police positions, including police headquarters desk service, jailer, police matron, operations and maintenance of radio and police alarm or signal system, cannot be counted in determining seniority for purposes of ranking on a promotional employment list for positions with certain duties or responsibilities. New law specifies that departmental service in these positions cannot be counted toward departmental or promotional seniority.

Existing law requires that promotions to vacant positions be filled by reinstatement or reemployment. If the position cannot be filled in this manner, then the position must be filled by the person with the greatest seniority in departmental service.

New law makes an exception for the DeRidder Police Dept. by providing that a vacant position must be filled by the person having the greatest promotional seniority if the position

cannot be filled by reinstatement or reemployment. Provides that if two or more persons possess an equal amount of promotional seniority, then a vacant position must be filled by the person having the greatest departmental seniority.

New law, relative to the abolition of an entire class in the classified police service of the city of DeRidder, requires that employees be demoted to lower classes and priority to positions be governed by promotional seniority. Provides that if two or more employees possess an equal amount of promotional seniority, the names must be placed on the reinstatement list in order of departmental seniority.

Effective August 1, 2016.

(Amends R.S. 33:2533(20), 2541.1(C)(1), 2541.2(C)(1), 2550(E) and (F), 2551(4) and (8), 2551.1(A), 2554(C), and 2558)