
DIGEST

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HB 117 Engrossed

2016 Regular Session

Montoucet

Abstract: Establishes promotional seniority within classes of positions in the classified police service of the city of Crowley.

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.

Proposed law retains present law.

Present law, relative to the system applicable to municipalities with a population of not fewer than 13,000, provides that "departmental seniority" refers to the period of continuous employment in the department. 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.

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. Requires that names of persons attaining a passing score on a promotion test be placed on the promotion employment list for the tested class, from highest to lowest, according to their total "departmental seniority". When new names are to be placed on a promotion list for a given class, the remaining names must be arranged in the same manner according to "departmental seniority".

Present law adds an exception for the Lake Charles Police Dept. by requiring that names be placed on the promotion employment list for the tested class, from highest to lowest, according to their "promotional seniority". If two or more persons possess an equal amount of "promotional seniority", then the names must be placed on the promotion employment list, from highest to lowest, according to "departmental seniority". When new names are to be placed on a promotion employment list for a given class, the remaining names must be arranged in the same manner.

Proposed law retains present law and provides an additional exception for the Crowley Police Dept. by requiring that the names be placed on the promotion employment lists in the same manner as provided in present law for the Lake Charles Police Dept.

Present 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.

Present law makes an exception for the Lake Charles Police Dept. 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 retains present law and makes an additional exception for the Crowley Police Dept. Requires the department to fill vacancies in the same manner as provided in present law for the Lake Charles Police Dept.

Present law, relative to the abolition of an entire class in the classified service, requires that the regular employees of the class be demoted to lower classes and priority to positions be governed by total seniority earned in the departmental service, from highest to lowest.

Present law provides an exception to the Lake Charles Police Dept. by requiring that priority to positions be governed by total "promotional seniority" earned in the class, from highest to lowest. Provides that if two or more employees possess an equal amount of "promotional seniority", the names of those persons must be placed on the promotional list in order of "departmental seniority", from highest to lowest.

Proposed law retains present law and makes an additional exception for the Crowley Police Dept. Requires that priority to positions be governed in the same manner as provided in present law for the Lake Charles Police Dept.

(Amends R.S. 33:2491(D)(1) and (H)(1) and (3); Adds R.S. 33:2491(D)(3) and (H)(4), 2494(C)(3),

and 2498(D))