

SENATE BILL NO. 447

BY SENATOR BASS

1 AN ACT

2 To amend and reenact R.S. 33:2491 and 2492(7)(h) and to enact R.S. 33:2492(7)(d)(iii) and
3 (i), 2494(C)(8), and 2498(E), relative to the city of Bossier; to provide relative to the
4 classified police service; to provide relative to department and promotional seniority;
5 to provide relative to the classification of promotions for certain positions; to provide
6 relative to testing and competitive employment in certain circumstances; to provide
7 relative to the establishment and maintenance of employment lists; to provide
8 relative to the certification and appointment of eligible persons in the police
9 department; to provide relative to the abolition of classes; to provide for an effective
10 date; and to provide for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. R.S. 33:2491 and 2492(7)(h) are hereby amended and reenacted and
14 R.S. 33:2492(7)(d)(iii) and (i), 2494(C)(8), and 2498(E) are hereby enacted to read as
15 follows:

16 §2491. Establishment and maintenance of employment lists

17 Except for the positions of entrance firefighter, entrance police officer,

1 entrance jailer, secretary to the chief, departmental records clerk, and for the entrance
2 classes for which the operation and maintenance of radio, alarm, or signal systems
3 for the respective fire or police service is the primary duty, the board shall establish
4 and maintain employment lists containing the names of persons eligible for
5 appointment to the various classes of positions in the classified service, as follows:

6 A. ~~Names~~ The names of regular employees who are demoted from any class
7 for a reason other than disciplinary action shall be placed upon the reinstatement list
8 for the class from which they were demoted in the order in which the demotions
9 were made.

10 B. Only the names of regular employees who have been laid off in
11 accordance with the provisions of R.S. 33:2499 shall be eligible for entry upon the
12 reemployment list. The names of such persons shall be entered upon the
13 reemployment list for the class from which they were laid off in the order in which
14 the lay-offs were made.

15 C. A name placed upon either the reinstatement or the reemployment list
16 shall remain ~~thereon~~ on the list for a period of four years. The board, however, may
17 remove the name of any person who refuses an offer of employment following a
18 certification from either list.

19 D.(1) Except as provided for in Paragraphs (2), ~~and (3), and (4)~~ of this
20 Subsection, names of persons attaining a passing score on a promotion test shall be
21 placed upon the promotion employment list for the class for which they were tested,
22 from highest to lowest, according to their total departmental seniority. The names of
23 persons attaining a passing score on a competitive test shall be placed upon the
24 competitive employment list for the class for which they were tested, from highest
25 to lowest, according to their final test scores.

26 (2)(a) ~~Names~~ The names of persons attaining a passing score on the
27 promotional test in the Lafayette Police Department for the rank of lieutenant or
28 captain, or in the Lake Charles Police Department, shall be placed upon the
29 promotion employment list for the class for which they were tested, from highest to
30 lowest, according to their total promotional seniority in the next lower class. If two

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1 or more persons possess an equal amount of promotional seniority, the names of
2 those persons shall be placed on the promotional list in the order of departmental
3 seniority, from highest to lowest.

4 (b) An employee with the Lake Charles Police Department who is a member
5 of the armed forces of the United States and is at an official training, active training
6 exercise, or active duty deployment on the date of a promotional test for which he
7 is qualified and eligible shall have his name placed upon the promotion employment
8 list with promotional seniority credit back to the original testing date provided **that**
9 the employee takes and attains a passing score on the promotion test upon his return
10 from training or active duty deployment. In addition, his name shall remain on the
11 promotional employment list for forty-eight months following his attainment of a
12 passing score on the promotion test.

13 (3) ~~Names~~ **The names** of persons attaining a passing score on the
14 promotional test in the Crowley Police Department shall be placed on the promotion
15 employment list for the class for which they were tested, from highest to lowest,
16 according to their total promotional seniority in the next lower class. If two or more
17 persons possess an equal amount of promotional seniority, the names of those
18 persons shall be placed on the promotional list in the order of departmental seniority,
19 from highest to lowest.

20 **(4) Names of persons attaining a passing score on the promotional test**
21 **in the Bossier City Police Department shall be placed on the promotion**
22 **employment list for the class for which they were tested, from highest to lowest,**
23 **according to their total promotional seniority in the next lower class. If two or**
24 **more persons possess an equal amount of promotional seniority, the names of**
25 **those persons shall be placed on the promotional list in the order of**
26 **departmental seniority, from highest to lowest.**

27 E. Any person whose name is placed upon the competitive employment list
28 for the entrance or lowest ranking class in the classified service who has served in
29 the armed forces of the United States of America during ~~the times~~ **a time** of war, and
30 has been honorably discharged or discharged under honorable conditions, shall have

1 added to his final test score a total of five points at the time of placing his name upon
2 the list. Proof of such service and discharge shall be required by the board or the
3 state examiner in any manner it deems advisable.

4 F.(1) The minimum and maximum period of time for which a name may
5 remain upon a competitive employment list established and maintained by the board
6 for any of the various classes of positions in the classified fire and police service
7 shall be twelve and eighteen months, respectively, for each list.

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

13 (b) Except as provided in R.S. 33:2491.4(D), the provisions of this Paragraph
14 shall apply to any promotional employment list that is established and maintained
15 by the board pursuant to this Part for any of the various classes of positions in the
16 classified fire and police service containing the names of eligible persons on and
17 after August 1, 2013.

18 G. The employment lists for which eligibles are obtained from the results of
19 tests given for that purpose shall be reestablished in the manner further provided for
20 by this Part.

21 H.(1) Except as provided in Paragraphs (2), ~~and (3)~~, and (5) of this
22 Subsection, when new names are to be placed upon a promotion list for a given class,
23 the remaining names thereon shall be rearranged with the new names so that all
24 names appearing upon the list for the class shall rank, from highest to lowest,
25 according to total departmental seniority.

26 (2) When new names are to be placed upon a promotion list for a given class
27 in the Lafayette Police Department for the rank of lieutenant or captain, and in the
28 Lake Charles Police Department, the remaining names thereon shall be rearranged
29 with the new names ~~so~~ such that all names appearing upon the list for the class shall
30 rank, from highest to lowest, according to total promotional seniority in the next

1 lower class from which the promotion list is established. If two or more persons
2 possess an equal amount of promotional seniority, the names of those persons shall
3 be placed on the promotional list in the order of departmental seniority, from highest
4 to lowest.

5 (3) When new names are to be placed on a promotion list for a given class in
6 the Crowley Police Department, the remaining names thereon shall be rearranged
7 with the new names ~~so~~ such that all names appearing on the list for the class shall
8 rank, from highest to lowest, according to total promotional seniority in the next
9 lower class from which the promotion list is established. If two or more persons
10 possess an equal amount of promotional seniority, the names of those persons shall
11 be placed on the promotional list in the order of departmental seniority, from highest
12 to lowest.

13 (4) When new names are to be placed upon a competitive list for a given
14 class, the remaining names thereon shall be rearranged with the new names ~~so~~ such
15 that all names appearing upon the list for the class shall rank, from highest to lowest,
16 according to their final test scores.

17 **(5) When new names are to be placed on a promotion list for a given**
18 **class in the Bossier City Police Department, the remaining names thereon shall**
19 **be rearranged with the new names so that all names appearing on the list for the**
20 **class shall rank, from highest to lowest, according to total promotional seniority**
21 **in the next lower class from which the promotion list is established. If two or**
22 **more persons possess an equal amount of promotional seniority, the names of**
23 **those persons shall be placed on the promotional list in the order of**
24 **departmental seniority, from highest to lowest.**

25 I. For purposes of entrance firefighter, entrance police officer, entrance jailer,
26 secretary to the chief, departmental records clerk, and for the entrance classes for
27 which the operation and maintenance of radio, alarm, or signal systems for the
28 respective fire or police service is the primary duty, the state examiner shall establish
29 and maintain a statewide eligibility list ~~containing~~ **that contains the** names of
30 persons eligible for appointment to these classes by any municipality, parish, or fire

1 protection district under the municipal fire and police civil service system.

2 * * *

3 §2492. Tests

4 Tests to determine the eligibility of applicants for entry upon the promotional
5 and competitive employment lists shall be provided as follows:

6 * * *

7 (7) Competitive tests shall be held only as the needs of the service require and
8 shall be given for classes comprising only the following duties or positions:

9 * * *

10 (d)(i) * * *

11 **(iii) Notwithstanding Item (i) of this Subparagraph, for the city of**
12 **Bossier, operations, management, and supervision of radio, fire alarm, police**
13 **alarm, and other signal systems.**

14 * * *

15 (h) **Jail superintendent for the city of Bossier Police Department.**

16 (i) For a position in any class in the classified service after reasonable efforts
17 by preceding methods provided by this Part have failed to produce names of persons
18 eligible for regular appointment thereto.

19 * * *

20 §2494. Certification and appointment

21 * * *

22 C.(1)(a) * * *

23 **(8) Notwithstanding any other provision of law to the contrary, in the**
24 **city of Bossier a vacant position in the police department shall be filled in the**
25 **following manner:**

26 **(a) If a vacancy cannot be filled by reinstatement or by reemployment**
27 **as provided in Subsections A and B of this Section, the board shall next certify**
28 **the names of the persons on the promotional list, in the order in which they**
29 **appear thereon, for the class in which the vacancy is to be filled.**

30 **(b) The appointing authority shall select and appoint to the first vacancy**

1 to be filled the one person certified to him who has the greatest promotional
2 seniority in the next lower class. Any remaining positions to be filled in the same
3 class shall be filled by appointing to each such successive vacancy the one of the
4 remaining persons certified therefor who has the next highest promotional
5 seniority in the next lower class.

6 (c) If any one or more persons so certified should refuse the appointment,
7 the appointing authority shall then select and appoint one of the persons
8 certified by the board with the next highest promotional seniority in the next
9 lower class. This procedure shall be followed until the position has been filled
10 by appointment of the one person who has the greatest promotional seniority
11 in the next lower class and who is willing to accept the appointment or until
12 each person whose name appears on the list, has in this order been certified and
13 offered an appointment to the vacancy.

14 (d) If two or more persons possess an equal amount of promotional
15 seniority, those persons shall be reinstated or listed on the promotional list and
16 offered promotions in the order of departmental seniority, from highest to
17 lowest.

18 * * *

19 §2498. Abolition of positions in the classified service

20 * * *

21 E. Notwithstanding the provisions of Subsection B of this Section, if an
22 entire class in the Bossier City Police Department is abolished in the classified
23 service, the regular employees of the class shall be demoted to lower classes and
24 priority to positions shall be governed by total promotional seniority earned in
25 the class, from highest to lowest. If two or more persons possess an equal
26 amount of promotional seniority, the names of such persons shall be placed on
27 the reinstatement list in the order of departmental seniority, from highest to
28 lowest.

29 Section 2. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____