

SENATE BILL NO. 549

BY SENATOR GALLOT

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AN ACT

To amend and reenact R.S. 33:1992(A)(1) and 2002(A)(3)(a) and to enact R.S. 33:2490(F) and 2550(F), relative to firefighters; to provide relative to the minimum wage paid to firefighters; to provide relative to the components of a firefighter's starting salary; to provide relative to compliance with the requirements of the Fair Labor Standards Act; to provide relative to the reinstatement, reemployment, and seniority of firefighters who retire due to an injury; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1992(A)(1) and 2002(A)(3)(a) are hereby amended and reenacted and R.S. 33:2490(F) and 2550(F) are hereby enacted to read as follows:

§1992. Minimum salaries

A. The minimum monthly salaries of firemen in municipalities having a population of twelve thousand or more and in the city of Bastrop and of all parish and fire protection district paid firemen, including salaries payable out of the avails of any special tax provided by the Constitution of Louisiana for increasing the pay of firemen, shall be in accordance with the following schedule, and such salaries shall be paid semi-monthly not later than the fifth and twentieth day of each calendar month:

(1) A fireman shall receive a minimum monthly salary ~~of four hundred dollars per month~~ **based on a regular hourly rate of pay compliant with the Fair Labor Standards Act, 29 U.S.C. 201 et seq. This salary shall be exclusive of supplemental pay received pursuant to R.S. 33:2002.**

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§2002. Extra compensation

A. * * *

1 (3)(a) A municipality, parish, fire protection district, or other political
 2 subdivision maintaining a fire department, or the Chitimacha Tribe of Louisiana or
 3 the Coushatta Indian Tribe of Louisiana, or any nonprofit corporation contracting
 4 with any such political subdivision to provide fire protection services may enhance
 5 the first-year salary of every paid, regularly employed employee in the amount
 6 equivalent to the state supplemental pay, or any portion thereof, that the employee
 7 shall be entitled to be paid after one year of service pursuant to this Subpart, **so long**
 8 **as the first-year salary, exclusive of the enhancement, meets the minimum wage**
 9 **obligations of the Fair Labor Standards Act, 29 U.S.C. 201 et seq.**

10 * * *

11 §2490. Reinstatement and reemployment

12 * * *

13 **F. Any regular employee who retires from a position in the classified fire**
 14 **service as a result of an injury or a medical condition which prevents him from**
 15 **performing the essential functions of his job, may, with the prior approval of**
 16 **the board, be reemployed in a position of the class in which he was employed**
 17 **immediately preceding his retirement or in a position in any lower class. Any**
 18 **such employee may be reemployed at any time after his retirement, but he shall**
 19 **be qualified for the position to which he is reemployed and be able to perform**
 20 **the essential functions of the position. In addition, the employee shall be**
 21 **reemployed with the seniority accumulated through the date of retirement.**
 22 **This Paragraph shall not be applicable to employees whose injury or medical**
 23 **condition resulted from their own negligent or intentional act.**

24 * * *

25 §2550. Reinstatement and reemployment

26 * * *

27 **F. Any regular employee who retires from a position in the classified fire**
 28 **service as a result of an injury or a medical condition which prevents him from**
 29 **performing the essential functions of his job, may, with the prior approval of**
 30 **the board, be reemployed in a position of the class in which he was employed**

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4 the essential functions of the position. In addition, the employee shall be
5 reemployed with the seniority accumulated through the date of retirement.
6 This Paragraph shall not be applicable to employees whose injury or medical
7 condition resulted from their own negligent or intentional act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____