

2015 Regular Session

HOUSE BILL NO. 447

BY REPRESENTATIVE MONTOUCET

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL SERVICE/FIRE & POL: Provides relative to the start of the working test period for entry level firefighters in certain municipalities

1 AN ACT

2 To enact R.S. 33:2495.3, relative to municipal fire and police civil service; to provide
3 relative to persons selected for appointment to a position as an entry-level firefighter
4 in certain municipalities; to provide relative to the start of the working test period;
5 to require such persons to complete a fire training academy prior to the start of the
6 working test period; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:2495.3 is hereby enacted to read as follows:

9 §2495.3. Recruit and recruit period; certain municipalities

10 A. Notwithstanding any other provision of law to the contrary, in
11 municipalities with a population of not less than two hundred thousand persons and
12 not more than two hundred forty thousand persons as of the most recent federal
13 decennial census, no person selected for appointment to an entry level position in the
14 classified service from the competitive firefighter employment list who has not
15 successfully completed formal training as required by Subsection B of this Section
16 shall begin the working test period. However, such person shall be employed by the
17 appointing authority and reported as a recruit, and shall immediately begin his formal
18 training.

19 B. Formal training for a person selected for appointment to an entry-level
20 position as a firefighter in the classified service shall mean the enrollment in and

1 successful completion of a fire training academy provided for through the appointing
2 authority. All persons selected for appointment to an entry-level position as a
3 firefighter in the classified service shall successfully complete the fire training
4 academy whether or not such person was certified as a Firefighter I in accordance
5 with National Fire Protection Association Standard 1001 prior to his selection for
6 appointment.

7 C. The fire training academy provided for in Subsection B of this Section
8 shall be for a duration as determined by the appointing authority. Upon the
9 successful completion of the fire training academy, the recruit shall immediately
10 begin the working test period.

11 D. The appointing authority shall, within fifteen days, advise the board that
12 the recruit has successfully completed the fire training academy and has begun the
13 working test period as a probational firefighter.

14 E. Nothing in this Section shall be construed to require that a person selected
15 for appointment to an entry-level position as a firefighter in the classified service be
16 terminated if he fails to enroll in or successfully complete the fire training academy
17 as required by Subsection B of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 447 Reengrossed

2015 Regular Session

Montoucet

Abstract: Relative to the municipal fire and police civil service, requires persons selected for appointment to an entry-level position as a firefighter in certain municipalities to complete a fire training academy prior to the start of the working test period.

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. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Proposed law retains present constitution and present law.

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.

Proposed law retains present law.

Present law requires that each person selected for appointment to an entry-level position in the classified service from the competitive firefighter, firefighter/operator, or police officer employment list who has demonstrated successful completion of formal training as provided in present law prior to appointment to immediately begin the working test. Requires any person selected for appointment to any such position who has not demonstrated successful completion of formal training prior to appointment to be employed by the appointing authority and reported to the board as a recruit and to immediately begin formal training. In the city of Shreveport, the provisions of present law only apply to persons appointed to an entry-level position in the classified service from the competitive Fire Communications Officer (I) employment list.

Present law requires that successful completion of formal training as required by present law for a position in the classification of firefighter or firefighter/operator be demonstrated by certification as Firefighter I in accordance with National Fire Protection Association Standard 1001 and for a position in the classification of police be demonstrated by certification from a peace officer standards and training accredited training program as provided by present law (R.S. 40:2405(A)). In the city of Shreveport, successful completion of formal training for a position in the classification of Fire Communications Officer (I) shall be demonstrated by certification as Telecommunicator in accordance with National Fire Protection Association Standards 1061 and 1221.

Proposed law retains present law but adds an exception for persons selected for appointment to a entry-level position as a firefighter in municipalities with a population of not less than 200,000 persons and not more than 240,000 persons. Prohibits any such person from starting the working test period until the person successfully completes formal training as required by proposed law. Provides that formal training means the enrollment in and successful completion of a fire training academy provided by the appointing authority. Requires all persons to successfully complete the fire training academy whether or not the person was certified as Firefighter I in accordance with National Fire Protection Association Standard 1001 prior to appointment.

Present law requires that the formal training be provided for through the appointing authority for a period of not more than six months from the date of appointment. Requires that the formal training period conclude six months from the date of original appointment or upon the successful completion of the formal training, whichever occurs first, at which time the working test shall commence. Further requires the appointing authority, within 15 days, to advise the board of the appointment of the recruit as a probational employee.

Proposed law retains present law but provides an exception for municipalities with a population of not less than 200,000 persons and not more than 240,000 persons. Authorizes the appointing authority to provide for the duration of the fire training academy provided for in proposed law. Requires a recruit to immediately begin the working test period upon successful completion of the fire training academy. Further requires the appointing authority, within 15 days, to advise the board of the appointment of the recruit as a probational firefighter.

Present law provides that nothing in present law shall be construed to require that a newly appointed employee be terminated should he fail to enroll in or complete formal training within the six-month formal training period.

Proposed law retains present law but with respect to municipalities with a population of not less than 200,000 persons and not more than 240,000 persons provides that nothing in proposed law shall be construed to require that a newly appointed employee be terminated should he fail to enroll in or successfully complete the fire training academy.

(Adds R.S. 33:2495.3)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Made are technical corrections.