

SENATE BILL NO. 396

BY SENATOR JOHNS AND REPRESENTATIVE DWIGHT

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AN ACT

To amend and reenact R.S. 33:2473(20)(b) and 2493(A)(1) and R.S. 33:2491(D)(2) and 2498(C) both as amended by Act Nos. 240 and 243 of the 2015 Regular Session of the Legislature, relative to the Lake Charles Police Department; to provide for promotional seniority and military deployment; to provide relative to promotional tests and promotional lists; to provide for promotional seniority and reinstatement; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2473(20)(b) and 2493(A)(1) and R.S. 33:2491(D)(2) and 2498(C) both as amended by Act Nos. 240 and 243 of the 2015 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

§2473. Definitions

The following words and phrases when used in this Part shall have the following meaning, unless the context clearly requires otherwise:

* * *

20. "Seniority" means the following:

* * *

(b)(i) "Promotional seniority" means the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made.

1 Employment counted toward seniority in the next lower class shall include the
2 aggregate of all temporary appointments, the working test period, and employment
3 as a regular and permanent employee in the class, less the aggregate of suspensions
4 without pay while serving in a position of the class. The appointing authority shall
5 maintain accurate records of appointments and suspensions, and shall report such
6 appointments and suspensions to the board in strict compliance with R.S. 33:2503.

7 An employee who is finally discharged or resigns from his position shall forfeit
8 all accumulated seniority. An employee who is suspended and returns to his
9 position immediately following the expiration of his suspension shall not forfeit
10 seniority accumulated to the date of his suspension, but he shall not be given
11 credit for the lost time in any future computation.

12 (ii) For employees of the Lake Charles Police Department, "promotional
13 seniority" shall also include time an employee spends serving in the armed
14 forces of the United States on official training, active training exercises, or
15 active duty deployment. In addition, in these instances, the employee's seniority
16 shall be construed to be continuous employment and unbroken by a resignation
17 or discharge of the employee.

18 * * *

19 §2491. Establishment and maintenance of employment lists

20 The board shall establish and maintain employment lists containing names
21 of persons eligible for appointment to the various classes of positions in the
22 classified service, as follows:

23 * * *

24 D.

25 * * *

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

1 seniority, the names of those persons shall be placed on the promotional list in the
2 order of departmental seniority, from highest to lowest.

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

12 * * *

13 §2493. Admission to tests

14 A. Admission to tests provided by the civil service board through the state
15 examiner shall be as follows:

16 (1)**(a)** Admission to a promotional test shall be limited to regular employees
17 of the class next lower from that for which they are to be examined. However, the
18 rules may provide for admission to be extended to applicants from any one or more
19 of the next lower classes.

20 **(b) Any employee of the Lake Charles Police Department who served in**
21 **the armed forces of the United States, upon his return from training or active**
22 **duty deployment shall be allowed admission to a promotional test he would have**
23 **otherwise been qualified and eligible for if the prior date of the promotional test**
24 **was during his official training, active training exercise, or active duty**
25 **deployment.**

26 * * *

27 §2498. Abolition of positions in the classified service

28 * * *

29 C. Notwithstanding the provisions of Subsection B of this Section, in the
30 Lafayette Police Department, and in the Lake Charles Police Department, whenever

1 an entire class is abolished in the classified service, the regular employees of the
2 class shall be demoted to lower classes and priority to positions shall be governed
3 by total promotional seniority earned in the class in the order of highest to lowest.
4 If two or more persons possess an equal amount of promotional seniority, the names
5 of such persons shall be placed on the ~~promotional~~ **reinstatement** list in the order
6 of departmental seniority, from highest to lowest.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____