

2017 Regular Session

HOUSE BILL NO. 87

BY REPRESENTATIVE DEVILLIER

CIVIL SERVICE/FIRE & POL: Provides relative to the classified police service in the city of Eunice

1 AN ACT

2 To amend and reenact R.S. 33:2551(4)(b) and (8)(b), 2554(C)(2)(introductory paragraph),
3 and 2558(B), relative to the city of Eunice; to provide relative to the classified police
4 service; to provide relative to departmental and promotional seniority; to provide
5 relative to the establishment and maintenance of employment lists; to provide
6 relative to the certification and appointment of eligible persons; to provide relative
7 to the abolition of classes of positions; and to provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:2551(4)(b) and (8)(b), 2554(C)(2)(introductory paragraph), and
13 2558(B) are hereby amended and reenacted to read as follows:

14 §2551. Establishment and maintenance of employment lists

15 The board shall establish and maintain lists containing names of persons
16 eligible for appointment to the various classes of positions in the classified service
17 as follows:

18 * * *
19 (4)
20 * * *

1 (b) Names of persons attaining a passing score on the promotional test in the
 2 ~~DeRidder Police Department~~ police department for the city of DeRidder or Eunice
 3 shall be placed on the promotion employment list for the class for which they were
 4 tested, from highest to lowest, according to their total promotional seniority in the
 5 next lower class. If two or more persons possess an equal amount of promotional
 6 seniority, the names of those persons shall be placed on the promotional list in the
 7 order of departmental seniority, from highest to lowest.

8 * * *

9 (8)

10 * * *

11 (b) When new names are to be placed on a promotion list for a given class
 12 in the ~~DeRidder Police Department~~ police department for the city of DeRidder or
 13 Eunice, the remaining names thereon shall be rearranged with the new names so that
 14 all names appearing on the list for the class shall rank, from highest to lowest,
 15 according to total promotional seniority in the next lower class from which the
 16 promotion list is established. If two or more persons possess an equal amount of
 17 promotional seniority, the names of those persons shall be placed on the promotional
 18 list in the order of departmental seniority, from highest to lowest.

19 * * *

20 §2554. Certification and appointment

21 * * *

22 C.

23 * * *

24 (2) Notwithstanding any other provision of law to the contrary, in the ~~city~~
 25 cities of DeRidder and Eunice a vacant position in the police department shall be
 26 filled in the following manner:

27 * * *

28 §2558. Abolition of positions in the classified service

29 * * *

1 B. Notwithstanding any other provision of law to the contrary, if an entire
 2 class in the ~~DeRidder Police Department~~ police department for the city of DeRidder
 3 or Eunice is abolished in the classified service, the regular employees of the class
 4 shall be demoted to lower classes and priority to positions shall be governed by the
 5 total promotional seniority earned in the class, from highest to lowest. If two or more
 6 persons possess an equal amount of promotional seniority, the names of such persons
 7 shall be placed on the reinstatement list in the order of departmental seniority, from
 8 highest to lowest.

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 87 Engrossed

2017 Regular Session

DeVillier

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

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 fewer than 13,000, but not fewer than 7,000 defines the term "seniority" to mean *departmental seniority* and *promotional seniority*. Defines *departmental seniority* to mean 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 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*.

Proposed law retains present law.

Present law provides an exception for the DeRidder 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 exception for DeRidder Police Dept. and makes present law exception applicable to the Eunice 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.

Proposed law retains present law.

Present law makes an exception for the DeRidder 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 exception for the DeRidder Police Dept. and makes present law exception applicable to the Eunice Police Dept.

Present law, relative to the abolition of an entire class in the classified police service of the city of DeRidder, requires that employees be demoted to lower classes and priority to positions be governed by total *promotional seniority* earned in the class in the order of 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 reinstatement list in order of *departmental seniority*, from highest to lowest.

Proposed law retains present law and makes present law applicable to the city of Eunice.

(Amends R.S. 33:2551(4)(b) and (8)(b), 2554(C)(2)(intro. para.), and 2558(B))