

SENATE BILL NO. 447

BY SENATOR BASS

1

2 AN ACT

3 To amend and reenact R.S. 33:2491 and 2492(7)(h) and to enact R.S. 33:2492(7)(d)(iii) and

4 (i), 2494(C)(8), and 2498(E), relative to the city of Bossier; to provide relative to the

5 classified police service; to provide relative to department and promotional seniority;

6 to provide relative to the classification of promotions for certain positions; to provide

7 relative to testing and competitive employment in certain circumstances; to provide

8 relative to the establishment and maintenance of employment lists; to provide

9 relative to the certification and appointment of eligible persons in the police

10 department; to provide relative to the abolition of classes; to provide for an effective

11 date; and to provide for related matters.

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

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. R.S. 33:2491 and 2492(7)(h) are hereby amended and reenacted and

15 R.S. 33:2492(7)(d)(iii) and (i), 2494(C)(8), and 2498(E) are hereby enacted to read as

16 follows:

17 §2491. Establishment and maintenance of employment lists

ENROLLED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 persons eligible for appointment to these classes by any municipality, parish, or fire
2 protection district under the municipal fire and police civil service system.

3 * * *

4 §2492. Tests

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

7 * * *

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

10 * * *

11 (d)(i)

* * *

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

15 * * *

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

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

20 * * *

21 §2494. Certification and appointment

22 * * *

23 C.(1)(a)

* * *

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

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

ENROLLED

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____