
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)]

Harris

HB No. 663

Abstract: Relative to the municipal fire and police civil service, provides relative to promotional employment lists established for the various classes of positions in the classified police service and provides for the removal of employees during 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 provides that the minimum and maximum period for which a name may remain upon a promotional and a competitive employment list shall be 12 and 18 months, respectively, for each list.

Proposed law provides that with respect to promotional employment lists established and maintained by the board for the various classes of positions in the classified police service, the minimum and maximum time a name may remain on a list shall be 12 and 48 months, respectively, for each list. Proposed law otherwise retains present law with respect other employment lists maintained by the board.

Present law provides that the provisions of proposed law shall apply to any promotional employment list established and maintained by the board for any of the various classes of positions in the classified police service containing the names of eligible persons on and after the effective date of proposed law. Provides an exception for lists established and maintained for the city of West Monroe.

Present law requires, with some exceptions, that every person appointed to a position in the classified service following the certification of his name from a promotional or a competitive employment list be tested by a working test while occupying the position before he may be confirmed as a regular and permanent employee in the position.

Proposed law clarifies that a person appointed to a position in the classified service shall be a probational employee during the working test period. Requires that the employee be reported to the board as a probational employee within 15 days of his appointment. Proposed law otherwise retains present law.

Present law requires, with some exceptions, that the working test period commence immediately upon appointment and continue for a period of not less than six months nor more than one year.

Proposed law retains present law.

Present law provides that any employee in the classified service, except an entry level fireman and an entry level radio, fire alarm, or signal system operator, who has served less than six months of his working test for any given position may be removed with the prior approval of the board, and only upon one of the following grounds:

- (1) He is unable or unwilling to perform satisfactorily the duties of the position to which he has been appointed.
- (2) His habits and dependability do not merit his continuance therein.

Authorizes the employee to appear before the board and present his case before he is removed. Present law authorizes any employee in the classified service, who is rejected after having served a working test of six months but not more than one year, to appeal to the board only upon the grounds that he has not been given a fair opportunity to prove his ability in the position.

Proposed law retains present law with respect to employees in the classified fire service. Provides that any employee in a position of a competitive class of the classified police service, except entry level police officers and entry level radio, police alarm, or signal system operators, who has served less than six months of his working test may be removed only upon grounds as provided in present law, with prior approval of the board. With respect to any employee in a position of a promotional class of the classified police service, proposed law provides that any such employee who has served less than three months of his working test may be removed only upon grounds provided in present law, with prior approval of the board. Provides that employees in positions of the competitive class and promotional class who are rejected after having served

at least six months and three months of their working test, respectively, may appeal on the grounds provided in present law. Retains present law with respect to authorizing a member to appear before the board to present his case before removal.

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 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.

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.

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.

(Amends R.S. 33:2491(F), 2495, 2551(6), and 2555; Adds R.S. 2495.1.1 and 2551.1)