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## DIGEST

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HB 138 Engrossed

2016 Regular Session

Armes

**Abstract:** Relative to the classified fire service in the city of DeRidder, authorizes the governing of the city to create the competitive position of deputy fire chief. Provides further with respect to the right of selection, appointment, supervision, and discharge for such position.

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 both systems, provides that the classified service shall comprise every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government. Provides that the positions of fire chief and assistant fire chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Proposed law retains present law and additionally authorizes the governing authority of the city of DeRidder to create, by ordinance, the classified position of deputy fire chief. Further provides that the right of selection from a competitive list of qualified applicants as well as the appointment, supervision, and discharge for the position is vested in the fire chief, subject to the approval of the appointing authority. Requires the governing authority to provide for the duties and responsibilities of the deputy fire chief in the ordinance creating the position. Provides that the deputy fire chief may have direct supervision over all positions in the classified service below the rank of fire chief.

Proposed law requires the deputy fire chief to have at least seven years of full time fire service experience with the DeRidder Fire Dept.

Proposed law provides that a person who holds the position of deputy fire chief may apply for admission to the promotional examination for the class next higher than that from which he was appointed as deputy fire chief; however, his name and score cannot be certified to the appointing authority unless he is demoted to a position of the class from which he was appointed deputy fire

chief. Prohibits the fire chief from appointing any person to the position of deputy fire chief who is not a member of the DeRidder Fire Dept.

Proposed law provides that a deputy fire chief does not forfeit his seniority in the classified service and continues to accumulate seniority during the time he is serving as deputy fire chief. Further provides that if a deputy fire chief is subjected to corrective or disciplinary action, he has the same rights as any other employee in the municipal fire and police civil service.

(Adds R.S. 33:2541.5)