

RÉSUMÉ DIGEST

Act 243 (SB 38)

2015 Regular Session

Johns

Prior law, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, defined "seniority" as the total employment computed for an employee beginning with the last date on which he was regularly and permanently appointed to a particular department and has worked continuously to and including the date of computation.

New law provides that "departmental seniority" is defined as the term "seniority" was defined in prior law and adds "promotional seniority" as a defined term to mean the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made. Further provides that employment counted toward seniority in the next lower class shall include the aggregate of all temporary appointments, the working test period, and employment as a regular and permanent employee in the class, less the aggregate of suspensions without pay while serving in a position of the class.

Prior law provided that any person who is appointed from a position in the classified service to serve as deputy police chief or chief of administration of fire department does not forfeit his "seniority" accumulated to the date of his appointment and continues to accumulate "seniority" during the time he holds his position.

New law instead provides that the deputy police chief does not forfeit his "departmental or promotional seniority" and the chief of administration of fire does not forfeit his "departmental seniority" accumulated to the date of appointment. Provides that the deputy police chief continues to accumulate "departmental or promotional seniority" and the chief of administration of fire continues to accumulate "departmental seniority" during the time that each person holds his position.

Prior law, relative to any regular employee who resigns or retires from a position in the classified service with the prior approval of the board, provided that any such employee may be reemployed at any time after his resignation or retirement, but must be qualified for the position to which he is reemployed. Required that the person be reemployed with the "seniority" accumulated through the date of reinstatement.

New law instead requires that any such employee be reemployed with the "departmental and promotional seniority" accumulated through the date of reinstatement. Otherwise retains prior law.

Prior law required the names of persons attaining a passing score on a promotion test to be placed on the promotion employment list for the class for which they were tested, from highest to lowest, according to their total "seniority".

New law instead requires the names of such persons to be placed on the promotion employment list, from highest to lowest, according to their total "departmental seniority".

New law adds an exception for the Lake Charles Police Department. Requires that names be placed on the promotion employment list, from highest to lowest, according to their total "promotional seniority" in the next lower class. Provides that if two or more persons share an equal amount of identical promotional seniority, then those persons must be listed in order of their "departmental seniority" from highest to lowest.

Prior law provided that departmental service in certain classified police positions, including police headquarters desk service, jailer, police matron, and operations and maintenance of radio, police alarm or signal system, cannot be counted by the municipal fire and police civil service board of the city in determining the total "seniority" in the departmental service of a person for purposes of ranking the name of that person on a promotional employment list for classified police positions with certain duties or responsibilities.

New law instead provides that departmental service in these positions cannot be counted toward total "departmental or promotional seniority".

Prior law provided that promotions to vacant positions shall be filled by qualified applicants in order of seniority in total departmental service.

New law retains prior law, but makes an exception for the Lake Charles Police Department. Provides that when a vacant position in the department is filled by a promotion, it shall be by qualified applicants in the order of "promotional seniority" in the next lower rank. Provides that if two or more persons possess an equal amount of identical promotional seniority, then those employees must be reinstated, or selected and appointed for promotion, in order of their "departmental seniority" with the reinstatement or promotion being offered to the employee with the greatest "departmental seniority" amongst those with identical "promotional seniority".

New law adds that whenever an entire class is abolished in the classified service of the Lake Charles Police Department, the regular employees of the class shall be demoted to lower classes and priority to positions shall be governed by total promotional seniority earned in the class in the order of highest to lowest. Provides that if two or more persons share an equal amount of identical promotional seniority, then those persons must be listed in order of their "departmental seniority" from highest to lowest.

Effective upon signature of the governor (June 29, 2015).

(Amends R.S. 33:2473(20), 2481.4(C)(1), 2481.6(C)(1), 2490(E) and (F), 2491(D) and (H), 2491.3(B), 2494(C), and 2498)