
DIGEST

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HB 859 Original

2016 Regular Session

Montoucet

Abstract: Provides relative to the appointment and removal of employees of the municipal fire and police civil service.

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 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 is a probational employee and he must 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 retains present law.

Present law 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, present law provides that any such employee who has served less than three months of his working test may be removed only with prior approval of the board. Provides that such employee may appeal to the board only upon 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.

Proposed law retains present law except provides that such employee may be removed from his

position on grounds provided for in present law. Removes reference to an employee's grounds for appeal to the board.

Present law requires that promotions to vacant positions be filled by reinstatement or reemployment. Provides that all employees whose names appear upon the reinstatement list for a respective class must be reinstated in a position thereof, in the reverse order from which their names are placed upon the list, before any other appointment is made.

Proposed law retains present law but makes a technical change.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2554(B) and 2555(B)(3)(a))