

2015 Regular Session

SENATE BILL NO. 29

BY SENATOR CORTEZ

MUNICIPALITIES. Provides relative to the city of Lafayette municipal fire and police civil service system. (gov sig)

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AN ACT

To amend and reenact R.S. 33:2494(C), relative to the city of Lafayette; to provide relative to the municipal fire and police civil service system; to provide relative to the certification and appointment of eligible persons in the police department; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2494(C) is hereby amended and reenacted to read as follows:

§2494. Certification and appointment

\* \* \*

C.(1) In the event a vacancy cannot be filled by reinstatement, or by reemployment as above provided, the board shall next certify the names of the persons upon the promotional list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled the one person certified to him who has the greatest seniority in the departmental service. Any remaining positions to be filled in the same class shall be filled by appointing to each such successive vacancy the

1 one of the remaining persons certified therefor who has the next highest seniority in  
2 the departmental service. If any one or more persons so certified should refuse the  
3 appointment, the appointing authority shall then select and appoint one of the  
4 persons certified by the board with the next highest seniority in the departmental  
5 service. This procedure shall be followed until the position has been filled by  
6 appointment of the one person who has the greatest seniority in the departmental  
7 service, and who is willing to accept the appointment, or until each person whose  
8 name appears upon the list, has in this order been certified and offered the  
9 appointment for the vacancy.

10 (2) Notwithstanding any other provision of law to the contrary, the  
11 municipal fire and police civil service system for the city of Lafayette shall fill  
12 a vacant position in the police department in the following manner:

13 (a) In the event a vacancy cannot be filled by reinstatement, or by  
14 reemployment as provided in Subsections A and B of this Section, a qualified  
15 applicant from the next preceding class of employees shall be promoted to the  
16 rank having the vacancy in the following manner. The board shall certify the  
17 names of the persons upon the promotional list, in the order in which they  
18 appear thereon, for the class in which the vacancy is to be filled. The appointing  
19 authority shall select and appoint to the first vacancy to be filled the one person  
20 certified to him who has the greatest seniority in the next preceding lower rank.  
21 Any remaining positions to be filled in the same class shall be filled by  
22 appointing to each such successive vacancy the one of the remaining persons  
23 certified therefor who has the next highest seniority in the next preceding lower  
24 rank. If any one or more persons so certified should refuse the appointment,  
25 the appointing authority shall then select and appoint one of the persons  
26 certified by the board with the next highest seniority in the next preceding lower  
27 rank. This procedure shall be followed until the position has been filled by  
28 appointment of the one person who has the greatest seniority in the next  
29 preceding lower rank, and who is willing to accept the appointment, or until

1 each person whose name appears upon the list, has in this order been certified  
2 and offered an appointment to the vacancy.

3 (b) Determination of seniority for promotion to a higher promotional  
4 position shall be determined by the employee's total number of cumulative days  
5 of service in the next preceding lower rank to the vacant position being filled,  
6 not seniority in total departmental service. Eligible days of service in a certain  
7 rank shall be calculated in probational, provisional, and permanent assignments  
8 to that class of positions or rank, but days of service as substitute assignments  
9 shall not count towards seniority in that rank.

10 \* \* \*

11 Section 2. This Act shall become effective upon signature by the governor or, if not  
12 signed by the governor, upon expiration of the time for bills to become law without signature  
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
15 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Michael Bell.

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DIGEST

SB 29 Original 2015 Regular Session Cortez

Present law, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, provides that promotions to vacant positions shall be filled by qualified applicants in order of seniority in total departmental service.

Proposed law retains present law, but makes an exception for the Lafayette Police Department. Provides that when a vacant position in the Lafayette Police Department is filled by a promotion, it shall be by qualified applicants in the order of seniority in the next preceding lower rank.

Proposed law provides that seniority in a rank for purposes of promotions shall be determined by the employee's total number of cumulative days of service in the rank. Provides that days of service shall include days assigned in probational, provisional, and permanent status in the rank, but shall not include any days of service assigned in substitute status.

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

(Amends R.S. 33:2494(C))