

STATE POLICE COMMISSION

MINUTES

The State Police Commission met in the Governor's Office on the fourth floor of the State Capitol at 1:10 P.M., on December 19, 1990.

All members of the Commission were present.

The members of the audience were:

Mr. Herb Sumrall (Director, State Civil Service Department)
Jay Jordon (President, Louisiana State Troopers Association)
Randall Womack (Governor's Office)
Colonel Flores (State Police)
V. J. Bella (Author of bill)
Dan Sullivan (Civil Service League)
Louis Cook (State Police)
Bob Harper (Division of Administration)
Noel Hunt (House of Representatives)

- Item 1 Fire Marshal V. J. Bella opens the meeting and gives the intent of the legislation, which is to make the State Police more professional. He recommended that the State Police Commission look at other states that have commissions for their state police. He also suggested the State Police Commission adopt the rules and regulations that are in place right now and make changes later. He said that he is working on getting funds for the Commission.
- Item 2 Mr. Herb Sumrall discusses the process of transition from the State Department of Civil Service to the State Police Commission. He also recommended the rules and regulations that are presently being used be adopted before January 1, 1991. (Discussion) Members of the Commission are hesitant to adopt rules that they have not read. Mr. Sumrall suggests that the last business of this meeting be the adoption of the rules and regulations. The Commission agrees.
- Item 3 Mr. Hathorn nominates Mr. Conway to be the chairman of the Commission. (Discussion) Mr. Hathorn makes the motion to elect Mr. Conway the chairman. Dr. Christian seconds the motion. The Commission votes, 6 yeas, no nays the motion is carried.
- Item 4 Mr. Hathorn makes the motion for Dr. Christian to be elected as the vice-chairman of the Commission. There is a second. The Commission votes, 6 yeas, no nays, the motion is carried.
- Item 5 Mr. Bob Harper talks about funding for the Commission. He says that State Police has offered to cut the purchase of automobiles and move that money into a category that would allow for the pay of the executive director, per diem, office expenses, etc. This has not been done yet because of a legal question about the Commission receiving funds from the body that it regulates. He also states that there may be office space available on the 5th floor of the Capitol Annex.
- Item 6 Mr. Harper recommended that the Commission have a budget request into the Division of Administration by January 5th, 1991, or at least within the first two weeks of January, '91.
- Item 7 Mrs. Mendell request information from Mr. Sumrall concerning number of employees, job duties, etc. Mr. Sumrall agreed to get that information.
- Item 8 Dan Sullivan recommends that the Commission adopt the rules and regulations. Mr. Booth agrees. There is discussion about rule changes and the process of rule changes. Mrs. Mendell suggests the Commission adopt the rules with the exception of Rule 2.10. (Rule 2.10 deals with Rule Changes.)

- Item 9 Discussion on whether or not the director should be classified or unclassified. Mr. Sumrall says that the director should be classified. Mr. Bella says that the director should not be classified, and that the Commission's hands should not be tied by making the director's position classified. Mr. Sumrall states that the Constitution may prohibit the director from being classified, anyway. Mr. Sumrall stated that he would provide a search for a director if the Commission so desired. He said this was an unusual practice, but he would do it out of a courtesy for the Commission.
- Item 10 Mr. Louis Cook (State Police) said that they felt that the director should be unclassified. Mr. Cook and others had been drafting a job description for the director, which they presented to their personnel section, and they are refining it now. He said that he would make this information available to the Commission in the near future.
- Item 11 Mr. Sumrall made the suggestion that the Commission get an Attorney General's opinion about the directors's position, whether or not it can or can not be classified. Mr. Bella and Mr. Booth do not think that is appropriate at this time.
- Item 12 Mr. Sumrall recommends that the director be restrained from political activity in the same manner as the members regulated by the State Police Commission.
- Item 13 Mr. Sumrall recommends that the Commission use Mr. John Leibert, who is a retiree and is on Mr. Sumrall's payroll, to help get the office set up. He hasn't talked to Mr. Leibert about this proposal, he isn't sure if he would accept it.
- Item 14 A subcommittee is appointed to study and make recommendations to the Commission about the job duties, salary, and if the director should be classified or unclassified. If the decision is to be unclassified, what restraints should be enacted. Recommendations on the staffing of the Commission should also be studied by the subcommittee. Members appointed to the subcommittee are: Mr. Joey Booth, Mr. John Leibert, if he chooses to accept, Mr. Louis Cook, Mr. Jay Jordon, Mr. Dan Sullivan, Ms. Rosemary Haynie (Deputy Commissioner of Administration), and Randall Womack from the Governor's Office. The motion is made by Mr. Johnson to appoint the above members to the subcommittee. Mrs. Mendell seconds the motion. Seven yeas, no nays, the motion carries.
- Item 15 Mr. Joey Booth is designated to work with the Division of Administration on the budget proposal and distribute the material to the other members before the next meeting. Mr. Booth agrees.
- Item 16 The next meeting is set for Wednesday, January 9, 1991, at 9:30 A.M. at the State Civil Service Department. The meeting will be a joint committee meeting with the State Civil Service Commission.

- Item 17 Mr. Booth recommends that the State Civil Service Commission continue examination until the end of this fiscal year. Mr. Sumrall agrees if that is the desire of the State Police Commission. The motion is made for the State Civil Service Department to continue the testing for the entry level and promotions, and that no changes be made to the test until such time as the State Police Commission had reviewed and approved those changes. The motion is put to a vote, 7 yeas, no nays, the motion is passed.
- Item 18 Mr. Booth makes the motion that the adoption of the current civil service rules that pertain to the State Police, with the understanding that the adoption includes the pay plan and classification system, to be effective January 1, 1991. Mr. Hathorn seconds the motion. The Commission votes on the motion, 7 yeas, no nays, the motion carries.
- Item 19 Randall Womack agrees to type the minutes and distribute them before the next meeting.
- Item 20 Mr. Hathorn moves that the meeting be adjourned. Mrs. Mendell seconds the motion. 7 yeas, no nays, the meeting is adjourned.

The Commission meeting was recorded on tape, also. I have the tapes in my possession.

STATE POLICE COMMISSION

MINUTES
(As corrected)

The State Police Commission met in the Governor's Office on the fourth floor of the State Capitol at 1:10 P.M., on December 19, 1990.

All members of the Commission were present.

The members of the audience were:

Mr. Herb Sumrall (Director, State Civil Service Department)
Jay Jordon (President, Louisiana State Troopers Association)
Randall Womack (Governor's Office)
Colonel Flores (State Police)
V. J. Bella (Author of bill)
Dan Sullivan (Civil Service League)
Louis Cook (State Police)
Bob Harper (Division of Administration)
Noel Hunt (House of Representatives)

- Item 1 Fire Marshal V. J. Bella opens the meeting and gives the intent of the legislation, which is to make the State Police more professional. He recommended that the State Police Commission look at other states that have commissions for their state police. He also suggested the State Police Commission adopt the rules and regulations that are in place right now and make changes later. He said that he is working on getting funds for the Commission.
- Item 2 Mr. Herb Sumrall discusses the process of transition from the State Department of Civil Service to the State Police Commission. He also recommended the rules and regulations that are presently being used be adopted before January 1, 1991. (Discussion) Members of the Commission are hesitant to adopt rules that they have not read. Mr. Sumrall suggests that the last business of this meeting be the adoption of the rules and regulations. The Commission agrees.
- Item 3 Mr. Hathorn nominates Mr. Conway to be the chairman of the Commission. (Discussion) Mr. Hathorn makes the motion to elect Mr. Conway the chairman. Dr. Christian seconds the motion. The Commission votes, 6 yeas, no nays the motion is carried.
- Item 4 Mr. Hathorn makes the motion for Dr. Christian to be elected as the vice-chairman of the Commission. There is a second. The Commission votes, 6 yeas, no nays, the motion is carried.
- Item 5 Mr. Bob Harper talks about funding for the Commission. He says that State Police has offered to cut the purchase of automobiles and move that money into a category that would allow for the pay of the executive director, per diem, office expenses, etc. This has not been done yet because of a legal question about the Commission receiving funds from the body that it regulates. He also states that there may be office space available on the 5th floor of the Capitol Annex.
- Item 6 Mr. Harper recommended that the Commission have a budget request into the Division of Administration by January 5th, 1991, or at least within the first two weeks of January, '91.
- Item 7 Mrs. Mendell request information from Mr. Sumrall concerning number of employees, job duties, etc. Mr. Sumrall agreed to get that information.
- Item 8 Dan Sullivan recommends that the Commission adopt the rules and regulations. Mr. Booth agrees. There is discussion about rule changes and the process of rule changes. Mrs. Mendell suggests the Commission adopt the rules with the exception of Rule 2.10. (Rule 2.10 deals with Rule Changes.)

- Item 9 Discussion on whether or not the director should be classified or unclassified. Mr. Sumrall says that the director should be classified. Mr. Bella says that the director should not be classified, and that the Commission's hands should not be tied by making the director's position classified. Mr. Sumrall states that the Constitution may prohibit the director from being classified, anyway. Mr. Sumrall stated that he would provide a search for a director if the Commission so desired. He said this was an unusual practice, but he would do it out of a courtesy for the Commission.
- Item 10 Mr. Louis Cook (State Police) said that they felt that the director should be unclassified. Mr. Cook and others had been drafting a job description for the director, which they presented to their personnel section, and they are refining it now. He said that he would make this information available to the Commission in the near future.
- Item 11 Mr. Sumrall made the suggestion that the Commission get an Attorney General's opinion about the directors's position, whether or not it can or can not be classified. Mr. Bella and Mr. Booth do not think that is appropriate at this time.
- Item 12 Mr. Sumrall recommends that the director be restrained from political activity in the same manner as the members regulated by the State Police Commission.
- Item 13 Mr. Sumrall recommends that the Commission use Mr. John Leibert, who is a retiree and is on Mr. Sumrall's payroll, to help get the office set up. He hasn't talked to Mr. Leibert about this proposal, he isn't sure if he would accept it.
- Item 14 A subcommittee is appointed to study and make recommendations to the Commission about the job duties, salary, and if the director should be classified or unclassified. If the decision is to be unclassified, what restraints should be enacted. Recommendations on the staffing of the Commission should also be studied by the subcommittee. Members appointed to the subcommittee are: Mr. Joey Booth, Mr. John Leibert, if he chooses to accept, Mr. Louis Cook, Mr. Jay Jordon, Mr. Dan Sullivan, Ms. Rosemary Haynie (Deputy Commissioner of Administration), and Randall Womack from the Governor's Office. The motion is made by Mr. Johnson to appoint the above members to the subcommittee. Mrs. Mendell seconds the motion. Seven yeas, no nays, the motion carries.
- Item 15 Mr. Joey Booth is designated to work with the Division of Administration on the budget proposal and distribute the material to the other members before the next meeting. Mr. Booth agrees.
- Item 16 The next meeting is set for Wednesday, January 9, 1991, at 9:30 A.M. at the State Civil Service Department. The meeting will be a joint committee meeting with the State Civil Service Commission.

- Item 17 Mr. Booth recommends that the State Civil Service Commission continue examination until the end of this fiscal year. Mr. Sumrall agrees if that is the desire of the State Police Commission. The motion is made for the State Civil Service Department to continue the testing for the entry level and promotions, and that no changes be made to the test until such time as the State Police Commission had reviewed and approved those changes. The motion is put to a vote, 7 yeas, no nays, the motion is passed.
- Item 18 Mr. Booth makes the motion that the adoption of the current civil service rules that pertain to the State Police, with the understanding that the adoption includes the pay plan and classification system, to be effective January 1, 1991, with the exception of rule 2.10. Mr. Hathorn seconds the motion. The Commission votes on the motion, 7 yeas, no nays, the motion carries.
- Item 19 Randall Womack agrees to type the minutes and distribute them before the next meeting.
- Item 20 Mr. Hathorn moves that the meeting be adjourned. Mrs. Mendell seconds the motion. 7 yeas, no nays, the meeting is adjourned.

The Commission meeting was recorded on tape, also. I have the tapes in my possession.

JOINT MEETING BETWEEN THE
STATE CIVIL SERVICE COMMISSION AND THE
STATE POLICE CIVIL SERVICE COMMISSION

The joint meeting between the State Civil Service Commission and the State Police Civil Service Commission was convened at 10:00 a.m. on Wednesday, January 9, 1991, in the Hearing Room, Second Floor-South, 1201 Capitol Access Road in Baton Rouge, Louisiana. Present were State Civil Service Commission members James A. Smith, Chairman, A. J. Capritto, Vice-Chairman and Commissioners Edwin C. Harbuck, Dianne C. Troullier, Edward C. Abell and Burl Cain. Commissioner John W. Scott was absent; State Police Civil Service Commission members James Conway, Chairman, Ollie Christian, Helen Mendell, Roane Hathorn, Joseph Booth, Richard Kinsey and Clifford Johnson.

Both Commissions received a presentation by Ms. Anne Soileau, Undersecretary of the Examining Division, relative to the Department of State Civil Services' examining and testing procedure proposals and the placement of the proposed Cadet Academy on hold during the transition period, all as outlined in Director Sumrall's memorandum to the State Civil Service Commission dated January 9, 1991. Both Commissions were in agreement on the proposals as outlined in the memorandum. Chairman James Conway requested the Department of State Civil Service to continue to work the certificates

on promotions for them, and if the Department of State Civil Service found any problems with them, the State Police Civil Service Commission will advise them on what action must be taken before any appointments are approved.

Ms. Soileau advised the State Police Civil Service Commission that new tests should be developed and implemented by them as soon as possible before the end of the transition period.

In other matters relative to the State Police Civil Service Commission, the State Civil Service Commission instructed the Civil Service staff to continue in a spirit of cooperation with the State Police Civil Service staff during the January 1, 1991 through June 30, 1991, transition period on examining testing procedures, and to continue the processing of promotions and other related personnel actions for them during this period.

Both Commissions received a presentation by State Civil Service General Counsel, Robert Boland, relative to appeals pending and who has jurisdiction to hear them. After receiving all comments on the appeal matter, on motion duly made, seconded and passed, the State Civil Service Commission approved the following guidelines for State Police appeals:

- 1) effective immediately, that any appeal matters that arise out of the State Police Civil Service Commission that are presently pending before the State Civil Service Commission be transferred to the State Police Civil Service Commission; and if there are any cases assigned to State Civil Service Referees, that these be withdrawn and transferred to the State Police Civil Service Commission for hearing.

This concluded the meeting between the members of the State Civil Service Commission and the members of the State Police Civil Service Commission.

There being no further business, the State Civil Service Commission adjourned its meeting at 10:30 a.m., until Tuesday, February 5, 1991, at 9:00 a.m. in Baton Rouge, Louisiana.

Respectfully submitted,

DIRECTOR

CHAIRMAN



STATE POLICE COMMISSION

MINUTES

The following are the minutes to the State Police Commission meeting which was held on Wednesday, January 9, 1991 at 11:10 A.M. The Commission met at the State Civil Service Department.

Members present: Mr. Conway, Dr. Christian, Mrs. Mendell, Mr. Hathorn, Mr. Johnson, Lt. Booth, and Mr. Kinsey

Members absent: None

- Item 1 Mr. Conway gives summary about the addendum to the agenda. The first order of business is to adopt the items on the addendum that Mr. Conway had constructed to supplement the posted agenda. The motion is made by Mrs. Mendell, Dr. Christian seconds the motion. No discussion. 7 yeas, 0 nays, the motion is carried.
- Item 2 Adopting and amending the minutes of the December 19, 1990 meeting. The motion is made by Mrs. Mendell to ammend Item 18 of the December 19, 1990 minutes to reflect that the Commission intended to adopt the existing rules of the State Civil Service Commission, except for Rule 2.10. No dicsscussion. 7 yeas, 0 nays, the motion is carried.
- Item 3 An election for a new chairman is necessary at this time. Mr. Conway is nominated by Mr. Hathorn. Lt. Booth seconds. No other nominations are made. Mr. Conway accepts the nomination. The commission votes on motion. 6 yeas, 0 nays, Mr. Conway is elected as chairman.
- Item 4 An election for a new vice-chairman is necessary at this time. Dr. Christian is nominated by Mr. Hathorn. Mr. Johnson seconds. No other nominations are made. Dr. Christian accepts the nomination. The Commission votes on the motion. 6 yeas, no nays, Dr. Christian is elected vice-chairman.
- Item 5 Captain Cook gives the report of the subcommitte that was formed to make recomendations about qualifications and pay range of the director of the Commission. (The report of the sub-committee is attached to these minutes.) Mr. Largate, from State Civil Service, took the information as recommended by the subcommittee and evaluated the position. His recommendation was that if the position was classified, the salary would be set at GS Level 22. (\$2,765 - \$4,148 per month). The subcommittee recommends that the commission advertise for the position and have a screening process-of the applicants. Capt. Cook states that the subcommittee did not reach any conclusions about whether the director's position should be classified or unclassified.

- Item 6 Mr. Conway asks if the baccalaureate degree was a normal requirement for this type of position, if it were classified. Capt. Cook states that he thought the experience level be more important than the baccalaureate degree, then refers the question to a Department of Civil Service employee in the audience. She states that a baccalaureate is required, but frequently substitutions are made for experience.
- Item 7 Mr. Dan Sullivan states that two other points that they discussed were the areas of political activity and that the person who is hired as the interim director should not be able to apply for the position director. Capt. Cook states that the Commission may want to enter into a contract with the director to restrict political activity.
- Item 8 Discussion about the Job Evaluation form attached. (Attachment III) Mrs. Mendell asks for a translation about the form. Mr. Sumrall gives a brief summary about the form. He states that it is a point factor type system.
- Item 9 Mr. Conway notices the page numbers at the bottom of the report that was submitted by the subcommittee as being Page 32, 33, and 33-A. Mr. Cook states that there was a committee formed and a report done before the Commission was formed to assist the members once they were appointed. Capt. Cook said he would supply the members with the entire report.
- Item 10 Discussion about the time frame and advertisement for the position. Mr. Conway asks about advertising in the newspapers. Mr. Sumrall states that is not usually done because of lack of funds.
- Item 11 Mr. Hathorne asks Mr. Boland (attorney for State Department of Civil Service) if he has an opinion of the director's position, and if it should be classified or unclassified. Mr. Boland's opinion is that the director of the State Police Commission must be unclassified, given the structure of the constitution, and that there is no choice in making him classified. - Discussion -
- Item 12 Mr. Conway asks for Mr. Boland's thoughts about the interim director, and whether he could be classified or unclassified. Mr. Boland says that the position of director, permanently or on a temporary basis, is unclassified by authorization of the constitution. Mr. Conway states that the rules adopted by the State Police Commission says that the director must be classified, but the Constitution overrides the rules and therefore the director's position is unclassified. Mr. Boland agrees with that opinion.
- Item 13 Mr. Hathorn asks Mr. Sumrall about Mr. Leibert being interested in taking the position as interim director. Mr. Leibert is not interested.
- Item 14 Mr. Hathorn states that it would be unfair to the interim director for him to put a lot of time into this Commission and then not give him the chance to apply for the position, unless that is made clear in advance that it is short term employment. Mr. Conway agrees. Mr. Conway says the item of the interim director is on the agenda and it may be more appropriate to discuss it at that time.

- Item 15 Mr. Russell Culotta (Human Resource Administrator for Dept. of Public Safety) gives a report on merit pay raise approval procedure and other procedures dealing with personnel matters. Mr. Culotta distributes personnel material to the Commission for their review. -Discussion-. Mr. Culotta requests the Commission to approve the material. This material includes pay increases, retirements, etc. He usually gets approval from State Civil Service, but now needs this approved by the State Police Commission.
- Item 16 Mrs. Mendell makes the motion to approve this list, subject of the State Civil Service's approval the item that involves the Certificate #6906. - Discussion - An ammendment to the motion is made by Mr. Conway that all approvals shall continue to be made by State Civil Service, and State Civil Service shall continue to act on all personnel matters, SF 1's, Mr. Culotta's request, and any others that come up, until further notice. There is a second to the ammendment to the motion. The Commission votes on the motion. 7 yeas, no nays, the motion is carried.
- Item 17 Discussion on whether the previous motion covered the list of elegibles for the cadet class that is hopefully started in April, 1991. A motion is made by Mr. Conway that all personnel actions that are currently required to be taken and or approved by the Director of the State Police Commission, will be taken by the Director of the State Civil Service and his staff, until further notice. Mr. Hathorn seconds that motion. No discussion. The motion is voted on. 7 yeas, 0 nays, the motion carried.
- Item 18 Mr. Culotta summarizes problem with State Police Pilot. The previous list that was submitted by State Civil Service had five names on the list, but no one was qualified to fly a helicopter. - Discussion - Mrs. Mendell makes the motion to grant the authority hire a State Police Pilot on a non-competative basis. Mr. Hathorn seconds the motion. The commission votes. 7 yeas, no nays, the motion is carried.
- Item 19 Mr. Conway moves that a committee be formed to take the recommendations from the subcommittee, analyze them, and make recommendations to the Commission for the director's position, and also that the commission give authority to the chairman to name the members of that committee. The motion is seconded by Mr. Hathorn. - Discussion - The Commission votes on the motion. 7 yeas, 0 nays, the motion is carried.
- Item 20 Mr. Conway appoints the members to the above mentioned committee. Dr. Christian is appointed as chairman, Mr. Hathorn and Mr. Kinsey are appointed as members.
- Item 21 Appointment of interim director is discussed. Mr. Conway begins discussion with saying that he believes that someone is needed to work with the Commission to take care of organizational details. Mr. Conway states that if the Commission hires an interim director that person should have the ability to be appointed as director, if the Commission so desires, and if the interim director is qualified. - Discussion - Mr. Jay Jordon and Captain Cook elaborate on why the subcommittee made the recommendation about the interim director being

- Item 21 restricted from applying for the director's position. -Discussion- (Cont.) The budget is discussed briefly, concerning the pay of the interim director. Mr. Harper gives information on budget.
- Item 22 Mr. Johnson recommends that the Commission set a range for the pay for the interim director, instead of settling on an exact figure. -Discussion- Mr. Hathorn makes the motion that the interim director's salary be in the range of \$3,000 - \$4,000 per month, including any related benefits. Mr. Johnson seconds the motion. No further discussion. The Commission votes on the motion, 7 yeas, 0 nays, the motion carries.
- Item 23 Mr. Conway states that an application from Randall Womack to serve as an interim director has been received. Mr. Conway states that he thinks that Randall fulfills the needs that he would have in mind for working immediately with the Commission, such as finding office space, and taking care of all of the other details to get the Commission started. Mr. Conway makes a motion that the commission enter into negotiations with Randall Womack to serve as the interim director and authorize the chairman to make the final decision, utilizing the salary range that was previously adopted in our prior motion. - Discussion - Ms. Mendell wants to know if the Commission would be considering him for the permanent position as well as any other qualified applicant? Mr. Conway states that if Randall wanted to apply for the permanent position, he could. Ms. Mendell wants to know if they are bound by the guidelines suggested by the subcommittee. Mr. Conway states that the Commission is not bound by any of the subcommittee's recommendations. Mr. Conway amends the motion to say that he is moving that Randall enter into negotiations with the Commission, through the chairman, to apply for the job within the salary range, and that the chairman be authorized to tell him that he may likewise be able to apply for the permanent position when that process begins. Lt. Booth objects to the motion. Lt. Booth wants to know if there is anyone in the audience who has expressed an interest in this position, and Lt. Booth wants the commission to review the qualifications of Mr. Womack, because he has not seen his resume', and he would like for the whole commission to vote. (Lt. Booth gets copy of the resume'). Mr. Hathorne asks Mr. Sumrall if he knows of anyone else that is interested in the position. Mr. Sumrall states that he asked some retirees and some senior employees, and no one was interested. Mr. Hathorn asks Mr. Womack if the position is offered, and he takes it on an interim basis, can he take a leave of absence from his present job, or could he go back to his other job? Mr. Womack states can take a leave of absence and that he does not know if he will apply for the director's position on a permanent basis.
- Item 24 Mr. Sumrall states that if the Commission is going to discuss the qualifications of an applicant, the Commission may go into executive session. Mr. Boland is asked for his opinion and he states that the Commission may go into executive session to discuss qualifications, and it is the decision of the person being discussed. Mr. Womack requests that an executive session begin. Mr. Hathorn makes the motion that the Commission enter into executive session. Mrs. Mendell seconds. 7 yeas, 0 nays, the motion carries. The Commission goes into executive session. (Executive session is not recorded on tape.)

- Item 25 The Commission comes back into the open meeting. Lt. Booth withdraws his previous objection. Mr. Conway restates his motion. The motion is that the Commission authorize the chairman to negotiate with Randall Womack to hire him as the interim director, to hire him within the range of \$3,000 - \$4,000 per month, and that if Mr. Womack accepts that position, he will be able to apply for the position of permanent director, if he so chooses. Ms. Mendell seconds the motion. No further discussion. The Commission votes 7 yeas, 0 nays. The motion carries.
- Item 26 Mr. Conway recommends a motion be made to establish a committee to recommend rules for the administration and regulation of the classified State Police and all other aspects of the Commission's activity, to come back to the Commission with recommendations of any changes that should be made, and that the committee give the chairman the appointing authority to appoint up to three members of the Commission to this committee. The motion is made by Lt. Booth, Mr. Hathorn seconds. The Commission votes, 7 yeas, 0 nays, the motion carries. Mr. Conway appoints Mrs. Mendell to serve as chairperson of that committee, and appoints Lt. Booth and Mr. Johnson to serve as members of the Rules Committee.
- Item 27 Mr. Conway makes a recommendation that a motion be made to form a committee to make recommendations to the Commission concerning a classification plan, a pay plan and form examinations, and the the chairman of the Commission have the authority to appoint the committee. Mrs. Mendell makes the motion, Lt. Booth seconds. The Commission votes. 7 yeas, 0 nays, the motion carries. Mr. Conway appoints himself as chairman of that committee, Lt. Booth and Mr. Hathorn are appointed as members of that committee.
- Item 28 Report on proposed budgets for '91 - '92 fiscal year. Lt. Booth explains budget proposal. States that the total budgeted figure is \$273,743. Mr. Harper states that he will be the budget analyst for the State Police Commission, if in fact the Commission falls under the Department of Civil Service. He explains that the Commission must fall under one of the 20 departments, as required by the constitution, and that although the State Police Commission will be totally independent from the Department of Civil Service, it will most likely be categorized under that department.
- Item 28 Mr. Harper states that since the Commission is being funded by the Department of Public Safety, that Public Safety will keep the books, and then the next fiscal year the accounting section at the Division of Administration will keep the books for the commission.
- Item 29 Lt. Booth breaks down the budget proposal in more detail.
-Discussion- One clerical mistake is corrected on page 14A of the budget request. Lt. Booth will make a corrected copy of the budget request.
- Item 30 Mr. Hathorn makes the motion to authorize the interim director to sign the budget request. The motion is seconded. No discussion. The Commission votes. 7 yeas, 0 nays, the motion is adopted.

- Item 31 A motion is made to authorize the interim director to secure the office space on the 5th floor of the Capitol Annex, and as the meeting dates are decided on for the rest of the year, make an effort to reserve the meeting room on the 3rd floor of the Capitol Annex for that purpose. The motion is seconded. No discussion. The Commission votes on the motion. 7 yeas, 0 nays, the motion carries.
- Item 32 Discussion about procedure of payment of per diem and travel expenses. Mr. Harper recommends to have a representative of the Department of Public Safety Office of Management and Finance attend and explain to you the exact procedures for drawing per diem and travel expenses. The interim director is instructed to get the information about the per diem and travel expenses and report at the next meeting.
- Item 33 Discussion about the liability against the individual members of the commission. Mr. Boland discusses this matter with the commission.
- Item 34 Mr. Hathorn suggests that the Commission ask Ms. Rosemary Haynie to have applications for the position of director to go through her office. Ms. Haynie agrees to help with this request.
- Item 35 The next meeting will be on Wednesday, February 6, 1991, at 9:30 A.M. on the 3rd floor of the Capitol Annex, if the meeting room can be reserved. If the room can not be reserved, Mr. Womack will find another meeting place and let the members know where to meet.
- Item 36 There is no further business. A motion is made to adjourn. There is a second. The meeting is adjourned.

MINUTES

The State Police Commission was called to order at 9:40 A.M., Wednesday, February 6, 1991, in Committee Room #6, in the basement of the State Capitol.

Members Present: Mr. Conway, Dr. Christian, Lt. Booth, Mr. Hathorn,
Mr. Johnson, Mr. Kinsey, Mrs. Mendell.

Members Absent: None.

- Item 1. Mr. Hathorn makes the motion to waive the reading of the minutes and adopt the corrected minutes of the 12-19-90 meeting, the minutes of the joint meeting between the State Civil Service Commission and the State Police Commission, and the minutes of the regular meeting of 01-09-91. Mrs. Mendell seconds. The commission votes, 7 yeas, 0 nays, the motion carries.
- Item 2. Mr. David Viccellio explains travel regulations. Since the Commission is reimbursed for actual expenses, a receipt will be needed for any expenses incurred, with exception of mileage and per diem. The members will be reimbursed for any reasonable expenses. Odometer readings are necessary for reimbursement of mileage, but since the Commission members did not know this was necessary, a notation of this situation will be made on the forms and no odometer reading will be necessary for the first two meetings.
- Item 3. A budget report is given by Mr. Richard Clousing. Mr. Clousing is the budget officer for the Dept. of Public Safety. He states that the only hard figure that the Commission is held to is the \$75,000. Mr. Conway request that a budget update be provided on a monthly basis. Mr. Clousing states that he will prepare a budget update at the end of every month, and forward it to the interim director for distribution.
- Item 4. Report from the Rules Committee. Mrs. Mendell reports that the committee has not met as of this date. She has been undertaking a process of getting the Civil Service Rules on a word processor to facilitate the committee's work. She has a copy of the rules as they exist, for the committee members. Mrs. Mendell expects a rule to be adopted at the next meeting that deals with rule changes. Discussion.
- Item 5. The request for the approval of the unused portion of a leave of absence is now discussed. Mr. Dixon, Chief Attorney for the Department of Public Safety, explains the request. Mr. Charles B. Saltaformaggio was injured in 1971 while on duty with five gunshot wounds to the abdomen. He has subsequently recovered. The Civil Service Commission at that time granted him the 6 months provision in Rule 1121.1, which allows him to be off of work without charging him sick leave. Since that time, as recently as one or two months ago, he has had a bowel obstruction as a direct result of this shooting. The doctors have agreed that this obstruction is a direct result of this shooting. He is not eligable for workman's compensation. Mr. Dixon is asking the Commission to grant him whatever sick leave he did not use back in 1971. There is approximately 480 hours that the

- Item 5 (cont.) Commission could grant him. - Discussion - Mr. Conway wants doctor reports and background documents on this before the Commission makes this decision. Lt. Booth states that he has these documents, and has no objection to defer this action until the next meeting, in the interim he will get the information distributed to the members. The matter is deferred until the next meeting.
- Item 6. The job description of the permanent director is now taken up and discussed. Changes were made to the recommendations that the subcommittee submitted, attached is a copy of the job description as changed by the Commission. (Last page).
- Item 7. Mr. Conway suggests that the director should not be able to participate in political activity, and that he should follow the same rules that apply to the Commission members.
- Item 8. Discussion about background checks and drug testing for the director's position. Capt. Cook and Mr. Dixon will get more information on the legal aspects of criminal history checks, polygraph checks, and drug testing for the permanent director, and the Commission will take this up at a later date.
- Item 9. Ms. Rosemary Hanie gives an update of the recruitment plan and discusses what agencies and departments were notified of this position.
- Item 10. Discussion on whether additional advertisement on the director's position is needed. The committee agrees that this is not needed at this time.
- Item 11. Mr. Bob Harper discusses next year's budget. \$168,910 and 3 positions are being proposed for inclusion in the Executive Budget for submission to the legislature this spring. Mr. Harper states that the commission will not be held to the salaries that are listed on the paper that he handed out. The only restraints the Commission has on spending is that it can not exceed the \$168,910 amount, and there can not be more than three positions. The Commission's budget request was for over \$200,000 and five positions, but since the State Police only cost the State Civil Service \$90,000 a year to operate, the Division of Administration did not recommend over \$200,000 in this budget. If the Commission is not satisfied with the status of the budget, Mr. Harper will communicate the dissatisfaction to the Commissioner of Administration and see about adding money to it, but Mr. Harper states that trying to add money to the \$168,910 is not a good idea at this time, and that the chances are slim of getting more money. This does not include office rental space, it was the understanding of Mr. Harper that the State Police Commission would have access to free office space. If this is not the case, he will make arrangements to include money for rental of office space.
-Discussion-
- Item 12 Mr. Conway entertains a motion to accept the job description and duties of the State Police Commission's permanent director as ammended earlier and with the further recommendation that the candidates be informed that there will be background checks and drug

- Item 12 (cont.) testing. At some point in the process the Commission will inform each candidate that is interviewed that this will be required of each of them if they wish to stay in the process. Mr. Johnson makes the motion, Lt. Booth seconds. - Discussion - Mrs. Mendell asks if this will be subject to getting a legal opinion as to whether or not the Commission can require a background check? Mr. Conway states that this motion is a recommendation that the Commission will have a background check and drug testing subject to the legal right to do that and how far the Commission can go with that and the facilities that are available to help us with that. A part of that background will be a polygraph test. No more discussion. The Commission votes on the motion. 7 yeas, 0 nays, the motion carries.
- Item 13. Other business is discussed. Randall Womack presents the cost of the recorder machine that is on a trial loan from the Lanier Company. He recommends the Commission purchase this equipment. The Commission will take this under advisement and take it up at a later date.
- Item 14 Sgt. Jordan discussed the 5% raise that the State Civil Service Commission recommended for all state civil service employees. The State Police is not a part of that system now. Mr. Jordan wants the Commission to put the item of a 5% pay increase for State Police on the agenda for the next meeting. Also, Sgt. Jordan discusses the problems with the pay scale for Lt.'s, some Lt.'s receive less pay than some of their subordinates, which creates a morale problem. He states that a 7% pay increase for Lt.'s is needed to correct this problem. He would like to have this item on the agenda for the next meeting, also. - Discussion - Mr. Conway states that he does not have a problem with the 5% increase for the State Police, but he is reluctant to deal with the Lt.'s pay scale because he doesn't want to address the pay scale in a piecemeal manner, and that this may need to be done all at once. Mr. Hathorn suggests that the item of Lt.'s pay be put on the agenda, with the understanding that no action has to be taken at that time. Mrs. Mendell and Lt. Booth agree that this should be heard. Lt. Booth makes the motion to put this item on the agenda for the next meeting. Mr. Hathorn seconds. The motion is voted on, 7 yeas, 0 yeas, the motion carries.
- Item 15. The next meeting date is set for March 8, 1991, at 9:30 A.M. The Commission will be notified of the meeting place when the reservation of a meeting room is made.
- Item 16 The meeting of the State Police Commission is adjourned.


Interim Director

DUTIES
OF
THE DIRECTOR
OF THE
LOUISIANA STATE POLICE COMMISSION

The incumbent of this executive position will be responsible for administering the State's personnel management program for State Police officers as prescribed in the State constitution and implemented by the rules and policies of the State Police Commission.

The incumbent will receive executive direction from the State Police commission in performing the duties and responsibilities as follows:

- (1) Develops and implements personnel management programs for the State Police service, including position classification, pay, recruitment, testing and selection, tenure, employee relations, performance appraisal, equal employment opportunity, career development, and training.
- (2) Supervises all administrative and technical activities of the Louisiana State Police Commission staff.
- (3) Serves as executive secretary to the State Police Commission.
- (4) Attends all meetings of the State Police Commission and keeps minutes of Commission proceedings.
- (5) Reviews current and long-range programs, plans and policies for the State Police Commission staff and directs revisions in programs.
- (6) Establishes and maintains a roster of all LSP officers, their class title, the salary, any change in class title, pay or status, and any other necessary data.
- (7) Appoints, removes and otherwise disciplines employees of the State Police Commission staff as may be necessary to carry out effectively the provisions of the State Police Commission Rules and policies, as well as the provisions covering state police service as prescribed in the State Constitution.

- (8) Formulates and prescribes personnel policies and procedures, consistent with the State Police Commission Rules, and, upon approval by the State Police Commission, publishes them in the LSP Officer Personnel Manual; develops and conducts competitive exams for entry level and promotional LSP Officer positions; maintains lists of eligibles; and certifies qualified persons for appointment and/or promotion in accordance with the State Police Commission Rules.
- (9) Develops, in cooperation with LSP officials and others, training, educational and safety programs for LSP Officers.
- (10) Makes and publishes annual reports regarding the work of the State Police Commission and the State Police Commission staff, and such special reports as the Director considers desirable to the State Police Commission and to the Governor.
- (11) Performs any other acts and functions, within organizational boundaries, which the Director may consider necessary or desirable to carry out the purposes of the State Police Commission, or which the Director may be directed to perform by the State Police Commission or the Chairman thereof.
- (12) Serve as referee in such employee appeals as the Director may be appointed to hear by the State Police Commission.
- (13) Prepares and submits to the State Police Commission, budget requests covering the estimated costs of administering the LSP Service System.
- (14) Acts between the State Police Commission meetings on routine matters requiring the State Police Commission approval.
- (15) Makes such investigations as may be necessary to enforce the provisions of the the State Police Commission Rules and determines the qualifications and suitability of applicants for employment and promotion in the LSP in accordance with the State Police Commission Rules.
- (16) Establishes mandatory grievance procedures within LSP to provide the means to resolve employee complaints and

other personnel problems not appealable to the Director or the State Police Commission.

- (17) Reviews and approves or disapproves, in advance of their effective dates, contracts for personal service between LSP and any person in order to insure that such agreements do not provide for the performance of such services for the LSP which could and should be performed by classified LSP Officers.
- (18) Develops and proposes to the State Police Commission a LSP Officer uniform classification and pay plan and amendments thereto.
- (19) Develops and proposes to the State Police Commission, rules and amendments thereto governing employment conditions for LSP Officers.
- (20) Formulates and prescribes an equal employment opportunity program to be approved by the State Police Commission, and, upon such approval, oversees and monitors an affirmative action program to assure equal employment opportunity.
- (21) Meets with the Governor, legislators, federal and state officials, classified and unclassified State Police Officers, members of professional organizations and other special interest groups on matters relating to the State Police Service programs.
- (22) The Director shall not participate or engage in political activity. For the purpose hereof, "political activity" means an effort to support or oppose the election of a candidate for political office or to support a particular party in an election. The support or opposition of issues involving bonded indebtedness, tax referenda, or constitutional amendments shall not be prohibited.

STATE POLICE COMMISSION

MINUTES

The State Police Commission was called to order on March 8, 1991 at 9:45 A.M.

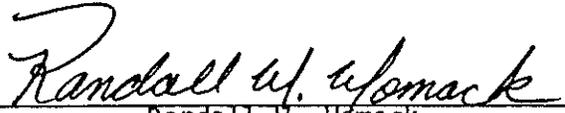
Members Present: Mr. Conway, Dr. Christian, Lt. Booth, Mr. Hathorn,
Mr. Johnson, Mr. Kinsey, and Ms. Mendell

Members Absent: None.

- Item 1. A motion is made by Ms. Mendell to adopt the minutes of the February 6, 1991 meeting, second by Hathorn. The Commission votes, 7 yeas, 0 nays, the motion carries.
- Item 2. Financial update is given.
- Item 3. Ms. Mendell gives the report from the Rules Committee. Lt. Booth makes a motion to adopt Rule 2.10. as suggested by the Rules Committee. There is a second by Mr. Johnson. -Discussion- The Commission votes to adopt Rule 2.10, as ammended, 7 yeas, 0 nays, Rule 2.10 is adopted, with ammendments.
- Item 4. The matter of sick leave for Lt. Charles B. Saltaformaggio is taken up at this time. -Discussion- A motion is made by Mr. Hathorn to restore 216 sick leave hours to Lt. Saltaformaggio, second by Lt. Booth. The Commission votes, 7 yeas, 0 nays, the motion carries.
- Item 5. Request for the 5% pay increase. Mr. Sumrall and Lt. Jordon speak in favor of the Commission making a request for the 5% increase. Ms. Rosemary Haynie reads a letter from the Commissioner of Administration into the record asking the Commission not to make this request. -Discussion- A motion is made by Mr. Hathorn to give a 5% pay increase to all State Police Officers, effective July 1, 1991, Dr. Christian seconds. The Commission votes, 7 yeas, 0 nays, the motion carries.
- Item 6. Request for the 7% pay adjustment for all State Police Lieutentants is discussed. Mr. Sumrall, Lt. Jordon and Col. Flores speak in favor of making this adjustment. - Discussion - The Commission doesn't make any motions on this, because it is the duty of the director to make these types of adjustments, but it is the feeling of the Commission members that this adjustment should be made.
- Item 7. Further revisions of the job description are taken up at this time. There are modifications made in the area of political involvement. - Discussion - A motion is made and seconded to adopt the revised job description for the director's position. The Commission votes, 7 yeas, 0 nays, the motion is carried. (revised copy attached)
- Item 8. Mr. Russell Cullotta speaks about the benefits, insurance, options and other details about the director's position. Mr. Cullotta also talks about an ammendment to Civil Service Rule 11.26 E. Mr. Cullotta

reads that amendment into the record. (Attached) This rule deals with members of the State Police that have been called to duty in the Persian Gulf Crisis. - Discussion - There is a motion and a second to adopt Rule 11.26 E, as ammended. The Commission votes, 7 yeas, 0 nays, the motion carries.

- Item 9. There is a motion and a second for the Commission to go into executive session to discuss some of the individual applicants for the director's position. The Commission votes, 7 yeas, 0 nays, the Commission is in executive session.
- Item 10. The Commission comes out of executive session. The next meeting date is set for Monday, April 8, 1991. Candidates for the director's position will be interviewed at this time. Ms. Haynie will contact the candidates and schedule times for their interview. Lt. Booth will coordinate with the State Police in reference to background checks, polygraph checks and drug testing.
- Item 11. Meeting is adjourned.


Randall W. Womack
Randall W. Womack
Interim Director

MINUTES

The Louisiana State Police Commission met on April 8, 1991, at 9:30 A.M., in the hearing room at the Department of State Civil Service Building.

Members Present: Mr. Conway, Dr. Christian, Lt. Booth, Mr. Hathorn
Mr. Johnson, Mr. Kinsey, and Ms. Mendell

Members Absent: None

- Item 1. A motion is made by Mr. Hathorn, second by Ms. Mendell, to adopt the minutes of the March 8, 1991 meeting. The Commission votes, 7 yeas 0 nays, the motion carries.
- Item 2. Lt. Booth makes a motion to go into executive session to interview candidates for the director's position. Second by Ms. Mendell. The Commission votes, 7 yeas, 0 nays, the motion carries.

- EXECUTIVE SESSION -

- Item 3. The commission comes back into open session. Officer Kavanaugh requests that the two State Police Polygraphists receive the 7% adjustment that the Lieutenants received. The Commission takes no official action on this request.
- Item 4. The Commission votes to go back into executive session to discuss the candidates qualifications.
- Item 5. The Commission comes back into an open meeting. Ms. Mendell makes a motion to authorize the Chairman to negotiate with the the selected candidate and hire that candidate if if an agreement is reached. The Commission will then ratify the decision of the Chairman at the next Commission meeting. Mr. Hathorn seconds the motion. The Commission votes, 7 yeas, 0 nays, the motion is carried.
- Item 6. Meeting is adjourned.



MINUTES

STATE POLICE COMMISSION

MAY 1, 1991

The State Police Commission convened its monthly meeting at 9:40 a.m. on Wednesday, May 1, 1991, in Committee Room 6, Basement, State Capitol, Baton Rouge, Louisiana. Present were Chair James R. Conway, III; Vice-Chair Ollie Christian; and Members Lieutenant Joseph Booth, Roane Hathorn, Clifford Johnson, Richard Kinsey and Helen Mendell. Also present were Jane Orr, Director; Debra Johnson, Deputy Director; Norman W. Ershler, Chief Counsel; and Gilda R. Russ, Executive Assistant.

On motion duly made, seconded and passed, the Commission voted to approve the Minutes of the April 8, 1991 meeting, as submitted.

Through its Chair, the Commission recognized the leadership, guidance and accomplishments of Randall Womack, the former Acting Director of the Commission. The Commission praised Mr. Womack for assistance in establishing and directing the functions of the meetings held by the Commission since December, 1990. Ms. Jane Orr also acknowledged Mr. Womack's cooperation during the transition period of the Directorship and thanked him for the assistance he had shown her during this period. On motion duly made, seconded and passed, the Commission voted to ratify the appointment of Jane Orr as Director of the State Police Commission, effective April 23, 1991.

Relevant to Committee Reports, it was reported to the Chair that the Rules Committee was still in the process of revising the Civil Service Rules for adoption by the State Police Commission.

The Director's report was as follows:

- a. Office Space - The Director advised the Commission of the temporary office space available to house the Director and her

staff. The Commission was advised of an office located in the Research and Planning Section of the Office of State Police and an office located within the Attorney General's Office on the twenty-fourth floor of the State Capitol.

- b. Rent Monies - The Director advised the Commission of the fact that there were no rent monies in this year's budget for renting office space for the Commission staff and advised that this item must be added to next year's budget. This addition will require an amendment to the 1991/92 budget.
- c. Hearing Location - The Director advised the Commission of an offer made by Allen Reynolds of the Department of State Civil Service for the use of the State Civil Service Commission hearing room. The Commission selected the following dates for hearings: June 10, 1991 and July 8, 1991. The General Business Session will commence at 9:00 a.m., followed by appeal hearings at 10:00 a.m.
- d. Enabling Legislation - The Director advised that legislation has been introduced to place the State Police Commission under the Department of State Civil Service, in an 801.1 posture, beginning with the 1991/92 fiscal year.
- e. Consulting Fees - The Director advised the Commission of the need for hiring consultants to assist the Commission with the classification and pay and testing procedures soon to be taken over from the Department of State Civil Service by the Commission. Discussion was made of the testing and promotion procedures to be implemented. It was decided that the

Commission will begin to test for promotional vacancies, as needed, beginning July 1, 1991. The Trooper test will be suspended, pending the development of a new test.

- f. Purchases - The Director advised the Commission of the purchases to be made by her staff for the establishment of their offices. The Commission approved the purchases requested by the Director.
- g. Budget - The Director discussed with the Commission the monies remaining in the 1990/91 fiscal year budget.
- h. Attorney - The Director discussed with the Commission the use of an attorney and the function of the attorney with respect to the Commission. Norman W. Ershler was introduced to the Commission, his qualifications for the position outlined and the method of payment for his services to be reimbursed to the Attorney General's office. On motion duly made, seconded and passed, the Commission voted to approve the selection of Mr. Ershler as Chief Counsel for the Commission. Mr. Ershler's functions were defined with regard to the Commission, as well as his role in the hearing and decision process. The Director advised that Mr. Ershler will serve on an as-needed basis.
- i. Pending Appeals - The Director advised the Commission of the number and status of the appeals pending.
- j. Additional Director's Duties - On motion duly made, seconded and passed, the Commission voted to approve authority for the Director to schedule hearings and issue subpoenas on behalf of the Commission.

k. Helicopter and Fixed-Wing Pilot Qualification Changes - The Director advised the Commission of the change in qualifications for the above-listed positions. See Attachment A attached hereto for the specific changes.

The Director introduced to the Commission the following proposed staff members: Debra Johnson, Deputy Director; and Gilda Russ, Executive Assistant. The Director discussed with the Commission the qualifications, work experience, duties and salaries of the staff members, as well as the method used in filling the vacancies. On motion duly made, seconded and passed, the Commission voted to approve the selection of Mmes. Johnson and Russ, making the effective date for their appointments May 2, 1991. The Commission also approved the Director's request to hire a part-time file clerk, at a rate of \$5.05 an hour, when the need arises for such services.

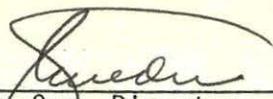
On motion duly made, seconded and passed, the Commission voted to appoint Norman W. Ershler as a Referee for the Commission, as well as the authority to issue Show Cause Orders, Notice of Defective Appeals, as well as the authority to negotiate on behalf of the Commission with parties on other business matters pertaining to appeal hearings.

A discussion was held with the Commission relative to prohibited political activity and the need to disseminate this information to the commissioned personnel of the Office of State Police.

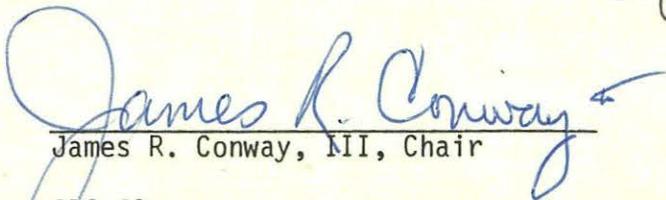
The Chair advised the Director of a request of Mr. Danny Sullivan of the Civil Service League to receive copies of all future agendas of the State Police Commission.

There being no further business, the meeting adjourned at 12:10 p.m., until 9:00 a.m., Monday, June 10, 1991.

Respectfully submitted:



Jane Orr, Director



James R. Conway, III, Chair

SPC:JO:grr

STATE POLICE PILOT

MINIMUM QUALIFICATIONS

Possession of a current commercial pilot's license with appropriate ratings plus 1,000 hours of recorded flight experience.

NECESSARY SPECIAL REQUIREMENTS

Possession of a current FAA medical certificate at time of appointment.

An applicant will be disqualified if he has been convicted of a felony or if there are any indictments or bills of information pending against him in which he is charged with a felony; or if he has been convicted within the past three years of hit and run or driving while intoxicated.

NOTE: Upon appointment, an applicant must complete the State Police basic training academy and thus be a commissioned and sworn officer of the Louisiana Office of State Police before the attainment of permanent status is granted.

STATE POLICE DEPUTY COMMAND PILOT

MINIMUM QUALIFICATIONS

Possession of a current commercial pilot's license with appropriate ratings plus three years of experience as a commercially rated pilot with 2,000 hours of recorded flight experience. Also, applicants must have been a commissioned and sworn officer of the Louisiana Office of State Police for at least five years.

SUBSTITUTIONS

A baccalaureate degree in aviation, law enforcement, or criminal justice may be substituted for two years of the required experience.

NECESSARY SPECIAL REQUIREMENTS

Possession of a current FAA medical certificate at time of appointment.

An applicant will be disqualified if he has been convicted of a felony or if there are any indictments or bills of information pending against him in which he is charged with a felony; or if he has been convicted within the past three years of hit and run or driving while intoxicated.

STATE POLICE COMMAND PILOT

MINIMUM QUALIFICATIONS

Possession of a current commercial pilot's license with appropriate ratings plus two years of supervisory experience in air operations with 3,000 hours of recorded flight experience. Also, applicants must have been a commissioned and sworn officer of the Louisiana Office of State Police for at least seven years.

SUBSTITUTIONS

A baccalaureate degree in aviation, law enforcement or criminal justice may be substituted for one year of the required experience.

NECESSARY SPECIAL REQUIREMENTS

Possession of a current FAA medical certificate at time of appointment.

An applicant will be disqualified if he has been convicted of a felony or if there are any indictments or bills of information pending against him in which he is charged with a felony; or if he has been convicted within the past three years of hit and run or driving while intoxicated.

STATE POLICE COMMISSION

MINUTES

The State Police Commission met on June 10, 1991, at 9:00 A.M., CST, in the hearing room at the Department of State Civil Service Building.

Members Present: Mr. Conway, Dr. Christian, Lt. Booth, Mr. Hathorn, Mr. Johnson, Mr. Kinsey, and Ms. Mendell, Jane Orr, Norman W. Ershler, Gilda R. Russ.

Members Absent: None.

General Comments: Chairman Conway thanked Commission staff for providing Agenda Binder for organizational means of meetings.

Item 1. Director's Report. Jane Orr addressed the Market Rate Adjustments for Polygraphists. Being under the "Pay Plan" heading, it was felt this issue should be discussed in the General Business Session in open meeting this morning.

Item 2. Announcement was made by the Director regarding office space being provided to the Director and her staff, located at the State Police Training Academy, Field House, Room Number 8. Presently, Colonel Flores has not presented a charge to the Director for such office space.

Director submitted a list of expenditures to the Commission to date, with the exception of the cost of the FAX machine (estimated cost of \$2,665.00). Specific items purchased are: Computer Terminals (3), hard drives (3), laser printers (3). Director entertained questions relating to expenditures. Monies not spent by June 30, 1991, will be transferred back into the State General Fund.

Chairman Conway inquired as to the physical location of all items listed in the expenditure list. Director reiterated State Police Training Academy, Field House, Room Number 8.

Director and Staff new telephone number is: (504) 925-7057. The FAX number will be: (504) 925-7058.

- Item 3. Chairman Conway inquired regarding recording equipment. Director informed Commission that the recording equipment being used belonged to the State Police Commission. Gilda Russ, Confidential Assistant, reported to the Commission the comparison of selecting such equipment and reasoning for the selection of Lanier's state-of-the-art recording devices.
- Item 4. Chairman Conway questioned the budgetary process for FY 1991/92. The Director gave an accounting of budget cuts through the House, reducing such amounts to \$75,000.00. The Director is working with the Senate, and an Amendment will be presented to the Senate Appropriations Committee by Senator Brinkhaus to bring the budget for FY 1991/92 up to \$285,000.00. Both Senators Bagneris and Brinkhaus are assisting in this request.
- Item 5. The Director gave a report to the Commission of current, on-going initiatives to be conducted by herself and her staff. Issues of redress for the present pay plan is in the working, along with the selection procedures for State Police. Rule changes are necessary, chapter by chapter. Promotional exams must be formulated and administered. Chapters 7 and 8 are the most critical items for review since they deal with testing and certification for State Police.
- Item 6. 1) Market Grade Adjustments for Polygraphist (7% pay raise); 2) State Police Commission Rules 3.1(k) and 3.1(n), it is the duty of the Director to act between meetings of the Commission on routine matters requiring the Commission's approval subject to the provision of sub-section (n). Sub-section (n) says, to act between meetings on piecemeal classification and pay-plan matters requiring the Commission's approval.

Chairman Conway questioned the approval of the actions of the State Police Commission presented to the Governor regarding pay adjustments. The Director felt the pay adjustments would require the Governor's signature, but interim adjustments can be implemented until such time as the Governor either signs or denies the pay adjustment. The Director reiterated that the Governor does have to approve the recommendation of the State Police Commission before the recommendation can be continued.

Chairman Conway requested a clearer interpretation of the Rules as they relate to actions approved by the Governor.

Item 7. The Director has concerns regarding piecemeal considerations of Market Grade Adjustments. Concerns were also made regarding the underpayment of salaries as they relate to State Troopers. Jay Jordan provided the Director with 1989 pay scales which are out-dated salaries by comparison of other states; i.e. Arkansas, North Carolina.

Item 8. Chairman Conway recommended that the matter of pay scales for Polygraphists be formally presented at the July 8th meeting of the Commission. Polygraphist Kavanaugh would also be given a chance to come back and present his arguments regarding this issue raised at the April 8th, 1991, Commission meeting.

Chief Counsel, Norman W. Ershler will research the procedure to submit pay increases formally and at which time intervals for State Police; specifically, piecemeal adjustments. Mr. Ershler will research the granting of such pay adjustments to be brought before the Governor; will the Governor have to approve the pay adjustment before such adjustment is implemented. Also, the communication process between the Director, the Commission and with the appointing authority will be discussed in greater detail.

Item 9. The Director requested Chief Counsel Ershler to check with the Attorney General's office concerning the hiring of support staff by the Director. Currently, two support staff members (Gilda Russ and Debra Johnson) are housed under the State Civil Service System. The Director would like these two staff members (and any additional staff in the future) to be housed under the State Police Merit System, having Rules created specifically for the State Police Merit System.

Chief Counsel Ershler will also check into the matter of the Commission having control of its own business, its own affairs and its own employees, who are its affairs.

Chief Counsel Ershler discussed, in particular, Section 44 of the Amendment wherein "the Amendment allows the Commission to appoint a Director and other personnel that may be necessary to carry out the duties of the Commission." Mr. Ershler also cites Section 41 of the Amendment which creates the State Police Service. There is a contradiction in Section 44 and Section 41 of the Amendment. The actual wording is, "The State Police Service is established and includes all regularly commissioned, full-time enforcement officers."

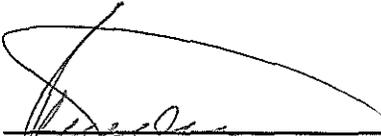
The Director suggests that the differences in this Commission and other State Boards and Commissions is this Commission is a Merit System; others, are advisory or licensing-type boards/commissions.

- Item 10. Chairman Conway asked that Chief Counsel Ershler check into the legality of the Commission and its Director having the legal authority to adopt Rules and empower jurisdiction over its own employees and affairs.
- Item 11. Chairman Conway asked that the Minutes be changed to include: 1) After thanking the out-going Acting Director, Randall Womack, the Commission acted to ratify the hiring of Jane Orr, Director, State Police Merit System, along with the effective date of hire.
- Item 12. Chairman Conway had a concern regarding the Minutes of May 1, 1991, in which on Page 2, sub-paragraph (d) of the "Enabling Legislation" was designed to place the State Police Commission under the Department of State Civil Service. The Minutes are correct, but possibly the legislation is incorrect. Chief Counsel Ershler will research this matter and advise the Commission accordingly.
- Item 13. Adopting and amending the Minutes of the May 1, 1991 meeting. On motion duly made, seconded and passed, the Commission voted to approve the Minutes of the May 1, 1991 meeting, as revised.
- Item 14. Year-to-Date Appeals Status Report. The Director reported no new appeals had been received for the month of June, 1991. The remainder of the Monthly Status Report was self explanatory.
- Item 15. On motion duly made, seconded and passed, the Commission voted to enter into a contract with Automated Typing Services for transcription of appeal hearings.
- Item 16. The Commission heard argument and received testimony with regard to the timeliness issue of the **Appeal of Jaime C. Hanna**, Docket No. 91-02-O. After having ruled that the appeal was timely filed, the merits of this appeal will be scheduled for July 8, 1991. A separate decision regarding the timeliness issue will not be rendered.

Item 17. The Commission heard argument and received testimony in connection with the **Appeal of D. W. Little**, Docket No. 91-09-S. The matter was taken under advisement, with a written decision to be forthcoming.

There being no further business, the meeting adjourned at 6:10 p.m., until 9:00 a.m., Monday, July 8, 1991.

Respectfully Submitted:



Jane Orr, Director



James R. Conway, III, Chair



STATE POLICE COMMISSION

MINUTES

July 8, 1991

The State Police Commission met on July 8, 1991, at 9:15 a.m., CST, in the hearing room at the Department of State Civil Service building.

Members Present: Mr. Conway, Dr. Christian, Lt. Booth, Mr. Hathorn, Mr. Johnson, and Mr. Kinsey.

Members Absent: Ms. Mendell.

Staff Present: Ms. Orr, Mr. Ershler, Ms. Russ, and Ms. Maki

General Comments: Chairman Conway thanked the State Police Commission Staff for providing a birthday cake and well wishes to Commissioner Hathorn, with special thanks to Gilda R. Russ.

Item 1. Employees' Opportunity to Address the Commission. There were no employees present.

Item 2. Director's Report. Jane Orr discussed the problems that the Fiscal Year 1991/92 Budget was facing in the Legislature and felt the best that they could hope for would be \$168,000.00.

Testing for State Police Cadet may be necessary as soon as possible, especially if any of the pending gambling bills pass. The Staff is trying to locate a ready-made test for this purpose. The Director and Ms. Russ reviewed two tests in Chicago at the International Personnel Management Association Assessment Council in late June. They have reviewed the copies and Ms. Orr discussed the costs involved with both sample tests.

Ms. Orr gave an overview on the International Personnel Management Association Assessment Council meeting that she and Ms. Russ attended in Chicago where they received much valuable information and made some excellent contacts.

Ms. Orr introduced David Hayes, Student Intern, from L.S.U.'s graduate program in public administration. Mr. Hayes and Debra Johnson have been working on job analysis toward development of a promotional exam for Sergeant.

Barbara Maki has been added to the staff on a restricted appointment to provide secretarial assistance. Doug Bryant, computer analyst, has been placed in an unclassified position, to work no more than 20 hours per month at an hourly cost of \$15.00 to handle our information system needs in terms of hardware/software consultation, programming and end-use capability.

Because we will be paying rent in Fiscal Year 1991/92, we are looking for inexpensive, convenient rental space. One possible location is under consideration in the 6500 block of Florida Boulevard.

The Department of State Civil Service refused to handle our fiscal and budgetary affairs. Allen Reynolds, Deputy Director of Civil Service, called Ms. Orr after the new fiscal year had begun, saying that Civil Service felt it would be "improper" to assist the State Police Commission in these matters. Ms. Orr got the Division of Administration to bail us out and we are working on a permanent arrangement with them.

Item 3. The Director's Report was interrupted in order that Lt. Col. Kenneth Norris could address the Commission regarding settlement of the **Sgt. Jaime Hanna Appeal**. Lt. Col. Norris stated it was not the intention of State Police to punish Sgt. Hanna or to withhold pay for time legally worked. Lt. Col. Norris felt the Hanna problem resulted from a misunderstanding and from the slow processing of paperwork. When asked by Chairman Conway why it took so long for the paper to flow, Colonel Norris responded that he really didn't have a good answer, but that paperwork always filtered slowly through the bureaucracy. The State Police agreed to pay Sergeant Hanna the amount of money in dispute.

James C. Dixon, attorney for the Office of State Police, stated that he had not met with Walter Smith, Sgt. Hanna's attorney, to reduce the settlement to writing. Therefore, Chairman Conway advised Lt. Col. Norris and Mr. Dixon that the matter would be continued until such time that the Commission had a proposed settlement in writing to consider. Motion to continue Jaime C. Hanna was passed without opposition.

Item 2.
(con't) Ms. Orr continued to address the Director's Report. Ms. Orr discussed proposed rule changes to Chapters 7, 8, and 9 and stated that copies had been sent to Colonel Marlin Flores, appointing authority, and to Russell Culotta, Director of Human Resources. The Commission requested that the State Police Commission staff submit all Rule change proposals simultaneously upon being submitted to the appointing authority. A good deal of discussion resulted regarding these Rule changes, as a special Rules Committee rests within the Commission.

Ms. Orr discussed the volume of State Police Cadet applications that were arriving in the office, stating that over 600 had already been received and that the Staff was developing procedures and form letters to handle these.

This concludes the Director's Report.

- Item 4. Mark Falcon addressed the Commission regarding a settlement proposal in the Appeal of Joe C. Guthrie, Jr. and the Public Investigation of Wharton J. Wicker, Docket Numbers 91-08-0 and 91-12-I (Consolidated). Messrs. Falcon and Dixon discussed specific terms of the settlement.

On motion duly made, seconded and passed, the Commission approved the proposed settlement as set forth in Mr. Falcon's letter of May 24, 1991, with one further revision of adding a seventh item, allowing the employee to accrue the benefits of the annual and sick leave back to the date that he is being reinstated and placed on sick leave. This would also include the costs appellant paid for the State's portion of his hospitalization, life insurance, etcetera, as referenced in the settlement letter. The Motion was passed without opposition.

- Item 5. Consideration of the Minutes of the State Police Commission meeting of June 10, 1991. In regards to Item 2, office rental space will be calculated at approximately \$13.10 per square foot. The Department of Public Safety and Corrections will no longer provide free office space and may be even require retroactive rental income if monies are available from last fiscal year. At the present time, it is not known the amount of monies remaining in Fiscal Year 1990/91. In regards to Item 3, a name change was initiated from Executive Assistant to "Confidential Assistant" for Ms. Russ by the Director.

In Item 8, law regarding "Market Grade Adjustments for Polygraphists" is being sought by Chief Counsel Ershler. In Item 6, paragraph 1, the Director stated that final approval for "Market Grade Adjustments for Polygraphists" must be made by the Governor and that a notice of thirty days is required of a pay plan hearing.

Regarding Item 12, "Enabling Legislation," putting the State Police Service under the Department of State Civil Service is being researched by Chief Counsel Ershler at the Law Institute and Mr. Ershler will advise the State Police Commission at our August Commission meeting.

Regarding Item 10, Chief Counsel Ershler is researching the legality of the Commission and its Director having the legal authority to adopt Rules and empower jurisdiction over its own employees and affairs. Mr. Ershler, in reading the Constitution, feels the Commission does have the authority to create positions for its employees.

Ms. Orr has requested an opportunity to appear before the State Civil Service Commission on July 10, 1991 to request that the employees of the State Police Commission be placed in the unclassified state service.

Chairman Conway suggested that after the July 10th, 1991, meeting between the Staff of the State Police Commission and the State Civil Service Commission, the State Police Commission would then proceed making of Rules for its own employees.

The Director reported an amendment by the Senate which increased the State Police Commission table of organization from three to five persons. There will be a five person permanent staff, with Norman W. Ershler as our contract attorney and any part-time personnel will not be a part of our TO (i.e. students).

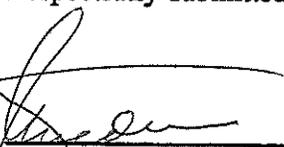
Item 15, Professional Services Contract is unsigned by the Chairman. Although only the Director signs this contract, currently it has been put on hold pending Ms. Maki's permanent employment with the State Police Commission. At such time, all transcripts will be transcribed as a part of her job duties.

Item 6. On motion duly made, seconded and passed, the Commission voted to approve the Minutes from the June 10, 1991 meeting. The Motion was passed without opposition.

Item 7. On Motion duly made, seconded and passed, the Commission voted to hold its monthly meeting on the third Monday of each month. The Motion passed without opposition.

There being no further business, the meeting adjourned at 11:50 a.m. until 9:00 a.m., Monday, August 19, 1991.

Respectfully submitted:



Jane Orr, Director



James R. Conway, III, Chair

MINUTES

STATE POLICE COMMISSION

AUGUST 19, 1991

The State Police Commission convened its monthly meeting at 9:10 a.m. on Monday, August 19, 1991 in Classroom 17, T.T.G. Building, Louisiana State Police Training Academy, 7901 Independence Boulevard, Baton Rouge, Louisiana. Present were Chair James R. Conway, III and Members Joseph T. Booth, Roane E. Hathorn, Clifford V. Johnson, Richard N. Kinsey and Helen E. Mendell. Vice-Chair Ollie Christian was absent. Also present were Jane Orr, Executive Director; Norman W. Ershler, Chief Counsel; and Gilda R. Russ, Confidential Assistant.

On motion duly made, seconded and passed, the Commission voted to grant the joint stipulation for continuance presented by counsel in connection with the Appeal of Joseph F. Piazza, (Department of Public Safety and Corrections, Office of State Police, Troop L), Docket No. 91-10-0. This matter will be continued pending the outcome of a decision rendered by the Court of Appeal, First Circuit in connection with the action pending in No. CA/90/1242-C. A decision is expected by October 18, 1991.

There were no employees present to address the Commission at the employee forum.

Sergeant James E. Jordan, Jr., President of the Louisiana State Troopers' Association, made a presentation and entertained questions from the Commission members relative to the pay

adjustments more fully set forth in Attachment 1 hereto.

Colonel Marlin A. Flores, Deputy Secretary of the Department of Public Safety and Corrections, Office of State Police, also made a presentation and entertained questions from the Commission members relative to the requested pay adjustments more fully set forth in Attachment 1 hereto.

The Commission considered, but took no action, on the pay adjustments, deferring such decision to the expertise of the Executive Director and her staff, with a written decision to be forthcoming from the Executive Director.

The Executive Director advised the Commission of the status of the following: budget for the remaining of the fiscal year; relocation of the Commission staff's offices; and testing for State Police Cadets. Ms. Orr advised the Commission that to date, her office had received in excess of 2,000 applications for Cadet and had 1085 persons scheduled to take the Cadet examination the week of August 19, 1991.

Ms. Rosemary P. Hannie, Deputy Commissioner of Statewide Human Resources of the Division of Administration, made a presentation to the Commission relative to the need to develop a rule concerning the commissioned employees of the Office of State Police as it relates to their active duty service in connection with the Desert Storm/Desert Shield operation. Mmes. Hannie and Orr will have a rough draft of a rule proposal to submit to the Commission for their review at the September 16, 1991 meeting.

There being no further business, the Commission adjourned its meeting at 12:00 noon until Monday, September 16, 1991.

Respectfully submitted:



Jane Orr, Executive Director



James R. Conway, III, Chair



LOUISIANA STATE TROOPERS ASSOCIATION

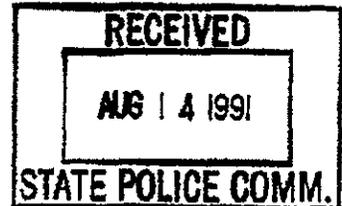


JAMES E. JORDAN, JR.
PRESIDENT

August 12, 1991
LSTA1/JEJ/023

ROBERT 'RONNIE' MOORE
SECRETARY/TREASURER

Ms. Jane Orr, Director
State Police Commission
P. O. Box 66555
Baton Rouge, LA 70896



Dear Ms. Orr:

As you are aware, in August of 1990 the State Civil Service Commission established the position of State Police Master Trooper for troopers with eight or more years of experience. Since its inception, over 200 troopers have been promoted into the position with a commensurate 7% increase in pay. Concurrent with the implementation of the Master Trooper position, the State Civil Service Commission adjusted the pay grade of State Police Sergeant from GS 16 to GS 17, and all incumbent State Police Sergeants received a 7% increase in pay. In March of this year, the State Police Commission approved a Market Grade Adjustment for State Police Lieutenant to help alleviate some of the inequities caused by the salary adjustments given to the lower ranks, resulting in a 7% increase in pay for all lieutenants. In April, the Commission gave the same adjustment to State Police Polygraphist.

In March, the Troopers Association did not seek a salary adjustment for our other commissioned positions due to the Commission's reluctance to address salary issues at that time, and because we were optimistic that a new pay plan could be adopted in July that would address all pay matters. Due to budgetary constraints, it is impossible for us to advance the pay plan, which you helped develop, that would correct the various inequities that plague the existing pay plan. This has left only a few commissioned officers who have not benefited, or will not benefit, from the 7% raise granted other officers. Therefore, we are requesting that the following positions be granted a one GS level Market Grade Adjustment, pursuant to State Police Service Rule 6.6:

State Police Deputy Superintendent
State Police Chief of Staff
State Police Major
State Police Captain
State Police Command Pilot
State Police Deputy Command Pilot
State Police Pilot
Forensic Scientist Laboratory Director *
Applied Technology Director *

- * These positions were civilianized by the 6-29-87 Classification and Pay Plan, but are presently occupied by commissioned officers. The Market Grade Adjustment for these positions should exist only as long as commissioned officers occupy the positions.

P.O. BOX 66674 • BATON ROUGE, LOUISIANA 70896 • (504) 825-3925

Attachment 1

Ms. Orr
Page 2

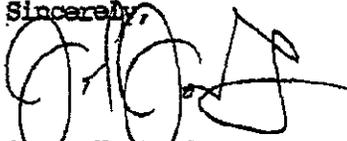
This request, if approved, will only affect 28 individuals, at a total annual cost of \$80,556.

Although the position of State Police Superintendent is currently unclassified and not under the jurisdiction of the Commission, the Commission staff should evaluate the pay of the Superintendent's position, and consider recommending a pay change to the governor. Under the current Classification and Pay Plan for State Police, both the Deputy Superintendent and the Chief of Staff will soon earn more than the Superintendent. Additionally, the pay of the State Police Superintendent is substantially out of line with that of other state law enforcement agency heads in the southeastern United States, as well as many Chiefs of Police in Louisiana.

Please find attached a history of State Police pay changes since the adoption of the current Classification and Pay Plan on 6-29-87.

Please place this item on the agenda for the Commission's August 19, 1991, meeting.

Sincerely,



James E. Jordan, Jr.
President
Louisiana State Troopers Association

c: L.S.P. Command Staff
L.S.T.A. Board of Directors

Attachments

6-29-87 ADOPTION

<u>PARAMILITARY POSITIONS</u>	<u>GS LEVEL</u>	<u>MONTHLY MINIMUM</u>	<u>MONTHLY MAXIMUM</u>	<u>SPECIALIZED POSITIONS</u>
	GS 32	5439	8159	
	GS 31	5083	7625	
	GS 30	4750	7125	
	GS 29	4440	6660	
	GS 28	4149	6224	
	GS 27	3878	5817	
Deputy Superintendent	GS 26	3624	5436	
	GS 25	3387	5081	
	GS 24	3165	4748	
Chief of Staff	GS 23	2958	4437	
	GS 22	2765	4148	
Major	GS 21	2584	3876	
	GS 20	2415	3623	Command Pilot
Captain	GS 19	2257	3386	
	GS 18	2110	3165	
	GS 17	1971	2957	Dpy Com Pilot
Lieutenant	GS 16	1842	2763	
	GS 15	1722	2583	Pilot
Sergeant	GS 14	1609	2414	
	GS 13	1504	2256	Polygraphist
Trooper	GS 12	1406	2109	
Cadet	GS 11	1314	1971	
	GS 10	1228	1842	
	GS 09	1148	1722	
	GS 08	1073	1610	
	GS 07	1002	1503	
	GS 06	936	1404	
	GS 05	876	1314	
	GS 04	818	1227	
	GS 03	765	1148	
	GS 02	715	1073	
	GS 01	668	1002	

Plus \$250/month supplemental pay for all positions.

FOLLOWING INCLUSION OF SUPPLEMENTAL PAY ON 6-28-89

<u>PARAMILITARY POSITIONS</u>	<u>GS LEVEL</u>	<u>MONTHLY MINIMUM</u>	<u>MONTHLY MAXIMUM</u>	<u>SPECIALIZED POSITIONS</u>
	GS 32	5439	8159	
	GS 31	5083	7625	
	GS 30	4750	7125	
	GS 29	4440	6660	
	GS 28	4149	6224	
	GS 27	3878	5817	
Deputy Superintendent	GS 26	3624	5436	
	GS 25	3387	5081	
Chief of Staff	GS 24	3165	4748	
	GS 23	2958	4437	
Major	GS 22	2765	4148	
	GS 21	2584	3876	Command Pilot
Captain	GS 20	2415	3623	
	GS 19	2257	3386	Dpy Com Pilot
Lieutenant	GS 18	2110	3165	
	GS 17	1971	2957	Pilot
Sergeant	GS 16	1842	2763	
	GS 15	1722	2583	Polygraphist
Trooper	GS 14	1609	2414	
Cadet	GS 13	1504	2256	
	GS 12	1406	2109	
	GS 11	1314	1971	
	GS 10	1228	1842	
	GS 09	1148	1722	
	GS 08	1073	1610	
	GS 07	1002	1503	
	GS 06	936	1404	
	GS 05	876	1314	
	GS 04	818	1227	
	GS 03	765	1148	
	GS 02	715	1073	
	GS 01	668	1002	

PROPOSED 8-19-91

<u>PARAMILITARY POSITIONS</u>	<u>GS LEVEL</u>	<u>MONTHLY MINIMUM</u>	<u>MONTHLY MAXIMUM</u>	<u>SPECIALISED POSITIONS</u>
	GS 32	5439	8159	
	GS 31	5083	7625	
	GS 30	4750	7125	
	GS 29	4440	6660	
	GS 28	4149	6224	
Deputy Superintendent	GS 27	3878	5817	
	GS 26	3624	5436	
Chief of Staff	GS 25	3387	5081	
	GS 24	3155	4748	
Major	GS 23	2958	4437	
	GS 22	2755	4148	
Captain	GS 21	2584	3875	Command Pilot
	GS 20	2415	3623	Dpy Com Pilot
Lieutenant	GS 19	2257	3386	Polygraphist
	GS 18	2110	3155	Pilot
Sergeant	GS 17	1971	2957	
	GS 16	1842	2763	
Master Trooper	GS 15	1722	2583	
Trooper	GS 14	1609	2414	
Cadet	GS 13	1504	2256	
	GS 12	1406	2109	
	GS 11	1314	1971	
	GS 10	1228	1842	
	GS 09	1148	1722	
	GS 08	1073	1610	
	GS 07	1002	1503	
	GS 06	936	1404	
	GS 05	876	1314	
	GS 04	818	1227	
	GS 03	765	1148	
	GS 02	715	1073	
	GS 01	668	1002	

**IMPLEMENTATION OF MASTER TROOPER AND OTHER ADJUSTMENTS
(CURRENT)**

<u>PARAMILITARY POSITIONS</u>	<u>GS LEVEL</u>	<u>MONTHLY MINIMUM</u>	<u>MONTHLY MAXIMUM</u>	<u>SPECIALIZED POSITIONS</u>
	GS 32	5439	8159	
	GS 31	5083	7625	
	GS 30	4750	7125	
	GS 29	4440	6660	
	GS 28	4149	6224	
	GS 27	3878	5817	
Deputy Superintendent	GS 26	3624	5436	
	GS 25	3387	5081	
Chief of Staff	GS 24	3165	4748	
	GS 23	2958	4437	
Major	GS 22	2765	4148	
	GS 21	2584	3876	Command Pilot
Captain	GS 20	2415	3623	
Lieutenant	GS 19	2257	3386	DCP/Polygraph
	GS 18	2110	3165	
Sergeant	GS 17	1971	2957	Pilot
	GS 16	1842	2763	
Master Trooper	GS 15	1722	2583	
Trooper	GS 14	1609	2414	
Cadet	GS 13	1504	2256	
	GS 12	1406	2109	
	GS 11	1314	1971	
	GS 10	1228	1842	
	GS 09	1148	1722	
	GS 08	1073	1610	
	GS 07	1002	1503	
	GS 06	936	1404	
	GS 05	876	1314	
	GS 04	818	1227	
	GS 03	765	1148	
	GS 02	715	1073	
	GS 01	668	1002	



MINUTES
STATE POLICE COMMISSION
SEPTEMBER 16, 1991

The State Police Commission convened its monthly meeting at 9:15 a.m. on Monday, September 16, 1991, in Classroom No. 3, State Police Training Academy, Administration Building, 7901 Independence Boulevard in Baton Rouge, Louisiana. Present were Chair James R. Conway, III, Vice-Chair Ollie Christian and Members Joseph T. Booth, Roane E. Hathorn, Clifford V. Johnson, Richard N. Kinsey and Helen E. Mendell. Also present were Jane Orr, Executive Director; and Gilda R. Russ, Confidential Assistant.

Employee Opportunity to Address the Commission: Presentations were made to the Commission by Colonel Marlin A. Flores, Sergeant James E. Jordan, Jane Orr, Debra Johnson and David Hayes relative to the market grade adjustments for the classes listed on Attachment A hereto. The Commission took the matter under advisement, with written notice relative to the request to be forthcoming. [See written response attached hereto as Attachment B.]

On motion duly made, seconded and passed, the Commission voted to approve the settlement of the **Appeal of Jaime C. Hanna**, (Department of Public Safety and Corrections, Office of State Police, Troop G), Docket No. 91-02-0.

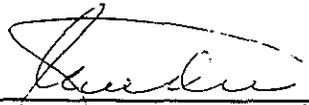
On motion duly made, seconded and passed, the Commission voted to amend State Police Commission Rule 13.35, as more fully detailed in Attachment C hereto.

On motion duly made, seconded and passed, the Commission voted

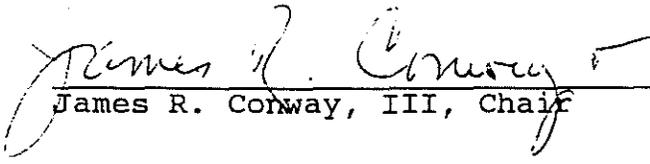
to forward to the Governor for approval an amendment to State Police Commission Rule 11.26, as more fully detailed in Attachment D hereto.

There being no further business, the Commission adjourned its meeting at 3:00 p.m. until Monday, October 21, 1991.

Respectfully submitted:



Jane Orr, Executive Director



James R. Conway, III, Chair

Attachments



LOUISIANA STATE TROOPERS ASSOCIATION

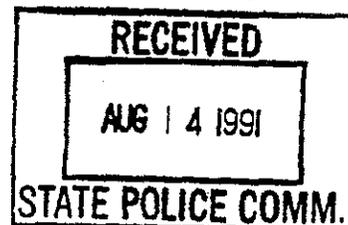


JAMES E. JORDAN, JR.
PRESIDENT

August 12, 1991
LSTAL/JEJ/023

ROBERT "RONNIE" MOORE
SECRETARY/TREASURER

Ms. Jane Orr, Director
State Police Commission
P. O. Box 66555
Baton Rouge, LA 70896



Dear Ms. Orr:

As you are aware, in August of 1990 the State Civil Service Commission established the position of State Police Master Trooper for troopers with eight or more years of experience. Since its inception, over 200 troopers have been promoted into the position with a commensurate 7% increase in pay. Concurrent with the implementation of the Master Trooper position, the State Civil Service Commission adjusted the pay grade of State Police Sergeant from GS 16 to GS 17, and all incumbent State Police Sergeants received a 7% increase in pay. In March of this year, the State Police Commission approved a Market Grade Adjustment for State Police Lieutenant to help alleviate some of the inequities caused by the salary adjustments given to the lower ranks, resulting in a 7% increase in pay for all lieutenants. In April, the Commission gave the same adjustment to State Police Polygraphist.

In March, the Troopers Association did not seek a salary adjustment for our other commissioned positions due to the Commission's reluctance to address salary issues at that time, and because we were optimistic that a new pay plan could be adopted in July that would address all pay matters. Due to budgetary constraints, it is impossible for us to advance the pay plan, which you helped develop, that would correct the various inequities that plague the existing pay plan. This has left only a few commissioned officers who have not benefited, or will not benefit, from the 7% raise granted other officers. Therefore, we are requesting that the following positions be granted a one GS level Market Grade Adjustment, pursuant to State Police Service Rule 6.6:

State Police Deputy Superintendent
State Police Chief of Staff
State Police Major
State Police Captain
State Police Command Pilot
State Police Deputy Command Pilot
State Police Pilot
Forensic Scientist Laboratory Director *
Applied Technology Director *

- * These positions were civilianized by the 6-29-87 Classification and Pay Plan, but are presently occupied by commissioned officers. The Market Grade Adjustment for these positions should exist only as long as commissioned officers occupy the positions.

Ms. Orr
Page 2

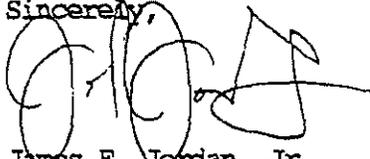
This request, if approved, will only affect 28 individuals, at a total annual cost of \$80,556.

Although the position of State Police Superintendent is currently unclassified and not under the jurisdiction of the Commission, the Commission staff should evaluate the pay of the Superintendent's position, and consider recommending a pay change to the governor. Under the current Classification and Pay Plan for State Police, both the Deputy Superintendent and the Chief of Staff will soon earn more than the Superintendent. Additionally, the pay of the State Police Superintendent is substantially out of line with that of other state law enforcement agency heads in the southeastern United States, as well as many Chiefs of Police in Louisiana.

Please find attached a history of State Police pay changes since the adoption of the current Classification and Pay Plan on 6-29-87.

Please place this item on the agenda for the Commission's August 19, 1991, meeting.

Sincerely,



James E. Jordan, Jr.
President
Louisiana State Troopers Association

c: L.S.P. Command Staff
L.S.T.A. Board of Directors

Attachments

PROPOSED 8-19-91

<u>PARAMILITARY POSITIONS</u>	<u>GS LEVEL</u>	<u>MONTHLY MINIMUM</u>	<u>MONTHLY MAXIMUM</u>	<u>SPECIALIZED POSITIONS</u>
	GS 32	5439	8159	
	GS 31	5083	7625	
	GS 30	4750	7125	
	GS 29	4440	6660	
	GS 28	4149	6224	
Deputy Superintendent	GS 27	3878	5817	
	GS 26	3624	5436	
Chief of Staff	GS 25	3387	5081	
	GS 24	3165	4748	
Major	GS 23	2958	4437	
	GS 22	2765	4148	Command Pilot
Captain	GS 21	2584	3876	
	GS 20	2415	3623	Dpy Com Pilot
Lieutenant	GS 19	2257	3386	Polygraphist
	GS 18	2110	3165	Pilot
Sergeant	GS 17	1971	2957	
	GS 16	1842	2763	
Master Trooper	GS 15	1722	2583	
Trooper	GS 14	1609	2414	
Cadet	GS 13	1504	2256	
	GS 12	1406	2109	
	GS 11	1314	1971	
	GS 10	1228	1842	
	GS 09	1148	1722	
	GS 08	1073	1610	
	GS 07	1002	1503	
	GS 06	936	1404	
	GS 05	876	1314	
	GS 04	818	1227	
	GS 03	765	1148	
	GS 02	715	1073	
	GS 01	668	1002	

September 20, 1991

Colonel Marlin A. Flores, Deputy Secretary
Department of Public Safety and Corrections
Office of State Police
Post Office Box 66614
Baton Rouge, Louisiana 70896-6614

Dear Colonel Flores:

At its September 16, 1991 meeting, the State Police Commission approved market grade adjustments for the following classes in the Office of State Police:

<u>Class:</u>	<u>Current GS</u>	<u>Market Grade GS</u>
Deputy Superintendent	GS-26	GS-27
Chief of Staff	GS-24	GS-25
Major	GS-22	GS-23
Captain	GS-20	GS-21
State Police Command Pilot	GS-21	GS-22
State Police Deputy Command Pilot	GS-19	GS-20
State Police Pilot	GS-17	GS-18
Forensic Scientist Laboratory Director	GS-21	GS-22
Applied Technology Director	GS-20	GS-21

The effective date for these market grade adjustments is August 19, 1991.

Sincerely,

Jane Orr
Executive Director

cc: Mr. Russell J. Culotta

13.33 Interrogatories; Pre-Trial Discovery; Rehearing of Appeal.

- (a) Interrogatories and pre-trial discovery proceedings shall not be recognized by the Commission or a referee.
- (b) No rehearing shall be granted from a final decision of the Commission or from a final decision of a referee. Final decisions of a referee shall be subject to review as is provided in Rule 13.36.

13.34 Finality of Commission Action on Rules and Plans.

No appeal to the Commission shall lie from the adoption by the Commission, after public hearing, of a Classification Plan, a Pay Plan, or of any Rule, or of any Amendment to said Plans or Rules.

*13.35 Attorney's Fees.

- (a) When the Commission approves a settlement, rescission or modification of an action that has been appealed, or renders a decision which reverses or modifies an action that has been appealed, the appellee may be ordered to pay attorney's fees in an amount not to exceed \$1,500, unless the Commission finds that the appointing authority has acted arbitrarily and capriciously, in which case the Commission may award reasonable attorney's fees in excess of that amount.
- (b) The Commission or a referee may allow such evidence and argument in support of the request for attorney's fees as is deemed appropriate considering the status of the appeal at the time the request for attorney's fees is filed. No attorney's fees shall be awarded unless a written request is filed before the final disposition of the appeal by the Commission.

13.36 Application for Review of a Referee's Decision.

- (a) Any party may file with the Commission an application requesting the Commission to review a decision of a Referee on any question of law or fact.

T/S-01
9/16/91

September 19, 1991

Honorable Buddy E. Roemer, Governor
State of Louisiana
Office of the Governor
Post Office Box 94004
Baton Rouge, Louisiana 70804-9005

Attention: Ms. Rosemary Hannie

In Re: Implementation of State Police
Commission Rule 11.26

Dear Governor Roemer:

At its September 16, 1991 meeting, the State Police Commission adopted the amendment to State Police Commission Rule 11.26 as follows:

11.26 Military Leave

- (a) . . .
- (b) . . .
- (c) . . .
- (d) . . .
- (e) A probationary or permanent employee, who is a member of a reserve component of the Armed Forces of the United States and is involuntarily called to active duty prior to December 31, 1991, as a result of the August 1990 Persian Gulf Crisis, for the duration of the involuntary service, and is released from satisfactory active military duty, upon furnishing appropriate official documents to the Superintendent of State Police:
 - 1. shall be allowed fifteen (15) working days per calendar year of military leave with pay;
 - 2. and shall continue to accrue sick and annual leave on the same basis as though

he/she had not been activated and be credited such leave and all emoluments upon return from involuntary active duty as though he/she had not been activated;

3. and shall be retained in either leave with pay or leave without pay status for the duration of the involuntary active duty;
4. and shall not be subject to separation for the duration of the resulting active duty, provided he/she returns to employment within ninety days after release from active duty;
5. and may repurchase in one payment only all or part of any annual leave used during the period of involuntary service within twenty-four (24) months from return to active state service;
6. and, where the military base pay was less than the state base pay:
 - (a) if leave without pay was utilized for the entire period of involuntary service, shall be paid the difference between the military base pay and the state base pay; or
 - (b) if paid annual and/or compensatory leave was used during the entire period of involuntary service, shall be recredited with the value of that used leave represented by the difference in military base pay and state base pay in the same proportion as that leave was used during the period of involuntary service; or
 - (c) if leave without pay was used for a portion of the period of involuntary service, shall be paid a portion of the difference in military base pay and state base pay that is the same as the portion that leave without pay is of the total of all leave taken. For the remaining portion of

the pay difference, the formula used in part (e)6(b) shall apply.

- (f) A probationary or permanent employee, who was called to involuntary active duty as a result of the August 1990 Persian Gulf Crisis, and resigned from state service, may, at his/her request, and within ninety (90) days of his/her release from active duty, have his/her resignation rescinded and become eligible for the benefits of sub-section (e) of this rule.

Your favorable approval of this request will be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

Jane Orr
Executive Director

SPC:JO

MINUTES

STATE POLICE COMMISSION

OCTOBER 21, 1991

The State Police Commission convened its monthly meeting at 9:10 a.m. on Monday, October 21, 1991, in Classroom No. 17, T.T.G. Building, Second Floor, Louisiana State Police Training Academy, 7901 Independence Boulevard in Baton Rouge, Louisiana. Present were Chair James R. Conway, III, Vice-Chair Ollie Christian and Members Joseph T. Booth, Roane E. Hathorn, Clifford V. Johnson, Richard N. Kinsey and Helen E. Mendell. Also present were Jane Orr, Executive Director; Debra Johnson, Deputy Director; Gilda R. Russ, Confidential Assistant; Jodi R. Walker, Executive Secretary; and Norman W. Ershler, Chief Counsel.

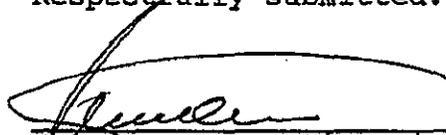
On motion duly made, seconded and passed, the Commission voted to approve extending the maximum of the Pay Plan by 4% at the top, retroactive to July 1, 1991. Inasmuch as this action affects employee pay, final approval and passage of the extension of the maximum is contingent upon approval by the Governor. (See Attachment A hereto.)

On motion duly made, seconded and passed, the Commission voted to approve the Minutes from the September 16, 1991 meeting.

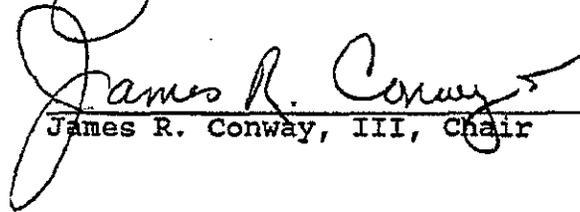
The public hearing of the appeal of Wendell Lewis, (Department of Public Safety and Corrections, Office of State Police, Troop F), Docket No. 91-14-S, was heard. After receiving evidence and argument in connection with the matter, the Commission took the matter under advisement, with a written decision to be forthcoming.

There being no further business, the Commission adjourned its meeting at 6:30 p.m., until Monday, November 18, 1991.

Respectfully submitted:



Jane Orr, Executive Director



James R. Conway, III, Chair

Attachment

JOB TITLE	GS LEVEL	MINIMUM SALARY	MAXIMUM SALARY	PROPOSED MAXIMUM SALARY
STATE POLICE CADET	GS-13	\$1504	\$2256	\$2347
STATE POLICE TROOPER	GS-14	\$1609	\$2414	\$2511
STATE POLICE MASTER TROOPER	GS-15	\$1722	\$2583	\$2687
STATE POLICE SERGEANT	GS-17	\$1971	\$2957	\$3076
STATE POLICE LIEUTENANT	GS-19	\$2257	\$3386	\$3522
STATE POLICE CAPTAIN	GS-21	\$2584	\$3876	\$4032
STATE POLICE MAJOR	GS-23	\$2958	\$4437	\$4615
STATE POLICE CHIEF OF STAFF SERVICES	GS-25	\$3387	\$5081	\$5285
STATE POLICE DEPUTY SUPERINTENDENT	GS-27	\$3878	\$5817	\$6050
STATE POLICE PILOT	GS-18	\$2110	\$3165	\$3292

ATTACHMENT A

JOB TITLE	GS LEVEL	MINIMUM SALARY	MAXIMUM SALARY	PROPOSED MAXIMUM SALARY
STATE POLICE COMMAND PILOT	GS-22	\$2765	\$4148	\$4314
STATE POLICE DEPUTY COMMAND PILOT	GS-20	\$2415	\$3623	\$3768
STATE POLICE POLYGRAPHIST	GS-19	\$2257	\$3386	\$3522
FORENSIC SCIENTIST LABORATORY DIRECTOR	GS-22	\$2765	\$4148	\$4314
APPLIED TECHNOLOGY DIRECTOR	GS-21	\$2584	\$3876	\$4032

MINUTES

STATE POLICE COMMISSION

NOVEMBER 18, 1991

The State Police Commission convened its monthly meeting at 9:12 a.m., Monday, November 18, 1991, in Classroom No. 17, Second Floor, Dormitory Building, State Police Training Academy, 7901 Independence Boulevard in Baton Rouge, Louisiana. Present were Chair James R. Conway, III and Members Joseph T. Booth, Roane E. Hathorn, Clifford V. Johnson and Richard N. Kinsey. Vice-Chair Ollie Christian and Helen E. Mendell were absent. Also present were Jane Orr, Executive Director; Debra Johnson, Deputy Director; Gilda R. Russ, Confidential Assistant; Jodi R. Walker, Executive Secretary; and Norman W. Ershler, Chief Counsel.

On motion duly made, seconded and passed, the Commission voted to approve the Minutes of the October 21, 1991 meeting.

The public hearing of the appeal of Jerry Overfelt, (Department of Public Safety and Corrections, Office of State Police, Protective Services), Docket No. 91-15-S, was heard. After receiving evidence and argument in connection with the matter, the Commission took the matter under advisement, with a written decision to be forthcoming.

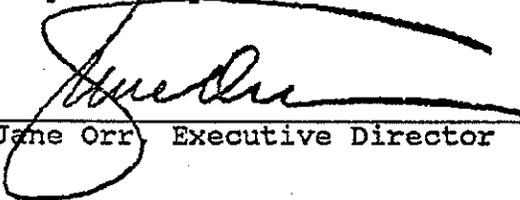
The Commission received a presentation from Russell J. Culotta relative to overtime pay for State Police Sergeants, pursuant to the provisions of State Police Commission Rule 6.27(a)1. On motion duly made, seconded and passed, overtime pay for State Police Sergeants was approved, retroactive to January 1, 1991. (See Attachment "A" hereto.)

The Commission received a presentation from Jane Orr relative to the Commission's budget situation for the remainder of Fiscal Year 1991/92.

The Commission considered, but took no action, on a request from Jane Orr relative to implementation of a set of rules to govern the conduct of employees of the State Police Commission. The Commission asked that specific rules be presented at the December 16, 1991 meeting.

There being no further business, the Commission adjourned its meeting at 4:50 p.m., until Monday, December 16, 1991.

Respectfully submitted:



Jane Orr, Executive Director



James B. Conway, III, Chair



BUDDY ROEMER
GOVERNOR

STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

PUBLIC SAFETY SERVICES

October 29, 1991
HQ-1-2699

COL. MARLIN A. FLORES
DEPUTY SECRETARY

Honorable Members of the State Police Commission
P. O. Box 66555
Baton Rouge, Louisiana 70896-9555

Dear Sirs and Mesdames:

Since February 11, 1976, by authority of the State Civil Service Commission, granted at its meeting of that date, we have been making overtime payments to State Police Sergeants.

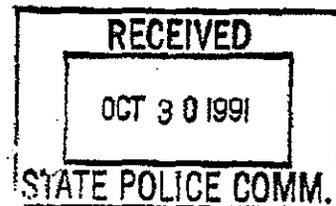
Even though Sergeants are first line supervisors and considered as being exempt under the Fair Labor Standards Act, there are many occasions when they must perform the duties of a road trooper as well as supervise functions of other officers. They are often placed in situations where they are required to work, along with regular troopers, beyond their regular duty hours, and we believe that they should be adequately compensated for such.

Therefore, we are hereby requesting a continuation of this authority, under the provisions of State Police Service Rule 8.27(a)1., from beginning of business January 1, 1991, the date the State Police Commission became effective.

Sincerely,

Marlin Flores, Colonel
Deputy Secretary, Public Safety
Superintendent, State Police

cc: Ms. Jane Orr



P.O. BOX 66614, BATON ROUGE, LA. 70896

(504) 225-8117



MINUTES

STATE POLICE COMMISSION

DECEMBER 16, 1991

The State Police Commission convened its monthly meeting at 9:18 a.m., Monday, December 16, 1991, in Classroom No. 17, Second Floor, Dormitory Building, Louisiana State Police Training Academy, 7901 Independence Boulevard in Baton Rouge, Louisiana. Present were Vice-Chair Ollie V. Christian and Members Joseph T. Booth, Roane E. Hathorn, Clifford V. Johnson, Richard N. Kinsey and Helen E. Mendell. Chair James R. Conway, III was absent. Also present were Jane Orr, Executive Director; Debra Johnson, Deputy Director; Gilda R. Russ, Confidential Assistant; and Norman W. Ershler, Chief Counsel.

On motion duly made, seconded and passed, the Commission voted to approve the Minutes of the November 18, 1991 meeting.

On motion duly made, seconded and passed, the Commission voted to defer action on the Pay Plan Hearing until its January 20, 1992 meeting.

Ms. Orr advised the Commission that January 20, 1992 has been designated a state holiday. Therefore, the January 20, 1992 meeting will be changed to January 27, 1992. The meeting will commence at the same time and will be held in the same location.

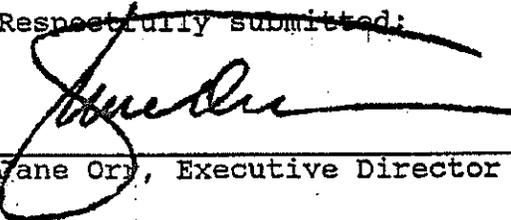
Appearances were made by Russell J. Culotta, Lt. Colonel Kenneth D. Norris and James C. Dixon, on behalf of the appointing authority, to request that the Commission continue the Rule Hearing concerning revisions to Chapters 7, 8 and 9 of the State Police Commission Rules, pending the official appointment of the Deputy

Secretary of the Department of Public Safety and Corrections, Office of State Police. Sergeant James E. Jordan made a presentation on behalf of the Louisiana State Troopers Association, opposing continuance of the Rules Hearing. On motion duly made, seconded and passed, the Commission voted to defer any action on adoption of any new Rules until the January 27, 1992 meeting, in order to allow input by the new Deputy Secretary.

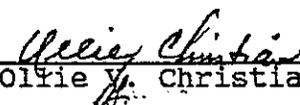
Sergeant James E. Jordan requested the Commission reconsider their earlier ruling concerning the Pay Plan Hearing. Pursuant to Sergeant Jordan's request, the Commission agreed to consider the Pay Plan items. On motion duly made, seconded and passed, the Commission voted to ratify the interim market grade adjustments more fully outlined in Attachment A hereto. These market grade adjustments are now to be submitted to the Governor for approval.

There being no further business, the Commission adjourned its meeting at 10:40 a.m., until Monday, January 27, 1992.

Respectfully submitted:



Jane Orr, Executive Director



Ollie V. Christian, Vice-Chair

MARKET GRADE ADJUSTMENTS

CLASS	FORMER GS	MAXIMUM PAY	MARKET GRADE GS	MAXIMUM PAY	DATE
Pilot	17	\$2957	18	\$3165	8/19/91
Lieutenant	18	\$3165	19	\$3386	3/9/91
Polygraphist	18	\$3165	19	\$3386	4/9/91
Deputy Command Pilot	19	\$3386	20	\$3623	8/19/91
Captain	20	\$3623	21	\$3876	8/19/91
Applied Tech. Director	20	\$3623	21	\$3876	8/19/91
Command Pilot	21	\$3876	22	\$4148	8/19/91
Forensic Science Lab. Dir.	21	\$3876	22	\$4148	8/19/91
Major	22	\$4148	23	\$4437	8/19/91
Chief of Staff	24	\$4748	25	\$5081	8/19/91
Deputy Supt.	26	\$5436	27	\$5817	8/19/91

Attachment A

