

# State Police Commission



Post Office Box 66555  
Baton Rouge, La. 70896-6555  
Phone (504) 925-7057  
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June 4, 1993

General Circular No. 24

To: State Police Commission Members, Colonel Paul W. Fontenot, Russell J. Culotta, Foye L. Lowe, Jr., Rosemary Hannie, Walt Smith, Thomas H. Normile, Baxter W. Welch, Charles R. Dupuy, Mark Bascle, Allen T. Moss, Russell G. Fontenot, Michael D. Rawson, Roger L. Jaubert, James L. Matthews, III, Dennis J. Pellerin, Jerry W. Patrick, Dane K. Morgan and Russell Cook, Sr.

Subject: Revision of State Police Commission Rule 11.23.1

The State Police Commission will hold a public hearing on Monday, July 19, 1993, at 9:00 a.m. to consider revising State Police Commission Rule 11.23.1. The public hearing will be held in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana.

## 11.23.1 Death Leave.

Probationary and permanent employees may be granted time off, as listed below, without loss of pay, annual leave, or sick leave due to death as follows:

- (a) a maximum of three (3) days for the death of a spouse, parent, child or sibling, which shall include step relations of the same degree;
- (b) a maximum of two (2) days for the death of in-laws or grandparents; and
- (c) a maximum of one (1) day for the death of nieces, nephews, aunts, uncles, first-cousins and spouses' grandparents.

The current Rule reads as follows:

## 11.23.1 Funeral Leave.

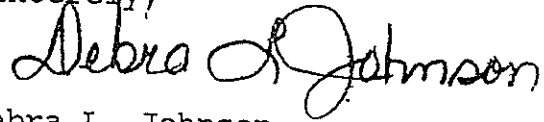
Probationary and permanent employees may be granted time off without loss of pay, annual leave or sick leave, when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law,

grandparent, or grand-child; provided such time off shall not exceed two days on any one occasion.

Explanation

The revision of this Rule is proposed in order to allow for a maximum of three days of death leave for specified family members, rather than the two that currently exists, as well as providing for a varied amount of leave for different family members. The current Rule refers to the employee "attending the funeral or burial rites". The revision does not specify that the leave is used for the specific purpose of "attending the funeral or burial rites".

Sincerely,

A handwritten signature in black ink that reads "Debra L. Johnson". The signature is written in a cursive style with a large, prominent "D" and "J".

Debra L. Johnson  
Interim Executive Director

# State Police Commission



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Baton Rouge, La. 70896-6555  
Phone (504) 925-7057  
Fax (504) 925-7058

June 4, 1993

## MEMORANDUM

To: State Police Commission Members  
From: Debra L. Johnson  
Re: State Police Commission Rule 11.26.1

By memorandum dated April 23, 1993, the revision of the above-referenced Rule was submitted to the Administration and LSTA for receipt of comments on the proposal. After receiving written comments, I have issued General Circular No. 24, placing the matter on the Commission's agenda on July 19, 1993.

For your information, attached hereto please find the following:

1. Letter dated May 25, 1993, from Colonel Fontenot; and
2. Letter dated June 1, 1993, from LSTA.

I have incorporated the suggestions of Colonel Fontenot regarding cousins/first-cousins. LSTA was in support of the revision.

If you have any questions, please feel free to contact me.

Attachments (2)



STATE OF LOUISIANA  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

EDWIN W. EDWARDS  
GOVERNOR

PUBLIC SAFETY SERVICES

May 25, 1993  
HQ-1-821

PAUL W. FONTENOT  
SUPERINTENDENT

Ms. Debra Johnson, Interim Executive Director  
State Police Commission  
P. O. Box 66555  
Baton Rouge, Louisiana 70896-6555

Dear Ms. Johnson:

Reference your memorandum of April 23, 1993, concerning the proposed revision to State Police Commission Rule 11.23.1, Funeral Leave. For reasons outlined in the memorandum to me from Russell Culotta, attached, we are opposed to the proposed revision of this rule.

Sincerely,

Paul W. Fontenot, Colonel  
Superintendent  
Louisiana State Police

Attachment



COURTESY . LOYALTY . SERVICE



LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS  
PUBLIC SAFETY SERVICES  
OFFICE OF MANAGEMENT & FINANCE

May 25, 1993

M E M O R A N D U M

TO: Colonel Paul W. Fontenot  
Deputy Secretary

FROM: Russell J. Culotta  
Human Resource Director

A handwritten signature in black ink, appearing to be "R. Culotta", written over the printed name of the sender.

SUBJECT: State Police Commission Rule 11.23.1, Funeral Leave

Reference Debra Johnson's memorandum of April 23, 1993, concerning the proposed revision of State Police Commission Rule 11.23.1, Funeral Leave. As currently written, the Rule adequately defines the degree of relationship for which employees may be granted up to two days off to attend funeral or burial rites without loss of pay or leave time.

The Civil Service Commission amended Rule 11.23.1 on July 2, 1986. Prior to its amendment, the Rule provided: "An employee may be given time off without loss of pay, annual leave or sick leave when attending the obsequies of a relative within the fourth degree of relationship by blood or affinity; provided such time off shall not exceed two days on any one occasion." This rule was so ambiguous, particularly with regard to what constituted relationships within the fourth degree, that it was almost impossible for the various State departments to manage on an equitable and fair basis.

The rule as proposed for revision appears to be even more ambiguous than the original Civil Service rule, in addition to allowing a "free day" for kinships outside the immediate family. Further, there is no compelling reason for allowing the option of granting three (3) days instead of two (2) for certain family members.

The purpose of this rule is not to give an employee time off for a grieving period, but to allow for time to attend the funeral or burial rites of a deceased family member. The grieving period is something that could be covered by granting paid annual or compensatory leave or leave without pay.

"Buckle Up Louisiana - We Care"

Colonel Paul W. Fontenot

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May 25, 1993

We must remember that this is public service time paid for by the Louisiana taxpayers and should not be freely given away. I believe that the current rule is more than generous in allowing two (2) days. I believe that the State Police Commission would be acting unwisely, from the standpoint of public image alone, if they adopt the revision as proposed, and I would recommend that, if they did, our Department establish a policy identical in wording to the current Funeral Leave Rule.

I recommend that we oppose the proposed revision of this rule.





# LOUISIANA STATE TROOPERS ASSOCIATION

THOMAS H NORMILE  
EXECUTIVE DIRECTOR



BAXTER W. WELCH  
PRESIDENT

June 1, 1993  
LSTA3/BWW/045

ROBERT R. MOORE  
SECRETARY/TREASURER

Ms. Debra Johnson, Interim Executive Director  
Louisiana State Police Commission  
Post Office Box 66555  
Baton Rouge, LA 70896-6555

RE: Your Memo April 23, 1993 Revision Rule 11.23.1 Funeral Leave

Dear Ms. Johnson,

The Louisiana Trooper's Association, Inc. strongly supports a three-day paid funeral leave policy.

As the 'aging of America' continues, it effects state police members and their families just as it does other professionals in their various workplaces.

The purpose of this rule is not to provide an employee time off for a grieving period, but more importantly, to make telephone notifications, to make arrangements to get children out of school, or to transport them to another location for safe keeping. Also, the travel time to and from one's domicile to the place of burial is time consuming and stressful.

The reality of today's various family configurations place single head of households in the mainstream, which often requires them to be a primary care provider for an immediate family, as well as their extended family. Obviously, these families/members are not always located together geographically, thus requiring extended travel. Off-duty time must be sufficient after a burial to assure that the employee is rested prior to returning to duty.

It must be understood that this nation was founded with the judeo Christian morality and therefore places a greater sensitivity to life and its decendancy than any other developed nation.

The fact is readily acknowledged by the existence of rules established by the United Sates government, state governments and police organizations to include 47 of the 49 states that have state police. The lone exceptions are Minnesota and Louisiana (Hawaii does not have a state police cadre.)



Page 2  
Debra Johnson  
June 1, 1993

For simplicity and to avoid the current confusing language contained in the Louisiana Civil Service Rules, the Louisiana Troopers Association offers the following:

Death Leave:

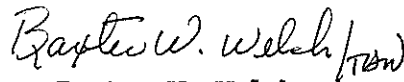
When death occurs within an employee's immediate family (i.e., spouse, parent, step-parent, foster parent, grandparent, parents-in-law, child, stepchild, brother or sister) he/she, shall be excused upon request for up to three (3) days of regularly scheduled work following the death, provided he/she attends the funeral. In the event the body of a member of the employee's family is not buried in continental North America solely because the cause of death has physically destroyed the body, or the body has not been recovered or has been donated for medical purposes, the requirement that the employee attend the funeral will be waived. Payment shall be made at the employee's regular straight-time hourly rate on the last day worked exclusive of overtime and any other premiums.

In closing, the above is offered as 'additional information' for consideration and possible inclusion within Rule 11.23.1 upon modification.

Once again, the LSTA strongly supports the revision of Rule 11.23.1 to include a three (3) day provision.

Thank you for the opportunity to comment.

Sincerely,



Baxter W. Welch  
President  
Louisiana State Troopers Association

BWW/cl



May 28, 1993

To: State Police Commission  
From: Capt. Don McDonald *DM*  
Subject: Rule 11.23.1 - Funeral Leave

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~~Please consider this memo as my official request to withdraw the proposed changes to Rule 11.23.1 - Funeral Leave, that were previously submitted.~~

MEMORANDUM

To: Colonel Paul W. Fontenot, Russell J. Culotta, Foye L. Lowe, Jr., Thomas H. Normile, Walter L. Smith, III and Baxter W. Welch

From: Debra Johnson Date: April 23, 1993

In Re: State Police Commission Rule 11.23.1

Please review the proposed revision to State Police Commission listed below and forward your comments to me, in writing, no later than **May 28, 1993**. If you would like to convene a meeting to discuss the proposal, please contact our office.

11.23.1 Death Leave.

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