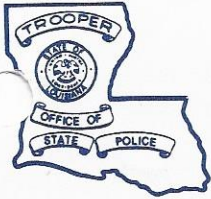


# State Police Commission



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January 25, 1995

Transmittal Sheet No. 10

To: State Police Commission Members, Colonel Paul Fontenot,  
Russell Culotta, Foye Lowe, Walt Smith, William Spencer,  
Baxter Welch, Walter Smith, LSTA Affiliate Presidents and  
Court of Appeal, First Circuit Judges

Subject: Revision of State Police Commission Rule 12.2(b)

At its January 23, 1995 meeting, the State Police Commission revised State Police Commission Rule 12.2(b). Attached is a copy of the Rule for inclusion in your set of Rules.

Sincerely

A handwritten signature in blue ink that reads 'Debra L. Johnson'.

Debra L. Johnson  
Director

Attachment

## CHAPTER 12

### DISCIPLINARY ACTIONS AND SEPARATIONS

#### 12.1 Disciplinary Actions.

An appointing authority may take appropriate action to remove, suspend, demote, reduce in pay, reassign or reprimand an employee for cause.

#### 12.2 Suspensions.

- (a) Any permanent employee who is suspended without pay shall be so notified by his appointing authority or his authorized agent on or before the effective time and date of the commencement of the suspension. Each permanent employee so suspended shall be furnished detailed reasons therefor in writing prior to or within fifteen (15) calendar days following the effective date of the suspension. A copy of such detailed reasons shall be furnished to the Director. For each permanent employee so suspended, the notice containing the detailed reasons for the suspension shall contain the notification of the right to appeal required by Rule 12.3(a)2 below. The written notice containing detailed reasons for the suspension referred to in this paragraph shall be deemed furnished to the employee under the circumstances specified in Rule 12.3(b) below.
- (b) No suspension shall exceed five hundred twenty (520) working hours without the approval of the Commission.
- (c) If the employee's conduct, ability, or performance is found after investigation to be such as not to warrant the suspension levied, a written report of the outcome of the investigation shall be furnished to the Director. With the approval of the Director, the suspension, or a portion thereof, shall be rescinded and the employee shall be paid for the time lost as a result of the unwarranted suspension.
- (d) For purposes of this Rule, "detailed reasons" shall include, at least a description of the misconduct for which the suspension is being levied and shall include the date, time and place of such misconduct, the names of persons directly involved in or directly affected by the misconduct unless their identities are protected by state or federal statute or regulation, in which case, identification shall be made as permitted by such statute or regulation) and such other information as will fully inform the employee of the charge against him and will enable him to prepare a defense. If a suspension is levied for the purpose of investigating suspected misconduct, "detailed reasons" shall include at least a description of the nature of the misconduct suspected, a general time frame in which the conduct is suspected to have occurred, the names of persons directly involved in or directly affected by the suspected misconduct (unless their identities are protected by state or federal statute or regulation, in which case, identification shall be made as permitted by such statute or regulation) and such other information that is

available to the appointing authority that will inform the employee what misconduct is being investigated.

12.3 Procedure in Removals, Demotions and Reductions in Pay of Permanent Employees.

(a) In every case of removal, demotion, or reduction in pay for cause of a permanent employee, the appointing authority or his authorized agent shall:

1. Furnish to the employee at the time such action is taken, or prior thereto, a statement in writing giving detailed reasons for such action.
2. In such cases, the appointing authority or his duly authorized agent shall, commencing January 1, 1991, include in the written notice the following provision: "You may appeal this action to the State Police Commission within 30 days. The appeal must conform to the provisions of Chapter 13 of the State Police Commission Rules."
3. The appointing authority shall furnish the Director a copy of such statement within fifteen calendar days of the date the employee is notified.

(b) A written statement to which reference is made in the preceding paragraph shall be deemed furnished to the employee

1. Upon actual receipt by, or manual delivery to, the employee or to any resident of suitable age and discretion of the employee's domicile, or
2. On the seventh day subsequent to the day on which an appointing authority establishes that it was deposited in the United States Mail, with proper postage affixed, and addressed to the employee at his last known address as furnished to the appointing authority at the time of employment, or as changed by the employee in writing.

(c) For purposes of this Rule, "detailed reasons" shall include at least a description of the misconduct for which the disciplinary action is being levied, the date, time and place of such misconduct, the names of persons directly involved in or directly affected by the misconduct (unless their identifies are protected by state or federal statute or regulation, in which case, identification shall be made as permitted by such statute or regulation) and such other information as will fully inform the employee of the charge against him and will enable him to prepare a defense.

12.4 Repealed effective January 14, 1983, and incorporated into Chapter 17.

12.5 Repealed effective January 14, 1983, and incorporated into Chapter 17.

12.6 Repealed effective January 14, 1983, and incorporated into Chapter 17.