

State Police Commission



Post Office Box 66555
Baton Rouge, La. 70896-6555
Phone (504) 925-7057
Fax (504) 925-7058

February 12, 1996

General Circular No. 56

To: State Police Commission Members, Colonel William "Rut" Whittington, Personnel, Legal, Retirement, LSTA, Walter Smith, Floyd Falcon and LSTA Affiliate Presidents

In Re: Adoption and Revision in Chapters 2, 9 and 12 of the State Police Commission Rules

The State Police Commission will hold a public hearing on Monday, March 18, 1996, at 9:00 a.m. in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana to consider adoption of Rule 2.11.1; adoption of Rules 9.3(e) and (f); revision of Rules 12.10(a) and (b); and adoption of Rule 12.10(c). The proposals are as follows:

2.11.1 Cooperation of Persons Within the State Police Service with the Department of State Civil Service

- (a) Upon request by certified letter from the Director of the Department of State Civil Service, or his representative, all persons within the State Police Service shall fully cooperate with any public investigation being conducted by the Department of State Civil Service, including being interviewed and truthfully answering all questions and/or providing all requested documents.
- (b) Failure of any person within the State Police Service to fully and truthfully cooperate in public investigations being conducted by the Department of State Civil Service shall be in contempt of the State Police Commission and punished accordingly.

9.3 Interruption of Probationary Period Because of Physical and/or Mental Disability or Condition.

- (e) The provisions of Rule 12.10 and, except as hereinafter provided, the provisions of Rule 9.1(e) shall not be effective during the period of interruption provided for by Rule 9.3(a) and Rule 9.4.
- (f) A probationary employee whose physical and/or mental disability or condition prevents them from performing their duties, or a probationary employee who is absent

from duty for military training or military active duty, may be removed by the Appointing Authority under the provisions of Rule 9.1(e) only after certification to the Director of the reasons for the removal and approval by the Director of that removal.

Should the Director disapprove such removal, the employee shall continue in their probationary employment, pursuant to the provisions of Rules 9.3(a) through (c) or Rule 9.4.

12.10 Special Separation of Sick or Disabled Employees.

- (a) A permanent employee absent from duty because of a physical and/or mental disability or condition which prevents performance of the usual duties, shall, upon their request to the appointing authority, be placed in an appropriate leave status for a period not to exceed one (1) year.

In the event no other leave status is available to the employee, he or she may be placed on Leave Without Pay during the one (1) year period referred to in the preceding paragraph.

- (b) After such employee has been absent from duty because of such physical and/or mental disability or condition for one (1) year, and the employee has exhausted all of his or her sick leave, the appointing authority shall, for this reason, remove such employee and shall report such removal, and the reasons therefor, to the Director. Such removal shall not disqualify the former employee from non-competitive reemployment, as provided for by Rule 8.18.
- (c) Notice of the removal of an employee under the provisions of subsection (b) shall be given pursuant to the provisions of Rule 12.3.

Please review these proposals and furnish, in writing, by March 09, 1996, any comments which you consider pertinent. If you would like to appear before the Commission and present your comments orally, you are invited to do so. You must notify Gilda Russ by March 09, 1996 of your intention to address the Commission, in order to be placed on the agenda.

Please post this General Circular prominently so that all employees will receive notice of this hearing. If any special accommodations are needed, please notify us prior to the meeting date.

Sincerely,

Debra L. Johnson

Debra L. Johnson
Director