



State Police Commission

Post Office Box 66555
Baton Rouge, LA. 70896-6555
Phone (225) 925-7057
Fax (225) 925-7058
www.laspc.com

John Bel Edwards
Governor

Jason Hannaman
Executive Director

General Circular No. 184

Date: June 27, 2017

Subject: Revision of State Police Commission Rules 4.1, 8.10(d), 8.10(e), and 11.29. Pursuant to the provisions of State Police Commission Rule 2.10(a), the State Police Commission will hold a public hearing on July 13, 2017, to consider the revision of State Police Commission Rules in Chapters 4, 8 and 11. The hearing will begin at 9:00 a.m. in Suite 208, Office of Management and Finance and OMV Building, 7979 Independence Boulevard, Baton Rouge, Louisiana.

Proposed omissions appear in red and additions appear in blue.

CHAPTER 4: PERSONS GOVERNED BY THESE RULES

4.1 Classified and Unclassified Positions

(d)

1. The Director, upon receipt of written justification by the Superintendent of the Office of State Police, may add the following positions to the unclassified service: positions involving duty assignments which are seasonal, temporary, intermittent, part-time or full-time.
2. The Commission~~r~~ may add positions to the unclassified service and may~~r~~ revoke any position added to the unclassified service under the provisions of this Sub-section.
3. The Director may not revoke any position added to the unclassified service by the Commission, but may revoke those positions added by ~~him~~ **the Director**.
4. Deleted, effective September 10, 2015
5. **Positions added to the unclassified service under this Sub-section shall be submitted for reauthorization in accordance with policy and/or guidelines developed by the State Police Commission and the Executive Director.**

CHAPTER 8: CERTIFICATION AND APPOINTMENT

8.10(d) Detail to Special Duty

1. When, in the discretion of the appointing authority, the services of an employee are temporarily needed in a higher position within the department, other than the position to which the employee is regularly assigned, the employee may be detailed to perform the duties of such position for a period not to exceed thirty (30) calendar days without change in title, status or pay.
2. If the detail exceeds thirty (30) calendar days, within five (5) business days after that, the employee shall be officially detailed into the position, with the approval of the Director. The notice of the official detail shall state the position and class to which the employee has been temporarily assigned, and briefly describe the duties such employee is then performing in the detail, and the anticipated duration of the detail.
3. When an employee is officially detailed to special duty, the employee shall be ~~retroactively~~ paid at the rate they could receive upon promotion to such position, all in accordance with Rule 6.11.
4. An employee detailed into a position must meet the minimum qualification for the detailed job.
5. An appointing authority may end a detail at any time.
6. The Director may issue policy standards for use of details to special duty.
7. The Director may, at any time, cancel a detail to special duty and/or withdraw an agency's authority to detail employees for longer than one month.

8.10(e) Temporary Duty Assignment (TDY)

1. When in the discretion of the appointing authority, the services of an employee are temporarily needed in a position within the same or lower class, an employee may be assigned to such temporary duty for a period not to exceed one hundred eighty (180) days. Such assignment to temporary duty shall not affect the employee's title, status or pay.
2. When a temporary duty assignment exceeds thirty (30) calendar days, the appointing authority shall, within five (5) business days after that, report such temporary duty assignment to the Director in writing. The notification

shall briefly describe the assigned temporary duties to be performed, and the anticipated duration of the temporary assignment.

3. When the assignment to temporary duty requires a change in the employee's duty station from one geographical area to another, the appointing authority shall pay all related expenses of such temporary assignment, in accordance with State Travel Regulations.
4. When an appointing authority determines that a temporary duty period lasting beyond one hundred eighty (180) days is in the immediate best interest of public safety, the appointing authority may submit a request to the Commission for consideration of an extension to the temporary duty period.

11.29 Compensatory Leave

- a) Subject to provision of Subsections (b) and (g) of this Rule, and in accordance with Rule 6.18 through 6.27 and the requirements of Federal rules, statutes, regulations and judicial decisions, an employee who is required to perform overtime duty may, at the option of the appointing authority, be credited with compensatory leave for the hours he has been required to work.
- b) Compensatory leave shall not be credited to any employee in the classified service while he is serving on an intermittent basis.
- c) Subject to the provisions of Subsections (e) and (f) of this Rule, compensatory leave credited to an employee may be used by him, with the approval of his appointing authority.
- d) An employee who has been credited with compensatory leave may be required, by his appointing authority, to take all or part of such leave at any time.
- e) Upon separation or transfer from a department, the following shall apply to compensatory leave balances:
 1. All unused compensatory leave earned at the time and one-half rate and credited to an employee shall be paid upon his separation or transfer from the department in which he earned it at one of the rates below, whichever is higher:
 - a) The average regular rate received by the employee during the last three years of his employment, or
 - b) The final regular rate received by the employee.

2. All unused compensatory leave earned hour for hour and credited to an employee may be paid upon his separation or transfer from the department in which he earned it at the final regular rate received by the employee, excluding premium pay, shift differential, and non-cash compensation.
 3. All unused compensatory leave earned hour for hour, if not paid to the employee upon separation shall be canceled upon his separation or transfer from the department in which he earned it. Such leave shall not be re-credited to him upon his reemployment in that or any other department.
- f) Caps on accumulation of compensatory leave are found under the provisions of Rule 6.25. Excess accumulation of compensatory leave earned hour for hour (non-Fair Labor Standards Act) will be canceled at the end of the ~~ealen-~~
~~dar-~~ **fiscal** year.
 - g) When in his administrative judgment, an appointing authority determines that overtime duty must be performed by one or more of his employees incident to national or local emergency, act of God, civil or criminal insurrection, civil or criminal disobedience, or similar occurrences of an extraordinary and emergent nature which threatens or affects the peace or property of the people, he may require such employees to perform overtime duty; and the provisions of Rules 11.29(a), 6.20, 6.21, 6.22, and 6.23 shall not apply to such duty unless such overtime is required by Federal rules, statutes, regulations, and judicial decisions.
 - h) Amended and re-enacted, effective March 17, 1980, as Rule 11.29(f).
 - i) Amended and re-enacted, effective March 17, 1980, as Rule 11.29(g).
 - j) Amended and re-enacted, effective March 17, 1980, as Rule 11.29(g).
 - k) **An agency may pay the balance of an employee's compensatory time at any time. The rate of pay shall be calculated in accordance with the rules.**