

State Police Commission



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

Cathy J. Derbonne
Director

July 30, 2010

Transmittal Sheet No. 44

Subject: State Police Commission Rule 9.1

Effective Date: July 29, 2010

At its meeting on July 29, 2010, on motion duly made and seconded, by unanimous vote of the members present, the State Police Commission voted to revise State Police Commission Rule 9.1 Probationary Period and adopt 9.1(f).

Attached is a complete copy of Chapter 9 for inclusion in your rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy J. Derbonne", is written over a horizontal line.

Cathy J. Derbonne
Director

AN EQUAL OPPORTUNITY EMPLOYER

CHAPTER 9

PROBATIONARY PERIOD

9.1 Probationary Period.

- (a) The probationary period shall be an essential part of the examination process and shall be used for the most effective adjustment of a new employee and for the elimination of any probationary employee whose performance does not meet the required performance standard of work.

A probationary period shall be served by all employees from the date of appointment to the State Police service and extending through 12 months from the date of graduation from the State Police Training Academy. For employees who are noncompetitively reemployed, such probationary period shall be 12 months from the date of reemployment.

- (b) A permanent employee who is promoted, transferred, reassigned or demoted to another position shall not serve a probationary period in the new position.
- (c) A probationary employee may be removed by the Appointing Authority at any time, provided that the Appointing Authority furnish the Director reasons therefore in writing.
- (d) A former employee who is appointed from a department preferred re-employment list is not required to serve a probationary period in the new position.
- (e) The probationary period of a part-time employee shall be computed on the same calendar basis as though he were employed full time.
- (f) The Appointing Authority may request, and the Executive Director may grant, up to two successive six month extensions of an employee's probationary period when the request is based on reasonable justification and such extension is in the best interest of the employee and the State Police service. Notwithstanding any other provision of the Rules, an Extension of Probationary Period is not a disciplinary action and may not be appealed to the Commission, except on the basis of discrimination or a violation of the Article of these Rules.

9.2 Permanent Appointment Action Following Probationary Period.

- (a) Permanent appointment of a probationary employee shall begin upon certification by the Appointing Authority. Certification will consist of a statement in the "remarks" section of the SF- 1, " I certify that this employee has met the required standard of work during the probationary period."
- (b) A permanent appointment must be reported on an SF-1.
- (c) The Appointing Authority shall remove employees who have not been certified as permanent at the end of the twelve-month probationary period in accordance with the provisions of Rule 9.1 (e).

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

- (a) A probationary employee whose physical and/or mental disability or condition prevents them from performing their 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, which shall have the effect of interrupting their probationary period without prejudice.

In the event no other leave status is available to the employee, he or she may be placed on Leave Without Pay during the interruption of their probationary period.

- (b) Upon the resumption of their duties, such employee shall be returned to duty in a probationary status at the point in the probationary period he or she reached before being so absent.
- (c) After a probationary employee has been absent from duty because of such a physical and/or mental disability or condition for one year, the appointing authority shall, for this reason, remove such employee and shall report such removal, and the reasons therefor, to the Director.
- (d) Such physical and/or mental disability or condition which results from an employee=s willful misconduct shall not be the basis of the interruption provided for in Subsection (a) herein, nor shall such physical and/or mental disability or condition resulting from the employee=s willful misconduct prevent the termination of

such probationary employee as provided for by Rule 9.1(a) and (e).

- (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.

9.4 Interruption of Probationary Period for Military Purposes.

A probationary employee who is absent from duty for military training or military active duty, without regard to the length of time of such absence, shall be returned to duty in a probationary status at the point in the probationary period he or she reached before being so absent.

- 9.5 An employee cannot attain permanent status or acquire other rights and benefits of permanent appointment for more than one full-time equivalent position in State service.