

Office of the Attorney General
State of LOUISIANA

Opinion No. 78-62
January 27, 1978

71-1-1--MUNICIPAL FIRE & POLICE CIVIL SERVICE R.S. 33:2561
Confirmation of Opinion # 77-1489 that civil service board cannot waive 15
day appeal under any circumstances.

Mr. Phil Lemoine
City Clerk
City of Ville Platte
Post Office Box 390
Ville Platte, LOUISIANA 70586

Dear Mr. Lemoine:

In clarification of Opinion No. 77-1489 of this office, you have requested an
opinion as to whether the Ville Platte Fire and Police Civil Service Board has
the authority to waive the fifteen day requirement for a hearing and
investigation found in R.S. 33:2561 if extenuating circumstances exist.

R.S. 33:2561 allows an employee who is discharged or subjected to any
corrective or disciplinary action to demand in writing a hearing and
investigation by the Fire and Police Civil Service Board within fifteen days
after the action.

As stated in Opinion No. 77-1489 we feel the fifteen day limit is peremptory
and cannot be waived by the board. Therefore, in our opinion the fifteen day
limit cannot be waived by the board under any circumstances.

If we may be of further help in this matter, please call on us.

Sincerely,

William J. Guste, Jr.
Attorney General

By: William T. Reeves, Jr.
Assistant Attorney General
La. Atty. Gen. Op. No. 78-62, 1978 WL 32578 (La.A.G.)
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