

Office of the Attorney General
State of LOUISIANA

Opinion No. 77-1301
September 20, 1977

9 Civil Service Commission

61 Laws--General

Computation for seniority begins when the employee is regularly and permanently employed. The civil service board may not make exceptions in dealing with seniority questions.

R.S. 33:2473(20) & (18); 33:2495.

Mr. Charles D. Patten, III
Assistant City Attorney
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Legal Department
Monroe, LOUISIANA 71201

Dear Mr. Patten:

This issues in response to your letter of September 15, 1977, requesting our opinion on the method of computing seniority for fire and police civil servants. Specifically, you present two questions: (1) Is seniority computed from the date of employment; or the date of passing of the civil service examination; or the date of confirmation into departmental service? (2) May the civil service board grant exceptions in dealing with questions of seniority?

R.S. 33:2473(2) provides that seniority begins on the date an employee is regularly and permanently employed and has worked continuously to the date of computation. Regular or permanent employment is defined in s 2473(18).

The procedures set forth provide further in s 2495 that every person appointed to a position ' . . shall be tested by a working test while occupying the position before he may be confirmed as a regular and permanent employee in the position'. The working test continues from the date of appointment for a period not less than six months to not more than one year. If the employee is not rejected at the conclusion of the working test period, the employee becomes a regular and permanent employee albeit whether express confirmation is communicated by the appointing authority.

Computation for seniority begins on the date of confirmation or, in absence of express confirmation, at the conclusion of the working test period which may not exceed one year of the date of appointment; provided, that the employee was eligible and appointed to the position from an appropriate employment list.

In answer to your second question, we find no statutory authority permitting the civil service board to grant exceptions in dealing with seniority questions.

We trust this answers your question.

Very truly yours,

William J. Guste, Jr.
Attorney General

By: Charles L. Patin, Jr.
Staff Attorney
La. Atty. Gen. Op. No. 77-1301
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