SAMPLE WRITTEN FINDING OF FACT SAMPLE

NOTE TO CIVIL SERVICE BOARDS

In accordance with R.S. 33:2501 and 33:2561, if the testimony at an appeal hearing is NOT taken or transcribed, then the board shall make a finding of fact. The decision of the board, together with its written finding of fact, if required, shall be certified, in writing, to the appointing authority. If the board's decision in an appeal hearing is appealed to district court, the board must file with the designated court a certified transcript of the record, or written findings of facts, and all papers on file in the office of the board affecting or relating to such decision. Therefore, it is the advice of this office that your board maintain a transcript of the hearing or complete finding of fact. Your board may wish to maintain both documents.

WRITTEN FINDING OF FACT

WRITEN FINDING OF FACT
(Insert Jurisdiction name) CIVIL SERVICE BOARD
Hearing of Appeal by(Insert name of employee) on(insert date)
Appellant is employed by the (insert name of Municipality fire/police Department as a permanent (insert class title)
By written communication dated <u>(insert date)</u> he was notified that he was being suspended for <u>(#)</u> day(s) without pay for violation of Departmental Rules. Specifically, that he had reported to work on <u>(insert date of violation)</u> without standard police revolver and black shoes as required by Departmental Rule <u>(insert rule number)</u> .
Appellant filed timely appeal within 15 days of receipt of the written reasons for the disciplinary action. A public hearing was held at <u>(insert time)</u> on <u>(insert date)</u> with the appellant present with counsel.
FINDING OF FACT
 Departmental rule <u>(insert rule number)</u> requires that all Police Officers reporting for duty must be dressed in a specific manner which includes black shoes and regulation side arm. Such rules are consistent with the efficient operation of the department. On <u>(insert date)</u> appellant reported for work without proper uniform in such a manner that would bring discredit to the service and could possibly prevent him from discharging his duties effectively.
DECISION OF THE BOARD
The evidence and testimony presented to the civil service board established that the alleged violations did occur. The board determines that the appointing authority acted in good faith and/or for cause in the disciplinary action taken against Officer (insert name) and thereby upholds the action of the appointing authority. OR
The board determined that the appointing authority did not act in good faith and/or for cause in the disciplinary action taken against Officer (insert name) and thereby overturns the action of the appointing authority. Furthermore, the board has ordered the appointing authority to reinstate this employee's (#) day(s) of suspension with full back pay and seniority.
, Chairman
(Chairman's signature)