ACTIONS/MINUTES

LOUISIANA STATE POLICE COMMISSION
GENERAL BUSINESS MEETING
THURSDAY, SEPTEMBER 10, 2020
10:00 A.M.

John Bel Edwards
Governor

Jason Hannaman
Executive Director

STATE POLICE COMMISSION, VETERANS MEMORIAL AUDITORIUM, SUITE 1247, DEPT. OF AGRICULTURE & FORESTRY BLDG., 5825 FLORIDA BLVD., BATON ROUGE, LA 70806

I. Call to Order

The State Police Commission convened its monthly general business meeting at 10:05 A.M. on Thursday, September 10, 2020.

II. Roll Call

Present were Chairman Eulis Simien, Jr., Vice-Chairman Brian Crawford, Commissioners Leonard Knapp, Jr. and Robert Mire. There was a quorum. Absent were Commissioners Jared Caruso-Riecke and Harold Pierite, Sr. Additionally, Commission Referee Lenore Feeney and Executive Director Jason Hannaman were present.

III. Moment of Silence

A moment of silence was observed.

IV. Pledge of Allegiance

Chairman Eulis Simien, Jr. led the Pledge of Allegiance.

V. Opportunity to Address the Commission by employees or others concerning items on the agenda. (Please submit a speaker request form prior to the meeting being called to order.)

Several requests were received and were deferred, without objection, to be heard during discussions of business item #2.

VI. Director's Report

- Commissioner Cantrelle submitted his resignation to the Governor's Office on August 14, 2020. On the day the resignation was received, and in accordance with Chapter 3 of the State Police Commission Rules, the Executive Director contacted Dr. Rick Brewer, President of Louisiana College, and asked him to compile a list of nominees for the governor's consideration.

- 2020 Promotional Exam review

  On August 10, 2020, the State Police Commission's administrative team conducted the 2020 Promotional Exam; 238 of the 264 registered applicants took the exam. The attention of the Commission was directed to charts displaying promotional test scores from 2015-2020 and they were advised that the last mandatory retest year was in 2018; that was also the year the written scenario component was removed in favor of a multiple-choice format. Additionally, the Commission was advised that this was the third straight year exam results were consolidated; a process where staff ensures that the names on the consolidated Promotional List only reflect those who are actually eligible to promote for that particular rank. Looking ahead, it is highly probable that the May 2021 exam will be a mandatory retest and the planned November 2021 exam will be optional.

VII. Business

1. Consideration of the July 9, 2020 regular business meeting minutes.
On motion duly made by Vice-Chairman Crawford, seconded, and passed; the Commission voted to approve the minutes from the July 9, 2020 business meeting.

2. Public Hearing to Consider Proposed Changes to Chapter 1, 2, and 11 of the State Police Commission Rules. (Details contained in General Circular No. 211).
The Commission conducted a public hearing to consider adopting proposed changes to Chapters 1, 2, and 11 of the State Police Commission rules as detailed in General Circular No. 211.

a.) Public Comments
DPS Attorney Michelle Giror appeared and offered comments on behalf of the Office of State Police regarding the proposed changes. Attorney Mary Ann White appeared on behalf of the LSTA to offer comments regarding the proposed changes. Ms. Ginger Krieg and Ms. Alana Collins appeared and offered comments as representatives of DPS-Human Resources.

b.) Consideration of Proposed Changes
On motion duly made Commissioner Knapp, seconded, and unanimously passed; the Commission voted to approve the inclusion of the definition "Immediate Family Members" in Chapter 1 as published in General Circular No. 211.
In Favor: All
Opposed: None

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission approved amending the proposed SPC Rule 2.6, as published in General Circular No. 211, to read as follows:

Rule 2.6: ***Quorum and Voting***

(a) Four (4) members of the Commission shall constitute a quorum for the transaction of business.

(b) During a declaration of emergency in the State of Louisiana, Commission members who are unable to attend a meeting of the State Police Commission in person due to conditions closely and directly related to the emergency may be present and participate in the meeting virtually. Except for executive session, when Commission members participate virtually, that participation must be conducted in such a manner that all members and the public can hear that participation and provide public comment to all Commissioners, including any participating virtually.

(c) The concurrence of a majority of the members present, including any participating virtually, shall constitute a ruling upon an item of business then before the Commission.

(c) In lieu of requesting annual leave, an employee who has sufficient leave credit may request sick leave for necessary absence from duty for the following reasons:

1. *Illness, or injury of an immediate family member which necessitates the absence.*
2. *Medical, dental, or optical consultation or treatment for immediate family members when it is not possible to arrange such appointments for non-duty hours.*
3. *Leave under this subsection may only be used when approved by the appointing authority or a designated representative.*

(d) Sick leave shall not be charged for non-work days.

(e) (Intentionally left blank)

(f) The minimum charge for sick leave shall be one-half hour. Sick leave shall not be charged for non-work days.

(g) The appointing authority may require appropriate documentation to establish the need for leave as set forth above.

On motion duly made Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to adopt the amendments to the proposed changes to Rule 11.13.

In Favor: All
Opposed: None

Chairman Simien provided an opportunity for additional public comments on the proposed changes to Rule 11.13 as amended on the floor; there were no additional comments.

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission approved final adoption of Rule 11.13 as amended.

In Favor: All
Opposed: None

On motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission approved amending the proposed changes to SPC Rule 11.13.1, as published in General Circular No. 211, to read as follows:

Rule 11.13.1: ***Enforced Sick Leave***

The appointing authority has discretion to place an employee on sick leave after the employee asserts the need to be absent from work or when it is apparent that the employee is unfit for duty due to an illness, injury, or disability.

Attorney Mary Ann White of the LSTA appeared on behalf of the LSTA to offer public comments in support of the intent of the rule with some suggested edits.

On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission approved incorporating the suggested LSTA amendments to proposed SPC Rule 11.35 (b) and (c), as published in General Circular No. 211, to read as follows:

Rule 11.35: ***Special Leave Related to COVID-19 Health Pandemic***

a) Effective September 14, 2020, the use of special leave under State Police Commission Rule 11.23(d) shall not be granted by the appointing authority for any employee absence related to the COVID-19 health pandemic. The Executive Director is granted the authority to reinstate special paid leave under State Police Commission Rule 11.23(d) for absences related to COVID-19 in the event the need arises due to a resurgence in the pandemic and an accompanying declaration by the Governor.

b) The appointing authority may grant time off without loss of pay, annual leave or sick leave to any healthcare provider or emergency responder who was exempted from the Families First Coronavirus Response Act by the Governor's Proclamation Order No. 43 JBE 2020 Section 4 and who has tested positive for COVID-19 or who has been advised by a healthcare provider to self-quarantine related to COVID-19, or experiencing COVID-19 symptoms and is seeking medical diagnosis.

Such special paid leave shall not extend beyond 15 working days and will be in addition to any other leave benefits afforded by law.

c) In the event an employee has exhausted the special paid leave entitlement pursuant to section (b) of this rule, the appointing authority may grant time off without loss of pay, annual leave or sick leave to an asymptomatic employee who is directed by the appointing authority to be tested for COVID-19 and/or self-quarantine after being exposed through close contact to an individual with a confirmed positive COVID-19 diagnosis.

Such special paid leave shall not extend beyond 14 calendar days for each occurrence as recommended by the Centers for Disease Control and Prevention. Once the employee develops symptoms of illness or is confirmed with a positive COVID-19 diagnosis, he shall immediately be placed in an appropriate leave status, including leave without pay if the employee has exhausted both annual leave and sick leave.

5. Consideration of a motion to approve the Fiscal Year 2019-20 Performance Evaluation of the Executive Director.

   On motion duly made by Commissioner Knapp, seconded, and unanimously passed; the Commission voted to approve the Fiscal Year 2019-20 Performance Evaluation of the Executive Director at a rating of 5, the highest level, based on expectational service to the department; grant a 2% pay increase, which has been provided for in the annual budget; and, authorize the chairman to sign the evaluation that was performed in Executive Session.

   In Favor: All
   Opposed: None

VIII. Opportunity to Address the Commission by employees or others on matters not on the Agenda. (Please submit a speaker request form prior to the meeting being called to order.)

No Requests.

IX. Adjourn

There being no further business, on a motion duly made by Vice-Chairman Crawford, seconded, and unanimously passed; the Commission voted to adjourn at 11:46 A. M. on Thursday, September 10, 2020.

Respectfully Submitted,

Jason Hannaman, Executive Director

Eulis Simien, Jr., Chairman