

Transcript of the Testimony of  
**Firefighters' Supplemental Pay Board of  
Review Meeting**

November 5, 2025

Firefighters' Supplemental Pay Board of Review Meeting



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STATE OF LOUISIANA

FIREMENS' SUPPLEMENTAL PAY BOARD  
OF REVIEW MEETING

— — — — —

NOVEMBER 5, 2025

10:00 a.m.

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FIREMENS' SUPPLEMENTAL PAY BOARD OF REVIEW

— — — — —  
NOVEMBER 5, 2025  
10:00 a.m.  
— — — — —

MEMBERS AND STAFF PRESENT:

- Brien Ruiz, Chairman
- Dwayne Thevis, Vice-Chairman
- Charles William, Jr., Board Member
- Frank Cusimano, Board Member
- Patrick Carpenter, Board Member
- Earl Borden, Board Member
- Candy Diez, Supplemental Pay Program Director
- Misty Bentley,  
Fire Administrative Program Specialist
- Susanne Tessier,  
Police Administrative Program Specialist
- Jordan Moreau, Administrative Staff
- Becca Robison, Administrative Staff
- Sherlyn Shumpert, Esq., Legal Adviser

Reported By: Anna Coates, CCR, RPR

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1 FIREMENS' SUPPLEMENTAL PAY BOARD OF REVIEW MEETING

2 NOVEMBER 5, 2025

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4

5 CHAIRMAIN RUIZ:

6 Call the meeting to order.

7 Roll call, please.

8 MS. DIEZ:

9 Brien Ruiz.

10 CHAIRMAIN RUIZ:

11 Here.

12 MS. DIEZ:

13 Richard Parker.

14 (NO RESPONSE)

15 Dwayne Thevis.

16 MR. THEVIS:

17 Here.

18 MS. DIEZ:

19 Charles Williams.

20 MR. WILLIAMS:

21 Here.

22 MS. DIEZ:

23 Frank Cusimano.

24 MR. CUSIMANO:

25 Here.

1 MS. DIEZ:

2 Earl Borden.

3 MR. BORDEN:

4 Here.

5 MS. DIEZ:

6 Patrick Carpenter.

7 MR. CARPENTER:

8 Here.

9 CHAIRMAIN RUIZ:

10 We have a quorum.

11 First thing, gentlemen and ladies, I would  
12 like to entertain a motion to have a discussion on  
13 the Louisiana Gateway Port. I need a unanimous  
14 vote to add them to the agenda.

15 MR. CUSIMANO:

16 I make a motion to amend the agenda to  
17 include that. Frank Cusimano.

18 CHAIRMAIN RUIZ:

19 I'm Brien Ruiz. I'm sorry.

20 MR. CARPENTER:

21 Patrick Carpenter. I'll second it.

22 CHAIRMAIN RUIZ:

23 Okay. I have a second. What I need to do is  
24 I need to give legal counsel this paper.

25 All in favor, signify by saying "aye."

1 (ALL SAID "AYE")

2 CHAIRMAIN RUIZ:

3 Motion passes.

4 The Louisiana Gateway Port wants to add some  
5 positions to qualify for supplemental pay. We're  
6 going to have them on the February 4th, 2026  
7 agenda, but I just want to notify legal counsel  
8 and give them copies of this information so they  
9 can review it so we can have their opinion on  
10 whether these people qualify underneath the  
11 statute to receive supplemental pay. I'll give  
12 each one of y'all a copy, too, plus legal a copy.  
13 And we just need to entertain a motion to have  
14 legal review the law and see if these personnel  
15 qualify to receive supplemental pay underneath the  
16 statute.

17 So if I could entertain a motion to have  
18 legal investigate this matter.

19 MR. THEVIS:

20 Dwayne Thevis. Make a motion to have legal  
21 look into this matter.

22 MR. CUSIMANO:

23 I second. Frank Cusimano.

24 CHAIRMAIN RUIZ:

25 Have a second.

1 Any further discussion?

2 All in favor, signify by saying "aye."

3 (ALL SAID "AYE")

4 CHAIRMAIN RUIZ:

5 Thank you. Thank you, gentlemen.

6 MS. SHUMPERT:

7 Excuse me. My name is Sherlyn Shumpert. I'm  
8 the attorney assigned to the Board. I just want  
9 to make sure I understand what the question is.  
10 And so the document that you handed me is called  
11 Request for Inclusion of Ferry Operations  
12 Personnel in the Supplemental Pay Plan. And you  
13 did make a motion to amend the agenda to add this  
14 as a topic. Where does this fall on the agenda?

15 CHAIRMAIN RUIZ:

16 It didn't. We just added it to the agenda.

17 MS. SHUMPERT:

18 So this is going to be under new business.  
19 And so the name of the entity is Ferry Operations  
20 Division; is that correct?

21 MR. CARPENTER:

22 Plaquemines Port, Harbor & Terminal District.

23 MR. CUSIMANO:

24 Frank Cusimano. Plaquemines Port, Harbor &  
25 Terminal District, is the title.

1 MS. SHUMPERT:

2 So they have a unit called Ferry Operations  
3 Division?

4 MS. TESSIER:

5 Did they already leave?

6 MS. BENTLEY:

7 Yes.

8 MS. DIEZ:

9 This is Candy. So I think what they're doing  
10 is they're trying to add an additional job title.

11 CHAIRMAIN RUIZ:

12 Correct.

13 MS. SHUMPERT:

14 What is the job title?

15 MR. BORDEN:

16 They're talking about that whole division of  
17 ferry operations.

18 MS. SHUMPERT:

19 So what I'm reading under operational roles  
20 and public safety responsibilities, so the job  
21 title is -- in order to do a proper and thorough  
22 investigation, I need to have a copy of the job  
23 description.

24 CHAIRMAIN RUIZ:

25 Okay.

1 MR. BORDEN:

2 It's probably numerous job descriptions in  
3 that division.

4 CHAIRMAIN RUIZ:

5 I'll call the gentleman up.

6 MS. SHUMPERT:

7 And does the Board have an opinion  
8 regarding that?

9 MR. WILLIAMS:

10 Haven't even looked at it.

11 MR. CUSIMANO:

12 I have a question. Frank Cusimano. Did they  
13 actually do anything in the statute itself to  
14 include them, like the harbor --

15 CHAIRMAIN RUIZ:

16 No.

17 MR. CUSIMANO:

18 We're putting the cart before the horse.

19 MS. SHUMPERT:

20 Exactly.

21 MS. DIEZ:

22 That's what I wanted you to tell the Board,  
23 what needs to happen.

24 CHAIRMAIN RUIZ:

25 Right. That's why we want you to

1 investigate.

2 MS. DIEZ:

3 They came straight to me. They weren't even  
4 on the agenda.

5 MS. SHUMPERT:

6 So what happens is, if there isn't a  
7 statutory authority that they fall under where  
8 their job title or job description meets the  
9 qualifications for supplemental pay, then --

10 CHAIRMAIN RUIZ:

11 Brien Ruiz speaking. They're already getting  
12 supplemental pay. There's certain personnel in  
13 that port that's qualified for supplemental pay.  
14 What this gentleman said was, that these people  
15 also are doing the same work, and he wants to see  
16 if these people qualify to get supplemental pay.  
17 I'm asking legal, if you have any questions that  
18 you need, just e-mail me, and I'll e-mail them or  
19 call him on the phone and explain to him exactly  
20 what we need so we can have and review it on the  
21 February 4th, 2026 meeting, is what I'm trying to  
22 get.

23 MS. SHUMPERT:

24 What other job titles?

25 MR. BORDEN:

1           This is Earl Borden speaking. On the second  
2 page all the way at the bottom, it lays out the  
3 job. It says, ferry captains, ferry engineers,  
4 and ferry deckhands.

5 MS. SHUMPERT:

6           You said the second page?

7 MR. BORDEN:

8           Yes, on the bottom of the second page in the  
9 last paragraph. I'm assuming that those are the  
10 job positions that they're referring to.

11 CHAIRMAIN RUIZ:

12           Yes.

13 MR. BORDEN:

14           Get a description from them, then we'll turn  
15 that in.

16 MS. SHUMPERT:

17           Okay. Just so that I'm sure that I'm  
18 following, I'm looking on the second page. Are  
19 you talking about the section that's titled  
20 "Public Service and Duty Beyond Transportation?"

21 MR. BORDEN:

22           No. Underneath "Conclusion," the very last  
23 paragraph.

24 MS. SHUMPERT:

25           Okay. So the positions are, okay, so ferry

1 captains, engineers, and deckhands. I would need  
2 the job descriptions for those positions in order  
3 to be able to provide some legal guidance.

4 CHAIRMAIN RUIZ:

5 You'll get it. Brien Ruiz speaking. Thank  
6 you, ma'am.

7 MS. SHUMPERT:

8 Thank you.

9 CHAIRMAIN RUIZ:

10 Any more questions?

11 Thank you.

12 Review and Approval of the Minutes.

13 MR. CUSIMANO:

14 Frank Cusimano. I make a motion to approve  
15 the minutes of the meeting of July 30th, 2025.

16 MR. BORDEN:

17 Earl Borden. I'll second.

18 CHAIRMAIN RUIZ:

19 We have a second.

20 Any further discussion?

21 Hearing none, all in favor, signify by saying  
22 "aye."

23 (ALL SAID "AYE")

24 CHAIRMAIN RUIZ:

25 Motion passes.

1           No Appeal.

2           Old Business. Ms. Candy.

3 MS. DIEZ:

4           Okay. So the virtual meeting, I'm going to  
5 defer that to Sherlyn and ask her to give y'all  
6 the rules and what her findings were about virtual  
7 meetings.

8 MS. SHUMPERT:

9           Okay.

10 CHAIRMAIN RUIZ:

11           One second. Brien Ruiz speaking. So y'all  
12 discussed this at the previous meeting?

13 MS. DIEZ:

14           Yes.

15 CHAIRMAIN RUIZ:

16           I've been sick, so I'm trying to catch up.

17 MR. BORDEN:

18           Earl Borden. I'll touch base on what I  
19 inquired about. So what I inquired about was  
20 whenever we have items on this agenda regarding  
21 firefighters, question of whether or not they get  
22 supplemental pay, we sort of kind of ask the  
23 chiefs to come here to testify. Some of them come  
24 from Shreveport area, Lake Charles area. They  
25 drive four, four and a half hours, they testify

1 for a minute and a half, and then they drive four  
2 and a half hours back. So what I inquired about  
3 is whether we could have a virtual option for  
4 chiefs to testify or answer any questions that we  
5 may have. Fire chiefs are busy people. To ask  
6 them to take a whole day out to come here to  
7 testify for a minute and a half sometimes seems  
8 unfair.

9 CHAIRMAIN RUIZ:

10 Okay, I understand.

11 MR. BORDEN:

12 So I asked legal to inquire.

13 CHAIRMAIN RUIZ:

14 Yes, ma'am.

15 MS. SHUMPERT:

16 Sherlyn Shumpert. Based upon my research, in  
17 order for public board to conduct an open meeting  
18 virtually, you must already conduct six regular  
19 meetings per year. This Board only conducts four.  
20 So for that reason solely, you cannot conduct a  
21 virtual meeting. As far as participating at a  
22 hearing to determine eligibility, the same things  
23 apply. So any witnesses who are going to testify  
24 must do so in person.

25 Now, the alternative is, you can move your

1 meetings. So as long as you give notice to the  
2 public within 24 hours where the meeting is going  
3 to be held, then if you want to accommodate a fire  
4 chief in another area, you can schedule your  
5 meetings accordingly and conduct them in that  
6 area.

7 MR. BORDEN:

8 Earl Borden. Just a follow-up question. I  
9 believe, statutorily, we have to meet a minimum of  
10 four times, but we could meet more. So if you're  
11 saying we met six times, that we could do a  
12 virtual?

13 MS. SHUMPERT:

14 So according to the law, if you conduct six  
15 regular meetings within the year, then you can  
16 consider a virtual option. Even after considering  
17 a virtual option, any witnesses and board members  
18 must appear in person.

19 MR. WILLIAMS:

20 So no.

21 MS. SHUMPERT:

22 Well, the virtual meetings actually came  
23 about under our emergent situation when we had  
24 COVID. So it was allowing boards to still conduct  
25 business, but we're no longer under a public

1 emergency. Again, your alternative is if you want  
2 to move your meetings around to accommodate  
3 certain regions, you can do that.

4 CHAIRMAIN RUIZ:

5 Thank you.

6 MS. SHUMPERT:

7 You're welcome.

8 MS. DIEZ:

9 So the next update that I have is regarding  
10 Delgado with these maritime certificates. So we  
11 were able to finally get in touch with Rick  
12 Schwab, and he told us that they do have to have  
13 basic and advanced or they can have a combined  
14 certificate from Delgado. It has to be a total of  
15 40 hours, because we were getting different  
16 certificates. Some said basic. One would say  
17 advanced. Some said combined. Some were for  
18 30-something hours, some were for 40-something.  
19 It was just different. He said they do have to  
20 have a total combined between basic and advanced.  
21 If they have both certificates, it has to equal 40  
22 hours of training. If they submit just one  
23 certificate that says "combined," it has to be 40  
24 hours. So I just want to make that clear.

25 CHAIRMAIN RUIZ:

1           Brien Ruiz. So, Ms. Candy, you talked to  
2 Rick. Does the certificate say that they  
3 completed 40 hours of training on it?

4 MS. DIEZ:

5           They have a number of hours, yes.

6 CHAIRMAIN RUIZ:

7           Okay.

8 MS. DIEZ:

9           Yes. So that's what we'll look at whenever  
10 we are reviewing applications.

11 MR. CARPENTER:

12           This is Patrick Carpenter. Just a question  
13 about previous approvals by the Board. Without  
14 that stipulation, do we need to look at those  
15 applicants that are receiving supplemental pay  
16 with less than 40 hours in that double  
17 certificate, advanced and basic?

18 MS. DIEZ:

19           Unfortunately, I don't believe, if I remember  
20 correctly, that we've had any Delgado maritime  
21 recently that we can even look at. We were trying  
22 to go by what was done previously, and we weren't  
23 able to find the applications. We just started  
24 the new pay system in '22.

25 MR. WILLIAMS:

1           It's been a while.

2           MS. BENTLEY:

3           The two certificates were 40 when you totaled  
4           them together.

5           MR. CARPENTER:

6           Patrick. I guess just going forward, that  
7           will be the rule of the Board, rule for the staff?

8           MS. DIEZ:

9           Right.

10          MR. CARPENTER:

11          Thank you.

12          CHAIRMAIN RUIZ:

13          New Municipalities.

14          Ms. Candy, Desoto Parish Fire District Number  
15          2.

16          MS. DIEZ:

17          Yes. So in looking at a couple of the newer  
18          questionnaires that have come through, Desoto and  
19          Port of South Louisiana, some questions came up  
20          about whether or not our fire questionnaire, fire  
21          department questionnaire, was up to date with the  
22          questions that it's asking. And I was unsure of  
23          some of the answers that were being given, if they  
24          met what they needed to, so that I could inform  
25          y'all of what I saw. Of course, y'all are the

1 ones that determine everything, but I wanted to  
2 bring y'all good information.

3 So it's under review with legal, both of  
4 these questionnaires. And it's very possible,  
5 because this fire questionnaire is so old, that it  
6 will have to have some changes made to the  
7 questionnaire, some of the questions, because I  
8 don't believe there's anything on there about a  
9 port authority. So I don't see how we could  
10 actually ask them to fill out a questionnaire that  
11 parts don't even pertain to them. So that was my  
12 reason.

13 And then I'm willing to have a special  
14 meeting in a couple of weeks, because I know  
15 Sherlyn did say that it was going to be a couple  
16 of weeks before they'd be finished looking over  
17 the questionnaires and everything and looking  
18 everything up in law statute. So I'm willing to,  
19 after they finish, legal finishes looking over  
20 everything, hold a special meeting if y'all are  
21 okay with it, so we don't have to make these guys  
22 keep waiting, because the Port of South Louisiana,  
23 I think they were approved in maybe July. So I  
24 would like to get them paid if, in fact, they meet  
25 requirements.

1 MR. CUSIMANO:

2 Frank Cusimano. You don't need any motion by  
3 the Board to do that. We're just looking at  
4 the --

5 MS. DIEZ:

6 I mean, I think maybe just to state, just to  
7 back the fact that it's under review with legal.  
8 What do you think, Sherlyn?

9 MS. SHUMPERT:

10 So the issue -- and I'm sorry, but this legal  
11 review of the questionnaire issue, it's falling  
12 under what? I'm trying to make notes on my  
13 agenda.

14 MS. DIEZ:

15 It's new municipalities, because that's what  
16 they are. It's not the recipients, it's the  
17 actual municipality and whether it is --

18 CHAIRMAIN RUIZ:

19 You have a copy of the agenda?

20 MS. SHUMPERT:

21 I do.

22 MS. DIEZ:

23 -- an eligible -- or meets the eligibility.

24 MR. CUSIMANO:

25 Frank Cusimano. I have a question. We

1 approved these districts before, and they are  
2 pre-approved; Desoto and Port of South Louisiana  
3 has been approved as a district eligible for  
4 supplemental pay?

5 MS. DIEZ:

6 Port of South Louisiana, y'all did.

7 MR. CUSIMANO:

8 But we didn't approve the employees, did we?

9 MS. DIEZ:

10 I think we did. Didn't we have one?

11 MS. BENTLEY:

12 We had one, yes.

13 MS. DIEZ:

14 Typically, we have to have at least one  
15 complete application that's eligible before we  
16 even bring the questionnaire before the Board.  
17 The reason that I pulled Port of South Louisiana  
18 was because they were having a lot of problems  
19 anyway with a lot of turnover at their agency, but  
20 when their questionnaire came up at the meeting,  
21 it was very quick, no one really discussed any of  
22 the questions that were answered. There's a  
23 question on there -- I can't remember what number,  
24 10 or 12, I'm not sure -- but it asks if they're a  
25 municipality, if they're part of the parish.

1 MR. THEVIS:

2 Or fire prevention district.

3 MS. BENTLEY:

4 It's 12.

5 MS. DIEZ:

6 Their answer was no, they're not part of any  
7 of that. That's what made me start thinking,  
8 they're a port authority, but that's not on here  
9 as an option, you know. So it was kind of a red  
10 flag for me.

11 MS. SHUMPERT:

12 This is Sherlyn. My advice would be you  
13 don't need a motion. You can just pass this issue  
14 until you receive guidance from legal regarding  
15 after the review of the questionnaire.

16 CHAIRMAIN RUIZ:

17 Thank you.

18 MR. CARPENTER:

19 This is Patrick. I have a question. Just  
20 make a note for staff on 13 and 15, asks about  
21 testing, and it represents LSU certification test,  
22 which is now Louisiana Fire and Emergency  
23 Training. We might want to add Delgado as an  
24 option, since they do maritime training for the  
25 port authority as an option for that test on those

1 two questions. Thank you.

2 MS. SHUMPERT:

3 What I suggest, also, is that if all the  
4 board members review the questionnaire, and if you  
5 have some input on modification or amendments to  
6 the questionnaire, please send that directly to  
7 the staff, so that that information can be shared  
8 with legal when the review is being conducted.

9 CHAIRMAIN RUIZ:

10 Brien Ruiz. Thank you, Pat.

11 If y'all see anything else, get in touch with  
12 Candy and submit any changes y'all think the  
13 application should have.

14 MS. DIEZ:

15 Not that this matters, but legal is also  
16 reviewing police's questionnaire. So it's not  
17 just fire. It's both of them that I believe need  
18 to be updated.

19 CHAIRMAIN RUIZ:

20 Brien Ruiz speaking. So underneath the  
21 special meeting that we're going to have, we're  
22 going to discuss the Port of South Louisiana and  
23 Desoto Parish, correct, both of them?

24 MS. DIEZ:

25 Correct.

1 CHAIRMAIN RUIZ:

2 Thank you. Frank, you have a question?

3 MR. CUSIMANO:

4 Yes, I got a question. Candy, I'm looking at  
5 an application with supplemental pay for a Matthew  
6 Lee Johnson of Desoto Parish Fire District 2, but  
7 I don't see it on here. So are we going to  
8 take --

9 MS. DIEZ:

10 We do have a complete application. The  
11 questionnaire is in question.

12 MR. WILLIAMS:

13 So they have to wait.

14 MS. DIEZ:

15 So they have to wait. We can't approve a  
16 recipient in a municipality that's not a  
17 municipality yet.

18 CHAIRMAIN RUIZ:

19 Thank you. Any more questions under new  
20 municipalities?

21 Hearing none, we move on to new business --  
22 oh, I'm sorry, Patrick.

23 MR. CARPENTER:

24 I have a question. So the Port of South  
25 Louisiana is listed under new municipality. Is

1 that still under legal review, as well?

2 MS. DIEZ:

3 Yes.

4 MR. CARPENTER:

5 I missed that. Thank you.

6 CHAIRMAIN RUIZ:

7 Both of those are going to be at special  
8 meeting.

9 MR. CARPENTER:

10 Got you.

11 CHAIRMAIN RUIZ:

12 New Business.

13 Bayou Cane Fire Protection.

14 MR. CUSIMANO:

15 Callen Chauvin.

16 MS. BENTLEY:

17 Callen Chauvin, okay. So the issue here is  
18 his eligibility date. He started as an EMT. And  
19 they're wanting to start with the date whenever he  
20 started as an EMT, so 1/6/25. He wasn't a  
21 firefighter, which is a known accepted job title,  
22 until July 16th of 2025. So we are bringing it  
23 before you guys because of that job title at that  
24 time.

25 MR. WILLIAMS:

1 Charles Williams. I mean, he wasn't eligible  
2 until July.

3 CHAIRMAIN RUIZ:

4 Make a motion.

5 MR. WILLIAMS:

6 I make a motion to make the effective date as  
7 of July 16, 2025.

8 MR. CARPENTER:

9 Second.

10 CHAIRMAIN RUIZ:

11 We have a second.

12 Any further discussion?

13 MR. BORDEN:

14 Yes. Earl Borden. I'm trying to make sure I  
15 understand it. So he was hired as an employee as  
16 an EMT. At some point during his probationary  
17 period, he became a firefighter. It says  
18 April 23rd on his certificate, is when he got it,  
19 but you're saying he moved his classification from  
20 an EMT to a firefighter in July?

21 MS. BENTLEY:

22 Yes.

23 MR. BORDEN:

24 Then he wouldn't be eligible until a year of  
25 employment anyway, right, for state supplemental

1 pay?

2 MS. BENTLEY:

3 Yes.

4 MR. BORDEN:

5 So the question you're asking is whether his  
6 year is from January of 2025 to January of 2026,  
7 or from July of 2025 to July of 2026?

8 MS. BENTLEY:

9 Yes.

10 CHAIRMAIN RUIZ:

11 There's a motion on the floor with a second  
12 going from July 16, 2025.

13 MR. BORDEN:

14 Because that was when his classification was.  
15 So in the past, for Bayou Cane, and the very next  
16 item on the agenda is a paramedic, who we've given  
17 state pay as long as they meet the qualification  
18 of -- they are firefighter 1 and they -- the chief  
19 has come in the past and testified that they  
20 respond to fires. So I guess my question would  
21 be: Why wouldn't his year start from January of  
22 2025? He got his firefighter 1 in his first year  
23 of employment, and he's not eligible until January  
24 of 2026 anyways.

25 CHAIRMAIN RUIZ:

1 Chief Borden, what you need to do is you need  
2 to try to amend the motion to do what you want to  
3 do. If you can get a second, we can discuss it,  
4 vote either up or down.

5 MR. BORDEN:

6 Well, he's got a second on his. We're just  
7 discussing it.

8 CHAIRMAIN RUIZ:

9 I know, but if you want to change it --

10 MR. BORDEN:

11 I'm not sure if I want to change it yet or  
12 not.

13 CHAIRMAIN RUIZ:

14 That's the only way you can.

15 MR. CUSIMANO:

16 You got to vote on the motion.

17 MR. BORDEN:

18 To discuss it. So we're not voting yet.

19 MR. CUSIMANO:

20 Frank Cusimano. We're discussing the motion  
21 that we're going to pay him, according to the  
22 motion of July 26. You want to bring it back to  
23 January, that date; is what you're trying to say?

24 MR. BORDEN:

25 I'm discussing it, seeing how y'all feel.

1 Fine, I'll ask to amend the motion to have his  
2 start date from January.

3 CHAIRMAIN RUIZ:

4 That's the correct way to do it.

5 MR. CARPENTER:

6 This is Patrick Carpenter. I second.

7 CHAIRMAIN RUIZ:

8 We got a second.

9 Any further discussion?

10 MR. CUSIMANO:

11 My discussion is: If he was eligible back  
12 then, why didn't he come before the Board and  
13 review it? Was there an application for  
14 supplemental pay at that point?

15 MR. BORDEN:

16 He was never eligible. He's still not  
17 eligible, not until January of 2026. He hasn't  
18 worked a year yet.

19 MR. CUSIMANO:

20 Okay, I got you.

21 MR. CARPENTER:

22 This is Patrick Carpenter. I have a  
23 question. Why is his application even before the  
24 Board today if he hasn't been employed for a year?

25 CHAIRMAIN RUIZ:

1           Because you don't have to wait a year to  
2 submit your application. You can submit your  
3 application before your year is up.

4 MS. DIEZ:

5           So you're asking why are we bringing it?

6 MR. BORDEN:

7           Yes.

8 MS. DIEZ:

9           Because if y'all determine that January of  
10 '25 is the date that you want to start with, he  
11 would actually start getting paid before y'all's  
12 next meeting.

13 MR. CARPENTER:

14           Okay, got it.

15 CHAIRMAIN RUIZ:

16           Any further discussion?

17 MR. BORDEN:

18           I'm just going to reemphasize that he started  
19 his employment. At some point during his first  
20 year, he got firefighter 1. When he makes his  
21 year in January, my opinion is he should be  
22 eligible, just as if somebody started as a  
23 firefighter, and four months into their  
24 employment, they got their firefighter 1. It  
25 doesn't start from when they got their firefighter

1 1. It starts from their year from when they were  
2 employed.

3 Also, Bayou Cane, their EMTs and their  
4 paramedics are already getting supplemental pay.  
5 We've established that at this Board in the past.  
6 So I'm good on it.

7 CHAIRMAIN RUIZ:

8 Any further discussions?

9 All right. This is a vote to amend the  
10 motion to move his date back to his original  
11 employment date.

12 MR. BORDEN:

13 January 6, 2025.

14 CHAIRMAIN RUIZ:

15 Okay. All in favor, signify by saying "aye."  
16 (SOME SAID "AYE")

17 CHAIRMAIN RUIZ:

18 All not in favor, signify by saying "nay."  
19 Whoever is against it, signify by saying "nay."

20 MS. SHUMPERT:

21 I'm sorry, if I may interject.

22 CHAIRMAIN RUIZ:

23 Roll call?

24 MS. SHUMPERT:

25 According to Robert's Rules, when an original

1 motion has been made and seconded, the floor is  
2 open for discussion.

3 CHAIRMAIN RUIZ:

4 Yes, ma'am.

5 MS. SHUMPERT:

6 What interrupts discussion is if another  
7 motion is made --

8 CHAIRMAIN RUIZ:

9 That's what he did.

10 MS. SHUMPERT:

11 -- and seconded. So now you have to be  
12 specific about the motion. You have to restate  
13 the motion before you call the vote.

14 CHAIRMAIN RUIZ:

15 I thought I did.

16 MS. SHUMPERT:

17 First you have to do the motion on moving the  
18 date. And this is, just to be clear, the motion  
19 on moving the -- setting the date, the beginning  
20 date for January.

21 MR. WILLIAMS:

22 That's what we're voting on.

23 MS. SHUMPERT:

24 I'm sorry. It just wasn't clear to me.

25 MR. WILLIAMS:

1 He stated that.

2 MR. CUSIMANO:

3 Frank. We voted on his amended motion.

4 MR. WILLIAMS:

5 Is what we're voting on now.

6 MR. CUSIMANO:

7 January -- whatever date.

8 MR. BORDEN:

9 January 6th.

10 MS. SHUMPERT:

11 Okay.

12 MR. CUSIMANO:

13 My question would be: Part of that  
14 procedure, his main motion, the amended motion  
15 would take over that, because his main motion was  
16 later, wouldn't it?

17 MS. SHUMPERT:

18 No. You have to then call the vote on the  
19 first motion made.

20 MR. CUSIMANO:

21 The amended motion?

22 MS. SHUMPERT:

23 No. On the first motion made. The second  
24 motion -- okay.

25 CHAIRMAIN RUIZ:

1 I'm lost. Wait.

2 MR. CUSIMANO:

3 Hold on. Frank Cusimano. When a motion is  
4 made, he's discussing the motion, main motion.  
5 The amended motion --

6 MS. SHUMPERT:

7 Interrupts the discussion.

8 MR. CUSIMANO:

9 We voted on the amended motion to approve  
10 that. You're back on the main motion then.

11 CHAIRMAIN RUIZ:

12 If his motion fails, then we go back to main  
13 motion.

14 MR. CUSIMANO:

15 His motion passed.

16 CHAIRMAIN RUIZ:

17 Not yet.

18 MR. CUSIMANO:

19 Oh, I'm sorry.

20 MS. SHUMPERT:

21 What I'm just encouraging is that you  
22 specifically --

23 CHAIRMAIN RUIZ:

24 Explain it better.

25 MS. SHUMPERT:

1           -- that you restate the actual motion that  
2 you are voting on so that everybody present  
3 understands the motion.

4 MR. BORDEN:

5           Say it again.

6 MS. SHUMPERT:

7           You have to restate the motion.

8 CHAIRMAIN RUIZ:

9           Brien Ruiz. I thought I did. What we're  
10 going to vote on is the amended motion to move his  
11 starting date back to January 6th, 2025.

12 MR. CUSIMANO:

13           He made the motion.

14 MR. CARPENTER:

15           Patrick. Second it.

16 CHAIRMAIN RUIZ:

17           We have a roll call vote.

18 MS. BENTLEY:

19           Brien Ruiz.

20 CHAIRMAIN RUIZ:

21           No.

22 MS. BENTLEY:

23           Richard Parker.

24           (NO RESPONSE)

25           Dwayne Thevis.

1 MR. THEVIS:  
2 No.  
3 MS. BENTLEY:  
4 Charles Williams.  
5 MR. WILLIAMS:  
6 No.  
7 MS. BENTLEY:  
8 Frank Cusimano.  
9 MR. CUSIMANO:  
10 No.  
11 MS. BENTLEY:  
12 Earl Borden.  
13 MR. BORDEN:  
14 Yes.  
15 MS. BENTLEY:  
16 Patrick Carpenter.  
17 MR. CARPENTER:  
18 Yes.  
19 CHAIRMAIN RUIZ:  
20 Motion fails.  
21 Now we go back to the original motion by  
22 Mr. Williams with starting date July 16th, 2025.  
23 Another roll call vote.  
24 MS. BENTLEY:  
25 Brien Ruiz.

1 CHAIRMAIN RUIZ:  
2 For.  
3 MS. BENTLEY:  
4 Dwayne Thevis.  
5 MR. THEVIS:  
6 For.  
7 MS. BENTLEY:  
8 Charles Williams.  
9 MR. WILLIAMS:  
10 Yes.  
11 MS. BENTLEY:  
12 Frank Cusimano.  
13 MR. CUSIMANO:  
14 Yes.  
15 MS. BENTLEY:  
16 Earl Borden?  
17 MR. BORDEN:  
18 Yes.  
19 MS. BENTLEY:  
20 Patrick Carpenter.  
21 MR. CARPENTER:  
22 No.  
23 CHAIRMAIN RUIZ:  
24 Motion passed. Start date would be July 16,  
25 2025.

1 MR. CARPENTER:

2 This is Patrick Carpenter. I have a question  
3 on the previous motion. Where did staff come up  
4 with the July date?

5 MS. BENTLEY:

6 They sent both PAFs.

7 MR. CARPENTER:

8 Thank y'all.

9 CHAIRMAIN RUIZ:

10 Jessica M. Lirette.

11 MS. BENTLEY:

12 Jessica Lirette, paramedic. This is  
13 regarding her job title as a paramedic.

14 MR. BORDEN:

15 Earl Borden. Is it open for discussion?

16 CHAIRMAIN RUIZ:

17 Yes.

18 MR. BORDEN:

19 Earl Borden. In the past, we've had  
20 paramedics and EMT job titles come before the  
21 Board because the staff questions those job  
22 titles, and they come before the Board. We've  
23 passed this in the past. Chief Himel from Bayou  
24 Cane has come and testified before the Board. So  
25 I don't know -- I guess I support this, because

1 we've done it already in the past.

2 CHAIRMAIN RUIZ:

3 Any further discussion?

4 Need a motion, Chief Borden.

5 MR. BORDEN:

6 I'll make a motion to accept Jessica as  
7 eligible for state supplemental pay.

8 MR. CARPENTER:

9 Patrick Carpenter seconds that motion.

10 CHAIRMAIN RUIZ:

11 Brien Ruiz speaking. We have a second.

12 Any further discussion?

13 MR. THEVIS:

14 I kind of agree with Earl, but in her --

15 CHAIRMAIN RUIZ:

16 Say your name, please.

17 MR. THEVIS:

18 Dwayne Thevis. But in her job description  
19 and everything, there's nothing about  
20 firefighting. She's strictly -- on all the others  
21 submitted, there was firefighting duties included.  
22 This has nothing about firefighter in it.  
23 Strictly a paramedic.

24 MR. CUSIMANO:

25 Frank Cusimano. I'm reading that, too. It

1 says in one of the paragraphs -- I don't know what  
2 one on the second page -- responds to fire calls,  
3 blah, blah, blah. Then it's got a sentence in  
4 there that says, performs fire suppression,  
5 rescue, or pump operations when not providing  
6 emergency medical services. Do you see that, in  
7 the second paragraph -- on the second page, maybe  
8 the first paragraph?

9 MR. WILLIAMS:

10 First paragraph, second sentence.

11 MR. CUSIMANO:

12 Responds to fire emergency calls, to direct  
13 operation of emergency medical services. And then  
14 it says, performs fire suppression, rescue, or  
15 pump operations when not providing emergency  
16 medical services.

17 MR. THEVIS:

18 I see it.

19 MR. BORDEN:

20 Earl Borden. This is the same classification  
21 we passed before, just like the EMT.

22 MR. THEVIS:

23 I see it now.

24 MR. CUSIMANO:

25 Call for the question.

1 CHAIRMAIN RUIZ:

2 Call for the question. All in favor, signify  
3 by saying "aye."

4 (ALL SAID "AYE")

5 CHAIRMAIN RUIZ:

6 Motion passed.

7 Brien Ruiz speaking. Chitimacha Fire  
8 Protection. All right, just wait a second, Chief.  
9 Let the ladies catch up with us.

10 MS. BENTLEY:

11 So Shana Cormier, administrative assistant  
12 and firefighter is her job title.

13 (CHIEF BILLY MORA SWORN IN BY MS. SHUMPERT)

14 CHAIRMAIN RUIZ:

15 She swore him under oath. Do y'all have any  
16 questions for the Chief?

17 MR. CUSIMANO:

18 Frank Cusimano. I have one, Chief. For her  
19 duties, it says participates in drills,  
20 demonstrations, and courses in hydraulic pump  
21 maintenance and firefighting techniques. She's a  
22 trainer plus a firefighter?

23 CHIEF MORA:

24 No. She's just a firefighter.

25 MR. CUSIMANO:

1           Just a firefighter?

2           CHIEF MORA:

3           Yes. The reason we put her as an  
4           administrative assistant, she was an entry level  
5           firefighter. So, as you know, firefighters don't  
6           make that much. So she does extra duties for me  
7           as my assistant, as filing reports and such. So  
8           to give her a bump in pay for doing these extra  
9           duties as a firefighter, that's why we put that  
10          just to increase her pay a little bit to  
11          compensate her for doing extra duties for me, but  
12          she's a firefighter. She works shifts. She  
13          exceeds -- my firefighters get 212 hours a month  
14          for hourly. She exceeds the 212, because she  
15          comes in extra.

16          MR. CUSIMANO:

17                Okay. She's a multi-tasker?

18          CHIEF MORA:

19                Correct.

20          MR. CUSIMANO:

21                And she firefights?

22          CHIEF MORA:

23                Correct.

24          MR. CUSIMANO:

25                I don't have any more questions.

1 CHAIRMAIN RUIZ:

2 Any more questions?

3 Can I have a motion, please?

4 MR. CUSIMANO:

5 Motion to approve.

6 CHAIRMAIN RUIZ:

7 Frank Cusimano makes a motion. Who seconds  
8 it?

9 MR. BORDEN:

10 Earl Borden. I'll second the motion to  
11 approve. Right?

12 CHAIRMAIN RUIZ:

13 Yes.

14 MR. BORDEN:

15 Yes.

16 CHAIRMAIN RUIZ:

17 Any further discussion?

18 Hearing none, all in favor of the motion,  
19 signify by saying "aye."

20 (ALL SAID "AYE")

21 CHAIRMAIN RUIZ:

22 Motion passes.

23 CHIEF MORA:

24 Thank y'all.

25 CHAIRMAIN RUIZ:

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Thank you, Chief.

MS. BENTLEY:

Next is Luke Polasik, and he is also here for his job title. He is a fire and emergency field training officer.

MS. SHUMPERT:

Please state your name for the record.

CHIEF FOURROUX:

Deanna Fourroux.

1 (CHIEF FOURROUX WAS SWORN IN BY MS. SHUMPERT)

2 CHIEF FOURROUX:

3 Deanna Fourroux. Luke Polasik, an employee  
4 of West Baton Rouge. This is a newer class plan  
5 in our district. As you know, we're a civil  
6 service department. So in order to pay an  
7 employee at a higher rate, we have to bring a new  
8 class plan in, as well. This employee is fire  
9 certified, has been since 2022. His job  
10 description clearly states that he is a fire  
11 suppression personnel, and he also is a paramedic  
12 and an FTO, which is a field training officer 1.

13 CHAIRMAIN RUIZ:

14 Any questions for Chief?

15 MR. THEVIS:

16 Wasn't he was on the engine yesterday?

17 CHIEF FOURROUX:

18 I'm sorry?

19 MR. THEVIS:

20 He was on the engine yesterday?

21 CHIEF FOURROUX:

22 He was on the engine yesterday, yes.

23 MR. BORDEN:

24 Earl Borden. I'd like to make a motion to  
25 approve.

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MR. THEVIS:  
Second that.  
MR. CARPENTER:  
Patrick. Second that.  
CHAIRMAIN RUIZ:  
I've got two seconds.  
MR. CARPENTER:  
I'll rescind my second.  
CHAIRMAIN RUIZ:  
Both speaking at the same time. All right.  
Dwayne seconded.  
Any further discussion?  
Hearing none, all in favor, signify by saying  
"aye."  
(ALL SAID "AYE")  
CHAIRMAIN RUIZ:  
Motion passes.  
CHIEF FOURROUX:  
Thank you.  
CHAIRMAIN RUIZ:  
Municipal Reimbursement Requests.  
Shreveport.  
MR. WILLIAMS:  
Shreveport first?  
MS. DIEZ:



1           Before y'all start, I want to bring to  
2 y'all's attention that we have asked this  
3 department to re-send this letter asking for  
4 reimbursement. It is signed by the administrative  
5 assistant to the fire chief. It should be signed  
6 by the chief, but they have never submitted it.  
7 So I don't even know that we need to keep this on  
8 the agenda or if we need to table it until  
9 possibly February, whenever we get it.

10 MR. WILLIAMS:

11           Charles. So y'all are required to have the  
12 fire chief's signature, correct?

13 MS. DIEZ:

14           Correct.

15 MR. WILLIAMS:

16           I'll make a motion to table this for the next  
17 meeting and we receive proper documentation.

18 MR. THEVIS:

19           Dwayne Thevis. I'll second it.

20 MR. BORDEN:

21           Earl Borden. Can we take all three of them  
22 in globo?

23 MR. WILLIAMS:

24           Correct.

25 MS. DIEZ:

1           Because they're all from the same department  
2 anyway.

3 CHAIRMAIN RUIZ:

4           Just make sure legal is with us. Ma'am,  
5 we're going to take all three of them in one  
6 motion?

7 MS. SHUMPERT:

8           Yes, sir.

9 CHAIRMAIN RUIZ:

10          In globo.

11 MR. CUSIMANO:

12          Request has to come from the fire chief  
13 himself?

14 MS. SHUMPERT:

15          Oh, I did not research that issue.

16 MR. WILLIAMS:

17          They said yes.

18 MS. DIEZ:

19          That's the staff.

20 MS. SHUMPERT:

21          Right.

22 MS. DIEZ:

23          We can't just accept. . .

24 CHAIRMAIN RUIZ:

25          We have a motion to table it. We got a

1 second.

2 All in favor, signify by saying "aye."

3 (ALL SAID "AYE")

4 CHAIRMAIN RUIZ:

5 Motion passes.

6 All right. Brien Ruiz speaking. I see  
7 there's a lot of Military Orders that's going to  
8 be coming up next. My question to the staff is:  
9 Are all these the same problem? What's the  
10 problem with --

11 MS. DIEZ:

12 So the problem is, I'm not qualified to read  
13 military orders. I don't know what's active and  
14 what's inactive. Y'all are here to determine  
15 eligibility.

16 CHAIRMAIN RUIZ:

17 Yes, ma'am.

18 MS. DIEZ:

19 So we would like to continue putting military  
20 orders as we receive them on the agenda for y'all  
21 to determine eligibility based on -- there's a  
22 specific code on these military orders, and I know  
23 Jordan has looked into it pretty extensively to  
24 possibly help guide the Board. But, yes, we  
25 started doing this with police and fire, just

1 because I don't know how to read these orders.

2 MR. WILLIAMS:

3 What we're on right now?

4 CHAIRMAIN RUIZ:

5 The first one is going to be Jean --

6 MS. BENTLEY:

7 Craig Jones.

8 MR. WILLIAMS:

9 We skipped Craig Jones. That's why I'm  
10 asking.

11 CHAIRMAIN RUIZ:

12 I don't have it on my sheet.

13 MS. DIEZ:

14 He's on my agenda.

15 CHAIRMAIN RUIZ:

16 Okay, I see it now. I'm sorry. He's not  
17 with the rest of them. That's what happened.

18 MR. WILLIAMS:

19 So Craig Jones.

20 CHAIRMAIN RUIZ:

21 So Craig Jones, military orders.

22 MR. BORDEN:

23 Earl Borden. I just want to, I guess,  
24 mention, I believe it was the last meeting or the  
25 meeting before where the staff brought to our

1 attention some employees that were on military  
2 leave for five, eight years that weren't getting  
3 paid by the department, but were continuing to get  
4 state pay. If I remember, y'all were going to  
5 look into that a little more to see if that is --  
6 I think everybody on the Board agreed that we  
7 support the military, and we want to continue to,  
8 but it has to be some sort of a threshold there  
9 where somebody is not sitting on military leave  
10 for years collecting state pay.

11 MR. WILLIAMS:

12 Charles Williams. I know we had one issue a  
13 couple of years back where the orders actually  
14 stated -- it was stating that it was voluntary for  
15 him to go. He had orders to go, that he was  
16 active, but if he chose not to, he didn't have to.  
17 It was a thing. The way I'm reading all of these  
18 is, they have to go. They have no choice, you  
19 know. I think that's the difference in some of  
20 these orders. And it was a career guy with five,  
21 six years where we hadn't seen him. He was with  
22 my department. He was employed ten years ago, and  
23 he's been there a total of one year at my  
24 department.

25 MS. DIEZ:

1 I just want to give a little insight of what  
2 we see on our end and have seen over the years  
3 that's made this so difficult and has brought it  
4 to this. The branches have figured out if they  
5 put the word "active" in these orders, which is in  
6 this very first sentence for this Craig Jones, you  
7 are ordered to active duty, and then they go into  
8 whatever, but there's actually a code -- and,  
9 Jordan, correct me if I'm wrong -- authority,  
10 there's a Title 10 USC section where that's  
11 actually going to tell you if it's --

12 MR. WILLIAMS:

13 Mandatory?

14 MS. DIEZ:

15 -- part of the four criteria that's in the  
16 initial, very first page, whenever you pull up his  
17 military orders. That is straight out of statute  
18 that they have to meet one of those four criteria,  
19 which is: Declaration of war; congressional  
20 authorization or presidential proclamation under  
21 the Warpowers Resolution; national emergency; or  
22 call of the governor as provided by law.

23 MR. WILLIAMS:

24 Okay. So do we know those codes?

25 MS. DIEZ:

1 Well, I'm going to defer to Jordan.

2 MS. MOREAU:

3 So each military order should have somewhere  
4 on it an authority or authorization code where  
5 they cite a specific U.S. code. The problem is,  
6 some of them are easy to interpret when you read  
7 them, and you can tell that it's either for  
8 training or, you know, something specific. Some  
9 of them are not so easy to recognize, what falls  
10 under, like Candy said, those four criteria. That  
11 came from an audit, correct?

12 MS. DIEZ:

13 Yes.

14 MS. MOREAU:

15 So that is what's telling us or you guys for  
16 eligibility purposes if these military orders do  
17 in fact fall under one of those four criteria.

18 MR. CUSIMANO:

19 Frank Cusimano. I have a question. I've  
20 been on this Board a couple of times over many  
21 years. I thought that, you know, when we had  
22 firefighters who were called in to duty, such as  
23 Saudi Arabia, then we would continue their  
24 supplemental pay. But as I'm hearing now, we have  
25 a gentleman that's been on the department one year

1 and been in the military nine years, and we're  
2 still paying his pay?

3 MR. WILLIAMS:

4 No. No. We stopped that. We stopped that.

5 MS. DIEZ:

6 We had one with police that was supposed to  
7 be on military leave until 2037, and she's already  
8 been on military leave for years. So that's how  
9 long some of these orders go. And she was still  
10 getting paid for the majority of the time that she  
11 was out. She's coming back now.

12 CHAIRMAIN RUIZ:

13 Brien Ruiz speaking. My question to Jordan  
14 is: I mean, these codes, how do we, as board  
15 members, get a copy of these codes so we can  
16 understand exactly what --

17 MS. TESSIER:

18 We Google them.

19 MS. BENTLEY:

20 For him specifically, he's Number 10 on  
21 the -- I think it's the second page of his actual  
22 orders down here on his --

23 MR. CARPENTER:

24 Yes. It says, army use.

25 MS. BENTLEY:

1           It says, army use, authority, Title 10 USC  
2           Section 1234(b).

3           MS. MOREAU:

4           Like I said, some of them are fairly simple  
5           when you look them up, but, you know, some of them  
6           get a little too complicated.

7           MS. BENTLEY:

8           Are you looking for the code?

9           MR. WILLIAMS:

10          That code. Like, what am I looking for in  
11          their orders?

12          MS. TESSIER:

13          Authority.

14          MR. WILLIAMS:

15          No. What is the code I'm looking for?

16          MS. DIEZ:

17          He's saying, how does he know if it's active  
18          or not?

19          MS. TESSIER:

20          That's the question we're trying to get y'all  
21          to help us with.

22          MR. WILLIAMS:

23          So we don't --

24          MS. TESSIER:

25          We're not military.

1 MR. WILLIAMS:

2 We need a site.

3 MS. MOREAU:

4 It's hard to interpret for sure.

5 MS. DIEZ:

6 But y'all are the Board. Y'all are here to  
7 determine eligibility, not us.

8 CHAIRMAIN RUIZ:

9 Right, we decide one way or another.

10 MS. TESSIER:

11 What it says.

12 MR. WILLIAMS:

13 Okay. That's just his?

14 MS. BENTLEY:

15 That has for all of them, if you look at the  
16 next page.

17 MR. WILLIAMS:

18 This one is with that guy we took away from,  
19 said was with his consent. Well, we figured  
20 that's not mandatory.

21 MS. BENTLEY:

22 Yes. That's why I highlighted it.

23 MR. WILLIAMS:

24 I remember that. It was with his consent.

25 CHAIRMAIN RUIZ:

1 All right. Craig D. Jones, Baker Fire  
2 Department, that's what we're discussing at the  
3 present time. Do y'all see anything in his orders  
4 that denies him the right to continue to receive  
5 supplemental pay?

6 Brien Ruiz speaking. I'm sorry.

7 Do y'all, gentlemen, do y'all see anything  
8 that may stop him from receiving supplemental pay  
9 in his orders?

10 MS. DIEZ:

11 I'm not familiar with what Misty attached,  
12 this North Atlantic Treaty Organization, NATO. I  
13 don't know if any of y'all are, to know if this is  
14 active or if this would be just voluntary.

15 MR. WILLIAMS:

16 Okay. So from reading the orders, his  
17 purpose of activation is in support of Operation  
18 Joint Guardian. So he's being deployed to Kosovo.

19 CHAIRMAIN RUIZ:

20 Yes. All right. So make a motion to give it  
21 to him.

22 MR. WILLIAMS:

23 Yes.

24 CHAIRMAIN RUIZ:

25 Make it.

1 MR. WILLIAMS:

2 Oh. I make a motion to approve his state  
3 pay.

4 MR. THEVIS:

5 Dwayne Thevis. Second.

6 CHAIRMAIN RUIZ:

7 Got a second.

8 Any further discussion on -- let me get the  
9 right guy here -- Craig Jones?

10 Hearing none, all in favor giving Mr. Jones  
11 supplemental pay, signify by saying "aye."

12 (ALL SAID "AYE")

13 CHAIRMAIN RUIZ:

14 Motion passes.

15 All right. Now we go back down to where I  
16 thought we was at. Jean Paul Thibodaux, Baton  
17 Rouge, military orders. I see their chief is  
18 here. Maybe we can make this one short.

19 Chief, can you come up, please.

20 CHIEF KIMBLE:

21 Yes, sir.

22 CHAIRMAIN RUIZ:

23 Swear him.

24 MS. SHUMPERT:

25 Please state your name for the record.

1 CHIEF KIMBLE:

2 Michael Kimble.

3 (CHIEF KIMBLE WAS SWORN BY MS. SHUMPERT)

4 CHAIRMAIN RUIZ:

5 Chief, I'm trying to pull it up. Can you  
6 give us any details, or do you know where this  
7 gentleman is deployed to and what he's doing?

8 CHIEF KIMBLE:

9 Yes. His purpose was activation of support  
10 of counter-terrorism escort AFRICOM, was in his  
11 document.

12 CHAIRMAIN RUIZ:

13 I'm trying to pull it up. Got it.

14 MR. CUSIMANO:

15 Frank Cusimano. Chief, how long has he been  
16 from your department deployed?

17 CHIEF KIMBLE:

18 He was deployed on May 6th.

19 CHAIRMAIN RUIZ:

20 When is he due back?

21 Brien Ruiz speaking.

22 CHIEF KIMBLE:

23 400 days.

24 CHAIRMAIN RUIZ:

25 A little bit over a year.

1 MS. BENTLEY:

2 This is Jean Paul Thibodaux.

3 MS. DIEZ:

4 So the orders I have say from January 30 of  
5 2025 to May 14th of 2025.

6 CHIEF KIMBLE:

7 So he was reporting on May 18 of 2025, is  
8 when he reported. Period of active duty is 400  
9 days.

10 MS. DIEZ:

11 I don't think we have those orders.

12 MR. WILLIAMS:

13 Yes, that's not what I'm looking at.

14 MS. DIEZ:

15 That's a whole separate problem we're having,  
16 is that we're not getting updated orders from  
17 these municipalities. From what we're looking at,  
18 it looks like he returned May 15th.

19 CHIEF KIMBLE:

20 That come from us, from Baton Rouge Fire  
21 Department?

22 MS. DIEZ:

23 Yes.

24 CHIEF KIMBLE:

25 Okay. We'll address that.

1 CHIEF SPILLMAN:

2 This is the PAF that was sent in.

3 MR. WILLIAMS:

4 The PAF that Chief Spillman just brought up  
5 that was sent in, effective date was May 15th of  
6 2025.

7 CHAIRMAIN RUIZ:

8 Brien Ruiz speaking. Y'all sent the new  
9 orders in?

10 CHIEF KIMBLE:

11 I can only assume. That's our procedures.  
12 That's usually how it happens.

13 MS. DIEZ:

14 On a PAF?

15 CHIEF KIMBLE:

16 My understanding.

17 MS. DIEZ:

18 I mean, we need official orders.

19 CHIEF SPILLMAN:

20 The orders are connected to the PAF.

21 MR. WILLIAMS:

22 But you have active orders?

23 CHIEF KIMBLE:

24 Yes, sir, we do have active orders.

25 MR. WILLIAMS:

1 I make a motion that we approve it.

2 MS. DIEZ:

3 Can we just look real quick?

4 MR. WILLIAMS:

5 I'm sorry.

6 CHIEF KIMBLE:

7 Would you like to see these, Ms. Candy?

8 MR. CARPENTER:

9 Chief Kimble, can I see those orders?

10 CHIEF KIMBLE:

11 Yes, sir.

12 MR. CARPENTER:

13 Thank you, Chief Kimble.

14 MR. BORDEN:

15 This must have been his first orders, and  
16 then he got extended orders, because it ends on  
17 the 14th, and that starts on the 15th.

18 MR. WILLIAMS:

19 The first one --

20 The ones we have state that he was being  
21 deployed or active for readiness, is what it's  
22 stating. Yours is saying he's actual being  
23 deployed?

24 CHIEF KIMBLE:

25 Correct.

1 CHAIRMAIN RUIZ:

2 What's the proper way to submit that?

3 MS. SHUMPERT:

4 Would be through the portal, wherever the  
5 application is submitted. I defer to the staff on  
6 how they're able to process any additional  
7 documentation that's submitted.

8 MR. CUSIMANO:

9 Frank Cusimano. My question is: Can we  
10 submit that as part of the record of this meeting  
11 that he's got the orders for that gentleman?

12 MS. SHUMPERT:

13 I'm deferring to the staff on how they can  
14 add that information.

15 MR. WILLIAMS:

16 They're trying to see if it's there.

17 CHIEF KIMBLE:

18 No problem.

19 MS. SHUMPERT:

20 Because, otherwise, to keep an active record,  
21 it needs to be submitted through the portal.

22 MS. DIEZ:

23 Okay, we have it.

24 MR. WILLIAMS:

25 Candy, do you have the one stating --

1 MS. DIEZ:

2 We have the new ones, yes. Misty forgot she  
3 added --

4 MR. WILLIAMS:

5 I make motion to approve -- we all make  
6 mistakes, it happens.

7 MS. DIEZ:

8 Y'all have determined that this is active  
9 duty?

10 CHAIRMAIN RUIZ:

11 Yes.

12 MS. DIEZ:

13 Okay.

14 MR. WILLIAMS:

15 Make a motion to approve.

16 MR. CUSIMANO:

17 Second.

18 CHAIRMAIN RUIZ:

19 Seconded by Frank.

20 Any further discussion?

21 Hearing none, all in favor, signify by saying  
22 "aye."

23 (ALL SAID "AYE")

24 CHIEF KIMBLE:

25 Thank y'all.

1 CHAIRMAIN RUIZ:

2 Jean Paul Thibodaux is approved.

3 All right. Is Christopher next on y'all's  
4 list?

5 MR. CARPENTER:

6 Yes. We have the chief from New Orleans is  
7 here to speak.

8 CHAIRMAIN RUIZ:

9 Okay. If we need him, we'll bring him up.

10 MR. CARPENTER:

11 Thank you.

12 CHAIRMAIN RUIZ:

13 Okay. Chief of New Orleans?

14 CHIEF NELSON:

15 Roman Nelson, New Orleans Fire Chief. I also  
16 have with me Fire Administrator Tomekia  
17 Dunkley-Edmond. She knows the specifics, and I  
18 don't.

19 MS. SHUMPERT:

20 I'll swear you both in.

21 (CHIEF NELSON AND FIRE ADMINISTRATOR EDMOND  
22 SWORN BY MS. SHUMPERT)

23 MS. SHUMPERT:

24 Before you speak, please state your name for  
25 the record.

1 CHAIRMAIN RUIZ:

2 We need a motion to approve or disapprove.

3 MR. CARPENTER:

4 And second.

5 MR. CUSIMANO:

6 Frank Cusimano. He's on active duty now in  
7 the military?

8 MS. EDMOND:

9 Tomekia Dunkley-Edmond. According to his  
10 orders, he went on active duty April 2024, for a  
11 period of 365 days. Mr. Sigler has returned to  
12 work.

13 MR. CUSIMANO:

14 He's returned to work?

15 MS. EDMOND:

16 Yes.

17 MR. CUSIMANO:

18 We have to make a motion to pay.

19 CHAIRMAIN RUIZ:

20 He didn't get paid while he was gone?

21 MS. EDMOND:

22 I'm not sure why he was placed on here. We  
23 got the names, and I just went ahead and started  
24 pulling their orders, but I think I have him  
25 listed as return to service.

1 CHAIRMAIN RUIZ:

2 He's back at work, then why is he on here?

3 MR. CUSIMANO:

4 Did we pay him while he was on active duty?

5 MS. DIEZ:

6 I'm trying to find out.

7 He was paid.

8 MS. EDMOND:

9 We submitted all of our orders through  
10 e-mails to the staff.

11 MR. CUSIMANO:

12 He's back at duty.

13 CHAIRMAIN RUIZ:

14 He's getting paid already. So no action.

15 MS. EDMOND:

16 We can skip then, because we have three of  
17 them that returned back. I only have two on here  
18 that are currently active duty.

19 MS. DIEZ:

20 Let me interject for a second. We got these  
21 for the July meeting, but we didn't make any  
22 decisions at the July meeting. So that's why it's  
23 now November, that's why they're way behind. I  
24 just wanted to clarify.

25 CHAIRMAIN RUIZ:

1           Brien Ruiz speaking. Give me the names of  
2 the three people that are back at work already.

3 MS. EDMOND:

4           Christopher Sigler, Axel Gutierrez, and  
5 Quincy Landry.

6 CHAIRMAIN RUIZ:

7           Say that again. Quincy Landry,  
8 Christopher --

9 MS. EDMOND:

10          Gutierrez, Landry, and Sigler.

11 MS. BENTLEY:

12          Quincy was on military training orders?

13 MR. WILLIAMS:

14          He's back already.

15 MS. DIEZ:

16          I think that y'all probably need to look at  
17 each one, because they may not all be for the same  
18 thing.

19 CHAIRMAIN RUIZ:

20          They're all back at work already, though.

21 MS. DIEZ:

22          But that doesn't matter. If they were not  
23 eligible to receive and they did get money, then  
24 what would we do? We need something on record to  
25 say that they were eligible to receive.

1 MR. CARPENTER:

2 Patrick Carpenter. Question: Christopher  
3 Sigler, was he paid state supplemental pay while  
4 he was deployed?

5 MS. BENTLEY:

6 Yes.

7 MR. CARPENTER:

8 Okay.

9 MR. CUSIMANO:

10 Favalora, was he paid?

11 MS. BENTLEY:

12 When was his period of deployment?

13 MS. EDMOND:

14 His period of deployment was May 15th, 2025.  
15 He'll be gone for 365 days, as well.

16 MS. ROBISON:

17 He's been receiving pay from --

18 CHAIRMAIN RUIZ:

19 Favalora?

20 MS. EDMOND:

21 A period of 400 days to report for active  
22 duty.

23 MS. DIEZ:

24 His orders say 400 days, not 365.

25 MS. EDMOND:

1 Yes. I didn't say 365, which started  
2 May 15th of 2025.

3 MS. DIEZ:

4 That's for something different. That's for  
5 U.S. Africa Command.

6 MR. CUSIMANO:

7 My question to you again is: When these  
8 firefighters or employees go off, and we keep  
9 paying them, are you questioning why we should  
10 keep paying them?

11 MS. DIEZ:

12 So this has been going on since at least 2016  
13 when Candace was the manager of my staff. We have  
14 always tried to nail down how we determine if  
15 these military orders are active or inactive, and  
16 we never could get a decision on who was supposed  
17 to be doing that. Is it something legal should be  
18 looking into? Is it something the staff should?  
19 No, we shouldn't, because we don't determine  
20 eligibility. And that goes along with it. This  
21 is not the first time military has come up, it's  
22 just the first time that we're actually putting it  
23 on the agenda to make somebody, make the Board  
24 make a decision. So we're kind of playing  
25 catch-up with it on some, but we're pretty much

1 caught up now. And we were paying them instead of  
2 having to go back and backpay. So yes, we have  
3 been paying them if it said active duty, because  
4 that's what I was told back in 2016, was that's  
5 all we looked for was the word "active duty."  
6 Well, then, it came up that just because the  
7 branch puts active duty on the orders doesn't  
8 necessarily mean it's real active duty. We were  
9 finding out there were a lot of recruiters out  
10 there sitting in offices for 17 and 20 years as a  
11 recruiter --

12 CHAIRMAIN RUIZ:

13 And getting paid.

14 MS. DIEZ:

15 -- but their orders said active duty. So  
16 they were still getting paid, but they weren't  
17 actually part of that full criteria that is listed  
18 in the first page of each of these orders that  
19 came from the statute and from our internal  
20 auditor.

21 CHAIRMAIN RUIZ:

22 Brien Ruiz speaking. To answer your  
23 question, Frank, we caught all this stuff -- Candy  
24 and the staff caught all this stuff, and we  
25 started removing all these people off of the rolls

1 of getting supplemental pay. That's what I wanted  
2 to say.

3 But Alan Favalora is the person in question.  
4 We're going to take them one at a time like Candy  
5 wants. So Alan Favalora, the orders are May 15th,  
6 he's got to stay out there for 400 days. He's in  
7 Africa. So we need to make a motion to either  
8 approve or disapprove his supplemental pay.

9 MR. THEVIS:

10 Dwayne Thevis. I approve.

11 CHAIRMAIN RUIZ:

12 We got a motion to approve.

13 MR. CUSIMANO:

14 Second.

15 CHAIRMAIN RUIZ:

16 Frank Cusimano seconds.

17 Any further discussion on Mr. Favalora?

18 Hearing none, all in favor signify by saying  
19 "aye."

20 (ALL SAID "AYE")

21 CHAIRMAIN RUIZ:

22 The next person is Axel Gutierrez.

23 MR. CUSIMANO:

24 What's his information?

25 MS. EDMOND:

1           February 4, 2025 to August 16, 2025. He has  
2 returned to duty.

3 MR. CUSIMANO:

4           He's returned to duty?

5 MS. EDMOND:

6           Yes, sir.

7 MR. CUSIMANO:

8           Motion to approve.

9 MR. WILLIAMS:

10          He was going to school?

11 MS. BENTLEY:

12          Active duty training.

13 MR. WILLIAMS:

14          Formal training school, is what it says.

15 MS. BENTLEY:

16          Generally we don't --

17 CHAIRMAIN RUIZ:

18          Called in for what?

19 MS. EDMOND:

20          It says basic military training and technical  
21 training school.

22 MR. WILLIAMS:

23          Formal training school, is what it says.

24 MS. EDMOND:

25          There were a couple of different trainings he

1 had to conclude. If you start looking at Number 8  
2 on down, it gives his courses.

3 CHAIRMAIN RUIZ:

4 I'm trying to see whether this was mandatory  
5 or voluntary. Some people, I know for a fact,  
6 some people volunteer to go take all these  
7 classes, and then they get these orders. Brien  
8 Ruiz speaking.

9 MS. EDMOND:

10 With New Orleans, we kind of receive -- so  
11 one of our members went in, reached out to  
12 Christopher McNeil, who is the assistant attorney  
13 general of litigation division, who gave us a  
14 bunch of different laws that protected the active  
15 duty military members under the USERRA and the  
16 Military Relief Act that pretty much held  
17 employers to certain obligations for active duty.  
18 It does not say training. Does not say whether  
19 they volunteered or not. It just says, when they  
20 go active duty, we are mandated to cover them for  
21 certain things.

22 MS. TESSIER:

23 Do y'all pay them?

24 MS. EDMOND:

25 They do get military. The City of New

1 Orleans does afford 15 days a year annual leave.

2 MS. DIEZ:

3 That's in statute.

4 MR. WILLIAMS:

5 Yes, everybody does that.

6 CHIEF NELSON:

7 Norman Nelson, New Orleans. Ms. Edmond and I  
8 have been talking about this. What I don't  
9 understand, if a firefighter goes on leave without  
10 pay, we reduce their state pay, right. But if  
11 they're on military orders beyond the 15 days that  
12 we provide from the City of New Orleans, we no  
13 longer pay them, but they're still getting state  
14 pay like it's a benefit. The law she mentioned,  
15 the assistant attorney general, he talked about  
16 leave and a lot of other benefits. So we still  
17 have to pay them their leave, their vacation  
18 accrues, and all of those kind of things, but we  
19 don't pay them their salary. So it kind of treats  
20 state pay like an earned benefit, not like  
21 additional supplemental pay.

22 So in my opinion, I think we might want to  
23 get an opinion from the new attorney general,  
24 because I can see why Ms. Diez is having such  
25 frustration, because whoever you talk to, you get

1 different opinions. And we similarly have a lot  
2 of things that we've been doing based on, that's  
3 the way it's always been done, but there's no  
4 documentation or laws to show that this was done  
5 properly in the first place. We've just been  
6 doing it because that's the way it's always been  
7 done.

8 MS. TESSIER:

9 That's a big problem.

10 CHIEF NELSON:

11 It might be good to get an opinion on it from  
12 this attorney general on the specifics of that.

13 MR. WILLIAMS:

14 I believe the limitation is five years.

15 MS. EDMOND:

16 It is.

17 MR. WILLIAMS:

18 You only have to employ for five years, but  
19 I've yet to see a city terminate a military  
20 employee that's been gone for longer than five  
21 years. We have one in our --

22 MS. EDMOND:

23 We haven't had one. It does say five years  
24 they're afforded that benefit. It literally does  
25 say that, and that they could get reinstatement

1 for up to five years. And then anything after  
2 that is supposed to be reemployment.

3 CHAIRMAIN RUIZ:

4 Brien Ruiz speaking. There is some  
5 deployments that pay the duration when they're  
6 gone. St. Bernard does. They pay the whole time.

7 MR. BORDEN:

8 We used to. We don't do that, because we had  
9 an employee who was on military leave for four  
10 plus years.

11 CHAIRMAIN RUIZ:

12 Who was that?

13 MR. BORDEN:

14 We had a few.

15 CHAIRMAIN RUIZ:

16 Tell me later. I'm sorry, correct that.

17 MR. BORDEN:

18 Follow the laws, because the law says we have  
19 to.

20 MS. EDMOND:

21 Yes, once they run out of those days, they  
22 have to use their own accrued leave, annual leave.

23 CHAIRMAIN RUIZ:

24 All right. I'll check into that.

25 MS. TESSIER:

1 I want to add that in the case of this one  
2 we're talking about now -- because I used to do  
3 fire. Misty does it now. But it looks like every  
4 time that y'all reported to us that he was on  
5 leave without pay, we didn't pay him, because we  
6 didn't have the orders.

7 MS. EDMOND:

8 Right. So if we reported him leave without  
9 pay, we give them the option to go leave without  
10 pay once they run out of their allotted days. So  
11 if he opted, that's what we reported, leave  
12 without pay. Then, therefore, he wouldn't get  
13 paid.

14 MS. TESSIER:

15 So he didn't receive his full payments?

16 MS. EDMOND:

17 Right. We try to be really judicious when  
18 we're submitting that documentation to report any  
19 days missed.

20 MS. TESSIER:

21 We appreciate that.

22 MS. EDMOND:

23 Regardless of what it is.

24 MS. BENTLEY:

25 I wanted to point out that the authority for

1 this one is 10 USC 12301(d). And D says: At any  
2 time, an authority designated by the Secretary  
3 concerned may order a member of a reserve  
4 component under his jurisdiction to active duty,  
5 or retain him on active duty, with the consent of  
6 that member. However, a member of the Army  
7 National Guard of the United States -- and it  
8 names some others -- may not be ordered to active  
9 duty under this subsection without the consent of  
10 the governor or other appropriate State authority.

11 MS. EDMOND:

12 Is that for Gutierrez?

13 MS. BENTLEY:

14 That's Gutierrez.

15 MS. MOREAU:

16 I think that's basically saying he's a  
17 reserve.

18 MS. EDMOND:

19 Right. The governor calls --

20 MS. MOREAU:

21 So it's volunteer, but he can be called up if  
22 needed.

23 MS. EDMOND:

24 Right.

25 CHIEF NELSON:

1 Roman Nelson, New Orleans. I think the point  
2 like we were making earlier is, even though  
3 they're ordered to go active duty and they have to  
4 show up, that doesn't mean we have to pay them,  
5 right. So, similarly, are they entitled to state  
6 pay if they're not entitled to their regular  
7 salary and they're not working as a firefighter  
8 during that time for municipality?

9 MS. DIEZ:

10 That's a good point. It's always been told  
11 to me if the municipality doesn't pay them, we  
12 don't pay them.

13 CHAIRMAIN RUIZ:

14 Let's finish Mr. Gutierrez, decide his fate,  
15 and then I got a question.

16 MR. WILLIAMS:

17 Decide his fate.

18 CHAIRMAIN RUIZ:

19 I mean, that's what we're doing.

20 MR. WILLIAMS:

21 Charles. Is there a way we can get an  
22 opinion, I mean, before we go and do all this?

23 MS. DIEZ:

24 I defer to Sherlyn.

25 MR. WILLIAMS:

1 I know the law was written for Desert Storm  
2 and Operation Freedom and all that for those guys  
3 who were deployed to go protect this country, they  
4 would continue to receive their money. But, I  
5 mean, it's just my opinion, going to a school,  
6 you're not -- that you're choosing to go to  
7 doesn't, to me, fit that law the way it's  
8 intended, but I'm not an attorney. I just think  
9 that we need to have some legal guidance on this  
10 before we go and do this.

11 MR. BORDEN:

12 Earl Borden. And I'll just share my  
13 experience. I mean, Chief Ruiz, works  
14 St. Bernard, right, paid that. But we had  
15 numerous employees that went to all these military  
16 schools, going to all this extra training  
17 voluntarily and taking years off from the  
18 department getting paid and along with state pay.  
19 And it was such an issue that we had to address it  
20 and change it to where we stopped paying them  
21 outside of their designated two weeks training --  
22 what is it -- basic training, mandatory training.  
23 But we had an employee that was out for four  
24 years, and I'm pretty sure they collected state  
25 pay the entire time. So it is an issue. And

1 maybe that is something we need to look at, if the  
2 department is or isn't paying.

3 MR. CUSIMANO:

4 Frank Cusimano. Listen, to me, this is a  
5 very touchy situation, because we support the  
6 military.

7 MR. BORDEN:

8 We do.

9 MR. CUSIMANO:

10 Always do. I love the military, but if your  
11 permanent job is a firefighter, you get  
12 supplemental pay, and you change and you do  
13 military service under the other parts of the  
14 statute that declare war and stuff like that, I  
15 can understand that. But when you go to four  
16 years, five years, and we continue to keep paying  
17 them as a firefighter, to me, we need some  
18 clarification on that. Maybe we need to either  
19 change the law or something to address that,  
20 because, to me, that seems to be a little bit  
21 overboard.

22 MS. SHUMPERT:

23 If I may interject. This is Sherlyn  
24 Shumpert. I think that this issue, it's two part.  
25 But the important point or factor that the Board

1 needs to consider is whether the fire -- the  
2 primary employer is paying the employee during the  
3 time that they're out on military leave. There  
4 are some important terms that need to be  
5 considered; for example, job protection is what  
6 you are talking about, that if a person is out on  
7 military leave, ordered or not ordered, you know,  
8 you can go back and forth and have the attorney  
9 general give guidance to the fire department on  
10 that. But what the Board needs to consider is if  
11 the primary employer is not paying that employee,  
12 then they're not entitled to supplemental pay,  
13 because supplemental pay is an extra -- is to  
14 supplement the salary that they are receiving.  
15 And it's also important to consider that when a --  
16 when an employee is out on military leave, they  
17 are being paid by the federal government. So what  
18 you don't have to consider is whether or not  
19 they're receiving any type of compensation while  
20 they're out on leave. You have to determine --  
21 you have to find out if they're receiving  
22 compensation from their primary employer, they're  
23 entitled to supplemental pay. And that is the  
24 real question, the real issue.  
25 CHAIRMAIN RUIZ:

1           See, I don't agree with that, because the  
2 City of New Orleans, after 15 days, don't pay  
3 them. And this guy gets deployed to Afghanistan,  
4 where they're fighting a war, and just because the  
5 City of New Orleans -- I'm just using y'all as an  
6 example -- isn't paying them after 15 days doesn't  
7 mean that this Board shouldn't give him pay while  
8 he's over there fighting the war.

9 MS. DIEZ:

10           That's where this four criteria comes in to  
11 play, because it states if there's a declaration  
12 of war, that's right there they would get paid.  
13 This covers them. This is in statute and, like I  
14 said, from the internal auditor.

15 MR. CUSIMANO:

16           Frank Cusimano. I think that was the intent  
17 of putting those stipulations in there.

18 MS. DIEZ:

19           Right. There's four stipulations that they  
20 can fall under.

21 MR. CUSIMANO:

22           I think Gail --

23 MS. SHUMPERT:

24           My name is Sherlyn.

25 MR. CUSIMANO:

1 I'm sorry. Why do I keep calling you Gail?  
2 I'm sorry. I apologize.

3 Sherlyn, what I think you were saying is in  
4 supplemental pay statute, it says you must be  
5 employed by fire department, municipality, blah,  
6 blah, blah --

7 MS. SHUMPERT:

8 Receiving pay.

9 MR. CUSIMANO:

10 -- receiving pay. So I can understand both  
11 points. When they're employed by fire department,  
12 it completes that statute.

13 MS. SHUMPERT:

14 Yes.

15 MR. CUSIMANO:

16 If they go on military duty under those four  
17 criteria, it completes that.

18 MS. SHUMPERT:

19 Correct.

20 MR. CUSIMANO:

21 But extended on, I think, is where we need to  
22 get clarity on, state not under those four  
23 requirements. That's what we're looking at.

24 MS. SHUMPERT:

25 In order for me to seek an attorney general's

1 opinion, there has to be a motion by the Board and  
2 the minutes have to be reflected.

3 CHAIRMAIN RUIZ:

4 That was going to be my next question.

5 MS. SHUMPERT:

6 And the specific question that I need to  
7 present to the attorney general's office.

8 CHIEF NELSON:

9 Roman Nelson, New Orleans. Because the  
10 immediate question that comes to my mind is: Why  
11 do those four circumstances apply to state pay and  
12 not to regular salary? And they may. That's what  
13 I mean, it may be a point of clarification on  
14 whether it applies to -- I think the question may  
15 be is whether the state pay is applied as a  
16 benefit or as an earned income, kind of question.  
17 Because like we talked about earlier, we've got  
18 decisions that all benefits have to be provided to  
19 people who are doing military service. So they're  
20 still accruing their leave and everything else.  
21 It sounds like state pay may be getting lumped  
22 onto that side and not, as Ms. Sherlyn said,  
23 supplemental pay versus a benefit.

24 So I think if we get some clarification,  
25 would be fantastic for all of our benefits. We

1 can all be on the same page and make sure that the  
2 fire employees of the state get the benefits they  
3 deserve, but then we're also not giving them  
4 unearned benefits.

5 MS. DIEZ:

6 We have in the past. Michelle Girard, she  
7 did submit to the AG's office about this military  
8 leave and pay, but I don't think she asked the  
9 right question for us to get the answers that we  
10 needed.

11 MR. WILLIAMS:

12 Correct.

13 MS. DIEZ:

14 That was the issue that we ran into there.

15 CHAIRMAIN RUIZ:

16 We need a motion to ask for attorney  
17 general's opinion, and we need to be very clear on  
18 what we're going to ask for.

19 MR. THEVIS:

20 Make a motion.

21 CHAIRMAIN RUIZ:

22 Got a second?

23 MR. BORDEN:

24 Earl Borden. I'll second that motion. Open  
25 up for discussion.

1 CHAIRMAIN RUIZ:

2 Open up for discussion. Go ahead.

3 MR. BORDEN:

4 Earl Borden. So we just passed a couple of  
5 military people, and then actually the chief left,  
6 and we can't ask if he paid them or not. So I  
7 don't know how the Board wants to handle that, but  
8 I think that's something that needs to be  
9 addressed, because if we're going to delay the  
10 rest of these employees pending an opinion.

11 MR. WILLIAMS:

12 I don't think it's a matter of if the city  
13 paid them or not. That's neither here nor there  
14 because of the --

15 CHAIRMAIN RUIZ:

16 State your name.

17 MR. WILLIAMS:

18 Charles Williams.

19 -- because of the Revised Statute 29:4058,  
20 the city's compensation doesn't have anything to  
21 do with it.

22 MS. DIEZ:

23 Right.

24 MR. WILLIAMS:

25 This is about being actively deployed under

1 one of those four conditions that are stated in  
2 that statute. And the ones we did approve are  
3 overseas. It clearly states that they're going to  
4 Horn of Africa, they're going to wherever.

5 MR. THEVIS:

6 Kosovo.

7 MR. WILLIAMS:

8 Yes. To me, that is active duty, they're  
9 going to protect this country overseas. That's  
10 something different. So with the ones we're  
11 talking about right here, we're talking about  
12 training for a year, these four classes, schools  
13 he went to or whatever. So I do believe that we  
14 need to get, like I said, the opinion on what  
15 constitutes military orders under those four  
16 categories. That's what we need.

17 MS. DIEZ:

18 My question would be, Charles, is: The three  
19 y'all have approved, which one of those four  
20 criteria do they fall under? I mean, is it  
21 declaration of war --

22 MR. CUSIMANO:

23 We're still on the Gutierrez?

24 CHAIRMAIN RUIZ:

25 Yes.

1 MS. TESSIER:

2 Four have been approved; is that right?

3 MS. DIEZ:

4 Three, but I'm questioning.

5 CHAIRMAIN RUIZ:

6 So far we've got -- wait.

7 MS. BENTLEY:

8 Did we skip Sigler?

9 MR. WILLIAMS:

10 Jones and Thibodaux and Alan. Sigler, we  
11 didn't talk about it, because they said he had  
12 been paid already. We never went back to him. A  
13 decision was not made on him.

14 MS. BENTLEY:

15 Right.

16 MR. WILLIAMS:

17 Charles. Again, I think we need a  
18 clarification on these four categories or whatever  
19 you want to call them. That's the question we  
20 need and what constitutes those things.

21 MS. MOREAU:

22 I think we can get, whether it's our own  
23 legal or like a consultant for the Board, to maybe  
24 interpret those U.S. codes. Like Adrienne on the  
25 Police Board, she's an attorney, so she knew how

1 to read them and she knew how to look at it and  
2 say, okay, yes, it does fall under this one, this  
3 one, this one. So I think that would be helpful  
4 to try to get like an expert opinion on how to  
5 interpret them, so that they can actually say,  
6 yes, it does fall under one of these four.  
7 Because I know when I read them, I couldn't tell  
8 you that at all.

9 CHAIRMAIN RUIZ:

10 I know I can't.

11 MS. ROBISON:

12 That may support the Board's decision.

13 MS. MOREAU:

14 Right, to help you make the eligibility  
15 decision.

16 MR. CUSIMANO:

17 Frank Cusimano. I guess I'm going to ask for  
18 a motion, if I get a second, to table these until  
19 the next meeting so we can bring any information  
20 we need to make a proper decision.

21 CHAIRMAIN RUIZ:

22 Point of order first, Frank. Let's go back.  
23 We got --

24 MR. CUSIMANO:

25 I'll withdraw my motion for now.

1 CHAIRMAIN RUIZ:

2 We've got Craig D. Jones was approved,  
3 correct?

4 MS. BENTLEY:

5 Yes.

6 CHAIRMAIN RUIZ:

7 And then Jean Paul Thibodaux was approved,  
8 correct?

9 MS. BENTLEY:

10 Yes.

11 CHAIRMAIN RUIZ:

12 Who was the other one? That was it?

13 MS. BENTLEY:

14 That was Favalora.

15 CHAIRMAIN RUIZ:

16 Favalora, okay.

17 Now, point of order is that we approved these  
18 three gentlemen. Like Ms. Candy said, we need to  
19 determine -- before we leave, we got to determine  
20 or the Board has to agree to allow them to  
21 continue getting paid if they fall under those  
22 four categories that she's mentioned over there,  
23 because we don't need these other guys, who we're  
24 going to delay, finding out that we approved these  
25 other three and coming back and trying to sue the

1 Board because we didn't take action on their  
2 behalf. Just point of information.

3 MR. BORDEN:

4 That's the point I was making before.

5 MR. CUSIMANO:

6 We're still on Gutierrez.

7 CHAIRMAIN RUIZ:

8 We need to go back to Jones. Was Jones the  
9 first one?

10 MS. BENTLEY:

11 Yes.

12 MR. CARPENTER:

13 Jones was the first one.

14 CHAIRMAIN RUIZ:

15 So Jones was the first one. What does his  
16 orders say where he was going at?

17 MS. EDMOND:

18 That's not us. We really only have one other  
19 person on here. The others have returned. We  
20 only have two active duties that's on this list.

21 CHAIRMAIN RUIZ:

22 I understand that, ma'am, but we got to --

23 MR. WILLIAMS:

24 Kosovo. Jones is going to Kosovo.

25 CHAIRMAIN RUIZ:

1           Before we get to do anything further with  
2           them three, we got to solve the problem with the  
3           three that we approved already, because of the  
4           situations that will arise to us.

5           Brien Ruiz speaking.

6           All right. Jones, y'all looking at his  
7           orders? Where was he deployed to?

8           MR. WILLIAMS:

9           Kosovo.

10          CHAIRMAIN RUIZ:

11          Kosovo. State the four criteria you get  
12          paid.

13          MS. BENTLEY:

14          1, a declaration of war; 2, congressional  
15          authorization or presidential proclamation under  
16          the Warpowers Resolution; 3, national emergency;  
17          4, call of the governor as provided by law.

18          MR. WILLIAMS:

19          Charles Williams. When we went over his and  
20          approved it, the U.S. Code 12304(b) states that  
21          the Secretary of the military department  
22          determines that it's necessary to authorize the  
23          active forces for a preplanned mission in support  
24          of combat command. That, in my opinion, would  
25          fall under the -- what's the second one on there?

1 MS. MOREAU:

2 Congressional authorization.

3 MR. WILLIAMS:

4 Yes, that one. Anything deployed overseas,  
5 to me, would fall under that congressional or  
6 presidential activation, or foreign military  
7 bases. It's not a war zone, per se, but you're  
8 there for a reason. And that, in my opinion,  
9 would fall under that.

10 MS. MOREAU:

11 Right.

12 MR. WILLIAMS:

13 I'm just a fireman in Lafayette.

14 CHAIRMAIN RUIZ:

15 Brien Ruiz speaking. I agree with  
16 Mr. Williams that Craig Jones falls underneath one  
17 of those four criteria.

18 MR. WILLIAMS:

19 Charles again. On the other hand, if the  
20 opinion comes back and, you know, it doesn't, then  
21 do we go back and correct this later? I don't  
22 know.

23 MR. CUSIMANO:

24 Frank Cusimano. Charles, look, I understand  
25 all the orders that we did. We did approve three

1 of them, and now we're going back to try to  
2 validate them. I think that we've already made a  
3 decision that they should get it.

4 CHAIRMAIN RUIZ:

5 Brien Ruiz speaking. I agree with you,  
6 Frank. It's just that I'm confused --

7 MR. CUSIMANO:

8 This is tough.

9 CHAIRMAIN RUIZ:

10 I'm confused about the rest of them. I mean,  
11 I agree that we need to get an attorney general's  
12 opinion. We need to get an attorney general's  
13 opinion to understand this better, but I guess it  
14 would be best that we just leave those three  
15 alone. If we're wrong, we're wrong. Then we have  
16 to fight to get that money back. If we go back  
17 and give to everybody else and we find that all of  
18 them are wrong, then we got to go back and get  
19 everybody's money back.

20 MR. CUSIMANO:

21 Frank Cusimano. See, the problem came before  
22 us when we reached Mr. Gutierrez, because we  
23 couldn't relate it to one of those four criteria.  
24 Now we're looking to find an answer from the  
25 attorney general to see what that means. So

1 that's where we're stuck as a Board. We don't  
2 have all the information that we probably should  
3 have to make an informed decision.

4 MS. DIEZ:

5 Right.

6 CHAIRMAIN RUIZ:

7 So we got a motion on the floor to ask the  
8 attorney general for an opinion. Am I correct in  
9 saying that?

10 MR. THEVIS:

11 Yes.

12 CHAIRMAIN RUIZ:

13 So let's work with that first.

14 MR. CUSIMANO:

15 We're on that discussion now.

16 CHAIRMAIN RUIZ:

17 Explain to them exactly what we want to ask.  
18 She told me we have to have it specific on what we  
19 want to ask for. So we need to do that first and  
20 get that taken out the way. Then we'll deal with  
21 the other candidates down here, and we decide  
22 whether we want to table them until we get the  
23 information or do we want to take them off.

24 So, Candy, can you or, William, somebody,  
25 help me, Frank?

1 MR. CUSIMANO:

2 Frank Cusimano. Candy, what exactly do you  
3 need in the language that would assist you to  
4 decide whether it relates to those individuals  
5 receiving supplemental pay? Do you need  
6 specifically --

7 CHAIRMAIN RUIZ:

8 She does.

9 MR. CUSIMANO:

10 -- what it means when you're deployed?

11 MS. DIEZ:

12 No. I mean, I can't make the branches change  
13 the way that they type these orders. And that's  
14 what's so confusing, is the way these orders are.

15 MS. TESSIER:

16 They're all different.

17 MS. DIEZ:

18 Yes, they're all different.

19 MR. CARPENTER:

20 This is Patrick Carpenter. I think the real  
21 question we need clarification on is what Chief  
22 Roman said, is if the department is not paying --  
23 and even our own attorney -- if the department is  
24 not paying the employee for military leave, then  
25 they're not eligible for state supplemental pay.

1 Chief, I mean --

2 MS. MOREAU:

3 Well, they are, as long as they fall under  
4 those four criteria.

5 MS. DIEZ:

6 That's what we really have a question about,  
7 is how do we know what falls under those four  
8 criteria.

9 MR. CARPENTER:

10 From reading military orders?

11 MS. DIEZ:

12 From reading military orders.

13 CHAIRMAIN RUIZ:

14 So, Pat, we need to come up with language,  
15 when using those four criteria, to give to the  
16 attorney so she can ask the specific of what we  
17 want to ask the attorney general.

18 MS. SHUMPERT:

19 May I ask this question of the Board: Since  
20 the questionnaires are being reviewed by legal, it  
21 may very well be that the applicant can be asked,  
22 here are the four criteria, please select one, or  
23 the person over the fire department, which one do  
24 your orders fall under.

25 MR. WILLIAMS:

1           They're not going to know that.

2           MS. DIEZ:

3           That's not going to work. They're going to  
4 check anything.

5           MR. CUSIMANO:

6           My question would be, would fall under what  
7 Patrick said and the chief, we would need that  
8 clarification from the attorney general, opinion  
9 from the attorney general that must be --  
10 applicant being paid by the city, must be paid by  
11 them in order to receive supplemental pay while on  
12 military duty.

13          MR. WILLIAMS:

14          Unless he falls under one of those four  
15 categories. Frank, the problem is, we don't know  
16 what falls under those categories. That's what  
17 we're trying to figure out.

18          This is Charles.

19          The question we need to know, okay: National  
20 emergency, we all know what a national emergency  
21 is. A call by the governor, so Jeff Landry says,  
22 "hey, I need the reserves active," we got that,  
23 right. A declaration of war, we got it. We need  
24 an explanation of Number 2. What falls under  
25 Number 2?

1 MS. MOREAU:

2 Yes.

3 MR. WILLIAMS:

4 Are we in agreement with that? 2 is the  
5 vague one.

6 MS. MOREAU:

7 Yes. Sometimes it's process of elimination.  
8 We know if we're going to war. We know if there's  
9 an emergency.

10 CHAIRMAIN RUIZ:

11 Read what Number 2 is.

12 MR. WILLIAMS:

13 The congressional authorization or  
14 presidential proclamation under the Warpowers  
15 Resolution. Does that constitute being deployed  
16 overseas to man a base? Does that constitute  
17 training for a year stateside? I mean. . .

18 CHAIRMAIN RUIZ:

19 Keep going. You're doing good.

20 MR. WILLIAMS:

21 I don't know what else. I mean, that's the  
22 two that came up in question today.

23 MS. MOREAU:

24 What are the other criteria that falls under  
25 that?

1 MR. WILLIAMS:

2 I think that if you are just a recruiter,  
3 that doesn't fall under one of these four. If  
4 you're working stateside for the past five years,  
5 no, you don't fall under one of these four. But  
6 if you're going to a yearlong school in  
7 preparation for future wartime or whatever, and  
8 that falls under one of these things, then, okay.  
9 If not, no. So I think that's what we need.

10 MS. DIEZ:

11 I agree.

12 CHAIRMAIN RUIZ:

13 Sounds good, gentlemen.

14 MR. WILLIAMS:

15 Ms. Sherlyn, do you have that information?

16 MS. SHUMPERT:

17 I'm just looking up something about Number 2.  
18 I'm just making sure I have the proper language.

19 MR. WILLIAMS:

20 The Revised Statute is 29:405 A(2).

21 MS. SHUMPERT:

22 I'm sorry, Mr. Williams, you are  
23 specifically -- I meant Title 29:2938.4. Which  
24 statute are you referring to?

25 MS. DIEZ:

1 29:405 A(2).

2 MS. SHUMPERT:

3 Okay, I got it.

4 CHAIRMAIN RUIZ:

5 Okay. So you understand exactly what we're  
6 asking for from the attorney general's office?

7 MS. SHUMPERT:

8 I do.

9 CHAIRMAIN RUIZ:

10 Okay, thank you.

11 MR. WILLIAMS:

12 So now what do we do about these? Do we  
13 table them?

14 CHAIRMAIN RUIZ:

15 That's up to the Board.

16 MS. EDMOND:

17 Can I ask a question?

18 CHAIRMAIN RUIZ:

19 Make a motion, we second, see what we do.

20 MS. EDMOND:

21 Tomekia Dunkley-Edmond. Three of the four  
22 members that are on here to be passed have already  
23 returned back to work. That's what I was trying  
24 to say earlier. It's only one person that would  
25 be in limbo as a result, because you passed

1 Favalora. Gutierrez is back at work. It's only  
2 two members that are active. So you passed  
3 Favalora. Would only be one member now left in  
4 limbo, because the other three are back at work.

5 MS. DIEZ:

6 If it's determined by the AG's office and the  
7 Board, once we get that or they get that, that  
8 they were not qualified, they were not eligible to  
9 receive supplemental pay, they're either going to  
10 have to either pay the money back or we will stop  
11 their payment until the money is recouped.

12 MS. EDMOND:

13 Okay.

14 MS. DIEZ:

15 So that's the two options.

16 MR. WILLIAMS:

17 So that's why we can't make a determination  
18 on those, even though I understand you're saying  
19 they returned back to work.

20 MS. EDMOND:

21 I got you.

22 CHAIRMAIN RUIZ:

23 All in favor of the motion to send it for AG  
24 opinion, signify by saying "aye."

25 (ALL SAID "AYE")

1 CHAIRMAIN RUIZ:

2 Motion passed.

3 Thank y'all, gentlemen. Appreciate y'all  
4 helping out.

5 MR. CARPENTER:

6 Patrick Carpenter. Bridgewater that we have  
7 not looked at, we're not going to look at until we  
8 get the answer back; is that the answer?

9 MR. WILLIAMS:

10 Are we withholding all future --

11 MS. BENTLEY:

12 We get new ones in, I'll add them to the  
13 list.

14 MR. WILLIAMS:

15 Yes. I think we just should wait.

16 CHAIRMAIN RUIZ:

17 Let's make a motion. Then the next thing is  
18 to make a motion to wait until the February 4th  
19 meeting to review.

20 MR. WILLIAMS:

21 Until we receive an opinion.

22 CHAIRMAIN RUIZ:

23 Okay, you're right.

24 MS. DIEZ:

25 They may take longer than February.

1 MR. WILLIAMS:

2 Exactly. I make a motion to table all future  
3 military orders that are in question until the  
4 opinion from the AG's office is returned to us.

5 MR. BORDEN:

6 Repeat that one. I'm sorry, I didn't hear  
7 you.

8 MR. WILLIAMS:

9 I'll make a motion to table all military  
10 orders that we currently have and the ones that  
11 come in that are in question until we receive an  
12 opinion from the AG's office back, because we  
13 can't say the February 4th meeting, because we may  
14 not have it back by then.

15 MR. BORDEN:

16 You need a second on that?

17 Earl Borden. I'll second that.

18 CHAIRMAIN RUIZ:

19 Got a second.

20 Open for discussion. Go ahead.

21 MR. BORDEN:

22 So discussion, just for point of clarity,  
23 much like Tomekia said, her employees already  
24 received the pay, and they're already back. So  
25 depending on what that determination is will

1 determine whether or not they were eligible.  
2 Well, the one who's already gone is receiving  
3 supplemental pay. So we're not stopping that.

4 MR. WILLIAMS:

5 Hands up.

6 MR. BORDEN:

7 Okay, I just wanted to make sure. Just point  
8 of clarity. Two of them are going to continue  
9 to --

10 MR. WILLIAMS:

11 Yes, we're just going to go hands up until we  
12 get opinion.

13 MR. BORDEN:

14 I'm good with that.

15 MR. CUSIMANO:

16 Also for clarification -- Frank Cusimano --  
17 if we get any of them that we can definitely affix  
18 it to the four requirements, we shouldn't table  
19 that one. We should --

20 MS. DIEZ:

21 No. It's going on the agenda. All military  
22 orders are going on the agenda from here on out.

23 MR. WILLIAMS:

24 Unless we go to war tomorrow.

25 MS. DIEZ:

1 Yes, or another pandemic.

2 CHAIRMAIN RUIZ:

3 We need to vote on the motion to table until  
4 we get the AG's opinion on military orders. All  
5 in favor, signify by saying "aye."

6 (ALL SAID "AYE")

7 CHAIRMAIN RUIZ:

8 Motion passes.

9 Confirmation Letters. Ladies, we have been  
10 working on that --

11 MS. DIEZ:

12 Can I say something else?

13 CHAIRMAIN RUIZ:

14 Okay, I'm sorry.

15 MS. DIEZ:

16 Go back to attorney general thing or the  
17 military orders. So until we get an AG's opinion  
18 and y'all make a determination, as we receive  
19 these orders, do y'all want us to stop their  
20 payment or continue to make it and then try to  
21 recoup the money if they're deemed ineligible?

22 CHAIRMAIN RUIZ:

23 I want you to continue to pay and then --

24 MS. DIEZ:

25 Well, I'm going to ask y'all to support us in

1 getting that money back, because that's going to  
2 be hard.

3 CHAIRMAIN RUIZ:

4 If the money goes back, just we won't pay  
5 them until they catch back up.

6 MS. DIEZ:

7 But if they quit and leave. . .

8 MR. THEVIS:

9 You're out the money altogether.

10 MS. DIEZ:

11 But I will try to get it from their income  
12 tax refund. Don't worry.

13 MR. THEVIS:

14 There you go.

15 MS. DIEZ:

16 Send them to collections. Yes. Okay.  
17 Continue. I'm good.

18 CHAIRMAIN RUIZ:

19 Confirmation Letters.

20 MR. CUSIMANO:

21 Frank Cusimano. Listen, ladies and  
22 gentlemen, I've been appointed by three governors,  
23 and this administration is the longest time I've  
24 ever had to wait for the packet, get our  
25 confirmation, to get everything legal. I know

1 we're sitting legal. I don't understand it. I've  
2 spoken to President Bayham several times. He said  
3 he has called the office that handles all this. I  
4 don't know what to say. It's frustrating, you  
5 know, to everybody. It's frustrating, and I don't  
6 know where we go from here. I mean, we had an  
7 attorney, I think a couple of meetings ago --

8 MS. DIEZ:

9 That was Jason Cashio.

10 MR. CUSIMANO:

11 I don't know where we're at.

12 MR. THEVIS:

13 I just received an e-mail this week from  
14 Sherry Lassere, the governor's office, asking for  
15 bio.

16 MS. DIEZ:

17 I got that one, too.

18 MR. THEVIS:

19 I sent that to her, but. . .

20 MS. DIEZ:

21 She's asked me for y'all's résumés in the  
22 past. Just recently last week, I got one for  
23 y'all's bios.

24 MR. THEVIS:

25 Numerous times, I've sent mine and Richard's

1 information to her.

2 CHAIRMAIN RUIZ:

3 Brien Ruiz speaking. I know that Frank and  
4 myself and William submitted résumés, because they  
5 requested them. We submitted it to them already.  
6 So I'll get Chad to resubmit them again, because  
7 Chad has copies of them all.

8 MS. DIEZ:

9 Tell him to send the bios.

10 MR. CARPENTER:

11 I didn't receive the bio e-mail.

12 MR. WILLIAMS:

13 I sent it --

14 MS. DIEZ:

15 Well, she just sent it to me in general  
16 saying that she needed the board members' bios. I  
17 replied -- or Misty replied to her and told her  
18 she needed to get with the board members and to  
19 let us know if she needed their e-mail or contact  
20 information to reach out to them, and we never  
21 heard back from her.

22 MR. CARPENTER:

23 This is Patrick Carpenter speaking. I know I  
24 received an e-mail several months ago from the  
25 Boards & Commissions saying that they wanted my

1 organization to send at least the name of three  
2 candidates for the position. That's not how the  
3 statute was written. The chief's -- selection of  
4 the chief to pick two people to serve on the  
5 board. So I'm just confused as y'all are.

6 MR. CUSIMANO:

7 Frank Cusimano. It's not an easy packet to  
8 fill out. I mean, it's extensive. It asks a lot  
9 of questions, as some of the board members know.  
10 It has to be notarized.

11 MR. WILLIAMS:

12 I did that.

13 CHAIRMAIN RUIZ:

14 Brien Ruiz speaking. What happened was, like  
15 Frank says, I've been sitting on this board since  
16 2004, and every governor that came before Governor  
17 Landry sent out a packet that we had to fill out  
18 and get notarized. We filled out that packet, we  
19 submitted it back to them, and then we got the  
20 letters allowing us to sit on the Board. I don't  
21 know -- I know the governor is real busy. He's in  
22 special session right now. Maybe we can get Chad  
23 and them to go sit with him and see if we can't  
24 get something moving on this, but I have never  
25 received a packet from this governor, you know. I

1 mean, they want all kind of information, personal  
2 information, that they asked us that we submit it  
3 to them on recent appointments, you know. They  
4 wanted to know stuff about my wife, my ex-wife.  
5 They went into details on stuff.

6 MR. CUSIMANO:

7 They asked you if you filed your taxes, your  
8 state taxes. I mean, it's extensive. That's what  
9 I'm talking about. It's not an overnight fix. We  
10 got to get the packets. We got to get all the  
11 information. We got to get it notarized and send  
12 it back to them. In my opinion, we're several  
13 months away from getting it. Then you got to be  
14 confirmed by the Senate. We're several months.  
15 Hopefully we can get it done this session.

16 CHAIRMAIN RUIZ:

17 I wish we can solve that problem, I really  
18 do.

19 MR. CUSIMANO:

20 I don't know the answer.

21 CHAIRMAIN RUIZ:

22 Louisiana Government Accounts.

23 MS. DIEZ:

24 So this is the amount that has been overpaid  
25 and we have not received yet, is 67,106. Not that

1 bad, but that's going back like --

2 MR. WILLIAMS:

3 I was about to say, when does that start?  
4 What's the start date?

5 MS. DIEZ:

6 Well, this goes back 1,095 days. You're  
7 looking at a few years.

8 MR. WILLIAMS:

9 Three and a half years. Not too bad.

10 MS. DIEZ:

11 I think we had said we were going to go back,  
12 it was a certain number.

13 MR. WILLIAMS:

14 We were limited.

15 MS. DIEZ:

16 I don't know if y'all remember. Was it three  
17 years or something like that we were going to go  
18 back?

19 CHAIRMAIN RUIZ:

20 Two, huh?

21 MS. DIEZ:

22 I think it was three.

23 MR. WILLIAMS:

24 I think we wanted more, but we were  
25 restricted by certain laws.

1 MR. CARPENTER:

2 This is Patrick Carpenter. I know for  
3 payroll purpose, you can only go back three years  
4 to correct any errors and wrongs.

5 MS. DIEZ:

6 That's about three years.

7 MR. CARPENTER:

8 Is what our legal told us.

9 MS. MOREAU:

10 It's exactly three years.

11 MS. DIEZ:

12 So that's three years. So this is based on  
13 three years.

14 MR. WILLIAMS:

15 That's not bad.

16 MS. DIEZ:

17 It's 1,095 days from current to back to 1,095  
18 days. So three years. And it's 67,000.

19 MS. MOREAU:

20 Those have all been billed to individuals.

21 MR. CARPENTER:

22 Not departments.

23 MS. MOREAU:

24 Exactly.

25 MS. DIEZ:

1           No, some are to departments, some of the  
2           older ones, back whenever we were billing the  
3           municipality to get the money back. So it's only  
4           been in the last 90 days that we've been billing  
5           just recipients, because we did not make that  
6           determination until recently. So yes, prior to  
7           that, we always billed the municipality. It even  
8           said it, I think, on the bottom of the warrant or  
9           something or the application, bill the  
10          municipality.

11         CHAIRMAIN RUIZ:

12                 Responsible for paying it.

13         MS. DIEZ:

14                 Right. We decided that's not right, since  
15                 it's the recipients getting the money, which makes  
16                 it hard to get the money, but that's what we're  
17                 doing. You get a first invoice, they get a second  
18                 invoice, and they get a final. Once they don't  
19                 pay the final, so that's 90 days, then we're going  
20                 to turn them over to collections.

21         MR. WILLIAMS:

22                 So since the portal and all that's been  
23                 active, how much overpayment or anything; do you  
24                 know?

25         MS. DIEZ:

1           No, I don't.

2           MR. WILLIAMS:

3           I just wanted to know if it slowed that or  
4           reduced it at all.

5           MS. DIEZ:

6           It's kind of hard to tell fire since we do  
7           pay the recipients. I would say with police it's  
8           probably helped because of the fact the  
9           municipality is supposed to withhold that money  
10          that they're not supposed to be getting. Even  
11          though we paid the full amount, and they left at  
12          the end of the month and we didn't know about it,  
13          they're supposed to withhold that money, and then  
14          we invoice them, and they send it right back to  
15          us. So it's more controlled with police, marshal,  
16          JOPs, constables. Fire is the only one that gets  
17          paid -- the recipients get paid individually. So  
18          it's probably about the same, maybe a little bit  
19          better, though, with Somapay, because it is a  
20          faster system, and we can make changes at the last  
21          minute.

22          I was recently informed, though, and for  
23          y'all to know this in case any of your  
24          constituents ask, I do have to close out on the  
25          27th of every month. So that leaves at least

1 three or four days that they may get overpaid.

2 MR. WILLIAMS:

3 Reduces the amount at least.

4 MS. DIEZ:

5 Yes. It's \$20 a day. So it should be  
6 minimal. But if the 27th falls on a weekend, I  
7 have to close out the Friday before that. That's  
8 just something new that's been told to me by my  
9 chain of command.

10 CHAIRMAIN RUIZ:

11 Any more questions?

12 2025 Certified Signature Form.

13 MS. DIEZ:

14 Where is that at?

15 MR. WILLIAMS:

16 It's on mine, 2025 Certified Signature Forms.

17 MS. DIEZ:

18 I don't see that on mine.

19 MR. CARPENTER:

20 The one that was e-mailed out.

21 MS. BENTLEY:

22 I think that I realized that I had left that  
23 on there and removed it.

24 MS. DIEZ:

25 Which actually probably should have left it,

1 because the 2026 is going to be required in  
2 January, which will be before our next meeting.  
3 So we are going to be sending those out again soon  
4 for them to return. We do it every January. I  
5 mean, it is what it is, but it should say 2026.

6 So we have on here the Most Recent Budget  
7 Projections, what the initial appropriation was  
8 and what we have expended so far, July, August,  
9 September.

10 CHAIRMAIN RUIZ:

11 Wait, I got to get the new one. She gave me  
12 the new one, because I had the wrong one when I  
13 showed up. I got the notes all over the other  
14 one. I was reading the wrong one.

15 All right. New Applications Submitted For  
16 Approval: 214.

17 MR. CUSIMANO:

18 Candy, is all the paperwork accurate?

19 MS. DIEZ:

20 Yes.

21 MR. CUSIMANO:

22 I'll make a motion in globo for the new  
23 applications.

24 CHAIRMAIN RUIZ:

25 Second?

1 MR. THEVIS:

2 Dwayne Thevis. Second.

3 CHAIRMAIN RUIZ:

4 Have a second.

5 Any further questions on applications?

6 Hearing none, all in favor of approving the  
7 applications, signify by saying "aye."

8 (ALL SAID "AYE")

9 CHAIRMAIN RUIZ:

10 New Act 110 Money.

11 MS. DIEZ:

12 I wanted to speak on the Act 110 Money,  
13 because I really wanted y'all to pay attention to  
14 the amount. It's already at 81,000, and we just  
15 went before JLCB in September. It's not even two  
16 months, and that's how bad this is.

17 MR. WILLIAMS:

18 So what's causing that? Is it the  
19 municipalities?

20 MS. DIEZ:

21 People not submitting applications in time.  
22 Yes, we're getting applications 8, 10, over 12  
23 months later even. We're having to go back to  
24 '24 sometimes.

25 MR. WILLIAMS:

1 Is there anything we can do?

2 MS. DIEZ:

3 Talk to those --

4 MR. CUSIMANO:

5 That has been an inherent problem for years.  
6 We have said at our conventions, the chiefs that  
7 were there, to try to let their administrations  
8 know you don't have to wait until the firefighter  
9 makes a year. We've given all the information. I  
10 don't know how else to fix the problem other than  
11 to send a letter to every department in the state.

12 MS. DIEZ:

13 Well, I can tell you how to fix the problem,  
14 but it's not up to me or y'all, but they need to  
15 stop approving this downtown. They need to go  
16 back 12 months or something. It needs to be a  
17 deadline, six months, you know. These people that  
18 are submitting these applications a year and a  
19 half after they started or even became -- they  
20 were eligible for a year and a half.

21 MR. WILLIAMS:

22 Why now?

23 MS. DIEZ:

24 Why aren't we making the municipality  
25 responsible for making that person whole? Then

1 they submit an invoice, a request, a reimbursement  
2 request, to the Board like we do the ones that  
3 terminate staff, and they get it overturned by  
4 civil service the same way we do that. The  
5 municipality has to make them whole.

6 MR. CUSIMANO:

7 If we did that, this stack would be this much  
8 each month.

9 MR. WILLIAMS:

10 Well, it should be.

11 MR. CUSIMANO:

12 These departments that just sit on it for  
13 some reason, some of them do it intentionally, for  
14 whatever reason. If they're short-staffed, I can  
15 understand that, but some of these departments are  
16 bigger departments. It just don't follow  
17 protocol. The portal is supposed to help all  
18 that.

19 MR. CARPENTER:

20 This is Patrick Carpenter speaking. I think  
21 it would take something statutorily before the  
22 legislature to change the statute of giving a time  
23 limit of when a person becomes eligible, they have  
24 so much time to turn in. But I think our  
25 organizations as a whole have been reluctant to

1 bring legislation down there to open up Pandora's  
2 box.

3 MS. DIEZ:

4 Well, I mean, you know, that's the thing,  
5 JLCB has seen this Act 110 every year, and they  
6 keep acting like it's a problem, but nobody down  
7 there is doing anything about it.

8 MR. WILLIAMS:

9 Costs votes to do that, though.

10 MS. DIEZ:

11 Yes, right.

12 CHAIRMAIN RUIZ:

13 I mean, this one guy is 6,300.

14 MR. THEVIS:

15 Got one for 7,400.

16 MS. DIEZ:

17 I saw that. That's almost a year.

18 MR. THEVIS:

19 7,440, to be exact.

20 CHAIRMAIN RUIZ:

21 7,680.

22 MS. DIEZ:

23 That's over a year. A year is 7,200.

24 MR. CUSIMANO:

25 Marksville Fire Department, \$4,800.

1 Marksville, I mean, I don't know what size  
2 department that is, but that was delayed  
3 application. No other reason for that.

4 MS. DIEZ:

5 And I don't know if there's a higher power  
6 above y'all that has any kind of like regional,  
7 you know, authority or anything over these chiefs  
8 or what the problems are. Is it the mayors and  
9 the chiefs? Like, what's going on? Because I do  
10 hear a lot of mayor and chiefs kind of butt  
11 heads --

12 MR. WILLIAMS:

13 Don't happen.

14 MS. DIEZ:

15 -- and the mayor won't sign off, you know, on  
16 the applications or whatever.

17 So Charles says no, that's not true.

18 MR. CUSIMANO:

19 I've heard all kind of stories over the  
20 years. One of them is three years because the  
21 chief didn't like you. I don't know.

22 MS. DIEZ:

23 I've heard a lot of everything.

24 MR. CARPENTER:

25 Patrick again. I think ultimately it's the

1 employees having been penalized, out their money.

2 MS. DIEZ:

3 Correct. If we make the municipalities make  
4 them whole, it hits them where it hurts.

5 MS. ROBISON:

6 Yes, if there's some sort of responsibility  
7 that falls onto them.

8 MR. CARPENTER:

9 But also there's a statute that does not  
10 allow the department to pay supplemental pay in  
11 lieu of it being approved by this Board ahead of  
12 time. I remember reading something in the statute  
13 on that.

14 MR. CUSIMANO:

15 No --

16 CHAIRMAIN RUIZ:

17 Brien Ruiz speaking. Let me speak, Frank,  
18 and I'll let you speak. They had departments like  
19 City of New Iberia pays the \$300 up front.

20 MR. CUSIMANO:

21 600.

22 CHAIRMAIN RUIZ:

23 Well, 600.

24 MR. CUSIMANO:

25 You're dating yourself.

1 CHAIRMAIN RUIZ:

2 Well, I'm dating myself. Anyway, they paid  
3 it, and then when they submit, the city starts  
4 picking it up. They do it. So there's places  
5 that do it.

6 MR. CUSIMANO:

7 They call it not supplemental pay, but they  
8 call it parish supplemental pay or whatever.

9 MR. WILLIAMS:

10 They do what now?

11 MS. DIEZ:

12 I heard of a municipality doing that. I  
13 cannot remember who it was.

14 MS. BENTLEY:

15 Whenever we stepped in, they no longer paid  
16 the parish supplemental pay.

17 MR. CUSIMANO:

18 Jefferson Parish does that.

19 MR. WILLIAMS:

20 We had a lawsuit about that.

21 MS. DIEZ:

22 I don't know. Maybe that's something we need  
23 to look into.

24 CHAIRMAIN RUIZ:

25 All right.

1 MS. DIEZ:

2 So y'all would need to vote on Act 110.

3 CHAIRMAIN RUIZ:

4 So we need a motion to approve.

5 MR. CUSIMANO:

6 Motion to approve.

7 MR. CARPENTER:

8 Patrick Carpenter. Second that motion to  
9 approve.

10 CHAIRMAIN RUIZ:

11 We have a second.

12 Any further discussion?

13 Hearing none, all in favor, signify by saying  
14 "aye."

15 (ALL SAID "AYE")

16 CHAIRMAIN RUIZ:

17 Motion passes.

18 The dates and times for the meeting for next  
19 year. Hopefully we can move for the August  
20 meeting to go to where?

21 MR. THEVIS:

22 That is the date of the conference.

23 CHAIRMAIN RUIZ:

24 All right.

25 MS. BENTLEY:

1           This is the date of conference?

2           MR. THEVIS:

3           Yes, ma'am.

4           MS. TESSIER:

5           It's in here?

6           MR. THEVIS:

7           Yes.

8           MS. DIEZ:

9           I was going to say, do not send me to New  
10          Orleans again.

11          MR. THEVIS:

12          It's at the Crowne.

13          MR. CARPENTER:

14          The Crowne just changed ownership, I heard.

15          MR. THEVIS:

16          Yes.

17          MR. CARPENTER:

18          So there may be some improvements there.

19          MR. THEVIS:

20          Supposed to be.

21          CHAIRMAIN RUIZ:

22          Chiefs, we're willing to try to go to any of  
23          y'all conferences that y'all have.

24          MR. CARPENTER:

25          Our conference is in April in Slidell, at the

1 Harbor Center. We can check with President Brewer  
2 and see if we can get some time.

3 CHAIRMAIN RUIZ:

4 We just got to know in advance.

5 MR. CARPENTER:

6 We can definitely work on that.

7 CHAIRMAIN RUIZ:

8 That way, maybe we can try to explain to  
9 y'all's guys --

10 MR. BORDEN:

11 I think it would be valuable to go to each --

12 CHAIRMAIN RUIZ:

13 Yes, we're going to try.

14 MR. BORDEN:

15 -- commission tries to meet at each one.

16 MR. CARPENTER:

17 That's a little hard on y'all traveling, you  
18 know. If we did it earlier in the mornings, not  
19 2 o'clock.

20 MS. DIEZ:

21 Like 10 o'clock, even the 9 o'clock, I think,  
22 you know, whatever somewhere right before lunch.

23 CHAIRMAIN RUIZ:

24 So we can move the May meeting up or  
25 whatever.

1 MS. DIEZ:

2 Yes. Y'all would have to basically have,  
3 what, April, and then do August.

4 MR. CARPENTER:

5 April 22nd, 23rd. It's later April.

6 MS. DIEZ:

7 That's not too much of a gap.

8 MR. CARPENTER:

9 I'll reach out to President Brewer today and  
10 see if we can work on getting on his agenda.

11 CHAIRMAIN RUIZ:

12 I appreciate that, Chief.

13 MR. CARPENTER:

14 Thank y'all for doing that.

15 CHAIRMAIN RUIZ:

16 I'll work on ours, but I can't promise  
17 nothing. I try to do my hours during our  
18 legislative conference that we have every year.  
19 It all depends on -- Brien Ruiz speaking -- all  
20 depends on what is on the agenda and what type of  
21 legislation we are presenting. So I'll work on  
22 ours, too.

23 February 4th, 2026, sometime in April,  
24 August 5th, and November 4th are the days.

25 Motion to adjourn?

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MR. WILLIAMS:

Make a motion.

MR. CUSIMANO:

Second.

CHAIRMAIN RUIZ:

Second.

All in favor, signify by saying "aye."

(ALL SAID "AYE")

CHAIRMAIN RUIZ:

Adjourned.

(MEETING CONCLUDED AT 12:19 P.M.)

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CERTIFICATE

I, ANNA D. COATES, Certified Court Reporter in and fore State of Louisiana, as the officer before whom this hearing was reported, certify that on November 5, 2025, a meeting for the Firemens' State Supplemental Board was held; that this testimony and matters were reported by me, was prepared and transcribed by me; and that the foregoing pages, Numbered 1 through 132, inclusive, is a true and correct transcript to the best of my ability and understanding; that I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this proceeding.



ANNA D. COATES, CCR, RPR  
CERTIFIED COURT REPORTER

\_\_\_\_\_  
BRIEN RUIZ, CHAIRMAN

\_\_\_\_\_  
DWAYNE THEVIS, VICE-CHAIRMAN