



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
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CITY CIVIL SERVICE COMMISSION  
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AMY TREPAGNIER  
DIRECTOR OF PERSONNEL

Thursday, December 11, 2025

Mr. William Briggs

Re: **William Briggs VS.  
Department of Fire  
Docket Number: 9751**

Dear Mr. Briggs:

Attached is the decision of the City Civil Service Commission in the above-referenced appeal.

This is to notify you that, in accordance with the rules of the Court of Appeal, Fourth Circuit, State of Louisiana, the decision for the above captioned matter is this date - 12/11/2025 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Amoco Building, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal shall be taken in accordance with Article 2121 et. seq. of the Louisiana Code of Civil Procedure.

For the Commission,

A handwritten signature in purple ink that reads "Stacie Joseph".

Stacie Joseph  
Management Services Division

cc: Roman Nelson  
Jalen Harris  
Jay Ginsberg  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

**WILLIAM BRIGGS,  
Appellant**

**Docket No. 9751**

v.

**DEPARTMENT OF FIRE,  
Appointing Authority**

**DECISION**

Appellant, William Briggs, brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from a fine of \$1,810.00 imposed by the Department of Fire on June 20, 2025. (Ex. HE-1). At all relevant times, Appellant had permanent status as a Firefighter. (Tr. at 47). A Hearing Examiner, appointed by the Commission, presided over a hearing on August 26, 2025. At this hearing, both parties had an opportunity to call witnesses and present evidence.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the hearing, all exhibits submitted at the hearing, the Hearing Examiner's Report dated November 17, 2025, and controlling Louisiana law.

For the reasons set forth below, Firefighter Briggs' appeal is DENIED.

**I. FACTUAL BACKGROUND**

Firefighter Briggs works at Station 27, located at 2118 Elysian Fields. (Tr. at 8). The parties agree that Firefighter Briggs lost his bunker jacket on March 21, 2025, following a structure fire a few blocks from the fire station. (Tr. at 48-49, 53). Firefighter Briggs testified that "it's kind of my normal routine, once we have everything contained, the fire is out, then I always rinse off my stuff, decon." (Tr. at 50). In this instance, Firefighter Briggs had another firefighter spray off his jacket,

and he hung the jacket up to dry on the fire engine. (Tr. at 50). Engine 27's departure from the scene of the fire was delayed because the firefighters waited for a fire investigator to report to the scene, as NOFD suspected arson. (Tr. at 50-51). When Firefighter Briggs and the rest of his company left the scene, he forgot about his bunker jacket hanging on the fire engine. (Tr. at 51). He believes the coat blew off the fire engine during the short drive to the fire station. (Tr. at 53). Despite his best efforts, Firefighter Briggs was not able to find his bunker jacket, so he reported the loss to his superiors. (Tr. at 53).

NOFD requires firefighters to maintain the equipment assigned to them for firefighting duties. (Tr. at 8-9; Ex. HE-1). NOFD charged Firefighter Briggs with the loss of his bunker jacket on March 27, 2025. (Tr. at 22). NOFD scheduled a pre-disciplinary hearing for May 8, 2025. (Tr. at 22). Firefighter Briggs was on vacation in Florida, so he requested a "30 day extension for this disciplinary hearing" via email. (Ex. AA-1). NOFD rescheduled the hearing for June 19, 2025, and Firefighter Briggs attended the pre-disciplinary hearing on that date. (Tr. at 23). On June 20, 2025, NOFD imposed a fine for the value of the bunker jacket. (Tr. at 18-19, 35).

## II. ANALYSIS

### A. Firefighter Bill of Rights

Firefighter Briggs argues that the discipline in this case is an absolute nullity under the Firefighter Bill of Rights, La. R.S. 33:2182 *et seq.* This Louisiana statute requires that investigations of fire employees be completed within 60 days: "Any investigation of a fire employee which is conducted pursuant to this Subpart shall be completed within sixty days, including the conducting of any pre-disciplinary hearing or conference." La. R.S. 33:2186(A). The fire employee and the Fire Department may agree in writing to extend the time for investigation for up to an additional 60 days: "Nothing contained in this Section shall be construed to prohibit

the fire employee under investigation and the appointing authority from entering into a written agreement extending the investigation for up to an additional sixty days.” La. R.S. 33:2186(C). If the Fire Department fails to comply with the time limitations, then the discipline is an “absolute nullity.” La. R.S. 33:2181(C).

The relevant dates are as follows:

March 27, 2025	NOFD charges Firefighter Briggs and investigation begins. (Tr. at 22).
May 8, 2025	Original NOFD pre-disciplinary hearing date. (Tr. at 22) Date Firefighter Briggs requests extension of 30 days for NOFD pre-disciplinary hearing
May 17, 2025	Firefighter Briggs returned to work. (Tr. at 60).
May 26, 2025	Original 60-day deadline for investigation under Firefighter Bill of Rights.
June 7, 2025	30 days from original NOFD pre-disciplinary hearing date.
June 13, 2025	NOFD notified Firefighter Briggs that the NOFD pre-disciplinary hearing was rescheduled for June 19, 2025. (Tr. at 23).
June 19, 2025	NOFD pre-disciplinary hearing.

Under the particular facts of this appeal, including the agreed-upon 30-day extension of the pre-disciplinary hearing date, NOFD did not violate the Firefighter Bill of Rights. The undersigned Commissioners find that the Fire Department’s investigation of Firefighter Briggs for the lost bunker jacket began on March 27, when Firefighter Briggs was charged. (Tr. at 22). Deputy Chief Jon Bialis initially scheduled the pre-disciplinary hearing for May 8, 2025, within 60 days of the beginning of the investigation. (Tr. at 22). Firefighter Briggs requested a 30-day extension of the hearing on May 8. (Ex. AA-1). Firefighter Briggs returned to work on May 17. (Tr. at 60). The original 60-day deadline under the Firefighter Bill of Rights expired on May 26, after Firefighter

Briggs returned to work but before the expiration of the 30-day extension. On June 13, NOFD scheduled the hearing for June 19. (Tr. at 23).

NOFD takes the position that Firefighter Briggs agreed in writing to a 30-day extension of the 60-day deadline in the Firefighter Bill of Rights under La. R.S. 33:2186(C), so that the new deadline became June 25, 2025. (Tr. at 23). However, Firefighter Briggs did not agree in writing to an extension of the 60-day deadline in the Firefighter Bill of Rights. He requested a 30-day extension/continuance of the pre-disciplinary hearing. Although the 30-day continuance rendered it impossible for NOFD to complete the investigation within 60 days, the requested continuance did not add 30 days to the investigatory period.

Firefighter Briggs argues that he agreed to a maximum extension of 30 days for the hearing, so that the new deadline under the Firefighter Bill of Rights was June 7. Firefighter Briggs suggests that NOFD should have scheduled the hearing between May 17, when he returned to work, and June 7, the expiration of the agreed-upon 30 day extension from the original hearing date. (Tr. at 60-61). However, NOFD could not reschedule the hearing within 30 days without violating its agreement to an extension of at least 30 days. *See generally In re Wells*, 2009-2343 (La. 5/11/10), 36 So. 3d 198, 202 (disciplinary proceeding concerning motion for default judgment filed two days after agreed-upon 30-day extension to answer a lawsuit).

Any expectation that NOFD would reschedule the hearing on the 30<sup>th</sup> day (June 7) is unreasonable. The hearing date was upset because NOFD accommodated Firefighter Briggs. Because the 30-day continuance of the hearing date necessarily resulted in an investigation that exceeded 60 days, Firefighter Briggs cannot now complain that NOFD failed to meet the deadlines of the Firefighter Bill of Rights.

In the alternative, Firefighter Briggs waived the Firefighter Bill of Rights argument by failing to object to the scheduling of the pre-disciplinary hearing on June 19, 2025, and then attending the hearing. *See generally Craft v. Benton Fire Dist. #4*, 52,578 (La. App. 2 Cir. 4/10/19), 268 So. 3d 384, 396 (holding that firefighter waived Bill of Rights argument by failing to raise it at Civil Service hearing).

### **B. Cause for discipline**

It is well-settled that, in an appeal before the Commission pursuant to Article X, § 8(A) of the Louisiana Constitution, the appointing authority has the burden of proving by a preponderance of the evidence: 1) the occurrence of the complained of activity, and 2) that the conduct complained of impaired the efficiency of the public service in which the appointing authority is engaged. *Gast v. Dep't of Police*, 2013-0781 (La. App. 4 Cir. 3/13/14), 137 So. 3d 731, 733 (quoting *Cure v. Dep't of Police*, 2007-0166 (La. App. 4 Cir. 8/1/07), 964 So. 2d 1093, 1094). The Commission has a duty to decide independently from the facts presented in the record whether the appointing authority carried its legally imposed burden of proving by a preponderance of evidence that it had good or lawful cause for suspending and terminating the classified employee and, if so, whether such discipline was commensurate with the dereliction. *Abbott v. New Orleans Police Dep't*, 2014-0993 (La. App. 4 Cir. 2/11/15); 165 So.3d 191, 197; *Walters v. Dept. of Police of the City of New Orleans*, 454 So. 2d 106 (La. 1984).

The Fire Department carried its burden of proving that Firefighter Briggs lost his bunker jacket, and that NOFD policy requires that members keep track of equipment assigned to them. (Tr. at 8-9). Lost equipment impairs the efficiency of NOFD because it must function without the equipment or replace the equipment at taxpayers' expense. The fine of \$1,810 is commensurate

with the violation, as the fine represents the value of the equipment admittedly lost by Firefighter Briggs. (Tr. at 32).

Firefighter Briggs' appeal is DENIED.

WRITER:



John Korn, Vice-Chairperson (Dec 9, 2025 19:46:31 CST)

JOHN KORN, VICE-CHAIRPERSON

CONCUR:



Brittney Richardson, Chairperson (Dec 11, 2025 10:46:45 CST)

BRITTNEY RICHARDSON, CHAIRPERSON

Mark Surprenant, Commissioner

Mark Surprenant, Commissioner (Dec 9, 2025 10:08:49 CST)

MARK SURPRENANT, COMMISSIONER