

LAFOURCHE PARISH COUNCIL
APRIL 26, 2011
UNANIMOUS AGENDA

A. PROPOSED ORDINANCE:

1. **PROPOSED ORDINANCE rescinding Ordinances 4875, 3788 and 3751 Section 9 as it pertains to the Emergency Pay Policy and creating and enacting Chapter III, Section 9: Emergency Disaster Preparedness and adding said policy to the Lafourche Parish Government Employee Manual.** (P. GOUAUX FOR ADMINISTRATION)

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The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE RESCINDING ORDINANCES 4875, 3788 AND 3751 SECTION 9 AS IT PERTAINS TO THE EMERGENCY PAY POLICY AND CREATING AND ENACTING CHAPTER III, SECTION 9: EMERGENCY DISASTER PREPAREDNESS AND ADDING SAID POLICY TO THE LAFOURCHE PARISH GOVERNMENT EMPLOYEE MANUAL.

WHEREAS, the following will be the Lafourche Parish Government Policies and Procedures Manual for all unclassified and classified Lafourche Parish Government; and

WHEREAS, this ordinance was sponsored for Administration by Mr. Phillip Gouaux, Councilman, District 8; and

WHEREAS, it is the recommendation of the Administration of the Lafourche Parish Government that the following employee manual be approved; and



THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance shall be forwarded to; and the Lafourche Parish Government Office of the Parish Administrator.

SECTION 1.

LAFOURCHE PARISH GOVERNMENT POLICY AND PROCEDURES MANUAL

ADMINISTRATIVE POLICY MANUAL CHAPTER III STANDARDS OF RESPONSIBILITY AND CONDUCT

SECTION 9 EMERGENCY DISASTER PREPAREDNESS

9.1 PURPOSE:

To establish a policy and procedures to formalize the Parish's approach to addressing situations requiring immediate attention outside of ordinary working hours.

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9.2 EMPLOYEES AFFECTED:

This policy applies to all full-time and part-time employees. All employees are deemed essential employees.

9.3 DEFINITIONS:

- a. Key Essential Position (Tier I) – Those employees who are in management level positions and/or those specified within the Emergency Preparedness Plan that are required before, during (on standby), and after an event.
- b. Essential Employee (Tier II) – Every Lafourche Parish Government employee.
- c. Emergency Work – During an emergency situation, employees may be reassigned to perform other necessary tasks and duties within their ability. Supervision may be provided by someone other than the regular supervisor. It is the duty of the employee to comply with all supervisory instructions. Employees are required to return to work within 48 hours of request to return, unless adjusted by the Parish President as necessary according to current conditions. All employees who are notified of this status and who fail to be available or report to work as directed in an emergency situation shall be subject to disciplinary action up to and including termination.
- d. Call-Back – When an employee is specifically called back to work by his or her supervisor or administration representative outside of the employee's regularly scheduled hours. Call-back requires additional travel to and from work; continuation of or early commencement of a regular shift shall not be considered call-back.
- e. On-Call – When an employee is issued a paging or other communications device, is not confined to a specific location and his or her time may be used for personal matters, and the employee is required to reply to a call-back page/contact to advise the supervisor of his or her availability to accept the call-back at the time.
- f. Standby – The formal assignment of an employee to remain available to respond to a call-back situation during the employee's non-working hours, such that the employee must be immediately (within 48 hours) available for duty, and within telecommunications contact (beeper, radio, phone). Standby status may only be assigned by the employee's supervisor or administration representative. The act of carrying a pager or other such communications device does not, in itself, constitute standby status.

9.4 POLICY:

- a. In order to maintain the safety and functionality of the Parish's infrastructure and rights-of-way, it will be necessary periodically for designated employees to be called back for duties outside of their regular working hours during emergency or otherwise adverse situations. Situations including, but not limited to, thunderstorms, wind or other acts of nature, accidents, vandalism, and equipment failure often create problems on parish streets and rights-of-way that may warrant immediate attention after normal working hours.

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b. Essential employees shall not be relieved of responsibility/duty when the parish and/or other officials recommend a voluntary or mandatory evacuation. Essential employees may be required to work when citizens may not be required to work and when their families and neighbors are evacuating. The parish realizes that employees must provide for the welfare of their families and will allow time to do so; however, this will not serve as an acceptable reason for an employee's failure to report for duty when required.

c. The Parish President shall invoke/revoke the provisions of the Emergency Pay Policy when deemed necessary.

9.5 PAY STRUCTURE:

a. When the agency is closed for normal business operation because of a Declared State of Emergency, as defined by the Parish President or their designee, essential employees working on emergency matters shall receive pay at the rate of time and one-half for all hours worked and double time and one-half for holidays which are identified within the Civil Service Manual, until such time as the State of Emergency is lifted or as stipulated in 9.4c above.

b. When the agency is open for normal business operation while in a Declared State of Emergency, essential personnel, as defined by the Parish President or their designee, working on emergency matters shall receive pay at the rate of time and one-half for all hours worked in excess of 40 hours in a week and at a rate of double time and a half for all hours worked on holidays which are identified within the Civil Service Manual, until such time as the State of Emergency is lifted or as stipulated by the Parish President in paragraph 9.4c above.

c. Employees who do not work before or after a declared holiday shall not receive holiday pay.

d. All emergency pay anticipated for all employees shall be subject to the availability of funds and as such may be increased, reduced or discontinued by appropriate authority at any time that is determined that the parish's financial condition will in the case of increased payments support such increase or in the case of decreased or discontinued payments or that continued payments would or could adversely impact the ability to provide essential services.

e. When the Declared State of Emergency is lifted and the agency opens for normal business hours, all employees are required to return to work for their regularly scheduled hours within 48 hours upon notification by their supervisor or any other media. Employees who do not report to work within the 48 hours will be required to use their annual or compensatory leave to cover those hours. Employees requested to return to work prior to the 48 hours will be paid according to section 9.5a. After 48 hours, all employees will be paid regular pay; employees not reporting to work will be subject to disciplinary action up to and including termination.

9.6 PROCEDURES:

a. During severe weather or other emergency situations, the Administration shall have the sole authority to excuse employees of the Lafourche Parish Government from reporting to work

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upon notification to the OEP Director and/or his/her designee. Any employee who has a bona fide documented medical or life condition that prevents or restricts the ability to comply with emergency duty requirements must immediately bring this fact to the attention of their immediate supervisor. "Emergency Situation" shall encompass circumstances that would expose parish employees to harmful or unsafe conditions, as determined by the Administration. During a Declared State of Emergency, those employees actually scheduled to work or available for duty (on standby) during the time period of the declaration shall receive time off without loss of pay, annual leave or sick leave. Unless a Declaration of Emergency has been issued, all parish employees are expected to report to work.

b. For the duration of the emergency, employees shall not be on duty for more than 18 hours at a time in a 24-hour period and there must be a minimum of a 4-hour break between shifts for the safety and health of personnel. Furthermore, upon the declaration of emergency, all scheduled vacations for designated personnel shall be cancelled.

c. During the Declared State of Emergency, all essential personnel shall be available for duty and necessary services per the OEP Emergency Plan assignments. All employees during a Declared State of Emergency report directly to the Key Essential employees and all Key Essential employees report to the OEP Director.

1. Employees are to provide their emergency contact telephone numbers (home, cell, or other secondary emergency number) to their department head or immediate supervisor and are required to notify them of any changes as they occur. Department heads and supervisors shall provide updated contact information to the OEP Director.

d. "Key Essential" personnel are subject to 24-hour on-call status during emergency situations and are to contact their supervisors when a hurricane, severe storm, or other emergency threatens the vicinity of the parish. Individual department heads may develop emergency procedures to be followed by their departmental employees.

1. Employees who are on-call are required to be available for ready communication and duty assignment, as may be further outlined in their departmental procedures.

e. No provision of this Emergency Pay Policy will preclude the necessary, immediate evacuation of a facility by an authorized supervisor in the interest of personal safety.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish

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Council in the manner provided by law.

SECTION 5. A certified copy of this Ordinance shall be forwarded to the Office of the Parish Administrator, the Department of Human Resources, the Finance Department and all employees.

SECTION 6. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective immediately upon council approval.

**LOUIS RICHARD, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2011, at _____, __.m.

APPROVED: _____

VETOED: _____

**Charlotte A. Randolph
Lafourche Parish President**

Returned to the Council Clerk on

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_____, 2011, at _____, __.m.

I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2011.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: _____

DATE EFFECTIVE: _____