

## APPENDIX B

### LAFOURCHE PARISH GOVERNMENT POLICY AND PROCEDURES MANUAL

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## LIST OF EFFECTIVE PAGES

### DEFINITIONS

1. Administration
2. Appointing Authority shall mean the Parish President or the Parish Administrator. The Appointing Authority shall include the Lafourche Parish Council only when the appointment of a Department Head is being considered as per Home Rule Charter procedures.
3. Department means a department as provided for in Article III, Section 3, paragraphs D-2, 3, and 4 created in the Home Rule Charter; a department created by ordinance as provided for in Article III, Section 3, paragraph B – 1 of the Home Rule Charter; and any other office or agency of the executive branch. The word department shall not include political subdivisions as defined in Article III, Section 3, paragraph D – 7 and excluded from Civil Service coverage by Article IV, Section 2, paragraph H of the Home Rule Charter.
4. Department Head shall mean an unclassified employee who has been designated and appointed as per procedures outlined in the Home Rule Charter to be responsible for the administration of the department duly created by ordinance. The Department Head is authorized by the Appointing Authority and ratified by the LPC to oversee and direct the work of lower level employees assigned to said department as well as the administration thereof on a daily basis.
5. Exempt Employee shall mean an employee who is employed in a bona fide executive, administrative or professional capacity as outlined in the Fair Labor Standards Act. Such an employee is exempt from the payment of overtime wages.
6. Full-time employee is one who works at least thirty (30) hours per week on a regularly scheduled basis.
7. Lafourche Parish Council shall mean the nine members of the Lafourche Parish Council elected by single-member districts delineated by legislative power. Hereinafter, the Lafourche Parish Council shall be referred to as LPC. Furthermore, hereafter, the Lafourche Parish Government shall be referred to as LPG.
8. Parish shall mean the Parish of Lafourche, State of Louisiana.
9. Part-time employee is one who works less than thirty (30) hours per week where the intent is to provide continued employment.
10. Temporary employee is one whose duration of employment is intended to be short-term; or those whose compensation is generated by federal or state grant revenue, i.e. JTPA, Community Action, internship programs, etc.

**[RESERVED]**

# CHAPTER I

## INTRODUCTION

This Administrative Policy and Procedures Manual has been compiled in order to place Lafourche Parish's administrative policies into a concise, written format for use by supervisors. Each policy sets forth the parish's philosophy and indicates how it is to be implemented; thus, providing a guide to assist supervisory personnel in making consistent decisions.

It is the duty and responsibility of each supervisor to be familiar with and comply with the Administrative Policy and Procedures Manual and to ensure that all policies are adhered to and administered by the staff in a fair and consistent manner. It is also the duty of all department heads to inform their supervisory staff and employees of these policies when applicable, and to keep them informed of any changes in policy as they may occur.

### **SECTION 1. SCOPE AND COVERAGE:**

- 1.1 This Administrative Policy and Procedures Manual shall apply to all unclassified and classified employees within the parish government system. In the event that any policy of this manual conflicts with any regulation of the Civil Service Manual, the Civil Service Rules and Regulations Manual shall prevail for those classified employees.

### **SECTION 2. DISSEMINATION:**

- 2.1 This manual shall be maintained at the administrative office of the LPG and shall be made available to every employee at each Parish Office or Field office, in order that he or she may be informed of his or her rights and privileges and the limitations and responsibilities placed on him or her as an employee. All employees hired after the initial mail-out shall receive a copy of this manual complete with all revisions and addenda upon date of hiring.
- 2.2 Furthermore, all employees and members of the LPG will be informed in writing by the administration of any changes or deviations in the personnel manual approved by the Parish Council within fifteen days of approval.

### **SECTION 3. PERSONNEL POLICY CHANGES:**

- 3.1 The Parish President and Parish Administrator will have the authority and responsibility to amend, delete, or alter in any manner policies or procedures contained herein, due to warranted circumstances, with the approval of the LPC. It is recognized by the Parish President and the Parish Administrator that circumstances arise from time to time that do not fit the mold cast by this manual. This document in its entirety has been designed to accommodate a wide variety of personnel situations but in no way is inclusive of all possible circumstances and situations. The process as described in this section should accommodate differences as they arise. As with any human resources policy manual, this Administrative Policy and Procedures Manual cannot cover the multitude of situations and problems which may occur in the operation of Parish government. Topics not covered, but which by law or custom are not in the best interest of efficient operation will not be condoned simply by the fact that a specific written policy does not exist. The Parish President and/or the Parish Administrator will exercise final authority within the general parameters set forth by the policies in this manual and in matters concerning implementation of new policies as well as interpretation of existing policies of Lafourche Parish Government.

- 3.2 It is also recognized that federal and state statutes on personnel administration take precedence over policy and procedure as expressed in this manual. Every effort has been made to adhere to current statutes, however, if any statutes have been overlooked, it is expressly understood, recognized and agreed upon by the LPC and Appointing Authority that state and federal statutes take precedence and will be adhered to in good faith. Said precedence shall not void this manual in whole, but only in part by correlation.
- 3.3 Each parish department may establish specific departmental work rules, however, such work rules must not be in conflict with either the Lafourche Parish Government Civil Service System Manual or this Administrative Policy and Procedures Manual. Additionally, not department head, or supervisor is authorized to orally modify these policies and procedures, as such verbal modifications will not be binding on the parish.

#### **SECTION 4. PERSONNEL FILES:**

- 4.1 It is important that Lafourche Parish Government always have correct and current information about employees. Each employee is responsible for letting the human resources department know immediately if they change their name, address, phone number, or marital status, withholding taxes, etc. Employees may be required to provide original documentation authorizing certain changes. Employees are also to provide their department with an emergency telephone number, as well.
- 4.2 The Human Resources Director shall maintain personnel files on all employees of the LPG. Unless otherwise provided by law, personnel files and information shall be confidential and may not be divulged for purposes not connected with LPG personnel management systems except with written consent of the employee affected.
- 4.3 Nothing herein shall prevent the dissemination of impersonal statistical information or information not protected by the Privacy Act.
- 4.4 An employee shall have a right of reasonable inspection of his or her official personnel file, provided that the employee submits his/her request in advance and providing that the request does not interfere with normal business operations. The Human Resources Director, immediate supervisor, or other designated personnel must be present during the employee's review of the file.
- 4.5 Any employee records maintained by a department head or supervisory personnel are to be held in strictest confidence and secured under lock and key. The only information which should be maintained in such a file is information concerning an employee's work performance for use in compiling the employee's service rating. Private information, such as the employee's social security number is not to be kept in this file.
- 4.6 No employee is allowed to remove or in any way alter the contents of an employee personnel file. If an employee disagrees with any information contained in his or her file, he or she must correct, ask for a deletion of, or write a statement of disagreement with any items in the file.
- 4.7 No employee shall have the right to remove written reprimands from his or her file once all grievance procedures have been followed. This will not prevent the employee from disagreeing with the reprimand and placing said written disagreement in his or her file.
- 4.8 The Human Resources Director shall have the authority to verify employment of employees on telephone inquiries with written authorization only.

## CHAPTER II

### FAIR EMPLOYMENT PRACTICES

#### SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY:

- 1.1 The Lafourche Parish Government fully supports and practices the principle of equal employment opportunity and strictly prohibits any form of unlawful discrimination. Thus it is the policy of Lafourche Parish Government to recruit, hire, and promote qualified employees without regard to race, color, religion, gender, or national origin. Lafourche Parish Government also strictly prohibits any form of unlawful discrimination based upon an applicant's or employee's age or disability.
- 1.2 Each employee has both the right and the responsibility to report conduct, which he or she believes, constitutes unlawful discrimination. The parish will not condone or authorize any kind of retaliation against any employee who reports such conduct. Furthermore, it is expected that all managers and supervisors become familiar with and have direct input into the Parish's Equal Opportunity Policy. Each manager and supervisor will be held accountable for ensuring equality of opportunity within each component or program while fostering employment and program participation practices which are compatible with this policy and the fair employment opportunity practices.
- 1.3 It has always been the policy of the Lafourche Parish Government to provide equal employment opportunity to all employees and applicants for employment. This policy simply restates and formalizes our position.
- 1.4 Policy Objectives:
  - a. To ensure that no qualified employee or applicant for employment is unlawfully discriminated against because of their race, color, religion, age, gender, national origin, or disability.
  - b. To ensure that all employment rules, regulations, policies, procedures, personnel actions, benefits and compensation, and parish sponsored training will be administered without regard to race, color, religion, age, gender, disability, or national origin.
  - c. To ensure that no employee is retaliated against as a result of reporting conduct which he or she believes to be discrimination in violation of this policy.
- 1.5 It is the duty and responsibility of each employee, supervisor, and appointing authority to comply with this policy. It is also the right and responsibility of each employee to report conduct that he or she believes may constitute discrimination in violation of this policy.
- 1.6 All employee rules, regulation, policies, procedures, personnel actions, benefits and compensation, and parish-sponsored training will be administered without regard to race, color, religion, gender or national origin. The parish also strictly prohibits any form of illegal discrimination based upon an applicant's or employee's age or disability.
- 1.7 An employee who believes that they have not been afforded equal employment opportunity with Lafourche Parish Government should report the problem to their immediate supervisor. However, if the problem involves the immediate supervisor, or if the employee would prefer, he/she may report the problem to the Director of Human Resources, the Department Head, the Director of Civil Service, or to the Parish Administrator.
- 1.8 **The Lafourche Parish Government will not condone or authorize any kind of retaliation against any employee who has made a good faith effort to report actions which they believe are in violation of this policy.**

## **SECTION 2. LAFOURCHE PARISH GOVERNMENT AFFIRMATIVE ACTION PLAN:**

- 2.1 The Lafourche Parish Government is an equal opportunity, affirmative action employer and highly encourages individuals from minority populations to apply for positions within the Government.
- 2.2 We offer equal employment opportunities to every applicant and employee. Additionally, the Parish is committed to diversifying its workforce by adhering to Affirmative Action Policies concerning the employment of Alaskan Natives, Asians, American Indians, African Americans, Hispanics, Pacific Islanders, women, persons with disabilities, disabled veterans, Vietnam era veterans, and persons 40 and over in positions where they are under employed.
- 2.3 For further information concerning Affirmative Action, please contact the Human Resources or Civil Service Department of the Lafourche Parish Government at (985) 446-8427.

## **SECTION 3. PROHIBITION OF SEXUAL HARRASSMENT:**

- 3.1 It is the policy of the Lafourche Parish Government that all employees should be able to enjoy a work environment free of all forms of discrimination, including sexual harassment. Sexual harassment is defined as follows:
- 3.2 Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly, a term or condition of employment, or (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such employee, or (3) such conduct has the purpose or effect of unreasonably interfering with or creating an intimidating, hostile, or offensive working environment. Such conduct, whether committed by supervisors or non-supervisory personnel, is specifically prohibited.
- 3.3 Examples of “sexual harassment” include but are not limited to:
  - a. obscene or sexual remarks concerning a person’s body;
  - b. inappropriate language or improper jokes of a sexual connotation;
  - c. insults, pressures, demand or other insulting physical or verbal behaviors concerning a person’s sex or sexual orientation;
  - d. vulgar or unwelcome sexual advances, flirtations, or propositions, communicated by touch, verbally, or in writing;
  - e. use of sexually humiliating words to depict a person or group of people;
  - f. any exhibit of sexually explicit drawings, photographs, articles, books, greeting cards, magazines, or other printed items; or
  - g. repetitive unwelcome touching of another’s body.
- 3.4 Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with an individual’s work performance.
- 3.5 Policy Objectives:
  - a. To provide a workplace, which is free of any form of sexual harassment, and which is conducive to efficient, effective public service.
  - b. To ensure that no employee should be subjected to unsolicited, unwelcome, or offensive sexual overtures or conduct, either physical or verbal.

- 3.6 Each employee has not only a right, but also a responsibility to report conduct, which he or she believes, may constitute sexual harassment. The parish will not condone or authorize any kind of retaliation against any employee who has made a good faith report of conduct which he or she believes may constitute sexual harassment in violation of this policy.
- 3.7 Any employee who is subjected to prohibited or illegal sexual harassment, as defined in this policy, is requested and encouraged to make a complaint to the LPG. Such employees are not required to complain first to the person who is doing the harassing. Employees may complain to the Department Head, the Director of Human Resources, the Director of Civil Service, or to the Parish Administrator. Similarly, if any employee observes harassment of another employee, they are requested to report this to one of the persons described above. No reprisal, retaliation, or other adverse action will be taken against any employee for making in good faith a complaint or report of harassment or for assisting in good faith in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons described above.
- 3.8 Any supervisor or manager who receives a complaint of sexual harassment is to report this complaint to one of the persons described above.
- 3.9 The Lafourche Parish Government will thoroughly investigate any allegation of sexual harassment and will maintain confidentiality to the extent consistent with a thorough investigation. Once the investigation is complete, all of the facts and findings will be discussed with the individual who filed the complaint. If the complaint is ruled factual, corrective action will be taken to prevent the incident of harassment from occurring again. The disciplinary action may result in termination if necessary. In cases that prove to be inconclusive, all parties involved will be reacquainted with the policy prohibiting all forms of harassment at work.
- 3.10 **The Lafourche Parish Government will not condone or authorize any kind of retaliation against any employee who has made a good faith effort to report actions which they believe are in violation of this policy.**

#### **SECTION 4. PROHIBITION OF WORKPLACE HARASSMENT:**

- 4.1 The Lafourche Parish Government strives to provide all employees and volunteers with a work environment that is secure, protected, and free from harassment. It is our intent to discourage all forms of harassment at work, including harassment based on race, sex, age, religion, color, national origin, sexual orientation, veteran or disability status. It is the responsibility of all employees to abide by these rules and regulations concerning Workplace Harassment.
- 4.2 (Sexual harassment is also prohibited, but is detailed in a separate policy.)
- 4.3 Policy Objectives:
  - a. To provide a workplace that is free of any type of harassment, and which is conducive to efficient, effective public service.
  - b. To ensure employees that they do not have to endure insulting, threatening, or embarrassing treatment by any Lafourche Parish Government employee or supervisor.
- 4.4 It is the responsibility of each employee, supervisor, and department head to comply with this policy.

- 4.5 Any employee who participates in harassment on the basis of gender, race, color, sex, age, religion, disability, sexual orientation, or national origin; who allows employees under his/her supervision to participate in such harassment; or who avenges or allows vengeance against an employee who alleges such harassment is in violation of this policy and shall be held accountable and receive corrective action which may include strict discipline and/or termination of employment.
- 4.6 Harassment may also consist of verbal or physical behaviors pertaining to an individual's sex, age, race, color, religion, disability, national origin, gender, or affiliation with another protected category. Harassment is defined as conduct which intentionally creates an offensive, aggressive, or intimidating working environment, or has the prospect of interfering with an individual's job performance, or negatively affects an individual's employment opportunities.
- 4.7 Any employee who is subjected to prohibited workplace harassment should promptly take the following steps:
- 4.8 Any employee who is subjected to prohibited or illegal workplace harassment, as defined in this policy, is requested and encouraged to make a complaint to the LPG. Such employees are not required to complain first to the person who is doing the harassing. Employees may complain to the Department Head, the Director of Human Resources, the Director of Civil Service, or to the Parish Administrator. Similarly, if any employee observes harassment or another employee, they are requested to report this to one of the persons described above. No reprisal, retaliation, or other adverse action will be taken against any employee for making in good faith a complaint or report of harassment or for assisting in good faith in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons described above.
- 4.9 Any supervisor or manager who receives a complaint of workplace harassment is to immediately report this complaint to one of the persons described above.
- 4.10 The Lafourche Parish Government will thoroughly **investigate** any allegation of workplace harassment and will maintain confidentiality to the extent consistent with a thorough investigation. Any employee at any level found to have engaged in workplace harassment will be subject to appropriate disciplinary action, up to and including termination.
- 4.11 *\* For Community Services Block Grant (CSBG) employees/participants, all complaints of harassment will be investigated promptly by the Louisiana Department of Labor's Equal Opportunity and Compliance Division in accordance with DHHS regulation 45 CFR Part 80 and 84 and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation.*
- 4.12 **The Lafourche Parish Government will not condone or authorize any kind of retaliation against any employee who has made a good faith effort to report actions which they believe are in violation of this policy.**

## **SECTION 5. EMPLOYEE MEDICAL RECORDS:**

- 5.1 In accordance with the Americans with Disabilities Act, all Lafourche Parish Government employee medical records will be kept strictly confidential in separate files, available only under limited conditions as outlined below. Employee "medical records" shall include any information obtained from medical examinations or inquiries of any employee or applicant for employment.

- 5.2 Policy Objectives:
- a. To guarantee the security and confidentiality of medical information of any Parish employee.
  - b. To ensure that Lafourche Parish Government is in compliance with the Americans with Disabilities Act.
- 5.3 The Human Resources Director will ensure that a system is established for maintaining separate, confidential files for medical records of employees and applicants for employment. Each department head is to ensure that the medical records of all departmental employees and candidates for employment are properly secured as outlined in this policy.
- 5.4 All medical records of employees and candidates for employment must be maintained in separate medical files and must be treated as confidential medical records, except that:
- Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.
- First-aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.
- Government officials investigating complaints relative to the Americans with Disabilities Act shall be provided relevant information upon request.
- 5.5 Necessary steps must be taken to ensure that all employee personnel records contain no medical information. Each employee must have a separate medical file which must be maintained in a confidential manner, as are any personnel records.
- 5.6 Information obtained from pre-placement physical examinations, inquiries, and substance abuse screenings will be maintained in the Human Resources Department, available only under limited conditions outlined above.
- 5.7 Any department head having questions or needing assistance with the implementation of this policy may contact the Human Resources Director.

**[RESERVED]**

## CHAPTER III

### STANDARDS OF RESPONSIBILITY AND CONDUCT

#### SECTION 1. PRE-DISCIPLINARY MEETINGS:

- 1.1 It is the policy of Lafourche Parish government and the duty and responsibility of all Department Heads to conduct “Pre-Disciplinary” meetings with an employee prior to reaching a final determination that a severe and appealable disciplinary action is to be imposed against the employee. Appealable disciplinary action is disciplinary action that may be appealed to the Civil Service Board, and includes: termination, suspension, reduction in pay, fine, and demotion.
- 1.2 Policy Objectives:  
  
To ensure that due process is afforded to all (severely) disciplined employees.
- 1.3 This policy applies to all classified and unclassified employees of Lafourche Parish Government.
- 1.4 The Department Head, or “Appointing Authority”, or his/her authorized designee is the only department official authorized to impose severe and appealable disciplinary action against any department employee.
- 1.5 The pre-disciplinary meeting is a meeting between the Appointing Authority/Department Head, or his/her designee, and a subordinate employee who is alleged to have violated a parish or department policy, rule, regulation, performance standard, or has otherwise committed some wrongful act to the detriment of the parish.
- 1.6 The purposes and essential elements of any pre-disciplinary meeting are:
  - a. To inform the employee of the charges against him/her;
  - b. To give the employee the opportunity to respond to the allegations and to give his/her “side of the story”;
  - c. To obtain the facts of the case prior to rendering a final decision in the matter or taking action.
- 1.7 Any pre-disciplinary meeting should be documented and a third party should be present in order to validate and document that due process was afforded to the employee.
- 1.8 The employee should be informed that the findings of the pre-disciplinary meeting may result in a determination that the employee is to be terminated.
- 1.9 Lafourche Parish Civil Service Rules state that in every case of dismissal, suspension, reduction in pay, fine, or demotion, the appointing authority responsible for the action shall furnish to the employee a written statement of the reasons for the action. This written statement is to be issued after the pre-disciplinary meeting has been conducted and a final determination of corrective discipline has been established.
- 1.10 Anyone needing assistance in implementing this policy of conducting pre-disciplinary meetings may contact the Human Resources Director or the Civil Service Director.

#### SECTION 2. PROHIBITION OF WORKPLACE VIOLENCE:

- 2.1 It is the policy of Lafourche Parish Government to have zero tolerance for violence in the workplace. “Violence” includes physically harming another, shoving, pushing, fighting, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. Any employee engaging in any violence in the workplace or threatening of any violence will be subject to disciplinary action, up to and including termination.

2.2 Policy Objectives:

To ensure that everyone associated with Lafourche Parish Government, including employees and the public, feels safe and never feels threatened by an employee's actions or conduct.

2.3 This policy applies to all employees at every level.

2.4 The parish specifically prohibits the possession of weapons by any employee, on the parish's business premises. This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off the parish's business premises. "Weapons" include guns, knives, explosives, and other items not used in the proper performance of job duties, with the potential or intent to inflict harm.

2.5 Any parish-provided equipment, such as desks, computers, and telephones are property of the parish, and as such, are subject to inspection and/or monitoring by management.

2.6 Employees are encouraged to report any incident that may involve a violation or potential violation of this or any of the parish policies to their immediate supervisor, the Human Resources Director, or to the Parish Administrator.

2.7 Any employee found to be engaged in any form of violence in the workplace will be subject to immediate disciplinary action, (such as disciplinary suspension), until an investigation into the incident can take place.

2.8 Reports of possible violations of parish policies will be investigated and information will be kept confidential to the extent possible consistent with a thorough investigation.

2.9 Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination.

**SECTION 3. DRUG-FREE WORKPLACE:**

3.1 It is the policy of Lafourche Parish Government to provide a drug-free, healthful, safe, and secure work environment. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or the improper or abusive use of legal drugs or alcohol on parish premises is strictly prohibited. The parish further requires that all employees perform their job duties, whether on or off parish premises, without the presence of illegal drugs, alcohol, or inappropriate legal drugs in their system.

3.2 Policy Objectives:

a. To ensure that both parish employees and the public are protected from the direct and indirect negative consequences and threats to safety and security posed by the real and potential effects of both on-premises and off-premises drug and alcohol abuse.

b. To ensure compliance with the Drug-Free Workplace Act of 1988.

3.3 All employees, supervisors, and department heads, must, as a condition of employment, comply with the terms and conditions of this policy.

3.4 Lafourche Parish Government intends to comply with all state and federal laws governing drug and alcohol testing and the Drug Screening policy is designed to safeguard employee privacy rights to the fullest extent of the law.

3.5 Employees in certain positions, (due to the nature of the work or equipment involved), may be subject to pre-employment, random, post-accident, and/or reasonable suspicion substance abuse screening.

- 3.6 Violations of this policy will result in appropriate disciplinary action, up to and including termination, and may have legal consequences.

**SECTION 4. LAFOURCHE PARISH GOVERNMENT SUBSTANCE ABUSE POLICY:**

- 4.1 In order to protect the health, welfare and safety of the public and employees of Lafourche Parish, heighten efficiency and effectiveness of service to the public, and insure continued integrity of the merit system, a comprehensive program of substance abuse testing of applicants and employees shall be undertaken in accordance with the provisions of this policy. As part of this policy, no intoxicating beverages, firearms, knives, weapons, drugs of any kind (except as provided below) and drug-related paraphernalia, are allowed on Parish property. An employee may possess certain prescription drugs and over-the-counter medications provided:
- a. it has been prescribed for and limited to his/her use;
  - b. it is kept in the original container; and
  - c. Lafourche Parish Government reserves the right to determine what items and substances will be prohibited on Parish property. Also prohibited is being at work, or reporting to work, with any detectable quantity of any illegal or unauthorized drug(s) in the employee's system.
- 4.2 In furtherance of this policy, entry on Parish property is conditioned upon the company's right to search all persons and their possessions for any Parish-prohibited items.
- 4.3 The term "Parish Premises" shall include all locations at which work is performed by Parish personnel or at which our agency is assigned to work, including parking lots and storage areas. The term also includes aircraft, automobiles, trucks, and all other vehicles and equipment, whether Parish-owned or leased.
- 4.4 Any individual who violates the Parish's Substance Abuse Policy will be subject to disciplinary action up to and including termination.
- 4.5 The Substance Abuse Policy shall apply to all Parish classified and unclassified employees, including management and administrative personnel, and any part-time, seasonal, or temporary employees.
- 4.6 Adherence to this policy shall be considered as a condition of employment or continued employment. Additionally, this policy shall also be applied to Parish vendors, suppliers, contractors, and visitors. Any contractor conducting work on Parish property may be asked to provide a written statement verifying the enforcement of a drug and alcohol policy for his/her employees. Contractors, employees and property shall be subject to substance abuse screens while performing work for the Parish.
- 4.7 For the purpose of this policy, employees shall not be regarded as "individuals with disabilities" if such individual is a substance abuser whose current use of the substance prevents the individual from completing the functions of the assigned job or whose employment, by reason of such current substance abuse, would pose an immediate or direct threat to the safety or property of others.
- 4.8 This policy shall apply to all departments and/or agencies that are created and governed by the Lafourche Parish Government.
- 4.9 Any matter involving substance abuse or alleged substance abuse shall be handled in accordance with this policy.

#### 4.10 Drug Screens:

1. Drug screens may be done by this Parish under specified conditions.
2. The drug screens will be performed by a N.I.D.A certified laboratory which has been approved by the Risk Manager for the Parish.
3. The specimen will be screened first by an immunoassay method, such as the Enzyme Multiplied Immunoassay Technique (EMIT). All positive EMIT Screens will be confirmed by a second, or specific method. The method of choice is Gas Chromatography/Mass Spectrometry (GS/MS). A screen will be considered positive only when confirmed by the second method.
4. Drug Screens may be utilized under the following circumstances:
  - a. Pre-employment and re-entrance examinations.
  - b. Part of an overall search and inspection of Parish premises.
  - c. When there is reasonable suspicion of an employee's intoxication.
  - d. When an employee is found in possession of suspected illegal or unauthorized drugs or paraphernalia.
  - e. Following an accident or near miss incident.
  - f. Random sampling of employees in sensitive, security-sensitive and safety-sensitive positions.

#### 4.11 Pre-Employment/Re-Entrance:

1. At the appropriate stage of the examination procedure, determined by the nature and degree of sensitivity of the position for which application has been made, the substance abuse testing procedure shall be conducted in the following manner:
  - a. Positions that require carrying a firearm shall be termed security-sensitive positions and all applicants for such positions shall be required to successfully complete a pre-employment substance abuse screening.
  - b. Positions where the safety of the public and employees are at risk, shall be termed safety-sensitive positions and all applicants for such positions shall be required to successfully complete a pre-employment substance abuse screening.
  - c. Applicants for sensitive positions shall also be required to successfully complete a pre-employment substance abuse screening.
  - d. Any individual who either does not pass the pre-employment substance abuse screening procedure or who does not undergo the pre-employment screening procedure at the prescribed time and place designated for testing, or tampers with or attempts to adulterate the sample, shall be considered as having failed that portion of the examination procedure.
  - e. Any individual who has been disqualified pursuant to the above provisions may again make application for employment with the Parish after one year, during which the individual has remained alcohol and/or drug free, submits documentation of the successful completion of participation in an aftercare program, and agrees in writing to voluntarily submit to unannounced substance abuse testing for a period of no more than sixty months, if ultimately employed by the Lafourche Parish Government.

- 4.12 Periodically and without warning, search by authorized Parish representatives may be made of anyone entering Parish property, including offices. This search may also include vehicles, desks, lockers and personal possessions. When appropriate, items and substances discovered during these searches may be retained by the Lafourche Parish Government and submitted to law enforcement authorities.

- 4.13 An employee shall be required to participate in the substance abuse screening procedure if there exists reasonable suspicion to believe that the employee's fitness for duty is questionable, based on the following criteria:
- a. Any observable, work-related behavior or similar pattern of conduct that appears to be abnormal, erratic or otherwise not in conformance with acceptable Parish policy.
  - b. Any observable, work-related behavior or similar pattern of conduct that indicates signs of impairment in normal sensory and/or motor body functions.
  - c. Any articulable facts or evidence that indicates possible substance abuse on the job.
  - d. Any information or evidence that indicates possible drug-related activity by a specific individual or group.
  - e. Any pattern of alcohol and/or drug-related behavior, conduct or activity that is violative of municipal, state or federal laws.
  - f. Random selection of employees shall be as follows:
    1. The social security number of each and every employee in sensitive, security-sensitive and safety-sensitive positions shall be placed in a computer selection program.
    2. The computer program selection process shall randomly draw an amount of social security numbers being sufficient for the administration of this drug testing policy. Social security numbers shall be selected on a weekly, bi-weekly, or monthly basis to be determined by the Administration.
    3. After the computer program selection has been completed, all chosen social security numbers shall be recorded. The social security numbers will be matched to the employee who shall then be notified to submit a urine specimen and breath sample.
- 4.14 An employee shall be required to participate in the substance abuse screening procedure if the employee is involved in an on-the-job accident, sustains an on-the-job injury, or is associated with a "near miss" on-the-job incident:
1. The term "accident" refers to any occurrence which requires treatment by qualified medical personnel, causes injury or fatality, produces damage to property or material, or interrupts and/or terminates scheduled work assignments.
  2. The term "near miss" refers to any incident which might have resulted in an "accident" (as defined above) and which was caused to any degree by violation of safety rules or procedures, by careless or negligent conduct or by the failure to use prescribed personal protective equipment, but was prevented by the intervention of some special action, circumstance or event.
- 4.15 All employees are required to cooperate in the event of an inspection.
- 4.16 If probable cause exists, a personal inspection of an employee may be executed. All personal inspections will be performed by authorized law enforcement personnel of the same gender of the employee. The employee undergoing the inspection shall remain at the stipulated worksite until the personal inspection is completed.
- 4.17 Refusing to cooperate in an inspection or disrupting an inspection pursuant to this policy will result in disciplinary action up to and including termination.

4.18 Definitions and Positions to be Tested:

1. Employees in sensitive positions - positions that require a high degree of trust and confidence.
  - a. Parish Administrator
  - b. Department Heads
  - c. Risk Manager/Safety Officer
  - d. Supervisors
  - e. Employees with fiduciary responsibility
2. Security-sensitive positions - security or law enforcement; requires the carrying of a firearm.
  - a. Security Guard
3. Safety-sensitive positions - positions that may put the public and/or employees at risk.
  - a. Foreman
  - b. Equipment Operators (Heavy and Light)
  - c. Mechanics
  - d. Equipment Maintenance Technicians
  - e. Any employee who operates/drives a Parish vehicle

4.19 The Human Resources Department, after consultation with representatives of appropriate health and human services groups, law enforcement officials, appointing authorities, and other interested parties, shall maintain a list of substances for which testing shall be employed, as well as specific detection levels that are compatible with governmental requirements and consistent with standards normally acceptable within the industry.

4.20 The Human Resources Department shall prescribe appropriate forms and documents to be executed by all participants in the substance abuse testing procedures employed in furtherance of the provisions of this section of the policy.

4.21 All employees who occupy positions that have been determined by the Administration, Human Resources Department, or Safety Officer to be either sensitive, safety-sensitive, or security-sensitive positions, and supervisors who have such personnel in their employ, shall participate in a screening procedure for substance abuse in accordance with the following requirements:

- a. The level of funding allocated for substance abuse testing by the Lafourche Parish Government and recommendations of the Administration, Human Resources Department, and the Risk Manager shall determine the frequency of testing to be instituted each year for all employees who fall in sensitive, security-sensitive, and safety-sensitive positions.
- b. Times and dates of tests shall not be announced in advance.

4.22 The identity of each employee participating in the substance abuse screening procedure shall be verified by picture identification or the employee's identity may be confirmed by a designated representative of the appointing authority who knows the employee's identity.

4.23 Refusal to participate in the substance abuse screening procedure, or failing to undergo the screening procedure at the time and place designated for testing, or tampering with or attempting to adulterate the sample, shall be considered to be presumptive evidence of the individual's inability to pass the substance abuse testing procedure. Such individuals will be considered as having failed.

- 4.24 Upon receipt of written confirmation from the laboratory of a positive test result, the Human Resources Director shall forward this information to the Parish's medical review officer for further consideration. The medical review officer shall certify in writing to the Safety Officer either the validation of the test results or the reasons that the test results should be discounted. Accordingly, the Safety Officer shall inform the Human Resources Department of this determination, including the positive test results when verified by the medical review officer. Upon verification of a positive test result or a failure, the employee shall be terminated.
- 4.25 Knowledge:
- a. Every employee shall have the right to obtain the results of any routine analysis and/or screening for the presence of controlled dangerous substances concerning his/her own urine sample.
  - b. Every employee shall have the right to obtain the results of any analysis, screening, or test for the presence of alcohol concerning his/her blood and/or breath sample or specimen.
  - c. Every employee shall have access to any records relating to the results of any relevant certification, review, or revocation or certification proceeding relevant to his/her own results.
  - d. Upon written request, any employee confirmed positive shall maintain the right to access records relating to his/her drug tests within seven (7) working days.
- 4.26 All drug screen results will be kept in the strictest confidence with access limited to a legal "need to know" basis. The results will not be made part of the normal personnel file.
- 4.27 Any other information pertaining to an employee's violating the policy will also be confidential with access limited to a "need to know" basis.
- 4.28 When an employee paid under a Federal grant has been convicted of violating any criminal drug statute in the workplace, the proper agency will be so notified in writing within ten calendar days after the Parish's receiving notice of such conviction.
- 4.29 The results of a substance abuse screening may not be disclosed during an employment reference except when authorized by DOT with a signed release statement.
- 4.30 Parish employees are prohibited from disclosing or circulating confidential substance abuse testing details and random testing occurrences with any other person or employee unless it is within the range of their administrative functions. An infraction in confidentiality will consequently result in disciplinary actions.
- 4.31 If any illegal or suspected illegal substances are found on Parish property, the Safety Officer will be immediately notified. If deemed necessary, the Safety Officer shall notify appropriate law enforcement entities.
- 4.32 The presumed illegal substance(s) should be confiscated and secured until further directions can be obtained from the Safety Officer.
- 4.33 A notice of any substance conviction (including Driving While Intoxicated) must be submitted within five (5) calendar days after conviction to the employee's supervisor.
- 4.34 If an employee is required to have a CDL license to perform the functions of his/her position and has the license revoked due to the arrest or conviction of DWI, the employee must disclose the loss of the license to his/her supervisor immediately.

- 4.35 If an employee has prudent suspicion based on direct observation or knowledge to believe that another employee is in violation of the substance abuse policy, he/she shall confidentially divulge the situation to the Substance Abuse Program Manager or his/her supervisor. Examples of such violations include:
- a. The use or possession of alcohol.
  - b. The use, manufacture, or possession of an illegal or dangerous substance.
  - c. The abuse of a legally prescribed drug.
- 4.36 The Human Resources Department will implement, enforce, and administer this policy.
- 4.37 The Parish retains the authority to amend this policy as deemed necessary to adhere to the requirements of local, state, and federal laws.
- 4.38 The Substance Abuse Policy shall be administered fairly and equally to all persons regardless of gender, race, nationality, color, religion, age, disability or politics.
- 4.39 Definitions:
1. **ALCOHOL** - in reference to this policy, the term alcohol shall refer to the intoxicating substance in distilled or fermented beverages, medicines, liquors, or other substances containing alcohol.
  2. **CONFIRMED PRESENCE OF A CONTROLLED DANGEROUS SUBSTANCE** - The performance of two separate and different tests on an individual's urine specimen resulting in the detection of controlled dangerous substances. The second or confirmation test on the urine sample shall be done by a N.I.D.A certified laboratory.
  3. **CONTROLLED DANGEROUS SUBSTANCES** - means a drug, substance, or immediate precursor in Schedule I through V of LSA R.S. 40:964. The term shall not include distilled spirits, wine malt beverages or tobacco, and such term as defined in S961 of Title 40 of Louisiana Revised Statutes of 1950 as amended.
  4. **DRUG** - in reference to this policy, the term drug shall refer to any medication or substance that alters one or more of the typical body functions (i.e., vision, coordination, reflexes, etc.) when used by an individual. This term shall include all forms of narcotics, stimulants, depressants, inhalants, or hallucinogens whose use, sale, and/or distribution is restricted or controlled by law.
  5. **ILLEGAL DRUG** - in reference to this policy, the term illegal drug shall refer to any substance not legally obtainable in Louisiana. The term shall also include any drug legally obtainable in Louisiana but which has been obtained illegally.
  6. **PRESCRIBE** - shall mean the act of issuing a written request or order for a controlled dangerous substance by a person licensed under the laws of the State of Louisiana for legitimate medical purposes. The act of prescribing must be in good faith and in the usual course of the licensee's professional practice.
  7. **PRESCRIPTION** - shall mean a written request for a drug or therapeutic aid issued by a licensed physician, dentist, osteopath or podiatrist, for legitimate medical purpose, for the purpose of correcting a physical, mental or bodily ailment and acting in good faith in the usual course of professional practice.

8. **SUBSTANCE ABUSE** - as referred to in these regulations means any of the following:
    - a. The possession, use or abuse of controlled dangerous substances or other specified illegal substances;
    - b. The misuse or abuse of alcoholic beverages, drugs or other substances, not illegal, but which, when misused or abused, tend to impair the normal performance of activities.
  9. **INITIAL TEST** - (also known as screening) an immunoassay screen to eliminate “negative” urine specimens from further consideration.
  10. **CONFIRMATORY TEST** - a second analytical procedure to identify the presence of a specific drug or a metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to insure liability and accuracy (at this time Gas Chromatography/Mass Spectrometry [GS/MS] is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.)
  11. **MEDICAL REVIEW OFFICER** - a licensed physician responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s positive test result together with his or her medical history and any relevant biomedical information.
- 4.40 The following is a list of substances for which substance-abuse testing shall be employed, accompanied by detection levels that are compatible with government requirements, and consistent with the standards normally acceptable within the industry. This list may be supplemented with additional controlled substances as required.

#### SUBSTANCES AND DETECTION LEVELS

<b>Initial Test Level</b>	<b>(NG/ML)</b>
Marijuana Metabolites	50
Cocaine Metabolites	300
Opiate Metabolites	2000
Phencyclidine (PCP, etc)	25
Amphetamines	1000

4.41 Test results indicating initial levels at or above those indicated above will be confirmed by additional tests of the same sample.

4.42 Confirmatory Test Level

Marijuana Metabolites	15
Cocaine Metabolites	150
Opiate Metabolites	2000
Phencyclidine (PCP, etc)	25
Amphetamines	500
Blood Ethanol	0.04 Grams %

4.43 The procedure that will be employed to detect the presence of blood ethanol shall first require a preliminary saliva test and, if positive, then confirmed by drawing blood.

4.44 Persons with confirmatory test results at or above the levels specified above will generate a “POSITIVE” test result, indicating that a disallowable substance is present in the body.

4.45 Disciplinary Actions for Policy Violations:

- a. An employee who refuses to submit to a search, inspection, routine drug screen, or other approved medical testing procedure; or is found as a result of such tests to have any detectable quantity of any illegal drug, controlled substance or other substance which may have the effect on the human body of being a narcotic, depressant, stimulant, hallucinogen or cannabinoid in his/her system; or who otherwise violates the Substance Abuse Policy, will be subject to termination. Compliance with the Substance Abuse Policy is a condition of employment. The proper law enforcement authorities may be notified in appropriate cases.
- b. The employee agrees to notify the employer in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.

4.46 The Substance Abuse Policy is made for the maximum safety and well-being of all employees and other personnel. Your assistance and cooperation for the achievement of this goal is vitally important.

**SECTION 5. EMPLOYEE COMPLAINT/GRIEVANCE PROCEDURES:**

5.1 It is the policy of Lafourche Parish Government to provide a complaint/grievance process through which employees may voice and seek resolution to complaints and problems relative to their work with the parish. For civil servants, actions which are appealable to the Civil Service Board will not be grievable under this policy. (Please refer to the Civil Service Rules and Regulations section of this Manual for additional information.)

5.2 Policy Objectives:

- a. To provide a forum through which employees may voice and seek solutions to complaints and problems relative to their work with the Parish.
- b. To ensure that all employees may feel free to discuss and resolve work-related problems with their immediate supervisor without fear of any form of retaliation or penalty.

5.3 This policy shall apply to all employees of Lafourche Parish Government.

5.4 The term “grievance” shall refer to any claim or allegation by an employee who perceives a violation of rights, privileges, or benefits, which have been granted to parish employees in this manual, or by state or federal statutes. A grievance may include numerous circumstances, which may include but may not necessarily be limited to the following:

- a. Any employee who believes that he/she has been treated unfairly or inequitably, or in any manner which is arbitrary, capricious, unreasonable, or discriminatory.
- b. A condition which is detrimental to any employee and/or adversely affects the personal or economic welfare and interest of any employee, including the use of epithets, slurs, negative stereotyping, intimidation, hostile acts, threats or written material that may indicate discriminatory hostility at work; or generally, the creation of a hostile work environment.
- c. A violation of the implementation, enforcement, administration, application, or interpretation of the procedures of any policy or practice of Lafourche Parish Government.

- 5.5 Any employee who has a work-related problem should first respectfully discuss it with his/her immediate supervisor. If no resolution is reached in this discussion and the employee wishes to file a grievance, he/she must complete in writing the Grievance Form describing the aggrieved situation to his/her immediate supervisor, with a copy to the Parish Administrator and/or Parish President within five (5) working days. The supervisor's decision must be given in writing. **Employees wishing to complain about sexual harassment are not required to complain to their immediate supervisor, but rather, may report the matter to the Human Resources Director.**
- 5.6 **The only matters that may be introduced at any step in the Grievance process are those contained in the initial grievance.**
- 5.7 If the supervisor's response does not resolve the complaint to the satisfaction of the employee, he/she may forward the grievance to the next higher level of authority within five (5) working days. The chain of command must be strictly followed throughout the grievance process. Any attempt to bypass a level of supervision in this process will result in the grievance being sent back to the appropriate supervisor in the chain of command. At any or all steps in the process, meetings may be held with the employee in an attempt to resolve the complaint.
- 5.8 The grievance may progress up the chain of command to the Parish President, with each supervisory level having five (5) working days to respond.
- 5.9 The Parish President's decision shall be final and binding in resolving grievances.
- 5.10 *Community Services Block Grant (CSBG) funded staff should refer to the Equal Opportunity Officer for guidance in filing an additional appeal through the grievance process with the Community Services Block Grant Office, Louisiana Department of Labor. CSBG staff and program participants should refer to the Lafourche Parish Office of Community Action's Diversity Plan for Grievance Procedures and Discrimination Procedures. For further information, please contact the Equal Opportunity Officer.*
- 5.11 **The Lafourche Parish Government will not condone or authorize any kind of retaliation against any employee who has made a good faith effort to report problems or working conditions as set forth in this policy.**

## **SECTION 6. USE OF COMPUTERS AND ELECTRONIC COMMUNICATIONS:**

- 6.1 It is the policy of Lafourche Parish Government that parish-provided computers, electronic equipment, and Internet and e-mail access, voice mail, and other forms of electronic communications are to be used by employees for purposes related to employment. All parish computer and electronic communications systems, including hardware and software, files, messages, and data are the property of Lafourche Parish and as such, we reserve the right to exercise control over their use. By using e-mail and Internet access, all employees implicitly give the parish their consent to monitor such use.
- 6.2 Policy Objectives:
- a. To provide guidance to employees concerning their rights and responsibilities regarding the proper use of parish computers and electronic communications.
  - b. To allow the parish to derive benefits of increased efficiency through the use of computers and electronic communications while ensuring the protection of information assets, parish integrity, and employee rights.
  - c. To ensure that parish-provided computers and electronic equipment are used by each employee in a productive manner in connection with their particular position, duties, and responsibilities, and in accordance with applicable laws, parish policies, and good business judgment.

- d. To provide for corrective disciplinary consequences for employees who choose to violate the terms and conditions of this policy.

6.3 This policy shall apply to all Lafourche Parish Government employees. All employees must abide by the terms of this policy as a condition of employment. No oral modifications of this policy shall be valid.

#### 6.4 SYSTEM AND DATA OWNERSHIP

- a. Parish provided computers, electronic equipment, including internet and e-mail access, voice mail, and other forms of electronic communications are to be used by employees for purposes related to employment.
- b. All parish computer and electronic communications systems, including hardware, software, files, messages, and data are the property of Lafourche Parish, and as such, we reserve the right to exercise control over their use.
- c. By using e-mail and internet access, you implicitly give Parish Administration your consent to monitor such use. Although it is not generally the policy to monitor computer usage and electronic communications, we reserve the right to do so for the performance of operation, maintenance, security, auditing, or investigative functions.

#### 6.5 INSIDE AND OUTSIDE COMMUNICATIONS STANDARDS

- a. All electronic communications directed to persons outside parish government are subject to the same quality controls as regular mail. You should check them for spelling and grammar before they are sent. Confidential information should not be communicated via e-mail or voice mail.
- b. Parish government computers and electronic communications are not to be used for writing, producing, storing, retrieving, transmitting, or receiving any communications, music, programs, or images, including those that are threatening or disruptive, or that could be construed as libel, slander, threats of physical violence or bodily harm, or that are of a discriminatory or harassing nature, or that are pornographic, obscene or X-rated.
- c. You are responsible for the content of all text, audio, or images you write, store, retrieve, or transmit through Lafourche Parish Government's electronic systems. You may not send any e-mail or other communications which hide your identity or represents the sender as someone else. You may access someone else's e-mail messages only when requested to do so by that person or at the request of appropriate management authority.
- d. Personal, commercial or political use of parish computers or electronic communications is strictly prohibited. You are not to use our electronic communications systems to render professional advice or to give professional opinions.
- e. Any e-mail messages, including those received as well as those sent by employees are not private, nor are any electronic files created and/or saved on our network, the local hard drive of our computer, or on other storage media. We reserve the right to monitor usage of our information systems and to review at any time at the Administration's sole discretion any and all files, messages, etc. that may be created through or stored on the Parish's computer or on our computer network and system.

## 6.6 SYSTEM PROTECTION

- a. Vandalism is strictly prohibited. This includes uploading, downloading, or creating computer viruses and/or any malicious acts that attempt to or actually harm company equipment, data, processes, systems, etc.
- b. Care should always be taken when food or any liquids are near sensitive computer equipment. Spilled liquids may destroy valuable equipment.

## 6.7 COMPUTERS FOR LAFOURCHE PARISH BUSINESS ONLY

- a. Every employee has a responsibility to maintain and enhance the Parish's image and to use our electronic technology in a productive manner in connection with your particular job duties. You may not use company-provided computers to play games, surf the Internet for personal interests, or any other such non-work related activities.
- b. All employees are expected to abide by existing policies in their use of computers and electronic communications. Use of parish computers and electronic communications is a privilege, which may be revoked at any time. Any improper use of parish computers or electronic communications equipment is strictly prohibited, and may be grounds for disciplinary action, up to and including dismissal.

## SECTION 7. CONFLICTS OF INTEREST

7.1 It is the policy of Lafourche Parish Government to abide by the Code of Ethics of the State of Louisiana. Further, it is the policy of Lafourche Parish Government to consider the parish job as the employee's primary occupation, and each employee, supervisor, and department head shall notify his/her supervisor, in writing, of any secondary employment he or she may have.

### 7.2 POLICY OBJECTIVES:

- a. To ensure that outside employment does not interfere with any Lafourche Parish Government employee's job performance with the parish.
- b. To ensure that no Lafourche Parish Government employee engages in activities that would tend to compromise his/her judgment or actions relative to his/her parish employment.

7.3 This policy applies to all employees of Lafourche Parish Government, including all classified employees, unclassified employees, and appointed officials.

### 7.4 GENERAL PROHIBITIONS:

1. The following are considered general prohibitions applicable to all employees:
  - a. Participation in any business or profession, contract, or agreement, or the acceptance of any employment, which conflicts with the discharge of assigned public duties.
  - b. Disclosure of confidential information for personal gain or advantage.
  - c. The use of influence to secure special privileges for self or others.
  - d. Investment or financial representation in any financial transaction or enterprise in which profit to self or others would depend in any way upon public position or authority.
  - e. Sale or rental of goods, services, or concessions to the parish or any of its agencies by any person, firm, or corporation in which one or more parish officers or employees hold control or majority financial interest therein.

- f. Acceptance of any gift of currency, cash, certificates, stocks, or bonds from any person, persons, firms, corporations, and/or agencies doing business with Lafourche Parish Government.
- g. Participation in official action by vote or use of influence on the part of an employee where such activities, if successful, would result in a grant of compensation, contracts, privileges, or advantages to any individual or business in which such employee has a personal interest.
- h. Use of public office to procure preferential treatment, whether of employment, contract, business, fee, or service with Lafourche Parish Government, or any of its governmental agencies for any member of immediate family, client or business associate.

7.5 SPECIFIC PROHIBITIONS: The following are considered specific prohibitions and applicable to employees as the case may be:

- 1. No parish employee may have dual employment with Lafourche Parish Government, except with the specific knowledge and prior approval of the Parish President and, in the case of classified employees, the Civil Service Board.
- 2. No employee shall accept fees for him/herself or for anyone other than him/herself for services which are within the scope of his/her duties and for which he/she is being compensated by the parish.
- 3. No employee of the parish shall have a financial interest in any contract with the parish, and no contract for professional or other services shall be awarded on the basis of kickbacks.
- 4. No employee shall borrow money or receive anything of value from any contractor doing business with the parish; No employee shall have any interest in any contract led by the parish.

7.6 No former employee who served in a supervisory capacity shall, for a period of two (2) years following the termination of such employment, engage in any transaction, business, or contract or assist another person in connection with any transaction, business, or contract, whether or not for compensation, involving the parish department with which the former employee was employed.

## **SECTION 8. PARISH SAFETY PROGRAM**

8.1 It is the policy of Lafourche Parish Government to provide for safe working conditions for its employees and as a governmental service organization to provide a safe environment for the citizens of Lafourche Parish Government. To that end, the parish has developed a Safety Manual, which is designed to assist all employees in their performance of work in a safe and productive manner. As a condition of continued employment with the parish, all employees are responsible for incorporating safety knowledge and good safety procedures into their everyday work performance, and to be aware of and follow all safety rules, regulations, policies, and laws.

8.2 POLICY OBJECTIVES:

- a. To ensure that safety is a priority concern of all levels of the parish workforce; equal in importance to all other job duties.
- b. To identify and eliminate the causes of accidents, and thus, achieve the goal of an accident/injury-free environment.

8.3 Each employee, supervisor, and department head of parish government has a role in the provision of a safe work environment.

8.4 See the Lafourche Parish Government Employee Safety Manual for further details regarding employee safety.

## SECTION 9. EMERGENCY AND DISASTER PREPAREDNESS

- 9.1 It is the policy of Lafourche Parish Government to provide the best possible public service during emergencies and natural disasters. Parish employees are public servants and thus, have a higher duty to provide for the health, safety, and welfare of the citizens of Lafourche. For this reason, many positions within parish employment will be designated as “Essential” positions, and the incumbents of those positions will be required to report for work prior to, during, and after hurricanes, floods, emergencies, disasters, or other crisis situations.
- 9.2 Policy Objectives:
- a. To ensure the best possible public service to the citizens of Lafourche during emergencies and/or natural disasters.
  - b. To provide for adequate staffing of parish departments during emergency situations, so as to allow for uninterrupted public service to the citizens of Lafourche.
- 9.3 This policy applies to all employees occupying positions deemed to be “Essential” by their department head, in conjunction with the Administration.
- 9.4 Emergency Pay Policy for Lafourche Parish Employees - Ordinance No. 3751/3788
1. 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. “Emergency Situation” shall encompass circumstances that would expose parish employees to harmful or unsafe conditions, as determined by the Administration.
  2. The Administration may provide parish employees with “leave with pay” for absences from work due to a Declared State of Emergency. The Administration will issue a Declaration of Emergency stating that, because of extreme weather or other specified emergency situations, employees shall not report to work except at the request or approval of the Administration. Unless a Declaration of Emergency has been issued, all parish employees are expected to report to work. If the Administration officially directs the closure of the agency due to severe weather or other emergency situations, those persons actually scheduled to work or available for duty (on standby) during the time period of the declaration shall receive the time off without loss of pay, annual leave, or sick leave. For the duration of the declaration of emergency, employees shall not be required to be on duty for more than 18 hours at a time or in a 24 hours period. All personnel, including both nonexempt and exempt classifications, but excluding Department Heads and the Parish Administrator, who are required to be on emergency duty during such closure shall receive pay at the rate of double time for those actual hours. Furthermore, upon the declaration of an emergency, all scheduled vacations for designated essential personnel shall be canceled.
  3. During a Declaration of Emergency, all essential personnel shall be available for duty and necessary services will be maintained. The Administration, in conjunction with all Department Heads, will identify essential employees by position or title and will post a list thereof.
  4. 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.
  5. Transitional Provisions: In order to correct, ratify and authorize practices carried out and payments made during the 2005 Hurricane Season by the Administration, the Council shall hereby ratify the payment of overtime at the rate of double time and one half to both exempt and non-exempt unclassified parish employees. Overtime payments made to Department Heads and the Parish Administrator shall be excepted from this ratification. This ratification shall extend only to overtime payments made to those employees not excepted and only to overtime payments made during the 2005 Hurricane Season.

- 9.5 “Essential” personnel are subject to 24-hour on-call status during emergency situations, and are to contact their supervisor 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.
- 9.6 Employees are to provide their home telephone numbers to their department and to their supervisors, and are required to notify them of any changes.
- 9.7 Employees who are on-call are required to be available for ready communication and duty assignment, as may be further outlined by their departmental procedures.
- 9.8 Essential employees may not be relieved of duty when the parish and/or other officials recommend a voluntary or mandatory evacuation. Essential employees may be required to work when other parish employees or citizens may not be required to work. Essential employees may be required to work 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.
- 9.9 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.
- 9.10 Any employee who has a bona fide documented medical or other 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.
- 9.11 Any employee who is designated as “Essential” and is notified of this status and who fails to be available or report for work as directed in an emergency situation will be subject to severe corrective disciplinary action, up to and including termination.

## **SECTION 10. DRESS CODE**

- 10.1 It is the policy of Lafourche Parish Government to require all employees to dress appropriately and in accordance with the work they perform.
- 10.2 Policy Objectives:
  - a. To ensure that all employees dress in an appropriate and professional manner.
- 10.3 This policy applies to all Lafourche Parish Government employees.
- 10.4 If acquired by the Administration, all “field” employees are required to wear the Lafourche Parish Government uniform shirt with either work pants or blue jeans.
- 10.5 Administrative employees and field office clerks are required to dress professionally at all times (including Fridays) with jeans, t-shirts, tank tops and tennis shoes prohibited. When Administrative employees are required to go into the field, jeans are allowed in place of dress slacks for those days.
- 10.6 The following are prohibited for all employees: Jogging suits, shorts, tank tops, muscle shirts, flip flops, slippers, or sandals.

## SECTION 11. USE OF PARISH-PROVIDED VEHICLES

**11.1** It shall be the policy of Lafourche Parish Government that no vehicle owned by the parish government be driven by an employee of the parish government unless on business of such government. Any employee who is not on a twenty-four hour call basis shall not drive a parish-owned vehicle to and from work and his place of residence, whether such residence is temporary or permanent. A driver of a parish-owned vehicle shall be an employee, official or a member of the Parish Rapid Assessment Team of the parish government. A violation of this section shall be grounds for disciplinary action, as stated in this manual, and/or termination of employment.

**11.2** Any parish-owned vehicle deemed to be unused or unnecessary shall be declared surplus and advertise for public sale.

(ORDINANCE NO. 3699)

**11.3** Operation of a Parish vehicle is a privilege, not a right. Drivers are responsible for operating the Parish vehicle according to state and federal laws and our Parish policy. Violation of these laws and rules will result in the removal of driving privileges or dismissal.

### A. Drivers of Parish - owned Vehicles

Employee driving records will be checked when an employee is hired at least every 12 months to make sure the employee has an acceptable record to operate a Parish vehicle. Motor vehicle Records are checked by the Parish Insurance Agent, who maintains the Approved Driver's List. The Parish Insurance Agent shall notify the Risk Management Department of the results of each MVR. The following is our Parish's Driver Performance Rating:

Number of Violations	Number of Preventable Accidents			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Poor	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor

Any major violation is automatically considered "Poor", "Clear", and "Acceptable" Motor Vehicle Records (MVRs) will be monitored at least annually. "Borderline" MVRs will be watched closely and a warning will be given to the individual in that category.

Drivers are required to immediately notify their Supervisor if their driving status changes.

### B. Penalties

Any driver falling in the "poor" category will immediately be relieved of his/her Parish vehicle driving privileges. In addition to the MVR criteria outlined in the above Driver Performance Rating, the following will automatically place that individual in the "Poor" category:

1. Any major violations identified by State or Local Police officers. The following are defined as major violations:
  - DUI in past three years
  - Failure to stop/report an accident
  - Reckless driving/speed contest
  - Driving while impaired
  - Making false accident report
  - Homicide, manslaughter or assault arising from the use of a vehicle
  - Driving while license is suspended/revoked
  - Careless driving
  - Attempting to elude a police officer
  - Leaving the scene of an accident

2. Any employee permitting fellow employees, dependents or any other person not listed on the driver list to operate vehicles under their control or assigned to them.
3. Suspension of driver's license.
4. Failure to consistently drive in a safe manner as determined by Safety Committee.
5. Failure to pass the drug test.
6. Refusal to take a drug test.
7. Failure to notify your Supervisor within one business day of any moving violation and/or accident.

### **C. Safety Review Committee**

A driver will be reviewed by the Safety Review Committee if the driver drops from an "acceptable" rating to a "borderline" rating. The Safety Review Committee will review all accidents to determine if they were preventable or non-preventable. The Safety Review Committee will be made up of the Risk Manager, the OEP Director, one office employee and/or one field employee, the finance director and/or manager, and the Parish Administrator or their designee. Results of the Safety Review Committee will become a part of each driver's personnel file.

### **D. Scope of Use**

1. **Assigned Driver** - No person other than the employee assigned to the vehicle shall operate the vehicle unless that person is an employee of the PARISH, is listed on the approved driver list has the permission from the person to whom the vehicle is assigned and from a supervisor.
2. Possession, transportation, consumption of alcohol or illegal drugs by anyone in the vehicle is not allowed.
3. Smoking is prohibited for drivers and passengers in parish owned vehicles.
4. Driver and all passengers must wear available restraints.
5. Report any accident immediately to police and your manager.
6. **Personal use of Parish Vehicles** – parish owned vehicles are to be used for parish business only. Personal use of a parish vehicle is prohibited. Personal trailers, including boat and recreational vehicles, are not to be pulled. Parish vehicles may be driven home and used as transportation to and from work only if approved by your Supervisor. Generally authorized personnel and those on official parish business are permitted to ride in parish vehicles.
7. Employees who drive or take home a vehicle are responsible for traffic violation fines. The driver must make sure that the truck and tool boxes remain locked and equipment in the bed is reasonably stored or secured as to prevent theft.

### **E. Use of Personal Vehicle for Parish Business**

1. Anyone that uses their personal vehicle for any Parish business must have permission from their immediate Supervisor and be on the approved drivers list maintained by the Parish's Insurance Agent
2. All those who use their personal vehicle for Parish business must observe the same policies governing the use of Parish-owned vehicles including that the driver, while on Parish business, shall operate the vehicle.
3. In addition to those policies, the driver must provide a certificate of insurance that shows liability limits of at least \$10,000/\$20,000/\$10,000.
4. The vehicle must have a legal plate and brake tag.

### **F. Driver Qualifications**

- Must be at least 18 years old. To operate a commercial motor vehicle, the driver must be at least 21 and have a valid license for the vehicle to be operated which may include a Commercial Driver's License (CDL)
- Must be on the Parish's approved driver list.
- Must pass the Parish's drug test.

### **G. Maintenance and Upkeep**

Drivers are responsible for ensuring the vehicle is well maintained. The assigned driver is responsible for scheduled fluid changes, brake jobs, tire changes and other receipts. The employee is responsible for reporting any damage, faulty equipment or other needed repairs to his/her supervisor. The employee is also responsible for making sure the equipment is safe to operate on the road and insure that turn signals, brake lights, and headlights are in working order. Maintenance logs shall be turned in to the immediate supervisor on a quarterly basis, reviewed and signed by the supervisor and forwarded to the attention of the Risk Management Department. Failure to comply with the policies as set forth shall result in disciplinary action which may include suspension of driving privileges to dismissal.

The employee is responsible for keeping his vehicle as clean and orderly as job conditions permit.

### **H. Vehicle Inspections**

The driver is responsible for completing a written vehicle inspection checklist at the beginning of every day. Any faulty equipment should be noted on the inspection report. The written vehicle inspection checklist should be turned in to the employee's immediate supervisor monthly. Parish vehicles will be subject to spot-checks by your Supervisor.

Parish vehicles must have the following standard items:

1. Current insurance verification and registration
2. Safety belt ready for use
3. Usable spare tire, jack and lug wrench
4. Binder with the following forms and information:
  - Vehicle mileage forms
  - Vehicle inspection forms
  - Emergency phone numbers
  - Parish phone numbers
  - Copy of vehicle inventory list
  - Accident investigation form
  - Operator's manual

### **I. Vehicle Mileage Forms**

Driver must maintain a vehicle mileage form and turn in the form at the end of each week. Odometer Readings must appear for the beginning and end of each day, out of Parish Trips and/or at the time of each fueling. All vehicles shall indicate Odometer Readings per trip.

### **J. Drug Testing**

Any employee who will drive a parish vehicle or personal vehicle for parish business will be drug-tested at hire, randomly and for cause. The drug testing procedure will follow the established Parish drug policy.

### **K. Supervisor's Responsibility**

1. Each Supervisor is responsible for all vehicles and drivers under their control.
2. Each supervisor will spot check vehicles on a monthly basis and random basis.
3. It is the responsibility of the supervisor to follow up on all vehicles and all drivers to make sure this policy is implemented and enforced.
4. The supervisor shall at all times, with or without cause, restrict or eliminate the use of parish-provided vehicles by any employee.
5. The Supervisor shall notify the Parish Administrator and The Risk Management Department of any vehicle involved in an accident.

### **L. Employee's Responsibility**

1. All employees are required to wear their seat belt while driving or riding in a Parish vehicle.
2. When an employee is on leave of absence (vacation, sick, etc.) for a period of longer of five days, the vehicle is to be parked at its assigned Parish facility.

(Ord. No. 4329, 06-10-08)

## CHAPTER IV

### HOURS OF WORK

#### SECTION 1 COMPENSATORY TIME - ORDINANCE NO. 3634

##### 1.1 Policy Statement:

It is the policy of Lafourche Parish Government to allow employees to earn Compensatory Leave for time worked above their normal schedule in a work week. Compensatory leave is leave time earned in lieu of cash payment at the straight-time or time and one-half as compensation for overtime worked.

##### 1.2 Policy Objectives:

- a. To ensure that Lafourche Parish Government employees who work overtime are adequately and properly compensated, as provided in the Fair Labor Standards Acts.

##### 1.3 Policy Scope:

This policy applies to all Lafourche Parish Government employees.

##### 1.4 Policy Procedures:

###### A. Procedure for earning Compensatory Leave

1. Employees in positions that are designated as “Non-Exempt” are eligible to earn compensatory leave on an hour for hour basis for hours worked over 35 hours and up to 40 hours in a work week. Non-exempt employees who work over 40 hours in a work week will earn compensatory time at a rate of one and one-half hours for every overtime hour worked.
2. Employees in positions that are designated as “Exempt” earn compensatory time for any hours worked above their normal work schedule in a work week.
3. No compensatory leave/overtime shall be worked by any Lafourche Parish Government employee with out prior approval of his or her supervisor.
4. Any overtime worked will be reported on the time sheet in the pay period in which it was earned. Employees are responsible for timely submission of overtime hours worked. Written approval by an employee’s supervisor must accompany any request for earned compensatory time.
5. Annual and sick leave taken, whether with or without pay, shall not be counted as hours worked for purposes of determining overtime compensation for “non-exempt” employees.
6. Employees and their supervisors are to minimize the accumulation of compensatory leave. Lafourche Parish Government employees are limited to the accumulation of only 40 hours of compensatory leave.

##### 1.5 EXCEPTIONS:

1. Hours worked during a declared emergency will be compensated in dollars in accordance with the Lafourche Parish Civil Service Guide.

2. Exempt and non-exempt employees will automatically participate in the compensatory leave program in lieu of receiving overtime wages unless they obtain prior written exception from their immediate supervisor. Supervisors must consider the need, budget considerations, and the ability of employees to use compensatory time.
3. Public Works field office employees will be automatically exempt from participation in the compensatory leave program, however, they may opt into the program with prior written supervisor approval.

#### 1.6 Use of Compensatory Leave

1. Supervisors are to ensure that employee leave slips are marked with the appropriate leave category, according to the employee's leave balances.

#### 1.7 Disposition of Compensatory Leave

1. The Appointing Authority may require employees to take all or part of accrued compensatory leave at any time.
2. Upon separation or termination from Lafourche Parish Government, unused compensatory leave earned by non-exempt employees shall be paid at the employee's regular pay rate.
3. Upon separation or termination from Lafourche Parish Government, all unused compensatory leave earned by exempt employees shall be cancelled.
4. Compensatory hours earned by exempt employees in excess of 40 must be used within the pay period earned (flexed) or they are lost.
5. Compensatory hours earned by non-exempt employees in excess of 40 hours will be compensated in wages. Prior written approval for nonexempt employees must include notice that compensation will be in excess of 40 hours.

(Ord. No. 4036, 03/27/07)

### **SECTION 2      TIMESHEET SUBMISSION POLICY**

- 2.1 The purpose of this policy is to adhere to a request by the Legislative Auditor proceeding the 2001 Audit. The following policy has been enacted for the submittal of time sheets for Lafourche Parish Government employees. Consequently, the Lafourche Parish Government Time Sheet Submission Policy is effective immediately.
- 2.2 All time sheets are required to be signed by employees and forwarded to the immediate supervisor for approval, which shall include the supervisor's signature, before submitting time sheets to the pay roll department. It is first the employee's responsibility to ensure that the submitted hours are true and correct. Supervisors are to research the time sheet for correctness before approving the time sheet.
- 2.3 The only employees exempt from this policy are elected officials which includes the Parish President, Councilmen, Constables, and the Justices of the Peace. Therefore, all other employees and supervisors will have to abide by this policy with NO exceptions.
- 2.4 Any time sheets submitted without proper authorization or signatures will not be processed.

## **SECTION 3 FAMILY AND MEDICAL LEAVE**

### **3.1 Purpose:**

Lafourche Parish Government acknowledges that from time to time situations occur in employees' lives that require time away from work. It is the policy of Lafourche Parish Government to provide eligible employees unpaid leave of absences to attend to family and medical needs. Lafourche Parish Government intends at all times to comply with federal and state laws regarding family and medical leaves.

### **3.2 Family/Medical Leave of Absence:**

Family/medical leave of absence is defined as an approved absence available to eligible employees for up to 12 weeks of unpaid leave per year for the birth of the employee's child; the placement of a child with the employee for adoption or foster care; for employee care of a child, spouse, or parent with a serious health condition; or for a serious health condition which makes the employee unable to perform the essential functions of his or her position.

### **3.3 Serious Health Condition Defined:**

Lafourche Parish Government will grant leave for any condition defined as a serious health condition under the federal Family and Medical Leave Act and/or any applicable state law. In general, serious health conditions are conditions which require continuing medical treatment and which cause incapacitation for periods of three days or longer. Examples of serious health conditions include, without limitation:

- a. Heart conditions requiring heart bypass or valve operations
- b. Back conditions requiring extensive therapy or surgical procedures
- c. Severe respiratory conditions
- d. Appendicitis
- e. Emphysema
- f. Severe nervous disorders
- g. Injuries caused by serious accidents on or off the job
- h. Ongoing pregnancy, miscarriages, complications of illness related to pregnancy, such as severe morning sickness, the need for prenatal care, childbirth, and recovery from childbirth.

### **3.4 Eligibility Requirements:**

1. To be eligible for family and medical leave under this policy, an employee must have 12 months with Lafourche Parish Government and must have worked at least 1,250 hours during the 12-month period prior to the commencement of the leave.
2. Medical leaves may be taken only for "serious health conditions." These leaves are not intended to cover short term conditions, such as minor illnesses that last only a few days and surgical procedures that typically involve no hospitalization and require only a brief recovery period.
3. Lafourche Parish Government reserves the right to deny requests for a family and medical leave where such a denial would be appropriate and authorized under federal law and any applicable state law.

### **3.5 Conditions for the Taking the Leave:**

1. When the need for a leave is foreseeable, an employee is to provide Lafourche Parish Government with at least 30 days' notice. Where the need for the leave is either unforeseeable or where it is impossible for the employee to provide 30 days' notice, he or she is to provide as much notice as practicable.

2. In situations involving serious health conditions, the employee is to work with Lafourche Parish Government to schedule the leave in a way to avoid disruption of Lafourche Parish Government's operations as much as possible.
3. The length of any requested leave of absence will be determined initially by Lafourche Parish Government and modified by it as necessary during the leave. Leaves for the birth or adoption of a child, or a serious health condition affecting the employee, spouse, child, or parent will be determined in conjunction with competent medical advice, and in compliance with applicable law.

### 3.6 Procedure:

1. Consistent with law, and as necessary in Lafourche Parish Government's estimation, employees are required to use their accrued sick leave or annual leave prior to taking an unpaid leave of absence for any of the reasons cited above. Use of accrued sick or annual leave will run concurrently with FMLA leave and is not in addition to the twelve (12) weeks of leave under this policy. For example, an employee with six (6) weeks of accrued sick leave must exhaust those 6 weeks first, and may then be eligible for an additional 6 weeks, (not an additional 12 weeks) of unpaid leave under this policy.
2. Lafourche Parish Government will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse, or parent. For the employee's own medical leave, the certification must include the reason why the employee is unable to perform the essential functions of his or her position. For leave to care for a seriously ill child, spouse, or parent, the certification must include the reason why alternatives to the employee's absence are not possible, such as care by others, and as definite an estimate as possible of the amount of time the employee is needed to provide care. Additional medical opinions may be required consistent with law. Lafourche Parish Government will pay for any such additional opinions.
3. During the leave, Lafourche Parish Government will require an employee to submit, once a month, documentation and other information regarding the current status of the reasons for the leave, including the employee's health care provider's best estimate of the expected return from the leave.
4. If medically necessary for a serious health condition of the employee or his/her spouse, child, or parent, 12 weeks of the unpaid leave may be taken on an intermittent or reduced leave schedule. If requested on this basis, however, Lafourche Parish Government may require the employee to transfer temporarily to an alternative position that better accommodates recurring periods of absence, or a part-time schedule, provided that the position has equivalent pay and benefits (on a per hour) basis.
5. Spouses both employed by Lafourche Parish Government are entitled to a total of 12 weeks of leave (rather than 12 weeks each) for the birth or adoption of a child or for the care of a sick child or parent.

### 3.7 Benefit Continuation:

1. Lafourche Parish Government will continue an employee's health plan benefits during the leave, so long as he or she pays the regular contribution toward his or her portion of benefit premiums. But an employee needs to make the necessary arrangements with the appropriate payroll representative prior to leave commencement. Failure to make these contributions will cause discontinuation of the particular benefit coverage in question.
2. Any employee not returning to work upon the completion of their 12-weeks of FMLA leave will be placed on Cobra continuation of health care coverage according to the Cobra guidelines. If an employee chooses to resign his or her position, he or she will be eligible to continue their health coverage through Cobra for the remaining months of the qualifying eligibility period under the Cobra guidelines.

3.8 Restoration to Former or Equivalent Position:

1. Upon return to work from a requested leave, Lafourche Parish Government will make every effort to place an employee in his or her former position or a position equivalent to the one held when the employee began the leave, subject to any extenuating circumstances which may occur to Lafourche Parish Government's operations during the leave and which would have affected the employee had he or she not been on leave.
2. Upon return from the leave, Lafourche Parish Government will reinstate the employee's credited service and other aspects of employment consistent with the law. If an employee works at another job during the leave without prior written approval by Lafourche Parish Government, Lafourche Parish Government will assume that the employee has resigned his or her position and terminate the employee's employment. Similarly, if an employee fails to return from a leave on the agreed upon date, except for reasons beyond his or her control, Lafourche Parish Government will assume that the employee resigned and terminate the employee's employment.

3.9 Intent to Fully Comply With All State or Local Leave Laws:

1. To the extent that any state or local law contains leave requirements which differ in any way from those stated in this policy, Lafourche Parish Government will satisfy the federal, state, or local requirements.

## **SECTION 4 CRISIS LEAVE POLICY**

4.1 Purpose:

The intent of the Crisis Leave Program is to provide paid leave to an eligible employee who has encountered a catastrophic illness or injury to themselves or eligible family member. The Crisis Leave Program will assist employees who do not have sufficient paid sick or annual leave to endure the crisis leave period.

4.2 Definitions:

1. Catastrophic Injury or Illness – a severe condition(s) that:
  - a. Alters the health, either physical or mental, of an employee or the employee's eligible family member; and
  - b. Necessitates the services of a licensed medical service provider for an extended amount of time; and
  - c. Prohibits the employee from executing his/her job functions for an interval of ten or more consecutive days and requires the employee to expend all forms of paid leave.
2. Crisis Leave Committee – The Committee shall be comprised of the Civil Service Board or appointed designee. The Committee shall serve to sustain the administration of the Crisis Leave Pool and analyze the pool and program practices incorporated by the Pool Manager. When otherwise unspecified in written policy, the Committee may prescribe procedural specifications and operations for the Crisis Leave Program.
3. Eligible employee – a classified or unclassified employee of the Lafourche Parish Government who has attained permanent status.
4. Eligible family member – For the purposes of the Crisis Leave Policy, the employee's spouse, children, parents, brothers, sisters, spouse's parents, and custodial grandchildren shall be considered an eligible family member.

5. Leave Pool Manager – The Civil Service Director or designee shall serve as the Leave Pool Manager
6. Licensed Medical Service Provider (LMSP) – As defined in the Louisiana State Licensing Law, a practitioner who is practicing within the perimeter of his/her license. For the purposes of this policy, a LMSP will include licensed Physicians or Medical Doctors, Doctors of Osteopathy (DO), or licensed Therapists, Counselors, or Chiropractors as accredited and sanctioned by State Boards or administrators.

#### 4.3 Eligibility Requirements:

1. If the following conditions are met, an eligible employee may apply for crisis leave:
  - a. A catastrophic illness or injury is endured by the employee or employee's eligible family member; and
  - b. The employee has depleted all forms of paid leave; and
  - c. The employee has exhausted all means of disability insurance; and
  - d. Regarding past performance, the employee has displayed satisfactory attendance and has no record of abusing leave; and the employee is not eligible for worker's compensation due to the injury or illness being work-related. Additionally, the employee was not injured during the course of a crime or felony; and the necessary documentation has been obtained from the LMSP.
1. It is not required that employees contribute to the Crisis Leave Pool to be eligible for crisis leave.
2. The amount of crisis leave awarded will be decided on a case-by-case basis. Generally, the amount of leave awarded will coincide with the suggestions of the LMSP, adhering to the following limits:
  - a. During one calendar year, an employee may request a maximum of 240 hours.
  - b. Crisis leave will not be granted to an individual to extend the paid leave status beyond a total period of 12 weeks.
  - c. The total amount of leave awarded shall not exceed one-fourth of the balance of hours in the leave pool at the time of the request.
  - d. The value of the annual leave approved during the crisis situation shall not exceed 75% of the employee's pay obtained during a normal workweek.

#### 4.4 Donation Procedures:

1. Contributing time to the Crisis Leave Pool is voluntary; therefore, no employee shall be obligated or forced to donate time. Donations are accumulated in the pool and are granted in the order in which the requests are received. Since the donations are accumulated over time, donors cannot specify who will be the recipient of the leave. Donations shall be confined to the subsequent provisions:
  - a. A minimum of eight hours may be contributed into the pool utilizing whole hour segments.
  - b. A minimum balance of 120 leave hours must remain in the donor's account after the contribution to the pool.

- c. Donations may not surpass 240 hours of leave per calendar year per employee.
  - d. Upon separation or retirement, any remaining leave may be contributed to the pool.
2. In order to donate time to the pool, the employee must complete a leave form and indicate the leave as a “Donation to the Crisis Leave Pool”. The form should be turned in to the Civil Service Department who shall then forward the form to the Human Resources Department.

#### 4.5 Request Procedures:

1. In order to request time from the leave pool, an employee must complete a “Crisis Leave Request Form”. The form should be turned in to the Civil Service Department for presentation to the Committee and consideration. The request must be accompanied by a statement from the employee’s LMSP. This statement must include:
  - a. Initial date on which the illness or injury transpired; and
  - b. Detailed account of the illness or injury, including any solicited information that would assist in the eligibility determination process; and
  - c. If the request is for an employee, a prognosis; and
  - d. Anticipated date that employee will be able to return to work; and
  - e. Documentation as requested by the Leave Pool Manager to establish eligibility of a family member.
2. The request and supplemental documentation should be presented to the Leave Pool Manager. The Pool Manager shall review the request to verify that the employee is suitable to obtain crisis leave. The employee requesting such leave must submit the information needed to determine eligibility.
3. All requests and documentation must be considered confidential. To ensure confidentiality, all requests for crisis leave and accompanying documentation should be submitted in an envelope identified as “confidential”. All requests are to be directed to the Leave Pool Manager to determine eligibility.
4. The Leave Pool Manager shall stamp all requests with the date upon which received. Requests will be addressed in the order in which they are obtained. A request shall be submitted in a timely fashion and will not be considered if 30 days has lapsed since the incident occurred. The Leave Pool Manager will be allowed a ten-day grace period to approve or deny the request. Once a decision is made, the Pool Manager will discuss the results with the employee.
5. If the request is approved, the employee’s leave record will be credited the authorized amount.
6. Crisis leave shall be used and documented in agreement with the same procedures as any other form of paid leave.

4.6 Changes in Status Affecting Crisis Leave:

1. Crisis leave shall be granted to cover the circumstances that are applied for. If other variations should occur, the employee must furnish documentation specifying the nature of the change to the Leave Pool Manager. The employee may petition for additional crisis leave; however, continuation of the crisis leave is not automatically granted. Each extension shall be approved in the order in which it was received.
2. Hours awarded from the Crisis Leave Pool shall be utilized for conditions specified in the authorized request. Any use of the Crisis Leave Pool that is not in agreement with operations and provisions defined in this policy may constitute payroll fraud and shall be dealt with in a serious and appropriate manner.
3. In the event that an employee is capable of returning to work before all of the time granted is used, the unused leave must be returned to the Crisis Leave Pool.

4.7 Compensation and Benefits:

1. Crisis leave will be compensated according to the receiving employee's pay rate.
2. An employee on crisis leave will continue to receive benefits accordingly, which will include the accrual of annual and sick leave. However, accrued leave must be exhausted before crisis leave is issued.
3. The Human Resources Department will retain reports on crisis leave contributed and utilized based on the dollar value.

4.8 Appeals:

1. The Leave Pool Manager maintains the authority to approve or deny any request for crisis leave. This decision is to be considered final; therefore, it is not subject to appeal.

## CHAPTER V

### LEAVES OF ABSENCES

#### SECTION 1      **DISABILITY LEAVE – WORK RELATED**

- 1.1 If and when the disability of an employee is of the nature that he or she is entitled to payments under any Worker's Compensation Insurance, the employee will be paid in accordance with the Worker's Compensation laws in effect at the time of the disability.
- 1.2 Employees are entitled to receive workers compensation payment benefits after missing seven (7) days because of a **reported** job related injury or illness.
- 1.3 **For work related injury or illness only**, an employee will be given the option to choose sick leave, annual leave, or leave without pay as it best fits their personal needs or wants for the first seven days following a **reported** work related injury or illness.
- 1.4 Any employee of the LPG who has had an accident or injury on the job and draws benefits under the Worker's Compensation laws shall continue to receive group insurance coverage for him or herself and will be required to submit employee's share of premiums for insurance benefits for a period of six months following the injury. At the end of six months, the employee will be placed on inactive status and offered COBRA benefits. If the employee has not returned to Active Status within one year, employment will be terminated.
- 1.5 Every attempt shall be made to place that employee who has the on-the-job injury back into his or her former position, or if not into the original position, if no longer in existence, in another at a similar level of responsibility and pay as soon as such position is available. In the event the attending physician has issued a back-to-work authorization and a position is available, and the employee fails to report to work, automatic termination of employment will occur.

#### SECTION 2      **DISABILITY LEAVE – NON-WORK RELATED**

- 2.1 When the injury or illness of a disabled employee is non-work related, the employee will be asked to apply for leave under the Family Medical Leave Act, which entitles him or her to twelve weeks of job protected leave and continued coverage for group health. Employee will be required to submit employee's share of premiums for insurance benefits during the twelve week period. At the end of the twelve-week period of FMLA leave, the employee will be placed on Inactive Status and offered COBRA benefits. Any employee who has not returned to work within one year from the last day of pay will be terminated unless disability meets eligibility criteria under the American with Disabilities Act (ADA).

### **SECTION 3      REPLACING DISABLED WORKERS**

- 3.1 For both work-related and non-work related absences, any time the supervisor and the Human Resources Director have reason to believe that the employee will be away for an extended period of time, the position will be filled. If the employee returns within a year, he or she will return (if able) to the former position, or one of comparable nature. If budget constraints exist, a reduction in workforce may occur. In the event of such a reduction, the employee shall be provided a written notice no less than sixty (60) days prior to the reduction.

### **SECTION 4      REASONABLE ACCOMMODATION**

- 4.1 The LPG will strive to accommodate an employee returning from illness or injury by use of modified duty, restricted work, gradual re-acclimation or temporary assignments. Continued communication between supervisor and physician is necessary to the success of such a program. A job analysis defining the physical demands of an established position shall be completed by the Human Resources Department in order to aid the physician and supervisor in the correct placement of a returning employee under the guidelines and constrictions of the HIPPA privacy act.
- 4.2 Every attempt shall be made to place that employee who has the on-the-job injury back into his or her former position, or if not into the original position, if no longer in existence, in another at a similar level of responsibility and pay as soon as such position is available. In the event the attending physician has issued a back-to-work authorization and a position is available, and the employee fails to report to work, automatic termination of employment will occur.

## CHAPTER VI

### PAYROLL, DEDUCTIONS AND BENEFITS

#### SECTION 1 PAY PERIOD

- 1.1 LPG employees are paid by check bi-weekly. If a holiday falls on the scheduled payday, checks are to be issued on the preceding work day. There are 26 pay periods per year and checks are issued one week after the end of a pay period.

#### SECTION 2 DEDUCTIONS AND BENEFITS

- 2.1 Certain deductions are made from the salary check as required by the employee benefit plans, or as requested by the employee. These deductions are itemized on the employee's pay statement, which accompanies the bi-weekly paycheck. Deductions may include any of the following:
- a. Social Security - Federal law requires all employees not enrolled in a state retirement system to contribute a part of their income for social security benefits.
  - b. Income Taxes – The federal and state governments require that taxes be withheld from all salary payments. The amount of tax to be withheld is determined from tables furnished by the Treasury Department, and it varies according to the amount of salary and number of dependency exemptions. Employees are required to complete withholding tax forms upon initial employment (the W-4) and to inform the Human Resources Department of any dependency change whenever such a change occurs.
  - c. Group Health Coverage – Employee and dependent coverage is available to permanent, full-time employees; consistent with the current plan.
  - d. 457b Deferred Compensation Plan – All full-time employees and part-time employees are eligible to participate in this payroll-deducted pre-taxed supplemental retirement program. Only full-time, permanent employees will be eligible for Parish match.
  - e. Section 125 Cafeteria Plan -- All full-time employees shall be eligible to participate in this payroll-deducted, insurance premium pre-tax program. The Human Resources Director shall be responsible for informing all employees of their time of recruitment of this program, and allow them to enroll within the time limit specifications outlined in the Section 125 Plan Document.
  - f. ASI Credit Union - Employees may authorize a savings through ASI Credit Union to be payroll-deducted by completion of a Payroll Deduction Authorization/Change form. Employees should contact ASI Credit Union for such form.
  - g. UNITED WAY - Contributions to United Way may be payroll-deducted with the completion of a donation form.
  - h. Disability Coverage – Employee coverage for short-term or long-term disability insurance is available to permanent, full-time employees; consistent with the current plan.
  - i. Life Coverage – Employee and dependant coverage is available to permanent, full-time employees; consistent with the current plan.
  - j. Dental Coverage – Employee and dependant coverage is available to permanent, full-time employees; consistent with the current plan.

### **SECTION 3      GARNISHMENTS**

- 3.1 The LPG will accept garnishments against its employees with appropriate court proceedings and orders. However, the LPG encourages such employees to act as quickly as possible to relieve the organization of this administrative burden.

### **SECTION 4      INCENTIVE AWARDS**

- a. Length of Service Awards: 5, 10, 15, 20, 25 and 30 years
- b. Outstanding Employee Recognition Awards

### **SECTION 5      EMPLOYEE TRAVEL - ORDINANCE NO. 3457**

- 5.1 Members of the Lafourche Parish Council, Council employees, the Parish President, administrative employees, members of parish boards and their employees are authorized reimbursement in the following manner for expenses incurred while performing official duties:
  1. Reimbursement shall be made in accordance with the most recent Louisiana Travel Guide available for reference at [www.state.la.us/osp/traveloffice.htm](http://www.state.la.us/osp/traveloffice.htm).
  2. Where circumstances require the approval of the Commissioner of the Division of Administration:
- 5.2 Legislative officials and employees shall obtain approval of the Council Chair.
- 5.3 Members and employees of Parish Boards, Commissions, and Special Districts shall obtain the approval of either the Parish President or the Parish Administrator.
- 5.4 Administrative officials and employees shall obtain the approval of either the Parish President or the Parish Administrator.
- 5.5 The following modifications are to be considered in application of the Travel Guide guidelines:
  1. As parish officials and employees are not able to utilize state contracts for air transportation travel shall be made using commercial carrier service at the coach/economy class rates. The parish does not require use of lowest prices airfare where circumstances which can be documented dictate otherwise.
  2. Travel out of the Parish or within the Parish when over 30 miles away from a person's domicile that extends through lunch will be reimbursed in accordance with the Traveler's Meals chart.
  3. The members of the Lafourche Parish Council and employees are authorized to receive a mileage allowance at the state approved rate for use of his personally owned vehicle while in the conduct of official Parish business.

**SECTION 3 UNCLASS**

**EQUAL OPPORTUNITY**

**PURPOSE OF THE MANUAL**

This manual is the basic official document of the Lafourche Parish Government that covers the personnel administration of all Lafourche Parish Council/Government unclassified employees.

***DISCLAIMER***

THIS MANUAL EXPRESSES POLICIES. IT IS NOT A CONTRACT. POLICIES AND PROCEDURES HEREIN DESCRIBED DO NOT CONSTITUTE A CONTRACT. EMPLOYER OR EMPLOYEE CAN TERMINATE EMPLOYMENT AT ANY TIME. POLICIES AND PROCEDURES DESCRIBED HEREIN ARE NOT CONTRACTUAL AND THE EMPLOYER CAN DEVIATE FROM ANY OR ALL OF THEM AT ANY TIME. NO MANAGER, SUPERVISOR, OR OTHER REPRESENTATIVE OF THE COUNCIL HAS ANY AUTHORITY TO ENTER INTO ANY CONTRACT FOR EMPLOYMENT FOR ANY SPECIFIED PERIOD OF TIME.

**CODE OF ETHICS FOR EMPLOYEES**

All employees as per Home Rule Charter provisions shall abide by and be subject to the Code of Ethics established by the State of Louisiana for Elected Officials and Public Employees.

**LAFOURCHE PARISH GOVERNMENT  
UNCLASSIFIED PERSONNEL POLICY AND PROCEDURES  
MANUAL**

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## LIST OF EFFECTIVE PAGES

Unless otherwise indicated in these policies, the following definitions shall apply:

1. Parish shall mean the Parish of Lafourche, State of Louisiana.
2. Lafourche Parish Council shall mean the nine members of the Lafourche Parish Council elected by single-member districts delineated by legislative power. The member elected at large shall be included in this definition when in the position of voting to break a tie vote as outlines in the Home Rule Charter. Hereinafter, the Lafourche Parish Council shall be referred to as LPC. Furthermore, hereafter, the Lafourche Parish Government shall be referred to as LPG.
3. Appointing Authority shall mean the Parish President or the Parish Administrator. The Appointing Authority shall include the Lafourche Parish Council only when the appointment of Department Heads is being considered as per Home Rule Charter procedures.
4. Class shall mean a group of positions that involve similar duties and responsibilities, require similar qualifications, and which are properly designated and described by a common title indicating the general nature of the work. A class may include only one position in some instances.
5. Position shall mean a group of duties and responsibilities assigned or delegated by competent authority to be performed by one person.
6. Unclassified Employee shall mean an employee whose appointment is the responsibility of the Appointing Authority inclusive of the LPG. One who is covered in the entire scope of coverage in this manual.
7. Department Head shall mean an unclassified employee who has been designated and appointed as per procedures outlined in the Home Rule Charter to be responsible for the administration of a department duly created by ordinance. The Department Head is authorized by the Appointing Authority and ratified by the LPC to oversee and direct the work of lower level employees assigned to said department as well as the administration thereof on a daily basis.
8. Exempt Employee shall mean an employee who is employed in a bona fide executive, administrative or professional capacity as outlined in the Code of Regulations Title 29 Part 541; such an employee is exempt from the payment of overtime wages. It is expected that employees in the "exempt" classes will work whatever hours are required to satisfy the needs of the service, and that they will adjust their working schedule to meet such needs. However, whenever it is deemed justified, an Appointing Authority may authorize overtime pay for such employees. All employees who are not exempt are hourly employees who must be paid overtime.
9. Full-time employees are those who work at least thirty (30) hours per week on a regularly scheduled basis; specific schedule may vary.
10. Part-time employees are those who work less than thirty (30) hours per week where the intent is to provide continued employment.
11. Temporary employees are those whose duration of employment is intended to be short-term; or those whose compensation is generated by federal or state grant revenue, i.e. JTPA, Community Action, internship programs, etc.
14. Permanent employees are those whose position may be expected to provide long-range employment; new employees will serve a six-month probationary period; permanent employees are "at-will" and do not work under a contract.

15. Modified duty or alternate work involves placing an injured worker into a position, which is not as demanding as his or her regular job.
16. Restricted work involves an injured worker being brought back to the original position with restrictions assigned by the physician.
17. Temporary Assignment involves a position specifically created to accommodate the injured worker's restrictions; may be less productive because the created work involves unnecessary positions.
18. Gradual re-acclimation involves returning the worker to the existing job gradually until he or she attains full working capacity. Work capacity increases until the employee retains a full work load.
19. Demotion shall mean a change of a regular employee in the unclassified service from a position of one class to a position of another class for which a lower pay range is prescribed.
20. Departments means a department as provided for in Article III, Section 3, paragraphs D - 2, 3, and 4 created in the Home Rule Charter; a department created by ordinance as provided for in Article III, Section 3, paragraph B – 1 of the Home Rule Charter; and any other office or agency of the executive branch. The word department shall not include political subdivisions as defined in Article III, Section 3, paragraph D – 7 and excluded from Civil Service coverage by Article IV, Section 2, paragraph H of the Home Rule Charter.
21. Dismissal or Removal refers to the termination of employment for cause.
22. Suspension – The enforced leave of absence without pay of an employee as a result of disciplinary purpose; or during an investigation of alleged misconduct by the employee.
23. Transfer refers to the change of an employee from any position in the unclassified service to any other position of the same classification, at the pleasure of the appointing authority.
24. Harassment may consist of verbal or physical behaviors pertaining to an individual's sex, age, race, color, religion, disability, national origin, gender, or affiliation with another protected category. Harassment is defined as conduct which intentionally creates an offensive, aggressive, or intimidating working environment, or has the prospect of interfering with an individual's job performance, or negatively affects an individual's employment opportunities.
25. Bona fide occupational qualification (BFOQ) is the (rare) designation of a specific sex, race, religious affiliation, national origin, age, disability or lack of one as a requirement of the job. The burden is on the employer to prove that such a requirement is a BFOQ for a particular position.
26. Insubordination includes both the refusal of a direct order and an intentional act of disrespect.
27. Policies refer to broad guidelines designed to guide decision-making; used where rigid procedures or rules are not feasible. Policies assure consistency and fairness within the framework of an organization's objectives and philosophy. More specific policies often contain procedures and rules.
28. Procedure refers to a sequence of steps or a method of accomplishing something, including administrative or technical directions for accomplishing a specific task.
29. Rules are specific statements, written or unwritten, about what behavior is allowed or not allowed in a given set of circumstances; can be formulated on the agency or department level and also on the line supervisor level. This manual is a combination of policy, procedure and rules.

30. Nepotism is defined as a circumstance arising when an employee's immediate family is being considered for employment on the basis of their qualifications. However, immediate family may not be hired if it would:
  - a. Create a supervisor/subordinate relationship (direct or indirect) with a family member;
  - b. Create a conflict of interest.

This policy must also be considered when assigning, promoting, or transferring an employee. For the purposes of this policy, immediate family includes anyone related by blood, affinity, or marriage.

Employees who marry or establish a close personal relationship may continue employment as long as it does not result in the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position to which one of the employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

All relatives presently working in the above-listed situations will be "grandfathered" into the system.

Any person serving in public employment on the effective date of this section, whose employment is in violation of this section shall not be construed to hinder, alter, or in any way affect normal promotional advancement opportunities in public employment for such employee.

31. Immediate Family refers to an employee's spouse, children, parents, brothers, sisters, and any other relative residing under the same roof.
32. Funeral Leave is a paid leave of absence from regularly scheduled work hours granted to employees on the occasion of a death in their immediate family.
33. Sick Leave is a paid leave of absence from regularly scheduled work hours granted to employees because of employee's illness, injury, (outside of work), hospitalization, or exposure to contagious disease, or because of an immediate family member's illness, injury, hospitalization, or exposure to contagious disease.

## **SCOPE OF COVERAGE**

The following persons are expressly exempted from coverage in this manual except in those parts expressly listed as covered:

1. All elected officials and persons appointed to fill vacancies of elected officials.
2. All members of boards and commissions of the LPG.
3. All LPG attorneys.
4. Consultants, advisors and counsel rendering temporary professional services.
5. All independent contractors.

The policies and procedures of this manual apply to the Parish Administrator and Department Heads when the policies are not in direct conflict with the Home Rule Charter or Department of Labor regulations and guidelines exempt status and all other non-classified personnel.

## **MANAGEMENT RIGHTS**

Lafourche Parish reserves all rights to amend this manual as per authority set forth in the Home Rule Charter.

## **CHAPTER I**

### **OBJECTIVES**

#### **SECTION 1     OBJECTIVE**

- 1.1 The LAFOURCHE PARISH GOVERNMENT recognizes that a personnel system that recruits and retains competent, dependable personnel is indispensable to effective, efficient operation.
- 1.2 The policies, rules and procedures set forth below are designed to:
  - a. Promote high morale among employees by fostering good working relationships and providing uniform personnel policies, opportunities for advancement, and consideration of employee needs and desires;
  - b. Maintain recruitment and promotion practices that will enhance the attractiveness of a career and encourage each employee to give his or her best effort to the Parish;
  - c. Provide courteous and dependable service to the public;
  - d. Provide fair and equal opportunity for qualified persons to enter and progress in services in a manner based on merit and fitness as ascertained through fair and practical personnel management methods;
  - e. Conduct all operations in an ethical and legal manner so as to generate by action a reputation as an efficient, progressive body in the region and the state.

**[RESERVED]**

## CHAPTER II

### SALARY ADMINISTRATION PLAN

#### SECTION 1 OBJECTIVE

- 1.1 The basic aim of this salary administration plan is to develop basic wage and salary structures that will help the LPG attract, hire, and retain competent workers; encourage workers to perform at their fullest to achieve organizational and departmental goals; reward workers relative to their performance; and manage labor costs.
- 1.2 It is the policy of the LPG to compensate our employees fairly and without regard to their age, sex, race, color, creed, religion, national origin, political affiliations or beliefs, handicap or military status. Furthermore, it is the LPG's practice to comply with all applicable state and federal laws and regulations affecting employee compensation and benefits.
- 1.3 It shall be the duty of the Parish Administrator to implement the salary administration plan together with the evaluation process.

#### SECTION 2 OVERTIME PAY

- 2.1 Based on the needs of the service, an employee may be required or authorized by appropriate supervisory authority to work at any time when he would not normally be scheduled for duty. Whenever such work is required or authorized, the employee shall be compensated for all such work by monetary payment as hereinafter set forth or, in lieu thereof, by comp time under the conditions set forth in the federal Fair Labor Standards Act.
- 2.2 No overtime work whatever shall be performed without proper supervisory authority and/or approval.
- 2.3 Overtime pay provisions shall not routinely apply to classes of work designated as "E" (exempt). It is expected that employees in the "exempt" classes will work whatever hours are required to satisfy the needs of the service, and that they will adjust their working scheduled to meet such needs. However, whenever it is deemed justified, an Appointing Authority may authorize overtime pay for such employees.
- 2.4 Compensation shall be paid at a straight time rate of pay for any and all work required and/or authorized in excess of thirty-five (35) and up to forty (40) hours in any one work week. \*Refer to Compensatory Leave policy guidelines in Chapter 4 Section 1 of the Administration section of this manual for compensation of time worked.
- 2.5 Overtime compensation shall be paid at a rate of one- and one-half (1 ½) times the regular hourly compensation for any and all work required and/or authorized in excess of forty (40) hours in any one work week. \*Refer to the Compensatory Leave Policy guidelines for compensation of overtime worked.
- 2.6 Absence from work by reason of any form of authorized leave shall not be considered as actual hours worked for purposes of overtime pay eligibility determinations. However absence from work by reason of holidays with pay shall be considered as time worked at a straight-time rate of pay for purposes of overtime pay eligibility determinations.
- 2.7 Absence from work while on leave of absence without pay is not considered as time worked for purposes of overtime pay eligibility determinations.
- 2.8 Overtime work on one day shall not relieve an employee of the responsibility to report for work at the regularly scheduled time on the next ensuing day.

- 2.9 Whenever an employee works on one of the holidays granted or on any part of such holiday, in addition to the regular holiday pay, the employee shall be paid for the time actually worked on the holiday; and, for overtime computation purposes, the regular holiday hours shall be added to the hours actually worked in the work week.
- 2.10 Weekly overtime pay shall be computed to the nearest one-quarter (1/4) hour.

(Ord. No. 4407, 10/14/08)

### **SECTION 3 PAY FOR EMERGENCY WORK**

- 3.1 Non-exempt employees who are called to work while maintaining “on-call” status shall be guaranteed a minimum of three (3) hours compensation at their respective rate of pay.
- 3.2 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. “Emergency Situation” shall encompass circumstances that would expose parish employees to harmful or unsafe conditions, as determined by the Administration.
- 3.3 The Administration may provide parish employees with leave with pay for absences from work due to a Declared State of Emergency. The Administration will issue a Declaration of Emergency stating that, because of extreme weather or other specified emergency situations, employees shall not report to work except at the request or approval of the Administration. Unless a Declaration of Emergency has been issued, all parish employees are expected to report to work. If the Administration officially directs the closure of the agency due to severe weather or other emergency situations, those persons actually scheduled to work during the time period of the declaration shall receive the time off without loss of pay, annual leave, or sick leave. All personnel, including both nonexempt and exempt classifications but excluding department heads and the parish administrator, who are required to be on emergency duty during such closure shall receive pay at the rate of time and one-half for those actual hours worked in the addition to their regular pay. Furthermore, upon the declaration of an emergency, all scheduled vacations for designated essential personnel shall be canceled.
- 3.4 During a Declaration of Emergency, all essential personnel shall be available for duty and necessary services will be maintained. The Administration, in conjunction with all Department Heads, will identify essential employees by position or title and will post a list thereof.
- 3.5 No provision of the Emergency Leave policy will preclude the necessary, immediate evacuation of a facility by an authorized supervisor in the interest of personal safety.
- 3.6 Transitional Provisions: In order to ratify and authorize practices enacted in preparation for the 2005 Hurricane Season by the Administration, this Emergency Pay Policy is intended to have affect retroactively to June 1, 2005.

## **CHAPTER III**

### **HIRING POLICIES AND PROCEDURES**

#### **SECTION 1 VACANCIES**

- 1.1 Department Heads shall send written notification to the Human Resources Director when vacancies occur or are imminent.
- 1.2 The filling of vacancies shall be the responsibility of the Department Heads, subject to the approval of the Human Resources Director and Parish Administrator.
- 1.3 Applications will not be considered for employment unless a position has been advertised or posted in-house

#### **SECTION 2 JOB ADVERTISEMENTS**

- 2.1 The content of all job advertisements shall be approved by the Human Resources Director and/or Parish Administrator.
- 2.2 Job advertisements shall reflect a general description of the job requirements as outlined in the Job Description filed in the Human Resources Department.
- 2.3 Job advertisements shall request submittal of applications. Resumes may be attached to the application if received.
- 2.4 Job advertisements shall have a deadline date for submittal of applications.

#### **SECTION 3 JOB APPLICATIONS**

- 3.1 A job application form must be properly completed and submitted before the applicant will be considered for employment.
- 3.2 The job application form of any applicant who is not hired will be kept on file in the Human Resources Department for a period of one (1) year. Job application forms of successful candidates shall be filed in the personnel folder.

#### **SECTION 4 SELECTION PROCESS**

- 4.1 An applicant shall be eliminated from consideration if he or she:
  - a. does not meet the qualifications necessary for the performance of the duties of the position involved.
  - b. has made false statements on the application or supplements thereto.
  - c. has committed or attempted to commit a fraudulent act at any level of the selection process.
  - d. is an alien not legally permitted to work.
- 4.2 An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements.

## **SECTION 5      JOB INTERVIEWS**

- 5.1 Pre-interview Preparation: Prior to the filing of the job advertisement, a set of interview questions should be prepared and adhered to in the interview process, with each applicant being asked the same questions. Tests may be prepared before advertising, and, if applicable, tests must reflect the knowledge and skills required by the position as per the job description. The interviewer(s) must record the criteria used for selection, or the reason for elimination of a candidate.
- 5.2 The applications, tests, and record of interviews should be forwarded to the Human Resources Department for review by the EEOC.
- 5.3 Grant programs will follow the selection process outlined by the grant program and/or federal guidelines.

## **SECTION 6      MEDICAL EXAMINATIONS**

- 6.1 Medical examinations for job candidates may be ordered by the Department Head; such cost will be borne by the department. Such an examination will be done after the tendering of an offer of employment. The position may be made contingent on the certification of a physician that the applicant is physically capable of performing the job. A drug test will be carried out in accordance with the LPG Substance Abuse Policy.

## **SECTION 7      PROBATION**

- 7.1 The LPG requires that a person entering employment under these policy provisions be required to successfully complete an employment evaluation period of six (6) months.
- 7.2 The Supervisor shall give the new employee a copy of the evaluation form, which will be used to evaluate his or her job performance in three to six months. The Supervisor and employee should at this time set up specific goals for the coming months.
- 7.3 Supervisors shall closely observe and evaluate the work and fitness of probationary employees and encourage adjustment to their jobs and to the LPG. Supervisors shall retain only those employees who meet acceptable standards during evaluation periods.
- 7.4 An employee who is being evaluated may be separated at any time during the evaluation period when, in the judgment of the supervisor, the employee's fitness and/or job quality or work is not such as to merit continuation of the job. The Probation should end with an evaluation; supervisors are encouraged to complete two three-month evaluations (see also SUPERVISION, MANAGEMENT, AND PERFORMANCE EVALUATIONS).
- 7.5 An employee failing probation shall have the right to appeal to the Parish Administrator within 14 calendar days following notice of failure of probation. The decision of the Parish Administrator shall be final.

## **CHAPTER IV**

### **SUPERVISION AND MANAGEMENT**

#### **SECTION 1 PERFORMANCE EVALUATIONS**

- 1.1 Performance reviews or evaluations on non-probationary employees shall be completed annually; however, at the discretion of the Department Head, a non-probationary employee's performance may warrant a performance review prior to his or her anniversary date.

#### **SECTION 2 TRAINING**

- 2.1 Each supervisor is charged with the responsibility of providing all required training for employees under his or her supervision. Additionally, all elements of such training, including which, where, and by whom, shall be made a matter of record in the employee's personnel folder.

#### **SECTION 3 DISCIPLINARY ACTION**

- 3.1 Listed below are some of the more serious actions of employees requiring action, including termination, of the supervisory/administrative staff:
  - a. Deliberately violating the LPG equal opportunity procedures and program contained in this manual.
  - b. Stealing or attempting to steal property of the LPG or a service provider to the LPG.
  - c. Reporting to work under the influence of intoxicants or non-prescribed drugs; use of intoxicants or non-prescribed drugs; refusal to submit to a drug or alcohol test when so ordered by supervisor; failure to report a conviction for the use of illegal drugs in the workplace.
  - d. Improperly recording hours worked or falsification of a time sheet. This category shall include falsifying sick leave absences, or fraudulently accumulating compensatory or overtime.
  - e. Insubordination or failing to carry out any reasonable order of his/her supervisor.
  - f. Absence without notice to supervisor, tardiness beyond beginning hours during a working day, or excessive tardiness.
  - g. Neglect of the specified supervisory duty to report misconduct of a subordinate.
  - h. Performing any service relating to an outside business or professional activity during the regular working hours established for his or her LPG position.
  - i. Causing loss of material due to carelessness.
  - j. Gambling during working hours.
  - k. Carelessness affecting other employees' safety, or the safety of others.
  - l. Harassment (Threatening, intimidating, coercing or interfering with fellow employees; creating an atmosphere of hostility or intimidation).

- m. Fighting or provoking or inciting a fight.
- n. Immoral conduct or indecency as defined by the Equal Employment Opportunities Commission rules and guidelines.
- o. Possession of a firearm that is non job-related on LPG property.
- p. Any other just cause as defined by the LPG.

#### **SECTION 4      TYPES OF DISCIPLINARY ACTION**

- 4.1 Formal disciplinary action taken shall be consistent with the nature of the deficiency or infraction involved and the record of the employee. Formal disciplinary action shall include written reprimand, suspension, and reduction in pay, transfer, demotion and dismissal. Nothing herein shall prohibit the administration from the use of informal disciplinary action for just cause, such as oral reprimands. Supervisors shall record pertinent facts concerning such conferences in daily journals or notebooks.
- 4.2 Informal actions, a written notice shall be given to the employee who shall include a written description of the deficiency or infraction involved, and, except in dismissal cases, a statement of the likely consequences of further unsatisfactory performance and/or conduct.
- 4.3 Supervisors shall use progressive discipline; that is, each repeated infraction shall incur progressively stronger action, beginning with informal, verbal counseling and moving on to written notice, suspension, transfer, demotion, etc., and finally termination when the above procedures have not affected a change in employee behavior.
  - a. Written Reprimand – A copy of the written reprimand signed by the employee and supervisor shall be kept in the employee’s personnel folder in the Administrative office. The supervisor issuing the reprimand should retain a copy. The employee shall receive a copy.
  - b. Suspension – In the interest of good discipline, an employee may be suspended with or without pay.
  - c. Reduction in Pay – In the interest of good discipline, an employee may have his or her pay reduced within the class pay range for the position. The employee shall not be disqualified from consideration for later pay increases.
  - d. Demotion – In the interest of good discipline, an employee may be demoted. The employee shall not be disqualified from consideration for later advancement.
  - e. Dismissal – In the interest of good discipline, an employee may be dismissed, terminated from parish employment.
- 4.4 The employee’s immediate Supervisor shall receive a notice of all decisions concerning disciplinary action. In the case of suspended, reduced, or discontinued pay, the payroll clerk shall receive notice of such action also. When the supervisor issues the reprimand, a copy will be sent to the Human Resources Department to be placed in the employee’s file. In informal actions, the supervisor is encouraged to jot down pertinent facts in a daybook or journal.

#### **SECTION 5      INSUBORDINATION**

- 5.1 Besides an intentional act of disrespect, insubordination includes the refusal of a direct order. An employee who questions an order should follow the order but file a grievance. The only legitimate refusal for carrying out an order is that the employee reasonably believes that the order will require the employee to engage in illegal or immoral behavior.

- 5.2 If the employee contends that carrying out the order would be unsafe, the supervisor must investigate. If the supervisor determines that the operation can be conducted safely, the employee must comply with the order.

## **SECTION 6 LAFOURCHE PARISH GOVERNMENT SUBSTANCE ABUSE POLICY**

- 6.1 For a complete explanation of LPG's policy, consult the Lafourche Parish Government Substance Abuse Policy located in the Administrative section of this manual.

## **SECTION 7 GRIEVANCES**

- 7.1 The term grievance shall refer to any claim or allegation by an employee who perceives a violation of rights, privileges, or benefits which have been granted to LPG employees in this manual or by state or federal statutes. Please refer to the Employee Complaint/Grievance procedures for further details located in the Administrative section of this manual.

**[RESERVED]**

## CHAPTER V

### LEAVE(S) OF ABSENCE, HOURS OF WORK, AND ATTENDANCE

#### SECTION 1 HOURS OF WORK:

- 1.1 The workweek for full-time employees in the unclassified service shall consist of not less than thirty (30) regularly scheduled working hours, exclusive of "lunch" periods. A person employed to work on a regular schedule of less than thirty (30) hours per week shall be considered a part-time employee for purposes of pay administration and other purposes covered in these Rules. An employee who works on an intermittent or variable basis, dependent upon the demand for the services, shall be considered a subject-to-call employee.
- 1.2 Based on the needs of the Parish, an employee may be required or authorized by appropriate supervisory authority to work at any time when the employee would not normally be scheduled for duty. Whenever such work is required or authorized, the employee shall be compensated either by monetary payment or by compensatory leave hours for all such work as set forth, and under the conditions set forth in the Fair Labor Standards Act. \*Please refer to the Compensatory Leave section in the Administration section of this manual.
- 1.3 No overtime work whatsoever shall be performed without proper supervisory authority and/or approval.
- 1.4 Overtime pay provisions shall not routinely apply to classes of work designated as "E" (Exempt). It is expected that employees in the "exempt" classes will work whatever hours are required to satisfy the needs of the service, and that they will adjust their working schedules to meet such needs.

#### SECTION 2 ANNUAL VACATION LEAVE:

- 2.1 Rate of Accrual of Annual Leave: Except as provided elsewhere in these Rules, each eligible employee in the unclassified service shall earn and accumulate annual leave with pay as follows:

##### 2.2 RATE OF ACCRUAL OF LEAVE

YEARS OF EMPLOYMENT	RATE OF ACCRUAL PER HOUR WORKED	HOURS WORKED	HOURS ACCUMULATED	YEARLY TOTAL
0-3	.0385	70	2.6950	70.0700
0-3	.0385	80	3.0800	80.0800
4-7	.0485	70	3.3950	88.2700
4-7	.0485	80	3.8800	100.8800
8-11	.0580	70	4.0600	105.5600
8-11	.0580	80	4.6400	120.6400
12-15	.0675	70	4.7275	122.8500
12-15	.0675	80	5.4000	140.4000
16+	.0772	70	5.4040	140.5040
16+	.0772	80	6.1760	160.5760

- 2.3 Earned but unused annual leave credits shall be accumulated for each employee and shall be carried forward from one leave year to the next, but the maximum amount of accumulated leave which may thus be carried forward shall be a total of four (4) weeks. (One hundred sixty (160) hours for eighty hour employees and one hundred forty (140) hours for seventy hour employees.) Effective July 1, 2007, a new leave year begins and ends on June 30 of every future year.

- 2.4 Persons employed on a part-time, subject-to-call basis, or under emergency or temporary type appointments shall not be entitled to accumulate annual leave; except in the case of those persons who are currently employees accumulating leave and who have been temporarily promoted on a temporary basis to fill a vacant position pending filling of the vacancy by regular appointment.
- 2.5 In computing and recording charges against an employee's accumulated annual leave, deduction shall be made only for such time that the employee is absent when scheduled to work. The minimum charge against annual leave shall be one-quarter (1/4) hour.
- 2.6 In the event an employee exhausts one's annual vacation leave, sick leave may not be used in lieu of leave without pay.
- 2.7 Employees shall be entitled each year to use at least the amount of leave accumulated during that year and may, with the approval of the supervisor or appointing authority, use any amount not in excess of the total accumulated and unused. Such leave may be used only at the time or times approved by the appropriate supervisor or appointing authority, based upon the departmental work load and the demand for the employee's services.
- 2.8 At termination, an employee will receive compensation for accrued vacation balance of no more than four (4) weeks of accrued annual leave. (One hundred sixty (160) hours for eighty hour employees and one hundred forty (140) hours for seventy hour employees.)

(Ord. No. 4036, 03/27/07; 4407, 10/14/08)

### **SECTION 3      SICK LEAVE:**

- 3.1 Each employee in the unclassified service shall earn and accumulate Sick Leave with pay in the same manner and rate as Annual Vacation Leave.
- 3.2 Persons employed on a part-time, subject-to-call basis, or under emergency or temporary appointments shall not be entitled to accrue sick leave; Except in the case of those persons currently employed and accumulating leave and who have been promoted on a temporary basis to fill a vacant position, pending filling of the vacancy by regular appointment.
- 3.3 Sick leave may be used for any of the following reasons:
  - a. Personal illness, injury, or any other type of physical disability;
  - b. Dental or doctor appointments for the employee or immediate family member;
  - c. Immediate family illness.
- 3.4 In support of usage of Sick Leave with pay, an employee shall furnish the supervisor notice of the need for and cause of the absence from work and, where appropriate, a prognosis. The notice shall be in writing and shall be furnished in advance or, if advance notice is not possible, as provided in a. of this Section. In addition:
  - a. If the amount of Sick Leave is five (5) or more consecutive working days, the employee shall be allowed to resume regular duties following a return from a leave of absence due to one's own illness or medical disability, **only** after providing the Appointing Authority a statement by a licensed physician. Such statement shall certify that the employee is released to return to work without restriction, and is not affected by a medical condition which interferes with normal duties and responsibilities satisfactorily and/or without endangering oneself, other employees, or the general public.

- b. If there is a reasonable doubt as to the validity of an employee's claim for consecutive Sick Leave days of four (4) or less, the appointing authority may require written evidence of illness and eligibility to return to work by giving the employee written notice of the need therefore; and/ or
- c. If an appointing authority determines that an employee charged an absence against Sick Leave although no actual illness or disability occurred, the appointing authority shall correct the time and attendance records to show the employee on (unauthorized) Absence Without Leave or the period in question, shall take steps appropriate to recover compensation paid to the employee for the period in question, and also, may take such other disciplinary action as deem fit.

3.5 In the event an employee exhaust one's sick leave, accrued compensatory leave and/or annual vacation leave **must** be used in lieu of leave without pay.

3.6 All unused Sick Leave remains to an employee's credit:

- a. When the employee resigns to accept a provisional, temporary, or probationary appointment in the Parish unclassified service without a break in service;
- b. During any period when he/she is carried on authorized military leave without pay, or;
- c. When he/she is reinstated or reemployed after layoff;
- d. When he/she is transferred from one Parish department or agency to another.
- e. When an unclassified employee of 10 years or more is reinstated or re-employed into a unclassified position within twelve (12) months of leaving, years of service will be bridged together in addition to unused sick leave being reinstated;

3.7 Records of the Human Resources Department shall be used in determining the amount of leave involved.

3.8 Earned but unused Sick Leave credits shall be accumulated for each eligible employee and shall be carried forward from one leave year to the next, but the maximum amount of accumulated leave which may thus be carried forward shall be a total of 18 weeks. (Seven hundred twenty (720) hours for an eighty hour employee and six hundred thirty (630) hours for a seventy hour employee.) Effective July 1, 2007, a new leave year begins and ends on June 30 of every future year.

(Ord. No. 4036, 03/27/07)

#### **SECTION 4 FUNERAL LEAVE:**

4.1 When there is a death in the immediate family of an employee other than part-time, temporary, emergency, or others not eligible to accumulate leave, the appointing authority shall grant three (3) days of Funeral Leave which shall not be charged to the employee's Vacation or Sick Leave.

4.2 The appointing authority may grant one (1) of the above days in the event of a death of a grandparent, grandchild, mother-in-law, or father-in-law.

4.3 In support of requests for Funeral Leave, the employee shall furnish to the supervisor or appointing authority written notice of the need for absence, including in such notice the name and relationship of the deceased, the date of death, and such other information as may reasonably be required to justify the leave requested. The employee shall furnish said notice in advance or as soon as practical, and in no case, later than ten (10) days after the date of the end of such leave. Failure by the employee to provide such information shall be cause for denial and/or cancellation of the leave.

- 4.4 After granting any leave under this Section, should it be determined by the appointing authority that the leave was not justified, the leave charge shall be changed to Absence Without Leave, and the appointing authority shall also take such other disciplinary action as is deemed suitable.

#### **SECTION 5 CIVIL LEAVE:**

- 5.1 An employee other than part-time, temporary, emergency or others not eligible to accumulate leave shall be given time off without loss of pay:
- a. When performing jury duty;
  - b. When subpoenaed to appear before a court, public body, commission, or board in a capacity other than as a party to or as a cause of an action; When an employee has a direct interest in the matter, Civil Leave shall not be authorized, but rather, the appointing authority may grant annual leave, or in its absence, leave without pay;
  - c. When performing emergency civilian duty in connection with national defense;
  - d. When ordered to appear for a medical or other examination by the Selective Service System or by a branch of the Armed Forces of the State or the United States;
  - e. When taking or participating in a Lafourche Parish Civil Service examination;
  - f. When taking an examination for a license or certificate from a parish or state agency, provided the appointing authority certifies in writing to the Parish Administrator that the service will benefit by the employee's acquisition of the certificate or license.
  - g. When an employee is authorized or assigned to attend a convention, a conference, or a training program directly related to one's own position or to the functions and operations of the department, the employee shall be considered to be on duty and no leave shall be reported or charged against the employee.
- 5.2 Employees will receive full pay for the first day of such duty. For all days after the first day, such pay for duty shall not exceed the difference between the duty pay and regular pay.
- 5.3 The employee will be expected to report to work if duty ends before 12:00 noon on a regular workday.

#### **SECTION 6 MILITARY LEAVE:**

- 6.1 Any full-time regular or probationary employee who is a member of a reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence without loss of pay, time, accumulated leave, or service rating when ordered to active duty for field training or other similar training purposes, by official written military orders for a period not to exceed ten (10) days in any one calendar year. The provisions of this sub-section apply only to leave eligibility during the initial calendar year of a lengthy or indefinite tour of duty which spans a period which extends into two or more calendar years.
- 6.2 Military Leave Pay will not be granted for weekend drill or make-up drills. Time off for such sessions shall be granted, but shall be charged to Leave Without Pay, Accrued Compensatory Leave or Annual Vacation Leave, at the option of the employee.
- 6.3 Employees who are inducted or ordered to active duty with the Armed Forces of the United States or National Guard for indefinite periods or periods in excess of their Military Leave With Pay, shall be placed on Military Leave Without Pay for the period of active military duty plus no more than thirty (30) days.

- 6.4 Upon return from military leave without pay as granted above, employees shall be reinstated in the same or similar position vacated, provided they were discharged under honorable conditions, are physically and mentally qualified to perform the essential functions of their job, with or without reasonable accommodation, and apply for reinstatement within thirty (30) days of separation.

#### **SECTION 7 LEAVE WITHOUT PAY:**

- 7.1 An appointing authority may grant an employee, other than a transient employee, leave without pay for a period not to exceed an aggregate of ninety (90) working days within a period of twelve consecutive months, whenever such leave is considered to be in the best interest of the Parish; provided that:
- 7.2 Leave without pay for a longer period may be granted only with the consent of the Parish Administrator;
- a. When an employee is on leave without pay for more than five (5) consecutive days, the appointing authority must submit a report to the Human Resources Director;
  - b. When an employee does not return to work at the expiration of a period of leave without pay as authorized herein, he/she shall be considered as having resigned his/her position as of the day following the last day of leave;
  - c. Provisional and transient employees may be granted temporary leave without pay for a period not exceeding five (5) working days.
- 7.3 When an employee is on leave without pay on the day before or the day after a holiday, he/she shall not be entitled to and shall not be paid holiday pay for the holiday.

#### **SECTION 8 ABSENCE WITHOUT LEAVE:**

- 8.1 It shall be the duty of every employee to report for work in accordance with, and to work throughout, all regularly scheduled working hours, unless granted a leave of absence duly applied for and approved or authorized in accordance with one or more of the provisions of this Chapter.
- 8.2 Each and every absence without leave shall be reported in the attendance reports by separate and specific identification, and no compensation shall be paid to any employee for any time absent from work without leave. Compensation may be allowed for absence without leave if approved under the guidelines of the Crisis Leave Policy. \*Please refer to the Crisis Leave Policy in the Administrative section of this manual.
- 8.3 Deduction from pay or denial of pay to an employee for time absent without leave shall not be considered or treated as a disciplinary action. Separate disciplinary actions, including dismissal, may be taken against an employee, for any absence without leave.
- 8.4 For purposes of this Section, the term “work” shall include, in addition to normal duties, all other assignments that are ordered or authorized by an employee’s supervisor, (i.e., participation in job-related safety or training sessions, work breaks, evacuation of premises or relief from duty due to hazardous conditions, escort of transport to a medical facility for first-aid of a job related injury).
- 8.5 Denial of pay for time absent without leave shall be appealable to the Parish Administrator only on the basis of a specific allegation that the absence was, or should have been, approved or authorized under one or more of the provisions of this Chapter. Such an appeal must be filed in writing within thirty (30) days of the payday on which the pay was denied. The appellant shall bear the burden of proof of such allegations.

## **SECTION 9 HOLIDAYS:**

9.1 The following days shall be observed as holidays:

New Year's Day  
The day before or the day after New Year's Day  
Martin Luther King Day  
The day before Mardi Gras  
Mardi Gras Day  
Good Friday  
Independence Day  
Memorial Day  
Labor Day  
Federal Election Day  
Thanksgiving Day  
The day after Thanksgiving  
Christmas Day  
Either the day before or the day after Christmas

9.2 When a holiday falls on a weekend, the Appointing Authority may designate either the preceding Friday or the following Monday as the holiday.

9.3 When a holiday falls on a weekend, employees who work on a rotating shift basis will observe the actual holiday and not the designated holiday.

9.4 A holiday will be equal to the number of hours of the employee's regular "work day."

9.5 Full-time, permanent non-exempt employees who are required to work on a holiday will be paid at the rate of one and one-half (1 ½) times their regular rate of pay for the hours worked, in addition to the holiday pay.

9.6 Employees who work on a rotating shift basis, but are not scheduled to work on a holiday will be paid for the holiday as are other employees.

9.7 Other full-time employees who do not work on a rotating shift basis, and are not scheduled to work on a holiday, will have annual vacation leave credited to their annual vacation leave balances in the amount of hours of their normal work day.

9.8 Any employee shall not receive a paid holiday if on unauthorized leave the day before or after the holiday.

9.9 If a holiday falls during a period of paid leave, the employee shall be paid for the holiday and will not be charged for the absence.

9.10 Parish employees may be given holidays on other days declared as state holidays by the Governor of the State of Louisiana.

## **SECTION 10 EMERGENCY LEAVE: ORDINANCE NO. 3751/3788**

10.1 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. "Emergency Situation" shall encompass circumstances that would expose parish employees to harmful or unsafe conditions, as determined by the Administration.

- 10.2 The Administration may provide parish employees with leave with pay for absences from work due to a Declared State of Emergency. The Administration will issue a Declaration of Emergency stating that, because of extreme weather or other specified emergency situations, employees shall not report to work except at the request or approval of the Administration. Unless a Declaration of Emergency has been issued, all parish employees are expected to report to work. If the Administration officially directs the closure of the agency due to severe weather or other emergency situations, those persons actually scheduled to work or available for duty (on standby) during the time period of the declaration shall receive the time off without loss of pay, accrued compensatory leave, annual vacation leave, or sick leave. For the duration of the declaration of emergency, employees shall not be required to be on duty for more than 18 hours at a time or in a 24 hours period. All personnel, including both nonexempt and exempt classifications but excluding department heads and the parish administrator, who are required to be on emergency duty during such closure shall receive pay at the rate of double time for those actual hours. Furthermore, upon the declaration of an emergency, all scheduled vacations for designated essential personnel shall be canceled.
- 10.3 During a Declaration of Emergency, all essential personnel shall be available for duty and necessary services will be maintained. The Administration, in conjunction with all Department Heads, will identify essential employees by position or title and will post a list thereof.
- 10.4 No provision of the Emergency Leave policy will preclude the necessary, immediate evacuation of a facility by an authorized supervisor in the interest of personal safety.
- 10.5 Transitional Provisions: In order to correct, ratify and authorize practices carried out and payments made during the 2005 Hurricane Season by the Administration, the Council shall hereby ratify the payment of overtime at the rate of double time and one half to both exempt and non-exempt unclassified parish employees. Overtime payments made to Department Heads and the Parish Administrator shall be excepted from the ratification. This ratification shall extend only to overtime payments made to those employees not excepted and only to overtime payments made during the 2005 Hurricane Season.

(The Lafourche Parish Administrative Policy and Procedure Manual, the Unclassified Personnel Policy and Procedure were amended and enacted as ordinances per Ord. No. 3876, 9/5/2006)

**[RESERVED]**