

LAFOURCHE PARISH GOVERNMENT

UNCLASSIFIED PERSONNEL POLICIES AND PROCEDURES



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.

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Definitions

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.
12. 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.
13. Modified duty or alternate work involves placing an injured worker into a position, which is not as demanding as his or her regular job.
14. Restricted work involves an injured worker being brought back to the original position with restrictions assigned by the physician.
15. 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.
16. 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.
17. 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.
18. 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.
19. Dismissal or Removal refers to the termination of employment for cause.

20. 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.
21. 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.
22. 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.
23. 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.
24. Insubordination includes both the refusal of a direct order and an intentional act of disrespect.
25. 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.
26. Procedure refers to a sequence of steps or a method of accomplishing something, including administrative or technical directions for accomplishing a specific task.
27. 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.
28. 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.

- c. 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.
 - d. 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.
 - e. All relatives presently working in the above-listed situations will be “grandfathered” into the system.
 - f. 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.
29. Immediate Family refers to an employee’s spouse, children, parents, brothers, sisters, and any other relative residing under the same roof.
30. 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.
31. 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.

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-half (1/2) hour (i.e., 15 minutes work = 30 minutes of pay, 14 minutes of work = 0 minutes of pay).

Section 3: Pay For Emergency Work

- 3.1 Refer to the Lafourche Parish Government Administrative Policy and Procedures Manual.

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 theLPG. 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 Performance Evaluations, SUPERVISION AND MANAGEMENT, p80).
- 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.

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, the new leave year begins and ends 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-half (1/2) 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.)

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; 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 for 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
 - 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 June 30 of every future year.

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 "workday."

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 ($1 \frac{1}{2}$) 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 workday.

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

- 10.1 Refer to Lafourche Parish Government Administrative Policy and Procedures Manual.