

# ST. JOHN THE BAPTIST PARISH



## Employee Handbook

Revised 3-2020





**RECEIPT AND ACKNOWLEDGMENT OF EMPLOYEE HANDBOOK**

I have received and reviewed a copy of St. John the Baptist Parish's employee handbook as revised. I understand that I am responsible for reading, understanding, and adhering to the policies contained in the handbook.

I understand that this handbook is not an employment contract, and is not to be construed, under any circumstances, as a promise or guarantee of continued employment. I understand that by my acceptance of employment with the Parish, I recognize that the employment relationship is at will and may be terminated by me or the Parish (in accordance with Civil Service Rules, if applicable) at any time. I understand that no member of management, other than the Parish President, has the authority to enter in any agreement for employment or benefits for any period of time, or to make any agreement contrary to the foregoing. I further understand that any policies, procedures and benefits discussed in this handbook may be changed by the Parish at any time, without notice.

I understand that as a St. John the Baptist Parish employee, I may be given Parish property for use during my employment, including equipment, laptop computers, keys, proximity cards, and the like. Should my employment with St. John the Baptist Parish terminate, I understand that I am responsible for returning any and all Parish property, upon collection of my final paycheck. If for any reason I do not return Parish property, I agree that St. John the Baptist Parish may deduct the value of such items from my final paycheck.

---

SIGNATURE

---

DATE

---

PRINTED NAME

---

## *Welcome, New Employee!*

On behalf of the Parish Administration and Council, I welcome you to St. John the Baptist Parish Government. We are delighted to have you onboard! We feel each employee contributes directly to the Parish's growth and success in his or her own unique way and look forward to putting your talents and energies to work.

As part of our team, we expect that your efforts and contributions will complement ours in delivering optimal services to the great citizens of St. John Parish. You will be given opportunities to grow in your career; all we ask for in return is solid job performance and a good work ethic. We are committed to providing equal opportunities to all. No one will be denied opportunities or benefits based on age, sex, color, race, national origin, religion, disability or other legally protected characteristic; nor will anyone receive special treatment for those reasons.

This employee handbook was developed to describe some of the expectations of our employees and to outline policies, programs, and benefits available to eligible employees. Please become familiar with it as soon as possible, as it will answer many questions about employment with St. John the Baptist Parish.

We hope that your experience here will be challenging, enjoyable, and rewarding. Thank you for choosing St. John the Baptist Parish Government. We wish you a successful and rewarding career here.

Sincerely,



Jaclyn Hotard, President  
St. John the Baptist Parish

## Table of Content

<b>Part 1 Overview</b> .....	1
<b>1.01 Foreword</b> .....	1
<b>1.02 Purpose</b> .....	2
<b>1.03 Classified vs Non-Classified Employees</b> .....	2
<b>Part 2 Information Applicable to ALL Employees</b> .....	3
<b>(BOTH Classified and Non-Classified)</b> .....	
<b>2.01 Code of Employer- Employee Relations</b> .....	3
<b>2.02 Ethics</b> .....	4
<b>2.03 Employment Polices</b> .....	5
<b>2.03 a Nepotism Policy</b> .....	5
<b>2.03 b Equal Employment Opportunity Policy</b> .....	6
<b>2.03 c Harassment Policy</b> .....	7
<b>2.03 d Recoupment of Employee Overpayments</b> .....	9
<b>2.03 e Return of Parish Property</b> .....	13
<b>2.03 f Employment References</b> .....	13
<b>2.04 Employment Practices</b> .....	13
<b>2.04 a Background Checks</b> .....	13
<b>2.04 b Disability &amp; Reasonable Accommodations</b> .....	14
<b>2.04 c Medical Examinations</b> .....	14
<b>2.04 d Direct Deposit</b> .....	15
<b>2.04 e Credit Union</b> .....	15
<b>2.04 f Group Benefits</b> .....	15
<b>2.04 g COBRA</b> .....	15
<b>2.04 h The Family and Medical Leave Act (FMLA)</b> .....	16
<b>2.04 i Breastfeeding Employees</b> .....	19
<b>2.05 General Rules for All Employees</b> .....	19
<b>2.05 a Attendance</b> .....	20
<b>2.05 b Building Security</b> .....	20
<b>2.05 c Changing of Personal Information</b> .....	20
<b>2.05 d-1 Courtesy: Standard of Conduct</b> .....	21
<b>2.05 d-2 Courtesy: Customer Relations</b> .....	23
<b>2.05 d-2 Courtesy: Telephone Etiquette</b> .....	23

2.05 e	Declared Emergency Plan	23
2.05 f-1	Drug-Free Workplace	24
2.05 f-2	Drug Testing Policies and Procedures	24
2.05 g	Communications Systems (Computer, Email, Text and Internet Use)	27
2.05 h	Driver's License and Driving Record	29
2.05 i	Dress Code, Uniforms and Personal Appearance	29
2.05 j	Falsification of Public / Official Documents	31
2.05 k	Maintaining Licenses / Certifications	31
2.05 l	Management and Employee Lines of Communication	31
2.05 m	Removal of Parish Records	31
2.05 n	Basic Workplace Safety Procedures and Policies	32
2.05 o-1	Privacy	36
2.05 o-2	Surveillance Camera Policy	36
2.05 p	Severe Weather / Emergency Closings	37
2.05 q	Smoking	37
2.05 r	Traffic Violations by Parish Employees	37
2.05 s	Travel	37
2.05 t	Violence-Free Workplace	38
2.05 u	Media Inquiries	39
2.05 v	Logo Usage	39
<b>Part 3</b>	<b>Information Applicable to Non-Classified Employees Only</b>	<b>40</b>
3.01	Employee Classifications	40
3.02	Employment Practices	40
3.02 a	New Employee Orientation	40
3.02 b	Introductory Period	40
3.02 c	Leaves of Absence	41
3.02 d	Performance Appraisals	46
3.02 e-1	End of Employment: Termination	46
3.02 e-2	Exit Interviews	47
3.02 f	Hours of Work	47
3.02 g	Re-hired Employees	47
3.02 h	Pension	48
3.02 i	Overtime / Compensatory Time	48
3.02 j	Hazard Duty	49

<b>3.02 k Rest and Meal Periods</b> .....	49
<b>3.02 l Holidays</b> .....	49
<b>3.02 m Workers' Compensation</b> .....	50
<b>3.02 n Disciplinary Procedures</b> .....	50
<b>Part 4 Changes to Manual</b> .....	52

## Part 1 Overview

### 1.01 Foreword

St. John the Baptist Parish is a local governmental subdivision as defined by Article IV, Section 44, of the Louisiana Constitution of 1974. The Parish is organized under the Home Rule Charter as adopted in 1980.

The governing body, a Parish Council, was established and consists of nine (9) members: seven (7) to be elected from single member districts and two (2) to be elected from two divisions of the Parish. Each division consists of 50% of the population. The Council elects a chairman and vice-chairman from among its nine members. The Council may levy and collect taxes, special assessments, service charges, license charges, fees and other revenues, and borrow funds in such a manner and subject to limitations provided by law. La R.S. 33:1236 gives the Council various powers in regulating and directing the affairs of the Parish and its inhabitants. The more notable of these are the power to make regulations for its own government; to regulate the construction and maintenance of roads, bridges and its drainage system; to regulate the sale of alcoholic beverages; and to provide for the health and welfare of the poor, disadvantaged and unemployed in the Parish.

The Parish President is the Chief Executive Officer of the Parish and is elected by the qualified voters of the parish. The Parish President is vested with the executive power of the parish and is responsible for carrying out the policies adopted by the Parish Council and for the administration, direction, and supervision of all Parish departments, officers, agencies, and special districts. The Parish President recommends department heads for appointment and has the authority to hire/fire the Chief Administrative Officer (CAO), financial advisor and staff subject to all applicable rules and regulations. The Parish President and each of the Council Members are elected for a four-year concurrent term.

The official mission of the Parish is as follows:

*St. John the Baptist Parish will be a modern, well-planned and resilient community, that respects its rural and cultural heritage while providing a high quality of life for all residents by protecting existing neighborhoods and planning for high quality new ones; promoting economic development opportunities; protecting its historic properties and resources; and protecting and conserving the natural environment and natural resources.*

We believe that each employee contributes directly to the Parish's mission, growth and success, and hope you will take pride in being a member of our team. As part of St. John the Baptist Parish's team, you will be expected to contribute your talents and energies to improve the Parish as well as the services we provide to our citizens. We ask for job performance and a good attitude; however, all employment at St. John the Baptist Parish is "at will".

St. John the Baptist Parish (hereafter referred to as the "Parish") is an equal-opportunity employer. Its hiring and employment practices are unrelated to race, religion, sex, sexual orientation, ethnicity, national origin, age and disability. The Parish also prohibits unconstitutional discrimination on the basis of age in hiring, promotion, discharge, compensation, or any other terms, conditions, or privileges of employment.

We have avoided the use of specific gender pronouns wherever possible. However, where such avoidance would have led to very awkward sentences, we have used the masculine pronoun. This use should be considered to refer to both genders.



## 1.02 Purpose

This handbook was developed to describe some of the expectations of our employees and to outline policies, programs, and benefits available to eligible employees. Please do not hesitate to ask questions. Your supervisor will gladly answer them. Employees should familiarize themselves with the contents of the employee handbook and will sign a “Receipt of Acknowledgement of Employee Handbook.”

We ask that you read this handbook carefully and refer to it whenever questions arise. We also suggest that you take it home so your family can become familiar with the Parish and our policies. The Parish’s policies, benefits and rules, as explained in this manual, may be changed from time to time as business, employment legislation, and economic conditions dictate. If and when provisions change, you will be informed of updated information. The handbook may have amendments added, at which point those amendments will be provided to the employees and an Acknowledgement signed.

The policies in this handbook are to be considered guidelines. Parish policies and procedures included in this handbook do not constitute a contract with employees, nor do they promise continued employment. The Parish reserves the legal right to recruit, select, direct, discipline and discharge employees and exercise full discretion over the organization’s policies, procedures, and performance of work. St. John the Baptist Parish, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this manual at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee.

No one other than the Parish President and Parish may alter or modify any of the policies in this handbook. No statement or promise by an employee, supervisor, manager, assistant director, or department head may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Should any provision in the Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only that subject provision.

This handbook replaces (supersedes) all other previous versions of the handbook or any supplements thereto. This handbook becomes effective March, 2020.

In cases where the application of this handbook would conflict with applicable Civil Service rules and regulations, the provisions of the Civil Service rules shall govern those employees subject to Civil Service. Note that there is a separate Civil Service Manual for employees who are classified as civil service.

## 1.03 Classified vs Non-Classified Employees

There are two types of employees within the Parish:

Classified Employee – commonly referred to as “Classified” or “Civil Service Employee/Position”. These employees fulfill a job (“position”) of employment which are included in the Classified Parish Service by authority of Ordinance.

Non-Classified Employee – These employees work for the Parish but are afforded none of the rights as dictated by the Civil Service Board.

## Part 2 Information Applicable to ALL Employees (BOTH Classified and Non-Classified)

### 2.01 Code of Employer- Employee Relations

St. John the Baptist Parish implements fair and effective personnel policies and requires all employees to support the organization's best interests.

St. John the Baptist Parish is committed to a mutually rewarding and direct relationship with its employees. Thus, St. John the Baptist Parish attempts to:

- Provide equal employment opportunities and treatment regardless of race, religion, color, sex, age, national origin, or disability;
- Establish reasonable hours of work based on the Parish's needs;
- Monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety;
- Be receptive to constructive suggestions about job duties, working conditions, or personnel policies; and
- Establish appropriate means for employees to discuss matters of concern with their immediate supervisor or department head.

St. John the Baptist Parish, as part of its commitment to providing customers with excellent products and services and to creating a productive work environment, expects all employees to:

- Deal with customers and vendors in a professional manner;
- Represent St. John the Baptist Parish in a positive and ethical manner;
- Perform assigned tasks in an efficient manner;
- Be punctual;
- Demonstrate a considerate, friendly, and constructive attitude toward fellow employees; and
- Follow the policies and procedures implemented by St. John the Baptist Parish

Management retains the sole discretion to exercise all managerial functions, including the rights to:

- Dismiss, assign, supervise, and discipline employees;
- Determine and change starting times, quitting times, and shifts;
- Transfer employees within departments or into other departments;
- Determine and change methods by which its operations are to be carried out;

- Determine and change the nature, location, goods produced, services rendered, quantity, and continued operation of the municipality; and
- Assign duties to employees in accordance with St. John the Baptist Parish's needs and requirements and to carry out all ordinary administrative and management functions.

## 2.02 Ethics

St. John the Baptist Parish conducts its business fairly, impartially, and in an ethical and proper manner and in compliance with all laws and regulations. As such, employees are expected to represent St. John the Baptist Parish in a positive and ethical manner. The Parish prohibits its employees from engaging in any activity, practice, or conduct which conflicts with, or appears to conflict with, the interests of St. John the Baptist Parish. Employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisor, the Director of Human Resources or the Chief Administrative Officer.

Since it is impossible to describe all of the situations that may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and include only some examples:

- Employees may not, directly or indirectly whether on or off the job, engage in any conduct that is disruptive or damaging to the Parish.
- Employees and their immediate family may not accept anything of economic value (i.e. money or any other thing having economic value) as prohibited by the Louisiana Code of Governmental Ethics (R.S. 42:1111 – 1121). "Immediate family" includes the employee's children, spouses of children, brothers, sisters, spouses of his brothers and sisters, parents, spouse, and the parents of his spouse as defined by the Louisiana Code of Governmental Ethics (R.S. 42:1102).
- Employees may not give, offer, or promise, directly or indirectly, anything of value to any representative or any entity in connection with any transaction or business that St. John the Baptist Parish may have.

Any conflict or potential conflict of interest must be disclosed to the St. John the Baptist Parish Administration. Failure to do so may result in discipline, up to and including termination.

All employees shall adhere to the Louisiana Code of Governmental Ethics, which is administered by the Louisiana Board of Ethics. Pursuant to La. R.S. 42:1170(A), all employees are required to take one hour of ethics training per calendar year. Training will be coordinated through supervisors and the Human Resources Department.

The Parish is committed to conducting business with integrity underlying all relationships, including those with citizens, customers, suppliers, other communities and among employees. Therefore, the highest standards of ethical business conduct are required of St. John the Baptist Parish employees in performance of their responsibilities. As such, the Parish has implemented these Standards of Ethical Business Conduct which must be adhered to by all employees.

Employees will not engage in conduct or activity that may raise questions as to the Parish's honesty, impartiality, or reputation or otherwise cause embarrassment to the Parish. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using public office or public position for private gain;
- Giving preferential treatment to any person or entity;

- Losing impartiality; or
- Adversely affecting the confidence of the public in the integrity of St. John the Baptist Parish.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this practice. Retaliation against employees who use Parish mechanisms to raise genuine concerns will not be tolerated.

The Human Resources Department is responsible for providing policy guidance and issuing guidance to assist employees in complying with the Parish's expectations of ethical business conduct and uncompromising values. This policy constitutes the standards of ethical business conduct required of all employees. Managers are responsible for supporting their implementation and monitoring compliance.

## 2.03 Employment Policies

### 2.03 a Nepotism Policy

#### i. Purpose

The purpose of this policy is to prevent situations which create an ineffective, non-productive work environment arising from a conflict of interest or an appearance of a conflict of interest, or favoritism.

#### ii. Definition

Nepotism - preference in employment or promotion on the basis of family relationship rather than on the basis of merit.

#### iii. Policy

A familial relationship among employees can create an actual, or at least a potential, conflict of interest in the employment setting, especially where one relative supervises another relative. In order to minimize potential problems, actual or perceived conflicts associated with the employment of relatives, it is the policy of St. John the Baptist Parish to limit the employment of relatives as defined herein. This extends to practices that involve but not limited to employee hiring, promotion, retention, demotion, transfer, wages, and leave requests.

For the purpose of this policy, the term "relative" shall apply to those established by blood, marriage ("in-law" or "step" relationships), adoptions, other legal relationships, and any other member of the employee's or applicant's household.

No individual may be hired within a department if that individual is related in the following fashion to another employee who is within his/her line of supervision: child, spouse of child, brother, sister, spouse of brother or sister, parent, spouse, grandparent, grandchild

Employees who marry or become members of the same household may continue employment as long as there is not:

- (a) A direct or indirect supervisor/subordinate relationship between the employees; or

(b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the Parish would attempt to find a suitable position within the Parish to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will first be permitted to determine which of them will resign. If no agreement between the employees can be reached within sixty (60) days, the Parish will decide which of the employees will be terminated.

If there is a situation where an action of the Parish, such as a reduction in force, results in an involuntary circumstance where two relatives or members of the same household have a reporting relationship, one of the employees will be reassigned within sixty (60) days. During those 60 days, the supervisory employee will not have involvement or direct input in the employment decisions of the other employee.

The Parish reserves the right to apply this policy to situations where an actual conflict or potential for conflict arises because of the relationship between employees, even if there is no supervisory relationship involved. In these situations, the Parish will reassign one of the employees within sixty (60) days.

#### iv. Applicability

This policy is applicable to all employees of the Parish.

This policy is further applicable to all types of appointments, permanent and temporary; including promotions, demotions, transfers, and all other methods of filling vacancies.

#### v. Responsibility

The hiring supervisor is responsible for assuring that applicants are not related in a prohibitive fashion to current employees in their respective areas, prior to requesting the appointment of the applicant. Department Heads are responsible for monitoring changes in employee reporting relations after initial hire to ensure policy compliance. Employees are responsible for alerting their supervisor immediately of any changes or relationships applicable to this policy. Questions regarding this policy should be directed to the Department of Human Resources.

#### vi. Exceptions

The current employment status of individuals employed prior to the effective date of this policy shall not be affected; however, future movement between departments and divisions of the Parish may be affected. For example, movement to a position within a department as the supervisor or subordinate of a relative of the above-listed degree will be prohibited.

Nothing in this policy shall interfere with the rights of employees to displace other employees as a result of layoff regardless of the position being affected.

Requests for exceptions to this policy shall be justified, documented and submitted to the Chief Administrative Officer and Parish President for consideration.

### 2.03 b Equal Employment Opportunity Policy

Equal employment opportunities are provided to all employees and applicants for employment without regard to race, religion, sex, national origin, age, disability, or other legally protected characteristic. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, and training.

This policy strictly prohibits any form of discrimination or unlawful harassment, including sexual harassment, based on an individual's sex, race, age, disability, religion, national origin, or any other legally protected characteristic.

### 2.03 c Harassment Policy

#### i. Purpose

St. John the Baptist Parish is committed to providing an environment free of all forms of harassment, including sexual harassment. It is the policy of the Parish to regard any unlawful harassment of volunteers, employees or the public as a very serious matter. Unlawful harassment of any kind, including sexual harassment, in this organization by any person is strictly prohibited and will not be tolerated.

#### ii. Definitions

- a) "Unlawful Sexual harassment" includes unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:
- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or standing within the organization.
  - Submission to or rejection of such conduct by an individual is used as a basis for employment decisions or standing affecting such individual.
  - Such conduct is severe or pervasive and has the purpose or effect of creating an intimidating, hostile, or abusive environment.
- b) Conduct which falls within the definition of unlawful sexual harassment may include, but is not limited to:
- Unwelcomed physical contact of a sexual nature such as patting, pinching or unnecessary touching. May include cornering, leaning in or standing too close or brushing up against a person.
  - Overt or implied threats against an individual to induce him or her to perform sexual favors or engage in unwelcomed sexual relationships.
  - Verbal harassment or abuse of a sexual nature, including intimating by way of suggestion a desire for sexual relations or the making of jokes or remarks of a sexual nature to or in the presence of an individual who finds them offensive.
  - Use of sexually suggestive terms or gestures to describe an individual's body, clothing or sexual activities.
  - Displaying, printing or transmitting offensive sexually suggestive pictures or materials.
  - Repeatedly asking a person to socialize during off-duty hours when the person has indicated they are not interested.

- Pressure for unnecessary personal interaction.

Note: Sexual statements can be made in person, in writing, electronically (email, instant messaging, text messaging, blogs, web pages, social media, etc.) Sexual harassment does not require the intent to offend. Inappropriate conduct meant as a joke, prank or even a compliment can lead or contribute to harassment.

- c) This policy is not intended to create needless intrusions on the freedom of speech or expression of individuals nor to regulate individual's personal morality. It is intended to prevent any unlawful harassment in the workplace.
- d) This policy is included in the employee manual and is therefore provided to each employee. Upon their hire each individual shall sign an acknowledgment of having received, reviewed and understood this policy. The acknowledgment shall become a part of the employee/volunteer's personnel file.

### iii. Complaint Procedure

- a) Any employee who believes that he/she has been subjected to any form of unlawful harassment in the work environment is expected, and has a responsibility, to report the matter. Any complaints of unlawful harassment should be made to the Director of Human Resources. The individual should not contact anyone that he/she believes to be an involved party. All complaints of unlawful harassment should be made timely of the alleged harassment.
- b) If an individual's complaint involves the Director of Human Resources, the complaint should be made directly to the Chief Administrative Officer. For such complaints the requirements specified for the Director of Human Resources in the remaining paragraphs of this Policy shall mean the Director of Human Resources/Chief Administrative Officer in conjunction.
- c) The Director of Human Resources shall immediately record any complaint he/she receives on a complaint form regardless of the manner in which the complaint is received, indicating the date, persons involved, and a brief statement of the complaint. The complainant shall sign the complaint form. All complaints shall be kept confidential to the extent possible.
- d) The Director of Human Resources shall conduct an investigation within 10 working days of receiving the complaint. The investigation shall include an interview with the complainant, the alleged offender, and any other persons who have knowledge of the subject of the complaint. The Director of Human Resources shall within a reasonable time make written findings and a written determination.
- e) If the Director of Human Resources finds that there is a basis for the complaint, the Director of Human Resources will discuss the matter with the Chief Administrative Officer, and appropriate remedial action, including but not limited to suspension or termination, may be taken.
- f) The Parish encourages and expects individuals to immediately report any incidents of perceived unlawful harassment and to cooperate with any investigation of a complaint of unlawful harassment.
- g) The Parish strictly prohibits any form of retaliation against any person who in good faith makes a complaint, raises a concern, provides information or otherwise assists in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of the Parish's sexual

harassment, or any other policy. Such retaliation includes, but is not limited to, discharge, demotion, suspension, threats, harassment, intimidation, or coercion.

- h) See Appendix A for a Harassment / Discrimination Complaint Form

#### iv. Training

Per Louisiana R.S.42:343, the following mandatory training requirements must be met:

- Each public servant shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office, as the case may be.
- An agency head shall require supervisors and any persons designated by the agency to accept or investigate a complaint of sexual harassment in his agency to receive additional education and training.
- The education and training may be received either in person or via the internet through training and education materials approved by the public servant's agency head.

The Human Resources Department shall be responsible for maintaining records of the compliance of each public servant in the agency with the mandatory training requirement. Each public servant's record of compliance shall be a public record and available to the public in accordance with the Public Records Law.

#### v. Reporting

Beginning in 2020, an annual report will be compiled by the Human Resources Department by February 1st of each year containing information from the previous calendar year regarding compliance with the requirements of this policy. The report shall include:

- The number and percentage of employees who have completed the mandatory training requirements;
- The number of sexual harassment complaints received;
- The number of complaints which resulted in a finding that sexual harassment occurred;
- The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- The amount of time it took to resolve each complaint.

These reports shall be public record and available to the public in accordance with the Public Records Law.

### 2.03 d Recoupment of Employee Overpayments



i. Purpose

To outline the methodologies used to recoup any accidental overpayments made to employees. Overpayments occur when compensation that is not owed to the employee is paid in error. This includes but is not limited to payments such as overpayment of wages, vacation or sick leave paid in error, a miskeyed entry, or erroneous refunds of deductions

Unearned payments to employees are prohibited by Article 7, Section 14 of the Louisiana State Constitution which prohibits the donation of public funds. It is the policy of the St. John the Baptist Parish to ensure that all employees are paid accurately and that any overpayments to employees are recouped in a timely manner with minimal impact to the employee or the Parish.

ii. Definitions

- a) Active Employee – an employee currently on the payroll of the Parish.
- b) Deduction – any voluntary/involuntary reduction in gross pay (e.g., insurance, taxes, etc.).
- c) Direct Deposit Reversal – a formal request to the financial institution which received compensation for an employee to return funds deposited into that employee’s account.
- d) Express Consent – the employee responds to the written notification, either verbally or in writing, and advises that he agrees that he has been overpaid and he agrees with the Parish’s plan of action for the recoupment.
- e) Implied Consent – the employee does not respond to the written notification within ten (10) working days. This implies that the employee agrees that he has been overpaid and agrees with the plan of action for the recoupment, thus implying his/her consent to the recoupment of funds.
- f) Net Pay – the amount of compensation due to the employee after withholding all voluntary and involuntary deductions from his wages/compensation earned.
- g) Overpayment – the amount of compensation paid to an employee in error.
- h) Recoupment – the act of recovering the compensation which was paid to the employee in error.
- i) Separated Employee – an individual who was formerly an employee but who no longer works for the Parish.
- j) Wage – the payment to an employee for services rendered.

iii. Procedures

The Parish will make every effort to ensure that an employee’s pay is correct. However, any employee who believes he has been improperly paid (overpaid or underpaid) or has had funds withheld from his paycheck inappropriately, should bring this to the attention of his supervisor and/or his Department Head immediately upon discovering the error. The Department Head will then notify the Human Resources Department. It is recommended that employees review their pay statements as early as Thursday of the pay week to determine if pay is as expected.

- A) Underpayment - Should it be determined that the Parish has underpaid an employee, the employee will be reimbursed all funds that are due as soon as possible.

B) Overpayment - Should it be determined that the employee has been overpaid, the Human Resources Department will follow the procedures outlined below to recoup the funds which were paid in error.

i. Provide notification to employee/separated employee

Once it is determined that an overpayment has been made, the Human Resources Department will immediately notify the employee of the error. This notice must be in writing and include the following:

- Pay date(s) on which the overpayment(s) occurred;
- Amount of the overpayment(s);
- Reason(s) that the overpayment(s) occurred;
- Parish's plan of action for recoupment;
- Employee/Separated Employee options for reimbursement of overpayment(s), as appropriate, and outlined below;
- Procedure employee/separated employee should use if disputing any aspect of the overpayment(s) (see Dispute Mechanism section below); and
- Instructions on how to locate this policy.

ii. Recoupment of overpayments

- Prior to a deduction actually being made from the employee's future pay, the employee must agree that an overpayment occurred and agree to the plan for recoupment, either by express consent or implied consent (see definitions). If the employee disputes the claim of overpayment, deduction(s) will not begin until a resolution to the dispute has been reached.
- The amount to be recouped from any one paycheck cannot cause the employee's biweekly gross hourly wage to fall below the federal minimum wage without specific written approval from the employee.

iii. Recoupment of overpayments options

- From Active Employees
  - Direct deposit reversal; or
  - One-time deduction from a subsequent paycheck; or
  - Payment plan. Recurring deductions can be established for a period not to exceed twelve (12) months. Any exceptions to the 12-month period must be approved by the Chief Financial Officer; or
  - Personal payment from employee (e.g., cash, check, or money order). Prior approval for this method of payment must be obtained from Chief Financial Officer.

Note: If an employee who has been overpaid is separating from the Parish, every effort shall be made to have the procedure completed such that the amount of the overpayment may be withheld from the employee's final paycheck. If the full amount is not recovered in the final paycheck, the Parish shall follow the guidelines outlined below.

- From Separated Employees

The written notice described above will include a demand for payment and should include the following repayment options:

- One-time personal payment from employee (e.g., cash, check, or money order), or
- Payment plan. Recurring payments can be established for a period not to exceed twelve (12) months. Any exceptions to the 12-month period must be approved by the Chief Financial Officer.

Note: Should the Finance Department be unable to recover overpayments from a separated employee, the Chief Financial Officer will consult legal counsel to determine if legal recourse is warranted.

iv. Dispute Mechanism

- If an employee/separated employee does not agree with the Parish's claim of overpayment, the employee/separated employee may file an appeal with the Director of Human Resources. The appeal must be received in writing by the Director no later than ten (10) working days from the date of notification of overpayment. This statement must contain the reason(s) why the employee/separated employee feels the recoupment is not warranted and should include any supporting documentation to be considered for review.
- The Director will respond to the employee/separated employee within ten (10) working days from receipt of written dispute.
- If the employee is still not satisfied with the response from the Director, the employee may then send the dispute to the Chief Financial Officer within five (5) working days of receipt of the Director's response. The CFO shall accept, reject, or modify the recommendation of the Director. The decision of the Chief Financial Officer shall be final. The decision shall be in writing and sent to the employee/separated employee, and a copy shall be sent to the Payroll Department.

iv. Applicability

This policy is applicable to all active employees within the Parish as well as all separated employees.

v. Exceptions

Requests from the employee for exceptions to this policy should be submitted to the Chief Financial Officer through the Human Resources Department. Documentation includes:

- Name and title of the employee making the request for exception;

- Department in which he is employed;
- Amount of the overpayment;
- Circumstances creating the overpayment;
- Documentation which includes the reasons the employee believes that some or all of the overpaid money should not be recouped or why the money recouped should be repaid to the employee.

Any exception must have the written approval of the Chief Financial Officer before taking effect.

### 2.03 e Return of Parish Property

All supplies, materials, and work products of an employee, if purchased by the Parish, shall remain the property of the Parish after resignation, discharge, or layoff of that employee. The employee may retain any personal files, but work files and other papers shall remain with the Parish. Likewise, any Parish-owned property issued to employees, such as computer equipment, keys, Parish credit card, ID badge, cellular phone, etc., must be returned to Parish at the time of termination. Employees will be responsible for any lost or damaged items.

### 2.03 f Employment References

Requests for employment references should be made in writing to the Human Resources Department and should include a signed authorization by the employee for the release of the requested information. Generally, the Human Resources Department will not release information without the employee's authorization or will limit the information to verification of the employee's position, job location, and dates of employment with St. John the Baptist Parish. No other manager, supervisor, or employee is authorized to release employment references for current or former employees. However, a supervisor or manager may write a personal letter of recommendation if he/she desires.

Questions about employee references or other information concerning current or former employees should be referred to the Human Resource Department.

## 2.04 Employment Practices

### 2.04 a Background Checks

The Parish believes that hiring qualified individuals to fill positions contributes to the overall success of the organization. Background checks serve as an important part of the selection process. Therefore, a background check, including a criminal history check, will be conducted on all new hires and may be also be conducted on employees changing positions including promotions, demotions, details, reassignments and transfers.

After a conditional job offer has been made, the Parish will conduct a job-related background check in accordance with Fair Credit Reporting Act (FCRA) guidelines. A comprehensive background check may consist of prior employment verification, professional reference checks, criminal record check, driving record check, sexual offender search, social security number verification and where appropriate, education verification, professional licensure/certification verification, financial sanction search and/or credit check.

## 2.04 b Disability & Reasonable Accommodations

The Parish does not discriminate against any applicant or employee in hiring or in the terms, conditions, and privileges of employment due to physical or mental disability. When the Parish becomes aware of any disability which prevents otherwise qualified applicant or employee from performing a job, it will assess whether any reasonable accommodation would allow the person to perform the job before refusing employment or making a distinction in terms, conditions, or privileges of employment because of a disability. An accommodation which creates an undue hardship on the Parish, or which endangers any employee's health or safety, is not a reasonable accommodation. The Parish will make any reasonable accommodation necessary to allow an otherwise qualified applicant or employee to perform the job.

An otherwise qualified applicant for employment or an employee with a disability who requires reasonable accommodation must inform management or his or her immediate supervisor of the nature of the disability and the accommodation required in writing.

Employees with access to such information shall maintain the confidentiality of the information to the extent reasonably possible and shall not release information to anyone who does not have the right or need to know.

## 2.04 c Medical Examinations

St. John the Baptist Parish may require applicants to whom a conditional offer of employment has been extended, and current employees, to undergo medical examinations whenever management determines that these are necessary for the safe operation of the organization and or job-related as consistent with business necessity.

Successful applicants for employment are required as a condition of employment to take a medical examination to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made should be examined.

Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a particular disability, or has a questionable ability to perform essential functions due to a medical condition.

Employees are encouraged, but not required, unless it is determined to be a condition of employment, to have physical examinations periodically during their employment. Employees are encouraged, but not required, to participate in wellness programs.

Medical examinations required by St. John the Baptist Parish will be paid for by the Parish and will be performed by a physician or licensed medical facility designated or approved by it. Medical examinations paid or by St. John the Baptist Parish are the property of the Parish, and the examination records will be treated as confidential and kept in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.

Employees who need to use prescription or nonprescription legal drugs while at work must report this requirement to their supervisor if the use might impair their ability to perform the job safely. Depending on the circumstances, employees may be reassigned, prohibited for performing certain tasks, or prohibited from working if they are determined to be unable to perform their job safely while taking prescription or nonprescription legal drugs.

#### 2.04 d Direct Deposit

It is the policy of St. John the Baptist Parish to electronically process and disburse all payroll payments to Parish employees in the form of Direct Deposit; therefore, a mandatory Direct Deposit Program has been implemented. Direct Deposit has proven to be a very dependable, safe and economical way of handling payroll disbursements. The Payroll Department will be responsible for maintaining copies of all Direct Deposit documents and records in a secured file within the Payroll Department.

All new employees will be required to participate in the Direct Deposit Program and must complete a "Direct Deposit Authorization Agreement" in accordance with current and established Direct Deposit processes and procedures, unless a hardship waiver has been approved.

Exceptions to this program may be made on a case-by-case basis for those employees who can demonstrate a proven hardship condition or situation. Requests for hardship exemptions must be submitted by the requesting employee on the "Request for Direct Deposit Waiver Form". This form must be completed by the employee requesting a hardship exemption and submitted to the Chief Administrative Officer (CAO) for approval or denial. The CAO will notify the employee and the Department Director once a determination has been made. Employees who currently have Direct Deposit must follow the same procedure to become exempted from Direct Deposit.

Paychecks of employees on direct deposit occur on Thursdays of pay week unless a holiday or other office closure necessitates a change. Paychecks of employees not on Direct Deposit will be distributed on Thursdays of pay week, unless a holiday or other office closure falls on that day whereby alternative arrangements for distributing checks will be made.

#### 2.04 e Credit Union

All employees are eligible to join the Louisiana Federal Credit Union for payroll deductions into savings, checking, Vacation Club, and/or Christmas Club. Employees are also eligible to apply for loans through the Credit Union. Loan payments may be made through payroll deductions. Further information and applications are available in the Human Resources Department.

#### 2.04 f Group Benefits

St. John the Baptist Parish is committed to providing quality and cost-effective health, dental, and life insurance program for all its eligible employees. The Parish reserves the right, at its discretion, however, to change the nature of the benefits offered to employees, or to change insurance carriers, deductibles, premiums, or other features of any benefit without warning.

#### 2.04 g COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Parish's group health plan program for a limited period of time at his own expense when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment (for reasons other than gross misconduct), or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Employees should consult the *Summary Plan Description* for a full and accurate description of this benefit, which is available in the Human Resources Department.

## 2.04 h The Family and Medical Leave Act (FMLA)

### i. Purpose

To inform the Parish's employees briefly of their rights under the FMLA Act of 1993.

The requirements of FMLA are continually being updated. Where there is any conflict between this section and the FMLA Act itself, the FMLA Act will govern. Check with the Human Resources Department for assistance.

Copies of the FMLA Fact Sheet are available for all employees. This contains all pertinent definitions under the FMLA. Please check with the Human Resources Department if you would like a copy. Also, the U.S. Department of Labor's "Employee Rights and Responsibilities Under the Family and Medical Leave Act" notice is posted at the Civil Service Office, Edgard Courthouse, and is also available electronically in "PDF" format on the Parish's "common drive" (P: drive) in the Human Resources folder.

### ii. Definitions

Spouse - Husband or wife as defined or recognized under State law for purposes of marriage.

Parent - a biological parent or individual who stands or stood in "loco parentis" to an employee when the employee was a child. This term does not include parents "in-law".

Child - biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in "loco parentis" who is either under age 18, or age 18 or older and "incapable of self-care because of mental or physical disability."

Serious Health Condition - an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment. Examples of a serious health condition include, but are not limited to, heart attacks, heart conditions requiring heart bypass or valve operations, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, appendicitis, pneumonia, emphysema, severe arthritis, severe nervous disorders, injuries caused by serious accidents on or off the job, ongoing pregnancy, severe morning sickness, the need for prenatal care, childbirth and recovery from childbirth.

### iii. Explanation

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

Additionally, the National Defense Authorization Act has expanded FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12 month period of any "qualifying exigency" arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active

duty, in support of a contingency operation. All eligible employees may take up to 26 weeks of job-protected leave in a single 12-month period to care for a covered service member with a serious injury or illness.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

An employee may be entitled to Injured Service Member Leave to care for the employee's spouse, son, daughter, parent or next of kin (nearest blood relative) who is a member of the Armed Services (including reserve components of the Armed Services) and who is injured in the line of duty. The injured service member must have a serious injury or illness, which renders him or her medically unfit to perform the duties of his office, grade, rank, or rating. The injured family member must also be undergoing medical treatment, recuperation, or therapy, be in out-patient status, or be on the temporary disability retired list as a result of the injury or illness. This leave is also available to care for a former service member, so long as he/she was an active member of the military any time within five years prior to the date of medical treatment for which the employee requests leave. Management may require medical certification from an authorized health care provider of the service member and on a form provided by management if Injured Service Member Leave is sought.

Under this type of leave, an employee may take a total of 26 weeks of unpaid leave beginning on the first day the employee takes leave and ending twelve months thereafter. During this 12-month period, the employee is limited to a combined total of 26 weeks of leave under FMLA, which includes up to 12 weeks of leave taken under any other provision of the FMLA, described above.

The Company reserves the right to require employees to take Injured Service Member Leave concurrently with paid leave, such as vacation, personal, or sick leave. Employees may also request the use of this paid leave.

Copies of the Notice of Rights and Responsibilities, WH-381, are available for all employees. Please check with Human Resources if you would like a copy. Additionally, information about Rights and Responsibilities under the FMLA is posted for viewing by all employees. Please check with Human Resources if you need directions to the appropriate poster(s).

**EMPLOYEE ELIGIBILITY:** In general, to be eligible, a full-time employee must have worked for the Parish office for at least 12 months and must have worked at least 1,250 hours in the 12 months during the period immediately preceding the request for leave. The taking of leave shall not result in the loss of any employment benefits accrued prior to the date of which leave commenced; however, no such benefits shall accrue while the employee is on FMLA leave. Upon return, the employee will be entitled to the same employment benefits had the FMLA leave not been taken.

**REASONS FOR TAKING LEAVE:** Unpaid leave may be granted for **any** of the following reasons:

- For incapacity due to pregnancy, prenatal medical or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care (must occur within 12 months of the birth or placement).
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the employee's job. Serious Health Condition means an illness, injury, impairment, or physical or mental condition.



- Because of a qualifying exigency arising out of the fact that an employee's spouse, child or parent is on active duty, or has been called to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- Because you are a spouse, child, parent or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness.

At the employee's or the employer's option, certain kinds of *paid* leave may be substituted for unpaid leave.

**ADVANCED NOTICE & MEDICAL CERTIFICATION:** The employee may be required to provide advance leave notice and medical certification. Taking of leave may be delayed if requirements are not met.

- The employee ordinarily must provide 30 days' advance notice when the leave is "foreseeable" or as soon as it becomes apparent that such leave will be taken.
- The employee must contact the Human Resources Department bi-weekly to give status updates and to confirm their intentions to return to work.
- An employer may require medical certification to support a request for leave because of a serious health condition and may require second or third opinions (at the employer's expense) and a fitness-for-duty report to return to work. Periodic re-certifications may also be requested.

**SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE:** An employee taking FMLA leave will be required to use all available paid leave, including sick leave (if applicable), vacation leave, and compensatory time off prior to being placed on leave without pay (LWOP). The remainder of the FMLA leave will be unpaid.

**JOB BENEFITS & PROTECTION:**

- The use of FMLA leave cannot result in the loss of any employment benefit that accrued before the start of any employee's leave. This would include benefits such as any "group health plan," life, disability, or personal time accrued. The employee will be responsible for paying the percentage of any such premiums normally paid by the employee. Should an employee fail to return to work after taking FMLA, the Parish may recover premiums it paid to maintain the employee's benefits.
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. If the employee returns from leave beyond FMLA, the employee forfeits all such rights.
- Contributions to the pension plan will cease while an employee is on a no-pay status. This may have an effect on an employee's tenure eligibility with the Parish's retirement system.

**UNLAWFUL ACTS BY EMPLOYERS:** FMLA makes it unlawful for any employers to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any employee or prospective employee for using FMLA leave, opposing any practice made unlawful by the FMLA, or for involvement in any proceeding under or relating to the FMLA.

## 2.04 i Breastfeeding Employees

### i. Purpose

To inform the Parish's employees briefly of their rights.

### ii. Explanation

It is the St. John the Baptist Parish's intent to support and adhere to section 4207 of the Patient Protection and Affordable Care Act (Act), Pub. L. 111-148, which added a new subsection (r) to section 7 of the Fair Labor Standards Act of 1938 (FLSA) (codified as amended at 29 U.S.C. 207). This new subsection requires an employer to provide employees with (1) a reasonable break time to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express milk; and (2) a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public which may be used by the employee to express breast milk. While not required by the above mention standards, this policy's guidelines will include all exempt, non-exempt, and executive employees of the Parish as recommended by the U.S. Office of Personnel Management (OPM) in 2010.

### iii. General Guidelines

Following are the general guidelines with the Clerk's implementation of supporting breastfeeding employees.

#### **Reasonable Amount of Break Time to Express Milk**

Employees are provided with two (2) compensated 15-minute breaks and one (1) 40-minute lunch break a day. These breaks are to be used for the purpose of expressing milk. As each employee's needs are unique, close work with the employee's supervisor will allow for flexibility on how these breaks may be best utilized by the employee, such as breaking down or combining breaks in a way that works best, as well as the time of such breaks. All such timing of and duration of breaks will be discussed with the Director of Human Resources. If additional breaks (or time) are needed by an employee, the matter must be brought to the Director of Human Resources attention, and any time beyond the compensated time, up to 30 additional minutes in total, may be allowed and taken without compensation.

#### **Place to Express Milk**

The Parish's intention is to temporarily create space for expressing milk or to allow for a common area that can be closed off to be used when an employee decides to breastfeed. The Parish asks that such a request occur prior to the employee's return from maternity leave so that due care and consideration may be given to the best alternative and that steps may be taken to ensure the private area will be available upon the employee's return to work.

#### **Duration**

These guidelines will be in effect for one (1) year following the birth of the child.

## 2.05 General Rules for All Employees

### 2.05 a Attendance

Each employee is expected to be at work on time and work the full work period. Excessive tardiness and absences will lead to disciplinary action against the employee.

Approval for time off from work, including vacations, should be requested in advance. However, when an absence has not been scheduled in advance but an employee is unable to report to work or will arrive late, employee is to call his supervisor (or designated employee in his department) no later than fifteen (15) minutes after the assigned start of his shift. If an absent employee fails to notify appropriate supervisor (or designee) within the prescribed time, he may be charged with being absent without leave. Employee must make every effort to speak directly with his supervisor (or designee) to report absence as opposed to initially communicating this information via voicemail, text or email message. However, in instances where voicemail, text or email message was left because supervisor or designee could not be reached by phone, employee is expected to follow-up with supervisor or designee within an hour to ensure that the message had been received.

Absent without leave (AWOL) is a serious offense and may result in corrective disciplinary action in the form of a reprimand, suspension or dismissal. No compensation shall be paid to an employee for time absent from work without leave. Pay deduction or pay denial to an employee for time absent without leave shall not be considered or treated as a disciplinary action. The type of disciplinary action will be determined by the Department Head after taking into consideration the work record and the attendance record of the employee.

Refer to *Attendance/Absenteeism and Tardiness Policy* for additional Attendance regulations.

### 2.05 b Building Security

All employees who are issued keys to their office are responsible for their safekeeping. These employees will sign an acknowledgement and receipt form upon receiving the key. The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that all doors are securely locked, the alarm system is armed if applicable, thermostats are set on appropriate evening and/or weekend setting if applicable, and all appliances and lights are turned off with exception of the lights normally left on for security purposes.

Employees are not allowed to loiter on Parish property. Accordingly, if not performing work, employees are expected to arrive on premises no earlier than thirty (30) minutes prior to the start of his shift and likewise, vacate premises no later than thirty (30) minutes after the end of his shift. At no time is alcohol permitted on premises, even if an employee is off duty.

### 2.05 c Changing of Personal Information

An employee's personal information and personnel data should be accurate and current at all times.

It is important that the Parish keeps an accurate record of each employee's personal status. Employees are responsible for informing their supervisor and the Human Resources Department of any changes in personal information or status, such as:

- Name
- Address/Telephone Number
- Professional license/certification
- Person to contact in case of emergency

- Number of dependents
- Marital status (for benefits and tax withholding purposes only)
- Change of beneficiary designations for any of the Parish's insurance plans and the Parochial Employees Retirement System
- Driving record or status of driver's license, if employee operates any Parish vehicle
- Military or draft status
- Exemptions on W-4 and L-4 tax forms

Coverage or benefits that the employee and his family may receive under the Parish's benefits package could be negatively affected if the employee's information is not up-to-date. It is especially important for each employee to immediately report to the insurance carrier and to the Human Resources Department changes in dependent status which affect the employee's insurance plan(s) within 30 days of the change. Unreported changes may cause the insurance to be declared invalid in the event of a claim. The Parish is not responsible for any loss of benefits due to an employee's failure to report such changes.

In addition, employees who have a change in the number of dependents or marital status should complete a new Form W-4 and L4 for federal and state income tax withholding purposes.

Since the Administration refers to an employee's personnel file when decisions are to be made in connection with promotions, transfers, layoffs and recalls, it's to the employee's benefit to be sure his file includes information about completion of educational or training courses, and areas of interest and skills that may not be part of his current position.

### 2.05 d-1 Courtesy: Standard of Conduct

Employees are expected to behave in a professional and responsible manner at all times. The following behaviors are prohibited and are subject to disciplinary action. This list is not all-inclusive and is subject to modifications.

- Negligence or careless action which endangers the life or safety of another person.
- Possessing or being under the influence of alcohol or controlled substance drugs while at work; use of, possession, or sale of controlled substance drugs or alcohol in any quantity while on Parish premises or on duty.
- Unauthorized possession of dangerous or illegal firearms, weapons, or explosives on Parish property, including any Parish-owned or leased vehicle, or while on duty except as follows: employees may store lawfully possessed firearms or other weapons in their personal vehicles while parked on Parish property provided the vehicle is locked and such firearms or other weapons are hidden from plain view or locked in a case or container in the vehicle, in accordance with state law. Pocket knives (blades no larger than three (3) inches) are permitted for job-related purposes only.
- Engaging in criminal conduct, acts of violence, or making threats of violence toward anyone on Parish premises or when representing the Parish; fighting, horseplay or provoking a fight on Parish property; or negligent damage of property.
- Insubordination or refusing to obey instructions properly issued by supervisor pertaining to employee's work.

- Engaging in act of sabotage; willfully or with gross negligence, causing the destruction or damage of Parish property, or the property of fellow employees.
- Falsifying any reports or records, including personnel, absence and sickness.
- Depraved conduct or indecency on Parish property.
- Theft of Parish property; unauthorized use of Parish equipment or property for personal reasons.
- Any act of harassment; sexual, racial, or other.
- Using obscene, offensive, or abusive language or gestures toward any supervisor, employee, director, customer, etc.
- Consistently poor, unsatisfactory or careless work.
- Leaving work before the end of a workday without approval of supervisor. (Refer to Attendance/Absenteeism and Tardiness Policy.)
- Leaving work area without authorization. (Refer to Attendance/Absenteeism and Tardiness Policy.)
- Excessive absence or lateness. (Refer to Attendance/Absenteeism and Tardiness Policy.)
- Failure to use time clock system; alteration of own or another employee's time and attendance records, having own time and attendance records altered by another employee. (Refer to Attendance/Absenteeism and Tardiness Policy.)
- Sleeping on the job.
- Gambling on the premises or while on duty.
- Excessive use of the Parish telephone for personal calls.
- Excessive use of personal cellular phone while on duty. Unless there is an emergency, such as a family emergency, accident, or illness, then employees should refrain from using their personal cell phones unless on their break.
- Smoking in restricted areas.
- Failure to report damage to, or an accident involving Parish equipment.
- Failure to follow safety regulations; failure to wear safety equipment as required by respective departments; or unsafe conduct on the job.
- Soliciting or accepting gratuities from customers, suppliers, or others, doing work for or with the Parish in violation of the Louisiana Code of Governmental Ethics (R.S. 42:1111 – 1121).

Violations will result in corrective action. While a progressive discipline program generally will be followed in regard to work rule violations, individual circumstances may merit otherwise. Such circumstances include cases where the infraction is of such a serious nature that a written reprimand, suspension, demotion, or discharge is justifiable, even on a first offense.

### 2.05 d-2 Courtesy: Customer Relations

Communication is the key to effective services and customer relations. Professional and courteous communications is expected of all employees at all times, whether it is with a customer, visitor, the general public, fellow employee, supervisor or another member of management, or an elected official. Furthermore, everyone is to be treated with dignity and respect.

As a representative of the Parish, employees will conduct themselves professionally. Employees should listen carefully to customer inquiries and complaints and deal with them in a responsive, professional manner. If a customer should become unreasonable, irate, verbally abusive or harassing, employee should refer the customer to his supervisor. Employees are also encouraged to report recurring customer-related issues to their immediate supervisor and should be prepared to make suggestions for problem-solving changes.

### 2.05 d-2 Courtesy: Telephone Etiquette

Employee courtesy and professionalism in using the telephone is of great importance, and projects a favorable image for both the Parish and the employee. In using the telephone, please keep in mind the following:

- Answer properly and promptly.
- Identify yourself by name and department.
- Give accurate and careful answers.
- Take messages carefully.
- Transfer calls tactfully.
- Always say “please” and “thank you”.
- Speak clearly and use a helpful and pleasant tone of voice at all times.
- If information requested is not available, offer to return the call rather than to keep the caller waiting.
- Hang up only after the caller has done so.

The Parish uses voicemail to increase productivity, and to communicate important information of general interest. However, the use of voicemail is not intended to be a substitute for answering calls, as employees are generally expected to answer the phone if they are at their desks. In addition, voicemail greetings should be brief and business-like.

### 2.05 e Declared Emergency Plan

During a disaster, the responsibility of St. John the Baptist Parish in serving the citizens of the parish is to maintain basic services. All employees are expected to be available if and when needed, should a disaster occur. In addition, each employee should be familiar with the Parish’s *Emergency Operations Plan*.

When the Parish President authorizes the activation of the Disaster Plan, all departments are to initiate their specially assigned duties. The plan will be updated, republished periodically by the Emergency Operations Center (EOC) and available upon request from each Department Head or manager.

### 2.05 f-1 Drug-Free Workplace

St. John the Baptist Parish is a Drug-Free Workplace, and as such this is the Parish's *Statement of Policy on Drug Abuse*.

It is the determined policy of the Parish to take all responsible steps to provide safe and healthful working conditions for our employees. Our employees are our most valuable resource, and the Parish will not knowingly tolerate threats to their health and safety. Drug and alcohol abuse are such a threat, and also can imperil public safety and security. Employees have the right to work in an environment free of the dangers of drug and alcohol abuse, and the Parish has the duty to ensure that the security of the court system is protected and the right to require that our employees be law-abiding. Therefore, the on-the-job or off-the-job use of illegal drugs and of abusive quantities of prescription drugs, and the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance at any time on Parish property, are strictly prohibited. In addition, except where specifically authorized, the use, possession, or transportation of alcoholic beverages on Parish's premises is also prohibited. Violation of this policy will result in discipline, up to and including discharge. This policy is applicable to all employees of St. John the Baptist Parish.

All employees may be subjected to drug testing and/or alcohol testing as a result of accidents, near-accidents, workplace incidents or reasonable suspicion of drug abuse or alcohol abuse. As a protection to our employees, drug testing will be performed in accordance with any applicable federal regulations or state law. Appropriate action will be taken to provide for confidentiality of test results.

It is a condition of continued employment that all employees consent to and abide by the terms of this policy, and consent to testing for drugs and alcohol. Further, employees as a condition of continued employment must report any conviction under any criminal drug statute for violations occurring on or off Parish property while conducting Parish business, as provided for in the federal Drug-Free Workplace Act of 1988.

As a condition of and additional consideration for continued employment for an indefinite term, employees are required to acknowledge receipt, reading, and understanding of this policy statement, which is signified by the signing of acknowledgement of the employee handbook.

In accordance with *Ordinance 94-66*, employees shall not possess or ingest any narcotics, controlled dangerous substances or designer drugs while on the job or on duty unless prescribed by a physician licensed to practice medicine, nor report to work under the influence of drugs or alcohol. Employees are subject to random drug testing (if applicable per *Ordinance No. 06-66*), drug or alcohol testing for cause or post-accident during the course and scope of employment with the Parish. Employees should refer to Ordinance No. 06-66 and 94-66 for additional information pertaining to the Parish's substance abuse policy.

### 2.05 f-2 Drug Testing Policies and Procedures

#### i. Purpose

In accordance with the above Statement of Policy on Drug Abuse (the "Policy Statement") promulgated by the Parish of St. John the Baptist Parish to all of its employees, this will describe the policies and procedures that the Parish will follow in administering its drug testing program for its employees. Any violation of the

Policy Statement by any employee will be cause for appropriate discipline, including termination of employment and, where appropriate, referral to law enforcement agencies. \*\*

## ii. Types of Drug Testing

The type and extent of drug testing done by the Parish will comply, at a minimum, with all requirements made by any applicable governmental regulations. However, because of the Parish's commitment to maintaining a drug-free workplace, the Parish will exercise its right, of its own volition, to test more extensively than required by governmental regulations.

The following types of drug tests will be performed:

- A. Post-accident. As soon as possible but not later than twelve hours after any accident that causes any substantial injury or damage to persons or property or any near accident that could have caused such injury or damage, drug and alcohol test will be required of all employees whose performance cannot be completely discounted as a contributing factor to the accident.
- B. Random. The Parish maintains the right to institute random drug testing of all employees occupying safety/security-sensitive positions.
- C. Reasonable suspicions. When two supervisors (including department heads) agree that there is a reason to suspect that an employee may be using a prohibited drug or may have used alcohol in violation of the policy statement, the employee shall be tested for drug and/or alcohol use. These decisions must be based upon a reasonable belief that the employee has exhibited one or more specific, contemporaneous, physical, behavioral, or performance indicators of probable drug use.
- D. Return-to-duty. Any employee who has taken an unpaid leave of absence to enter rehabilitation for drug use or alcohol abuse may not return to duty until he or she has passed a drug test and has been cleared for work by a medical practitioner; such employee shall also be subject to unannounced follow-up testing for up to sixty (60) months after return to duty.

## iii. Drugs for Which Testing Will be Done

Drug testing by urinalysis of all types listed hereinabove shall be performed for all of the following classes of drugs: marijuana, opioids, cocaine, amphetamines, and phencyclidine. Where testing is performed post-accident or as the result of possible suspicion, other controlled substances may be tested.

Samples of saliva shall be used for screening for presence of alcohol. Samples of blood shall be used for confirmation of blood levels.

## iv. Methods and Procedures

All drug testing will comply with La. R.S. 23:1601.10 and/or La. R.S. 23:1081 and/or La. R.S. 49:1001 et seq and/or government regulations, if and when applicable. The Parish will inform the employee where to go to have such a drug test administered.

---

\*\*"Referral to law enforcement agencies" will only be for violations of the Policy Statement other than a positive drug test, such as unlawful distribution of illegal drugs. Drug tests are administered to promote safety and security by deterring drug use, not for law enforcement purposes. La. R.S. 49:1012(A) prohibits, among other things, the use of employment drug test results in criminal proceedings against the tested employee.



v. Consequences of Drug Testing Violation

Any employee who fails a drug test; that is, any employee whose drug test is reported, as a confirmed positive by the third-party testing center, shall be subject to disciplinary action, up to and including discharge. Any employee refusing to consent to testing, or to submit saliva, urine, or blood sample for testing when requested by management in accordance with these Policies and Procedures, shall be subject to immediate discharge for violation of the Parish's policy. Attempted or actual substitution or adulteration of samples shall be equivalent to refusal to submit to testing, and shall be grounds for immediate discharge, as a violation of the Parish's policy. However, if in the sole discretion of the Parish it is decided that sufficient doubt exists respecting the source of adulteration or the fact of substitution of the sample, the Parish may offer the employee an opportunity, without advanced notice, to provide a new sample in front of a witness of the same gender. If the re-test is negative, then the employee may be allowed to return to work, will be subject for sixty months thereafter to frequent testing, with witnessed specimen collection and without advance notice.

vi. Confidentiality of Test Results

The Parish will maintain procedures to provide for confidentiality of all results of drug and alcohol test of employees and applicants. Only the Director of Human Resources or those specifically designated by him as having a need to know the results, and the affected employee, shall have access to information concerning results of alcohol and drug testing of the employee or applicant. Test results shall be kept separate from all other personnel files. Release of test results to any other person or agency shall be done only with the written consent of the affected employee, or in compliance with La. R.S. 49:1012(A), which forbids any release of test results unless, for instance, the affected employee brings an action against the employer in which the test results are relevant (such as actions under Worker's Compensation, unemployment compensation, or personal injury law).

All employees and applicants are hereby reminded that, if they choose to reveal any information whatsoever concerning their alcohol or drug testing results to anyone, the employee or applicant will be solely responsible for any compromise of confidentiality.

vii. Record-Keeping

Where more stringent requirements for record keeping are made by applicable governmental regulations, those requirements shall be complied with; otherwise, the following shall be the retention periods for records generated pursuant to drug testing:

- (a) Records showing the collection procedures followed – 3 years.
- (b) Records of confirmed positive drug test, including the type of test failed (for instance, post-accident), the job title of the employee, the illicit drug reported by the test result, the discipline imposed upon the employee, and the age of the employee – 5 years.
- (c) Negative drug test results – 6 months.
- (d) Records of the numbers of employees subjected to each type of testing – 5 years.

viii. Notification of Employees

As a condition of and additional consideration for continued employment for an indefinite term, employees are required to acknowledge receipt, reading, and understanding of this policy statement, which is signified by the signing of acknowledgement of the employee handbook.

## 2.05 g Communications Systems (Computer, Email, Text and Internet Use)

### i. Purpose

To ensure that St. John the Baptist Parish communication resources are used responsibly and productively, the Parish has established the following guidelines for the computers/tablets/I-Pads (“communication systems”) the Parish provides for employee use, internal and external electronic mail (e-mail), and Internet access. These guidelines do not take precedence over any state or federal laws or other Parish policies regarding confidentiality, information dissemination, or standards of conduct.

### ii. Terms of Use

- Every user has a responsibility to maintain and enhance the Parish’s public image and to use the Parish’s communication systems in a productive manner. All communication systems must be used in compliance with applicable statutes, regulations, and the Parish’s policies including those that require a work environment free from discrimination and harassment. Employees are expected to use common sense and sound judgment to avoid any communication which is disrespectful, offensive or illegal.
- The Parish, as provider of access to communication systems, reserves the right to specify how the Parish’s network resources will be used and administered to comply with this policy. Message content sent from Parish communication systems reflects the Parish’s image, both positively and negatively. Employees may be subject to disciplinary action for using these resources in a manner other than for the intended purposes.
- All communication services and equipment, including but not limited to mail, electronic mail (e-mail), Intranet, Internet access, telephone systems, cellular phones, facsimiles, instant messaging, online services, personal computers, computer files, computer networks, video equipment and tapes, voice mail, and bulletin board, and all messages transmitted or stored by them, are the sole property of the Parish and are to be used primarily for business purposes.
- Employees are prohibited from installing their stjoh-n-la.gov email addresses on their personal handheld device or cell phone without prior written permission from the Chief Administrative Officer.
- Access to electronic communication equipment and resources (i.e. computer usage, email, personal handheld devices, etc.) and all privileges therein may be removed or restricted by the Parish immediately upon an employee’s suspension, discharge, or notice of resignation.

### iii. Confidentiality

- Users of computer and telephonic systems should presume no expectation of privacy in anything they create, store, send, or receive on the computer or telephonic systems.
- The Parish reserves the right to monitor, restrict, and/or access communications usage and content.

- Electronic records are public records subject to the Louisiana Public Records Act, with limited exceptions. There are also other legal issues related to email communications. In general, email is subject to discovery. As such, employees should conduct their business in a professional manner, and it is recommended that personal information not be transmitted through the Parish's communication systems. Likewise, employees should bear in mind that e-mail messages may remain part of the Parish's business records long after they have been supposedly deleted.

#### iv. Personal Use

Incidental personal use is secondary and should not interfere or conflict with business use or job performance, nor incur financial charges by the Parish. An employee will be held financially responsible for charges incurred by the Parish resulting from his personal use (i.e. long distance calls, special greetings, special ring tones, postage, receipt of pictures, text messages, etc.), and will be subject to disciplinary action.

#### v. Conditions of Use

- The Parish reserves the right to restrict access to any data source if/when, in its sole discretion and after appropriate review, the Parish determines such a source to be problematic. These restrictions do not constitute an implication of approval of other non-restricted sources.
- The information sources available via the Internet are worldwide and constantly growing in kind and number. It is not possible for any organization to fully manage the types and content of information accessed by its systems and users. Without exhausting all of the possibilities, the Parish's communication services and equipment, including but not limited to Internet access and e-mail system, are not to be used in any of the following ways:
  - To communicate the Parish's official position on any matters, unless specifically authorized to make such statements on behalf of Parish.
  - To harass, intimidate, bully, or threaten another person.
  - To access or distribute obscene, profane, sexually suggestive, pornographic, abusive, libelous, racially or culturally offensive, demeaning or defamatory material or otherwise inappropriate written, recorded, or electronically transmitted messages. This same standard applies to an employee's desktop screen saver or wallpaper.
  - To distribute copyrighted materials not authorized for reproduction or distribution.
  - To impersonate another user or mislead a recipient about sender's identity.
  - To access another person's e-mail, if not specifically authorized to do so.
  - To bypass the systems' security mechanisms.
  - For spam (unsolicited bulk email) or to send or post chain letters.
  - To send messages of a political or religious nature.
  - For personal solicitation.

- To communicate confidential Parish information to unauthorized individuals within or outside the Parish service.
  - To make unauthorized attempts to access data or break into any Parish or non-Parish system.
  - Employees may not intentionally tamper with the computer system or network or circumvent any system that provides privacy or security protection.
  - For theft or unauthorized copying of electronic files or data including documents, photographs, and music or video files.
  - For any purpose which is illegal, against the Parish's policy, or contrary to the Parish's best interest.
- Employees should not use email, instant messaging services, facsimiles, cellular telephones, or any other non-secure communication system to communicate confidential information.
  - Employees should ensure that no personal correspondence appears to be an official communication of St. John the Baptist Parish. Employees may be perceived as representatives of the Parish and, therefore, damage or create liability for the Parish. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, should be accurate, appropriate, and work-related.

vi. **Applicability**

This policy is applicable to all active employees within the Parish. Violation of this policy will subject the employee to discipline, up to and including termination.

### 2.05 h **Driver's License and Driving Record**

Employees whose work requires the operation of a Parish vehicle (or personal vehicle in which Parish business is conducted) must present and maintain a valid driver's license and a driving record acceptable to the Parish's insurer. Employees may be asked to submit a copy of their driver's license to the Parish from time to time.

Employees are responsible for reporting any changes to his driving record and privileges to his supervisor immediately. Failure to do so may result in disciplinary action, including dismissal.

### 2.05 i **Dress Code, Uniforms and Personal Appearance**

St. John the Baptist Parish employees will dress professionally and exhibit a clean and neat appearance during work hours and work-related activities. It is the policy of the Parish that employee attire shall be appropriate to the duties of the position, to the safety of the employee and other individuals, and to the probability of public contact. The personal appearance, grooming, and personal hygiene of employees contribute significantly toward the public impression of the Parish. Clothing/uniforms must be neat, clean, and appropriate for professional work and the image that St. John Parish must project to its customers, visitors, and the public.

Employees should take extra care to ensure that personal hygiene does not constitute a health or safety hazard to others or cause disruption in the workplace. Further, because of working in close proximity to co-workers, employees should be considerate of their co-workers when applying perfumes, colognes, and after-shave lotions or when using fragrances (e.g. hand lotions, potpourris, air fresheners) within the workplace.

The following outlines the basic dress code and uniform policy of the Parish.

#### Uniforms

Some employees of the Parish are expected to wear uniforms, which are provided and maintained by the Parish. Employees are reminded that when in uniform they are representing the Parish and must project a favorable and professional image when doing so. Employees in uniform are expected to wear shirts buttoned and tucked.

Employees are encouraged not to wear their uniform when off duty. However, if off duty and still wearing a uniform, employees are expressly prohibited from:

- Consuming alcoholic beverages in public;
- Entering establishments such as bars, nightclubs, or casinos; and
- Engaging in unlawful conduct.

#### Non- Uniforms

Employees not required to wear uniforms, such as office staff and warehouse personnel, shall not wear suggestive attire or athletic clothing, or similar items of casual attire that do not present a professional appearance. Hairstyles, clothing, footwear, and jewelry shall conform to the best business and professional standards. Fingernail length should not impede or affect work performance.

Department Heads may make exceptions and allow for casual attire for office staff whose duties occasionally require field assignments which would make casual work apparel more practical for such assignments.

#### Dress-Down Days

Participation in dress down day casual wear is a privilege and strictly optional. For office staff, jeans may be worn on Fridays, which has been designated a "casual dress day". When a Parish holiday is observed on a Friday, casual attire may be worn on the preceding Thursday.

On dress-down days, the dress code is suspended. However, the following special rules shall apply:

- Dress shoes/dress sandals with open toes or dress mule-type shoes are permissible; however, flip flops, slippers, tennis shoes, or other similar types of casual footwear should not be worn.
- In addition, miniskirts, "spaghetti-strap" or halter tops (unless worn underneath a jacket, sweater, or blouse), t-shirts, shorts, sweatshirts, clothing with holes or frayed hems, and baseball caps shall not be worn.

#### Pregnancy Dress Code

An employee who, due to pregnancy, must wear maternity clothing shall nonetheless be subject to the dress-code rules, and is expected to maintain a professional appearance.

#### Exceptions

An employee with a medical condition or a disability that may interfere with a dress-code requirement may seek a waiver from the Department Head and the Director of Human Resources. The Parish may require appropriate documentation according to his discretion in considering a waiver request. Medical certification may be requested up to every 3 months to continue the exemption. When the medical condition has been resolved, he must return to the policy outlined above.

If in doubt as to appropriate apparel, employees should consult their supervisor before wearing it to work. While the decision on dress is a personal choice by the employee, the employees' Department Head will make the final decision as to whether the dress is appropriate for the work environment, and the Parish reserves the right to determine extremes in style. Employees in violation of the dress code may be sent home to correct the infraction and disciplinary action may be taken. Non-exempt employees (those subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work missed because of failure to comply with this policy.

#### **2.05 j Falsification of Public / Official Documents**

As public employees, everyone should be mindful that their signature has consequences. It signifies agreement with and certifies accuracy of the information. Knowingly signing or submitting a document that contains false information or misrepresentation is a severe violation of the Parish's work rules and any applicable state and/or federal laws.

Official documents include, but are not limited to, personnel forms, evaluation forms, position descriptions, leave slips, time and attendance records, purchase requisitions, incident/accident reports, travel reports and expenditures or other financial reports, as well as reports to state and federal agencies filed in relation to work, grants, etc.

Violations can subject offender to disciplinary action, up to and including termination, as well as legal action in accordance with applicable laws or statutes.

#### **2.05 k Maintaining Licenses / Certifications**

All employees who perform work that requires licensure or certification are held responsible for presenting those credentials during the pre-placement process and for maintaining those credentials after being hired. The Parish will allow for paid time off to take required courses or testing. Any classes that are job rather than license specific may be paid for by the Parish. Failure to maintain credentials, falsification or misrepresentation of credentials may result in change of position or termination. It is the responsibility of the employee to provide proof of licensure/certification to appropriate Parish personnel when received. The Parish reserves the right to conduct period checks or verifications of licenses or certifications.

#### **2.05 l Management and Employee Lines of Communication**

Open communication between management and employees is vital for effective operation of the Parish. St. John Parish management strives to keep its employees informed of matters and encourages them to voice their opinions and concerns. Department meetings, bulletin boards and email are used to inform employees of items of general interest as well as specific items pertaining to their jobs. Employees should review bulletin boards daily for pertinent Parish or departmental information.

#### **2.05 m Removal of Parish Records**

##### **i. Purpose**

In an effort to protect, conserve, and ensure the proper use of Parish records, it is the policy of the Parish that no employee shall move, or cause to be moved, any record from the officially designated worksite, without specific written authorization from the Department Head.

Note: This policy is not intended to violate an individual's right to information under the Louisiana Public Records Act.

ii. **Definitions**

- a) Record – All documents, papers, letters, books, drawings, maps, plats, photographs, magnetic or optical media, microfilm, microphotograph, motion picture film, or other document or any other material, regardless of electronic, physical form or characteristic, generated or received under law or in connection with the transaction of official business, or preserved by the Parish or political subdivision because of other informational or legal value.
- b) Officially Designated Worksite - The location at which Parish business is conducted (either the usual place of business or some off-site location when on official business).
- c) Written Authorization - Approval granted in written form by the appropriate Department Head.

iii. **Procedures**

- In order to obtain authorization to remove a record from the officially designated worksite, a written request shall be submitted to the appropriate Department Head, through the employee's supervisor, prior to the intended removal. The request shall contain the following information regarding the record: description, destination, reason for utilization, and projected time of return.
- After determining the appropriateness of the request, the Department Head shall signify in writing, approval or denial; and return the document to the requestor's supervisor. The supervisor will immediately forward the document to the requestor.

iv. **Applicability**

All employees except for Department Heads, Directors and Administrators and the Parish President.

## 2.05 n Basic Workplace Safety Procedures and Policies

i. **Purpose**

The Parish recognizes its responsibility to establish a policy in the interest of accident prevention. Although it may not be possible to eliminate all accidents, most on-the-job injuries CAN be prevented. Our goal is to create a zero-injury environment. To assist in achieving this goal, we have developed formal safety practices and guidelines. This policy alone cannot prevent accidents or replace the commonsense approach to safety we expect of all employees. Complete commitment by management and a dedicated workforce are essential for an effective safety program.

Our Parish has the responsibility to comply with federal, state, and local safety rules and regulations. We therefore require that all supervisors, department heads, and employees take a serious interest in the prevention of accidents and losses due to unsafe conditions or actions.

## ii. Responsibilities for Safety Management

### Safety Committee

The Safety Committee, comprised of employees and managers of various departments, oversees the Parish's safety policies and procedures and maintains a *Safety Manual*. Sound judgment and safe practices must be exercised in the work habits of all employees.

### Supervisors

Supervisory personnel are responsible for the instruction of personnel under this policy. Training of supervisors will address proper procedures, safe work methods, corrective measures, hazard elimination, and accident prevention. The supervisors will in turn enforce the established safety program. It shall be the duty of every department head, under the directions of the supervisor, to train new and existing employees regarding the proper safe method of carrying out the assignments of their jobs. Instruction shall include the safety rules and what to do in the event of an accident or emergency. Supervisors will not permit safety to be sacrificed for any reason.

### Employees

It is the responsibility of all employees to follow the guidelines outlined in this policy and to report all accidents, injuries, deficiencies, and safety violations to their supervisor, or the supervisor's designee in the absence of the supervisor. Failure to obey these safety rules could result in serious injury and will lead to disciplinary action which may result in termination.

All employees are responsible for ensuring that they understand and comply with all Parish safety rules, regulations, and procedures, and are responsible for:

- Being familiar with all safety and health procedures relevant to their job duties;
- Inspecting their work area periodically;
- Identifying conditions that are recognized as being unsafe; and
- Reporting accidents/incidents and injuries to their supervisor immediately, no matter how slight

Unsafe working conditions and the need for maintenance and repair of vehicles or equipment must be immediately reported to management. Employees concerned about the possible safety of a work assignment should talk to their supervisor before performing the task. No one has to perform an unsafe act. Employees should report to their supervisor or the Safety Committee all observed safety and health violations and potentially unsafe conditions. Employees are encouraged to submit suggestions to the Safety Committee concerning safety and health matters.

New hires should be oriented to the safety regulations within their department on their first day of work.

## iii. General Safety Rules

The goal in establishing safety rules is to keep personnel free from injury which causes pain, suffering, and lost pay. The Parish is constantly striving to protect employees from being injured while performing their duties. Accidents can be prevented with everyone's cooperation. Employees must learn and understand the established safety procedures to perform their work in a safe manner.

To prevent accidents, each employee is expected to obey these rules of safety:

- Immediately report all accidents and incidents to your supervisor, or supervisor's designee, regardless of severity.



- Maintain housekeeping of immediate work premises at all times. Keep equipment, tools, materials, and work areas clean and orderly.
- Personal protective equipment will be worn when required. Back supports and safety glasses will be supplied where needed.
- Walk—never run—within the work premises except in extreme emergencies.
- Learn to lift the right way. Ask for help if needed.
- Disorderly conduct, including fighting or horseplay, is prohibited. No employee shall threaten, intimidate, or interfere with others while on the work premises. Cursing is prohibited.
- Safety policies must be followed. The committing of negligent or careless acts, which result in personal injury to others or property damage to office or customer’s property, is grounds for disciplinary action.
- Possession of a weapon on work premises is strictly prohibited and is cause for immediate termination of your employment. Incidents of this nature will be reported to court security.
- Sleeping or appearing to be asleep during work hours is strictly prohibited.
- Safety meetings will be scheduled for each department as supervisors assess the need for same. Attendance at safety meetings is required.
- Perform tasks in a safe manner and at a safe pace. Do not take short cuts.
- Never jump on or off moving equipment or machinery.
- Do not use boxes, racks, or chairs to access material out of reach.
- Do not leave your work area without authorization from your department head or supervisor. Never leave running power equipment unattended.
- Use designated ramps, stairs, walkways, ladders, and roads to access/egress work areas. Use handrails on stairs and stay within properly marked aisles.
- Report to work well rested, mentally and physically fit to perform duties.
- Removal of equipment safeguards or tags is prohibited.
- Insubordination or deliberate refusal to comply with reasonable requests will not be tolerated.
- Do not throw or drop tools or materials.
- Theft or unauthorized removal of material from the work area is not allowed.
- The use of designated sanitary facilities is required.
- Know the location of first-aid kits, fire alarms, fire extinguishers, and emergency phone numbers.
- Inspect all tools, equipment, and vehicles before beginning work. Report or replace all defective parts.
- Smoking is strictly limited to designated areas only.
- Vehicles and equipment are to be operated only by those authorized as a result of their knowledge, training, experience, and proper licensure.

- Seatbelt usage is required, in accordance with state law, for all employees and their passengers when traveling in any vehicle while conducting Parish business. This applies to travel in a vehicle owned or leased by the Parish, a rental vehicle or privately-owned vehicle being operated during the course and scope of Parish employment, regardless of whether the employee is compensated for the use of his vehicle.
- Employees are discouraged from using a cell phone (personal or Parish owned) while driving or operating equipment. Employees with hands-free devices on the phones may engage in brief conversations while driving only if necessary and only in accordance with state and local laws. However, if a call is going to be lengthy or intense, if driving conditions are poor or traffic is heavy, if employee does not have a hands-free device, or if phone use will involve reading or sending text or email message(s), the employee must park the vehicle (or equipment) before using the phone. He should find a proper parking space as opposed to stopping on the side of the road, with exceptions being for emergencies such as an accident or breakdown. This applies to whether the vehicle is owned or leased by the Parish, a rental vehicle or privately-owned vehicle being operated during the course and scope of Parish employment, regardless of whether the employee is compensated for the use of his vehicle.
- Hazardous or toxic material handling must comply with all laws, rules, and regulations concerning its safe handling and disposal, as published by the manufacturer and governmental agencies having jurisdiction over such matters. Employees should consult their supervisors for full details, including Material Safety Data Sheets (MSDS), container labeling, and training information regarding exposure to and handling of such materials.
- Some jobs may have additional safety guidelines that are established for the employee's protection and the protection of others including, but not limited to, wearing the appropriate personal protective equipment (PPE). If so, the employee will be required to know and follow them carefully.

#### iv. Accident Investigation and Reporting

Every incident (regardless of its extent or nature) occurring on the job, whether on premises or not, shall be reported to the supervisor or his designee. Supervisors are responsible for reporting all incidents/accidents and injuries to the Director of Human Resources immediately following an incident to complete the necessary report.

The supervisor will have access to a first aid kit to provide immediate first aid treatment or attention. A log will be kept of all first aid administered, and an inventory will be kept of first aid supplies. If the injury appears to require medical attention the supervisor will have authorization documents available to send or transport the employee to our designated treatment facilities.

After determination that the injured employee is not at risk for further injury or complication of the obvious injury, the supervisor should inquire of the circumstances which precipitated the injury. The supervisor should see that all medical attention required is arranged and report obviously severe injury to the administration office immediately. Once appropriate medical attention is undertaken, the supervisor will be responsible to investigate the accident. As a minimum, detailed answers to the following questions should be noted:

1. What was the employee doing?
2. What happened? Obtain answers from the employee and any witnesses.
3. What caused the accident?

A written record of all incidents shall be maintained by the supervisor for each employee within his or her supervision. If the accident is caused by obvious equipment defects or failures or by unsafe environment, the

supervisor should remove or correct the unsafe condition immediately. If the unsafe environment is outside the scope of the office's immediate control, the area should be cordoned off and notice sent to the proper authority.

All injuries for which a medical authorization is issued to a treatment facility should be reported as soon as possible to the office administration.

It is the policy of the Parish to tend quickly to an employee who is legitimately injured on the job. It is our desire to have the employee get the best treatment possible and to see that the employee can return to work as quickly as medically possible.

#### v. Applicability

All employees of the Parish.

Violations of St. John the Baptist Parish's safety rules, regulations, or procedures will result in disciplinary action, up to and including termination.

### 2.05 o-1 Privacy

Besides employees being aware that all communications may be reviewed by the Parish at any time or included in Public Information Requests (as explained in Section 2.05 g) employees should be aware of the following two privacy related issues as well:

- A) Searches. As a condition of employment with St. John the Baptist Parish, all employees (including seasonal, temporary and/or contract employees) are required to expressly waive any expectation of privacy relating to searches, whenever there is reasonable suspicion of wrongdoing, of any and all personal effects brought to or maintained on Parish property, such as desks, lockers, lunch boxes, purses, clothing, brief cases, and automobiles. This policy and waiver shall also apply to the taking of samples for drug testing, as more fully set forth in the Parish's ordinances governing substance abuse.
- B) Video Surveillance. There are video surveillance cameras in several work areas on Parish premises. A notice of the presence of these cameras shall be prominently posted in the general areas where the cameras exist.

### 2.05 o-2 Surveillance Camera Policy

#### i. Purpose

The purpose of this policy is to regulate the use of security cameras to protect the legal and privacy interests of the Parish's employees and the Parish at large, while concurrently assisting in the protection of safety in the property of the Parish.

The primary use of security cameras will be to record images for future identification, investigation and possible prosecution related to illegal and/or criminal activity and actions.

#### ii. General Policy

The Parish is committed to establishing and maintaining a workplace that is secure and safe for employees, Parish officials and the community at large. To fulfill this commitment, the Parish has installed and will utilize surveillance cameras. The cameras will be used in a professional, ethical and legal manner consistent with all existing Parish policies as well as state and federal laws. Camera use will be limited to situations that do not violate the reasonable expectation of privacy as defined by law.

### 2.05 p Severe Weather / Emergency Closings

Generally, Parish offices remain in operation on all scheduled days, regardless of weather, unless otherwise dictated by the Parish President. At times when emergencies such as severe weather, fires, or power failures disrupt Parish operations, the Parish President will decide on closures and Department Heads or designees will provide official notification to their employees.

For emergencies declared by the Parish President, employees should follow the procedures outlined in the *Employee Emergency Procedures* developed by the Parish's Department of Public Safety – Office of Emergency Preparedness as they related to office closures.

When severe weather creates dangerous road conditions and prevents an employee from reporting to work, he must contact his supervisor immediately to receive instruction or to request approval to use vacation leave or compensatory time off leave if such leave is available. If no vacation or compensatory time is available, absence due to severe weather will be charted as leave without pay, unless the there is an emergency or disaster declaration by the governor in the area in which the employee resides. In such case, the employee may be paid emergency leave not to exceed the hours of the declaration. In most circumstances, the employee requesting emergency leave will be required to provide documentation in order to substantiate the claim for which the emergency leave is requested. The Chief Administrative Officer or designee makes the determination regarding what type of documentation is required and when emergency leave is approved.

### 2.05 q Smoking

St. John the Baptist Parish believes that all employees are entitled to a safe, clean and healthy work environment. It is the policy of the Parish that all enclosed areas, offices, common areas, and Parish-owned vehicles shall be smoke-free and that smoking in these areas is always prohibited . Smoking is allowed only in designated smoking areas.

### 2.05 r Traffic Violations by Parish Employees

All drivers of Parish vehicles or of privately-owned vehicles being operated during the course and scope of Parish employment are required to obey all state and local driving laws, and will be held personally liable for any parking and/or traffic violation levied against them while they are responsible for the Parish vehicle or a privately-owned vehicle being operated to conduct Parish business. Employees receiving parking or traffic citations shall pay applicable fines or penalties. The Parish is prohibited from paying traffic/parking fines or penalties for any individual.

### 2.05 s Travel

Business travel must be approved in advance and should be engaged in and reimbursed according to guidelines described in the Parish's *General Travel Regulations*. The Finance Department maintains the *Travel Policy Manual*. Employees can access the Travel Policy and accompanying forms on the Parish's "common or shared drive" (P: drive) in the Human Resources Folder in Microsoft Word, Excel, and "PDF" formats.

St. John the Baptist Parish retains the right to amend or terminate the travel policy at any time.

## 2.05 t Violence-Free Workplace

The Parish is strongly committed to maintaining a work environment free from intimidation, threats, or acts of violence. To that end, it expressly prohibits any form of workplace violence. Examples of workplace violence include, but are not limited to, intimidating, threatening behavior such as prolonged staring or glaring, shaking fists, destroying property or throwing objects; verbal or written threats that express an intent to inflict harm; hostile behavior; physical attacks such as hitting, pushing, shoving, kicking, holding, impeding or blocking the movement of another person; vandalism; arson; sabotage; use of weapons; carrying weapons of any kind onto Parish property; or any other act that would arouse fear in a reasonable person in the circumstances.

The Parish will not tolerate any threatening behavior or acts of violence against employees, visitors, customers, vendors, the general public, or others at the work site at any time or while engaged in business with or on behalf of the Parish, whether at or away from the work site.

With regards to weapons in the workplace, the Parish expressly prohibits employees from possessing weapons of any kind at the workplace (except as indicated below \*). This includes, but is not limited to, firearms of any type, including those for which the holder has a legal permit; switchblade knives, knives with blades of three (3) inches or more (pocket knives are permitted for job-related purposes only); dangerous chemicals; explosives including blasting caps; chains and other objects carried for the purpose of injuring or intimidating.

This policy will be strictly enforced, and any violations will result in disciplinary action up to and including termination of employment.

Employees are a necessary part of this policy. An employee who feels he has been subjected to workplace violence should immediately report the incident to the Director of Human Resources. Any employee who observes or has knowledge of a display of violent, abusive or threatening behavior by another employee is to report the behavior to his immediate supervisor or to the Director of Human Resources. In furtherance of this policy, employees have an obligation to inform their immediate supervisor or Human Resources of any activity in the workplace involving current or former employees, customers, visitors, vendors or others that they believe could result in violence. This includes, for example, threats of violence, aggressive or confrontational behavior, offensive acts, and threatening or hostile comments.

Threats or assaults that require immediate attention by law enforcement should be reported first to the Sheriff's Office by dialing 911. Employees are encouraged to contact the proper law enforcement authorities by dialing 911 without first informing management if they believe an immediate threat to their safety or the safety of others exists.

All complaints will be promptly and fully investigated and will be kept confidential to the maximum extent possible.

This policy also requires all individuals who apply for or obtain a protective or restraining order that lists St. John the Baptist Parish premises as being protected areas, to provide to the designated management representative a copy of the petition and declarations used to seek the order, a copy of any temporary protective order or restraining order which is granted or permanent. The designated management representative is the Director of Public Safety. Management understands the sensitivity of the information requested and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s). This information will be kept confidential to the maximum extent possible.

Any employee found to have committed workplace violence will be disciplined, up to and including termination of employment.

An employee who submits a complaint of workplace violence in good faith, even where the complaint cannot be proven, has not violated this policy. Any employee found to have falsified a complaint of workplace violence or knowingly provided false information regarding a complaint will be subject to discipline, up to and including termination.

It is the responsibility of all employees, including management, to contribute to a safe working environment. St. John the Baptist Parish cannot do its part to prevent violence in the workplace without the full cooperation of its workforce. Employees should direct any questions regarding their obligations under this policy to Human Resources.

Employees can report violations of the policy and raise any questions regarding their obligations under this policy without fear of reprisal of any kind. Such reports will be held in strict confidence to the maximum extent possible.

\*In accordance with state law, employees may store lawfully possessed firearms or other weapons in their personal vehicles while parked on Parish property provided the vehicle is locked and such firearms or other weapons are hidden from plain view or locked in a case or container within the vehicle. However, firearms may never be worn on the person while on duty or be brought in areas other than those stated in the aforementioned state law.

### 2.05 u Media Inquiries

All media inquiries should be referred to the Public Information Officer or Parish President's designee. In addition, the Parish President must approve all press releases, publications, speeches, or other official declarations. The Parish President may authorize specific employees the authority to respond to media inquiries without prior approval.

### 2.05 v Logo Usage

No employee is allowed to use St. John the Baptist Parish's official seal, motto, web site address, QR Code, logos, or photographs to design any brochure, sign, document, form, stationery, garment, or anything else of any kind for any purpose or use without first consulting the Director of his department. The Director then will consult with the Communications Director or Chief Administrative Officer as appropriate.

## Part 3 Information Applicable to Non-Classified Employees Only

This section is applicable to Non-Classified Employees only. There is a separate Civil Service Manual for Classified Employees which covers the same information and gives detailed explanations regarding their rights and obligations.

### 3.01 Employee Classifications

For the purposes of compensation administration, there are three types of non-classified employees within the Parish:

Full-Time Employee – a person who is normally scheduled to work a 37.50 to 40 hour workweek and is hired for an indefinite period.

Part-Time Employee – a person who is normally scheduled to work less than a normal workweek as defined above and is hired for an indefinite period.

Temporary Employee - generally is an individual who is hired either part-time or full time for a specified, limited period.

### 3.02 Employment Practices

#### 3.02 a New Employee Orientation

Orientation is a formal welcoming process that is designed to make a new employee feel comfortable, informed about Parish government, and prepared for his/her position. New employee orientation is conducted by a Human Resources representative and includes an overview of the Parish government, benefits, policies and procedures and necessary paperwork to be completed.

The new employee's supervisor introduces the new hire to staff, reviews the job description and scope of the position, discusses important departmental policies and procedures and helps the new employee get started on specific functions.

#### 3.02 b Introductory Period

The Parish uses the introductory period to evaluate the employee's capabilities, work habits and overall performance.

##### **A) For New Employees and Re-hired Employees**

- New employees and re-hired employees with a break in service of more than three (3) months are subject to an introductory period of six (6) months, beginning on their first day of work. This is to give the new/rehired employee and the Parish an opportunity to evaluate the employee's interest in the job and his/her ability to perform the work. Upon completion of this introductory period, the employee will be given a performance appraisal.
- During the introductory period, the employee and supervisor should meet periodically to discuss the employee's performance. Topics to be covered should include, but are not limited to, job performance, job duties, level of skill to perform the job, attendance and disciplinary issues.

- If a new employee has an excused absence from work for longer than five (5) working days during the introductory period, the Parish may extend the introductory period an amount of time equal to the days missed if necessary in order to properly evaluate the employee.
- If at any time during the introductory period, the supervisor determines the employee is unsuitable for the job, the supervisor may recommend that the employment be terminated.
- A new employee must have successfully completed his introductory period before requesting a transfer to another position or department. In the event that an employee is promoted while still in the introductory period, the employee shall be given credit for the uncompleted portion of the introductory period if he remains in the higher position during a period equivalent to the unfinished portion served in the lower position.
- Neither completion of the introductory period nor continuation of employment after the introductory period entitles an employee to remain employed by the Parish for any definite period of time.

**B) For Newly Promoted and Transferred\* Employees**

\*Note: Transferred in this section refers to an employee-requested transfers only.

- All regular employees who have been promoted or transferred to a new position are subject to an introductory period of three (3) months upon assumption of the new position. Upon completion of this introductory period, the employee will be given a performance appraisal.
- The Parish recognizes that the responsibilities and requirements of a higher-level position may not prove suitable to a particular employee as determined by the performance results of the promoted employee. In the event a promotion or transfer assignment is found unsuitable by either the employee or the Parish, consideration will be given to allowing the promoted or transferred employee to return to a former or comparable position for which the Parish deems the employee possesses demonstrated skills, knowledge, ability and interest at the rate of pay for that position; the employee shall not retain the pay of the higher position. If no such position is available, the employee may be terminated and given consideration for the first vacancy within ninety (90) days for which the Parish deems the employee may be qualified. If the employee is reinstated to his former position, the employee shall not be made to serve a new introductory period. If, however, the employee is placed into a comparable position, a new introductory period will begin.
- An employee transferring from an unclassified position to a position in the classified system shall also satisfy a six (6)-month introductory period from his hire date into the Civil Service system. All other items as laid out in the Civil Service Manual shall apply to the now classified employee.
- Neither completion of the introductory period nor continuation of employment after the introductory period by any employee entitles employee to remain employed by the Parish for any definite period of time.

### 3.02 c Leaves of Absence

The following are the various methods under which employees may take a leave of absence from their jobs.

**A) Bereavement Leave**



In the event of a death in the employee's immediate family up to three (3) days off, with pay, will be provided for normally scheduled work days. For the purposes of this policy, immediate family is restricted to an employee's spouse, child/stepchild, parent/stepparent or sibling.

In the event of a death of a relative other than an immediate family member, such as grandparent, grandchild, current father- or mother-in-law, current sister- or brother-in-law, one (1) day off with pay will be granted provided the funeral services are on the employee's regularly scheduled work day. If additional time is needed, the employee is permitted to use vacation leave.

An employee must have completed six (6) months of continuous service in order to qualify for bereavement pay. This benefit does not apply if death in the family occurs while the employee is on a leave of absence.

**B) Jury Duty and Witness Duty**

Under either circumstance (jury duty or witness duty), employees will be expected to report for their regular duties when temporarily excused from attendance in court.

Jury

If an employee receives a jury summons, he should immediately advise his supervisor. A copy shall be retained for the employee's personnel file. At the end of jury service, the employee shall obtain a *Certificate of Service* issued by the Clerk of Court. The employee shall submit this certificate to his supervisor upon returning to work.

During the period of actual service on the jury, no deductions for absences of less than one (1) workweek.

- The employee's Supervisor shall attach to the time sheet the Certificate Service.
- Employees submitting a certificate shall be paid at the regular rate, up to eight or ten hours per day (depending on the employees regularly scheduled workday), for each day served up to (10) ten days, within a twelve (12) month period.
- Employees not submitting a Certificate of Service shall not be paid.

Administration or the employee may request an excuse from jury duty if, in Administration's judgment, the employee's absence would create serious operational difficulties for the Department or Parish.

Witness

The Parish encourages employees to appear in court for witness duty. Once an employee receives a subpoena or notice to appear as a witness, he should immediately advise his supervisor. Appearances in court while testifying as a witness will normally be considered excused time off. Employees appearing as a witness will not receive deductions of pay for absences.

Employees subpoenaed or served any type of official notice to appear in court, for a deposition, or produce documents in conjunction with a matter involving the Parish, must notify his Department Head immediately upon receipt of document(s).

**C) Sick Leave**

Sick leave may only be used for illness or incapacity of the employee; forced quarantine of the employee by a public health official; to care for the employee's dependent children, spouse, or parents who are ill; to attend the birth of the employee's child; or for use of a prescription drug that impairs job performance or safety. Sick leave can also be used for health needs, e.g. dental, optical, or medical appointments and treatment. However, employees should make an effort to schedule these appointments without

interrupting their normal work schedule to the greatest extent possible. Appropriate documentation from the treating physician may be required for payment of sick leave.

Sick leave accrual shall be in accordance with guidelines set by the Parish President, subject to Parish Council approval.

Employees cannot accrue sick days for any calendar month during which he has been on leave, with or without pay, ten (10) or more days.

An employee transferring from an unclassified position to a position in the classified system shall follow the sick leave accrual schedule in accordance with Civil Service guidelines. Employee will be allowed to carry forward his unused hours in balance; however, employee may not be eligible to accrue sick hours until the completion of the six (6)-month anniversary of his Civil Service hire date.

**D) Family and Medical Leave Act (FMLA)**

Employees shall be entitled to use of unused available sick leave (if applicable), vacation leave, compensatory time off, and/or Leave Without Pay (LWOP) for Family and Medical Leave purposes in order to comply with the Family and Medical Leave Act of 1993, as amended. See the FMLA section above, 2.04h.

**E) Military Leave for Active Duty in the Armed Forces**

The Parish will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended, with respect to unpaid leave of absence and return rights for employees who leave Parish service to serve in the Armed Forces of the United States.

**F) General Medical Leave** (Including: pregnancy leave beyond that required by law, leave not covered by Family Medical Leave Act (FMLA), other applicable state statutes and on-the-job injuries or illness).

Under Louisiana law, pregnant employees are entitled to an unpaid leave of absence of up to six (6) weeks for a normal delivery, and up to four (4) months of unpaid leave if the employee is disabled on account of pregnancy, childbirth or related medical condition. This leave runs concurrently with any FMLA leave taken by an employee.

St. John the Baptist Parish Council may grant a general medical leave of absence to a regular full time employee not qualified for leave for a serious health condition of the employee under the FMLA. The employee must have at least six (6) months of continuous service. There is no minimum service requirement for eligibility for a leave of absence occasioned by a pregnancy-related disability, or for a disability arising out of an on-the-job injury or illness. A physician's certification will be required.

General medical leaves, if granted, are for the duration of the period of disability, not to exceed seven hundred twenty (720) hours during a calendar year. If family and medical leave (FMLA) and general medical leave are taken during the same 12-month period, the total combined leave time may not exceed seven hundred twenty hours (720) hours.

Any accrued paid benefit time, including sick leave, vacation leave, and compensatory time off, shall run concurrently with the leave of absence (LOA). Employees will be required to exhaust all available unused paid leave prior to the granting of leave without pay (LWOP).

Before the employee will be permitted to return to work from medical leave, a fitness for duty or healthcare provider's release to return to work indicating that the employee is capable of returning to work and performing the essential functions of his position, with or without reasonable accommodation, must be presented and will be required. Failure to submit a fitness for duty certification may result in the denial of restoration to employment following the leave of absence.

There is no guarantee that the employee's previous job will be available at the expiration of leave under this category. The employee will be placed in an available job at management's discretion.

**G) Personal Leave**

In special circumstances, a personal leave of absence may be granted to an employee, but never for taking employment elsewhere or becoming self-employed. Personal leaves of absence are subject to the discretion of the Parish President and the Department Head.

Personal leaves of absence shall not be granted to employees with less than one (1) year of continuous service. Personal leaves of absences shall not exceed six (6) weeks\* within a period of twelve (12) consecutive months. Employees will be required to exhaust all unused vacation hours and compensatory time prior to being placed on leave without pay (LWOP). When an employee is on personal leave without pay on the day before and the day after a holiday, he shall not be entitled to and shall not be paid holiday pay for the holiday.

There is no guarantee that the employee's previous job will be available at the expiration of leave under this category. The employee will be placed in an available job at management's discretion.

\*Additional time, not to exceed a total of eight (8) weeks of leave, may be granted by the Parish President to an employee completing substance abuse rehabilitation for violation of the Parish's substance abuse ordinance if necessary.

**H) Leave Requests and Approval Process**

Requests for leave of absence (LOA) or an extension of a leave ordinarily should be submitted in writing on a *Leave of Absence Request Form* to the Department Head at least thirty (30) days before the start of leave the leave or extension period. When the need for leave or an extension is not foreseeable, employees should give as much notice as possible.

For medical leaves of absence, the Parish reserves the right at any time to require medical verification of an employee's ability or inability to work. Such proof or verification may include periodic reports from the employee's healthcare provider or examination of the employee at the Parish's expense by a physician selected by the Parish. The Human Resources Director should be consulted regarding medical verifications.

The Parish President will make the final decision concerning the request based on the circumstances of the request for leave. The employee shall be notified in writing whether his request has been approved or denied.

All employees on approved leave are expected to report to the Human Resources Department and their supervisor any change in their need for a leave or in their intention to return to work.

**I) Benefits Participation during Leaves of Absence (LOA)**

The Parish will provide health insurance and other benefits to employees on leave to the extent as required by law. Hence, the Parish cannot guarantee to provide benefits continuation for an employee who is on leave where benefits continuation is not required by law. In such cases, employees may be given the opportunity continue coverage in the health plan under COBRA.

Sick days do not accrue during periods in which the employee is on a leave of absence, with or without pay, for a period of ten (10) calendar days or during periods in which the employee receives workers' compensation.

When an employee is on leave without pay (LWOP) on the day before and the day after a holiday, he shall not be entitled to and shall not be paid holiday pay for the holiday.

If any portion of the leave is paid, the premiums normally paid by the employee will continue to be deducted from such pay, if applicable.

If the leave is unpaid, or paid benefits time is exhausted before the completion of leave, medical, dental, and life insurance premiums normally paid by the employee will be paid by Parish and will be reimbursed to the Parish by the employee upon request if applicable. An employee's failure to reimburse the Parish for his insurance premiums may result in termination of the coverage, after proper notice, at the end of thirty (30) days following the date premiums became due.

Employees who desire to continue coverage in elective insurances during an unpaid leave must pay the full premium amount directly to the Parish or submit to the elective insurance carriers as stipulated by the Parish during the unpaid leave period. An employee's failure to pay his elective insurance premiums will result in termination of the coverage, after proper notice, at the end of thirty (30) days following the date premiums became due.

Employees on LWOP must arrange with the Human Resources Department for payment of any insurance premium or other benefits for the employee and/or his dependents normally paid by the employee, in order to keep such coverage and benefits in place, if applicable.

**J) Reinstatement and Benefits Following Leaves of Absence**

Reinstatement from military leave, FMLA leave or maternity leave shall be granted in accordance with state and federal law.

St. John Parish cannot guarantee to hold a position open or provide benefits continuation for an employee who is not on leave protected by federal or state law. An employee seeking reinstatement from General Medical Leave or Personal Leave may be offered his former position if it is available. If the employee's prior position is not available, the employee may be offered any available position for which the Parish concludes he may be qualified, at the rate of pay for the new position. If no such position is available, the employee may be terminated and may apply for the next available position. In the event that an employee declines an offer of reinstatement to any full time position, whether his prior position or another position, the employee will be terminated.

In cases benefits continuation is not provided, the employee shall be given the opportunity to enroll in COBRA if applicable, subject to COBRA guidelines.

Should an employee not return to work at the expiration of a leave of absence, as authorized herein, he shall be considered as having resigned his position as of the day following the last day of approved leave.

**K) Outside Employment during Leaves of Absence (LOA)**

Employees who are on an approved leave of absence may not perform work similar to their Parish job for any other employer during that leave, except when the leave is for military service, unless explicitly approved in writing by the Parish President.

**L) Vacation**

The Parish grants vacations with pay to eligible full time employees in accordance with guidelines as described in this section. Vacation leave accrual shall be in accordance with guidelines set by the Parish President, subject to Parish Council approval.

Vacations cannot be taken until hours are earned. Generally, employees should submit vacation plans to their supervisor in advance of the requested vacation date as specified by departmental guidelines using the appropriate form for absence reporting. Management reserves the right to approve when vacations are taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when

feasible, to resolve vacation scheduling conflicts based on length of service. However, employees who want to change their plans after the vacation schedule has been set lose their seniority consideration.

An employee transferring from an unclassified position to a position in the classified system shall follow the vacation earning schedule in accordance with Civil Service guidelines. Employee will be allowed to exhaust unused hours in balance within the current calendar year; however, employee may not be eligible to earn vacation hours again until the one (1)-year anniversary of his Civil Service hire date.

### 3.02 d Performance Appraisals

It is the policy of the Parish to evaluate employee performance on a continuous basis and to do so more formally at periodic intervals. The purpose of these more formal evaluations is to allow supervisors and employees to communicate concerning the employee's job related behaviors compared to behaviors that are desired and expected, assess the employee's strengths and weaknesses in a constructive manner, make plans for improvement, and set goals and objectives for the period ahead. Evaluation functions are to be properly completed in as uniform, fair, and objective a manner as possible.

Supervisors may conduct informal performance reviews and coaching sessions more often if they choose; however, formal performance appraisals are due upon the following occasions:

- By the end of the first six (6) months of employment for new hires and re-hires; and at the end of the first three (3) months in a new position for newly promoted or transferred (in cases of employee-requested transfers) employees.
- On an annual basis in February and March thereafter.

Employees will be given the opportunity to examine the evaluation and make written comments about any aspect of it. Information derived from the performance appraisal may be considered by management when making decisions affecting training, promotion, transfer or continued employment.

### 3.02 e-1 – End of Employment: Termination

#### **Types of termination:**

- A) Termination. The Parish may terminate employment because of an employee's resignation, discharge, or retirement; the expiration of a specified, limited period (as in the case of a temporary employee); or a reduction in the workforce. This also includes all staff appointed by the Parish President at the end of their prescribed term. Discharge can be for any reason not prohibited by law.
- B) Resignation. Employees are requested to give written notice of their intent to resign including the anticipated date of termination. The following guidelines are suggested:
  - Department Heads and managerial employees should give at least four (4) weeks' notice and;
  - All other employees should give at least two (2) weeks notice.
- C) Job Abandonment. Employees who are absent from work for three (3) consecutive days without being excused or giving proper notice will be considered as having abandoned their job and therefore no longer work for the Parish. If the employee is unable to contact the supervisor during that time due to extreme circumstances such as serious illness, the employee should contact or have someone on his behalf contact

the Parish as soon as practicable to explain the situation. The Parish will determine if the voluntary resignation will be upheld, or in the case of serious health conditions, if leave under the Family Medical Leave Act would apply to eligible employees.

The Human Resources Department is responsible for notifying terminated employees who are covered by the Parish's group health plan of their right to continue coverage in that plan under the Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation coverage requirements.

### 3.02 e-2 Exit Interviews

In a voluntary separation situation, management would like to conduct an exit interview to discuss the employee's reasons for leaving and any other impressions that the employee may have about St. John the Baptist Parish. During the exit interview, the employee is encouraged to express freely their feelings. It is hoped that this exit interview will provide insights into possible Parish/Department improvements. All information will be kept confidential as is reasonably possible and will in no way affect any reference information that the Parish may provide to another employer about the employee.

### 3.02 f Hours of Work

The Parish establishes the time and duration of working hours as required by workload and workflow, customer service needs, and the efficient management of employees.

The normal workweek is Monday through Friday, with pay periods beginning at 12:01 a.m. on a Sunday, and ending at midnight on Saturday of the following week, and consisting of forty (40) hours. The normal workday will consist of eight hours of work (or ten hours of work for departments following a 4-day/10-hour workweek) with an unpaid meal period. Different work schedules, such as in the case of water plant employees, may be established to meet to meet job assignments and provide necessary Parish services. Break periods are considered as time worked.

Each employee's scheduled work hours will be determined by his Department Head. The Department Head, or the Department Head's designee, will inform employees of their daily schedule of hours or work, including meal periods and rest/break periods, and of any changes that are considered necessary or desirable by the Parish.

Department Heads may schedule overtime or extra shifts. Supervisors will assign overtime as needed. Employees are not permitted to work overtime without the prior approval of their supervisor or Department Head. For the purposes of overtime compensation, only hours worked in excess of forty (40) during a workweek will be counted toward the overtime calculation.

Employees' attendance at lectures, meetings, and training programs of benefit to the Parish and approved by the Department Head will be considered hours of work, and therefore will be compensated time, if management requires and authorizes attendance.

### 3.02 g Re-hired Employees

A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than 3 months, in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan. Employees who retire may be eligible to be considered for rehire in certain circumstances.

### 3.02 h Pension

The Parochial Employees' Retirement of Louisiana, and the rights and benefits of employees provided hereunder, are hereby recognized. The Parochial Employees' Retirement System is a public defined benefit pension plan which provides retirement allowances and other benefits, operating pursuant to State statutes.

### 3.02 i Overtime / Compensatory Time

The Parish compensates employees in accordance with the Fair Labor Standards Act (FLSA). Based on the needs of the Parish, 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, his overtime compensation will be calculated according to the terms as set forth in this section.

The Parish may provide compensatory time off in lieu of overtime compensation in accordance with the provisions of the Fair Labor Standards Act. Agreement to accept employment with St. John the Baptist Parish constitutes agreement by the employee to accept compensatory time off in lieu of overtime compensation when so directed by the Parish.

Overtime provisions shall not routinely apply to employees designated as exempt. However, the Parish President may authorize overtime payment for exempt employees during declared emergencies and disasters. This provision shall also apply to work in preparation of an approaching storm or declared emergency or for work caused as a direct result of a declared emergency or disaster, such as cleanup, repairs or replacement of public rights-of-way, damaged equipment, buildings and infrastructures, assisting with disaster relief services to residents, and the required paperwork. Additionally, the Parish President may authorize overtime payment for exempt employees if the employee is directed to perform a duty or a task that is beyond the normal position that he/she holds. For example, working in another department.

No overtime work shall be performed without proper supervisory authority and/or approval. Overtime work without prior authorization from the supervisor shall result in disciplinary action.

Compensation shall be paid at a straight time rate of pay for any and all work required and/or authorized up to forty (40) hours in any one work week. Overtime compensation shall be paid at a rate of one and one-half (1½) times the regular hourly pay rate.

Compensatory time off may be granted by the Department Director within a reasonable period of time after it is requested if to do so would not unduly disrupt the operation of the Department. Department Directors will be responsible for administering their compensatory policies by allowing employees to take accrued compensatory time in a timely manner so that compensatory hours will not accrue to excessive levels. Compensatory time not used during the calendar year may be carried forward to successive years. The following provisions apply:

- Employees may use compensatory time after making a request to their Department Head, unless doing so would unduly disrupt Parish operations. Compensatory time generally should be used for short-term absences from work during times mutually agreed to by the employee and the Department Head.
- Upon separation, employees will receive compensatory time in accordance with the established and current policy.

The Department Head reserves the right to stipulate that overtime be paid in wages as opposed to the employee receiving compensatory time if it is determined that the employee's use of compensatory time would unduly disrupt departmental or Parish operations.

Each department is responsible for maintaining accurate compensatory time records for each employee.

Absence from work by reason of vacation leave, sick leave, compensatory time off, witness leave, military leave, holidays, declared emergency leave, or when employee is not working and receiving workers' compensation benefits shall be not be considered as time worked for purposes of overtime pay eligibility determinations. Time worked does not include the meal break, unless an employee is directed by his supervisor to perform work-related duties or remain on duty during the meal break.

An employee's refusal to work overtime as mandated by supervisor or Department Head may subject the employee to disciplinary action, up to and including termination.

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.

### 3.02 j Hazard Duty

During a locally declared state of emergency, an employee may be required to report to work where hazardous conditions, as determined by the Parish President, exist. Hazard duty pay shall be calculated at a rate of 1.5 times regular pay. Overtime pay under hazard pay situations shall be calculated in accordance with all federal and state guidelines for same.

### 3.02 k Rest and Meal Periods

Two 15-minute rest periods and a 30-minute meal period each workday are generally provided; however, it must be realized that workloads on a given day may eliminate the rest or meal period(s).

Rest periods, for which employees are compensated, should not be taken within an hour of arriving at or leaving work nor shall they be used to extend the meal period.

The meal period is the employee's time and is not paid. Meals shall not be eaten in work areas, especially in areas frequented by the public. Meal periods generally are taken between the hours of 11:30 a.m. and 1:30 p.m. on a staggered schedule so that an employee's absence does not disrupt office operation. If an employee is unable to take a meal break, his supervisor must be notified so that the employee can be paid for the missed meal period.

Employees on break should not go into other work areas for non-business purposes and interfere with or distract other employees who are working at that time. Employees are expected to return from rest and meal periods timely and are subject to discipline for tardiness.

### 3.02 l Holidays

The following days will be recognized as holidays with pay for all full-time employees:

Holiday	Day Observed
New Year's Day	January 1 <sup>st</sup>
Martin Luther King, Jr. Day	3 <sup>rd</sup> Monday in January
<b>Lundi Gras</b>	Monday Before Mardi-Gras



Mardi-Gras Day	Mardi-Gras Day
Good Friday	Friday before Easter
Memorial Day	4th Monday in May
Juneteenth Day*	Third Saturday in June
Independence Day	July 4th
Labor Day	1 <sup>st</sup> Monday in September
All Saints' Day	November 1 <sup>st</sup>
Veterans' Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Day	December 25 <sup>th</sup>

\* established per Ordinance 20-18

In addition, any day declared a holiday by the President of the United States, the Governor of the State of Louisiana, or the governing body of St. John the Baptist Parish shall be observed as an additional holiday.

Note: Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday.

### 3.02 m Workers' Compensation

To provide for payment of an employee's medical expenses and for partial salary continuation in the event of a work-related accident or illness, all Parish employees are covered by worker's compensation insurance. The amount of benefits payable and the duration of payment depend on the nature of the employee's injury or illness. In general, however, all medical expenses incurred in connection with an injury or illness are paid in full, and partial salary payments are provided beginning with the eight (8th) consecutive day of absence from work.

If an employee is injured on the job or suffers a job-related illness, he must immediately report the injury to his supervisor or Department Head. This ensures that the Parish can assist the employee in obtaining appropriate medical treatment. Failure to follow this procedure may result in the appropriate Workers' Compensation report not being filed in accordance with the law, which may consequently jeopardize the employee's right to benefits in connection with the injury, and may subject the employee to disciplinary action.

Questions regarding Workers' Compensation should be directed to the Department of Human Resources. Also, employees should refer to the Parish's *Workers' Compensation Policy and Procedure* for additional information.

### 3.02 n Disciplinary Procedures

St. John the Baptist Parish expects all employees to comply with the Parish's standards of conduct and job performance and that noncompliance with these standards must be corrected. Discipline is an instrument for changing unacceptable behavior and performance, and for motivating and encouraging employees. Discipline may

be imposed for a single incident or for a pattern of conduct. The specific discipline imposed is intended to focus the attention of the employee on the performance or conduct problem and, except in cases of discharge, to encourage changes in behavior.

Disciplinary actions include but are not limited to: verbal counseling, written reprimand, reduction in pay, suspension without pay, demotion, and discharge. Civil Service rules and regulations pertaining to disciplinary actions shall apply to employees in the classified system.

Under normal circumstances, St. John the Baptist Parish favors a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies or rule violations and an opportunity to improve. The progressive disciplinary procedures described in this policy may also be applied to an employee who is experiencing a series of unrelated problems involving job performance or behavior.

While a progressive discipline program will be followed in regard to addressing conduct and job performance problems in most instances, there may be particular situations in which the seriousness of the offense justifies the omission of one or more of the steps in the procedure. Such circumstances include cases where the infraction is of such a serious nature that a written reprimand, suspension, demotion, or discharge is justifiable, even on a first offense. The discipline imposed will be determined according to the severity of the infraction(s), regardless of whether prior discipline has been imposed.

Disciplinary action may include:

1. A verbal warning or reprimand, which generally is given for a first occurrence of an infraction, may be accompanied by a written notation in the supervisory record or in the employee's personnel file. Action necessary by the employee to correct the problem shall be discussed by supervisor.
2. A written reprimand signed by the employee's supervisor and acknowledged by the employee. Written reprimands are to be placed in the reprimanded employee's personnel file. Employees may provide written explanations or responses to reprimands for placement in their personnel file.
3. Suspension. Disciplinary suspensions are without pay and shall be accompanied by a written statement setting forth the reason for the suspension and the duration of the suspension. Disciplinary suspensions are for three (3) days.

An employee may be suspended with or without pay pending investigation when the Parish has reason to believe he has engaged in conduct which, if confirmed, would warrant disciplinary action including termination and the employee's continued presence at work during an investigation of the suspected conduct would be contrary to the best interests of Parish service. The employee shall be informed that he is being suspended pending investigation and the reasons thereof. Suspensions pending investigation are generally for up to fifteen (15) workdays. However, whenever management determines that investigations of a major or critical offense warrant additional time, suspensions pending investigations may be extended for up to fifteen (15) additional workdays.

Suspensions of exempt employees are permitted only in accordance with provisions of the Fair Labor Standards Act.

4. Termination. The removal of an employee from Parish service shall result when it has been determined that the employee has been given a reasonable opportunity to conform his conduct to required behavior or performance standards and has failed to do so, or where an employee has committed one or more serious offenses for which no other disciplinary measure is appropriate. All actions to terminate require the prior approval of the Parish President.

## Part 4 Changes to Manual

From time to time, it may be necessary to update the enclosed policy and may be done so either by formal amendment to this policy or interim policy operational changes to be formalized at a later date. Minor changes including typos, numbering, formatting, etc., can be made administratively and as needed without Council approval.

<End of Document>