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## 1. General Provisions

### 1.1 Policies and Procedures

#### *Purpose*

The St. Tammany Parish Personnel Policies (hereinafter referred to as "these Policies") are adopted pursuant to the terms of the Home Rule Charter, specifically Section 4-10(D), by St. Tammany Parish (hereinafter referred to as the "Parish") to further the following goals:

1. To provide a uniform system of personnel administration;
2. To ensure that the recruitment, selection, placement, promotion, and retention and separation of employees are based upon the employee's qualifications and fitness and meet federal and state requirements;
3. To assist the Parish President, Chief Administrative Officer (CAO), and directors in the development of sound management practices and procedures, and to make effective use of human resources.
4. As an exception to the "just cause" provision of Section 3-09A(2) of the Home Rule Charter and to affirm the at will nature of employment;
5. To promote communication between management and staff;
6. To ensure, protect, and clarify the responsibilities of employees; and
7. To reinforce employee values which relate to a constant sense of public service, the pursuit of excellence, a positive response to change, and respect for all individuals.

#### *Scope*

These Policies shall apply solely to the employees of St. Tammany Parish Government and are not intended to apply to other entities or agencies whose payroll is processed by the Parish but whose employees do not stand in an employer/employee relationship with the Parish (i.e., St. Tammany District Attorney, Registrar of Voters, 22<sup>nd</sup> Judicial District Court, etc.). In the event of conflict between these Policies and a professional services contract, ordinance, or state or federal law, the terms and conditions of such contract, ordinance or law shall prevail. In all other cases, including conflict with Home Rule Charter provisions on suspension or dismissal of Parish government employees, these Policies shall apply. In the event of the amendment of any ordinance, policy or law incorporated in this document or upon which these provisions rely, these Policies shall be deemed amended in conformance with those changes.

#### *Familiarity with these Policies*

It shall be the responsibility of every employee to know and be familiar with the provisions of these Policies.

#### *Disclaimer*

The Parish specifically reserves the right to repeal, modify or amend these Policies at any time, as may be set forth by law, or ordinance. None of these provisions shall be deemed to create any vested contractual rights for any employee including any right that would modify the At Will nature of employment, nor to limit the power of the Parish or the Parish President to interpret or apply these Policies. These Policies are not to be interpreted as promises of specific individual treatment.

#### *Effective Date*

Effective February 4, 2016: these personnel policies supersede any and all previous policies issued.





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### *Contingency Policy*

Whenever facts and circumstances exist which would require an immediate addition, deletion, or revision to these Policies, the Parish President is authorized to establish such addition, deletion, or revision, the effective date of which shall occur upon the promulgation of such to all affected employees and the term of which shall be for no more than sixty (60) days from said effective date.

### 1.2 Definitions, Applications, and Guidelines

The terms defined in this section shall have the following meanings and applications in these policies unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

1. **Anniversary Date:** The annual recurrence of the date on which an employee receives benefits. An Anniversary Date is not necessarily an employee's date-of-hire, which is the actual date on which an employee is hired.
2. **At Will:** Employment which can be terminated at any time for any reason by either the employee or employer and with or without just cause.
3. **Benefits:** Any or all of the customary emoluments, perquisites, supplements, and advantages which are provided to an employee by virtue of, or as a condition of his/her employment, including but not limited to the availability of the grievance procedure, all subject to applicable federal and/or state eligibility requirements, provisions, and time periods set forth herein. It is the policy of the Parish that in no event shall an employee whose classification or position is characterized as part-time or any contract employee be entitled to receive Benefits.
4. **Compensation:** The monetary consideration or remuneration, or other consideration mutually agreed upon by the Parish and the employee, which is stated in terms of monthly salary or hourly wage, or other settlement, and provided to an employee in accordance with the schedule for such which is approved by the Parish. The setting of an annual or monthly salary shall not constitute employment for a specific term.
5. **Demotion:** A change of a regular employee from a position of one class to a position of another class for which a lower pay range is prescribed.
6. **Director:** A director shall mean any of the exempt employees as defined in the CAO Policy Manual, or an employee who has been designated by a director to exercise a certain supervisory function(s) as set forth on the organizational table for the Parish.
7. **Dismissal:** The termination of employment.
8. **Good Standing:** Absent any pending or effected disciplinary action which could result or has resulted in the discharge of an employee.
9. **Immediate Family Member:** An employee's spouse, child, parent, brother, sister, grandparents, parent-in-law, daughter-in-law, son-in-law, or grandchildren, or any person related by blood or marriage who resides with the employee, or any person who stands in reference to the employee as a spouse.
10. **Parish Employee:** A probationary or regular employee of St. Tammany Parish Government. Parish Employee shall not include employees of other entities or agencies for which the Parish processes payroll but who are not otherwise subject to Parish oversight.
11. **Probation:** A period of testing and trial to ascertain an employee's fitness for the position to which he/she has been hired, promoted, demoted, or assigned. Except as provided hereafter, whenever the CAO or director determines during the probationary period that an employee is not capable, competent, or qualified to perform in the position to which he/she is assigned, said employee shall be discharged.
12. **Probationary Period:** The period an employee serves on probation. Except as otherwise provided herein, a probationary period shall be mandatory and be for ninety (90) days commencing on the date of hire, but may be extended whenever the CAO or director determines that facts and





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13. circumstances exist which warrant a defined extension of the probationary period, not to exceed an additional ninety (90) days. As such relates to an employee whose classification or position is characterized as temporary, his/her temporary period of employment shall be considered a probationary period. It is the policy of the Parish that during the probationary period, an employee is not entitled to access or utilize the grievance procedure. Nothing in this definition shall change or alter the at will nature of the employee's employment.
14. **Probationary Employee:** An employee who has yet to complete the probationary period. Probationary employees may not access, or utilize, the grievance procedure but shall have all other Benefits available to them subject to the requirements of those benefits.
15. **Promotion:** A change of a regular employee from a position of one class to a position of another class for which a higher pay range is prescribed.
16. **Regular Employee:** A full-time employee who has completed his/her probationary period to the satisfaction of the director. It is the policy of the Parish that only regular employees shall be entitled to receive all benefits listed in these Policies and subject to the requirements of those benefits. Nothing in this definition shall change the at will nature of the employee's employment.
17. **Reinstatement:** The re-appointment of a regular employee who had been separated from his position for reasons other than fault or delinquency on his part, to a position of the same class.
18. **Suspension:** The enforced leave of absence without pay of an employee as a result of disciplinary purpose; or during an investigation of alleged misconduct by the employee.

### 1.3 Types of Employment

1. **Regular Full-Time Employee:** An employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule which totals no less than 28 hours per week.
2. **Regular Part-Time Employee:** An employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule of 5 hours or more, but less than 28 hours per week.
3. **Probationary Employee:** An employee who has yet to successfully complete the Probationary Period.
4. **Temporary Full-Time Employee:** An employee whose work assignment is limited in duration to four months or less.
5. **Contract Employee:** An individual who is assigned to a position which is expected to continue for an indefinite duration, and who works a regular schedule which is less than 28 hours per week, or which may vary from week to week.
6. **Student Intern Employee:** An employee who is regularly enrolled as a student in a recognized educational institution and is assigned to a temporary or part-time position which, in the case of post-secondary students, is related to the student's course of study, and which continues for no longer than the current semester or term at the student's school; provided, however, that subsequent work assignments may be made for the same student for periods which correspond to the student's subsequent semester or term.

### 1.4 Equal Employment Opportunity

It is the policy of the Parish to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens and employees, and to assure equal employment opportunity to all persons regardless of race, religion, color, creed, national origin, sex, sexual orientation, gender identity, veteran status, marital status, age, genetic information or disability, unless such disability effectively prevents the performance of the essential functions required of the position and/or where there is a bona fide occupational qualification.





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The goals and objectives of the Equal Employment Opportunity Policy are to:

1. Ensure fair treatment and non-discrimination in hiring and employment.
2. Provide compliance with state and federal equal opportunity requirements and regulations.
3. Provide a basis for encouraging those who do business with the Parish to practice equal employment opportunity.

### *Program Responsibility*

Unless otherwise designated by the Parish President, the Director of Human Resources shall serve as the Equal Employment Opportunity Officer (EEO Officer) to carry out the Equal Employment Opportunity Policy and Program. The EEO Officer shall be the focal point for the Parish's equal opportunity efforts and shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity Policy, and be responsible for the successful execution of the program, utilizing the assistance of appropriate state and community agencies. An employee should contact the EEO Officer if they have any questions or concerns.

### *Equal Employment Opportunity Practices*

The EEO Officer shall perform the following actions to assure equal employment opportunities:

1. Review all position qualifications and job descriptions to insure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
2. Assure that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
3. Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications for selection or promotion, including those of minorities and women, are considered without discrimination and all applicants be given equal opportunity regardless of race, creed, color, national origin, gender, sexual orientation, gender identity, veteran status, marital status, age, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential functions required by the position, with or without reasonable accommodation, and/or where there is a bona fide occupational qualification.
4. Review procedures and actions to ensure equal employment opportunity in hiring.
5. Provide information to existing and new employees which emphasizes how the Parish assures equal opportunity.

### *Affirmative Action*

As a recipient of federal funding, the Parish complies with Executive Order 11246 and other Executive Orders related to hiring practices of federal contractors. A copy of the Affirmative Action Plan is available for inspection upon request.

## 1.5 Americans with Disabilities Act

It is the policy of the Parish that it shall provide a bias-free environment for disabled employees or for disabled persons who seek employment with the Parish. Recruitment and selection processes shall grant equal opportunity for employment to qualified applicants and shall not discriminate on the basis of disability.





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Reasonable accommodation shall be provided upon request during an application/interview process or at any time during employment.

The Parish shall ensure equal opportunities for disabled employees. Every reasonable effort shall be made to provide an accessible work environment and additional accommodations, including auxiliary aids and services. Employment practices (e.g., hiring, training, testing, reassignment, promotion, compensation, benefits, termination, etc.) shall be administered in such a manner as to abate potential discrimination of disabled employees. Employees shall be trained to ensure that disabled persons have the equal opportunity to participate in and benefit from Parish programs, services, and activities.

## 2. Employment

### 2.1 Exempt and Non-exempt Employees

Non-exempt employees are employees who, because of the type of duties performed, the usual level of decision making authority, and the method of compensation, are subject to all Fair Labor Standards Act (FLSA) provisions including the payment of overtime. Non-exempt employees are normally required to account for hours and fractional hours worked. Non-exempt employees must be compensated for all hours worked overtime at the premium (time-and-one-half) rate of pay.

Exempt employees are employees who, because of their positional duties and responsibilities and level of decision-making authority, are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of their exempt position.

### 2.2 Work Hours

The working hours will be established by the director and approved by the CAO, or designee. An employee will be advised of which schedule is applicable and is expected to be at his/her work location and ready to begin work at the beginning of the assigned work schedule. The lunch period shall be scheduled by the director to allow for continuous staffing of all offices. Exempt employees may be required to work longer hours as needed to perform their job or as required by their director.

Occasions may arise when service to the public can be improved through the adjustment of an employee's work hours. The director shall obtain approval of the CAO, or designee, for any adjustment in work hours. Individual requests for adjustment of working hours for personal reasons shall require approval by the director, with concurrence of the CAO, or designee.

Hours for part-time and certain employees may vary from the normal office hours noted above due to the nature of their duties and shall be determined by the director, with concurrence of the CAO, or designee.

An employee is expected to provide his/her director with a notice of anticipated and/or unavoidable tardiness as early as possible. Failure to do so shall be construed as an unexcused absence, and, if the employee is non-exempt, the time missed shall not be paid. If approved by the director, tardiness may be made up during the payroll period in which it occurs. Notification by another employee or other person is not considered proper procedure except in an emergency situation whereby the employee is physically unable to make the notification.







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Daily attendance records shall be maintained by each department including date and time absent and reason for absence. Attendance shall be a consideration in determining promotions, reassignment, satisfactory completion of a probationary period and continued employment. Frequent tardiness or other attendance irregularities shall be cause for disciplinary action up to and including termination.

### 2.3 Break Time

Regular full-time employees may receive one ten (10) minute break during each four hour work session (8 a.m. - 12 noon being the "morning session" and 1 p.m. - 4:30 p.m. being the "afternoon session"). Breaks are taken at a time approved by the supervisor. Breaks may not be combined into one twenty (20) minute period, added to the lunch break, saved up from day to day, or used to offset arriving at work late or leaving early.

### 2.4 Job Description

Job descriptions and specifications shall be maintained by the Human Resources Department for all regular full-time and regular part-time positions. An employee's job description shall be maintained as part of his/her personnel file. The job description shall include: classification number, job title, pay plan designation, labor grade, qualifications, example of duties, physical requirements, special requirements, revision date, and any other relevant information which may be required.

The job description does not constitute an employment agreement between the Parish and the employee and is subject to change as the needs of the Parish and the requirements of the job change. Examples of duties listed in the job description are intended only as illustrations of the various types of work to be performed. The omission of specific examples of duties does not exclude other duties from the position if the work is similarly related or is a reasonable assignment for the position, all as determined by the director.

### 2.5 Hiring Process

Job openings or vacancies will be advertised unless the position is being filled by promotion of an existing Parish employee.

All new employees shall be scheduled to meet with the Human Resources Department for general orientation. Upon arrival, the Human Resources Department shall distribute and explain the various enrollment forms, etc., that must be completed. The new employee shall be provided with information on benefits, these Policies, and other orientation subjects.

It is the policy of the Parish that immediate family members shall not be employed whenever:

1. One immediate family member would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other.
2. One immediate family member would be responsible for auditing or inspecting the work of the other.
3. Other circumstances exist which would place immediate family members in a situation in which there is an actual or reasonably foreseeable conflict of interest.

### 2.6 Special Licenses and Membership Fees

The Parish shall reimburse an employee who is required by ordinance, or state or federal law to be a member of a professional organization, or who must maintain current a particular certification or license as a condition of employment. Payment shall be made upon approval by the CAO, or designee. An employee who belongs to a





professional organization that promotes individual professional growth, competence, and effectiveness in functioning as an employee shall be allowed time off with pay to attend local, state, and national meetings, all subject to the approval by the CAO, or designee. Membership in any such organizations shall be in the name of the Parish whenever possible.

### 2.7 Personnel Records

The Human Resources Department shall be responsible for establishing and maintaining an official personnel file for each employee. Directors shall be responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their respective department. Each employee shall be responsible for providing and updating the Human Resources Department with appropriate contact information. A representative of the Human Resources Department shall be present whenever an employee reviews his/her file. Only the Human Resources Department may remove an item from a personnel file with notification to the respective director. Any review of an employee's file shall be scheduled by the subject employee with the Human Resources Department. The purpose of any such review shall be to examine the contents of the file for accuracy and completeness. Information to be included in the employee's personnel file shall include but not be limited to:

1. Permanent Documents (documents retained in an employee's file throughout his/her employment):
  - a. Employee application.
  - b. Position description and specification information.
  - c. Job performance ratings and evaluations.
  - d. Letters of appreciation, commendation, or disciplinary action.
  - e. Training information.
  - f. Personnel action forms.
  - g. Any document required by law to be kept in the personnel file.
2. Temporary Documents (documents which have limited retention of three (3) calendar years or less):
  - a. Administrative correspondence relating to leave/vacation requests.
  - b. All other administrative documents of limited informational life span.

The Human Resources Department shall treat as confidential, unless otherwise required by law, all employee information except when requested to verify information relating to position title and status (e.g. regular full-time, etc.), current salary, and date or period of employment. Otherwise, information contained in the personnel file shall not be released without the written permission of the subject employee. Employee records shall be maintained during the tenure of the employee and as required by law thereafter.

Medical records and form I-9 information shall be kept separate from personnel files.

### 2.8 Promotion

Following a policy of upward mobility whenever possible, the Parish shall attempt to fill an available position with a qualified employee, through promotion, before advertising the vacancy to the general public. Every employee is encouraged to apply for any vacancy for which he/she may qualify in accordance with these Policies, all as set forth in the section entitled "Hiring Process". Selection of an employee for a promotion shall be based upon his/her record of performance, qualifications, academic standing, and the knowledge, skill, and abilities specific to the advanced position.

A temporary appointment may be made by the director as necessary to fill a vacant position. Such an appointment is made on an "acting" basis and the employee shall return to his/her prior position upon completion of the assignment or upon the hiring of an employee for the position. The actual salary for an "acting" appointment shall





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be recommended by the director and approved by the CAO, or designee, but does not require an increase in pay from the employee's regular full time position.

An employee promoted to an advanced position shall be subject to a probationary period, unless such is specifically waived by the CAO, or designee. An employee who is promoted shall maintain his/her initial anniversary date.

### 2.9 Demotion

An employee demoted due to disciplinary action, departmental reorganization, or in lieu of a layoff shall receive a reduction in pay commensurate with the nature of the demotion as recommended by the director and approved by the CAO, or designee. An employee shall not be demoted to a position for which he/she does not possess the minimum qualifications.

A demotion in lieu of a layoff may be rescinded by the CAO, or designee, if the employee's prior position is reopened within a six-month period.

An employee who is demoted shall be subject to a probationary period in the new position, unless such is specifically waived by the CAO, or designee. An employee who is demoted shall maintain his/her existing anniversary date.

### 2.10 Reassignment

A reassignment of duties shall be recommended by the director and approved by the CAO, or designee. If such is an interdepartmental reassignment, the terms and conditions for such shall be agreed upon by the affected directors and the CAO, or designee.

Whenever an employee's qualifications meet only the minimum requirements for the intended position, the employee's salary shall be at the current entry level grade for the intended position irrespective of the employee's current salary. Whenever an employee's qualifications exceed the minimum requirements for the intended position, the employee's salary may be recommended by the director and approved by the CAO, or designee, at a salary consistent with the employee's knowledge, skill, and abilities, and within the salary range for the intended position.

An employee who is reassigned to a position shall serve a probationary period, unless such is specifically waived by the CAO, or designee. A reassignment does not change an employee's anniversary date.

### 2.11 Employee Separation and Out-Processing

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

1. **Service Retirement or Disability Retirement:** The voluntary termination of employment under terms and conditions set forth by and satisfactory to the applicable state retirement system. For more detail on the requirements for service retirement or disability retirement, please contact the appropriate retirement system.
2. **Resignation:** Voluntary termination of an employee who wishes to resign in good standing. The employee shall provide a written resignation to his/her director no less than ten (10) working days prior





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to the effective date of resignation. The resignation letter shall include the reason for leaving as well as the proposed effective date. Such notice is understood to mean that the resigning employee shall be available for work during this time so as to aid in the training of a replacement. An exception to the time limit requirement may be granted by the CAO, or designee.

3. **Discharge:** The involuntary termination of employment.

An employee shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments.

The employee's final paycheck shall be reduced by any authorized legal deductions; authorized pension plan; credit union, tax sheltered annuity; United Way; and any other amounts specifically agreed upon by the employee and the Parish. Before the final paycheck is issued to the employee, the employee shall be required to complete the clearance process.

An employee on layoff interested in re-employment, shall keep the Parish informed of the address and telephone number where he/she can be contacted for a period of one year. If the Parish is unable to contact the employee within seven (7) calendar days, consideration to recall the employee shall cease.

The exit interview questions shall be developed by the Human Resources Department and/or director for the exit interview. The exit interview shall be maintained separately from the employee's official personnel file.

### 2.12 Performance Evaluations

Employee evaluation is a positive process with emphasis on the further development of the individual, the potential for assuming additional responsibility, and an organized program to increase productivity. It is a healthy and on-going process of relating performance to realistic standards, recognizing individual achievements, measuring degrees of improvements, and providing guidance for self-improvement. Ideally, the program will motivate the truly outstanding performers, and inspire those requiring further individual development.

Evaluations shall be performed during or at the conclusion of the probationary period, annually, and as required by the Human Resources Department or director.

### 2.13 Assigned Vehicles

Employees with job duties that require frequent travel may be assigned a vehicle. The vehicle will be either a department vehicle which is used during the employee's work hours and stored on Parish property or a take home vehicle which the employee will have access to during as well as outside work hours. For more information about Parish vehicles see the CAO Policy Manual.

### 2.14 Training and Travel

Employees are encouraged to attend trainings and events related to their professional development. These opportunities may require an employee to travel outside the Parish. For more information about the requirements for training and travel see the CAO Policy Manual.





## 3. Compensation

### 3.1 Employee Compensation

It is the policy of the Parish to establish a compensation plan which allows the Parish to effectively compete for qualified personnel and which ensures that salaries are equitable and commensurate with the duties performed by each employee.

Jobs with similar duties and responsibilities are assigned to the same labor grade. The Director of Human Resources shall conduct a review of a position whenever there is an indication that an employee is working above or below the established responsibilities for the position. This review shall be initiated at the request of a director.

#### *Labor Grades and Steps*

The schedule of labor grades and steps shall be updated annually by the Director of Human Resources and approved by the CAO, or designee. The schedules of labor grades and steps adopted by the Parish shall apply to all employees not covered by a professional contract.

#### *Incremental Step Increase*

In order to retain quality personnel by implementing a competitive salary schedule, a procedure for the granting of incremental pay increases is hereby established. An employee's rate of pay shall increase in direct relation to his/her professional growth and achievement through evaluation of performance in conformance with the schedule of labor grade and steps.

#### *Cost-Of-Living Adjustment*

A cost-of-living adjustment may be granted by the Parish, but shall apply only to the employees of the St. Tammany Parish Government. If granted, such increases are generally effective beginning on the first full payroll period of the following year.

#### *Maintenance of the Compensation Plan*

The Human Resources Department shall be responsible for the continuous maintenance and administration of the compensation plan. The review shall include an analysis of prevailing rates of pay for similar positions in comparable labor markets and organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the CAO, or designee, shall recommend changes to the Parish President of the salary plan which would result in a more uniform and equitable compensation plan.

### 3.2 Overtime

This policy pertains to the minimum rate of compensation for work performed by a non-exempt employee beyond the hours in a standard work week (Sunday through Saturday). Exempt employees are not eligible for overtime.

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.





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1. **Overtime:** All work which is authorized by the director and which is performed beyond a non-exempt employee's regularly scheduled work week hours according to the employee's regular work schedule. Only hours actually worked in a work week count towards overtime.
2. **Overtime rate:** The rate of pay an employee receives for working overtime, such to be calculated at one and one-half times the regular hourly rate of the employee.
3. **Compensatory Leave:** The unpaid compensation provided employees for working overtime (see the section regarding compensatory time).

It shall be the responsibility of the director to administer the provisions of this policy. Only the director or CAO, or designee, is authorized to approve overtime. When overtime is properly authorized the employee shall ensure that the overtime is recorded promptly on the employee's time sheet.

The director shall exercise extreme discretion in the utilization of overtime. Temporary adjustments in working hours or realignment of duties within the department shall be considered as alternatives to overtime. Overtime shall be considered necessary only when additional effort is needed to complete a critical task in a timely manner.

### 3.3 Compensatory Leave

Compensatory leave is the compensation for work performed by exempt employees beyond the employee's normal work responsibilities. Compensatory time shall only be used in emergency situations as determined by the CAO, or designee.

Requests for compensatory time accrual will be handled by the CAO, or designee. The request requires prior written approval by the CAO, or designee. Once approval for accrual is granted the time is to be logged with the Human Resources Department and the employee's payroll clerk.

No employee shall be allowed to accumulate compensatory time in excess of the limit imposed by the Fair Labor Standards Act (FLSA).

An employee shall be permitted to use compensatory time if such requested use does not unduly disrupt the customary work practices of the department in which said employee works. Such work practices include but are not limited to:

1. The normal schedule of work,
2. Anticipated peak workloads on past experience,
3. Emergency requirements for staff and services, and
4. The availability of qualified substitute staff.

All employees who have compensatory time on the books shall be required to use the balance or the minimum of 40 hours per year until all compensatory time is exhausted. All compensatory time earned during the calendar year must be taken during that year. The CAO, or designee, and the Director of Human Resources will monitor the use of compensatory time.

An employee shall receive payment of unused accumulated compensatory leave upon separation from employment.





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### 3.4 On-Call Policy

Applicability and rates for on-call pay shall be determined by the CAO Policy Manual.

### 3.5 Time Sheets / Preparation of Payroll

Employees are responsible for accurate and timely reporting of their time. Falsification of time records by any employee shall be cause for disciplinary action up to and including termination.

### 3.6 Payroll Deductions

The following items may be required to be deducted from each paycheck as applicable:

1. Federal Income Tax.
2. Social Security (eligible employees only).
3. Medicare.
4. Retirement contributions (eligible employees only).
5. Health insurance premiums.
6. Deductions specifically required by a court order, e.g. garnishment.
7. Charitable contributions in accordance with an approved Parish giving program.
8. Payment to a Parish-approved credit union.
9. Deferred compensation.
10. Payment of supplemental health/life insurance premium (if applicable).

It is the responsibility of each employee to maintain current payroll deduction information with the Human Resources Department.

### 3.7 Garnishment

Garnishment is a deduction from an employee's pay, the purpose of which is to satisfy a debt. The Parish may deduct all funds associated with the garnishment disbursement per a judgment, all as required by a court order, together with all employer fees permitted by law. The Human Resources Department shall be immediately notified of any subject court order and shall effect the deduction from the employee's wages. The amount of said deduction shall be forwarded as directed in the court order.





4. Benefits

4.1 Leave – General

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

- 1. "Leave" shall mean that period of time, used in no less than one-half hour increments, that an employee is absent from his/her work place or assignment, but shall not mean that period of time when an employee is off-duty (which shall include regular day off, holiday, etc.) or is on his/her lunch break. Unless otherwise provided for in this Section, it shall be the responsibility of the Department Director to approve any request for the use of any annual or sick leave by an employee.
2. "Employee" shall mean at all times and in all circumstances full-time regular employees (or a full-time regular employee serving a probationary period), or any other employee for which it is determined by the CAO that the provisions of this Section shall apply.
3. "Work Day" shall mean the period or amount of time (usually expressed in hours) in which the employee is required to work according to his/her salary plan (e.g. 7.5 hours per Work Day, 8 hours per Work Day). Hence, an employee's payroll period is the cumulative number of hours the employee is required to work according to his/her pay plan (e.g. 75 hours, 80 hours).
4. "Duty" shall mean all of the responsibilities, obligations, and requirements of an employee's position.
5. "Years of Service" shall mean the number of years of service as a full-time regular employee with St. Tammany Parish. "Years of Service" for an employee who transfers from another governmental agency and transfers their eligible service to the Parochial Retirement System shall be calculated based upon their most recent continuous starting service date in the Parochial Retirement System.

4.2 Awarded Annual Leave

"Annual Leave" shall mean that paid leave which is awarded to an employee and used typically as vacation leave. The use of Annual Leave for rest and recreation is encouraged. It shall be the responsibility of the employee to request the use of Annual Leave at least five days prior to the requested leave period. Annual Leave must be approved prior to use by the Department Director. When authorized and applicable, Annual Leave shall be utilized in lieu of sick leave whenever the employee no longer has unused accumulated sick leave.

Annual Leave shall be awarded in accordance with the following rate schedule:

Table with 4 columns: Years of Service On January 1\*, Annual Leave Awarded in Days, Annual Leave Awarded in Hours (75 Hr. Schedule), Annual Leave Awarded in Hours (80 Hr. Schedule). Rows include categories from 'Less than 2' to '18 or more'.







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\*Employees will be awarded a prorated amount of Annual Leave upon successful completion of probation during their first year of employment. See below.

The awarding of Annual Leave shall begin on January 1 or upon the successful completion of the employee's probationary period. After completion of the probationary period, Employees with less than one (1) year of service shall be awarded one (1) day for each month remaining in that calendar year ending December 31, up to a maximum of nine (9) work days. Partial months shall not be included in the calculation.

Annual Leave should be used in the calendar year it is awarded. If Annual Leave is not used in the calendar year it is awarded, it may be converted to accrued leave and carried over from year to year, up to a total of 240 accumulated hours (30 work days), including previously accrued annual leave. Any remaining unused Annual Leave that exceeds the 240 hour cap is forfeited.

The employee must schedule all awarded Annual Leave no later than March 31 of the year it is awarded, unless the employee's probationary period is successfully completed after that date. Awarded Annual Leave is not considered an earned wage. Unused awarded Annual Leave that has been accrued may be paid out upon separation from employment. Employees must exhaust all awarded Annual Leave prior to using any leave time accrued under the previous policy.

Each Department Director is authorized to develop and implement additional procedures and policies which relate to the scheduling of Annual Leave which are not inconsistent with the guidelines set forth herein. It is the policy of the Parish that each employee with three or more years of service schedule Annual Leave from his/her work place or assignment for five consecutive Work Days.

In no event is this policy intended to affect the accrual of leave prior to the effective date of this policy or the nature of any such accrued leave as compensable.

**PAY OUT:** Employees who accumulated more than 240 hours of annual leave under the previous policy as of November 1, 2014 received (or shall receive) payment for the annual leave that had accrued above the 240 hours limit.

**TERMINATION OF EMPLOYMENT:** An employee shall receive payment for any annual leave accrued up to the maximum of 240 hours. Employees with ten (10) or more years of service may choose to transfer all or part of the balance of their unused, accrued annual leave to the Post Employment Health Plan under the terms contained in these policies.

### 4.3 Sick Leave (Two Tiers)

"Sick leave" shall mean that paid leave which is earned by an employee and used typically when an employee is unable to perform his or her duties due to any of the following:

1. Personal illness, injury, or any other type of physical or mental disability including on the job injuries up to the date workers compensation commences.
2. Serious illness in the employee's immediate family, such as defined under the Family and Medical Leave policy.





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It shall be the responsibility of the employee to request the use of sick leave as soon as the employee determines that he/she will be absent from his/her work place or assignment, and in no event shall such request be made after the first hour of a subject absence.

### FIRST TIER (applicable to sick leave accrued prior to January 1, 2015)

Sick leave which has been accrued prior to January 1, 2015 shall be considered compensable and capped as of December 31, 2014 (hereinafter called "compensable sick leave."). Any employee who has accrued compensable sick leave as of December 31, 2014 shall be required to use said compensable sick leave when, and if, sick leave is requested. Any compensable sick leave which is unused when an employee is separated from employment, regardless of the reason for the separation, shall be paid to the employee or into PEHP if eligible. All accrued compensable sick leave shall be counted towards the sick leave ceiling set forth in the Second Tier. As of January 1, 2015, no further sick leave will be accrued on a compensable basis.

**PAY OUT:** Employees who accumulated more than 240 hours of compensable sick leave as of November 1, 2014 received a one-time option to be compensated for the sick leave that had accrued (above the 240 hour limit). Any future pay outs will be in accordance with the current policies.

### SECOND TIER (applicable to sick leave accrued from January 1, 2015 forward)

Sick leave (SL) shall be accrued, from January 1, 2015 and thereafter, in accordance with the following accrual rate:

Sick Leave	Sick Leave Each Pay Period (75 Hours Schedule)	Sick Leave Each Pay Period (80 Hours Schedule)	Total Sick Days Earned Per Year
0.0346154 per hour	2.5961538	2.7692308	9

The accrual of sick leave shall begin on the first day the employee is eligible to receive benefits. Unused sick leave may be accumulated from year to year up to a ceiling of 240 total hours. This ceiling shall apply to the combined amount of compensable sick leave (First Tier) and sick leave accrued under the Second Tier. In no case can an employee accrue sick leave above the ceiling of 240 total hours. Sick leave which is accrued under the Second Tier shall not be considered an earned wage and shall be forfeited upon employment separation.

The amount of sick leave to be used by an employee may be rounded up to the next whole hour increment. Sick leave accrued from January 1, 2015 and thereafter shall not be considered an earned wage.

Unless specifically waived by the Director of Human Resources, an employee who has requested sick leave for a period in excess of three (3) Work Days or who calls in sick on the day before or after a designated holiday, prior to being compensated therefore, shall provide, no later than his/her return to duty, his/her Department Director with a report from a qualified doctor which shall contain said doctor's authorization for the employee to return to duty. Failure to do so on the part of the employee shall result in loss of pay for the holiday and the day(s) for which sick leave was requested and/or in disciplinary action. "Qualified doctor" shall mean a licensed doctor of medicine.





**TERMINATION OF EMPLOYMENT:** All sick leave accrued under the Second Tier after December 31, 2014 shall not be considered an earned wage and such unused sick leave shall not be paid, and shall be forfeited, upon separation from employment, regardless of the reason for the separation.

#### 4.4 Jury Duty

If a non-exempt employee is required to be absent from work because of jury duty or testimony in official proceedings, the employee will be paid one day's wages for the resulting absence at the employee's straight time hourly rate for up to five (5) days. Only five days of wages will be paid, regardless of the actual length of jury duty service. St. Tammany Parish will comply in all cases with the requirements of La. R.S. 23:965.

#### 4.5 Military Leave

Employees who are members of a reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence without loss of pay, time, accumulated leave, or service rating when ordered to annual training by official written military orders for a period not to exceed fifteen (15) days in any calendar year. This type of leave of absence will be considered military leave. Military leave will not be granted for weekend drill or make-up drills. Time off for such sessions shall be granted but shall be charged to leave without pay or annual leave at the option of the employee.

An employee requesting military leave shall submit with his/her written request for military leave his/her orders as soon as said orders are available. An employee who exceeds the fifteen (15) days of military leave shall be coded "Military Time without Pay".

Employees who are inducted or ordered to active duty with the Armed Forces of the United States or National Guard for indefinite periods in excess of their annual training shall be placed on military leave without pay for the period of active military duty and for any additional time as required by USERRA.

Leave/benefit rights and reinstatement shall be afforded in accordance with all federal and state laws. (USERRA - Uniformed Services Employment & Reemployment Rights Act of 1994 and MSRA - Military Service Relief Act).

#### 4.6 Family Medical Leave

##### *Availability of FMLA Leave*

Under the Family Medical Leave Act (FMLA), employees who (a) have been employed by the Parish for at least twelve (12) months, (b) have worked at least 1,250 hours during the previous twelve (12) month period, and (c) are employed at a work site where the Parish employs 50 or more employees within a 75 - mile radius, are eligible for up to twelve (12) weeks of unpaid leave for the following reasons:

1. Birth of a child, where the leave is taken for the purpose of caring for the newborn child (leave must be completed within twelve (12) months of the birth of the child);
2. Placement of a child with the employee for adoption or foster care (leave must be completed within twelve (12) months of the placement of the child);
3. Where the employee is needed to care for his/her spouse, parent, or child who has a "serious health condition" (defined below);
4. Inability of the employee to perform the functions of his/her position due to the employees' own "serious health condition" (defined below).







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### *Military Care Giver Leave*

Similarly, eligible employees may be entitled to up to twenty six (26) weeks of unpaid leave for the following reasons:

1. Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent, is a covered military member on active duty (or has been notified of an impending call to duty) in support of a contingency operation. A qualifying exigency includes short term deployment; military events and related activities, childcare and school activities; certain financial and legal arrangements; counseling; rest and recuperation; post deployment activities and certain other activities as related in 29 CFR 825.126.
2. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or the next of kin of the service member.

### *Serious Health Condition*

A "serious health condition" means a physical or mental condition that involves:

1. Any period of incapacity requiring or consequent to inpatient (overnight stay) care at a hospital, hospice, or residential medical care facility;
2. Any incapacity requiring absence from work, school, or other regular daily activities for more than three (3) consecutive full calendar days that also involves in person treatment at least two (2) times within 30 days of the first day of incapacity unless extenuating circumstances exist, by a health care provider. The first in person treatment visit must take place within seven days of the first day of incapacity;
3. Treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
4. Any period of incapacity due to a chronic condition which requires periodic treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity;
5. Any period of absence to receive multiple treatments (or recovery there from) by a health care provider for restorative surgery after an injury or for a condition, such as cancer, that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention;
6. Any period of incapacity involving continuing supervision by a health care provider due to a serious long-term condition which cannot be cured; and
7. Any period of incapacity due to pregnancy.

### *Chronic Conditions*

Periods of incapacity or treatment for such incapacity due to a chronic serious health condition may also be considered a serious health condition if it is one in which:

1. The condition requires periodic visits (defined as at least twice a year) for treatment by a health care provider, or by a nurse under the direct supervision of a health care provider;
2. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
3. May cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).

If you are unsure as to whether a condition qualifies as chronic please refer to 29 CFR 825 *et seq.*

Similarly, for eligible employees obtaining leave to care for a covered service member with serious injury or illness this includes a serious injury or illness incurred in the line of duty or active duty for which he/she is





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undergoing medical treatment, recuperation or therapy, or otherwise in outpatient status; or otherwise on the temporary disability retirement list.

The term "serious condition" does not generally include the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, or periodontal disease. "Treatment by a health care provider" does not generally include routine physical, eye, or dental examinations, and cosmetic treatments (such as for acne or plastic surgery) are generally not covered unless inpatient care is required or complications develop.

Eligible employees are entitled to no more than 12 weeks of FMLA leave in any twelve month period, as measured backward from the date the requested leave is to begin. If an employee is unable to return to work at the time his/her available FMLA is exhausted, that employee will be terminated unless a period of non-FMLA leave is granted.

Absence due to on-the-job injury or illness will be treated the same as non-work related illness, and will be handled the same under this policy.

Where medically necessary, leave taken due to the employee's own serious health condition or to care for a covered relative with a serious health condition may be taken on an intermittent or reduced schedule basis. Employees requiring intermittent or reduced work leave may be temporarily assigned to an alternative position which better accommodates the recurring period of absence.

### *Intermittent Leave*

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. Intermittent leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full time to part time.

1. For intermittent leave or leave on a reduced leave schedule taken because of one's own serious health condition or to care for a parent, son, or daughter with a serious health condition, or to care for a covered service member with a serious injury or illness, there must be a medical need for leave and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule;
2. Intermittent or reduced schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition or a serious injury or illness of a covered service member, even if he/she does not receive treatment by a health care provider;
3. Intermittent or reduced schedule leave, after the birth of a healthy child or placement of a healthy child for adoption or foster care, may only be taken if the employer agrees; and
4. Intermittent or reduced schedule leave may be taken for a qualifying exigency.

### *Returning from FMLA Leave*

Employees returning from FMLA leave will be allowed to return to their same or equivalent position upon completion of the authorized leave, under the same conditions as if the employee had been continuously employed during the FMLA leave.

### *Notice and Certification Requirements*





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If the need for FMLA leave is foreseeable, the employee must provide the Parish with at least thirty (30) days' notice. If unforeseeable, as much notice as practical should be given. Failure to provide required notice may result in denial or delay of the requested leave and/or termination of employment.

The Parish may require medical certification if leave is sought due to the employee's own serious health condition or to care for a child, spouse, parent or covered service member with a serious health condition or a qualifying exigency. Medical certification is also required to demonstrate that intermittent or reduced schedule leave is medically necessary due to the employee's own serious health condition or the need for the employee to care for a covered relative with a serious health condition or a covered service member. In its discretion and at its own expense, the Parish may request that a second opinion be secured. A third opinion may be required in cases where the first and second opinions are contradictory. Subsequent medical re-certification may be required at reasonable intervals.

Employees on leave of absence must periodically report on their status and intent to return to work.

The Parish may require any employee returning from medical leave of absence to obtain and present a current medical certification that the employee is able to resume work. Such certification must be provided prior to return to work. Employees who fail to report to work when released to do so by a health care provider, or who fail to accept an available position upon release from a health care provider, will be subject to termination.

Inquiries to health care providers on behalf of the Parish should be made by the Director of Human Resources only.

### *Benefits During Leave*

The Parish will continue group medical coverage during an employee's FMLA leave, provided the employee continues to pay his/her portion of the premium for coverage on the same basis as if the employee had been continuously working during leave. Employees will need to make arrangements with the Human Resources Department for payment of their portion of these premiums. Under certain conditions, coverage may be terminated for failure to pay the required premiums.

In the event that an employee fails to return to work upon completion of an approved leave of absence for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control, the employee may be required to reimburse the Parish for the costs of any premium payments made by the Parish to maintain the employee's coverage during the leave.

### *Substitution of Paid Leave*

Employees on FMLA leave, that is not the result of a work related injury, will be required to substitute any paid sick leave and then any paid vacation at the beginning time period when FMLA leave is taken. If an employee is on FMLA due to a work related injury, for which the employee receives workers' compensation payments, the employee has the option of receiving paid sick leave and/or paid vacation while on FMLA.

## 4.7 Personal Leave

Depending upon the circumstances after the FMLA leave expires or in cases where FMLA leave is inapplicable; the Parish may grant personal leaves of absences, without loss of seniority for an employee. Personal Leave cannot be granted for an indefinite period. The length of the leave will be determined based upon the employee's seniority, nature of their job function, work performance, the reason for the leave, and accrued leave balance. It may also be granted as a reasonable accommodation if the employee is disabled as defined under the Americans with





Disabilities Act. An employee on a personal leave of absence may not engage in other gainful employment.

If the personal leave of absence is for medical reasons, the employee must submit a written report from his/her physician stating the nature of the medical condition and the anticipated time period necessary to recover.

If a personal leave of absence for medical reasons is granted, regular written statements from the employee's physician describing the employee's restrictions, may be required by the Human Resources Department. No individual will be returned to active employment until a written statement clarifying the employee's restrictions, if any, is presented.

The Parish retains the ultimate right to grant or deny a personal leave of absence. A Consolidated Omnibus Budget Reconciliation Act (COBRA) notice may be issued to the employee at any time during the personal leave in accordance with applicable state and federal laws or when an employee's leave balance is exhausted.

Depending upon business needs, the Parish may attempt to reinstate an employee to his/her previous position or a similar job, if the position has not been filled. No employee who completes a personal leave of absence is guaranteed re-employment.

#### 4.8 Bereavement Leave

Bereavement leave is leave which is allotted to an employee whenever an immediate family member (as defined elsewhere in these Policies) of the employee is taken by death. An employee shall request as early as possible the use of bereavement leave. The amount of such leave with pay shall not exceed two (2) work days per occurrence and is used typically to arrange and/or attend funeral activities. Bereavement leave in excess of two (2) work days shall be charged to the employee's annual leave balance; and if such is not available, charged to the employee's sick leave balance; and if not available be coded, as "Leave without Pay". The employee shall request bereavement leave from his/her director. An employee who fails to return to work on the date and time set by the director without receiving an appropriate extension shall be subject to disciplinary action.

#### 4.9 Unpaid Leave

The types of unpaid leave are:

1. **Unauthorized Leave without Pay:** Leave which is allotted to an employee whenever the employee is without the benefit of some other leave and/or cannot provide a valid reason to the satisfaction of the director for his/her (the employee's) absence. The use by an employee of any amount of unauthorized leave without pay shall result in disciplinary action.
2. **Leave without Pay:** Leave which is allotted to an employee whenever the employee is without the benefit of some other leave, but has provided a valid reason to the satisfaction of the director for his/her (the employee's) absence and obtained approval for the leave.
3. **Administrative Leave:** Leave which is allotted to an employee whenever facts and circumstances exist whereby it is in the best interest of the Parish as determined by the director that the employee be removed or absents himself/herself from the work place or assignment. Use of administrative leave is rare and shall be reserved for an extraordinary situation, instance, or incident (e.g. disciplinary investigation, criminal investigation, leave of absence, other extraordinary or emergency situation, instance, or incident; immediate dismissal of an employee from his/her work place or assignment shall be warranted in instances involving serious insubordination, theft, destructive or serious illegal acts while on the job, or other substantial reason for immediate dismissal deemed







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appropriate by the director). It is the policy of the Parish that administrative leave be unpaid, however, the CAO, or designee, may authorize the payment for said leave whenever facts and circumstances justify such.

### 4.10 Holidays

The Holidays observed by the Parish are:

- New Year's Day\*
- Martin Luther King's Birthday\*
- President's Day\*
- Lundi Gras\*
- Mardi Gras\*
- Good Friday
- Memorial Day\*
- Independence Day\*
- Labor Day\*
- Columbus Day\*
- Veteran's Day\*
- Thanksgiving Day\* and the Friday thereafter
- Christmas Eve
- Christmas Day\*
- New Year's Eve

Any other Holiday which may be declared from time to time by the Parish President.

(\* denotes locally observed Federal, Bank, and Postal Holiday)

Whenever a holiday occurs on a Sunday, the first work day thereafter shall be the day on which the Holiday is observed. Whenever a holiday occurs on a Saturday, the work day immediately preceding such shall be the day the holiday is observed.

Only regular full-time, affected regular part-time employees, and affected probationary employees in such positions shall be entitled to receive payment for a holiday, all subject to the terms and conditions set forth in these Policies. A holiday shall not be counted for purposes of determining the use of paid leave or for determining hours worked when calculating entitlement to overtime.

### 4.11 Health Insurance Plan

Employees who are actively employed and their qualified dependents are eligible for health insurance coverage after 60 days of employment. Such health insurance coverage shall be governed by the terms of the health insurance plan.

The Parish shall pay 100% of the premium for health insurance coverage on those employees electing single coverage. The Parish shall subsidize the cost of dependent and/or spousal coverage for those employees electing such coverage who were hired prior to October 19, 1990.

#### *Retired Employees*





A retiree or former employee who cancels coverage may not reinstate said coverage at a later date.

All coverages and benefits available and payable under the Health Insurance Plan are further defined in the plan document.

Retiree is defined as a former Parish employee who, at the date of termination of service from the Parish is vested in the Parochial Employees Retirement System and has met the qualifications to receive immediate or delayed retirement benefits under the Parochial Employees Retirement System and whose employment is terminated in good standing. It is not the desire of the St. Tammany Parish to preclude any retiree of the Parish, as defined herein, from making the election to withdraw his/her contribution from the Parochial Employees Retirement System upon termination of employment. Therefore, it shall not be required that the former employee/retiree actually receive the monthly retirement benefits from the Parochial Employees Retirement System. Coverages allowed for retirees, as defined herein, are based upon service to the Parish and not upon the receipt of monthly retirement benefits from the Parochial Retirement System.

Retiree is also defined as a person under the employment of the District Attorney's Office, hired prior to 1/01/98, who at the date of termination of service from the Parish is vested in the District Attorney's Retirement system and has met the qualifications to receive immediate or delayed retirement (when the normal date of retirement is later than the date of separation). Any retiree who chooses to retain health insurance coverage under this definition shall be responsible to pay the full cost of the health insurance premium and no subsidy by the Parish shall be provided.

A retiree or former employee who cancels coverage may not reinstate said coverage at a later date. All coverages and benefits available and payable under the health insurance plan are defined in the plan document and if there is any conflict between this policy and the plan document, the latter shall govern. Please check with the Human Resources Department to see what options are available to you.

### *Post-Employment Health Plan*

A Post Employment Health Plan is hereby established for the benefit of employees who have separated from service. The purpose of the plan is to provide reimbursement of qualified post-employment expenses for medical premium payments incurred during the Post Employment Period. The following shall comprise the Post Employment Health Plan for employees hired by St. Tammany Parish Government.

All full time employees employed with St. Tammany Parish Government (District Attorney, 22nd Judicial District Court excluded) with three (3) or more years of service are eligible to participate. Starting on the employee's 3rd Anniversary of employment, the Parish will begin funding a percentage of the employee's annual salary into the PEHP with the employee directing the funds into optional investments that are available. Every quarter and upon resignation or retirement, the employee will be notified of his/her account balance. The money in the employee's account can be used solely for payment of medical premiums incurred after employment ceases.

### *Ten or More Years of Service*

In addition, the following shall apply to all eligible full time employees with ten (10) or more years of service with St. Tammany Parish upon termination of employment:

1. Remaining 2/3 of sick leave not paid out, will be deposited into PEHP account.
2. Employee may elect to rollover their annual/comp leave into the PEHP account in lieu of receiving annual/comp leave pay outs. (Employee will be required to sign an affidavit requesting this option).





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Employees hired prior to 01/01/98, who retire with the following years of service, will be subject to the below scale:

<i>Years of Service with the Parish</i>	<i>The Percentage the Retiree Pays of the Premium</i>
At least 10 and less than 15 yrs.	75%
At least 15 and less than 20 yrs.	50%
20 yrs. or more	25%

Eligible employees hired after 01/01/98, will not be subject to the retiree scale, and will rely solely on the money that is funded into their accounts over a period of time, along with any benefit time rolled into accounts at the time of their retirement.

### 4.12 Deferred Compensation

The Parish provides an option to an eligible employee to invest a portion of his/her present earnings in a deferred compensation plan. Enrollment by an eligible employee can be arranged through the Human Resources Department.

### 4.13 Retirement System

All regular full-time employees, unless enrolled in another government retirement system, shall participate in the Parochial Employees' Retirement System, ("PERS") on the basis set forth in those policies, standards, and guidelines. A copy of the PERS policies, standards and guidelines shall be provided to each employee. If there is a conflict between these personnel policies and the PERS Plan, the terms of the PERS Plan shall govern.

Retirement benefits accrue from both employee and employer contributions. Contributions to the retirement system are mandatory and are deducted from the employee's salary each payroll period. Said retirement system provides for retirement benefits and disability protection when the employee meets all of the plan requirements.

Upon termination of employment without retiring, the accumulated contributions of the employee may be refunded according to the terms of the PERS plan. Employer contributions, however, are not refunded under any circumstances.

Enrollment and benefit forms are available through the Human Resources Department and it is the responsibility of the employee to maintain information on file up-to-date as such relates to his/her retirement account (e.g. name, address, beneficiary, etc.).

Retirement benefits for an employee who transfers from another governmental agency and transfers his/her eligible service to the Parochial Retirement System shall be calculated based upon their most recent continuous starting service date in the Parochial Retirement System.

### 4.14 Social Security

Any employee who is not participating in a retirement system set forth herein shall pay Social Security (FICA) tax or enroll in a Social Security Replacement Plan.





### 5. Conduct

#### 5.1 Employee Conduct

It shall be the duty of every employee to maintain high standards of cooperation, efficiency, and integrity in his/her work, and to effect his/her conduct in accordance with these Policies. In particular, but not exclusive of any other prohibited or proscribed conduct, an employee shall not:

1. Report to work under the influence of intoxicants, prescribed drugs which would impair the employee's ability to perform essential job functions, or illegal drugs, or use or possess such substances while on Parish property or while on duty.
2. Fail to follow the orders of a supervisor, or fail to comply with any requirement which may be set forth in these Policies or other policies, standards, or guidelines set forth by the director, CAO, and/or Parish President.
3. Be absent from work without permission or fail to report such to the director as set forth elsewhere in these Policies.
4. Be habitually absent or tardy.
5. Fail to perform his/her duties and responsibilities in an efficient, satisfactory and/or effective manner.
6. Abuse, misuse, misapply, or misappropriate material, property, or working time.
7. Fail to observe proper security procedures.
8. Engage in fighting or instigating a fight.
9. Commit any unlawful act, or fail to comply with any law, ordinance, or rules and regulations which may be required in the performance of an employee's duties.
10. Violate any safety rule or regulation, procedure, process, or guideline.
11. Express in any way towards any person false or unfounded accusations, the result of which would likely discredit another employee, or a supervisor, director, or any other public employee or official.
12. Remove without permission, misappropriate or misapply any money, merchandise, or property, which may include any property in the custody of the Parish and any property of the Parish.
13. Lie to a supervisor regarding the duties or responsibilities of the employee.
14. Act dishonestly, which shall include intentionally giving false information, falsifying records, or making other false statements.
15. Be on the premises of any Parish property during non-working hours without permission of the director.
16. Divulge or misuse confidential information, which shall include the removal from Parish premises without proper authorization of any employee list or record, or design, drawing, computer record or program, or other confidential information of any kind.
17. Accept a fee, payment, gift, or any other item of value, privilege, or benefit for the performance of the employee's official duties.
18. Falsify a time record or any other record or document belonging to the Parish.
19. Abuse any leave benefit (e.g. reporting sick when not sick).
20. Use profane or abusive language towards or in the presence of another employee or member of the public.





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21. Lobby before the legislature or other governmental agency or organization, or represent the interest of the Parish to any person or entity, without specific authorization from the Parish President and regarding the mission or operations of the Parish.
22. Without specific authorization from the respective director, use during the employee's work hours a television, radio, headset-type radio or any other similar electronic amusement device. More specifically, an employee shall not use any such device in the presence of the public or whenever it is foreseeable that such use could occur in the presence of the public.
23. Use any computer program, software, electronic file, or peripheral device owned by the Parish for non-Parish business. This is not meant to bar occasional personal use that does not interfere with an employee's job duties.
24. Without specific authorization from the respective director, peddle or solicit a donation or sale of an item, service, or contribution of any kind whatsoever while on duty or in the work place or in the presence of the public.
25. Engage in, conduct, effect or attempt to engage in, any campaign activity or effort whatsoever for any candidate who has qualified as a candidate for an elected public office while on duty.
26. Order from a company or catalog any item for personal use which will result in an invoice being issued under the Parish's name.
27. Commit any act or acts contrary to public interest.
28. Act discourteously or offensively toward the public, any Parish official or employee, including any dishonest, disgraceful, immoral, or prejudicial behavior.
29. Drinking alcoholic beverages while on duty.
30. Use or promise to use, his/her influence or official authority to secure appointment to, or eligibility for, a position with Parish government.
31. Solicit or receive any money, goods, or service from any person or group of persons, for any political party or political purpose during work hours.
32. Commit any act or fail to act in a manner that sufficiently indicates that the employee is unsuitable or unfit to be employed in the respective service.
33. Record or videotape any conversation or proceedings involving employees and/or the public.
34. Violation of the Louisiana Code of Governmental Ethics guidelines.

### 5.2 Disciplinary Action

It shall be the policy of the Parish to effect disciplinary action in a fair, reasonable, and impartial manner, all for the purpose of assuring and promoting efficient and effective service to the public. Consequently, the primary purpose of disciplinary action is not punitive in application, but rather is affected to maintain the competency and integrity of Parish service. Disciplinary action may include verbal counseling, written reprimand, suspension, demotion, probation, and discharge.

Whenever the conduct of an employee falls below acceptable standards or is not in accordance with these Policies, he/she shall be subject to disciplinary action. It is the responsibility of the director to thoroughly and objectively evaluate the facts and circumstances which relate to the cause for disciplinary action when initiating such. The nature and severity of the infraction and the employee's record shall be considered in the assignment of disciplinary action.

The disciplinary action for an employee's conduct and the pertinent information which relates to such disciplinary action shall be reviewed in private with the employee and shall include the following: the cause for the disciplinary action, the facts and circumstances which relate to the cause, the disciplinary action to be imposed, any





corrective action to be taken, the effective date of such action, and the right of the employee, other than a probationary employee, to air a grievance on the matter if such is authorized in these Policies (see Grievance Procedure).

Disciplinary action need not be progressive in nature and may include the following:

1. **Verbal Counseling:** This type of disciplinary action shall be applied to infractions of a fairly minor degree. The director shall verbally counsel an errant employee 1) as to the subject infraction, 2) as to the proper conduct which is required, and 3) if the condition is not corrected, that the employee shall be subject to more severe disciplinary action.
2. **Written Reprimand:** This disciplinary action shall be used in the event the employee's conduct warrants it. Upon learning of the infraction, the director shall issue a written reprimand within a reasonable time thereafter. The reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further disciplinary action.
3. **Suspension:** This disciplinary action shall be used in the event the employee's conduct is severe enough to warrant a suspension of the employee from his/her duties and responsibilities. While on suspension for five or less work days, the employee shall not be entitled to paid compensation, but shall retain his/her benefits or the accrual thereof. While on suspension for more than five work days, the employee shall not be entitled to paid compensation nor the use or accrual of benefits. Any period of suspension may be effected in a "part work/part suspension" arrangement (e.g. the suspension is affected for part of the work day(s), or on certain days the suspension is in effect).
4. **Demotion:** Demotion may be used in those instances in which an employee's conduct is of such degree that his/her removal from the duties and responsibilities associated with the position is warranted, but discharge is unwarranted.
5. **Probation:** This action may be taken to set forth performance goals and objectives an employee must meet during a given period of time or suffer further disciplinary action up to and including termination.
6. **Discharge:** This disciplinary action shall be used in the event the employee commits an infraction severe enough to warrant that his/her employment with the Parish be terminated, or in the event that the employee's conduct, after the issuance of lesser disciplinary action(s), continues to be non-compliant with or is in violation of any provision of these Policies.

Whenever a disciplinary action has been instituted, the employee shall be provided with a copy of the report of disciplinary action at the time the director or supervisor reviews such with the employee. The employee shall sign said report to acknowledge receipt thereof and the original shall be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, the supervisor shall note on said report that the employee received a copy thereof, but refused to sign.

### 5.3 Grievance Procedure

All employees, except probationary employees, are not only permitted, but are encouraged, to air grievances that they may have with regard to certain employment actions set forth below. Punitive action shall not be taken against any employee for submitting a grievance in good faith. Failure to comply with any step in this process will waive the employee's grievance rights. An employee who resigns or retires cannot file a grievance over their employment separation. Grievances may only be filed for the following reasons:

1. Demotion or reassignment that involves a decrease in salary.
2. Suspension.
3. Discharge as a result of disciplinary action.





An employee who wishes to air a grievance (hereinafter referred to as the "grievant") shall first submit a written grievance outlining the specific and detailed facts to the Director of Human Resources within five (5) working days after learning of the incident at issue. It shall be the responsibility of the Director of Human Resources to study the grievance and attempt to resolve it within five (5) working days. If the grievant feels the decision of the Director of Human Resources is unsatisfactory or inadequate, there shall be a meeting between the grievant, the immediate supervisor, the Human Resources representative, and the director. The director shall issue a decision on the grievance within five (5) working days of such meeting. If the grievant is not satisfied with the director's decision, a written appeal to the CAO can be made within five (5) working days of the director's decision. The CAO's decision, issued within ten (10) days of receipt of the appeal is final. If the grievant is not satisfied with the CAO's decision, he/she may appeal to the Personnel Board, who shall only have the right to allow the grievant to air his/her grievance. The Personnel Board shall have no right to reinstate employment, award monetary amounts, or otherwise act contrary to the Parish's at-will employment status.

The Personnel Board shall consist of 5 members in accordance of the provision of the St. Tammany Parish Home Rule Charter.

1. The Board shall decide appeals promptly, but in any event within thirty (30) days after completion of a hearing(s).
2. The Board shall make its decision on hearings on the facts presented by the appellants/parties concerned.
3. No hearing or meeting to investigate shall be held unless both the employee and appointing authority/department head shall have been advised at least ten (10) days in advance of the date, time and place thereof. If either of the parties fails to appear at the place on the day and the hour fixed for such hearing, the Board may, at its discretion, decide the issue involved on the basis of the evidence presented.
4. The Board shall not be required to have the testimony taken at the hearing transcribed, but either the employee or the appointing authority may, at its own expense, make the necessary arrangements therefore.
5. The decision of the Board, together with its written finding of fact, if required, shall be certified in writing to the appointing authority and shall be forthwith enforced by appointing authority.

### Oaths, Subpoenas, and Production of Records

The Board, each member of the Board, and the Director of Human Resources shall have the same power to administer oaths, subpoena witnesses, and compel the production of records and papers pertinent to any investigation or hearing. All applications for the issuance of subpoenas must be in the hands of the Board at least five (5) business days prior to the date established for the hearing and said application shall contain the full name and address of all persons to be subpoenaed.

### 5.4 Personal Appearance and Hygiene

It shall be the responsibility of each employee that his/her personal appearance and hygiene best represents a favorable image of the Parish. An employee shall be well-groomed and dressed in a manner suitable for the public service environment. It likewise shall be the responsibility of the employee to maintain a clean, orderly, and neat work place. Whenever necessary, the director shall discuss in private any of the provisions of this subject with an employee. Employees are required to adhere to the Parish dress code outlined in the CAO Policy Manual.





### 5.5 Political Activities

While on duty, in the work place or on official assignment, employees are prohibited from engaging in political activities as follows:

1. Participate or engage in political activity ("political activity" means an effort to support or oppose the election of a candidate for political office, to support or oppose legislation, or to support a particular political party in an election.)
2. Make or solicit contributions for any political party, faction or candidate.
3. Take an active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his/her right as a citizen to express his/her opinion privately, to serve as a commissioner or official watcher at the polls, and to cast his/her vote as desired.
4. No person shall solicit contributions for political purposes from an employee or use or attempt to use his/her position in the Parish to service, to punish or coerce the political action of an employee.

If an employee believes they have been coerced into engaging in political activity or receives threats of loss of employment or other adverse action from anyone for the employee's failure to support a candidate or certain legislation, the employee should immediately report such behavior to the Director of Human Resources.

Nothing herein is designed to prohibit an employee whose job duties include lobbying from advocating passage of or opposition to legislation effecting the Parish.

Any employee who qualifies for and/or is elected to any local, state, or federal elected position is prohibited from engaging in the following activities:

1. Campaigning during work hours.
2. Campaigning in a Parish vehicle.
3. Use of Parish property and supplies for campaign related activities, including but not limited to Parish email and Parish computers.
4. Use of Parish position to influence a vote.
5. Conducting any business related to the elected position while on Parish time.

It shall be the duty of any employee or Parish official to report promptly any violation of this provision to the Director of Human Resources, whose duty it shall be to make a preliminary investigation concerning the alleged violations and report findings to the CAO.

### 5.6 Work Place Safety from Substance Abuse

It is the policy of the Parish that the consumption of alcohol or other prohibited substances (e.g. drugs, etc.) by an employee while on duty shall not be tolerated. The work place shall be free of any employee who is under the influence of alcohol or other prohibited substance while on duty, in the work place, or in the presence of the public, or whose job performance may be impaired by the use of alcohol or other prohibited substance.







### 5.7 Substance Abuse Policy and Procedures

#### Definitions

1. **Controlled Substance:** means 1) those substances whose production, dissemination or use is controlled by federal and/or state regulation or statute, as same may be amended from time to time; 2) narcotics, depressants, stimulants, hallucinogens and cannabis; and 3) legal drugs which are distributed, used or intended to be used illegally.
2. **Drug:** means a substance 1) defined as a Controlled Substance; 2) recognized as a pharmaceutical; 3) intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease; 4) intended to affect the structure or function of the body; or 5) intended for use as a component of any of items (1) through (4) herein. The definition of Drug includes Controlled Substances, prescribed medications and over-the-counter medications.
3. **Drug Testing Policy:** means 1) the Parish's drug testing policy contained herein and signed by all new employees during new employee processing by the Director of Human Resources of St. Tammany Parish or 2) the Parish's amended, revised and/or restated drug testing policy presented to and signed by current employees from time to time.
4. **Drunkenness:** means the effect produced upon the mind or body by drinking intoxicating liquors to such an extent that the normal condition of the subject is changed and his capacity for rational action and conduct is lessened.
5. **Employee:** for purposes of this policy only means all job applicants, probationary employees, temporary employees, contract employees, classified employees, unclassified employees, full time employees, part time employees, intern employees, summer worker employees, exempt employees and/or non-exempt employees.
6. **Parish or St. Tammany Parish:** means St. Tammany Parish Government.
7. **Personnel Ordinance:** means St. Tammany Parish Ordinance Council Series Number 00-0174, amended by OCS Nos. 01-2085, 01-0353, 05-1049, 05-1199, 08-1853 and 09-2012, as same may be further amended, restated and/or recodified from time to time.
8. **Prohibited Substance:** means 1) alcohol; 2) amphetamines; 3) barbiturates; 4) cocaine; 5) methaqualone; 6) opiates; 7) phencyclidine; 8) THC (marijuana); and any drug which is legally obtained but is consumed for a purpose or in a manner other than that for which it is prescribed or intended or is used or consumed by a person other than the person for whom it has been prescribed.
9. **Reasonable Suspicion:** means a belief based on specific facts and reasonable inference drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to :
  - a. direct observation of use of a Controlled Substance, Drug or Prohibited Substance;
  - b. a pattern of abnormal or erratic behavior and mood changes;
  - c. knowledge of specific events or situations provided by a reliable and credible source;
  - d. a work-related accident;
  - e. presence of the physical symptoms of use of a Controlled Substance, Drug or Prohibited Substance (i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
  - f. arrest, during Parish's business hours, for a misdemeanor or felony related to or involving the possession, distribution, use or sale of a Controlled Substance, Drug or Prohibited Substance;
  - g. decreased productivity and/or deterioration of work performance;
  - h. abnormal conduct;
  - i. unusual absenteeism and tardiness;





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- j. frequent or prolonged absence from the work area;
- k. increased personal phone calls;
- l. changes in habit; or
- m. preoccupation with personal problems.

Supervisors are required to detail in writing the specific facts, symptoms, or observations which form the basis for their determination that reasonable suspicion exists to warrant the testing of an employee. This documentation shall be forwarded to the appropriate director, or designee.

10. *Safety-Sensitive Positions*: those positions in which the employee is authorized or expected to 1) operate and/or maintain public vehicles and/or vessels; 2) operate and/or maintain public machinery and/or equipment; 3) supervise employees who perform the operation and maintenance of public vehicles, vessels, machinery and/or equipment; and/or 4) direct vehicular traffic on public roadways during construction/improvement projects (e.g.: flagmen).
11. *Security-Sensitive Positions*: those positions of such a nature that failure to properly perform the assigned responsibilities and duties could compromise Parish security and/or endanger the health or safety of the employee, other employees or the public. When identifying Security-Sensitive Positions, the Parish shall examine the nature of the material and the work of the employee and consider the impact of these factors on the security of the Parish, the public and the confidential/security-protected nature of the data and records.

### *Policy Statements*

St. Tammany Parish Government does not allow on-premises or on-duty possession, use, abuse, storage, concealment, transport, promotion, distribution or sale of illegal drugs and/or alcohol. Under no circumstance will drunkenness be tolerated on-premises or on-duty.

An employee is not permitted to report for work and/or perform their job duties while in a condition, caused by use and/or abuse of a prohibited substance, drug and/or controlled substance, which renders that employee unfit to perform the assigned duties or results in a negative public image or low morale.

Any employee in a safety-sensitive or security-sensitive position is not permitted to report to duty while taking any drug and/or controlled substance that may render such employee unfit to perform their assigned duties unless and until proper medical authorizations have been obtained. Failure of a safety-sensitive or security-sensitive employee 1) to notify the Parish of use of a drug and/or controlled Substance; and 2) to provide the requisite authorization from their doctor, will result in disciplinary action in accordance with the Personnel Ordinance.

Any employee whose job description requires a commercial driver's license ("CDL-Employee") must comply with the terms of their license, including non-use of the substances prohibited by 49 CFR 391.41(b)(12), as such may be amended, restated and/or recodified from time to time (the "CDL Restricted Drug"). Provided, however, a CDL-employee may use a CDL Restricted Drug if such drug is prescribed by a medical doctor who 1) is familiar with the CDL-Employee's medical history and job description; 2) has provided a clearance to the Parish that the prescribed CDL Restricted Drug will not adversely affect the CDL-Employee's ability to safely operate a public vehicle; and 3) such CDL-Employee has no current clinical diagnosis of alcoholism.

Employees must abide by this policy as a condition of employment. Any employee who violates the Parish's policy regarding use and/or abuse of a prohibited substance, drug and/or controlled substance will be subject to disciplinary action, including dismissal, as provided in the Personnel Ordinance.





It is not the intent or purpose of St. Tammany Parish Government to interfere with the doctor-patient relationships of its employees. The decision whether to take prescription and/or over-the-counter medications should be made by an employee after consultation with his/her doctor. The employee shall be solely responsible to discuss all medications with their doctor and to obtain the required releases. Any adverse reaction from taking or not taking a prescription and/or over-the-counter medication is not the responsibility of the Parish.

### *Drugs to Be Tested For*

The presence of the following shall be tested for:

- Alcohol (ethyl);
- Amphetamines (e.g., speed);
- Barbiturates (e.g., Amobarbital, Butobarbital, Phenobarbital, Secobarbital);
- Cocaine Metabolites;
- Oxycodone;
- Propoxyphene;
- Methadone;
- Methaqualone (e.g., Quaalude);
- Opiates (e.g., Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone);
- Phencyclidine (PCP);
- Marijuana Metabolites;
- Methylenedioxymethamphetamine (e.g. ecstasy);
- Other drugs including use of prescription drugs not prescribed for the individual or used in excess of prescribed dosages; and
- Any other Prohibited Substance for which a detection test becomes available.

In addition, the Parish reserves the right to test for additional substances if there is reason to believe an Employee is abusing another substance, to the extent that such substance has rendered the Employee unfit to perform their assigned duties.

### *Testing*

All persons considered for employment for any position with St. Tammany Parish Government, whether part-time, full-time, temporary, exempt or non-exempt, will be required to undergo a drug test and pre-employment physical upon selection as the leading candidate for the position by the hiring authority and prior to their final appointment.

St. Tammany Parish Government may require current employees to undergo drug and alcohol testing during work hours in the following instances:

1. Non-Random Testing:
  - Following an accident or traffic violation involving Parish vehicles, vessels, machinery and/or equipment being operated by employee;
  - Following a personal injury sustained by employee or caused to another person, when such injury results in medical attention from a licensed medical professional;
  - Following reasonable suspicion of impairment;
  - Following drug rehabilitation of an employee; and
  - For safety-sensitive and security-sensitive employees, following return to work after a leave of absence of fourteen (14) days or longer.
2. Random Testing





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- Employees in safety-sensitive positions; and
- Employees in security-sensitive positions.

Random testing of employees shall occur pursuant to the Drug Testing Policy.

In any event, the CAO shall make the final decision as to whether or not a test should be conducted.

### *Employee Disclosures*

Employees in safety-sensitive positions are further required to provide their supervisor and director with notice of any prescribed controlled substance medication and a written release from the prescribing doctor that the prescribed controlled substance medication will not adversely affect the employee's ability to safely operate motorized equipment or public vehicles. Unless a written release is submitted, the employee shall be considered medically unqualified to perform his/her work.

All employees are required to notify their supervisor if they are convicted of any crime involving illegal use of a controlled substance, drug and/or prohibited substance within five (5) days of such conviction. Failure to report shall result in appropriate disciplinary action.

### *Substance Abuse Training*

The Human Resources Department will develop a training program to assist supervisory personnel in identifying substance and alcohol use among Employees. Such training will be directed towards helping supervisors recognize the conduct and behavior that give rise to a reasonable suspicion of substance or alcohol use.

The Human Resources Department will further develop a training program to inform workers about the dangers of substance and alcohol use, penalties for using them at work and available counseling programs and shall provide a copy of this policy to all employees and job applicants.

### *Tampering With Test Procedure*

If an individual being tested is found to be tampering with the testing procedures, attempting to falsify a specimen or to invalidate the chain of custody, that individual is immediately disallowed from continuing testing and the individual will be treated as if a positive test result had been obtained.

### *Consent*

Before a substance and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to the employer, tested employees or applicant, or authorized agents of the employer, tested employee or applicant. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the Drug Testing Policy.

A job applicant who formally refuses to consent to a substance and alcohol test will be denied employment with the Parish and may not re-apply for two (2) years from the date of refusal. Reasons for refusal shall be documented in writing by the Human Resources Department.

An employee who refuses to consent to a substance and alcohol test is subject to disciplinary action in accordance with the Personnel Ordinance up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action. Reasons for refusal shall be documented in writing by employee's supervisor and the CAO.





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### *Confirmation/Verification of Test Results*

An applicant whose initial test yields a positive result shall be given the opportunity, at his own cost, to obtain a verification test. The verification test shall use a portion of the same test sample obtained from the applicant for use in the first test.

An employee whose drug test yields a positive result shall be given a verification test using a gas chromatography/mass spectrometry (GC/MS) test or other comparably reliable analytical method. The verification test shall use a portion of the same test sample obtained from the employee for use in the first test.

If the verification confirms the positive test result, the employee or applicant shall be notified of the results in writing by the Director of Human Resources. The letter of notification shall identify the particular substance found and its concentration level.

### *Consequences of a Confirmed Positive Test Result*

Job applicants will be denied employment with the Parish if their initial test results are positive and, if purchased by applicant, the positive result has been confirmed by verification test. Applicants shall be informed in writing if they are rejected on the basis of a positive drug test result and, if purchased by applicant, a positive verification test. Thereafter, the applicant may not re-apply for employment for a period of two (2) years from the date of notification.

If an employee's positive test result has been confirmed, the employee is subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate response include, but are not limited to, the employee's work history, length of employment, current job performance and job duties, and the existence of past disciplinary actions. Unless other causes exist, no disciplinary action will be taken against employees who voluntarily identify themselves as substance or alcohol abusers prior to testing, obtain counseling and rehabilitation through substance abuse assistance programs, and thereafter refrain from violating the personnel policy on substance and alcohol abuse, however, these employees will be required to take sick leave or leave without pay until rehabilitation is completed and they are rehabilitated. The Parish is not responsible for the total cost of obtaining counseling and rehabilitation.

### *Right to a Hearing*

An applicant has no right to a hearing before the CAO, or designee.

If an employee's positive test result has been confirmed, the employee is entitled to an interview with his supervisor, director and the CAO, or designee, before any disciplinary action may be taken. The employee must make a written request for a hearing to the CAO, or designee, within twenty-four (24) hours of receipt by the employee of the confirmation test results

### *Confidentiality*

Proceedings related to an action under R.S. 23:1601(10) (as same may be amended, restated and/or recodified from time to time) in a claim for unemployment compensation, hearing, or civil litigation where drug use by the tested employee is relevant, all information from an employee or applicant's substance and alcohol test is confidential and only the CAO, tested employee or applicant, or authorized agents of the employer or employee or applicant may know the test results. The results of a positive drug test shall not be released until the results are confirmed. The records of unconfirmed positive test results and negative test results shall be destroyed by the testing laboratory. Substance and alcohol testing shall be done in such a manner that will ensure as much privacy as practicable to the person being tested and performed by an approved testing laboratory which adheres to N.I.D.A. guidelines.





### *Employee Assistance Program*

St. Tammany Parish Government applauds its employees in their ability to maintain a drug-free workplace and reminds all Employees that if they are in need of support or direction, the Parish maintains an Employee Assistance Program (EAP) which they may contact for themselves, their spouse, or their dependents. If you need additional information on the above program, please contact the Director of Human Resources.

## 5.8 Harassment

This policy is intended to ensure an environment which respects the dignity and worth of each individual and is free from all forms of unlawful discrimination, including sexual harassment and harassment because of race, color, religion, gender, national origin, sexual orientation, gender identity, age, ancestry, disability, political affiliation or belief or activity, or any other protected characteristic or protected activity prohibited by law. Workplace harassment, including sexual harassment will not be tolerated. This policy applies to all harassment occurring in the work environment whether in our offices or elsewhere. The policy covers all employees of the Parish.

### *Sexual Harassment*

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Some examples of what may constitute sexual harassment are: threatening or taking adverse employment actions if sexual favors are not granted; demands for sexual favors in exchange for favorable or preferential treatment; unwelcome and reported flirtations, propositions or advances; unwelcome physical conduct; whistling, leering, improper gestures or offensive remarks, including unwelcome comments about appearance; sexual jokes or inappropriate use of sexually explicit or offensive language; and the display in the workplace of sexually suggestive objects or pictures. The above list is not intended to be all-inclusive.

### *Other Prohibited Workplace Harassment*

For purposes of this policy, other prohibited workplace harassment is defined as either verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, sexual orientation, gender identity, age, ancestry, disability, or any other characteristic or activity protected by law and that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.

Some examples of such harassment include but are not limited to: using epithets or slurs; threatening, intimidating or engaging in hostile acts that focus on a protected characteristic, including jokes or pranks; or circulating in the workplace written or graphic material that denigrates or shows hostility or aversion to a person or group because of a protected characteristic.

### *Reporting Harassment*

The Parish requires the prompt reporting of all incidents of workplace harassment. If you believe you are being harassed or have observed harassment, you should promptly notify any director, the CAO or the Director of Human





Resources.

When a report of harassment is made, the Parish will undertake a prompt and thorough investigation as may be appropriate under the circumstances. The steps to be taken during the investigation will vary depending upon the nature of the allegations. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the Parish's needs. Upon completion of the investigation, the outcome will be communicated to the aggrieved party and the person(s) accused and remedial action will be taken, if appropriate.

Individuals who report harassment or are involved in the investigation of a harassment complaint will not be subject to reprisal or retaliation. Retaliation is regarded as a very serious violation of this policy and should be reported immediately.

The managers and supervisors of the Parish will be held accountable for adhering to this policy, for reporting promptly any incident of harassment and for maintaining a positive and productive work environment. If any manager or supervisor receives a report of harassment or believes he/she has observed harassment, the manager or supervisor is required to promptly notify one of the individuals listed above. Failure to make the required notification may subject the manager or supervisor to discipline, up to and including discharge.

### 5.9 Whistle Blower Policy

The Parish strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state and local law. Accordingly, employees are encouraged to bring to the attention of the Parish any improper actions of its officials and employees. The Parish shall not retaliate against any employee who makes such a disclosure in good faith.

An employee is encouraged to utilize the administrative "chain of command" in reporting these actions. Should the employee feel intimidated or otherwise uncomfortable with such an approach, he/she should request a personal meeting with either the CAO, Parish President or the Executive Counsel before proceeding with such an issue to any agency or entity outside the Parish government system.

Improper actions are actions undertaken by an officer or employee in the performance of his/her official duties which 1) are in violation of any federal, state or local law, 2) create a substantial and specific danger to public health or safety, or 3) grossly waste public funds. Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing and other disciplinary action.

