

CHAPTER I

DEFINITIONS

1. “Allocation”- the official determination by the board of the class to which a position in the classified service belongs
2. “Appointing Authority”- the person responsible for the hiring of employees for the various departments of the municipal government covered by the provisions of this Act is the Mayor
3. “Board”- the Municipal Employees Civil Service Board of the City of Zachary
4. “City”- City of Zachary
5. “Class” or “class of position”- a definitely recognized kind of employment in the classified service, designated to embrace positions that are so nearly alike in the essential character of their duties, responsibilities, and consequent qualification requirements that they may fairly and equitably be treated alike under conditions for all personnel purposes
6. “Classified plan”- all the classes of positions established for the classified service
7. “Classified position”- any positions in the service that is subject to the civil service requirements as contained in this Act and applies to every position in the service that is not expressly unclassified by the Act
8. “Classified service”- every appointive office and position of the trust or employment in the municipal government which has as its primary duty one of the functions specifically set forth to be included in the classified service by the provisions of this Act; excludes all elective and appointive offices and positions of trust or employment which have primary duties specifically set forth to be included in the unclassified service by the provisions of this part.
9. “Competitive class”- those positions allocated to a class that have been identified by the Act as open for appointment to all qualified

- citizens, provided that such positions may not be filled from qualified personnel of the municipal departments
10. “Demotion”- change of employee in the classified service from a position of one class to a position of another class for which a lower minimum rate of pay is prescribed
 11. “Department service”- employment in the public service offered and performed separately by the municipal department
 12. “Eligible”- person whose name is on a list
 13. “Employee”- person legally occupying a position
 14. “Employment list” or “lists”- reinstatement employment list, a promotional employment list, a competitive employment list or a reemployment list
 15. “Emergency appointment”- assigning a person to a position because of any temporary and special nature
 16. “Full Increment” – one step on a pay scale
 17. “Governing Authority”- City Council for the City of Zachary
 18. “Lay off”- the removal of an employee, in accordance with the provisions of this Act, because of lack and work, failure of financial appropriation or other causes to which do not reflect on the employee
 19. “List”- official register of names of persons eligible for appointment to the various classes of positions in the classified service
 20. “Pay”- salary, wages, fees, allowance, and all other forms of valuable consideration, or the amount of any one or more of them, earned by or paid to an employee by reason of service rendered in any position, but does not include any allowance for expense authorized and incurred as an incident of employment
 21. “Pay plan”- all the rates of compensation prescribed by the appointing authority.

22. "Position"- any office and employment in the municipal department, the duties of which call for service to be rendered by one person
23. "Probational appointment"- the appointment of an employee, following the certification of their name from a list, to begin or to continue their working test
24. "Promotion"- a change of an employee in the classified service from a position of one class to a position of another class for which a higher minimum rate of pay is prescribed
25. "Promotional employment list" or "promotion list"- an employment list containing the names of eligible persons established from the results of promotion test given for a particular class of position which is not specifically required to be established from the results of a competitive test
26. "Promotional test"- a test for positions in a particular class which is not specifically required to be filled by competitive tests, admission to which is limited to regular employees of the class, or the next lower class when authorized by the rules, in the classified service
27. "Provisional appointment"- temporary appointment of a person to a position in the absence of an eligible list or classification plan
28. "Reallocation"- the change of position from one class to any other class to correct an error in the previous allocation
29. "Reassignment"- the change within the same department of an employee from a position in one class to another position in a different class, both classes of which have the same minimum rate of pay
30. "Reemployment list"- employment list for the entrance or lowest ranking class in the classified service or any group of classes which have been laid off under the "lay off" provisions of this Act or any regular employee who resigns from a position in the classified service in good standing. This list shall not be applicable to persons who have been terminated.

31. "Regular appointment" or "permanent appointment"- the confirmation or appointment of an employee who has been appointed from a list and has successfully completed their working test
32. "Regular employee" or "permanent employee"- employee who has been appointed to a position in the classified service in accordance with the provisions of this Act after completing their working test.
33. "Reinstatement employee list" or "reinstatement list"- employment list containing names of persons eligible for reinstatement in positions of a class from which they have been demoted for reasons other than disciplinary actions
34. "Removal" or "dismissal"- termination of employment of an employee
35. "Resignation"- voluntary termination of employment by the employee
36. "Substitute Appointment"- an appointment to a position during the incumbents authorized leave of absence.
37. "Suspension"- enforced leave of absence without pay of an employee for disciplinary purposes or during an investigation of alleged misconduct by the employee
38. "Termination"- involuntary discharge of employment of an employee
39. "Transfer"- change of an employee from any position in the classified service to any other position of the same class, at the pleasure of the appointing authority
40. "Temporary appointment"- appointment of an employee for a limited period of service without the acquisition of by the appointee of any continuing rights to be retained beyond this period
41. "Working test"- continuous and uninterrupted performance of the duties and carrying out the responsibility of a position as an employee in that position after certification from a list

42. "Mayor and Council"- duly elected members of the City of Zachary governing body

CHAPTER II

ORGANIZATION, RULES AND PROCEDURES OF BOARD

2.1 Organization of Board

A. Election of Chairperson and Vice-Chairperson

The Board shall meet each year within thirty days after the date of the appointment, election, or selection which is made to fill the position of the members whose terms have expired, at which time the oath shall be administered to the new members, a chairperson and vice-chairperson shall be elected before any other business shall be transacted. The vice-chairperson shall assume the duties of the chairperson in the absence of the chairperson.

B. Term of Chairperson and Vice-Chairperson

The chairperson and vice-chairperson shall serve for a term of one (1) year or until their successor is elected and takes office, unless sooner removed by death, resignation, or any other just cause.

C. Term of office for members of the Board

1. Members appointed by City

(a) Two members of the Board shall be appointed by the governing authority of the City in regular session assembled. These members cannot be City employees.

(b) One member of the Board initially appointed by the governing authority shall be appointed for a term of six (6) years and one such member for a term of five (5) years.

2. Members elected by Employees
 - (a) Two (2) members of the Board shall be elected by the employees in the classified service from among their membership in an election which shall be held in the City Hall of the City. Elections shall be by secret ballot and conducted by the Secretary of the Board.
 - (b) One member of the Board initially elected by the employees shall be elected for a term of six (6) years and one such member for a term of five (5) years.
3. Appointment of member by existing Board members
 - (a) The two (2) members appointed by the governing authority and the two (2) members elected by the employees shall meet in City Hall and shall select the fifth member of Board from three (3) names submitted by the president of LSU.
 - (b) The member selected by the four (4) members shall serve for a term of four (4) years.

D. Rules of Order

The Board shall not be bound by rules of order, evidence, or procedure in its meetings, hearings, or investigations except such as it may itself establish.

2.2 Rules

A. Adoption of Amendment

1. The Board may adopt any rules or class plan changes, either in its proposal or revised form, after a public hearing at which any municipal officer, employee, private citizen and the Human Resource Director shall be given an opportunity to show cause why the proposed rule or amendment, or any part thereof, should not be adopted. Before the Board holds any such public hearing,

it shall furnish to the Mayor and Council, at least ten (10) days in advance thereof, a notice of the date, time, and place thereof. A notice and copy of the proposed rules or class plan changes shall be posted upon the bulletin board of each department of the City for a period of at least ten (10) days in advance of said hearing.

2. Within fifteen (15) days after the Board adopts, amends, or repeals any rule or class plan change, it shall furnish an official copy thereof to the Mayor and Council.
4. Rules adopted under the authority of this section shall have the force and effect of law.

2.3 Meetings

A. Meeting of the Board

1. The Board shall hold one regular meeting within each quarterly period of the calendar year, in the months of February, May, August, and November. The board shall hold such special meetings as may be called by the chairperson or as provided in Act 557 of 1974, herein after referred to as the Civil Service Act.
2. Unless otherwise provided in the notice for such meetings, all meetings shall be held at Zachary City Hall.
3. Notice of regular meetings shall be given by posting such notice in each department of the city and at the building in which the meeting is to be held, not less than five (5) days before the date fixed for such meeting, unless otherwise provided by law. Such notice shall state whether the meeting is regular or special, and shall include the date, time, place, and agenda of the meeting, provided that upon approval of two-thirds of the members present at a meeting of a public body, the public body may take up a matter not on the agenda.

4. Special meetings of the Board will be held only upon call of the chairperson, or in such absence the vice-chairperson, or as provided by the Civil Service Act.
5. All Board meetings shall be open to the public, except when the Board meets in executive session as provided by LA Revised Statute 42:6.1, and those statutes that follow.
6. All Board members must be notified not less than five (5) days preceding all regular Board meetings. Special meetings may be held upon twenty-four (24) hour notice, as provided by law.
7. Three (3) members of the Board must be present to constitute a quorum of the board. Concurring votes of three (3) members are necessary for a decision of all matters before the Board.

B. Subject Matter of Meetings

1. At regular meetings of the Board it shall consider all old and new business which may be brought to its attention in the manner hereinafter provided.
2. At special meetings the Board shall consider only those items of business for which the meeting was called, except by agreement of all present Board members, other matters may be considered.

C. Order of Business

1. At regular meetings the order of business shall be as follows:
 - a. Roll Call
 - b. Adoption of the minutes.
 - c. Special and general reports.
 - d. Decisions and orders on matters considered at previous hearings and meetings.
 - e. New business.

2. At special meetings the order of business shall be as follows:
 - a. Roll Call
 - b. Adoption of minutes.
 - c. Decisions and orders on matters considered at previous hearings and meetings.
 - d. Decisions and orders of matters fixed for the special meeting.

D. Executive Sessions

1. The Board, if required, will meet in executive session during regular or special meetings, by all present when considering those matters which may be discussed under provisions of LA Revised Statute 42:6.1 (relative to exceptions to open meetings). Any voting on matters discussed in executive session will be conducted only upon return to the public meeting.

2.4 Appeals, Hearings, and Testimony

- A. Any regular employee in the classified service shall have the right to appeal to the Board from suspension, dismissal, demotion, termination or if subjected to any corrective or disciplinary action.
- B. Persons appealing to the Board shall do so in writing, specifying the reasons for requesting a hearing and stating the action they desire.
- C. Appeals to the Board must be made within fifteen (15) calendar days after such action has been taken.
- E. The Board shall grant such a hearing or investigation and proceed therewith thirty (30) days after receipt of such written request.
- F. Parties shall have the right, but shall not be required, to be represented by counsel. When any party is represented by more

than one attorney, only one attorney for any party shall be permitted to examine the same witness.

- G. In all disciplinary cases the burden of proof shall be upon the appointing authority to establish that the disciplinary action was taken for a just cause.
- H. The Board may, on request of any party or on its own motion, place witnesses other than effected parties under the rule of the board and thus sequester the witnesses.
- I. If either the appointing authority or the employee fails to appear at the place and on the day and at the hour fixed for such hearing without just cause, the Board may, at its discretion, dismiss or decide the issue involved on the basis of evidence addressed and confined to the question of whether the action taken against the employee was or was not for just cause as set forth in this Act.
- J. The Board shall cause all testimony and other evidence to be recorded and preserved by a competent reporter employed as the official reporter of the Board. The employee or the appointing authority may, at their own expense, obtain a transcription of the testimony.
- K. 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 such appointing authority.
- L. The appointing authority and any employee in the classified service shall have the right to appeal from any decision of the Board or from any action taken by the Board. This appeal shall be directed to the 19th Judicial District Court for the Parish of East Baton Rouge. Such appeal shall be taken by serving the Board, within thirty (30) days after entry of its decision, or written notice of appeal stating the grounds therefore and demanding that a certified transcript of the record, and written findings of facts, and all papers on file in the office of the Board affecting or relating to such decision be filed with the

designated court within thirty (30) days after the filing of such notice of appeal. The Board shall make, certify, and file such complete transcript or findings of facts and papers with the designated court and that court shall thereupon proceed to hear and determine such appeal in a summary manner. Such hearing shall be confined to the determination of whether the decision made by the Board was or was not made for just cause under the provisions of this Act, and no appeal to the court shall be taken except on such stated grounds, and such appeal shall be as to both the law and the facts.

- M. Any municipal officer or employee who fails to comply with any provision of this Act or of any rule, regulation, or order made under authority of this Act shall be subjected to all penalties and remedies provided in this Act and such other penalties and remedies as are now or may be hereafter provided by law for the failure of a public officer or employee to do an act required of them by law. The Board may maintain such action or proceeding in court as it considers necessary or appropriate to secure compliance with this Act and the rules, regulations, and orders made by authority of this Act.
- N. Refusal to testify: Any officer or employee in the classified service who willfully refuses or fails to appear before any court or any officer, Board, body, or person properly authorized to conduct any hearing or inquiry or if such employee or officer, having appeared, refuses to testify or answer any relevant question relating to the affairs of any municipal officer or employee, except upon the ground that their testimony or answers would tend to incriminate themselves, may, in addition to the other penalties to which they may be subjected, forfeit their position and shall not be eligible for appointment to any position in the classified service for a period of six (6) years, at the discretion of the Board.

2.5 Oaths, Testimony, and Production of Records

The Board, each member thereof, the Appointing Authority and the Human Resource Director shall have the same power and authority to administer oaths, subpoena witnesses and compel the production of

books and papers pertinent to any investigation or hearing authorized by this Act as is possessed by the district courts of this state. Such requests shall be made in writing at least seven (7) days before the time of meeting.

CHAPTER III

DUTIES OF SECRETARY TO THE MUNICIPAL CIVIL SERVICE BOARD

3.1 Duties of the Secretary

- A. The Secretary shall be selected by the five (5) board members
- B. The Secretary shall attend all meetings of the Board and keep a record thereof and shall, in addition, be official custodian of the files and records of the Board.
- C. The Secretary and/or Human Resource Director shall be responsible for all examinations held under this Act. The Secretary shall perform such other duties as the Board prescribes.
- D. The salary for the Secretary shall be set by the Appointing Authority.
- E. The Secretary shall post the date, time and location of scheduled meetings along with the coordinating agenda five (5) days prior to the meeting.
- F. The Secretary shall inform the board members of all meetings.
- G. The Secretary shall coordinate meetings along with information obtained from the Human Resource Director.

CHAPTER IV

CLASSIFICATION PLAN

4.1 Adoption and Amendment of Classification Plan

- A. Whenever, in the opinion of the Appointing Authority, Human Resource Director and Department Head, there is necessity for establishing a new class, or revising or abolishing an existing class in the classification plan the following actions must take place:
 - a. Post public notice of prepared plan 10 days prior to public hearing
 - b. Presented and approved by Board
 - c. Presented and approved by Mayor for presentation and approval by the Council
- B. A classification plan must consist of job description, job title, salary plan, and whether it is a competitive or promotional position. This must be provided for all positions in the classified service.
- C. An original classification plan or amendments thereto shall become effective only after approval by the Board, Mayor and Council following a public hearing.

4.2 Allocating Positions

- A. The Appointing Authority or its designee, as soon as practicable, after consultation with the Human Resource Director and department heads concerned, shall allocate each position in the classified service to its appropriate class, and thereafter shall allocate each new position in such services to its appropriate class, and may reallocate positions from class to class within a department based on seniority and qualifications. The following actions must take place:
 - 1. Post public notice of prepared allocations 10 days prior to public hearing

2. Presented and approved by Board
3. Presented and approved by Mayor for presentation and approval by the Council

B. No person shall be appointed to any position until it has been allocated by the Appointing Authority or its designee except by emergency provisional appointment.

4.3 Force and Effect of Classes

The title of each class shall be the official title of every position allocated to the class for all purposes having to do with the position as such, and shall be used to the exclusion of all other titles on all payrolls, budget estimates and official records and reports pertaining to the position, except that any abbreviation or code symbol adopted by the Board may be used to designate a position of a class. No employee shall be appointed, employed or paid under any title other than that of the class to which the position held by them is allocated.

4.4 Status of Incumbent When Position Reallocated

A. When a position is reallocated the incumbent shall be entitled to serve therein without change in status, provided

1. They are qualified under the standards in effect, at the time of the reallocation, for the class to which their position is reallocated.
2. They attain or have attained a passing grade in such written examination as may be in use at the time of reallocation for the class to which their position is reallocated.

B. The Appointing Authority or its designee at their discretion, may waive the written test requirement.

CHAPTER V

VACANCIES, CERTIFICATION AND APPOINTMENT

5.1 VACANCIES

A. Whenever the Appointing Authority, Human Resource Director, and Department Head proposes to fill a vacancy in the classified service, that vacancy shall be filled by one of the following methods and in accordance with the provisions of the rules adopted by the Board.

1. Reinstatement and reemployment
2. Promotional appointment
3. Competitive appointment
4. Temporary appointment
5. Provisional appointment
6. Substitute appointment

B. Reinstatement and Reemployment

1. A “*reinstatement list*” means an employment list containing names of persons eligible for reinstatement in positions of a class from which they have been demoted for reasons other than disciplinary action. Persons on this list have priority over all other lists when a position in their former class becomes open.
2. A “*reemployment list*” means an employment list for the entrance or lowest ranking class in the classified service or any group of classes which have been laid off for reasons other than disciplinary action and who at the time of their separation had attained permanent status in accordance with the law and rules in that class of positions or any regular employee who resigns from a position in the classified service in good standing. Any regular employee who resigns from a position in the classified service may, with the prior approval of the Appointing Authority and the Board, be reemployed in a position of the class or in a position of any lower class for which they are qualified, provided the reemployment is made within four years

of the date of resignation, and provided no person whose name appears upon either the reinstatement, promotional employment, or reemployment list for a class to which any such person is reemployed is willing to accept an appointment therein. Any person who is reemployed shall be physically fit to perform the duties of the position to which they are appointed. They shall furnish a favorable medical certificate to the appointing authority and the Board after a recent examination by a practicing physician.

When a vacancy can be filled from these lists, the following actions must take place:

1. The Board shall certify the names of persons upon the list
2. The person upon the list with the most seniority shall be offered the position first and if not filled by this person then continue in descending order of seniority until such position is filled

The purpose of this provision is to give preference in filling vacancies to those who have previously been in the service of the department in the same or similar positions and who have been separated from the service because of reasons other than disciplinary actions. Any names on the list who have expressed unwillingness to accept appointment may be removed from the list.

C. Promotional Appointment

In the event a vacancy cannot be filled by reinstatement or by reemployment, the Board shall certify the names of persons upon the promotional list. All employees holding classified positions and who have achieved permanent status can be added to this list. Promotions shall be based upon merit, to be ascertained by examinations provided by the Board and upon the superior qualifications of the persons promoted as shown by their previous service, due weight being given to seniority and experience from among employees holding classified positions in the department in which the vacancy exists.

If the vacancy cannot be filled from within that department, then the vacancy will be open to other departments where such promotions shall be based

upon merit, to be ascertained by examinations provided by the Board, and upon the superior qualifications of the persons promoted as shown by their previous service, due weight being given to seniority and experience.

The vacant position must be posted for fifteen (15) business days. Thereafter, the Board shall certify the names of persons upon the list.

The Appointing Authority may waive the testing requirement.

If after or during the working test period it is shown that the person promoted fails to qualify for the position, the person will be demoted and the next person on the list shall be offered the position.

D. Competitive Appointment

Open to all persons eighteen or more years of age who meet the requirements established for admission as specified in the rules of this Board, which may relate to merit, superior qualifications and experience.

Preference shall be given to a resident of the City when all things are equal in respect to ability, experience, training and education as compared to a nonresident of the City.

Competitive examinations shall be used to fill vacancies in entry level classes of positions. The following actions must take place:

1. The vacant position must be posted for (30) thirty business days
2. The Board shall approve applications
3. If applicable and in accordance with these rules a competitive test may be given
4. The Board shall certify the names of persons upon the list

The Appointing Authority may waive the testing requirement.

E. Temporary Appointments

A person may be employed in a temporary position only for the duration of the temporary work. A person given a temporary appointment may not be transferred or changed to any other position except on a temporary basis and shall never attain permanent classified status from such appointment. Such temporary employment may continue only so long as the facts justifying a temporary appointment exist.

F. Provisional Appointments

A provisional appointment without civil service examination may be made when there is no appropriate eligibility list or persons on the list are not available or cannot be contacted and when the appointing authority certifies and supports with adequate facts that an emergency exists. Such provisional appointment must be approved by the appointing authority and the provisional appointee must meet the requirements. Such appointment may continue only until such time as the position can be filled from an eligibility list. A person shall not receive more than one provisional appointment or serve more than four (4) months as a provisional appointee in any one (1) fiscal year.

G. Substitute Appointment

The appointing authority may make a substitute appointment to any position when a permanent employee is on an authorized leave of absence. During the substitute appointment, the employee shall hold the classification title and rate of pay for the classification and position so occupied.

CHAPTER VI

EXAMINATIONS

6.1 Provisions for Tests, Notices, Subject Restrictions, Preparation Review

- A. The Board shall provide for tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists, as follows: Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state: (1) class of positions for which tests will be given, (2) whether the tests will be given on a promotional or competitive basis, and (3) the final date and time on which applications for admission to the test will be received. The notice shall be posted for a continuous period of thirty (30) days preceding the date for administering the tests. In addition to the posted notice, public notice for all tests to be on a competitive basis shall be published at least two (2) times during the thirty (30) days period in the official journal of the City. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, time and place to report for an announced test at least five (5) days in advance thereof in any manner the Board may prescribe. Each person comprising a group of candidates being tested at a given time for the same class of employment shall be given the same test, and it shall be administered in the same manner to each candidate. No questions shall be so framed so to elicit information concerning the political, factional or religious opinions or affiliations of any applicant.
- B. All tests shall be restricted to those matters which will fairly test the relative capacity and fitness of the candidates to

discharge the duties characteristic of positions of the class to which they seek to be appointed. Tests may include written or oral questions, trials on the performance of work characteristic of the class, inquiries into facts relating to education, experience or accomplishments in specialized lines of endeavor, or any combination of these and other elements duly related to the purpose of the tests.

- C. Seventy-five percent (75%) shall constitute a passing score for all tests administered under the provisions of this Chapter.
- D. Promotional tests for positions in the various classes in the classified service except those classes in which positions shall be filled only from the competitive list, may be held as the needs of the service require.
- E. Competitive tests shall be held only as the needs of service are required and/or every eighteen (18) months.

6.2 Admission to Tests

- A. In all tests for original entrance, preference is to be given both by the Board and the appointing authority to a qualified voter of the City when all things are relatively equal in respect to ability, experience, training, and education as compared to a non-resident of the City.
- B. The Board will only approve applications for admissions to tests of persons who:
 - 1. Are eighteen (18) years of age or older.
 - 2. Have a high school diploma or equivalent.
 - 3. Have a valid driver's license.
- C. Any such facts also shall be considered cause for removal of any employee. The Board shall reject any application filed after the date and time fixed for closing receipt of applications as announced in the public notice of the tests.

- D. If the date for closing receipt of applications should fall on a legal holiday recognized by the City then the official closing date shall be the next business day following the holiday.

6.3 Reporting of Test Scores

- A. Person administering the test shall at the completion of the test seal all test packets and give to the Appointing Authority's designee.
- B. A member of the Board and the Appointing Authority's designee shall together grade all test given by the City.
- C. In the event the City uses an outside testing facility all scores should remain sealed until brought to the Board for approval.
- D. All test scores must be approved by the Board.

CHAPTER VII

WORKING TESTS

7.1 Working Test

Every person appointed to a position in the classified service following certification of their name from a competitive employment list or promotional employment list, except those appointed on a temporary basis shall undergo a working test period while occupying the position before they may be confirmed as a regular and permanent employee in the position.

7.2 Period of Working Test

The working test period shall commence immediately upon appointment and shall continue for a period up to six (6) months. The Appointing Authority may extend the working test period of six (6) months, however no longer than one (1) year.

7.3 Completion of Working Test

Upon any employee completing their working test, the appointing authority shall so advise the Board and furnish a signed statement to the employee of the acceptance of the employee as a regular and permanent employee in the respective position, or of the refusal to confirm the employee. If, at the expiration of any employee's working test period, the appointing authority fails to confirm or reject the employee, such failure to act shall constitute a confirmation.

7.4 Removal During Working Test

The appointing authority may remove an employee within the first three (3) months of their working test period without appeal.

7.5 Right to Appeal

In any event, where an employee is permitted under this Act to appeal to the Board, the decision of the Board shall be subject to judicial review as provided by this Act, and the appointing authority and employee shall be governed accordingly.

CHAPTER VIII

PAY PLAN

8.1 Preparation of Pay Plan

The Human Resource Director, after consultation with the Mayor and Council and the heads of departments, shall prepare and submit to the Board for review a pay plan for the classified service comprising a scale of rates for each class.

8.2 Rate of Pay Upon Employment

Employment in any position of a class shall be at the minimum rate for the class. However, when economic or employment conditions make recruitment of eligibles at the minimum rate for the class difficult, the Appointing Authority may authorize the appointment of qualified applicants at a higher rate within the scale of rates for the class. The Appointing Authority may, when a higher entrance rate becomes effective, adjust the salaries of employees working in that department to which it was made applicable if they are earning less than the higher rate.

8.3 Rate of Pay Upon Promotion

A. The rate of pay of an employee who is receiving less than the minimum rate of pay prescribed for the class of position to which they are promoted shall be adjusted to such minimum. If such adjustment does not equal one full increment in the pay range for the new class they shall, in addition to the adjustment, be granted one additional step at the time of the promotion. At the end of the probational period they shall be granted an additional step. If such adjustment does equal one full increment in the pay range for the

class to which they are promoted, they shall remain at such minimum.

- B. The rate of pay of an employee who is being paid at a rate between the minimum and the maximum rate prescribed for the class of position to which they are promoted but not corresponding with any specified rate of such scale, shall be adjusted to the next higher step. If such adjustment does not equal one full increment in the pay range for the new class they shall, in addition to the adjustment, be granted one additional step at the time of the promotion. At the end of the probational period they shall be granted an additional step.

8.4 Rate of Pay Upon Demotion

- A. When an employee is demoted for non-disciplinary reasons, their pay shall be fixed on the nearest step within the range for the lower class position. Their rate of pay shall not be less than their current pay.
- B. When an employee is demoted for disciplinary reasons, their pay shall be fixed at the rate to fall under the corresponding step in the lower class.

8.5 Rate of Pay Upon Return From Military Service

Refer to Federal Laws regarding Military Service

8.6 Pay Upon Transfer or Reassignment

- A. When a permanent or probationary employee is transferred without promotion or demotion, their pay shall not be reduced.
- B. When a permanent employee is transferred with promotion following certification from a promotional eligible list, or following non-competitive promotion, the Rules relating to pay upon promotion shall apply.

8.7 When a Pay Plan is Established or a Range is Changed:

- A. The rate of pay an employee who is paid at less than the minimum rate of the scale prescribed for their class shall be increased to such rate.
- B. The rate of pay of any employee who is paid at any one of the specified rates of the scale prescribed for their class shall not necessarily be changed by reason of the new scale.
- C. The rate of pay of an employee who is paid at a rate between the minimum rate and the maximum rate prescribed for their class but not corresponding with any step of such scale shall be advanced to the next higher such step.

8.8 Salary Step Increases

- A. The anniversary date for all City employees will be July 1st for annual merit raises except as follows:
- B. To be eligible for the annual merit raise due the City employees on July 1st, a person must have had at least six (6) months of continuous service and have successfully completed their working test period.
 - 1. If an employee does not have at least six (6) months continuous service with the City on July 1st when annual merit raises are given, they must wait until the following July 1st to be eligible for their annual merit raise.
- C. All increases herein authorized are subject to the requirement that no employee's pay shall exceed the maximum rate of pay established for the class of position the employee occupies.
- D. An employee's eligibility for the increase authorized in Sub-section (A) hereof shall not be interrupted by
 - 1. Their reassignment
 - 2. Their demotion

3. The reallocation of their position to a lower class
 4. A change in the salary range assigned their class position
 5. Their appointment to an equivalent or lower class position in the same or another department without a break in service of one or more working days.
 6. Time served by them in the military service
 7. Their transfer from a position in one department to an equivalent or lower class position in another department.
- E. Former employees who are re-employed following a break in service of one or more working days, except those appointed from a department preferred re-employment list and except those who are restored to duty upon return from military service, shall be considered new employees.
- F. Any adjustment of increase which an employee receives under the provisions of other sections of these Rules, unless otherwise indicated, shall not be charges against such employee's eligibility to receive the regular increases authorized under this section.
- G. An employee who has a current service rating of "Unsatisfactory" shall not be eligible for any increase under the provisions of this Rule.
- H. An employee who has been promoted to a higher class, whose position has been reallocated to a higher class, or who has been given an original appointment to a higher class shall be considered a new employee for the purpose of eligibility for the salary step increases authorized by this Rule.

8.9 Extra Step Increases

The appointing authority may increase an employee's pay at any time to any step in the range for the class but not beyond the maximum for the class.

8.10 Rate of Pay on Detail

When an employee is detailed to special duty in another position their pay shall not be reduced; but, with its approval of the appointing authority their pay may be increased to the rate they would have received upon promotion to such position; provided:

- A. Any such temporary increase granted shall not affect eligibility for increases in their regular position which they would have received if they had not been detailed.
- B. At the conclusion of the detail, their pay shall revert to the authorized rate of pay in their regular position.
- C. Any such temporary increase granted shall not establish eligibility for any special benefit provided for elsewhere in the Rules.

8.11 Rate of Pay When Position Allocated or Reallocated

When a position is allocated or reallocated, the incumbent's pay shall be fixed according to the Rules governing pay upon promotion, demotion, or reassignment, whichever is applicable.

8.12 Overtime Pay

- A. Only employees who are not in a supervisory capacity shall be regularly eligible for overtime pay for hours worked in excess of the normal departmental work week. "Employees shall be paid time and one-half for the actual overtime worked. All overtime shall be authorized and approved by the appointing authority or department head.

CHAPTER IX

ANNUAL, SICK, AND OTHER LEAVES OF ABSENCE

POLICY Permanent, full-time employees are eligible for certain leaves of absence as determined by the length of service with the City in accordance with the provisions of the annual leave plan. Unless otherwise noted, all sections shall apply to all city employees.

9.1 Annual Leave (Vacation)

A. Eligibility and Length of Annual Leave

1. Employees must have completed their working test period and, therefore, be a permanent, full-time employee to be eligible for annual leave.
2. Annual leave shall be kept on a calendar year basis (January 1 – December 31).
3. Annual leave shall be calculated and earned on the following basis, determined by the date of employment as follows:
 - **One (1) week = 40 hours**

4. The length of an employee's annual leave shall be determined by the length of service with the city of Zachary in accordance with the provisions of the annual leave plan.
5. New employees shall be entitled to annual leave determined by the date of employment as follows:
 - If placed on the payroll between January 1 and March 31, they shall be eligible for one (1) week of annual leave during the calendar year. **40 hrs**
 - If placed on the payroll between April 1 and September 30, they shall be eligible for two (2) weeks of annual leave during the following calendar year. **80 hrs**
 - If placed on the payroll between October 1 and December 31, they shall be eligible for one and one-half (1 ½) weeks of annual leave during the following calendar year. **60 hrs**
6. 2-4 years: Following the calendar year in which the annual leave determined by employment date is taken, the employee shall be eligible for two (2) weeks of annual leave during each successive calendar year up to five (5) years of continuous service. **80 hrs**
7. 5-9 years: Employees who have five (5) or more years of continuous service shall be eligible for three weeks of annual leave. The employee with four (4) years of continuous service shall be eligible for three (3) weeks of annual leave on the date during the calendar year when the employee attains five (5) years of continuous service. **120 hrs**
8. 10-14 years: Employees who have ten (10) or more years of continuous service shall be eligible for four (4) weeks of annual leave. The employee with nine (9) years of continuous service shall be eligible for four (4)

weeks of annual leave on the date during the calendar year when the employee attains 10 years of continuous service. **160 hrs**

9. 15-19 years: Employees who have fifteen (15) or more years of continuous service shall be eligible for five (5) weeks of annual leave. The employee with fourteen (14) years of continuous service shall be eligible for the five (5) weeks of annual leave on the date during the calendar year when the employee attains fifteen (15) years of continuous service. **200 hrs**
10. 20 + years: Employees who have twenty (20) or more years of continuous service shall be eligible for six (6) weeks annual leave. The employee with nineteen (19) years of continuous service shall be eligible for six (6) weeks of annual leave on the date during the calendar year the when the employee attains twenty (20) years of continuous service. **240 hrs** *This is the MAXIMUM.

B. Taking Annual Leave

1. Annual leave must be applied for by the employee and may be used only when approved by the employee's Department Head or the appointing authority.
2. Annual leave taken shall be applied to available annual leave beginning with the employee's current year annual leave, and subsequently accrued annual leave.
3. Employees may be granted annual leave in advance of credits but only to the extent that the amount of advance leave will not exceed the credits that they have earned or may earn during that calendar year.
4. Upon separation of employment, the employee shall be entitled to compensation for annual leave accumulated and not taken at the time of their separation of employment with the City. In the case of death of the

employee, annual leave accumulated and not taken at the time of death shall be paid to the estate.

5. Requests for taking annual leave shall be submitted in writing at the beginning of each calendar year (January 1) to the employee's Department Head and choice shall be given on the basis of seniority. The request shall consist of a beginning date, a return to work date and the total number of annual leave hours to be taken from the employee's work schedule. No number of hours to be taken shall exceed the remaining eligible hours for the employee as of the date the annual leave is to begin. Changes made to scheduled annual leave may be allowed with the approval of the employee's Department Head. Any unscheduled annual leave can be denied by the Department Head or appointing authority if the unscheduled leave will leave the work force depleted.
6. Employees are responsible to schedule at least the amount of annual leave for which they are eligible so as to not lose any annual leave time according to the maximum allowable carry over for each year.
7. Any employee with annual leave in excess of six (6) weeks as of December 31, 2004, will have the excess hours frozen and available for use at anytime in accordance with the rules of this subsection.
 - Example: As of 12/31/2004, an employee has 340 annual leave hours accumulated. 100 of those hours will be frozen as of 1/1/05. They may use or sell back the frozen hours in accordance with Civil Service rule 9.1.B at their request.
8. Effective January 1, 2005, the maximum amount of annual leave that may be carried over from year to year shall not exceed six (6) weeks (240 hrs) for any employee along with any previously frozen hours not used, if applicable.

9. Payment in lieu of accrued annual leave (“buy-back”) may be taken in forty (40) hour increments, up to eighty (80) hours per calendar year (January 1 – December 31). Current year annual leave is not eligible, only leave accrued prior to the current year.

Example: An employee receives six (6) weeks annual leave each year and has a carryover of one hundred (100) hours as of December 31, 2003. On January 1, 2004, they will receive two hundred and forty (240) hours annual leave for the current year, and thus, their total annual leave available shall be three hundred and forty (340) hours. Only the one hundred (100) hours (accrued annual leave prior to the current year) shall be eligible for “buy-back.”

- C. Employees on authorized leave of absence with pay prior to their retirement date, in accordance with section 9.2.A.7., shall not earn annual leave during that period.
- D. Employees on authorized leave of absence without pay shall not earn annual leave during the period of their leave of absence but shall retain all annual leave accumulated prior to the time their leave commences.
- E. Transfers, promotions or demotions shall in no way affect the status of earned annual leave.

9.2 Sick Leave

- A. Eligibility and Length of Sick Leave
 1. Employees must have completed six (6) months of employment
 2. Sick leave shall be kept on a calendar year basis (January 1 – December 31).

3. Sick leave shall be calculated and earned on the following basis:
 - a. 10 hours per month for employees with six (6) months or more of continuous service
4. An employee who wishes to take scheduled sick leave, i.e. doctor's appointments, surgery, etc. shall report, in writing, to their Department Head stating the cause of absence and the amount of time to be taken. When the amount of sick leave taken is in excess of three (3) consecutive days, a physician's statement may be required to certify the necessity of the absence and the employee's ability to return to work.

If there is reasonable doubt as to the validity of an employee's claim for consecutive sick leave of three (3) days or less, the Appointing Authority or their delegated representative may require a statement from a registered physician or other acceptable proof to certify the necessity of the absence and the employee's ability to return to work. When it has been determined that an employee has charged an absence against sick leave, although no actual sickness occurred, the value of absent time shall be deducted from the employee's annual leave or if annual leave is insufficient; deduction shall be made from the employee's pay. In addition, disciplinary action may be taken by the appointing authority

5. Employees must notify their Department Head of an unscheduled absence due to illness no later than 60 minutes from the employees scheduled time to report to work. An employee is also required to make the same notification each day they are absent due to an illness. Failure to report an unscheduled absence as indicated may result in disciplinary action.
6. All accumulated sick leave shall be forfeited upon termination of employment, except for those employees who are eligible for retirement and who

may utilize a maximum of 720 hours of sick leave and be considered on leave of absence with pay prior to a set retirement date. Employees on **authorized leave of absence with pay** prior to their retirement date shall not earn sick leave during that period. Employees on **authorized leave of absence without pay** shall not earn sick leave during the period of their leave of absence but shall retain all sick leave accumulated prior to the time their leave commences.

7. Employees hired before March 1, 2015 are eligible for the following benefit:
 - a) If an employee has accrued between 720 – 1,440 of sick time hours as of March 1, 2015, that actual accrued time amount shall be utilized for retirement purposes. For actual sick time utilization, the employee shall be allowed to accrue up to 1440 sick time hours. Should the actual accrued time amount fall below 720 sick time hours prior to retirement, the actual accrued time amount existing at that time shall be utilized for retirement purposes.
 - b) If an employee has accrued more than 1,440 of sick time hours as of March 1, 2015, they shall continue to accrue up to 2,880 of sick time hours. These employees when eligible for retirement may utilize a maximum of 1,440 hours of sick time hours and be considered on leave of absence with pay prior to a set retirement date.
8. Transfers, promotions, or demotions shall in no way affect the status of earned sick leave except for employees who convert from twenty-four (24) hour shifts to eighty (80) hour shifts, or vice versa. A change of position from one shift schedule to the other shall result in a conversion of existing hours, prorated in direction of transfer, promotion, or demotion.

9. For employees with six (6) months or more of continuous service, the conversion shall be based on a ratio of eight (8) hours to twenty-four (24) hours.

9.3 Civil and Military Leave

Shall be governed by Federal Law

9.4 Leave of Absence Without Pay

- A. The Appointing Authority and/or Department Director may, upon the written request of a regular employee grant a regular employee who has served at least one (1) year, leave of absence for a period not to exceed sixty (60) consecutive days in any one (1) year whenever such leave is considered to be in the best interest of the service.
- B. The Appointing Authority and/or Department Director may, upon the written request of a regular employee grant a regular employee who has five (5) or more years of continuous service, leave of absence without pay for a period not to exceed one (1) year, providing that a registered physician furnishes a certificate stating that the employee is incapable of work, but there is reason to believe that the employee will be physically fit for work upon termination of such leave.
- C. When an employee does not return to work at the expiration of the period of leave without pay authorized herein, the employee shall be automatically considered as having resigned their position.

9.5 Administrative Leave

The Appointing Authority may grant administrative leave with pay for periods not to exceed sixty (60) days when circumstances that would warrant the removal of an employee from the department without disadvantage in order for the Appointing Authority to conduct an investigation concerning the conduct of the employee or as may be otherwise required under department policies and procedures. At the end of the sixty (60) day period, or of its lawful extension, or at the completion of the investigation, whichever occurs first, administrative leave shall be terminated.

9.6 Maternity Leave

Shall be governed by the Family Medical Leave Act (FMLA), other Federal or State law

9.7 Emergency Leave

- A. The Appointing Authority and/or Department Head may grant emergency leave due to the illness of a family member, defined as a spouse, child, step-child, parent or step parent, when such absence is necessary to eliminate a situation of hardship.
- B. Emergency leave shall be charged as sick leave.
- C. Emergency leave granted shall not exceed one-fourth (1/4) of employee's accumulated sick leave.

9.8 Holidays

- A. Holidays for all employees in the classified service shall be as follows:
 - 1. New Year's Day
 - 2. Martin Luther King, Jr. Day
 - 3. Mardi Gras Day
 - 4. Good Friday
 - 5. Memorial Day
 - 6. Independence Day

7. Labor Day
8. Thanksgiving Day
9. Veteran's Day
10. Christmas Day
11. Rolling Holiday – to be designated each year by the Mayor
12. Employee's Birthday

- B. The holidays named in the above Section (9.8.A) shall be known as regular designated holidays. A regular designated holiday falling on Sunday will be observed on the following Monday and a regular designated holiday falling on a Saturday will be observed on the preceding Friday.
- C. Birthdays and special holidays proclaimed by the Mayor and City Council shall not be subject to the provisions of Section B.
- D. Whenever, for the good of the service, the Appointing Authority or his delegated representative requires that an employee work on a regular designated or special holiday (except birthday), the employee shall perform their duties on that day, but shall be entitled to time off in accordance with the Fair Labor Standards Act (FLSA) or be paid double time for the actual hours worked.

9.9 Funeral Leave

A leave of absence with pay shall be granted for funerals of immediate relatives of employees. "Immediate Relative" includes mother, father, mother-in-law, father-in-law, husband, wife, son, daughter, brother, sister, brother-in-law, sister-in-law, aunt, uncle, grandparent and grandchild. Funeral leave shall be no more than three (3) days, the day before, the day of the funeral and the day after.

9.10 Accident or Long Term Illness Leave

- A. The appointing authority or their delegated representative may, upon the request of a regular employee and with a physicians certified statement, grant a period of leave due to an accident or illness of an employee.

- B. Accident of Long Term Illness leave shall be charged as sick leave.
- C. No sick leave or annual leave shall be earned after the first three (3) months of Accident or Long Term Illness leave.
- E. The attending physician must certify the employee is able to resume normal work duties before the employees shall be allowed to return to work.

9.11 Leave of Absence with Pay

- A. Each employee of the classified service shall be granted leave of absence with pay to take any City of Zachary civil service examination.
- B. Provisional employees are granted leave of absence with pay to take any City civil service examination.
- C. An employee shall be given time off without loss of pay when performing jury duty when subpoenaed.
- D. Each department member of the Board shall be granted leave of absence with pay for the duration of any civil service board meeting which the employee representative attends, or for any time required to assist with civil service examinations, or other official business of the Board.

CHAPTER X

RECORDS

10.1 Payroll and Attendance Records

- A. It shall be the duty of the Appointing Authority to maintain a system of payroll records. Each payroll record shall show the name of the employee, the official class title, the period for which payment is proposed, the rate of pay, and the amount of proposed payment. Such system or systems shall be so designed as to facilitate the maintenance of adequate personnel records and to eliminate duplication of the accounting and reporting to the fullest extent practicable.
- B. The Appointing Authority or its delegated representative shall certify on each payroll or subsidiary document the continuance of authorized employment of an employee in a position, and the actual rendering of service in the position or absence from duty with pay on duly authorized or other satisfactory way of describing the time worked in the payroll period.
- C. The forms prescribed by the Appointing Authority shall also be used for the authorization for the continuance of the Employee on a department payroll. Any change in the status of an employee shall be promptly reported to the Board on the prescribed forms, and when approved by the Board, such forms

shall constitute proper authorization for the corresponding change in status of such employee.

- D. If the Board in any case finds that an Employee has been employed in any position in violation of any provisions of the law of these rules, it shall so notify the Appointing Authority and such authority shall not issue payment to such Employee.

10.2 Appointment Forms

The Appointing Authority shall prescribe forms and certify the lawful creation of a position and the lawful appointment of a person to the position. The Appointing Authority also shall indicate on these forms the proper allocation of the position and the rate of pay at which payment is to be made. These forms shall constitute authorization for the initial placement of the name of a person on a payroll. These forms shall be reported to the Board. No Employee shall then be removed from a payroll, except in accordance with the law and these Rules.

10.3 Leave Records

The Appointing Authority shall install and maintain a leave record showing for each Employee who holds a position in the classified service, (1) vacation earned, used and unused, (2) sick leave earned, used and unused, and (3) any special leave or other leave, with or without pay. Such record shall be documentary evidence to support and justify the certification or authorized leave of absence with or without pay.

10.4 Examination of Personnel Records

The Board shall, from time to time, examine payroll and related records to determine whether or not the Employees on such payrolls have been appointed, transferred, reinstated, continued or otherwise employed in violation of any provision of the law and rules and determine if employees are being paid at a rate other than the duly authorized rate.

10.5 Public Inspection of Records

Except as specifically provided in this rule, the records of the Board shall be public records and shall be open to the public for inspection during office hours. For reasons of public policy the following records shall be held confidential:

- A. Examinations, examination materials, tests, and results of test.
- B. Confidential reports and investigations on the character, personality, and history of employees or candidates for positions in the Classified Service
- C. Medical Records

CHAPTER XI

REMOVAL, SUSPENSIONS, OTHER CORRECTIVE AND DISCIPLINARY ACTIONS

11.1 Removal, Suspensions, Other Corrective and Disciplinary Actions

The tenure of persons who have become regular and permanent Employees in positions of the classified service shall be during good behavior; provided, however, that the Appointing Authority may remove any employee from the service, or take such disciplinary action as the circumstances may warrant and as hereinafter provided, for any one of the following causes:

- A. Unwillingness or deliberate failure to perform the duties of their position.
- B. The commission or omission of any act or acts to the prejudice of the departmental service; or any act contrary to public interest or policy.
- C. Insubordination which is defined as unwillingness to submit to authority. Direct disrespect to an immediate supervisor, Department Director or Appointing Authority.
- D. Conduct of a discourteous or wantonly offensive nature toward the public or any municipal officer or employee or any conduct

which is dishonest, disgraceful, immoral, or prejudicial to the classified service.

- E. Drinking any beverages of high or low alcoholic content while on duty, or reporting for duty while under the influence of such beverages.
- F. The consumption of beverages of alcoholic content or use of any drug while on duty, or reporting for duty while under the influence of such beverages or drugs. The consumption of beverages of alcoholic content or any drug to an extent which precludes such employee from performing the duties of their position in a safe, proper and efficient manner.
- G. Making a false statement of any material fact in their application for admission to any test for securing eligibility or appointment to any position in the classified service, the practicing or attempting to practice fraud or deception in any such test.
- H. The conviction of a felony.
- I. Using or promising to use their influence or official authority to secure any appointment to a position within the classified service as a reward or return for partisan or political services.
- J. Soliciting or receiving any money or valuable thing from any person or group of persons for any political party or political purpose.
- K. Inducing or attempting to induce by threats or coercion any person holding a position in the classified service to resign their position, take leave of absence from their duties, or waive any of their rights under the provisions of this Act or of the rules lawfully adopted hereunder or harassment in any form as defined in the City of Zachary Employee Handbook.
- L. The development of any defect of physical or mental condition which precludes the employee from properly performing the duties of the position, or the development of any physical or

mental condition that may endanger the health or lives of fellow employees or the public.

- M. The willful violation of any provision of the Act or of any rule, regulation or order lawfully adopted hereunder.
- N. Any other act or failure to act which the Board shall approve as being sufficient to show the offender to be an unsuitable or unfit person to be employed in the respective service.

11.2 Initiating Corrective or Disciplinary Action

Although it is incumbent upon the Appointing Authority to initiate corrective or disciplinary action where such action is indicated under the provisions of the Act, the Board may also do so and, upon the written request of any qualified, registered elector of the City who specifies the cause therefore, it shall initiate such action. Before initiating any such corrective or disciplinary action the Board shall make an investigation of the conduct and performance of such employee and thereupon may render such judgment and order the Appointing Authority to take such action as the Board may deem pertinent in accordance with the provisions of this Act, and such action shall be forthwith taken by the Appointing Authority.

11.3 Predisciplinary Hearing - Required

The Appointing Authority shall provide and arrange for a predisciplinary hearing prior to demotion, suspension, or discharge of a permanent employee. The Appointing Authority shall give the employee ten (10) business day's notice of the location, time and date of the predisciplinary hearing. Following the predisciplinary hearing, the Appointing Authority shall decide on the matter within ten (10) calendar days. Regarding suspensions, the appointing authority may suspend an employee without prior notice and without a predisciplinary hearing if the Appointing Authority believes immediate suspension is in the best interest of the City.

- A. An employee shall be provided, in writing, with a notice of the charge and a reasonable explanation of the Appointing Authority's

evidence. The employee shall be given an opportunity to respond to the charges, orally or in writing, as to why the Appointing Authority's proposed action should not be taken.

- B. The employee may have legal counsel or other representation present, at the expense of the employee.
- C. The Appointing Authority's notice and explanation of its evidence shall be sufficient to apprise the employee of the basis for the proposed action. This rule, however, shall not be construed to limit the Appointing Authority at subsequent hearings from presenting a more detailed and complete case, including presentation of witnesses and documents not presented at the Predisiplinary hearing.

11.4 Clarification of Rules

To maintain orderly, safe city operation, general rules of conduct are hereby set up for the guidance of all employees.

Violation of any of these rules and regulations will result in disciplinary action tailored to fit the seriousness of the violation. Violation of one of these rules, or frequent violations of any combination of rules, will result in more severe penalties or discharge. Permissible forms of discipline are: (1) verbal warning; (2) written warning; (3) time off without pay; and (4) discharge.

All disciplinary action will be consistent with fair and just treatment of each individual employee. Any disciplined employee who feels they have not been fairly treated should follow the established procedure in resolving this problem.

These rules may be supplemented from time to time as required.

Group A

Violations of the following may be considered cause for immediate discharge:

1. Fighting or willfully provoking or instigating a fight.

2. Stealing the property of the City or of other employees or of vendors, contractors, or lessors.
3. Bringing firearms, explosives, or weapons of any kind into or on the City property.
4. Insubordination or refusing to carry out authorized instructions.
5. Willfully misusing, damaging, or destroying any City property or property of any employee or supplier or contractor.
6. Willfully performing work in a manner not prescribed by standard operating procedures and accepted job practices.
7. Bringing or consuming intoxicants or unauthorized drugs on City property, or reporting to work while under the apparent influence of intoxicants or unauthorized drugs.
8. Disorderly conduct which knowingly jeopardizing the health and safety of a fellow employee or the public such as horseplay, threatening, or intimidation.
9. Willful neglect of duty.
10. Willfully concealing or falsely reporting defective work

Group B

Violation of the following rules may be considered a sufficient cause for written warning and suspension. Subsequent violations are sufficient cause for discharge:

1. Sleeping while on duty.
2. Deliberately stopping or willfully leaving assigned work during working hours without permission, except in emergency.

3. Failure to report an accident which results in property damage or personal injury immediately without reasonable cause.
4. Habitual tardiness or excessive absenteeism.

Group C

Violation of the following rules may be sufficient cause for a verbal warning; second violation; written warning; third violation: written warning and suspension or discharge:

1. Unsatisfactory job performance.
2. Failure to report absence from work immediately without reasonable cause.
3. Loafing, loitering, or wasting time on the job.
4. Wasting materials or supplies due to carelessness.

11.5 Filing a Grievance

If an employee feels they have been treated unfairly or improperly by their fellow co-worker, supervisor, etc. they shall follow the chain of command and accordingly file a grievance with their immediate supervisor, Department Director, then the Appointing Authority. If the employee feels that the situation has not been resolved they may file a grievance with the Civil Service Board in writing stating their name, the accused name, date, time and description of the incident. The Board will then investigate the grievance and if applicable take appropriate action within 60 days.

CHAPTER XII

PROHIBITION AGAINST POLITICAL ACTIVITIES

12.1 Political Activities Prohibited

Political activities by and extending to employees of the classified service are hereby prohibited as follows:

- A. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service.
- B. No person shall use or promise to use, directly or indirectly, any official authority to influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration.
- C. No employee in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription or contribution for any political organization or purpose or solicit or take part in soliciting any such assessment, subscription or contribution, and no person shall solicit any such assessment, subscription or contribution of any

employee in the classified service; provided, however, that the prohibitions of this Sub-section shall not be construed as applying to membership dues paid or contributions made to pension funds, civic enterprises, the Louisiana Civil Service League, an association or union of public employees, or any similar nonpolitical or nonpartisan organization.

- D. No employee in the classified service shall be a member of any national, state or local committee of a political party, or an officer or member of a committee of any factional or political club or organization, or a candidate for nomination or election to public office, nor shall any such employee make any political speech in behalf of any candidate seeking to be elected to public office, nor take any part in the management or affairs of any political party or in the political campaign of any candidate for any political party or in the political campaign of any candidate for public office, except to express their opinion privately and to cast their vote.
- E. No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified service.
- F. No member of the Appointing Authority, or any agent or deputy of any of them, shall directly or indirectly demote, suspend, discharge or otherwise discipline or discriminate against any person in the classified service for the purpose of influencing their vote, support or other political activity in any election or primary election. No member of the Appointing Authority, or any agent or deputy of any of them, shall use their official authority or influence, by threats, promises or other means, directly or indirectly, to coerce the political action of any employee in the classified service.
- G. It shall be the duty of the Appointing Authority to discharge or suspend from the service or reprimand any employee whom it deems guilty of violating any one or more of the provisions of this section; provided, however, that the Board may, upon its own initiative, investigate any officer or employee in the classified service whom it reasonably believes to be guilty of

violating any of the provisions of this section. Any citizen taxpayer, municipal officer or employee may file with the Board detailed written charges against any employee in the classified service for violating any one or more of the provisions of this section. The Board, shall, within thirty (30) days after receiving such written charges, hold a public hearing and investigation and determine whether or not such charges are true and correct. If the board finds upon its investigation that the employee has violated any of the foregoing provisions, the Board shall order the appointing authority forthwith to discharge the employee from the service or to suspend or reprimand them, and the Appointing Authority shall forthwith comply with the order.

- H. Any member of the Appointing Authority, or any agent or deputy hereof, classified employee, or any other person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided in Section 31 of this Act.
- I. The Appointing Authority at the time of an election shall have the authority to determine if all classified employees can attend a reception/party after the polls have closed, regardless of the possibility of run-off. The time for polls to be considered “closed” will be Central Time Zone.