

Vacation time may be taken in periods of not less than half-hour (½ hour) increments at a time, at any time after six (6) months' continuous service providing, however, the department head or his delegated representative approves the requested time off. (Revised effective: 09/01/89) (Revised effective: 5/12/15).

1.2 (a) Donation of earned annual leave.(Revised 7/11/2017)

Subject to the condition that the recipient has been placed on Federal Medical Leave Act (FMLA) by the Human Resource Department by providing documentation, the Civil Service Director may approve annual leave donations. The appointing authority may allow an employee to donate annual leave with pay to a classified employee, subject to the following conditions:

1. The recipient must be a regular employee.
2. The donor relinquishes all future claims to the donated leave, regardless of the medical condition of either the donor or the recipient.
3. The donation must be strictly voluntary, without coercion, implied or otherwise, and must be certified as such in writing by the donor in advance of the actual transfer of annual leave from the donor to the recipient.
4. In any case in which an employee is donating annual leave with pay to an employee in another organizational unit, the approval of both appointing authorities will be required.
5. Following approval, the appointing authority/authorities must submit all the necessary leave adjustment forms to the Department of Civil Service with appropriate documentation.

1.2 (b) Charging exempt employees annual leave

Classified exempt (salaried; not eligible to receive overtime or comp time) employees shall be charged for annual leave time as follows:

Use of less than 4 hours in a whole workday . . . 0

Use of 4 or more hours in a whole work day . . . 7.5 or 8 hours,
depending upon the number of hours of the employee's work
day. (Revised effective: 04/01/98)

1.3 VACATION SCHEDULE AND LOSS OF EARNED VACATION.

In establishing vacation schedules, the department head shall consider both the employee's preference and the operating needs of the department. In any event, upon request, vacation time must be scheduled so that it shall be taken during the calendar year in which earned with the following exceptions:

- (a) Employees with less than one year of employment may carry all unused annual leave forward to the next calendar year.

(b) As of July 14, 2015, On December 31 of each year, the accumulated annual leave of each employee shall be carried forward to the succeeding year, provided that accumulated annual leave carried forward shall not exceed the amount of hours indicated in the chart below:

ANNUAL LEAVE SCHEDULE AND LOSS OF EARNED ANNUAL LEAVE

ANNUAL HOURS WORKED	MAXIMUM ANNUAL CARRY-OVER HOURS
1040	84
1560	126
1950	157.5
2080	168
2184	176.4
2210	178.5

Effective Date: 7/10/2018

(c) Accumulated annual leave may be taken at the time or times requested by the employee and approved by the appointing authority. If the workload of the employee's organizational unit makes the granting of annual leave undesirable for the time requested, the appointing authority shall notify the employee.

(d) When an employee entitled to annual leave makes a written request for leave, the appointing authority shall, within five days after the date of the employee's request, either approve or disapprove the request in writing.

(e) When an employee is out on FMLA at the end of the year and unable to utilize his/her annual leave resulting in losing annual leave during the carry-over process, the employee may submit a request to Civil Service and Human Resource to verify that he/she is eligible to have his/her annual leave reinstated if approved by Civil Service and Human Resource beginning at the end of 2017 (Adopted May 2018)

(f) Annual Leave Waiver, in the event that an employee is unable to take their scheduled annual leave due to workload or scheduling demands, the employee shall fill out a waiver request with a complete explanation of the reason(s) that their annual leave cannot be taken prior to the end of the calendar year. The employee shall submit the waiver form to their supervisor for consideration. The supervisor shall submit the form to the department director (appointing authority) for department approval. The department director (appointing authority) will forward the waiver to the Civil Service Director for approval. Once approved, Civil Service will send the waiver to the Human Resource Director for an employee action notice (EAN) to be generated and submitted to payroll to reinstate the annual leave to be taken in the following calendar year.

1.4 **SALARY IN LIEU OF VACATION.** Upon termination of employment, employees with at least six (6) months of continuous service shall be paid for unused accumulated vacation time.

1.5 **VACATION BENEFITS ON DEATH OF EMPLOYEE OR RETIREMENT.** Upon the death of an employee, the person or persons identified as beneficiary on Form 4, "Municipal Employees' Retirement System Personal History and Prior Service Claim" form, shall be entitled to payment for the employee's unused vacation time.

1.6 **PRORATED VACATION FOR PART-TIME EMPLOYEES.**

Part-time employees shall earn vacation time in accordance with the schedule set forth in Item #1 on a prorated basis determined by a fraction the numerator of which shall be the hours worked by the employee and the denominator of which shall be normal working hours in the year required by the position. (“Part-time” would be defined as, “those employees in year-round work status whose work schedule is on at least a 20-hour per week, 48-week per year basis”

Section 2 **Sick leave:**

- 2.1 Sick leave as used in these rules, shall mean absence from duty because of the employee’s (1) illness or injury; (2) quarantine by health authorities; (3) medical, dental, or optical consultation or treatment for the employee or an immediate family member; (4) serious illness in the employees’ immediate family. (Revised effective: 07/10/07)
- 2.2 A registered physician must certify in writing the employee’s presence for medical, dental, or optical consultation or treatment of an employee’s immediate family member or serious illness in the immediate family. (Revised effective: 07/10/07)
- 2.3 The term immediate family for purposes of sick leave shall include one of the following persons: spouse, parent, child (including foster child and step-child), or other relative living in the employee’s household. (Revised effective: 07/13/07)
- 2.4 Sick leave with pay shall be earned by all regular full-time employees in the classified service as indicated below:

SICK LEAVE ACCRUAL FACTOR SCHEDULE		
PAYROLL PERIOD	ANNUAL HOURS WORKED	Accrual Factor
75 HOURS	1950	0.0462
80 HOURS	2080	0.0462
84 HOURS	2184	0.0462
85 HOURS	2210	0.0462

EXAMPLE:

Hours Work Per Day x Accrual Rate Factor x Days work per pay period = Sick Leave Accrual Rate Per Pay Period (Effective date: July 2018)

2.5 An employee who has taken sick leave shall file with his appointing authority or delegated representative a certificate stating the cause of his absence and the amount of time taken. If the amount of leave taken is in excess of three (3) consecutive days, a registered physician must certify to the nature of illness or injury and the necessity for absence. If there is a 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 his delegated representative may require a statement from a registered physician or other acceptable proof that the employee was ill and unable to report 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 must be deducted from the employee's pay. In addition, other disciplinary action may be taken by the appointing authority.

2.5 (a) Donation of earned sick leave.(Revised 7/11/2017)

1. Subject to the condition that the recipient has been placed on Federal Medical Leave Act (FMLA) by the Human Resource Department by providing documentation, the Civil Service Director may approve sick leave donations. The appointing authority may allow an employee to donate annual leave with pay to a classified employee, subject to the following conditions:
2. The recipient must be a regular employee.
3. The donor relinquishes all future claims to the donated leave, regardless of the medical condition of either the donor or the recipient.
4. The donation must be strictly voluntary, without coercion, implied or otherwise, and must be certified as such in writing by the donor in advance of the actual transfer of sick leave from the donor to the recipient.
5. In any case in which an employee is donating sick leave with pay to an employee in another organizational unit, the approval of both appointing authorities will be required.
6. Following approval, the appointing authority/authorities must submit all the necessary leave adjustment forms to the Department of Civil Service with appropriate documentation.

2.6 Workmen's Compensation Insurance Payments:

When the disability of an employee is of a nature that he/she is entitled to payments under any Workmen's Compensation Insurance, the employee may utilize sick or annual leave at an amount of 33.3% of his/her regular pay. This would entitle the employee to receive 66.6% from Worker's Compensation Insurance and 33.3% from the employee's sick or annual leave to not exceed the amount necessary to receive his/her regular pay. If the employee does not have sick or annual leave available, the employee will receive only the amount provided by the Worker's Compensation Insurance. (Revised July 2023).

2.7 On December 31st of each year, the accumulated sick leave earned by an employee shall be carried forward to the succeeding year.

2.8 Employees on authorized leave of absence in excess of 12 weeks shall not earn sick leave during the period of their leave of absence but shall retain all accumulated sick leave up to the time their leave commences. Employees on Military Leave shall continue to accrue sick leave as defined in Section 2.4 of this rule. (Revised 7/12/2016)

2.9 Transfers, promotions or demotions shall in no way affect the status of earned sick leave.

2.10 In computing charges against accrued sick leave, deduction shall be made only for workdays. If employee is reimbursing City with Workmen's Compensation check, charges of one-half (1/2) day for each workday shall be made to the employee's accrued sick leave.

2.11 Employees who have used up all accumulated sick leave and annual leave and have not been extended leave without pay under Section 6.1 of this rule, shall be automatically terminated and placed on the appropriate re-employment list.

2.12 Effective August 1, 1995, employees eligible for retirement shall be paid for accrued sick leave if hired prior to January 1, 2015 shall use the following schedule:

<u>Years of Service</u>	<u>% of sick Leave Paid</u>	<u>Cap Compensated Hours</u>
0 – 14	0	0
15 – 19	33%	480
20 – 24	66%	720
25 and over	100%	960

Effective September 8, 2015, employees hired on or after January 1, 2015 eligible for retirement shall be paid for accrued sick leave using the following schedule:

<u>Years of Service</u>	<u>% of sick Leave Paid</u>	<u>Cap Compensated Hours</u>
0 – 14	0	0
15 – Over	33%	480

2.13 Upon the death of an employee eligible for retirement, his/her beneficiary shall receive one-half of the accrued sick leave payment due the employee.

2.14 The formula for computing hourly rate shall be the annual salary of the employee provided in the pay plan divided by two thousand and eighty (2080) hours for employees working a 40 hour work week or divided by one thousand nine hundred fifty (1950) hours for employees working a 37.5 hour work week for those employees hired before October 1, 2002. Effective October 1, 2002, the hourly rate of all newly hired employees will be determined by dividing by 2,080 hours. The formula can be applied by the actual hours the employee works based on 40,60,75, 80, 84 and 85 pay period as indicated by their position (revised 9/2015).

Section 3 **CIVIL LEAVE**

3.1 An employee shall be given time off without loss of pay when performing jury duty, when subpoenaed to appear before a court, public body or board for personal reasons, not within the scope of their work, i.e. police department personnel subpoenaed for their court case, and/or when

performing emergency or civilian duty in connection with civil defense, or for the purpose of serving as an election official in either a primary or general election. Duty as election official must be approved by appointing authority or his delegated representative.

- 3.2 An employee shall be given time off without loss of pay when ordered to report for selective service pre-induction physical examination.

Section 4 **Compensatory Leave:** All provisions of Rule VIII: Compensatory Leave, Sections 4.1 through 4.8, are hereby rescinded and repealed effective November 10, 2009.

Section 5 **Military Leave:**

- 5.1 A classified employee shall be given time off for the annual military reserve or National Guard training. Absence shall be granted as leave without pay; provided, however, that if employee elects to utilize a portion of his annual leave or compensatory leave entitlement he will receive full pay for the absence and his annual leave will be charged only one-half (1/2) day for each workday absent. No more than ten (10) workdays shall be applicable to the one-half (1/2) day annual leave or compensatory leave provisions regardless of length of the training period. (Revised 9/11/2012)
- 5.2 A regular employee who involuntarily leaves the City Service for active military duty shall be placed on military leave without pay, such leave to extend through a date of thirty-one (31) days after his release from active duty.
- 5.3 Employees returning from military leave granted in accordance with Section 5.2 above shall be entitled to reinstatement in the same or similar position they vacated at the rate of pay prevailing for that position at the time reinstated; provided that all the following conditions are met:
- (a) Separation from the armed forces was under conditions other than undesirable or dishonorable.
 - (b) Application for reinstatement was made within thirty-one (31) days following separation.
 - (c) Copy of separation document is presented to the Director for verification of military service.
 - (d) Employee is physically and mentally qualified.
- 5.4 Employees reinstated under these provisions shall be credited with any unused sick leave accrued at the time leave was granted.
- 5.5 Refer to Section 1.2 and 2.8 of this rule for annual and sick leave accruals. (Revised 7/12/2016)

Section 6 **Leave Without Pay:**

- 6.1 An appointing authority may grant leaves of absence without pay to classified employees subject to the following conditions:
- (a) All leaves of absence without pay in excess of fifteen (15) consecutive calendar days must have the approval of the Civil Service Director.
 - (b) Employees may be granted leave of absence without pay not to exceed ninety (90) calendar days in a period of twelve (12) consecutive months; provided such leave is considered to be in the best interest of the service as determined by the appointed authority and the Civil Service Director. (Revised 9/11/12). (Revised 7/12/2016).

(c) Employees may be granted leave of absence without pay in excess of 12 weeks calendar days when a registered physician certifies that employee will be incapacitated for work for a period of time in excess of 12 weeks. Such leave may not exceed ten (10) consecutive months. (Revised 7/12/2016)

(d) A classified employee may temporarily move into an unclassified position, up to a maximum of six (6) months, and not lose his or her Civil Service status when he or she returns to the classified position. Any period in excess of six (6) months must be approved by the Civil Service Board.

6.2 **Family Medical Leave Law of 1993** Rescinded and repealed effective 11/10/10

Section 7 Maternity Leave:

7.1 Leave for maternity reasons is a period of approved absence for any permanent employee for incapacitation related to pregnancy or childbirth, for which the employee is required to present a statement from her physician.

7.2 Leave for maternity reasons shall be allowed for a period of up to three 12 weeks, and, upon the advice of the attending physician, may commence at any time prior to the date of expectancy. If there is a medical complication as a result of the pregnancy, a female employee is entitled to a maximum of four (4) months of maternity leave. This runs concurrently with the amount of leave designated for a normal pregnancy. For example, if an employee is on bed rest for two (2) months preceding the delivery, the employee will be allowed a maximum of two (2) additional months of job-protected leave after the birth of the child, in accordance with Louisiana Law. At the joint discretion of the appointing authority and attending physician, additional time off in excess of four (4) months maybe granted in accordance with Section 6.1 (c) of this rule. (Revised 7/12/2016)

7.3 Leave for maternity reasons shall be recorded as leave without pay except that an employee may choose to charge maternity leave against accumulated annual leave, sick leave, compensatory time, and/or leave without pay.

7.4 ADOPTION: When an employee adopts a child, the employee will be entitled to maternity leave up to 12 weeks. (Revised effective: 01/20/93) (Revised 7/12/2016)

Section 8 Holidays:

8.1 Holidays for all employees in the classified service shall be as follows:

- (a) New Year's Day
- (b) Martin Luther King Day (Revised effective: 03/07/94)
- (c) Mardi Gras Day
- (d) Good Friday
- (e) Memorial Day (Revised effective: 01/01/99)
- (f) Juneteenth Day (Revised effective: 5/29/2024)
- (g) Independence Day (July 4th)
- (h) Labor Day
- (i) Veterans' Day (Revised effective: 01/01/99)
- (j) Thanksgiving Day
- (k) Christmas Day (Revised effective: 01/01/99)

8.2 The holidays named in Section 8.1 shall be known as regular holidays. Whenever New Year's Day, Independence Day or Christmas Day falls on a Saturday or Sunday, the previous Friday or the following Monday shall be observed as a holiday at the discretion of the governing body.

8.3 When an employee is required to work on a regular holiday, the employee shall perform his duties on that day, but shall be entitled to equal time off or one (1) extra day pay, at the discretion of the employee. Time off or extra day of pay shall be equal to the number of hours (7 ½, 8, or 12) of the employee's regular shift.

If an employee is scheduled to work on a regular holiday, but with the approval of his department head elects to observe the holiday, the employee shall be paid holiday pay equal to the number of hours of his regular shift for that day in lieu of his regular pay.

If a regular holiday falls on an employee's scheduled day off, that employee shall be given a designated holiday off within that pay period or the next pay period as approved by his department head.
(Revised effective: 07/21/87)

An employee who has exceeded his/her twelve (12) weeks of FMLA/LOA shall no longer be eligible to receive holiday (H) pay while they are out of work.(Effective 3/12/2018).

8.4 Special Holiday

- (a) defined; a special holiday is any holiday proclaimed by the Mayor and not listed as a regular holiday in the Civil Service manual.
- (b) When an employee is required to work on a special holiday, the employee shall perform his duties on that day, but shall be entitled to equal time off or one (1) extra day of pay.
- (c) If a special holiday falls on an employee's scheduled day off, that employee shall be given a designated holiday off within that pay period or the next pay period as approved by his department head.
(Revised effective 07/21/87)
- (d) An employee who has exceeded this/her twelve (12) weeks of FMLA/LOA shall no longer be eligible to receive special holiday (SH) pay while they are out of work. (Effective 3/12/2018).

Section 9 Continuous Service:

9.1 Continuous service as used in these rules shall mean uninterrupted service from the most recent date of employment, however, authorized leaves of absence without pay as provided elsewhere in these rules, and temporary layoffs or suspensions for less than thirty (30) days shall not be considered as interruption of continuous service.

- 9.2 Employees working in a provisional status shall be given credit for this period in computing continuous service, provided the employee enters into a regular status without any break in his period of service.
- 9.3 Employees who are re-employed after a period of layoff shall be credited with previous city employment in computing continuous service.
- 9.4 Periods of temporary employment, other than the provisional employment stipulated in Section 9.2, shall not be credited as continuous service.

Section 10 Bereavement Leave

- 10.1 The City shall grant three (3) working days of paid time off to any permanent employee to attend the funeral and take care of related matters upon the death of an immediate family member which for purposes of bereavement leave includes spouse, parent, child, sibling, grandparent, parent-in-law, son-in-law, daughter-in-law, grandchild, or other relative living in the employee’s household. In order to receive this benefit, the employee must have completed his/her probationary period, and must have previously been scheduled to work during the days requested for bereavement leave. An employee not eligible for paid bereavement leave may be granted sick leave, annual leave, and/or unpaid bereavement leave upon the death of an immediate family member.
(Revised effective: 11/13/07) (Revised effective: 5/12/15)

With department head’s approval, a permanent employee may take up to sixteen (16) additional working hours charged to sick leave, annual leave, or unpaid leave.

An employee shall immediately notify his/her department head of the need to use bereavement leave. If additional time off is needed, the employee will make his/her request.

Upon return to work, the employee is required to provide the department head with a copy of an obituary or other appropriate documentation of the death and funeral.

When it has been determined that an employee has charged an absence against bereavement leave, although no actual death occurred, the value of absent time must be deducted from the employee’s pay. In addition, other disciplinary action may be taken by the department head.
(Revised effective: 01/01/01)

Section 10.2 Bereavement Day (BD)

All permanent classified employees may take up to one (1) day off with pay to attend a funeral of a close non-family member. This time off will be considered by the employee’s supervisor on a case by case basis and may require a letter of explanation to the supervisor along with a copy of the obituary. A maximum of three (3) one day bereavement leave day excuses will be allowed per calendar year. (Effective 5/12/2015)

Section 11

11.1 Weather/ Emergency Closings (WE: Weather Event)

At times, emergencies such as severe weather, fires, power outages, or hurricanes, can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. One of two (2) following rules shall apply:

- (1) When operations are officially closed at a City work facility at the appointing authority's discretion due to emergency conditions, the time off from scheduled work will be paid and non-essential (determined by the appointing authority or his/her designee) employees shall be given time off without loss of pay, annual or sick leave. Essential employees will remain at work and be paid their regular pay for their time worked. (WE) shall be placed on time sheet for weather events for non-essential employees. (Revised 3/13/2018).
- (2) When a state of emergency is declared by the Governor or the Lafourche Parish President, the appointing authority shall pay essential employees additional pay (additional pay shall be your regular hourly rate added to your hours worked) for their services for remaining at work when the City is officially closed for business. (WE) shall be placed on time sheet for weather events for all employees. (Revised 3/13/2018).

In cases where an emergency closing is not authorized or the City is reopened by the appointing authority, employee who fail to report to work will not be paid for the time off; however, employees may request available paid leave time by utilizing annual leave. (Revised 5/12/15).

Section 12

12.1 Notice of Retirement

All classified employees shall notify their appropriate supervisor and/or department head in writing of their impending retirement no less than one hundred twenty (120) days prior to their actual retirement date.

Should a classified employee face a situation that does not allow him/her to give the required notice, the appointing authority can consent to a shorter period of notification, or the employee can request a waiver of the notice requirement from the Civil Service Director. (Effective: 07/10/07) (Revised 11/08/2016)

Section 13

13.1 Lunch Breaks

Civil Service classified employees are required to take a minimum of thirty (30) minutes off for a non-paid lunch break. Longer lunch breaks may be scheduled at the discretion of the appointing authority or his/her designee. (Effective: 01/11/11)

Section 14

14.1 Small Necessities

The City shall give employees up to 16 hours of unpaid leave in any 12 month period to attend, Observe, or participate in conferences or classroom activities relating to their children (in school or day care), if those activities cannot be reschedule outside of work. In lieu of taking unpaid leave, employees may use annual leave or compensatory time. Compensatory time shall be used before annual leave. (Effective 7/12/2016)