

CIVIL SERVICE DEPARTMENT

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CIVIL SERVICE RULES AND REGULATIONS

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Introduction

Civil Service rules and regulations establish a fair and efficient guide to the City’s employees. They ensure that government jobs are based on qualifications and performance, rather than other factors. Please read the information carefully and contact our office for additional assistance at 985-446-7233.

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RULE I: Definitions

ALLOCATION

Means the official determination by the Board of the class to which a position in the classified service belongs.

APPOINTING AUTHORITY

Means the Mayor and for the Council Administrator's Office it means the City Council and for the Civil Service Department it means the Civil Service Board. *revised 09/11/12*

BASE SALARY

An hourly dollar amount of pay specifically designated in the Uniform Plan of Salary Ranges. Base salary does not include overtime pay or deductions for time not worked. *revised effective: 07/09/13*

BOARD

Means the City of Thibodaux Municipal Employees' Civil Service Board excluding the fire department.

CLASS or CLASS OF POSITION

A homogeneous cluster of work tasks. Taken as a whole, the collection of tasks, duties and responsibilities constitutes the assignment for one or more individuals whose work is the same nature and which is performed at the same skill/responsibility level. *revised effective: 10/14/09*

CLASSIFICATION PLAN

Means the hierarchical structure of jobs, arranged in pay grades according to job evaluation results. *Revised effective: 10/14/09*

CLASSIFIED POSITION

Means any position 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.

CLASSIFIED SERVICE

Means every appointive office and position of trust or employment of the Trustee of Public Safety, Trustee of Public Property, and Trustee of Finance Department which has, as its primary duty, one of the functions specifically set forth to be included in the classified service by the provisions of the Act.

COMPETITIVE CLASS

Means those positions allocated to a class that have been identified by the Act as open for appointment to all qualified municipal departments personnel, excluding the fire department and the police department.

CREDITABLE SERVICE

All service in full-time pay status beginning with the latest date of employment. *revised effective: 10/31/78* *revised 7/09/2013*

DEMOTION

Means a change of an 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.

DEPARTMENT SERVICE

Means employment in the public service offered and performed separately by the municipal departments.

ELIGIBLE

Means a person whose name is on a list.

EMPLOYEE

Means a person legally occupying a position.

EMPLOYMENT LIST or LISTS

Means a reinstatement employment list, a competitive employment list or a reemployment list.

EMERGENCY APPOINTMENT

Means assigning a person to a position because of any emergency of a temporary and special nature.

ENTRANCE SALARY

The initial base salary assigned to an employee on entering employment with the City.
revised effective 7/09/13

LAYOFF

Means the removal of an employee, in accordance with the provisions of this Act, because of lack of work, failure of financial appropriation or other causes which do not reflect on the employee.

LIST

Means the official register of names of persons eligible for appointment to the various classes or positions in the classified service.

PART TIME LABOR

Means labor hired for temporary work, not to exceed six months per year, and paid on an hourly basis.

PAY

Means salary, wage, 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.

PAY PLAN

Means all the rates of compensation prescribed by the Board.

POSITION

Means employment in the Mayor's office, or any department created by the Home Rule Charter or a department created by the administration and approved by the City Council which duties call for service to be rendered by one person.

PROBATIONARY APPOINTMENT

Means the appointment of an employee, following the certification of his name from a list, to begin or to continue his working test.

PROMOTION

Means a change of an employee in the classified service from a position of one class to a position of another class for which higher minimum rate of pay is prescribed.

PROMOTIONAL EMPLOYMENT LIST or PROMOTION LIST

Means an employment list containing the names of eligible persons established from the results of promotion tests given for a particular class of position, which is not specifically required to be established from the results of a competitive test.

PROMOTIONAL TEST

Means 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 classes when authorized by the rules in the classified service.

PROVISIONAL APPOINTMENT

Means the temporary appointment of a person to a position in the absence of an eligible list or classification plan.

REALLOCATION

Means the change in the classification of an existing position resulting from significant changes in assigned duties and responsibilities. A position may be reallocated "upward" or "downward".
revised effective 7/09/13

REASSIGNMENT

Means the change within the same department of any 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.

REEMPLOYMENT LIST

Means an employment list for the entrance or lowest ranking class in the classified service, or in any group of classes, as may have been grouped in the classification plan, containing names of regular employees who have been laid off under the "layoff" provisions. This list shall not be applicable to persons who have been discharged.

REGULAR APPOINTMENT or PERMANENT APPOINTMENT

Means the confirmation of appointment of an employee who has been appointed from a list and has successfully completed his working test.

REGULAR EMPLOYEE or PERMANENT EMPLOYEE

Means an employee who has been appointed to a position in the classified service in accordance with the provisions of the amendment after completing his working test.

REINSTATEMENT EMPLOYEE LIST or 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.

REMOVAL or DISMISSAL

Means the termination of employment for cause.

RESIGNATION

Means the voluntary termination of employment, of an employee.

REEVALUATION

The assignment of a different salary grade to a class based upon change in relation to other classes or to the labor market.

SALARY RANGE

The dollar value assigned to a class title that shall include a minimum, midpoint and maximum hourly rate. *revised effective 7/09/13*

SATISFACTORY PERFORMANCE INCREASE

An upward revision in the base salary within the salary range for achievement of an acceptable rating on the performance evaluation. *revised effective 7/09/13*

SUSPENSION

Means the enforced leave of absence without pay of an employee for disciplinary purposes or during investigation of alleged misconduct by the employee with regard to his employment.

THIBODAUX CITY COUNCIL

Means the duly elected members of the City of Thibodaux governing body. *revised effective: 11/18/93*

TRANSFER

Means the 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.

TEMPORARY APPOINTMENT

Means the appointment of an employee for a limited period of service without acquisition by the appointee of any continuing right to be retained beyond the period.

WORKING TEST

Means 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.

RULE II: Organization, Rules & Procedures for Board

Section 1: Organization of Board

- 1.1 The election of chairman and vice chairman: The Board shall meet each year within thirty (30) days after the date of the appointment which is made to fill the terms of the members whose term has expired, at which time the oath shall be administered to the new members, a chairman and vice-chairman shall assume the duties of chairman in the absence of the chairman.
- 1.2 Term of the chairman and vice-chairman: The chairman and vice chairman shall serve for a term of one (1) year, or until his successor is duly elected.
- 1.3 Termination of Board members: The term of any officer or member shall terminate upon his death, or resignation from the office or from the Board or removal from the Board, and in such event the vacancy shall be filled according to Article IV of the City Charter. The term of the new member whose term was not completed.
- 1.4 Rules of Order: The Board shall follow the following procedure in the conducting of its meeting:
 - 1) Roll Call
 - 2) Reading of minutes of previous meeting
 - 3) Discussion of items in numerical order as listed on the agenda
 - 4) Adjournment

NOTE: In the event that the meeting is for the purpose of conducting a hearing or investigation, the party making the charge will be given ten (10) minutes for this purpose. Following this, the party charged will be given ten (10) minutes for answering charges. If, in the opinion of the Board, that additional time is needed by both parties, the Board will give each party an equal amount of time in each case. The Board members will then utilize whatever time is necessary for questions.

In the event when a discussion is not part of a hearing, the Board may allow individuals to speak for 5 minutes for the purpose of discussion. *effective: 09/11/12*

Section 2: Rules

- 2.1 Adoption or amendment: Rules shall be adopted or amended by the Board either in its proposed or revised form after a public hearing at which any municipal officer, employee, private citizen, and the Director shall be given an opportunity to show cause why the proposed rule, amendment, or any part thereof should not be adopted. Before the Board shall hold any public hearing, it shall furnish at least thirty (30) days in advance thereof a notice of the date, time, and place, thereof to the Mayor, Finance Director, and the Public Works Director. A copy of all proposed rules to be presented at any such hearing shall be furnished with all such notices thereof. A notice shall be posted upon the bulletin board of each department of the City for a period of at least fifteen (15) days in advance of the said hearing.

- 2.2 Within fifteen (15) days after the Board shall have adopted any such rules, or the abolition of a rule in whole or in part thereof, it shall furnish an official copy thereof to the Mayor, Finance Director, and the Public Works Director.
- 2.3 Rules adopted under the authority provided by this section shall have the force and effect of law.
- 2.4 Effective date of rules: Unless otherwise specifically provided, any rule or amendment to the rules shall become effective on the first day of the month following the date of approval of the rule or amendment by the Board.

Section 3: Meetings

- 3.1 The Board shall hold a minimum of one (1) regular meeting bi-monthly on the 2nd Tuesday of each odd month. *revised effective: 04/01/95*
- 3.2 Upon notification by the chairman of the Board, the Civil Service Director shall notify each member of the Board of the time and place of all meetings. *revised 9/11/12*
- 3.3 It shall be the policy of the Board to hold open, public meetings, except that the Board may exercise the right to enter into executive session whenever it deems necessary.
- 3.4 Three (3) members of the Board shall constitute a quorum for the transaction of business.
- 3.5 The Civil Service Director shall act as secretary to the Board and shall keep adequate minutes and other records of the official actions and business of the Board. *revised 9/11/12*
- 3.6 Agenda request shall be submitted to the CS Director no later than five (5) days prior to regular schedule and special Civil Service Board Meetings.

Section 4: Appeals, Hearings, Formal Complaint and Testimony

- 4.1 Regular employees in the classified service shall have the right to appeal to the Board from suspension, fine, dismissal, reduction in pay or demotion, to test the reasonableness of such action.
- 4.2 Persons who shall have applied for or shall have been examines for the classified service and allege that they have been discriminated against in review of their application, admission to the examination, the scoring of examinations, or the establishment of eligible lists and certification shall have the right to appeal to the Board to test the reasonableness of such action.
- 4.3 Persons appealing to the Board shall do so in writing, specifying the reasons for requesting a hearing as stated below:
 - 1) In writing the appeal request, it shall include sufficient details as to specific reason(s) for the appeal request.

- 2) Identify which provision of the Civil Service rule(s) has been violated.
- 3) State what action the complainant wants the Board to take as a result of the violation being proven.

If clarification is requested by the CS Director, the complainant must respond within the time frame determined by the CS Director, if not, the appeal request may be denied by the Director or the Board. *revised 11/10/2014*

- 4.4 Appeals to the Board shall be filed within fifteen (15) days of the written notice of the adverse action(s) taken against the employee by the Appointing Authority.
- 4.5 The Board shall initiate a hearing of the appeal as soon as possible with ample time allotted for documentation preparation, by no case shall the appeal hearing be scheduled longer than ninety (90) days from the receipt of the request. The Board shall have the right to continue the hearing when good cause is shown. *revised 7/12/2016*
- 4.6 Appeals to the Board shall be decided promptly but in any event within sixty (60) days after completion of a hearing.
- 4.7 Parties shall have the right, but shall not be required, to be represented by counsel. When legal counsel is retained to represent the person appealing to the Board, counsel is required to submit in writing a letter of representation to the Civil Service Director five (5) days before the hearing date.
- 4.8 The Board shall make its decision on hearings on the facts presented by the parties concerned.
- 4.9 No hearing shall be held unless both the employee and the Appointing Authority shall have been advised at least ten (10) days in advance of the date, time, and place thereof. If either the Appointing Authority or the employee fails to appear at the place and on the day and the hour fixed for such hearing, the Board may, at its discretion, decide the issue involved on the basis of the evidence adduced and confined to the question whether such action taken against said employee was or was not for just cause as set forth in provisions of Article IV of the City Charter.
- 4.10 The Board shall be required to have the testimony taken and transcribed at the hearing.
- 4.11 The decisions of the Board, together with its written finding of fact, if required, shall be certified in writing to the Appointing Authority and shall be forth-with enforced by such Appointing Authority.
- 4.12 Any employee under classified service and any Appointing Authority shall have the right to appeal from any decision of the Board, or from any action taken by the Board under the provisions of Article IV of the City Charter, which is prejudiced to said employee or Appointing Authority. This appeal shall lie direct to the court of original and unlimited jurisdiction in civil suits of the parish wherein the Board is domiciled. Such appeal shall be taken by serving the Board, within thirty (30) days after entry of its said decision, a written notice of appeal, stating the grounds thereof and demanding that a certified transcript of the record, or 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.

The Board shall, within thirty (30) days after filing of such notice of appeal make, certify and file such complete transcript with the designated court and that court shall thereupon proceed to hear and determine such appeal in a summary manner; provided however, that 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 Article IV of the City Charter, and no appeal to such court shall be taken except under such stated grounds.

4.13 Any person who asserts that there has been a violation of Article IV of the Home Rule Charter or a Civil Service Rule or Regulation may file a formal complaint with the Civil Service Director. These formal charges should be clearly identified as such and may not be combined with any other matter filed with the Civil Service Director and must:

- 1) be in writing;
 - 2) contain the name, mailing address, and daytime telephone number of the person filing;
 - 3) contain the name and position of each person who is charged with committing a violation (hereafter, known as the respondent);
 - 4) identify which provision of the Civil Service Article IV and/or a Civil Service Rule or Regulation was violated;
 - 5) describe, in sufficient detail to enable the respondent to prepare a defense, the conduct that violated Article IV and/or a Civil Service Rule or Regulation;
 - 6) describe, in detail, the facts which led the complainant to conclude that a violation has occurred;
 - 7) state what action the complainant wants the Board to take as a result of the violation being prove; and
 - 8) describe what evidence the complainant has to prove that the violation has taken place.
- updated 12/17/2020*

4.14 The formal complaint shall not be public record.

4.15 The Civil Service Director may, on his own initiative, file a formal complaint or review any suspected violations of Article IV of the Home Rule Charter or a Civil Service Rule or Regulation and shall inform the Board of any suspected violations.

4.16 Upon receipt of a formal complaint, the Board or their designee shall conduct such review any suspected violation of Article IV or a Civil Service Rule or Regulations and shall inform the Board of any suspected violations.

4.17 Civil Service Board action on each filing which purports to a formal complaint may be considered by the Board in executive session. Thereafter, in its sole discretion, the Board may take such action it deems appropriate including any of the following:

- 1) decline to investigate the matter and order the charges dismissed;
- 2) order the Civil Service Director to conduct an examination and to submit a report thereon;
- 3) offer the complainant an opportunity to provide additional information and/or
- 4) order a public investigation hearing on some or all the complainant.

- 4.18 Following a public investigation by the Board, the Civil Service Director as representative of the Board, may issue a letter of admonishment, take corrective action, order an Appointing Authority to take corrective action, impose special reporting requirements on an Appointing Authority and report the facts disclosed in the investigation to the legislative auditor, attorney general, district attorney or other officers, and/or take order any other action deemed appropriate.
- 4.19 After the Civil Service Board orders a public investigation hearing, the charges to be investigated shall be docketed and the case shall become public record. Copies of the charges to be investigated and the Board's order may be mailed to each complainant, each respondent and each respondent's Appointing Authority, if any.
- 4.20 Any municipal officer or employee who shall fail to comply with the provisions of Article IV of the City Charter, or any rule, regulation or order there under shall be subject to all penalties and remedies provided in said article and such other penalties and law remedies as are now or hereafter provided by for the failure of a public officer or employee to do an act required of him by law. The Board may maintain such action or proceeding as it considers necessary or appropriate to secure compliance with Article IV of the City Charter and the rules, regulations and order there under.
- 4.21 Refusal to testify: Any officer or employee in the classified service who shall willfully refuse or fail to appear before any court or any officer, board or body or person properly authorized to conduct any hearing or inquiry, or if such employee or officer, having appeared, shall refuse to testify or answer any relevant question relating to the affairs of any municipal officer or employee, except upon the ground that his testimony or answers would incriminate him, shall, in addition to other penalties to which he may be subjected, forfeit his position, and shall not be eligible for appointment to any position in the classified service for a period of six (6) years

Section 5: Oaths, Subpoenas, Production of Records

- 5.1 The Board shall have the same power to administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by Article IV of the City Charter, as is possessed by the district courts of the State of Louisiana. All applications for the issuance of subpoenas must be in the hands of the Board at least five (5) business days prior to the date established for the hearing and said application shall contain the name and address of all persons to be subpoenaed.

Section 6: Unfavorable Board Ruling

- 6.1 After an item has received an unfavorable ruling from the Board, it shall not be placed on the agenda again for a period of twelve (12) months except with a 4/5 vote of the Board.

RULE III: Classification Plan

A classification plan shall be developed and upon adoption by the Board, administered by the Civil Service Director, which provides for various jobs in the city to be put into grades according to duties and responsibilities considered to be common factors. In creating and amending the classification plan, the Civil Service Director as part of his/her job duties will employ the procedures listed below in section 2.1 and 2.3 *revised effective: 10/14/09 revised: 11/08/11 revised 09/11/12 revised 5/14/2013 revised effective 11/13/2013*

Section 1: Job Evaluation System

1.1 In order to determine the internal worth of non-sworn positions within the City of Thibodaux, each non-executive position shall be evaluated utilizing a point factor job evaluation methodology. Point factor systems measure positions in terms of the degree to which several specifically designed compensable factors are present. Compensable factors are paid-for, measurable qualities, features, requirements, or constructs that are common to many different kinds of jobs. Each factor is weighted and has defined levels. The levels provide a measurement scale for rating each factor, and make it possible to develop an orderly approach for measuring each job relative to every other job. The following list details the factors and provided a brief description of each factor: *revised 9/11/12*

- **Formal Education:** This factor measures the minimum formalized training or education which is required for entry into the position.
- **Experience:** Based on the minimum education required for the job, this factor identifies the degree of relevant experience required for entry into the position.
- **Management and Supervision:** This factor measures the managerial requirements for achieving results through people and the level of direction and/or supervision that a position provides to other employees.
- **Human Collaboration Skills:** This factor measures the job's required personal interaction with other employees, customers, clients, and vendors outside direct reporting relationships as well as the impact the job has on organizational, departmental or unit objectives, the output of services, and customer satisfaction.
- **Freedom to Act:** This two-dimensional factor first considers the extent the job incumbent is free to act in the absence of supervision, policy direction, or operating policies and procedures. It also assesses the degree to which achieving or the mishandling of a situation by the job incumbent could affect financial, public, or employee relations aspects of the organization.

- **Technical Skills:** This factor measures the depth of knowledge or job difficulty in terms of the application of the technical skill required by the position. It measures job requirements of complex factors, issues, analysis, and problem solving. Technical skills may be learned either on the job or in an educational setting.
- **Working Conditions:** This factor measures the environmental or physical conditions under which the work must be performed, to the extent to which they make the position disagreeable, physically demanding, or hazardous.
- **Fiscal Responsibility:** This factor measures the accountability and participation, if any, as it relates to the fiscal accountability for one's department or assigned area(s) of responsibility.

The following list provides the associated weights for each factor:

| Compensable Factors | Combined System |
|----------------------------|------------------------|
| Formal Education | 12% |
| Experience | 12% |
| Management and Supervision | 14% |
| Human Collaboration Skills | 15% |
| Freedom to Act | 15% |
| Technical Skill | 15% |
| Working Conditions | 9% |
| Budget Responsibility | 8% |
| Total | 100% |

Section 2: Reclassification/ New Positions

As new positions are approved, or if a request for reclassification of an existing position is made, the Job Evaluation Team (as stated in Section 2.3), shall be convened to prepare evaluation recommendations. Evaluation requests shall be submitted in writing and include a rationale for modifying or creating a new position. (Note: This process is not meant to replace requests for new personnel as normally submitted during the budget process. If an employee initiates the request, following the appropriate chain of command, the employee's supervisor should complete a review of the request and indicate its support or lack of support for the request, along with the rationale for its recommendation.)

The evaluation shall be based on the factors and levels defined in the applicable Job Evaluation System. Once all factors have been considered, a grade will be assigned using the Job Evaluation Point System. The Civil Service Director shall maintain a copy of the Job Evaluation Team's recommendations and an updated Job Evaluation Summary showing all positions and grade assignment. Evaluation of any position more than once in any twelve-month period, shall require the written approval of the Mayor prior to initiating the job evaluation process. *revised 5/14/13*

2.1 Requests for Review

The following details the procedure for creating and reclassifying assigned position(s):
revised 11/13/13

- 1) Through the appropriate chain of command, the employee, supervisor or manager may submit to their Department Director a written request for reclassification and the Department Director will submit a written request to the Civil Service Department. This written request should contain a documented rationale for the proposed change. A sample Request Form is included in Appendix A.
- 2) Upon review by the Department Director, the request is submitted to the Civil Service Director accompanied by a recommendation. Prior to forwarding the request to the Civil Service Director, the Department Director or his/her designee should explain their recommendation to the affected employee. The employee, supervisor or manager may choose to continue or withdraw the request at any time during this process.
- 3) The Job Evaluation Team shall use the appropriate evaluation manual to compare the proposed factors of the job to the factors of comparable jobs. The Team will make a recommendation to retain the current evaluation, create a new evaluation score, or create a new position.
- 4) The Civil Service Director shall recalculate any new evaluation scores using the Job Evaluation Point System. If the resulting score does not change the pay grade determined by total points, the employee will be informed of the decision. If the new score changes the pay grade determined by total points, the Civil Service Director shall submit the Team's recommendation and calculated pay grade along with the Department Director's recommendation to the Civil Service Board for approval. It is the responsibility of the Civil Service Director to maintain and administer the Evaluation Process.
- 5) If the request is to reclassify an individual to another existing position, the Human Resources Director may conduct an analysis of the request and recommend placement of the individual in another position or confirm appropriateness of the current placement in accordance with the Civil Service Rules and Regulations.

2.2 Hearings on appeals from allocations:

Any employee who feels himself/herself aggrieved because of any allocation or change in classification resulting in the employee's pay being adversely affected by the change shall, upon his/her request, be heard thereon by the Board and the Board shall hear and decide the complaint in any manner it deems proper. *revised effective: 10/14/09 revised 05/14/2013*

2.3 The Civil Service Director shall assemble a Job Evaluation Team. Department Directors and key level management employees in Civil Service may be selected to the Job Evaluation Team in the preparation of classifying a job position. Members should be selected based on their ability to understand institution-wide operations and view positions from an organizational perspective. The purpose of the team is to assist in reviewing the evaluations of all positions to establish their relative value within the City. *revised 11/13/13*

- a) The Appointing Authority may excuse any employee or department head in his department from his/her regular duties for the time period required for his/her work as a member of the Job Evaluation Team. Department Directors and employees shall not be entitled to extra pay for their service as a team member, but shall be compensated at his/her pay rate.
- b) No employee shall be allowed to evaluate their own position in which he/she is an incumbent and/or any position(s) in which he/she may be eligible and/or a potential candidate for a promotion. The Civil Service Board will select the job evaluation team for the Civil Service Director's evaluation.

Section 3: Status of Incumbent when Duties Increase

- 3.1 When a position is reallocated, the incumbent, if a regular employee, shall be entitled to remain in the position provided he/she meets the minimum qualification requirements of the job to which the position has been allocated. *revised effective: 10/14/09 revised 5/14/2013*

RULE IV: Uniform Plan of Salary Ranges

The pay rates for the City's classified workforce will be established in accordance with a system that generally considers such factors as availability of applicants, the quality of the applicant pool, turnover rates, federal law, market competition, pay practices of market competitors, the evaluation system ranking, employee performance and level of funding available. The City will not be a market leader, but, for the most part, will follow the market as the value of jobs change.

Employee should bring their pay-related questions or concerns to the attention of their immediate supervisor. The Civil Service Director and the Human Resource Director are also available to answer specific questions about the uniform plan of salary ranges.
revised effective: 11/10/09 revised 11/13/13

Section 1.00: Authority

Legislative Act No. 97 (1972); as amended by Legislative Act No. 431 (1975).
revised effective: 11/10/09

Section 2.00: Policy and Responsibilities

It is the policy of the City of Thibodaux to provide the employees of the City with a compensation plan that assures internal equity and is externally competitive in order to recruit and retain a highly qualified work force. *revised effective: 11/10/09*

The policy and procedure expressed herein are controlling in matters of employee pay administration. It shall be the responsibility of the Municipal Government Employees' Civil Service Board, through its Director, to cause, within the city organization, full compliance with all the provisions of this plan.

No pay rate shall become effective until the Civil Service Director, as direct representative of the Board, certifies by his/her signed approval that such changes in pay comply with all requirements of the rules governing the administration of the Uniform Plan of Salary Ranges. *revised eff: 11/10/09*
revised 9/11/12

Section 3.00: Preparation and Adoption of Uniform Plan of Salary Ranges

revised effective: 11/10/09

- 3.1 The Director, after consultation with the Appointing Authority and after conducting such research as he/she may deem appropriate, shall cause to be prepared for submission to the Board, a Uniform Plan of Salary Ranges, or amendments thereto, for the classified service.
revised effective: 11/10/09
- 3.2 In accordance with Article IV, Section 10 (B) of the City of Thibodaux Home Rule Charter, before implementation, the plan shall be submitted to the Board which, after a public hearing, shall submit it together with all amendments it deems necessary, to the Council for its approval. The Council shall approve or reject the plan prior to the commencement of the next fiscal year. If the Council fails to approve the submitted plan, then the previously existing plan shall continue in effect for the next fiscal year. *revised 9/11/2012*

Section 4.00: Jurisdiction

revised effective: 11/10/09

All positions of employment in the service of the City of Thibodaux shall be subject to the provisions of this Plan, unless specifically excluded under Article IV, Section 2 of the City of Thibodaux Home Rule charter. *revised effective: 11/10/09*

Section 5.00: Uniform Schedule of Salary Ranges

revised effective: 11/10/09

The attached (Appendix I) Schedule of Salary Ranges will be updated annually in January and become part of the Civil Service Rules once approved by the Civil Service Board and the governing authority in compliance with the City of Thibodaux Home Rule Charter, Article IV, Section 10 (B) Rules adopted under the authority provided by Rule IV, Section 1.0, and Rule II, Section 2.3, shall have the force and effect of law. *revised effective: 1/10/09 revised 11/13/13*

This and any succeeding Uniform Plan of Salary Ranges may from time to time be changed or amended as circumstances warrant with the concurrence of the Civil Service Board and the approval of the governing authority of the City of Thibodaux. *revised effective: 11/10/09*

- 5.1 The pay range for each job shall consist of a range minimum, midpoint, and maximum annual salary computation.

Section 6.00: General Employee Parameters of Uniform Plan of Salary Ranges

- 6.1 No employee shall receive an increase which would exceed the maximum amount for his/her salary range **unless a red circle rate is considered as indicated in Section 6.4 below**. Furthermore, employees who accept demotions or moving down in classification shall be limited to the maximum of the new salary range. *revised November 2015*
- 6.2 Employees shall always be brought to the minimum of their pay grade when the Uniform Plan of Salary Ranges are adjusted. No employee should be paid no less than the minimum of the pay grade established for their salary range.
- 6.3 No employees shall be appointed, employed, or paid under any title other than the class to which his position has been allocated.
- 6.4 Employee's pay may exceed the maximum of the pay grade rate when their rate is considered a red circle rate. A red circle rate shall be defined as an employee's pay rate that exceeds the maximum pay rate of a pay grade when a pay raise is applied; however, the amount of the pay rate/ red circle rate shall be frozen in the future until the pay range (uniform plan of salary ranges) can be adjusted upward to allow for the red circle rate to once again fall below the maximum of the pay grade for that position. Then the pay rate is no longer considered a red circle rate. Once this occurs an employee can once again be considered for a red circle rate in the future. *effective November 2015*

Section 7.00: Salary Administration

7.1 Performance Based Increases

Satisfactory Performance Increases is used to reward successful performance. Performance increases shall be predicated on the score the employee receives on his/her annual performance evaluation. Increases are not granted to employees whose performance has been rated unsatisfactory overall.

The Human Resources Director and Civil Service Director are responsible for developing recommendations regarding employee Satisfactory Performance Increases. As these recommendations reflect the compensation policy of the City, the final budget allocations shall rest with the Mayor and the City Council, and should be made in the context of the total financial outlook for the organization. When determining the adjustments to make, the City will need to consider the impact of these adjustments both on the salary structures and individual salaries.

- a) A satisfactory performance increase shall become effective on the first day of the payroll within which the required period of creditable service is reached.
revised effective: 11/10/09
- b) See Appendix for Performance Appraisal (Evaluation Form) provided at the end of the Civil Service Rules and Regulations effective March 2019.

7.2 Salary Offer

New employees with the minimum experience level for the job should normally be compensated at the minimum of the approved pay grade. Individuals with exceptional qualifications, extraordinary work experience or depth of skill level may be compensated above the entry rate within the pay grade. Additionally, market conditions or specific duties can create situations requiring a need to provide compensation above the minimum of the pay grade. The following guidelines apply to starting salaries. *revised 11/13/13*

In all cases:

- The starting salary shall be at least the minimum of the pay grade;
- All starting salaries will generally be within the first quartile of the position's pay range and must be approved as designated by the Department Director and subjected to budget considerations;
- When an applicant's relevant experience exceeds the minimum requirements or a special skill requirement is identified, a hiring rate above the entry of the pay grade may be considered. Upon request from the department, a starting salary between the entry and midpoint shall be recommended by the Human Resources Director if the applicant's

experience exceeds the relevant experience beyond the minimum qualifications or if a special skill requirement has been identified.

- The Appointing Authority may approve a starting salary above midpoint of the pay grade only in circumstances where there has been difficulty in recruiting for the position or if the applicant has special skills, background, or experience significantly beyond the minimum qualifications.
- When a salary above the minimum is recommended an analysis of impact of the hiring rate compared with current employees in similar level positions shall be completed by the Human Resources Director and provided to the Civil Service Director along with justification that the applicant's experience exceeds the minimum qualifications.
- All salary offers should comply within Section 2 of this rule.

7.3 Promotions

A promotion is defined conceptually as the assumption of substantially expanded duties and responsibilities. For purposes of salary administration, a promotion usually occurs when the new classification is a higher pay grade than the previous classification.

A promoted employee shall be compensated within the new grade under the same guidelines as new employees. In all cases, the amount of a promotional increase should:

- be determined using the same guidelines for establishing a rate of pay for a new hire as defined in Section 7.2 of this rule.
- be an amount sufficient to reach the salary range minimum for the new classification or a minimum of a 5% increase, whichever is the greatest.

The increase should become effective in the first pay period in which the employee assumes the new job.

revised: 02/14/12 revised effective: 11/10/09 effective 02/08/11 revised 11/13/13

7.4 Transferred Employees & Voluntary Reduction to a Lower Class

- a) An employee who moves to a new job classification in the same pay grade shall not receive an increase in compensation.
- b) An employee requesting a transfer to a lower grade salary shall be adjusted in accordance to the guidelines set forth in Section 7.2 of this rule. *revised 11/13/13*

7.5 Reclassified and Demoted Employees *revised 11/13/13*

- a) If an employee's classification is moved to a higher pay grade, the promotion guidelines defined in Section 7.3 of this rule shall be applied to determine the employee's new rate of pay.
- b) If an employee is in a job classification that is moved by reclassification or demotion to a lower pay grade the employee's salary shall be adjusted in accordance to the guidelines set forth Section 7.2 of this rule.

Section 8.00: Salary Adjustments

Salary increases which are not due to new hires, promotions, or mandated raise processes fall under the broad category of Salary Adjustments. Such increases are proposed by the Appointing Authority or his/her designee to meet distinctive, case-by-case circumstances, as outlined in the explanations of the various categories within this section. *revised 11/13/13*

- 8.1 Market Grade Adjustment(s) helps to offer the competitive salaries within our labor market. Recruiting and retaining talented employees is critical to the City's success. The Market Grade Adjustment allows the City to pay its employees equitable wages that reflect the requirements and responsibilities of their position based on a market wage study.
- 8.2 If the Council approves any amendments to the Uniform Plan of Salary Ranges which results in an increase to the structure adjustment, employees may receive salary increases equal to the structure adjustment in order to maintain their relative position within their pay range.
- 8.3 An Appointing Authority may at his/her own discretion, grant individual pay increases to classified employees to adjust pay differentials between a direct supervisor and their subordinate. The increase shall not exceed 3% of the highest paid subordinate.
- 8.4 The Mayor at his discretion may grant across the board salary increases. Across the board increases shall be an annual percentage or flat dollar amount and shall be distributed equally among eligible employees. Employees eligible for across the board increases shall have at least 12 calendar months of creditable service prior to the effective date of implementation of the salary increase. Employees with less than 12 calendar months of creditable service may receive a prorated increase determined by the Human Resources Director and Civil Service Director.

8.5 Discretionary Pay Increases *effective: 11/13/13*

The Appointing Authority may grant pay raises to classified employees for the following reasons:

- 1) for purpose of retaining a valued classified employee whose loss would be detrimental to City service.

A counter-offer discretionary pay increase may be granted when the employee has a formal (usually written) job offer from an organization outside the City. The objective of a counter-offer is to retain a high performing, valuable employee, and the special skills of the employee are a significant part of the justification for this type of discretionary pay increase. The counter-offer does not have to match or exceed the external offer and internal and external market data should be considered when determining the appropriate salary to offer.

- 2) to maintain an appropriate internal pay relationship among employees in same class or organizational unit (compression/inversion and/or internal salary inequities)

Salary inequity can occur, for example, when an employee is paid an inequitable rate for work which requires at least equal knowledge, skills, abilities, effort, and responsibilities, and is of equal or greater value to the City than the work of a comparison employee or employees in the same or comparable classification, unless a differential is justified by factors including, but not limited to performance, market salary conditions, and/or length of service. Consideration should still be given to factors including, but not limited to, value to the City, special knowledge, skills, or abilities required, and/or length of service. Salary equity does not mean that all employees in the same classification have identical pay. It may be appropriate to request varying equity amounts for a group of employees. Other internal salary inequities may be created as the result of an increase of a single employee. Also, funds must be available to address the equity issues, which may involve more than one employee. A broad look at funding and an analysis of impact is necessary when considering the increase.

- 3) to compensate employees for permanent increases in duties (significant additional higher-level duties, but not enough to warrant an official change in classification)

Discretionary Pay Increases for permanently increased duties recognize new assignments which require greater skills, new knowledge, a greater level of authority and responsibility, or other changes in duties which enhance the value of a position to the City. Discretionary Pay Increases for permanently increased duties also require the job description to be updated through the Human Resources Director. If the change of duties justifies a classification change, a reclassification may be recommended by the Human Resources Director to the Civil Service Director. Increased workload with the same or similar duties does not justify a special pay increase. In the case of non-exempt

classified employees, increased work load is compensated through payment of overtime or accumulation of compensatory leave time. In the case of exempt classified employees, work load fluctuations are a normal part of payment for the job (salary) rather than payment of work time (hourly pay). Assignment which justifies discretionary pay increases for duties are typically the result of departmental reorganizations or job consolidation. They may also result from assigning primary responsibility for a new function to an employee who has not had a function with this level of responsibility previously.

- 4) to reward classified employees who attain a job-related degree (Associates, Bachelors, Masters or Ph.D.) from an accredited college, technical school, or university while employed at the City, provided the employee was not previously rewarded for attaining the degree under another rule to qualify for a position.

Upon request from the Appointing Authority or his/her designee, a discretionary pay increase request along with adequate justification and documentation shall be submitted to the Human Resources Director. The Human Resources Director shall conduct an analysis of impact of the increase compared with current employees in similar level positions.

The Human Resources Director shall submit a recommendation, his/her analysis of impact of the increase, and the Appointing Authority or his/her designee justification and documentation to the Civil Service Director shall possess the authority to approve or deny discretionary pay increases.

- 8.6 The recommendations in Section 8.00 reflect the compensation policy of the City, the final budget allocations shall rest with the Mayor and the City Council, and should be made in the context of the total financial outlook for the City. When determining the adjustments to make, the City will need to consider the impact of these adjustments both on the salary structures and individual salaries. *revised 11/13/13*

- 8.7 Structured Pay Raise (Certification-Based Pay Increase Policy) for Public Works Employees *effective 5/13/2025*

Purpose:

To establish a structured pay raise system that rewards employees who earn professional certifications relevant to their roles, promoting career development and expertise within the City of Thibodaux's Public Works Department.

Eligibility:

- Employees must be in good standing with the City of Thibodaux.
- Certifications must be recognized by the Louisiana Department of Health and/or Department of Energy and Natural Resources and relevant to the employee's position.
- Employees must provide official documentation confirming certification completion.

Compensation Adjustment:

- The increase amount will be determined based on the certification's impact on the employee's role including their job performance based on the Appointing Authority's review. This is not an automatic pay increase; it must have the approval of the Appointing Authority.
- A percentage-based OR fixed dollar salary increase will be applied as determined by the Appointing Authority upon certification verification.
- Pay raises will be effective at the beginning of the next pay period.

Procedure:

1. Employee submits certification documentation to Civil Service and/or Human Resource.
2. Civil Service and/or Human Resource verifies certification authenticity and relevance.
3. The Department's Appointing Authority reviews and approves the pay adjustment.
4. Payroll processes the raise effective the next payroll period.
5. Human Resource maintains records of certifications and associated pay changes.

Exceptions & Limitations:

- Employees must maintain active certification status; expired certifications may result in a lowering of the pay adjustments.
- Certifications that are not recognized by the Louisiana Department of Health and/or Department of Energy and Natural Resources will not qualify for salary increases.
- The City of Thibodaux reserves the right to modify the policy based on business needs.

Classification of Positions by Certification:

The following certifications may increase the pay and position for the Public Works' positions that are required to obtain certifications: water distribution, water production, water treatment, wastewater collection, and wastewater treatment. Earning these certifications shall determine the employee's position in the City's Classification Plan if it is determined by the Appointing Authority and Civil Service Director that a pay increase will be awarded. The certifications for gas (operator qualification card and mechanical certification card) are not included in the lists of certifications that may increase the pay and classification; however, it may be considered when reviewing an employee's standing when considering job performance and evaluation.

Example(s):

- If an employee's position titled "Water Plant Operator I" obtains a water treatment certification II, that employee would be eligible to be moved into the

job title "Water Plant Operator II" and would be eligible to be awarded a pay increase dependent on the Appointing Authority's approval based on the employee's job evaluation and performance.

- If an employee's position titled "Wastewater Operator II" obtains a wastewater treatment certification III, that employee would be eligible to be moved into the job title "Wastewater Operator III" and would be eligible to be awarded a pay increase dependent on the Appointing Authority's approval based on job evaluation and performance.

8.8 Structured Pay Raise (Recommendation based Pay Increase Policy) for Classified Employees in positions with three (3) levels. *effective date 9/9/2025*

Purpose:

To establish a structured pay raise system that rewards employees who gain experience in their current position when positions at a higher level with the same title becomes available. For example, Equipment Operator I, II, and III, would allow an employee to move from position I to position II based on a recommendation by the employee's supervisor and approved by the Appointing Authority (Mayor) or his department designee and the Civil Service Director. This would allow moving through the levels I, II and III in order, without requiring an interdepartmental promotional test. This would promote career development and expertise within the City of Thibodaux's work force.

Eligibility:

- Employees must be in good standing with the City of Thibodaux.
- Employee must be in their current position for a minimum of one (1) year to be considered for an intradepartmental promotion.
- Employees must maintain an average or above average job performance evaluation to remain in their new position. They may be considered for demotion if they do not maintain an average or above average job performance evaluations.

Compensation Adjustment:

- The increase amount will be determined based on meeting the minimum requirements of the positions pay grade and any additional increase will be determined by the Appointing Authority and his/her designee. In addition, they must have satisfactory or above job performance evaluation based on the Appointing Authority's review.
- A percentage-based OR fixed dollar salary increase may be applied as determined by the Appointing Authority.
- Pay raises will be effective at the beginning of the next pay period.
- This must meet the criteria of the department's budget or adjusted budget.

Section 9.00: Other Pay Provisions

9.1 Salary Treatment Upon Return from Leave of Absence

Employee returning from a leave of absence will earn the same wage of pay they were earning at the time of leave. If his/her position has undergone any pay adjustment, his/her pay must be adjusted accordingly. For performance increases, the City may give the employee those increases for which he/she has attained eligibility. Credible service date will be maintained.

revised effective: 11/10/09

9.2 On-Call Pay *effective: 11/08/2011*

I. Policy

The City of Thibodaux must provide a variety of critical services 24 hours a day 7 days a week. Need for these services may occur when employees who have necessary skills are not on duty. As a result, the City of Thibodaux must be assured that skilled employees are always readily available by placing some employees on an on-call status. The employee is not performing work during this time, but normal off-duty activities and freedom of movement are limited by these on-call requirements. There, the City of Thibodaux will provide compensation in appreciation for the restrictions of being on-call. Compensation will be paid to employees at the rate of \$1.00 per hour of on-call time. A rate of \$3 per hour will be paid for employees on-call on a City holiday (or designated department observance of the holiday) or a special holiday proclaimed by the Mayor and not recognized as regular holiday by Civil Service. *revised: 02/14/12*

II. Scope

The rule applies to the Police, Public Works, and Parks Department. *revised: 01/10/12*

The Department Director of each designated department will decide specifically which employee(s) in each job title and division will be assigned to take call and receive the additional compensation. *revised: 02/14/12*

The Chief of Police and the Public Works Director and Public Works will provide an on-call schedule and designate special circumstances for on-call pay. *revised: 03/14/12*

The rule applies to the Police, Public Works, and Parks Departments. *revised: 02/14/12*

In considering the City's fiscal resources, on-call pay shall be proposed to the governing authority by the Appointing Authority through the budget process.

III. Definitions

- On-Call Status – a period of time outside of on-duty hours (often a week or weekend) when an employee is expected to be readily available for contact by phone, radio, pager or beeper. On-call status means being fit and able to report to work within an acceptably short period of time, as designated by the department.

Employees are not considered to be on-call in situations where an entire work group is placed on notice that pending weather conditions or special events or other comparable situations may necessitate employees being called back.

- Call-Back – time worked when departments require that employees report back to a worksite because of special needs or emergencies.

IV. Situations Eligible for Compensation for Being On-Call:

Compensation will be paid in situations where employees are on-call and therefore have restricted off-duty time. Employees who are designated as “back-up” but are subject to the same restrictions as the primary on-call person are not eligible for compensation as the primary person.

Departments will establish specific policies governing on-call situations in their departments. However, in order to qualify for on-call compensation, the following components will apply:

- 1) The department head will define the divisions and job titles eligible for on-call pay, based on operational needs. *revised: 02/14/12*
- 2) The work unit has an established rotation where different employees share responsibility for being ready to return to work for a specified period of time when called. On-call status in a work group must be regularly shared by more than one employee on a rotating basis.
- 3) The assignment should be on a recurring cycle, not a one-time assignment.
- 4) The employee is on duty for a specific period designed ahead of time, usually a week (7 days). Hours when the on-call time begins and ends should be clearly established and communicated to the employee.
- 5) The employee must be in touch by beeper, radio, or telephone numbers left at all times of assignment, wherever he or she goes.

- 6) The employee must acknowledge the beep or call within a fairly short period of time as designated by the department.
- 7) The employee must be available to report to the work site and answer the needed work assignment within a fairly restrictive period of time as designated by the department. Therefore, the employee cannot go further out of town than the page or return time would allow.
- 8) If called back, the employee is obligated to report to work capable of performing normal duties and other duties as may be reasonable under the criteria. Therefore, the employee should not drink alcoholic beverages during the period of time on-call because he or she must be ready to report to work.
- 9) The employee would be sanctioned/disciplined if he/she does not respond or is not ready to work when called. *revised: 02/14/12*

V. Administration of the Policy:

- Recordkeeping: Departments will report the total hours for on-call compensation on the timesheet to the Finance Department for inclusion of compensation in paychecks, but should maintain records which document the hours each employee was on-call versus on actual work status.
- Emergencies: Employees would be informed of procedures for informing their supervisor or other person if, for some reason (example: sudden illness of self or a child) the employee knows he/she would not be available to answer a call.
- Substitutions: Departments may establish procedures where employees may request in advance to have a substitute cover for him/her for a designated portion of the time for reasons acceptable to and approved by the supervisor. The hours which were covered by the substitute would be deducted from the total call-back hours of the primary employee, and would be paid to the substitute.
- Failure to respond: If an employee does not respond to a telephone call, "beep", or "page" within the designated time, or is not able or available to respond to a call-back within the designated time, compensation for on-call status will normally be forfeited for the entire rotation.

Additionally, disciplinary action may be imposed in either of the above situations.

VI. Treatment of Time on Timesheets and Records

1. Not considered work time: Time spent on-call is not considered work time, and does not count toward hours of work for the purpose of calculating overtime. Although the on-call pay is combined with the employee's check or automatic deposit, the on-call compensation is separated from and is paid over and above the work hours in a work period.
2. Reporting to work: Time spent answering the page or telephone call is part of the on-call responsibility and does not count toward work time. However, time spent on-site counts toward work time, and employees are guaranteed at least two hours of pay for the work performed when called back.
3. Time is either work time or on-call time, not both: Employees may not receive both on-call pay and regular or overtime pay for the same hours.
4. Subject to deductions: On-call pay is subject to state and federal taxes, and retirement deductions.

Section 10.00: Implementation of the Salary Grades

Deleted with the adoption of the December 29, 1977, Uniform Plan of Salary Range amendments. All subsequent Uniform Plans of Salary Ranges have been amended. The current Uniform Plan of Salary Ranges became effective January 1, 2007. *revised effective: 11/10/09*

Section 11.00: Interpretation and Application of Uniform Plan of Salary Ranges

The Civil Service Board shall determine the proper interpretation of the provisions for the Uniform Plan of Salary Ranges. The proper interpretation and/or application of any such provisions shall be binding upon all employees affected thereby, subject to appeal by any employee to the Civil Service Board. *revised effective: 11/10/09*

Section 12.00: Severability

If any provision or provisions of these rules governing the administration of the Uniform Plan of Salary Ranges or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the legality of the remainder of these rules. *revised effective: 11/10/09*

Section 13.00: Effective Date

The effective date of this Uniform Plan of Salary Ranges Narrative and Schedule of Salary Grades shall be December 29, 1977. *revised effective: 11/10/09*

All provisions of Rule IV: Uniform Plan of Salary Ranges, Section 1 through 6, heretofore or in effect on December 29, 1977, are hereby rescinded and repealed effective December 28, 1977. *revised effective: 11/10/09*

RULE V: Examinations

Section 1: Appointment of Examiners and Preparation of Examinations

- 1.1 The Civil Service Director may select officers or employees in the city service to act as examiners in the preparation and rating of tests. An Appointing Authority shall excuse any employee in his Department from his regular duties for the time required for his work as an examiner. Officers and employees shall not be entitled to extra pay for their service as examiners.
- 1.2 The Civil Service Director, may, for the purpose of assisting in the examination of candidates for positions of high responsibility and positions requiring unusual qualities of qualifications, retain the service or persons from within or without the city who, because of their experience or for other reasons, have special acquaintance with the qualities requisite for such positions.
- 1.3 Civil Service Director's Responsibilities

The Director shall establish, operate, and administer policies, methods, testing materials and procedures for holding competitive tests to determine the merit and fitness of candidates for original appointment and promotion in the City Service.

- 1.4 Diversity, Equity and Inclusion Policy

Recommendations may be made by department directors or supervisors for the appointment of an individual to be included in the oral board segment of examinations when hiring into classified positions (entry level and promotions). The appointment is to assist with fostering, cultivating and preserving a culture of diversity, equity and inclusion in the selection process. The final approval of the examinee recommended to participate on the oral board will be determined by the Civil Service Director.

Section 2: Admission to Examination

- 2.1 The minimum age for entrance to any and all examinations shall be eighteen (18) years of age or older.
- 2.2 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 of Thibodaux when all things are relatively equal in respect to ability, experience, training, and education, as compared to a non-resident of the City of Thibodaux.
- 2.3 The Director shall give written notice at least fifteen (15) days in advance of any test for appointment by posting the same on the Civil Service Bulletin Board and by mailing said notices to the Mayor and City Departments for posting on their respective bulletin boards. All such notices shall be posted on the date received and remain posted to and including the final closing date for receipt of applications as specified on the examination announcement. The Director may also advertise position openings in newspapers, professional and trade publications; post notices thereof in schools and colleges, and employ any other methods of publicizing that he considers appropriate.
- 2.4 The Director shall reject any application filed after the time fixed for closing receipt of applications, or after a specific number of applications, announced in the public notice of the tests, have been received.
- 2.5 The Director, subject to the rules, may reject the application of any person for admission to any test of fitness or refuse to test any applicant, or may cancel the eligibility of any eligible on any employment list, who is found to lack any of the qualifications prescribed as requirements for admission to the tests for the class for which he has applied, or because his character or reputation is deemed unfit for employment in that class, or who is physically or mentally unfit to perform effectively the duties of a position of the class, or who is addicted to the habitual use of drugs or intoxicating liquors to excess, or who has been adjudged guilty of a crime involving moral turpitude or infamous or notoriously disgraceful conduct, or who has been dismissed from the public service for delinquency or misconduct, or who has made false statements of any material fact or has practiced or attempted to practice deception or fraud in his application or his tests or otherwise in securing eligibility for appointment or attempting to do so. Any such facts shall also be considered cause for removal of any employee.
- 2.6 The time fixed for closing receipt of applications shall be twelve o'clock noon on the date announced in the public notice of tests. Applications received in the office of Civil Service after this time shall be rejected.
- 2.7 If the date for closing receipt of applications should fall on legal holiday recognized by the government of the City of Thibodaux then the official closing date shall be the next business day following the holiday.

- 2.8 Military Preference: Five (5) points shall be added to written grade on examinations for all entry-level examinees with military service that has provided verification of service (i.e. DD-214). The five (5) points will be added to the written test only after a passing grade or score has been achieved. *revised 3/12/2019*

Residency Preference: Three (3) points shall be added to the final grade on examinations for all entry-level examinees who live within the City limits provided that the points may be added only after a passing grade or score is attained. Examinees claiming preference under the provision of this rule must present current voter registration card to the Director for inspection. *revised effective: 01/17/90 revised 5/9/2017*

P.O.S.T. Certified preference: Three (3) points shall be added to the final grade on examinations for all examinees on the entrance level examination for the position of Police Officer (Recruit) who hold a State of Louisiana Peace Officer Standards & Training Council Certificate provided that the points may be added only after a passing grade or score is attained. Examinees claiming preference under the provisions of this rule must present this certificate to the Director for inspection. *revised effective: 04/01/95*

An applicant for promotion within the classified service shall be granted one point for each year of continuous service with the City of Thibodaux, with a maximum of ten points earned. Longevity points will be awarded only after the applicant has achieved a passing grade of 60% on the examination. The longevity points will be added to the final score and will not be used to achieve a passing grade. *revised effective: 10/01/97*

- 2.9 Substitution clause for educational requirements. If an applicant meets all of the minimum requirements for the job, but does not meet the formal education requirement, then work experience may be substituted for the educational requirement.

A 2:1 policy will be used meaning two (2) years of relevant experience may be substitute for one (1) year of required formal education. For example, if the minimum requirements for a position are a Bachelor's degree and two (2) years direct related experience, then a substitution clause would be a high school diploma and ten (10) years of work experience resulting in eight (8) additional years. *revised: 03/14/12*

A substitution may also be allowed if an applicant meets all of the minimum requirements for the job but does not meet the work experience requirements, then education requirements earned may be substituted for work experience if applicable at a 2:1 ratio. *revised 11/10/2014*

- 3.0 Within sixty (60) days after the date on which a test is held, the Director shall complete the rating and prepare the list or lists of results and notify all applicants of their status on the test. *revised: 03/14/12*

Section 3: Continuous Examinations

- 3.1 The Director may, subject to these rules, hold examinations for which no final filing date has been set, which will be given on more than one (1) date, and from which the resulting employment list is an open list. In providing means by which continuous examinations for a class of positions shall be held, the Director may determine the length of time to be elapsed before a candidate may reapply for an examination for which he failed to qualify as an eligible.

Section 4: Results of Examinations

- 4.1 Methods of breaking ties in rating: If two (2) or more eligible have final ratings which are identical, priority standing on the list shall be determined on the following basis, which shall be used in the order named as far as may be necessary to break the tie: (1) persons granted military preference under the rules; (2) persons receiving the higher scores on their written tests; (3) persons receiving the higher scores on their performance tests; (4) persons receiving the higher rating on the training and experience; (5) persons whose completed official applications were received first in the office of Civil Service. Should a complete tie still exist after application of this system, all shall be given identical ranks on the eligible list.
- 4.2 Examinees passing the examination shall be placed on the eligible list in the order of their grades from the highest to the lowest. Under no conditions shall examinees failing to make a passing grade be placed on an eligible list. *revised effective 1/17/90*
- 4.3 Open lists: The order of names on an open list, and the period for which an eligible's name shall remain on an open list, shall be covered by the following: (1) the period of eligibility for each person on such lists shall be six (6) months, unless extended in accordance with Section 5.3 of this rule; (2) eligible shall be listed on the employment list in accordance with their highest rating on the examination, subject to the provisions of section 4.2 of this rule.
- 4.4 The Director shall keep the papers and other documents of candidates for examinations available for their inspection for a period of thirty (30) days after the date of notification of test results. Persons requesting an opportunity to inspect their papers or other documents shall arrange for an appointment in the manner and on the forms prescribed by the Director.
- 4.5 A manifest error in rating a test shall be corrected if called to the attention of the Director within thirty (30) days after the establishment of the list, but such correction shall not invalidate any appointment previously made from such a list.

Section 5: Establishment of Promotion Lists and Employment Lists

- 5.1 On every promotion and employment list the eligible shall be ranked in the order of their ratings earned in the examination given for the purpose of establishing the list.
- 5.2 The Director shall determine at the time any promotion or employment list is established, the period during which the list shall remain in force, which shall be not less than six (6) months nor more than three (3) years.
- 5.3 The period during which any list may remain in force may be extended by the Director, but no list may be extended for a period longer than three (3) years from the date of the original establishment thereof.
- 5.4 Promotion lists: Such lists may be established on a service-wide, or a Departmental-wide basis as determined by the Director in cooperation with the appointing authorities.

Section 6: Postponement and Cancellation of Tests

- 6.1 In the event that a sufficient number of qualified candidates have not made application for a test, the Director may postpone the final filing date and the date of tests or cancel the tests and shall, in each such case, give suitable notice thereof to the applicants.

Section 7: Removal of Names from Lists

- 7.1 Names of eligible shall be removed from an eligible list by operations of any of the following causes:
 - a) Refusal of three (3) offers of appointment.
 - b) Appointment through certificates from such list to fill a permanent position.
 - c) Filing of a statement by the eligible that he is not willing to accept appointment.
 - d) Failure to respond, within the time specified in the notice, or any inquiry of the Director or Appointing Authority if satisfactory evidence is furnished.
 - e) Failure to report for work after accepting appointment.
 - f) Expiration of the term of eligibility on an eligible list.
 - g) Notice by authorities of their inability to locate eligible at his last known address.
 - h) Death of eligible.

- i) Review of the eligibility of an eligible reveals that he/she lacks any of the qualifications prescribed as requirements for admission to the tests for the class for which he/she has applied. The Appointing Authority shall submit a written request to the Civil Service Director requesting the removal of the eligible from the list. The Civil Service Director may approve the removal based on the request from the Appointing Authority. *effective 5/9/2017*
- j) Review of eligible indicates that the eligible is physically or mentally unable to perform efficiently and effectively the essential functions of a position of the class with or without reasonable accommodation that does not present an undue hardship, or has tested positive on a post-offer test for drugs or alcohol, refused or failed to participate in the test or submitted an adulterated specimen. *effective 5/9/2017*
- k) Deemed by the Director to be unfit for employment in the class applied for by reason of criminal record or employment history (undesirable background review), or has practiced or attempted to practice deception or fraud in any application, or any test, or otherwise, in securing eligibility for appointment or attempting to do so, or files and an application within two (2) years of dismissal or resigning his position after becoming subject to dismissal as provided for in Rule IX of these rules provided that, at the time of the resignation, the Appointing Authority involved reported this matter to the Civil Service Department with a copy. *effective 5/9/2017*
- l) If the Appointing Authority determines that an eligible does not meet the qualifications, skills, and/ or adaptability required to hold the position the eligible has applied for, the Appointing Authority shall submit in writing the reasons for requesting an eligible's removal from the eligibility list to the Civil Service Director. If approved by the Civil Service Director, the eligible shall be removed from the eligibility list. *effective 5/9/2017*

Section 8: Non-competitive Examination

- 8.1 When he deems it impractical to hold competitive examinations, the Director may hold non-competitive entrance and promotional examinations for positions in certain classes of work for which it is difficult to recruit applicants either because of the salary ranges provided for the classes or because of the scarcity of applicants possessing the prescribed and required technical, professional, or other qualifications or for any other valid reasons rendering it impractical to hold competitive examinations.

Section 9: Methods of Examination

- 9.1 The Director may examine applicants for entrance level and promotional examinations on the basis of written tests, performance tests, rated experience and training, oral tests, or any combination of these methods that he deems advisable for the class being tested. The method used shall be practical and in the best interest of the city service.

Section 10: Weighted Value of Examinations

- 10.1 Whenever any method of testing as outlined in Section 9.1 of this rule is used individually or in combination, the following weighted values shall be used:

| | Written or Oral Test | Experience & Training | Performance Test | Passing Grade |
|----|----------------------|-----------------------|------------------|---------------|
| a) | 100% | -0- | -0- | 60% |
| b) | -0- | 100% | -0- | 60% |
| c) | -0- | -0- | 100% | 60% |
| d) | 50% | 30% | 20% | 60% |
| e) | 60% | 40% | -0- | 60% |
| f) | 50% | -0- | 50% | 60% |
| g) | -0- | 50% | 50% | 60% |
| h) | 80% | -0- | -0- | 60% |

- 10.2 An applicant for entry level into the Thibodaux Police Department service shall undergo the following examinations:

A. Written Test – Value 40%, passing grade 60% *revised 5/9/2017*

B. Oral Test by board of supervisors appointed by the Chief of Police on a rotational basis, as needed, and comprise of the following:

- Chief of Police or his designated delegate from the Thibodaux Police Department
 - One Captain from the Thibodaux Police Department
 - One Lieutenant from the Thibodaux Police Department
 - One Sergeant from the Thibodaux Police Department
- Rotational basis means the board may not be comprised of the same officers from one meeting to the next.
- Troop Commander from Troop "C", Louisiana State Police or his designated delegate.
 - One Faculty member from Fletcher Technical Community College
(Revised effective: 07/13/10)

Value 40% - passing grade 60% *(Revised 5/9/2017)*

C. Physical Agility Test – Value 20% *(Revised 5/9/2017)*

*Overall Score for Written, and Oral Test = passing grade 60 %

- 10.3 An applicant for promotion within the Thibodaux Police Department shall undergo the following examinations:
- A. Written Test – Value 50%, passing grade 60% *effective 5/9/2017*
 - B. Oral Test by board of supervisors comprised of four law enforcement officers, none of which are current members of the Thibodaux Police Department. Value 50%, passing grade 60% *effective 5/9/2017*
 - C. The recommendations are sent to the Civil Service Director, who will combine the scores from the written examination and the oral examination to achieve a final grade, which will be sent to the Chief of Police for the final selection.
- 10.4 Longevity Points
- An applicant for promotion within the Thibodaux Police Department shall be granted one point for each year of continuous service with the Thibodaux Police Department, with a maximum of ten points earned.
- Longevity points will be awarded only after the applicant has achieved a passing grade of 60% on the examination. The longevity points will be added to the final score and will not be used to achieve a passing grade. *revised effective: 10/01/90*
- 10.5 The procedures described above for 10.2, 10.3, 10.4 shall be completed within 30 days after the written examination has been given.
- 10.6 The establishment of an entrance board will be done on a rotational basis, as needed, from employees within the Thibodaux Police Department. Employees can be excused from serving on the board with a written approved notice by the Chief of Police or his designated assistant no later than 14 days prior to the convening of the board; e.g., approved notice: scheduled vacation time. *revised effective: 05/11/04*

Section 11: Police Department Job Positions, Etc.

11.1 POSITION: Police Office (Recruit)

MINIMUM QUALIFICATIONS REQUIREMENTS:

1. Applicant must be at least 21 years of age.
2. Applicant must possess a valid High School Diploma, G.E.D., Equivalency certificate, or equivalent credentials as determined by the appropriate educational authority.
3. Applicant must possess or be able to obtain a valid Louisiana Driver's License without record of suspension or revocation in any state.
4. Applicant must not have any conviction for felonies.

5. Misdemeanor convictions are subject to review by the Departmental Review Board to determine acceptability of the applicant for police service.
6. Current or recent use or possession of illegal drugs within the last six (6) months is disqualifying. *effective: 11/8/11*

EACH APPLICANT MUST:

1. Pass the required Civil Service Examination (written) and examination by the Departmental Review Board (oral).

EACH APPLICANT IN A SELECTABLE POSITION MUST:

1. Undergo a background investigation.
2. Pass a qualifying medical examination including a psychological evaluation.
3. Pass either a polygraph or P.S.E. examination to verify employment application.
4. Possess good moral character. Any applicant may be disqualified if his/her character, reputation, or past employment record is found to be unsatisfactory as determined by the Department of Civil Service. Forgery, misrepresentation of facts, or cheating on examinations are punishable by disqualification.

Each applicant who has served in the military and has been separated with an honorable discharge or released from active duty under honorable conditions will receive five (5) additional points, which will be added only after a passing score has been achieved.

11.2 POSITION: Police Sergeant

MINIMUM QUALIFICATION REQUIREMENTS:

1. Applicant must have attained permanent status and have served for a period of five (5) years with the Thibodaux Police Department at the time of the examination for the rank of Sergeant *revised 7/11/207*
2. Applicants who have maintained post certification status as a police officer with a law enforcement organization prior to working for the Thibodaux Police Department may substitute a maximum of three (3) years of experience toward their service with the Thibodaux Police Department to reach the five (5) year requirement in the rule above. If the three (3) years of substitution qualifies, the applicant must have maintained two years of continuous service with the Thibodaux Police Department at the time the applicant applies for the Sergeant promotional test. *revised 1/8/2019*
3. An applicant having previous experience with the Thibodaux Police Department will have that time honored towards the rank of Sergeant. Applicant must be off probationary status and have completed two (2) years of continuous service with the Thibodaux Police Department at the time of the examination.

EACH APPLICANT MUST:

1. Pass the required Civil Service Examination (written) and Examination by the board of supervisors (oral).

Each applicant will be granted one longevity point for each year of continuous service with the Thibodaux Police Department with a maximum accumulation of ten (10) points. Longevity points will be awarded only after the applicant has achieved a passing grade of 60% on the examination. The longevity points will be added to the final score and will not be used to achieve a passing grade. *revised effective: 10/01/90*

11.3 POSITION: Police Lieutenant

MINIMUM QUALIFICATION REQUIREMENTS:

1. Applicant must have attained the rank of Sergeant or Desk Sergeant with the Thibodaux Police Department and must have held this position continuously for a period of two (2) years at the time of the examination for the rank of Lieutenant.
2. Applicant must have five (5) years of Law Enforcement experience (60 college semester hours in Law Enforcement curriculum may be substituted for one (1) year of required experience)

EACH APPLICANT MUST:

1. Pass the required Civil Service Examination (written) and examination by the board of supervisors (oral).

Each applicant will be granted one (1) longevity point for each year of continuous service with the Thibodaux Police Department with a maximum accumulation of ten (10) points. Longevity points will be awarded only after the applicant has achieved a passing grade of 60% on the examination. The longevity points will be added to the final score and will not be used to achieve a passing grade. *revised effective: 10/01/90*

11.4 POSITION: Police Captain

MINIMUM QUALIFICATION REQUIREMENTS:

1. Applicant must have attained the rank of Lieutenant with the Thibodaux Police Department and held this position continuously for a period of two (2) years at the time of the examination for Captain.
2. Applicant must have seven (7) years of Law Enforcement experience (60 college semester hours in Law Enforcement curriculum may be substituted for one (1) year of required experience).

EACH APPLICANT MUST:

1. Pass the required Civil Service Examination (written) and examination by the board of supervisors (oral).

Each applicant will be granted one (1) longevity point for each year of continuous service with the Thibodaux Police Department with a maximum accumulation of ten (10) points. Longevity points will be awarded only after the applicant has achieved a passing grade of 60% on the examination. The longevity points will be added to the final score and will not be used to achieve a passing grade. *revised effective: 10/01/90*

RULE VI: Vacancies, Certifications and Appointment

Section 1: FILLING OF Vacancies

Vacancies in positions in the classified service shall be filled demotion, transfer, reinstatement, re-employment, promotion, competitive appointment, or temporary appointment.

- 1.1(a) If an existing position becomes vacant, the Appointing Authority shall open that position to examination within a three-month period; *(7/01/85)* however, the Appointing Authority may request the Civil Service Director to waive this rule if the vacant position does not need to be filled immediately. *revised 7/11/17*

Preference shall be given to the methods named in the order in which they are named above, under the conditions and subject to the restrictions and limitations set forth in the rules.

A vacancy shall be considered filled under any of the methods specified, as of the date on which they are named above, under the conditions and subject to the restrictions and limitations set forth in the rules.

Transfer: An employee may be transferred from any position in the classified service to any position in the classified service to any other position of the same class at the pleasure of the Appointing Authority, but no employee shall be transferred from a position in one (1) Municipal Department to a position in another Municipal Department without from a position in one (1) class to a position in another class having a higher minimum salary. Any change of an employee from a position in one (1) class to a position in a class having a lower minimum salary shall be considered a demotion.

Reassignment: An employee may be changed within the same Municipal Department from a position in one (1) class to another position in a different class provided both classes have the same minimum rate of pay and the employee meets the minimum requirements for the class of positions he is being reassigned to. Reassignments must be approved by the Civil Service Director in order to verify the employee's qualifications.

Section 2: Request for Certification

- 2.1 **Anticipation of need:** Insofar as practical, each vacancy shall be anticipated sufficiently in advance to permit the Director to determine who may be available for appointment, and, if necessary, to prepare a class specification, and to establish a list of eligible.
- 2.2 **Selective certification:** The Appointing Authority may request certification of eligible requiring special abilities over and above the qualification requirements of a given class to fill a position for which such special ability is desirable or specific ability is desirable or specific age ranges he deems desirable. If the Director approves such request, he shall require the special ability or age range on the announcement for examination. Nothing in said selective certification shall be approved that is contrary to the purpose and intent of Article IV of the City Charter, or any rule adopted hereunder.

Section 3: Certification of Eligibles

Upon a request from an approving authority to fill a position other than by demotion, transfer or reinstatement, the Director shall certify to the Appointing Authority the names of three (3) eligible for such position of the class of the vacant position, and if more than one (1) vacancy is to be filled, the names of one (1) additional eligible for each additional vacancy. In cases of demotion, transfer or reinstatement, the Director shall approve or disapprove the name of the person submitted by the Appointing Authority.

The eligible certified shall be the highest ranking eligible willing to accept employment, ranked in the following order:

1. all the eligible on the appropriate re-employment list, if any;
2. those on a promotion list,
3. those on an entrance employment list.

All the names on any one (1) such lists shall be exhausted before any names are certified from another list, but the names certified may be taken from two (2) or more lists if necessary to make a certification of three (3) eligible. Names shall be certified from each list in the order of their ranks on that list.

Within ten (10) days after such names are certified, the Appointing Authority shall appoint one (1) of those whose names are certified to each vacancy, which he is to fill. In each case of acceptance of an appointment, such appointment shall become effective as of the date on which the appointment is made.

If the appropriate lists do not contain the names of a sufficient number of eligible willing to accept appointment to make possible the certification of three (3) eligible persons, the names of all persons on such lists who are willing to accept appointment shall be certified.

When fewer than three (3) names are certified to fill a vacancy, the Appointing Authority may make his appointment from the names certified. If he does not wish to make an appointment from the names certified, he may make a temporary appointment of any person he chooses.

When a vacancy is to be filled in a position of a class for which there are no eligible available for certification, the Appointing Authority may make a temporary appointment.

Part time employees: Appointing authorities may make appointments for project or seasonal work without compliance with all the requirements of these rules provided that such appointments must be approved by the Director prior to commencement of work and such employees shall be paid on an hourly basis and their employment cannot exceed six (6) months in duration in any consecutive twelve (12) month period.

Section 4: Re-employment

- 4.1 Re-employment lists shall consist of the names of persons who were separated from their positions for reasons other than fault or delinquency on their part, and who, at the time of their separations, had attained permanent status in accordance with the law and rules in that class of positions. The order in which these names shall be ranked on the re-employment list shall be in accordance with their number of years of continuous city employment in that class of positions. In case two (2) or more employees have equal service in that position, the person

who has the greatest number of years of continuous service in city employment shall be ranked highest. No person may be certified from a re-employment list or be re-employed if he had reached a retirement age, or has voluntarily retired.

- 4.2 The name of a regular employee who has been laid off shall be placed automatically on the appropriate re-employment list for the class of positions which he occupied. His name shall remain on this list for a period of two (2) years from the date of separation unless removed earlier by any of the provisions of the law or Rule V, Section 7.1. Until his re-employment is affected within the Department from which he was separated, or until his period of eligibility has lapsed, his name shall be certified on a service-wide basis to vacancies in that class of positions.
- 4.3 A regular employee who has been demoted from a higher class to a lower class for reasons other than disciplinary or incompetency, shall be placed on a reinstatement list and reinstated to his former position with priority over all other lists when the position he vacated becomes open.
- 4.4 A regular employee who has been demoted from a higher class to a lower class due to disciplinary reasons shall not be placed on a reinstatement list for the position he vacated until such time as the Appointing Authority requests that said employee be placed on a reinstatement list, but in no event shall said period exceed three (3) months. At the time said request is made, the employee shall acquire the rights and privileges provided in Section 4.3 of this rule. An employee demoted under the disciplinary provisions of this section shall lose all rights and privileges for promotion tests that may arise during his disciplinary period.
- 4.5 A regular employee who has been demoted because of incompetency shall not be placed on a reinstatement list.
- 4.6 The Appointing Authority may request the re-hiring of a reserve officer who was a full-time employee of the City of Thibodaux and remained active as a reserve officer upon their termination, to be re-employed as a full-time police officer. The reserve officer that is being considered for re-hiring, as a full-time police officer shall meet all the requirements (P.O.S.T. certification and all other certifications required of a police officer) by requesting the Civil Service Director to certify that the reserve officer is eligible for re-hire.

Section 5: Substitute and Temporary Appointments

- 5.1 With the approval of the Director or the Board, a substitute appointment may be made to any position in the classified service from which the regular and permanent employee is on authorized leave of absence. Any person employed on a substitute basis shall, for the duration of the substitute appointment, enjoy the class title and receive the rate of pay for the class and position so occupied. This rule shall apply to all authorized leave of absence in excess of two

(2) weeks. It is to be understood that the rate of pay specified herein shall be governed by the Appointing Authority and may be any one of the step increments in the scale of rates provided for the position being filled, which in the opinion of the Appointing Authority and may be any one of the step increments in the scale of rates provided for the position being filled, which in the opinion of the Appointing Authority, is fair and just. If the leave of absence is extended over a long period of time, the substitute appointee may receive additional increases at the discretion of the Appointing Authority, subject to the rules on pay increases expressed elsewhere in these rules.

5.1a Substitute Employee

With the approval of the Appointing Authority or his/her designee and the Civil Service Director, a classified employee with previous training, experience and proper qualifications may be temporarily placed in an essential position while the classified employee is out on annual leave, sick leave, leave of absence with or without pay or any other approved leave. The substitute employee may receive, if approved, the rate of pay for the class and position so occupied. The Appointing Authority must provide documentation to Human Resource to notify the Finance Department of the temporary change in a substitute employee's pay rate, class and title.

In this case, an essential position is defined as a position that must be filled in order for the department to fully function in a mandatory manner. (For example, Communication Officer, Equipment Operator, Water Plant Operator, etc.)

5.2 Temporary appointments to positions in the classified service may be made for short periods without compliance with the provisions requiring certification, as follows:

- a) Provisional appointments: When a vacancy is to be filled in a position of a class for which there are no eligible available for certification, the Appointing Authority, with the prior approval of the Civil Service Director, may make a provisional appointment. Appointment of such provisional shall be made only after submission of the name and qualifications of the intended appointee to the Director and such individual is approved for appointment. Such provisional appointment, shall terminate upon the regular filling of a vacancy in any manner authorized under these rules and in any event, within fifteen (15) working days after a certification from which appointment can be required. A provisional appointment shall never continue for a period in excess of three (3) months unless it is extended by the Board upon the Director's certification that eligible are not available and that it is not possible or predictable to provide such eligible.
- b) Emergency appointments: Where an emergency exists requiring that a position be filled before appointment can be made under any other provisions of these rules, an emergency appointment may be made of any available person to serve until the position involved can otherwise be filled under the provisions of these rules. No

emergency appointment shall continue for more than thirty (30) days in any case, or be renewed for any further period beyond that limit. The authority for any emergency appointment is conditioned on a prompt report thereof to the Director, at the time the appointment is made.

Section 6: Status of Provisional Appointees

- 6.1 Provisional employees as provided in these rules and under the provisions of Article IV of the City Charter, shall have no Civil Service status and do not possess any of the rights and privileges set forth herein. The status of said employees is of a temporary nature and subject to competitive examination.
- 6.2 As soon as examinations are prepared, it shall be the duty of the Director to advise the Appointing Authority in writing that he is ready to examine the class in which provisional appointees are occupying a position. The Appointing Authority shall have the option, within thirty (30) days of the date of said notice to abolish the positions or request certification of eligible to fill the positions on forms prescribed by the Director.
- 6.3 If request for certification is exercised under the provisions of Section 6.2 of this rule, the Director shall announce the examination as required by law and notify the provisional appointees in writing of the examination requirements.
- 6.4 If the Appointing Authority decides to abolish the position or positions within the option provided in Section 6.2 of this rule, he shall forthwith layoff said employees within the thirty (30) day period set forth.

RULE VII: Working Tests

Section 1: Employee to Serve

- 1.1 Every person appointed to a position in the classified service following the certification of their name from a competitive employment list, except those appointed on a temporary basis or following promotion, shall be tested by a working test while occupying the position before they may be confirmed as a regular and permanent employee in the position.
- 1.2 The period of the working test shall commence immediately upon appointment and shall continue for a period of not less than six (6) months, except for a police officer (recruit). The working test period for a police officer (recruit) shall commence immediately upon successful completion of the departments Field Training Program (FTO Program), shall be for a period of one (1) year.

- 1.3 At any time during the working test period, the Appointing Authority may remove an employee if, in the opinion of the Appointing Authority, the working test indicates that (a) the employee is unable or unwilling or fails to perform satisfactorily the duties of the position to which he/she has been appointed, or (b) his/her habits and dependability do not merit his/her continuance in the service.
- 1.4 Upon the removal, the Appointing Authority shall forthwith report to the Civil Service Director and to the employee removed, their action and the reason therefore.
- 1.5 Upon any employee completing his/her working test, the Appointing Authority shall so advise the Civil Service Director and finish a signed statement to the respective employee of the confirmation and 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 conformation.
- 1.6 The Appointing Authority may remove and shall remove upon the order of the Board, any employee during their working test period who the Board finds, after giving him/her notice and an opportunity to be heard, was appointed as a result of misrepresentation, fraud or error.
- 1.7 The Appointing Authority may recommend an extension of the working test period for an employee whose position may be difficult to learn and/or requires additional training to allow the Appointing Authority more time to evaluate their performance. The Appointing Authority may request approval in writing to the Civil Service Director to extend the working test period for an additional three (3) to six (6) months to be reevaluated. No working test period will be extended beyond one (1) year, with the exception of a police officer recruit as explained in Section 1.2 above.

Section 2: Interruption of Working Tests

If an employee is laid off during a working test period and subsequently reappointed by the same Appointing Authority from the same eligible list, he/she shall be given credit for the portion of the working test period completed before he/she was laid off.

If an employee is transferred during his working test period to a position under another Appointing Authority, the second Appointing Authority may in his/her discretion, permit the granting of credit for the portion of the working test period previously completed.

If an employee is placed on military leave without pay while serving their working test period, they shall be given credit for the portion of the working test period completed before they were placed on military leave. *revised effective: 05/13/08*

RULE VIII: Annual and Other Leaves of Absence

Section 1: Annual Leave As amended June 18, 1979.

1.1 PURPOSE

Vacation time is granted to classified employees for the purpose of rehabilitation and restoration and maintenance of work efficiency or transaction of personal affairs which include, but are not limited to such absences as vacations, illness in the family, attending funerals other than the immediate family, and other deserving matters at the discretion of the department head or his delegated representative.

1.2 ELIGIBILITY

Employees, except emergency and temporary, shall earn vacation time. Employees on leave of absence in excess of 12 weeks may not earn accrued annual leave. Employees on Military Leave of absence shall accrue annual leave. **All employees who work for six (6) consecutive months as a regular city employee is eligible to take their annual leave. Annual leave eligibility is not determined by an employee’s working test period, but by being employed with the City as a regular employee for six (6) consecutive months.**
revised 5/29/24

Eligible employees shall earn vacation time in accordance with the following schedule:

| ANNUAL LEAVE ACCRUAL FACTOR SCHEDULE | | | | | |
|--------------------------------------|---------------------|--|-----------------------|------------------------|----------------------|
| PAYROLL PERIOD | ANNUAL HOURS WORKED | ACCRUAL RATE FACTOR TO BE APPLIED TO ANNUAL HOURS WORKED | | | |
| | | 0-3 Years of Service | 3-10 Years of Service | 10-15 Years of Service | 15+ Years of Service |
| 40 HOURS | 1040 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |
| 60 HOURS | 1560 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |
| 75 HOURS | 1950 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |
| 80 HOURS | 2080 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |
| 84 HOURS | 2184 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |
| 85 HOURS | 2210 | 0.0462 | 0.0577 | 0.0692 | 0.0808 |

EXAMPLES OF CALCULATIONS:

Hours Work Per Day x Accrual Rate Factor x Days Worked Per Pay Period = Accrual Rate Per Pay Period

Hours Work Per Year x Accrual Rate Factor = Hours Earned of Annual Leave Per Year

*Allow adjustments for rounding

EFFECTIVE DATE: 7/10/2018

Vacation time may be taken in periods of not less than half-hour (1/2 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*

Five consecutive day rule was removed from rules on 11/14/2023.

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) Exempt Employees (Salary Basis Requirements in accordance to Fair Labor Standards Act, Regulation 29 C.F.R. Part 541. Fact Sheet #17G)

Classified exempt employees paid by the "salary basis requirements" states that an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, bases. The predetermined amount of cannot be reduced because of variations in the quality and quantity of the employee's work. An exempt employee must receive the full salary for any week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e. because of operating requirements of the business, that employee is not paid on a "salary basis". If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available. *revised 5/13/2025*

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 to 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

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:

$$\text{Hours Work Per Day} \times \text{Accrual Rate Factor} \times \text{Days worked per pay period} = \text{Sick Leave Accrual Rate Per Pay Period} \quad \textit{effective date: July 2018}$$

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

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:

| Years of Service | % of Sick Leave Paid | Cap Compensated Hours |
|------------------|----------------------|-----------------------|
| 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 which are eligible for retirement shall be paid for accrued sick leave using the following schedule:

| Years of Service | % of Sick Leave Paid | Cap Compensated Hours |
|------------------|----------------------|-----------------------|
| 0-14 | 0 | 0 |
| 15-Over | 33% | 480 |

2.12.1 In lieu of receiving a payout of sick leave hours at retirement, as stated in the applicable charts above, an employee may elect to use their sick leave hours prior to retiring by taking sick leave hours as terminal leave; using their sick leave hours in accordance to the applicable chart above. *effective 2/25/2021*

Terminal Leave (TL): Using sick leave hours at retirement as time off prior to an employee’s official retirement date. If terminal leave is used, there will not be a payout at retirement time and the employee will no longer be working in their position.

Conditions for applying sick leave hours prior to retirement date as paid leave of absence leading up to the retirement date:

- a) Employee must submit official retirement date to the Human Resource Department and Civil Service Department prior to utilizing sick day hours as terminal leave.
- b) Sick leave hours will be recorded on the time sheet for an employee who submitted retirement date as (TL) Terminal Leave Hours.
- c) Employee who utilizes TL will not be paid out their sick leave hours in accordance to the charts above; their TL will be paid out prior to their actual retirement date as sick day hours/terminal leave hours prior to retirement date. Payroll shall reduce the TL by deducting from your sick leave hours (SL).
- d) Once terminal leave (TL) is selected and the employee starts his/her terminal leave, the employee will no longer accrue annual or sick leave.

- 2.13 Upon the death of an employee eligible for retirement, his/her beneficiary shall receive one-half (1/2) 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 Sections 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*
See H/R Employee Handbook

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 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 may be 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 (June 19th) *revised effective: 5/13/2025*
 - g) Independence Day (July 4th)
 - h) Labor Day
 - i) Veteran's 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 give 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 his/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 Employee 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*

- 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: Weather/Emergency Closings

11.1 Weather Event (WE)

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, employees 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: Retirement

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: Lunch Breaks

- 13.1 Civil Service classified employee 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: Small Necessities

- 14.1 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 rescheduled 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*

RULE IX: Disciplinary Actions, Removals, Demotions, Layoffs

Section 1: Maintaining Standards of Service

- 1.1 When any regular employee in the classified service is unable or unwilling to perform the duties of his position in a satisfactory manner or has committed any act to the prejudice of the service, or has omitted to perform any act that it was his duty to perform or otherwise has become subject to corrective action, the Appointing Authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may extend to (1) removal from the service; (2) retirement; (3) reduction in pay of five percent (5%) of the employee's current rate in the range for the class; (4) demotion to any position of a lower class that the employee is deemed by the Appointing Authority and the Civil Service Director to be competent to fill; (5) suspension without pay not exceeding in the aggregate thirty (30) days in any period of twelve (12) consecutive calendar months; (6) reprimand or other less drastic measure of discipline which the Appointing Authority consider proper.
- 1.2 Reasons for corrective action outline in Section 1.1 of this rule shall be as follows:
- a) Unwillingness or failure to perform the duties of his position in a satisfactory manner.
 - b) The deliberate omission of any act that it was his duty to perform.
 - c) 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.
 - d) Insubordination.
 - e) Conduct of a discourteous or wantonly offensive nature toward the public, any municipal officer or employee; and, any dishonest, disgraceful, immoral, or prejudicial conduct.
 - f) Drinking alcoholic beverages while on duty; and reporting for duty while under the influence of alcohol.

- g) The use of alcohol or illegal substances or preparation to an extent, which precludes such employee from performing the duties of his position in a safe or satisfactory manner.
- h) Falsely making a statement of any material fact in his application for admission to any test for securing eligibility or appointment to any position in the classified service, or the practicing or attempting to practice fraud or deception in any such test.
- i) The conviction of a felony.
- j) Using or promising to use his influence or official authority to secure any appointment to a position within the classified service as a reward or return for partisan or political party or political services.
- k) Soliciting or receiving any money or valuable thing from any person or group of persons, for any political party or political purpose.
- l) Inducing, or attempting to induce by threats of coercion, any person holding a position, take a leave of absence from his duties, or waive any of his rights under the provisions of Article IV of the City Charter, or of the rules lawfully adopted hereunder.
- m) 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.
- n) The willful violation of any provision of Article IV of the City Charter, or any rule, regulation, or order lawfully adopted hereunder.
- o) 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.
- p) Bullying behavior either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at their place, outside and/or in the course of employment. *revised 7/12/2016*
- q) Discrimination or harassment toward another individual that explicitly or implicitly affects an individual's work performance or creates an intimidating, hostile, or offensive work environment. *revised 7/12/2016*
- r) The act of retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination, and/or the act of retaliation against an individual for reporting workplace bullying or for participating in an investigation of a claim of workplace bullying.
revised 7/12/2016

1.3 In every case of removal, suspension, reduction in pay, or fine of any employee in the classified service, or of involuntary retirement or demotion of the employee, the Appointing Authority shall immediately furnish the employee and the Director a statement in writing giving complete reasons and details thereof.

The statement shall include the date, time, and place of the misconduct, the name of the person directly involved in or directly affected by the misconduct (unless the identity is protected by state or federal statute or regulation, in which case, identification shall be made as permitted by such statute or regulation), and such other information as willfully inform the employee of the charges against him/her and will enable him/her to prepare a defense.

If a suspension is levied for the purpose of investigating suspected misconduct, "detailed reasons" shall include at least a description of the nature of the misconduct suspected, a general time frame in which the conduct is suspected to have occurred, the name of any person directly involved in or directly affected by the suspected misconduct (unless the identity is protected by state or federal statute or regulation), and such other information that is available to the Appointing Authority that will inform the employee what misconduct is being investigated.

The employee shall be entitled to an informal hearing with the Appointing Authority to discuss the reasons for the action contemplated and shall be given an opportunity to rebut at the hearing any alleged act of misconduct or other action on the part of the employee which necessitated the adverse action. This hearing shall be informal and may be refused by the employee but no action mentioned above shall be taken prior to either the actual informal hearing or the rejection by the employee of the hearing.

The Director shall notify the employee in writing at his/her last known address that he/she has the opportunity to make a reply in writing or orally at the hearing and has the right to attend said informal hearing, and the Director shall receive and consider any reply made, make an investigation of the facts, and report such investigation to the Appointing Authority.

No action shall be taken by the Appointing Authority based on any reason not stated in the notice for the opportunity for an informal hearing unless the employee is given an opportunity for an additional informal hearing in conformity with this section in order to discuss the new allegation. *revised effective: 04/11/94*

Section 2: Demotions and Abolition of Positions

- 2.1 Demotions of regular employees shall be made by the Appointing Authority when necessary to reduce the number of employees in the classified service or in any class therein. Demotions in any class, except for disciplinary action or because of the abolition of an entire class in the classified service, shall be made by demoting employees in the inverse order of seniority in the department affected. The names of the regular employees demoted for any reason, except for disciplinary action, shall be recorded upon the reinstatement list for the class from which they are demoted in the order of earned seniority in the class in which the demotions are made.

Section 3: Layoffs

- 3.1 Whenever a position in the classified service is abolished by the Appointing Authority because of stoppage of work, or for lack of funds, or for other causes, the employee in the department involved of the class affected, who has the least service in that position and class shall be laid off first. The name of such employee so laid off shall be put on the re-employment list in the order in which laid off, namely those with the least seniority at the bottom of the list.

RULE X: Records

Section 1: Payroll and Attendance Records

- 1.1 It shall be the duty of the Appointing Authority to install a system of payroll records. Each payroll 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 accounting and reporting to the fullest extent practicable.
- 1.2 The Appointing Authority or his delegated representative shall certify on each payroll or subsidiary document the fact of the actual rendering of service in the position, the fact of the actual rendering of service in the position or absence from duty with pay on duly authorized leave, the actual number of hours of attendance on duty or other satisfactory way of describing the time worked in the payroll period.
- 1.3 No payment for personal service shall be made by any department of fiscal officer thereof to any employee in the classified Civil Service of the city until after certification by the Director or designated representative in his absence that such payment is authorized and is in conformity with these rules. The Director's approval on forms relating to personnel transactions shall constitute certification within the meaning of this rule.
- 1.4 The forms prescribed by the Director shall also be used for the authorization for the continuous of the name of the person on a department payroll. Any change in the status of an employee shall be promptly reported to the Director on the prescribed forms, and when approved by the Director, such forms shall constitute proper authorization for the corresponding change in status of such employee.
- 1.5 If the Director in any case finds that a person has been employed in any portion in violation of any provisions of the law or these rules, he shall so notify the responsible fiscal officer and such officer shall not issue payment to such person.

Section 2: Appointment Forms

- 2.1 The Director shall prescribe forms on which the Appointing Authority shall certify the fact of lawful creation of a position and the fact of lawful appointment of a person to the position. The Director shall also indicate on these forms the proper allocation of the position and the rate of pay at which payment is to be made. When submitted to the Appointing Authority, these forms shall constitute authorization for the initial placement of the name of a person on a payroll, except in accordance with the law and these rules.

Section 3: Leave Records

- 3.1 Each Appointing Authority shall, with the advice and assistance of the Director, 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 of authorized leave of absence with or without pay.

Section 4: Examination of Personnel Records

- 4.1 The Civil Service Director shall, from time to time, examine Departmental payrolls and related records to determine whether or not the person on such payrolls have been appointed, transferred, reinstated, continued or otherwise employed in violation of any provisions of the law and rules and determine if employees are being paid at a rate other than the duly authorized rate.

Section 5: Records of the Office of Civil Service

- 5.1 Except as specifically provided in this rule, the records of the Civil Service Board shall be public records and shall be open to public inspection during office hours. For reasons of public policy, the following records shall be held confidential.
- a) Examinations, examination materials, tests and the results of tests, except as provided in Rule V, Section 4.4.
 - b) Confidential reports and investigations on the character, personality and history of employees or candidates for positions in the city service.

RULE XI: Prohibitions against Political Activities

Section 1: Prohibited Activities

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

- 1.1 No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service.
- 1.2 No person shall use or promise to use, directly or indirectly, any official authority or 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 position, for the purpose of influencing the vote or political action of any person, or for any consideration.
- 1.3 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 classified service; provided, however, the prohibitions of this subsection shall not be construed as applying to membership dues paid to, or contribution made to, pension funds, civil enterprises, the Louisiana Civil Service League, an association or union of public employees, or any similar non-political and non-partisan organization.
- 1.4 No employee in the classified service shall be a member of any national, state, local committee of a political part, 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, or shall make any political speech in behalf of any candidate seeking to be elected to public office, or shall take part in the management or affairs of any political party or in the political campaign of any candidate for public office, except to express his opinion and to cast his vote.
- 1.5 No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified service.
- 1.6 No Appointing Authority, or agent or deputy thereof, shall directly or indirectly demote, suspend, discharge, or otherwise discipline, or discriminate against any person in the classified service for the purpose of influencing his vote, support, or other political activity in any election or primary election; and no Appointing Authority, or agent or deputy thereof shall use his 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.

- 1.7 It shall be the duty of the Appointing Authority to discharge or suspend from the service or reprimand any employee whom he deems guilty of violating any one or more of the provisions of this section; provided, however, the Board may, upon its own initiative, investigate any officer or employee in the classified service whom it reasonably believes guilty of violating any one or more of the said provisions. It is further provided that any citizen, taxpayer, municipal officer or employee may file a formal complaint (formal complaint shall be filed in accordance with Rule II, section 4.13) with the Board detailed charges in writing against any employee in the classified service for violating any one or more of the provisions of this section; and, the Board shall, within ninety (90) 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 should find upon its investigation of any said employee that he has violated any one or more of the foregoing provisions, the Board shall, and it is hereby so empowered, order the Appointing Authority to forthwith discharge, suspend or reprimand such guilty employee from the service or to suspend or reprimand him; and the Appointing Authority shall forthwith discharge, suspend or reprimand such employee. *revised 12/17/2020*
- 1.8 Any Appointing Authority, agent or deputy thereof, classified employee, or any other person who violated any provision of this section shall be guilty of a misdemeanor; and, upon conviction thereof, shall be subject to the penalties provided in Article IV of the City Charter.

Political Activity Restriction of Municipal Government Employees' Civil Service, Thibodaux, LA Warning to Classified Employees of the City of Thibodaux and to Others

General Provisions

All persons in the classified service are prohibited by Article IV, Section 12 of the City Charter and by rules and regulations of the Civil Service Board from engaging in any partisan political activity other than:

1. Expressing one's opinion privately;
2. Serving as a Commissioner or Watcher at polls; and
3. To cast one's vote for whom he/she desires.

Political Activity Defined

Political activity is defined as meaning any effort to publicly support or oppose the election of a candidate for political office or to publicly support a particular political party in an election. Exempt from the definition of political is the support of issues involving bonded indebtedness, tax referenda, or constitutional amendments, which activities are not prohibited.

Classified Employee Defined

A classified employee is any person holding a job or position in the classified service of the City of Thibodaux and his/her political activity is restricted regardless of whether he/she is:

1. On active duty or off duty.
2. On annual or sick leave.
3. On educational, military, maternity, civil, emergency, or compensatory leave.
4. On leave of absence of any type, with or without pay.
5. Off duty during a holiday.
6. Under suspension.

Specific Prohibitions in the Law Regulating Political Activity on the Part of Employees

Directly or indirectly paying or promising to pay any assessment, subscription or contribution for any political organization or purpose.

Soliciting or taking part in soliciting any assessment, subscription or contribution for any political organization or purpose.

Being a member of any national, state, or local committee of a political party.

Being an officer or member of any factional or political club or organization.

Being a candidate for nomination or election to any public office.

Coercion or Intimidation of Employees Prohibited by Civil Service Law

No Appointing Authority, or agent or deputy thereof, or supervisor of any employee shall directly or indirectly demote, suspend, discharge, or otherwise discipline, or discriminate against any person in the classified service of the City for the purpose of influencing his/her vote, support, or other political activity in any election or primary election; and no Appointing Authority, or agent or deputy thereof shall use his/her official authority or influence, by threats, promises or other means, directly or indirectly, to punish or coerce the political action of any employee in the classified service of the City.

Other Prohibitions in the Civil Service Law Affecting Persons Not Necessarily Employees

No person shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service.

No person shall use or promise to use, directly or indirectly, any official authority or 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.

Penalties for Violation of Civil Service Law

Suspension without pay or dismissal of offending officer or employee.

Report of Violations

It shall be the duty of any employee or City official to report promptly any violations of the provisions of Rule IX to the Director of Civil Service, whose duty it shall be to make a thorough investigation concerning the alleged violations and to report the finding to the Civil Service Board.

PO BOX 5418
Thibodaux, LA 70302

Board Action on Violations

The Civil Service Board is authorized to conduct investigations by public hearing into allegations that the political activity restrictions contained in the Board's rules and regulations have been violated and the Board has the authority upon finding that such a violation has occurred to levy the penalty set forth above.

Board Decisions Illustrating Some Political Activities in Which a Classified Employee May Not Engage

Acting as a campaign manager.

Soliciting votes in an election campaign.

Acting as chauffeur or driver for a candidate in an election campaign or accompanying him/her when he/she is soliciting votes.

Openly announcing preference for a candidate, faction, or group in an election campaign.

Attempting to influence voters in an election campaign.

Threatening reprisals because of a citizen's activity on behalf of a candidate.

Attempting to influence a voter in his/her choice of candidates or issues while serving as a commissioner at the polls.

Distributing cards for a candidate, faction or group during an election campaign.

Speaking over a loud speaker in aid of a campaign.

Distributing money for support of a candidate, faction or group.

Contributing a vehicle or money to promote transportation of voters to the polls.

Offering to pay for votes or passing out cards in aid of a candidate, faction or group.

Procuring the activities of another to work in the promotion of an election campaign.

Asking subordinate employees to vote for a particular candidate.

Displaying a political sticker on a vehicle owned or operated by the employee.

Posting political pictures or advertisements in public places.

Posting political pictures or advertisements on property owned by the employee.

Addressing campaign literature or envelopes.

Working at campaign headquarters or otherwise assisting in a political campaign.

Wearing in public places T-shirts printed with voter solicitations.

Purchasing tickets for "testimonial" or "political" dinners for purpose of raising campaign funds.

Distributing or transporting political literature, posters, or other political data. *rev. eff: 10/01/2002*

Social media sites: "like" or "comment" on federal, state or local politically related posts.

Lobbying activities for funds that are received from Federal or State grants. *effective 3/12/2018*

Section 2: Report of Violations

- 2.1 It shall be the duty of any employee or city official to report promptly any violations of the provisions of this rule to the Director, whose duty it shall be to make a thorough investigation concerning the alleged violations and to report his findings to the Civil Service Board.

Section 3: Board Action on Violations

- 3.1 The Civil Service Board, on its own initiative, may at any time investigate any violations of the provisions of this rule by any person. The Civil Service Board, upon filing of written charges by any person of such violation within one (1) year after the alleged violation, shall investigate such charges. Within sixty (60) days after the filing of the charges as herein provided, the Board shall hold a public hearing concerning these charges. If the Board, after public hearing in an investigation instituted either on its own initiative or after charges shall determine that the person or persons under inquiry have violated any of the provisions of this rule, the Board is empowered, in its discretion, to direct the Appointing Authority having power and supervision over any offending officer or employee in the City service, forthwith to suspend without pay for any period of time it may designate or to dismiss such officer or employee, and such officer or employee shall be suspended or dismissed as directed by the Board.

RULE XII: Severability

If any provision or provisions of these rules, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the legality of the remainder of these rules.

Thibodaux Civil Service Annual Leave Donation Form

This form must be filled out completely and submitted to the Director of Personnel to allow for the donation of annual leave with pay in accordance with Rule VIII, Section 1, Paragraph 1.2 (a) of the Civil Service Rules. Requests for donation shall be accompanied by a physician's statement, which includes a diagnosis and a prognosis for the recipient.

SECTION I: GENERAL INFORMATION (PLEASE PRINT)

DONOR INFORMATION

Name: _____ SS# _____ Dept: _____
 Number of Annual Leave Hours Remaining: _____, as of _____.

RECIPIENT INFORMATION

Name: _____ SS# _____ Dept: _____
 Number of Annual Leave Hours Remaining: _____, as of _____.

(Note: Recipient **must** be a regular employee as defined by Rule 1, #30 of the Civil Service Rules.)

SECTION II: TO BE COMPLETED BY DONOR

I hereby agree to donate _____ of my accumulated annual leave hours with pay to the employee listed as the recipient above. I certify that this donation is made without coercion, implied or otherwise, and is strictly voluntary. I am also aware that in making this donation I relinquish all future claims to the donated leave, regardless of the medical condition of either the recipient or myself.

 (Donor's Signature)

 (Date)

SECTION III: TO BE COMPLETED BY APPOINTING AUTHORITIES

I hereby approve the above donation of annual leave with pay:

 (Donor's Appointing Authority)

 (Date)

 (Recipient's Appointing Authority)

 (Date)

SECTION IV: TO BE COMPLETED BY THE DIRECTOR OF CIVIL SERVICE

 (Approved, Civil Service Director)

 (Date)

Thibodaux Civil Service Sick Leave Donation Form

This form must be filled out completely and submitted to the Director of Personnel to allow for the donation of annual leave with pay in accordance with Rule VIII, Section 1, Paragraph 1.2 (a) of the Civil Service Rules. Requests for donation shall be accompanied by a physician's statement, which includes a diagnosis and a prognosis for the recipient.

SECTION I: GENERAL INFORMATION (PLEASE PRINT)

DONOR INFORMATION

Name: _____ SS# _____ Dept: _____

Number of Sick Leave Hours Remaining: _____, as of _____.

RECIPIENT INFORMATION

Name: _____ SS# _____ Dept: _____

Number of Sick Leave Hours Remaining: _____, as of _____.

(Note: Recipient **must** be a regular employee as defined by Rule 1, #30 of the Civil Service Rules.)

SECTION II: TO BE COMPLETED BY DONOR

I hereby agree to donate _____ of my accumulated sick leave hours with pay to the employee listed as the recipient above. I certify that this donation is made without coercion, implied or otherwise, and is strictly voluntary. I am also aware that in making this donation I relinquish all future claims to the donated leave, regardless of the medical condition of either the recipient or myself.

(Donor's Signature)

(Date)

SECTION III: TO BE COMPLETED BY APPOINTING AUTHORITIES

I hereby approve the above donation of sick leave with pay:

(Donor's Appointing Authority)

(Date)

(Recipient's Appointing Authority)

(Date)

SECTION IV: TO BE COMPLETED BY THE DIRECTOR OF PERSONNEL

(Approved, Director of Personnel)

(Date)



OFFICE OF THE DIRECTOR
JUDY D. CARRIER
DIRECTOR

MUNICIPAL GOVERNMENT EMPLOYEES CIVIL SERVICE
P. O. Box 5418 - 1309 Canal Boulevard
Telephone (504) 447-3767 Ext. 278
Thibodaux, Louisiana 70302

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CITY OF THIBODAUX
DEPARTMENT OF CIVIL SERVICE

POLICY MEMORANDUM NO. 1

JUNE 9, 1993

TO: MAYOR, DEPARTMENT HEADS, EMPLOYEES
FROM: JUDY D. CARRIER, DIRECTOR OF CIVIL SERVICE
SUBJECT: IMPLEMENTATION OF SICK LEAVE AND ANNUAL LEAVE DONATION
PROCEDURES

1. PURPOSE

This memorandum establishes additional guidelines for Appointing Authorities to follow in allowing employees to donate sick leave and/or annual leave from their accrued leave balances.

2. BACKGROUND

The City Civil Service Board adopted Rule VIII, Section 1, Paragraph 1.2 (a) and Rule VIII, Section 2, Paragraph 2.5 (a), on June 9, 1993. A photocopy of this rule is attached to this policy memo. This rule permits an employee to donate sick leave and/or annual leave to another employee who currently has permanent status in the classified service. This donation is subject to the initial approval of the Appointing Authority.

3. POLICY

- (a) Appointing Authorities shall approve the donation of sick leave and/or annual leave only in cases of catastrophic illness or injury. This period of incapacitation shall be defined as a sudden and/or grave deterioration in an employee's health (or that of her/his immediate family as defined in Rule VIII, Section 2, Paragraph 2.2) resulting from either a disease or an accident.
- (b) Approval may not be granted for routine or short-term illnesses. An exhausted leave balance is not sufficient justification for approval of sick leave and/or annual leave donation. The medical condition must satisfy the requirements of seriousness and duration.
- (c) Appointing Authorities also are instructed to consider the sick leave and annual leave use history of employees in weighing the decision to approve a donation.
- (d) Requests for donation shall be accompanied by a physician's statement, which includes a diagnosis and a prognosis for the employee or the member of her/his immediate family who requests assistance under this rule.
- (e) Requests which appear to be abusive, frivolous, or an attempt to exploit the intent of this rule should be discouraged. The Appointing Authority should approve those requests for employees whose medical situations meet the intent of the sick and/or annual leave donation program.

- (f) Any unused donated leave will automatically revert back to the donor.

4. DOCUMENTATION AND PROCESSING

- (a) Each request for donation of sick leave and/or annual leave must be processed by using one of the attached sick leave or annual leave donation forms. Additional copies of the Classified Service donation forms may be obtained from the office of Civil Service.
- (b) Requests affecting Classified Service personnel will be sent to the Civil Service Department for further processing. This request should not be forwarded until an Appointing Authority has reviewed and has approved the request which is being made.
- (c) No request shall be considered as approved until the Director of Civil Service has approved a request for a Classified Service employee pursuant to departmental approval.
- (d) Donated sick leave and/or annual leave may be used only on or after the approved date issued by the Director of Civil Service.
- (e) Appointing Authorities also are reminded that approved donation forms must be submitted to the Civil Service Director for confirmation. This form must be accompanied by a photocopy of the original donor form with all approvals indicated. As the official custodian of personnel records, the City Civil Service Department will retain the original donor form.

5. INQUIRIES

Any questions concerning this policy for Classified Service personnel should be addressed to the City Civil Service Department at 447-3767, Ext. 278.

Judy D. Carrier
Judy D. Carrier
Civil Service Director

Enc: Sick Leave Donation Form
Annual Leave Donation Form
Civil Service Rules - Sick Leave Donation
Annual Leave Donation

Rule VIII, Section 2

Paragraph 2.5 (a)

Donation of earned sick leave.

Subject to the prior approval of the Director of Personnel, an appointing authority may allow an employee to donate sick 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 sick leave from the donor to the recipient.
4. 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.
5. Following approval, the appointing authority/authorities must submit all the necessary leave adjustment forms to the Department of Civil Service with appropriate documentation.

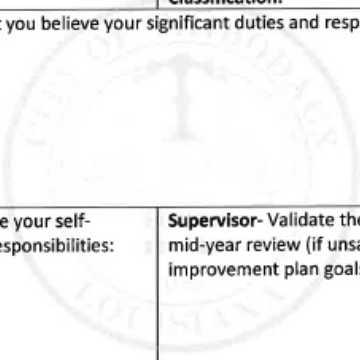


City of Thibodaux Employee Evaluation Process

Strategic Action Plan and Training Guide

Employee Evaluation Process

- **Task:** The HR and Civil Service Directors identified a need for refinements to the evaluation and employee award process.
- **Purpose (Center of Gravity):** The intent is to improve the supervisor to employee relationship, streamline evaluation criteria, help supervisors determine raise recommendations and improve employee productivity.
- **Issue:** There are instances where employee evaluations may not match the request for employee raises. In addition, there are instances where poor performance is not documented properly. This creates Civil Service and administrative issues for the City. The current evaluation forms require revision.
- **Discussion:** All department head agree there should be more involvement by supervisors and the evaluation process should be easier. The effort can be refined without being obtrusive to supervisors.
- **Recommendation:** Supervisors should **conduct an initial face to face counseling** giving employees the opportunity to identify their goals at the beginning of the year. Supervisors **will meet with employees at least once (mid-year)** prior to the final employee evaluation to discuss employee goals, performance and accomplishments. **Both outstanding and poor performance will be documented** throughout the evaluation period. **The City will match evaluations to the calendar year and will restructure the evaluation forms to be more effective.**

| City of Thibodaux Employee Evaluation Support Form | |
|---|---|
| Employee Name: | Employee Supervisor: |
| City Department: | Evaluation Rating Period: |
| Verification of Face-to-Face Discussion | |
| Mandatory initial face-to-face counseling on duties, responsibilities and performance objectives for the current rating period | |
| Date: | Employee Initials: Supervisor Initials: |
| Subsequent face-to-face counseling(s): | |
| Date: | Employee Initials: Supervisor Initials: |
| Mid-Year Review (Mandatory) | |
| Date: | Employee Initials: Supervisor Initials: |
| Job Description: | Job Classification: |
| Initial Counseling- Employee state what you believe your significant duties and responsibilities are: | |
|  | |
| Mid-Year Counseling- Employee indicate your self-development goals based on your job responsibilities: | Supervisor- Validate the progress of the employee in the mid-year review (if unsatisfactory state Performance improvement plan goals): |
| Employee- Indicate your end of year accomplishments: | Supervisor- Validate progress of the employee in the end of year review of performance with rating (Pick one) |
| | <input type="checkbox"/> Exceeds expectations <input type="checkbox"/> Meets expectations <input type="checkbox"/> Marginally meets expectations <input type="checkbox"/> Unsatisfactory |
| | Recommend raise level for performance rating(Pick One): <input type="checkbox"/> Exceeds (top raise) <input type="checkbox"/> Meets (middle raise) <input type="checkbox"/> Marginally Meets (low raise) <input type="checkbox"/> Unsatisfactory (No raise) |



Is designed to create a path for employee success.



Establishes a supervisor to employee face-to-face relationship with an initial counseling, followed up by a mid-year review and then a final evaluation.



Establishes a baseline at the initial counseling that will set the tone for the remaining of the evaluation process.



Gives the employee ownership of the evaluation process by providing the opportunity to state the significant duties and responsibilities from their own perspective at all three stages of the evaluation process.



The supervisor has the opportunity to elicit input from the employee in the beginning and then at the mid-year review. The supervisor uses the evaluation competencies to assist the employee in the process.



The employee can see the path of success in a written format as they complete the end of the year accomplishments, while the supervisor validates the evaluation process by choosing the performance level and possible recommended raise level.



It is recommended that the raise level choice match the performance level as a general rule, but supervisors do have the authority to use discretion as required.

Rules & Regulations



Information Section: Name, Supervisor, Department, Evaluation Period – The supervisor should fill out this information at the initial counseling.



Competencies Section: The supervisor should select job-appropriate competencies and communicate them to the employee during the initial counseling. Employees in the same position should be evaluated using the same competencies. These competencies should guide discussions during the mid-year review, and employees should be aware of the evaluation criteria throughout the year. The final evaluation should not come as a surprise.



Performance Level Section: The supervisor should choose the performance level based on the employee performance in the competencies.

| City of Thibodaux Employee Evaluation Form | | | | |
|---|-----------------------------|---------------------------------|---------------------------------|---|
| Employee Name: | Employee Supervisor: | | | |
| City Department: | Evaluation Rating Period: | | | |
| Competencies (Choose all that apply for evaluation purposes) | | | | |
| Communication Interpersonal Skills | Job Knowledge Initiative | Decision Making Productivity | Adaptability Quality of Work | Other Factors Related To Position Attendance/Punctuality/Dependability |
| Supervisors Only (In addition to competencies listed above) | | Planning and Organization | Leadership | Supervisory Control |
| Performance Level (Pick One): | | | | |
| [<input type="checkbox"/>] Exceeds expectations Consistently displays use of competency behavior. Consistently and effectively uses the competency behaviors. Performance consistently exceeds normal job requirements. | | | | |
| [<input type="checkbox"/>] Meets expectations - Performance is what is expected of a qualified person in this job. Frequently displays the use of the competency behaviors. | | | | |
| [<input type="checkbox"/>] Marginally meets expectations - Sometimes displays use of competencies. Requires closer supervision than necessary for competency behaviors. | | | | |
| [<input type="checkbox"/>] Unsatisfactory performance - Performance below minimum requirements of the job. Disregard for or consistently improper use if the competency behaviors. | | | | |
| <i>NOTE- All employee raises are based on the fact that the City has the fiscal means to grant them. The City of Thibodaux is not bound to give raises if there is no fiscal means to pay for and/or sustain them.</i> | | | | |
| Supervisor to Employee Performance Narrative: Identify how the employee used the competencies to achieve results. The competencies must tie the initial counseling as well as mid-year review into the evaluation performance narrative. The employee performance level rating must be supported by verbiage directly related to the competencies. | | | | |
| Methods Used to Achieve Results: Consider those behaviors that are critical to job success. | | | | |
| 1. Job Knowledge: Technical knowledge and skills, analytical ability, problem-solving skills Comments: | | | | |
| 2. Communications: Verbal and written communications, presentation skills, and listening skills. Are communications clear, concise, courteous? Comments: | | | | |
| 3. Quality of Work: Accuracy, neatness, thoroughness, completeness of work. Comments: | | | | |
| 4. Productivity: Work output, speed, timeliness, effectiveness. Work habits. Comments: | | | | |
| 5. Dependability, Attendance & Punctuality: How reliable is the employee in completing assignments and meeting deadlines? Attendance? Punctuality? Comments: | | | | |
| 6. Interpersonal Skills: Does employee work harmoniously and effectively with subordinates, peers, supervisors, the public? Team player? Shares information with others as needed? Resolve conflicts? Welcomes and seeks constructive feedback on own performance? Cooperative? Comments: | | | | |

Supervisor to Employee Performance Narrative Section:

Use the language from the performance level to write the comments. Samples:

- Employee A always identifies and solves issues before they rise into major problems.
- Employee B routinely displays effective communication skills.
- Employee C is able to produce successful quality of work under direct supervision.
- Employee D demonstrated a lack of effort in productivity and is ineffective.



The comments under the competencies should match the overall evaluation. Employees who are rated in an area should have the majority of competencies with verbiage supporting the evaluation level. Samples:

- Employee A exceeded expectations in 4 of 5 rated competencies, met expectations in the other 1 and received a total evaluation of exceeds expectations.
- Employee B met expectations in all 7 competencies and received a total evaluation of meets expectations.
- Employee C required supervision in 3 of the 4 rated competencies and received a marginally meets expectations.
- Employee D required constant supervision, was put on a performance improvement plan and performed below minimum job requirements in all 3 rated competencies.



| City of Thibodaux Employee Evaluation Form | | | | |
|---|-----------------------------|---------------------------------|---------------------------------|---|
| Employee Name: | Employee Supervisor: | | | |
| City Department: | Evaluation Rating Period: | | | |
| Competencies (Choose all that apply for evaluation purposes) | | | | |
| Communication Interpersonal Skills | Job Knowledge Initiative | Decision Making Productivity | Adaptability Quality of Work | Other Factors Related To Position Attendance/Punctuality/Dependability |
| Supervisors Only (In addition to competencies listed above) | | Planning and Organization | Leadership | Supervisory Control |
| Performance Level (Pick One): | | | | |
| [] Exceeds expectations Consistently displays use of competency behavior. Consistently and effectively uses the competency behaviors. Performance consistently exceeds normal job requirements. | | | | |
| [] Meets expectations - Performance is what is expected of a qualified person in this job. Frequently displays the use of the competency behaviors. | | | | |
| [] Marginally meets expectations - Sometimes displays use of competencies. Requires closer supervision than necessary for competency behaviors. | | | | |
| [] Unsatisfactory performance - Performance below minimum requirements of the job. Disregard for or consistently improper use if the competency behaviors. | | | | |
| <i>NOTE- All employee raises are based on the fact that the City has the fiscal means to grant them. The City of Thibodaux is not bound to give raises if there is no fiscal means to pay for and/or sustain them.</i> | | | | |
| Supervisor to Employee Performance Narrative: Identify how the employee used the competencies to achieve results. The competencies must tie the initial counseling as well as mid-year review into the evaluation performance narrative. The employee performance level rating must be supported by verbiage directly related to the competencies. | | | | |
| Methods Used to Achieve Results: Consider those behaviors that are critical to job success. | | | | |
| 1. Job Knowledge: Technical knowledge and skills, analytical ability, problem-solving skills Comments: | | | | |
| 2. Communications: Verbal and written communications, presentation skills, and listening skills. Are communications clear, concise, courteous? Comments: | | | | |
| 3. Quality of Work: Accuracy, neatness, thoroughness, completeness of work. Comments: | | | | |
| 4. Productivity: Work output, speed, timeliness, effectiveness. Work habits. Comments: | | | | |
| 5. Dependability, Attendance & Punctuality: How reliable is the employee in completing assignments and meeting deadlines? Attendance? Punctuality? Comments: | | | | |
| 6. Interpersonal Skills: Does employee work harmoniously and effectively with subordinates, peers, supervisors, the public? Team player? Shares information with others as needed? Resolve conflicts? Welcomes and seeks constructive feedback on own performance? Cooperative? Comments: | | | | |

7. Initiative: Does employee work independently? Solves problems? Assumes additional responsibility? Looks for more efficient and cost-effective ways?
Comments:

8. Adaptability: Is employee able to adjust to a variety of situations? Flexible?
Comments:

9. Decision Making: Uses logical and sound judgment.
Comments:

10. Other Factors Relevant to the Position:
Comments:

For Supervisory Employees
This section should be completed on those employees who have supervisory responsibilities. Use the comment section to explain strengths and weaknesses in each area. List specific action needed to correct any deficiencies.

1. Planning and Organization: Forecasting, setting objectives, anticipating changes; securing and budgeting resources, structuring tasks, establishing priorities.
Comments:

2. Leadership: Ability to take charge. Select, direct, coordinate activities of others to do better work, assume more responsibility, or prepare for future job opportunities. Coach, motivate, develop others. Serve as a role model. Make decisions, communicate.
Comments:

3. Supervisory Control: Select control points, measure and report results, evaluate and correct performance, direct policy and procedure, operate within budget.
Comments:

Employee Acknowledgment:

[] I have read the appraisal and have discussed its contents with my supervisor. I wish to make the following comments:

[] By signing, I acknowledge that I received a copy of this document; my signature does not necessarily indicate agreement with its contents.

Employee Signature: _____ Date _____

Supervisor Signature: _____ Date _____

Witness Signature: _____ Date _____

If employee refuses to sign evaluation



Supervisor to Employee Performance Narrative Section and Competencies continued:

- The supervisor must justify the evaluation through the competencies.
- There is no set number of how many competencies to choose, just be consistent.
- Supervisors should document the employee’s methods and paths for success in the comments sections.
- In the beginning, the supervisor chose how many competencies to use. This should support the process to the end.
- To maximize the evaluation process, the employee evaluation support form should be discussed in the beginning, middle, and end of the rating period.



Acknowledgement Section:

The employee should read and initial both boxes. If they choose not to make any comments simply put N/A in the space provided. The supervisor and employee should sign the document. If the employee refuses to sign, the supervisor should bring in a witness to sign. The supervisor should write “refused to sign” in the employee signature box, initial it and then have the witness sign the evaluation.

Competencies

Police Supervisor

- 1) Job Knowledge & Creativity: Demonstrates of specialized knowledge to perform the job. Taking initiative in learning and implementing new concepts, technologies, and/or methods.**
 - Knowledge of Law and Policy
 - Knowledge of the workings of all subordinate positions
 - Welcomes or seeks out training and learning opportunities
 - Welcomes or seeks assignments requiring new skills and knowledge
 - Considered a knowledgeable resource by others/ Others come to individual for information
 - Stays informed of new information through reading and other learning methods

- 2) Leadership & Guidance: Direction - Directing the operations, activities, and performance of groups of employees.**
 - Demonstrates optimism and a positive attitude
 - Adapts methods and approaches to the needs and motivation of others
 - Communicates the vision/strategies for the department/organization
 - Identifies barriers to goals/objectives of the department/organization and removes those barriers
 - Establishes high performance standards
 - Ensures adequate resources are available to perform the task

- 3) Problem Solving & Decision Making: Analyzing and diagnosing problems to resolve them or minimize their negative consequences. Analyzed problems or procedures, evaluate alternatives, and select the best course of action.**
 - Recognizes and/or anticipates problems or obstacles
 - Defines the cause, effects, impact, and scope of the problems or obstacles
 - Prioritizes steps to the solutions
 - Explores options for solutions before making decisions
 - Solves problems and/or makes decisions in a timely manner
 - Monitors and/or performs follow-ups

4) Productivity & Work Quality: Conducts his or herself in a professional manner in the working environment. Completes work in an acceptable time frame. Adheres to safety and health regulations.

- Demonstrates accuracy, thoroughness, and reliability
- Pays attention to detail
- Shows organization and completeness
- Maintains and observes safety and health standards
- Operates vehicle in a safe manner
- Proficient in the use of a firearm

5) Teamwork & Inclusion: Working effectively and productively with others.

- Communicates openly, truthfully and completely with other, supporting diversity and treating others with respect
- Works towards consensus when team decisions are required
- Shares responsibility with team members for successes and failures
- Behaves in a manner consistent with the department/organization's values and mission
- Responds positively to feedback from team members
- Meets agreed-upon deadlines on team assignments and commitments

6) Dependability & Consistency: Effectively and reliably accomplishes assignments with minimal supervision, and takes responsibility for personal work tasks.

- Reports to work and assignments on time
- Adheres to instructions
- Communicates schedule changes promptly to supervisor
- Adheres to instructions
- Completes assigned work in an organized and timely manner
- Equipment and gear are ready for duty

7) Planning & Organization: Utilizes logical, systematic, and orderly procedures to meet the goals/objective of the department/organization.

- Uses logical, practical and efficiently approaches
- Requests or obtains information needed to complete assigned tasks
- Documents and files appropriate information in an organized way for future reference
- Works effectively within established time frames and priorities
- Submits reports in a timely manner and keeps detailed and accurate records
- Complete tasks within time limits

8) Management & Supervisory Skills: Effectively authorizes work, oversee and facilitates staff.

- Knowledge of job duties, laws, policies, etc.
- Demonstrates interest in employees' welfare
- Shows fairness and impartiality in interactions
- Make effective assignments to subordinates based upon demonstrated skills and knowledge (delegation)
- Elicits staff input where feasible
- Ability to make tough, unpopular decisions that are necessary

9) Flexibility & Adaptability: Quickly adapting and responding to changes and stress.

- Implements change effectively
- Maintains productivity
- Multi task effectively
- Reacts positively to new approaches, ideas, and methods
- Modifies methods and/or strategies to fit changing circumstances
- Responds promptly to shifts in direction, priorities, and schedules