

— 2023 —

# PERSONNEL MANUAL

ST. TAMMANY PARISH GOVERNMENT



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*Parish President*

# Table of Contents

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<b>General Provisions.....</b>	<b>5</b>
Purpose.....	5
Scope.....	5
Familiarity with this Manual .....	6
Disclaimer .....	6
Effective Date .....	6
Contingency Policy.....	6
<b>Federal, State, and Local Laws Creating a Positive Work Environment.....</b>	<b>6</b>
Diversity, Equity and Inclusion.....	6
Equal Employment Opportunity .....	7
Program Responsibility.....	7
Equal Employment Opportunity Practices .....	7
Americans with Disabilities Act .....	8
Louisiana Pregnancy Accommodation Act.....	8
Louisiana Code of Governmental Ethics.....	9
Harassment Prevention and Harassment Reporting Procedure.....	9
Harassment.....	9
Reporting Procedure .....	10
Retaliation .....	11
Responsibility of Supervisors.....	11
Whistleblower Policy .....	11
<b>The Employment Relationship .....</b>	<b>12</b>
At Will .....	12
Job Description.....	12
Types of Employment .....	12
Recruiting.....	13
Onboarding.....	13
Work Schedule .....	13
Organizational Structure .....	13
Employee Movement through the Parish Organization .....	13
Trainings.....	14
Performance Evaluations.....	15
<b>Compensation for Parish Employees.....</b>	<b>15</b>
Pay Plans .....	15
Pay Plan Grades and Steps.....	15
Movement through the Pay Plans .....	16
Cost-Of-Living Adjustment.....	16
Maintenance of the Pay Plans.....	16
Fair Labor Standards Act .....	16

Overtime .....	16
Compensatory Time .....	17
On Call Pay .....	17
Take Home Parish Vehicle.....	17
Employee Preparation of Payroll .....	17
Payroll Deductions.....	18
Pensionable Pay.....	18
<b>Time Off (Leave and Holidays) .....</b>	<b>18</b>
Holidays .....	18
Leave .....	19
Paid Leave.....	19
Annual and Sick Leave (as described in the Personnel Manual effective prior to January 1, 2023) .....	19
Annual Leave (Beginning January 1, 2023) .....	19
Sick Leave ( <i>Beginning January 1, 2023</i> ).....	21
Compensatory Leave .....	21
Jury Duty.....	22
Bereavement Leave .....	22
Military Leave .....	22
Other Leave.....	23
Family and Medical Leave.....	23
Extended leave under the ADA. ....	26
Administrative Leave .....	27
Leave Without Pay .....	27
<b>Insurances, Retirement, and other Benefits.....</b>	<b>27</b>
Insurances .....	27
Health Insurances.....	27
Other Insurances .....	28
Voluntary Insurances and Products .....	29
Tax Savings Spending Accounts and Section 125 Cafeteria Plan.....	30
Workers' Compensation Insurance .....	30
Retirement Plan and Social Security .....	30
Section 457 Deferred Compensation Plan.....	31
<b>Safety at Work.....</b>	<b>31</b>
Substance Abuse Policy .....	31
Awareness and Education .....	31
Expectations for Employees .....	32
Parish Obligations .....	32
Testing Circumstances.....	32
Definitions.....	33
Procedures.....	34
Results.....	34

Consequences .....	35
Driver's License Monitoring Policy .....	35
Covered Employees.....	35
Employee Responsibilities.....	35
Parish Responsibilities.....	35
Non-Compliance Consequences .....	36
<b>Conduct .....</b>	<b>36</b>
Employee Conduct.....	36
Disciplinary Action .....	38
Grievance Procedure.....	39
Personnel Board.....	39
Oaths, Subpoenas, and Production of Records.....	40
Political Activities.....	40
<b>Employee Separation and Post-Employment Policies.....</b>	<b>41</b>
Employee Separation.....	41
Out-Processing.....	42
Post-Employment Health-Related Insurances .....	42
COBRA (Federal Law providing for continued coverage).....	42
Retirees.....	42
Medicare Benefits .....	43
Post-Employment Health Plan (PEHP) .....	43
Parochial Employees' Retirement System Plan Benefits .....	43
Social Security Benefits.....	44
Deferred Compensation (457 Plan) .....	44
Parish-Paid Life Insurance Policy.....	44
Voluntary Products.....	44
Post-Employment Work.....	45
Death of an Employee.....	45

# General Provisions

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## Purpose

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

- To provide fair and equitable policies of employee management;
- To provide a clear set of expectations and responsibilities for the employees of St. Tammany Parish Government;
- To offer compensation and benefits suitable for the recruitment and retention of excellent staff;
- To ensure that, at a minimum, STPG employment practices meet State and Federal requirements;
- To guide Parish Government leadership in the execution of sound management practices and procedures, and to make effective use of human resources.
- To affirm the "at will" nature of employment;
- To promote a healthy work environment that ensures respect for all;
- To encourage effective communication between management and staff;
- To reinforce employees' primary duty to serve the citizens of St. Tammany Parish to the best of their ability.

## Scope

These policies apply to the employees of St. Tammany Parish Government, i.e., the employees of the Parish Council, Parish President, CAO, and Parish departments. Hereinafter, these employees shall be called "Parish employees."

STPG provides only a payroll service, access to insurances, and a retirement plan for several agencies that are otherwise not under the control of STPG. Hereinafter, the employees of these agencies shall be called "agency employees":

- 22<sup>nd</sup> Judicial District Court
- Registrar of Voters
- Justices of the Peace and Constables
- Slidell City Court
- St. Tammany Parish Jury Commission

The services provided for these agencies include 1) collection of documentation for payroll production, 2) deduction of benefits as required by law and pursuant to employee benefit selections, and 3) participation in Parish-provided group insurances and relevant retirement systems to the extent the agency employees meet eligibility requirements established by contract, law, or these policies. Except as described in this paragraph, these policies do not establish St. Tammany Parish Government as the employer of agency employees.

## Familiarity with this Manual

It shall be the responsibility of every Parish employee to know and be familiar with the provisions of these Policies. It shall be the responsibility of every Agency employee to know and be familiar with the employment policies of their Agency and the provisions of this Manual related to payroll production, payroll deductions, and applicable insurances and retirement. Policies applicable to Agency employees shall be specifically designated throughout this Manual. Changes to the policies in this manual shall be distributed to all covered employees, and all such employees shall acknowledge they have received and understand the changes.

## Disclaimer

The Parish specifically reserves the right to repeal, modify, or amend these Policies at any time, as may be set forth by law or ordinance. None of these provisions shall be deemed to create any vested contractual rights for any employee including any right that would modify the “at will” nature of employment, nor to limit the power of the Parish or the Parish President to interpret or apply these Policies. These Policies are not to be interpreted as promises of specific individual treatment. “At will” means employment which can be terminated at any time for any reason by either the employee or employer, and with or without just cause.

## Effective Date

**Effective January 1, 2023.** This manual shall supersede and replace any and all previous St. Tammany Parish Personnel Policy Manuals.

## Contingency Policy

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

# Federal, State, and Local Laws Creating a Positive Work Environment

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## Diversity, Equity and Inclusion

We are Team Tammany. We work together because we acknowledge that the talents of individuals are surpassed by the accomplishments of a group. Together we grow by listening to ideas that we have not previously considered. Together we learn by inviting perspectives that are new to us. Our strength is in our differences.

## Equal Employment Opportunity

St. Tammany Parish Government offers equal employment opportunities to all employees, applicants for employment, and appointed representatives without regard to race, color, creed, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), sexual orientation, gender identity, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, performance evaluations, and training. St. Tammany Parish Government promotes an environment free of discrimination to citizens, customers, visitors, vendors, contractors, and associates.

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

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

Consistent with these goals and obligations, St. Tammany Parish Government employees and applicants for employment are protected against retaliation for actions such as reporting discrimination, harassment, and whistleblowing. Also, St. Tammany Parish Government provides reasonable accommodations to employees and applicants with disabilities (see Americans with Disabilities Act below), and for sincerely held religious beliefs.

### Program Responsibility

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

### Equal Employment Opportunity Practices

- Review all position qualifications and job descriptions to ensure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
- Assure that pay and benefits depend upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
- Inform and provide guidance to staff and management personnel who make hiring decisions to ensure that all applicants for employment and all employment-related decisions regarding employees, including those of minorities and women, are considered without discrimination based on race, color, creed, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), sexual orientation, gender identity, marital

status, religion, age, genetic information, service in the military, disability, unless such disability effectively prevents the performance of essential functions required by the position, with or without reasonable accommodation, and/or where there is a bona fide occupational qualification.

- Review procedures and actions to ensure equal employment opportunity in hiring.
- Provide information to existing and new employees which emphasizes how the Parish assures equal opportunity.

## Americans with Disabilities Act

St. Tammany Parish Government is committed to the fair and equal employment of individuals with disabilities under the Americans with Disabilities Act, hereinafter refer to as the ADA. Reasonable accommodations to qualified individuals with disabilities will be provided unless the accommodation would impose an undue hardship on the Parish. St. Tammany Parish Government prohibits any harassment of, or discriminatory treatment of, employees or applicants for employment based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may request an accommodation from the Human Resources Department and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The Human Resources Department then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

St. Tammany Parish Government prohibits harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. Likewise, retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws is prohibited. Parish employees are trained to ensure that disabled persons have an equal opportunity to participate in and benefit from Parish programs, services, and activities.

## Louisiana Pregnancy Accommodation Act

St. Tammany Parish Government is prohibited from discriminating against an applicant for employment or an employee with medical needs causing limitations arising from pregnancy, childbirth, and related medical conditions. Pregnancy, childbirth, and related medical conditions are treated as any other temporary disability. STPG has a general duty to reasonably accommodate an employee's physical limitations caused by her pregnancy, unless the employer can demonstrate the



accommodation would pose an undue hardship on the operation of its business. Covered employees are encouraged to contact the Human Resources Department for accommodations.

## Louisiana Code of Governmental Ethics

The Louisiana Code of Governmental Ethics establishes ethical standards and requirements for public servants in the State of Louisiana and is included in its most recent version in the CAO manual. Public servants include all employees and workers of St. Tammany Parish Government whether elected, appointed or hired, whether paid or unpaid, whether full-time, part-time, or temporary. The public servants of St. Tammany Parish Government shall adhere to all provisions of the Louisiana Code of Governmental Ethics. Failure to do so may subject the public servant to disciplinary action as included in this Manual and/or the procedures and consequences included in the Louisiana Code of Governmental Ethics itself. The Director of Human Resources for the Parish shall serve as the Ethics Liaison for Parish employees. Agencies of the Parish shall appoint their own Ethics Liaisons.

## Harassment Prevention and Harassment Reporting Procedure

### Harassment

This policy is intended to ensure an environment which respects the dignity and worth of each individual and is free from all forms of unlawful discrimination, including sexual harassment and harassment because of race, color, religion, gender, national origin, citizenship status, sexual orientation, gender identity, age, ancestry, disability, marital status, military service and veteran status, political affiliation or belief or activity, or any other protected characteristic or protected activity prohibited by law.

Workplace harassment, including sexual harassment, is not tolerated. This policy applies to all harassment occurring in the work environment whether in our offices or elsewhere. This policy covers all Parish job applicants, interns, volunteers, or employees, elected officials, vendors, contractors, customers, or other third parties.

Furthermore, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

Harassment is conduct that has the purpose or effect of creating an intimidating, a hostile, or an offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; perpetuating gossip, written, or graphic material that denigrates or shows hostility or aversion to a person, or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or another characteristic protected by state or federal law.

While all forms of harassment are prohibited, special attention to sexual harassment may be warranted. Sexual harassment can include all of the above behavior, as well as other unwelcome conduct, and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

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

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity or pervasiveness of the conduct:

- Threatening or taking adverse employment actions if sexual favors are not granted;
- Demands for sexual favors in exchange for favorable or preferential treatment;
- Unwanted flirtations, propositions sexual advances, whether they involve physical touching or not;
- Sexual epithets; jokes; written or oral references to sexual conduct; gossip regarding one's sex life; comments about an individual's body; and comments about an individual's sexual activity, deficiencies, or prowess; inquiries into one's sexual experiences;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments, including unwelcome comments about appearance;
- Inquiries into one's sexual experiences;
- Repeated, unwanted requests for dates or inquiries about one's dating life;
- Unwanted touching.

## Reporting Procedure

The Parish requires the prompt reporting of unlawful discrimination, including sexual or other forms of unlawful harassment, whether you are the aggrieved person or a witness to unlawful discrimination or harassment. Reports may be made to your immediate supervisor, any department Director, the Director of Human Resources, the Deputy CAO, or the CAO.

All reports of harassment, including sexual harassment, will be investigated promptly, thoroughly, and appropriately under the circumstances. The confidentiality of the reporter of harassment and anyone who participates in the investigation of harassment will be protected to the extent possible. Every report of harassment will result in some action. The outcome will be communicated to the aggrieved person and the person accused of harassment. Where appropriate, disciplinary action, up to and including termination, may be taken. Intentionally false allegations of harassment or discrimination will also result in disciplinary action, up to and including termination.

### **Retaliation**

Reprisal, retaliation, or other adverse action against an employee for making a complaint or report of discrimination, harassment, or for participating in the investigation of any such complaint or report is strictly prohibited. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above. Retaliation is a serious violation of this policy and will result in disciplinary action, where appropriate, up to and including termination.

### **Responsibility of Supervisors**

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

### **Whistleblower Policy**

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

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

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

# The Employment Relationship

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## At Will

All employment relationships at St. Tammany Parish Government are “at will.” At will employment means an employee can be terminated at any time for any reason by either the employee or employer, with or without just cause.

## Job Description

Job descriptions and specifications shall be maintained by the Human Resources Department for all Parish positions. A Parish employee's job description shall be maintained as part of his/her personnel file. The job description shall include: job title, work schedule, labor grade, qualifications, example of duties, physical requirements, special requirements, revision date, and any other relevant information which may be required.

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

## Types of Employment

- **Regular Full-Time Employee:** A Parish or agency employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule which totals no less than 28 hours per week.
- **Regular Part-Time Employee:** A Parish or agency employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule that averages less than 24 hours per week. In no case shall a part-time employee work hours in excess of the PERS threshold for membership.
- **Temporary Full-Time Employee:** A Parish or agency employee who would be a regular full-time employee but whose work assignment does not exceed four months.
- **Temporary Part-Time Employee:** A Parish or agency employee whose work assignment does not exceed four months, and who works a schedule that averages less than 24 hours per week. In no case shall a part-time employee work hours in excess of the PERS threshold for membership.
- **Intern:** A regularly enrolled student in a recognized educational institution who is assigned by the Parish or agency to an unpaid temporary or part-time position which, in the case of post-secondary students, is related to the student's course of study, and which continues for no longer than the current semester or term at the student's school.
- **Volunteer:** A person assigned by the Parish or agency to an unpaid position for a limited time, and who performs a service related to a particular Parish event, function, or objective.

## Recruiting

It is the desire of the Parish to hire the best qualified candidate for all Parish positions and to conduct a hiring process that ensures equal opportunity for all job candidates. The recruiting practices of St. Tammany Parish Government are consistent with the Equal Employment Opportunity Practices included herein.

Job openings or vacancies are advertised pursuant to the CAO Manual unless the position is being filled by promotion of an existing Parish employee. The Parish encourages current employees to seek the positions for which they are interested and qualified. Family members of Parish employees are eligible for hire subject to the Louisiana Code of Governmental Ethics as well as the policies and practices described herein. Former employees who were not separated from employment due to disciplinary reasons are welcome as rehires. Rehires within three (3) years of their separation from employment with the Parish shall enjoy paid time off based on their original date of hire less the amount of time between separation and rehire, subject to proration in the year of rehire. In no case shall a rehire receive annual leave that was previously paid out upon termination. All other rehires shall be treated as if they are new hires.

## Onboarding

All new Parish employees shall be scheduled to meet with the Human Resources Department for general orientation. On the first day of employment and continuing thereafter, the Human Resources Department shall distribute and explain the various enrollment forms, etc., that must be completed. The new employee shall be provided with information on compensation, benefits, this Manual, and other orientation subjects as required by law and Parish policy.

## Work Schedule

Parish temporary full-time and regular full-time employees work either **40 hours** during the workweek or **37.5 hours** during the workweek, as indicated on the job description.

The work schedule for Parish part-time employees includes fewer hours per work week than full-time employees. Over the course of any twelve-month period, STPG part-time employees may not average more than 24 hours of work during a workweek. In no case shall a part-time employee work hours in excess of the PERS threshold for membership.

## Organizational Structure

Every Parish position is included in the Parish organizational chart by department. Parish employees should be familiar with the location of their position on the organizational chart which also indicates the employee's co-workers, supervisors and department Director.

## Employee Movement through the Parish Organization

It is expected that Parish employees may change positions during their employment based either on the will of the Parish or of the employee. Typically, those changes are promotions, demotions, and

transfers. As with hires, employee movement through the organization shall not be based on race, color, creed, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), sexual orientation, gender identity, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances.

- A **promotion** is the change of a Parish employee from a position to another position for which a higher pay range and/or increased responsibility is prescribed. Every employee is encouraged to apply for any vacancy for which they may qualify in accordance with this Manual and the CAO Manual. Selection of an employee for a promotion shall be based upon their record of performance, qualifications, and the knowledge, skill, and abilities specific to the advanced position.

A **temporary appointment** may be made by the department Director as necessary to fill a vacant position. Such an appointment is made on an interim basis and the employee shall return to their prior position upon completion of the assignment or upon the hiring of an employee for the position. An employee shall not be appointed to a position for which they do not possess the minimum qualifications. A temporary, increased salary for an interim appointment may be recommended by the director and approved by the CAO, or designee, but is not required.

- A **demotion** is the change of a Parish employee from a position to another position for which a lower pay range and/or reduced responsibility is prescribed. An employee may be demoted voluntarily, due to reorganization or lay off, or for disciplinary reasons. The personnel file of an employee who is demoted shall include the reason(s) therefore, and except for disciplinary reasons, shall have no derogatory implication. An employee shall not be demoted to a position for which they do not possess the minimum qualifications.
- A **transfer** from one position to another may be voluntary or involuntary and may be within a department or from one department to another. A transfer may or may not include a salary change. Directors involved in the transfer of a Parish employee from one department to another shall facilitate the move so that each of the departments suffer the least disruption possible.

## Trainings

Parish employees are encouraged to be active learners. St. Tammany Parish Government requires all employees to train annually for at least one hour on each of these topics, and any others as required by law:

- 1) The Louisiana Code of Governmental Ethics
- 2) Sexual Harassment Prevention
- 3) Sexual Harassment Prevention for Supervisors (as applicable)
- 4) Cybersecurity

Employees should seek opportunities for training in areas related to their work or related to work they aspire to. Likewise, supervisors should seek training opportunities for their employees without regard to employees' race, color, creed, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), sexual orientation, gender identity, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances.

Some employees are required to train for their various fields of work to acquire or continue licenses and certifications. Policies regarding these trainings is addressed in the CAO Manual.

## Performance Evaluations

Every Parish employee deserves to know their value to St. Tammany Parish Government. Supervisors shall fairly and impartially communicate individual employee's areas of competence, excellence and deficiency. It should celebrate special accomplishments, certifications and licenses acquired, and honors and awards received. It should recommend relevant trainings, suggest a path for advancement, and provide guidance by setting reasonable objectives and goals for employees to work toward. In addition to a supervisor's assessment, the performance evaluation should also include the employee's recommendations for self and organizational improvement.

Evaluations shall be performed regularly as recommended by the Human Resources Department and required by the CAO Manual.

## Compensation for Parish Employees

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### Pay Plans

It is the policy of the Parish to establish a compensation plan for Parish employees which allows the Parish to effectively compete for qualified personnel and which ensures that salaries are equitable and commensurate with the duties performed by each employee. There are two (2) pay plans for Parish employees, one for employees with a 75-hour pay period (37.5-hour workweek) and another for 80-hour employees (40-hour workweek). Each pay plan is a matrix of grades and steps. The hourly rate for any grade and step on the 75-hour plan equals the same grade and step on the 80-hour plan. At the time of hire, an employee's compensation will be designated by pay plan, grade, and step.

### Pay Plan Grades and Steps

It is intended that jobs with commonalities including education and skill level, experience, responsibility, and amount of independent action are assigned to the same labor grade. The Director of Human Resources shall conduct a review of a position whenever there is an indication that an employee is working above or below the established responsibilities for the position. A Parish employee's assigned step is typically determined in relation to the employee's experience, professional growth, and achievement.

## Movement through the Pay Plans

Incremental pay increases may be given based on articulable internal and external factors. Internal factors include merit as determined by employee performance evaluations, pay equity, benefit changes, etc. External factors include competition in the marketplace, etc. Changes in pay must be recommended by department directors and approved pursuant to the provisions of the CAO manual.

## Cost-Of-Living Adjustment

A cost-of-living adjustment (COLA) may be granted by the Parish and is implemented by applying an across-the-board percentage increase to the pay plans themselves. Therefore, an employee at grade 6, step 5 earning \$15.50/hour will remain at grade 6 and step 5, but if the COLA is 2%, the hourly rate of the grade 6, step 5 will increase to \$15.81. If granted, COLA increases are generally effective beginning on the first full payroll period of the intended year.

## Maintenance of the Pay Plans

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

## Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) requires that employees in the United States, with few exceptions, be paid at least the federal minimum wage for all hours worked and be paid overtime pay at not less than one and one-half (1 ½) times the regular rate of pay for all hours worked over 40 hours in a workweek. However, the FLSA provides an exemption from overtime pay rules for some employees who meet certain criteria. In order for the exempt status to apply, an employee's specific job duties and salary must meet all the requirements provided in the FLSA regulations.

At STPG, most employees do not meet the requirements for exempt status, and are considered non-exempt. Non-exempt employees are eligible for overtime. The Human Resources Department, with the approval of the Chief Administrative Officer (CAO), determine exempt and non-exempt status.

## Overtime

Full-time, non-exempt employees are paid at the rate of time and one-half the regular rate of pay for hours worked in excess of the regular workweek.

During exceptional circumstances only, the CAO may approve an overtime rate for hours worked by exempt employees in excess of their normal work week.

A pay period consists of two (2) workweeks. Any overtime hours worked during one of the weeks of the pay period may not be offset by the hours worked in the other week of the pay period.



STPG has more generously defined “hours worked.” Under FLSA, “hours worked” means time spent by an employee actually performing the work they were hired to perform, and does not include time off. However, STPG has determined that holidays are “hours worked” for purposes of calculating overtime pay.

A “workweek” for STPG is the seven-day period beginning 12:01 a.m. on a Sunday through midnight on a Saturday.

## Compensatory Time

A non-exempt employee who works in excess of the regular workweek may be compensated in paid time off called “compensatory time” or “comp time” rather than being paid at the overtime rate. No employee shall earn compensatory time without the prior approval of the CAO, designee, or Council Administrator, as applicable. Compensatory time is recorded at 1.5 times regular time. For example, one (1) hour which would otherwise be paid at the overtime rate, will be recorded as one and a half (1 ½) hours of compensatory time. No employee shall cumulate compensatory time in excess of 240 hours.

## On Call Pay

Some employees are required to be available to work outside of regular work hours. See the CAO Manual for policies regarding eligibility for and pay for being on call.

## Take Home Parish Vehicle

Some employees, due to the nature of their positions and the demands of their work are authorized to take a Parish vehicle home. According to the IRS, using a work vehicle to travel between home and work amounts to compensation that is taxable. Therefore, authorized employees are required to use a Parish vehicle to travel to and from home. The Parish imputes a value to the use of the vehicle to and from work, and based on that value, applies the employee’s tax rate to the value along with the other compensation the employee has earned. See the CAO Manual for policies on take home vehicles.

## Payroll

Every employee is responsible to accurately record and submit the number of hours worked, hours of personal leave, use of a Parish vehicle, and on call duty. Supervisors are required to review and timely approve their employees’ submissions for payroll processing. Falsification of payroll records by any employee or supervisor may constitute payroll fraud, and shall be cause for disciplinary action up to and including termination.

Parish employees shall be paid electronically every two weeks on a Friday, except when a payday is also a Parish holiday as described herein. In those instances, employees will be paid on the workday immediately preceding the holiday. An employee's pay shall be deposited into the bank account designated by the

employee. It is the employee's responsibility to notify the Human Resources Department of bank account changes at least one week in advance of the next payday.

## Payroll Deductions

The Parish applies mandatory deductions to employees' pay. These include Federal and State income taxes, Medicare contributions, and Social Security or retirement plan contributions. Other deductions may be applicable as selected by the individual employees including, but not limited to medical, dental, and vision insurance premiums, supplemental insurance premiums, and deferred compensation contributions.

The Parish is also required to deduct from an employee's pay amounts dictated by Court orders for support and garnishment and other legally mandated payroll levies. An employee may not be terminated, nor an applicant denied employment, because of a single garnishment. However, there is no protection from termination or denial of employment of an employee who accumulates three (3) or more unrelated garnishments within a two (2) year period.

## Pensionable Pay

Not all items of employee pay are reported as earnings to the Parochial Employees' Retirement System, hereinafter referred to as PERS, for purposes of their computation of compensation of final salary under their rules. The earnings that are included are called "pensionable" and those not included are "non-pensionable." Pensionable earnings under PERS include regular pay, overtime pay, on call pay, and paid leave. Earnings that are not pensionable under PERS include allowances such as cell phone and uniform allowances. Pensionable and non-pensionable earnings are solely determined by PERS and are subject to change by PERS.

## Time Off (Leave and Holidays)

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All provisions under this section shall apply to Parish employees only.

### Holidays

Only regular full-time Parish employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- Presidents' Day
- Lundi Gras
- Mardi Gras
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day as observed or Fair Day (See CAO Manual)

Veterans' Day as observed  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

Any other holiday which may be declared from time to time by the Parish President.  
Whenever a holiday occurs on a Sunday, the first work day thereafter shall be the day on which the holiday is observed. Whenever a holiday occurs on a Saturday, the work day immediately preceding such shall be the day the holiday is observed.

## Leave

Leave means a period of time, used in increments in no less than  $\frac{1}{4}$  hour, that a Parish employee is absent from work. It shall not include a holiday, break time or lunch time.

Leave must be requested at least five (5) days in advance when the need for leave is foreseeable. If not, the request must be made as soon as the employee is able. Directors and supervisors shall consider a leave request based on the employee's need and the department's business activity, including staffing levels and workloads, during the time of leave. Directors are authorized to develop and implement additional fair and equitable procedures and policies regarding the scheduling of leave.

Employees with three (3) or more years of employment with STPG on January 1 shall take at least five (5) consecutive work days of leave during each calendar year.

Leave must be requested, approved, and recorded in a manner consistent with the CAO Manual.

## Paid Leave

### Annual and Sick Leave (as described in the Personnel Manual effective prior to January 1, 2023)

Regular, full-time Parish employees may have unused paid leave as of the end of 2022. Prior categories of paid leave (as described in the Personnel Manual which was effective prior to January 1, 2023) are addressed as follows:

- All Tier 1 Sick Leave not taken by 12/17/2022 shall be paid out prior to 12/31/2022 as follows: 1/3 to the employee, 2/3 deposited into the employee's PEHP account.
- Tier 2 Sick Leave balances, up to 240 hours, at the end of 2022 will roll forward into 2023 Sick Leave.
- Compensable Annual Leave, up to 240 hours, shall roll forward into 2023 Annual Leave.

### Annual Leave (Beginning January 1, 2023)

Annual Leave is paid leave available only to regular, full-time Parish employees for vacation, personal business, and any other reason including illness or injury, subject to the following provisions:

- New regular, full-time Parish employees shall begin to accrue Annual Leave beginning on the first of the month following 60 days of employment. Annual Leave shall accrue at the rate of 3.08 hours per bi-weekly pay period for 80 hour employees and 2.89 hours per bi-weekly pay

period for 75 hour employees and will continue accruing until January 1 following the employee's first full calendar year of employment. On January 1 following the employee's first full calendar year of employment, the new regular, full-time Parish employee shall receive Annual Leave in amounts indicated on the following table.

- Rehires within three (3) years of their separation shall receive Annual Leave on the first day the employee is covered by Parish health insurance, or if the employee does not elect Parish health insurance, on the first day the employee would have been covered by Parish health insurance. The amount of Annual Leave a new regular, full-time Parish employee will receive at that time is the total of one (1) day for each remaining full month in the calendar year. Rehires within three (3) years of their separation from employment with the Parish shall receive Annual Leave based on their original date of hire less the amount of time between separation and rehire, subject to proration in the year of rehire, in amounts indicated on the table below. In no case shall a rehire receive annual leave that was previously paid out upon termination.
- Otherwise, regular full-time Parish employees will receive Annual Leave for the calendar year on **January 1, 2023** and **every January 1 thereafter**, in the amounts indicated in the following table:

For Employees With	Days of Paid Leave	Hours of Paid Leave for Employees on 75-hour Schedule	Hours of Paid Leave for Employees on 80-hour Schedule
Less than 2 years of employment with STPG on January 1	10	75	80
2 through 5 years of employment with STPG on January 1	13	97.5	104
6 through 11 years of employment with STPG on January 1	17	127.5	136
12 through 17 years of employment with STPG on January 1	21	157.5	168
18 or more years of employment with STPG on January 1	23	172.5	184

- Except as provided by law or specifically excepted in this Manual, Annual Leave shall be exhausted before LWOP may be used.
- Employees who use more than three (3) working days for a circumstance potentially covered by Family and Medical Leave Act (FMLA), must report the absence to Human Resources. See FMLA below.
- Employees who use more than five (5) working days for their own illness or injury may be required to present a return-to-work authorization from a health care provider.

- Employees must request to use Annual Leave in advance in all possible cases. Prior to approval of Annual Leave requests, supervisors shall reasonably assess whether the amount of leave, the dates of leave, and Parish work demands are conducive to the request for leave.
- Employees who do not take all of their Annual Leave during the calendar year, may roll their unused Annual Leave to the next calendar year up to 240 hours. Any unused hours of Annual Leave in excess of 240 at the end of the year will be lost.
- Requests to use Annual or Sick Leave the day before or the day after a Parish holiday must be requested in advance. Employees who do not report for work the day before or the day after a Parish holiday without prior approval of their supervisor will not be paid for the missed workdays, and will not receive holiday pay for the holiday unless a written excuse from a health care provider is presented.
- Upon separation from employment, regular, full-time Parish employees shall be paid out available unused Annual Leave.

### ***Sick Leave (Beginning January 1, 2023)***

Subject to a continuing cap of 240 hours of Sick Leave, regular full-time Parish employees will receive Sick Leave every pay period for illness or injury, or to care for an immediate family member with an illness or injury. This means an employee who has rolled forward unused sick leave, formerly called Tier 2 Sick Leave, will only accrue more sick leave on a per pay period basis up to the cap of 240 hours. Employees who reach the 240-hour cap will not accrue sick leave until their balance falls below 240 hours. At no time will an employee have Sick Leave in excess of 240 hours available for use. An “immediate family member” as used in this section means an employee’s spouse, child, parent, sibling, grandparents, parent-in-law, children-in-law, grandchildren, step-parent, step-child, step-sibling, or any person related by blood or marriage who resides with the employee, or any person who stands in reference to the employee as a spouse.

Sick Leave accrues as follows:

Hours of Paid Time Off for Employees on 75-Hour Schedule	Hours of Paid Time Off for Employees on 80-hour Schedule	Days of Paid Time Off
2.6	2.8	9

Employees who use more than three (3) working days for a circumstance potentially covered by Family and Medical Leave Act (FMLA), must report the absence to Human Resources. See FMLA below.

Employees who use more than five (5) working days for their own illness or injury may be required to present a return-to-work authorization from a health care provider.

### **Compensatory Leave**

When a Parish employee uses recorded compensatory time, it is called “compensatory leave.” Requests for compensatory leave shall be approved by the department Director or Council

Administrator based on anticipated staffing and workload during the requested time off. When possible, an employee shall request compensatory leave in the month the compensatory time was earned, otherwise, no longer than thirty (30) days thereafter. The Parish may require the use of compensatory leave in priority to other paid leave, or may pay out the compensatory leave at any time.

### **Jury Duty**

Regular, full-time Parish employees who are subpoenaed for jury duty, will be paid for up to five (5) days of absence due to jury duty. A “day” in this case, means the regular workday of 7.5 or 8 hours depending on the employee’s work schedule. Other Parish employees who are subpoenaed for jury duty will be paid only the hours those employees were scheduled to work on the first day of jury duty, pursuant to La. RS 23:965. Parish employees serving jury duty are required to present to Human Resources a copy of their subpoena and may be required to present a document from the Court indicating the employees’ days or hours of jury service.

### **Bereavement Leave**

Regular, full-time Parish employees who experience the death of an immediate family member as defined herein are entitled to two (2) paid days of Bereavement Leave to handle matters surrounding the death and to mourn and recover from the experience. Regular, full-time Parish employees who experience the death of a non-immediate family member are entitled to one (1) paid day of Bereavement Leave. An employee shall not receive paid leave under this section for more than four (4) occurrences in a calendar year. An “immediate family member” as used in this section means an employee’s spouse, child, parent, sibling, grandparents, parent-in-law, children-in-law, grandchildren, step-parent, step-child, step-sibling, or any person related by blood or marriage who resides with the employee, or any person who stands in reference to the employee as a spouse. A “day” in this case, means the regular workday of 7.5 or 8 hours depending on the employee’s work schedule.

### **Military Leave**

#### Annual Training

Employees who are members of a reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence without loss of pay, time, accumulated leave, or service rating when ordered to annual training by official written military orders for a period not to exceed fifteen (15) working days in any calendar year. This type of leave of absence will be considered military leave. A “day” in this case, means the number of hours of the employee is regularly scheduled to work.

An employee requesting military leave for annual training shall submit, with their written request for military leave, their orders as soon as said orders are available.

#### Other Active Duty

Employees who are inducted or ordered to active duty with the Armed Forces of the United States or National Guard may use other PTO until exhausted, and thereafter shall be on leave without pay. Employees called to active duty shall submit, with their written request for military leave, their orders as soon as said orders are available.

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

## Other Leave

### Family and Medical Leave

St. Tammany Parish Government complies with the federal Family and Medical Leave Act, hereinafter referred to as FMLA, which requires employers to grant unpaid, job protected, leaves of absence to qualified workers for certain medical and family-related reasons. St. Tammany Parish Government also abides by state leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

There are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Employees are encouraged to contact the Human Resources department to discuss options for leave.

#### Employee eligibility

The FMLA defines eligible employees as employees who 1) have worked for the Parish for at least 12 months and 2) have worked for the Parish for at least 1,250 hours in the previous 12 months. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave.

#### Basic leave entitlement

The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: 1) for incapacity due to pregnancy, prenatal medical care, or childbirth; 2) to care for the employee's child after birth or placement for adoption or foster care; 3) to care for the employee's spouse, child, or parent who has a serious health condition; or 4) for a serious health condition that makes the employee unable to work.

#### Serious Health Condition

A "serious health condition" is an illness, an injury, an impairment, or a physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities

#### Continuing Treatment

"Continuing treatment" means a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a healthcare provider or one (1) visit and a regimen of continuing treatment, incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions such as some chronic conditions may meet the definition of "continuing treatment."

#### Military Family Leave for Exigent Circumstances

Military family leave for exigent circumstances. Eligible employees with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a

contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

#### Qualifying Exigencies

“Qualifying exigencies” may include addressing issues that arise from 1) short notice of deployment (limited to up to 7 days of leave); 2) attending certain military events and related activity; 3) arranging child care and school activities; 4) addressing certain financial and legal arrangements; 5) attending certain counseling sessions; 6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to 5 days of leave); 7) attending post-deployment reintegration briefings; 8) arranging care for or providing care to a parent who is incapable of self-care; and 9) any additional activities agreed upon by the employer and employee that arise out of the military member’s active duty or call to active duty.

#### Military family leave to care for servicemember.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. The 12-month period is measured forward from the date an employee first takes that type of leave.

A “covered servicemember” is a current member of the armed forces, including a member of the National Guard or reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the servicemember’s office, grade, rank, or rating and for which the servicemember is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list.

#### Benefits and protections during FMLA leave.

During FMLA leave, the Parish will maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. The responsibility of the employee to pay for their selected benefits continues during the period of FMLA leave. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

#### Use of leave

For birth of a child or placement of a child for adoption or foster care, leave must be used within twelve (12) months following the birth or placement. FMLA need not be taken in one block; leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies also may be taken on an intermittent or a reduced work schedule basis. Absences due to disability and workers’ compensation may also be due to a serious health condition; therefore, those absences may qualify as FMLA leave and count against the employee’s FMLA leave entitlement. Leave taken for circumstances which do not qualify as FMLA leave, will not count against an employee’s leave entitlement.



### Holidays

When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.

### Substitution of paid leave for unpaid FMLA leave

St. Tammany Parish Government requires the use of paid leave, if available, while taking unpaid FMLA leave. This means paid leave runs concurrently, simultaneously with unpaid FMLA leave. Unpaid FMLA leave does not include absences when the employee also receives benefits, in any amount, from disability insurances or workers' compensation.

### Employee responsibilities

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, employees must provide notice as soon as practicable and must comply with the procedures of the Human Resources Department or its designee. St. Tammany Parish Government may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the Human Resources Department or its designee to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave. Employees may be required to provide a certification and periodic recertification supporting the need for leave. St. Tammany Parish Government also may require a second and, if necessary, a third opinion (at the company's expense). St. Tammany Parish Government also may delay or deny approval of leave for lack of proper medical certification.

During FMLA leave, employees may also be required to provide their supervisor or the Human Resources Department of their status and intent to return to work. Employees on unpaid FMLA leave are required to arrange to pay the health insurance premiums for dependent coverage they would have otherwise paid via payroll deduction.

### Parish responsibilities

The Human Resources Department or its designee will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required, as well as the employees' rights and responsibilities. If employees are not eligible, the company will provide a reason for the ineligibility.

The Human Resources Department or its designee will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employees' FMLA leave entitlement. If the leave is not FMLA-protected, the Human Resources Department or its designee will notify the employees.

As long as the employee on FMLA leave continues to pay premiums for dependent health insurance coverage, the Parish will maintain that coverage.

### [Return to work](#)

When the leave is a result of the employee's own serious health condition, a fitness-for-duty report is required to return to work. Employees who fail to report to work when released to do so by a health care provider will be terminated.

### [After FMLA leave is exhausted](#)

Once an employee has exhausted their FMLA leave and is unable to return to work due to their own serious health condition, the circumstances will be evaluated by the Human Resources Department and the Director of the employee's department to determine if an extended absence is appropriate under the Americans with Disabilities Act (ADA).

### **Extended leave under the ADA.**

Extended leave following FMLA leave may be considered a reasonable accommodation under the Americans with Disabilities Act (ADA) if the serious health condition is also a disability. As with all accommodations under the ADA, an interactive dialogue between the employee and Human Resources Department is required to determine if extended leave will provide the employee time to heal so they can perform their job comparably to a similarly situated employee without a disability. Additionally, the employee must provide a certain date by which they will return to work, and the amount of leave must not be an undue hardship on St. Tammany Parish Government operations. Extended leave under the ADA for an indefinite period is not permitted.

#### 1. Other Provisions Regarding FMLA and ADA

Employees may not perform work for self-employment or for any other employer during an approved leave of absence under the FMLA or ADA, except when the leave is for military service.

#### 2. Leave for Pregnancy, Childbirth, and Related Medical Conditions

A female employee affected by pregnancy, childbirth, or related medical condition is entitled to leave on account of pregnancy, for a reasonable period of time which means

- six (6) weeks for a normal pregnancy and childbirth, or
- the period of time during which the female employee is disabled on account of the pregnancy, childbirth, or related medical conditions, but not in excess of four (4) months.

A female employee affected by pregnancy, childbirth, or related medical condition is entitled to the above described leave beginning with the first day of employment, and without regard to the employee's status as regular full-time, regular part-time, or temporary full-time.

The Parish requires employees covered by this section to provide reasonable advance notice of the date such leave shall commence, and the estimated duration of the leave.

Leave for pregnancy, childbirth, or related medical condition shall run concurrently with other leave for which the affected employee is qualified and has available. If the employee is also on FMLA leave or extended ADA leave, the employee must substitute paid leave for the leave described in this

section. If the employee is not also on FMLA leave or extended ADA leave, the employee shall use paid leave in substitution for the leave described in this section.

### **Administrative Leave**

Leave which is allotted to any Parish employee whenever facts and circumstances exist whereby it is in the best interest of the Parish as determined by the Director that the employee be removed or absents themselves from the workplace or assignment. Use of administrative leave is rare and shall be reserved for an extraordinary situation, instance, or incident. The CAO or designee may authorize pay for administrative leave under extraordinary or emergency situations, or whenever facts and circumstances justify it.

If paid administrative leave has been approved for an employee who had previously scheduled sick or annual leave, the sick or annual leave will be restored to the affected employee.

### **Leave Without Pay**

Leave without pay is leave for which no paid leave is available. Except in instances of Family and Medical Leave, extended leave under the Americans with Disabilities Act, or active military duty, use of leave without pay may subject an employee to disciplinary action.

## **Insurances, Retirement, and other Benefits**

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### **Insurances**

Regular, full-time employees are eligible for medical, vision, dental, life, short-term disability, and long-term disability insurances. Coverage for regular, full-time employees under these policies begins on the first of the month following sixty (60) days of employment. New and rehired employees have thirty (30) days from the first day of employment to make an election of coverage for all insurances. Existing regular, full-time employees may make elections of coverage during the annual open enrollment period.

Eligibility and coverage are dictated by the Parish's plan agreement with the insurance vendor. Any provisions contained herein that conflict with the terms of the insurance policy shall be resolved in favor of the insurance plan agreement.

Insurance premiums for which employees are responsible are collected through payroll deduction for 24 of 26 pay periods, and are collected in advance of the month of coverage. Therefore, when the Parish pays the premiums for one month, the portion of premiums paid by employees is already collected in the prior month.

### **Health Insurances**

On an annual basis, the Parish seeks health insurance plans that address the needs of St. Tammany Parish Government regular, full-time employees and prospective employees, and their eligible dependents.

### Medical Insurance

Depending on the industry environment and internal factors, the Parish considers various plan designs and premium structures in order to provide the best benefit for employees. Elements such as these are analyzed individually and collectively: tiers of coverage for employees and their dependents, deductibles, maximum out-of-pocket amounts, co-pays for physician office visits, testing, lab work, out-patient surgery fees, emergency transportation and facility fees, urgent care co-pays, in-patient hospital charges, co-pays for tiers of prescription drugs, prescription formularies, healthcare provider networks, and premiums. Also considered are pre-tax spending accounts that might reduce the impact of premiums on employees.

When appropriate, the Parish may offer more than one medical plan. Whether one medical plan or more than one is offered for any plan year, the Parish will pay 100% of the employee-only premium for at least one of the medical plans. Other plans may require an employee contribution toward premium payment. Employee contributions may also be required for dependent coverage.

### Dental Insurance

The Parish offers dental coverage to regular, full-time employees and their eligible dependents. The Parish and covered employees may each contribute toward the premiums for employee and dependent coverage.

### Vision Insurance

The Parish offers vision coverage to regular, full-time employees and their eligible dependents. Covered employees pay insurance premiums for vision coverage for themselves and their dependents.

## **Other Insurances**

### Basic Life and Accidental Death and Dismemberment Insurance

At the sole expense of the Parish, every regular, full-time employee is entitled to life insurance and accidental death and disability coverage roughly equal to the employee's annual base salary (no overtime included) up to a \$100,000 maximum benefit. Benefit reductions may occur at ages 70 and older.

Upon separation from the Parish an employee who enjoyed the life insurance benefit during their Parish employment may convert the coverage to an individual policy. The insurance provider alone determines the conditions of conversion and premium rates of individual life insurance policies.

### Short Term Disability Insurance

At the sole expense of the Parish, every regular, full-time employee is entitled to short term disability insurance. Benefits begin on the thirtieth (30<sup>th</sup>) day of the disabling accident or illness. The maximum duration of benefits is nine (9) weeks. The benefit amount is equal to 60% of the employee's covered weekly pre-disability pay, up to a weekly maximum of \$500. Other income earned by an employee may cause an offset against the amount of benefits owed to a disabled employee.

An employee who is eligible to collect short term disability benefits shall use available paid during the period of absence before short term benefits begin. For example, if benefits begin on the 30<sup>th</sup> day, paid leave, if available, shall be used to pay the disabled employee for days 1-29 beginning on the 30<sup>th</sup> day. An employee may use paid leave, if available, to be compensated for the amount not

compensated by the disability benefit. In no case shall an employee's paid leave be used to compensate an employee for more than 100% of salary as determined by adding short term disability benefits to paid leave during the period of short-term disability.

During the period of disability, a regular, full-time employee may also experience a "serious health condition" as defined under FMLA. To that extent, absences due to disability and unpaid absences under FMLA shall run concurrently.

#### Long Term Disability Insurance

At the sole expense of the Parish, every regular, full-time employee is entitled to long term disability insurance. If eligible, benefits begin after the expiration of short-term disability benefits. For disabled employees' whose disability began before age sixty (60), the maximum duration of long-term disability benefits ends at the time their Social Security normal retirement age. If the disability begins at age sixty (60) or later, the maximum duration of benefits ends according to a schedule dictated by the insurance provider. The benefit amount is equal to 60% of the employee's covered weekly pre-disability pay, up to a maximum of \$6,000 per month. Other income earned by an employee, including compensation from STPG, may cause an offset against the amount of benefits owed to a disabled employee.

During the period of disability, a regular, full-time employee may also experience a "serious health condition" as defined under FMLA. To that extent, absences due to disability and unpaid absences under FMLA shall run concurrently.

### **Voluntary Insurances and Products**

#### **Voluntary Life and Accidental Death and Dismemberment Insurance**

Employees who have Basic Life also have access, at their option and expense, to additional voluntary life and accidental death and dismemberment insurance coverage for themselves, their spouse and/or children. Limitations on the amount of coverage and the requirement of proof of insurability may exist and are strictly determined by the insurance provider.

Upon separation from the Parish an employee who enjoyed the voluntary life insurance benefit during their Parish employment may convert the coverage to an individual policy. The insurance provider alone determines the conditions of conversion and premium rates of individual life insurance policies.

The Parish may offer regular, full-time employees additional insurances, discount services, or income replacement products. Regular, full-time employees may select any of the products or services at their own sole expense. The Human Resources Department may collect payments for voluntary insurances and products through payroll deduction, or subscribing employees may be required to make individual arrangements for payment with the vendor(s). The products and services may continue after an employee separates service subject to the provisions of those insurances and products.

## Tax Savings Spending Accounts and Section 125 Cafeteria Plan

When appropriate and to complement insurance benefits offered by the Parish, the Parish may offer employees such spending accounts as Health Savings Accounts (HSAs), Flexible Spending Accounts (FSAs) for healthcare and dependent care, Health Reimbursement Accounts (HRAs), and other tax saving products that are beneficial to employees who enroll in Parish-sponsored insurances. The Parish also provides an IRS-sanctioned Section 125 cafeteria plan that permits several employee-paid insurance premiums to be deducted from the employees' earnings before income taxes are computed thereby reducing employees' taxable income and tax liability.

## Workers' Compensation Insurance

As required by law, St. Tammany Parish Government pays for workers' compensation insurance to address injuries and illnesses of all employees that occur during the course and scope of their Parish employment. Employees are covered by workers' compensation insurance when they begin their employment with the Parish. In most cases, workers' compensation benefits are eligible for payment on approved claims no later than the fourteenth (14<sup>th</sup>) day after the workers' compensation insurer is notified of the claim. For this reason, employees must notify the Parish Risk Management Department as soon as possible after the injury or illness occurred.

Workers' compensation benefits replace 2/3 of the injured or ill employee's salary. An employee who qualifies for workers' compensation benefits may elect to use paid leave to cover the uncompensated 1/3 of their salary and to cover any periods for which the qualified employee has not received benefits. If an employee uses paid leave to cover any uncompensated workers' compensation absence, and workers' compensation benefits are subsequently paid in arrears for that absence, the employee may request restoration of the paid leave upon repayment to the Parish of the value of the restored paid leave.

## Retirement Plan and Social Security

Most regular, full-time employees are required to participate in a government retirement plan, beginning on their first day of employment with the Parish. The employees of some agencies of the Parish participate in retirement plans specific to their agency. For example, employees of the Registrar of Voters and employees of Slidell City Court participate in ROVERS and LASERS, respectively. Regular, full-time Parish employees and regular, full-time employees of the Twenty-Second Judicial District Court (hereinafter referred to as 22<sup>nd</sup> JDC) shall participate in the Parochial Employees' Retirement System of Louisiana (hereinafter referred to as PERS) unless the regular, full-time employee is age fifty-five (55) or older. Newly hired regular, full-time employees age 55 and older may opt out of PERS participation and instead contribute to Social Security.

Contributions by both the Parish and employee to PERS are higher than Social Security contributions. The contribution rates for employers and employees are determined annually by PERS and implemented on January 1. While rates may change from year to year, typical employer rates have been 10-12% of earnings while typical employee rates have been 8-10% of earnings. By contrast, the employer and employee rates for Social Security are each 6.2%.

PERS retirement benefits can be maximized by employees through longevity of employment with the Parish. The PERS retirement plan is a defined benefit plan meaning that although the contribution rates may vary, there is certainty in the amount of benefit available at the time of retirement. The formula for determining normal retirement benefits is: 3% multiplied by the employee's final average compensation multiplied by their years of creditable service. It is therefore conceivable that an employee can retire with PERS at 100% of their final average compensation. There are other features of the PERS retirement plan that make it an attractive alternative to other investments typically offered in the private sector.

There are many provisions governing the PERS retirement plan, and because individual circumstances can be complex, employees who are members of PERS are encouraged to direct their inquiries to PERS.

## Section 457 Deferred Compensation Plan

The Parish also offers regular, full-time employees the option to deduct some earnings from their paychecks to be deposited into a Section 457 Deferred Compensation Plan which is a retirement savings account. The deductions are made before income taxes are calculated thereby reducing the participating employee's taxable income and tax liability. The terms of the Deferred Compensation Plan are dictated by the Plan and by IRS regulations.

## Safety at Work

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Safety and employee wellness in the workplace are top priorities for both employees and those who encounter St. Tammany Parish Government employees. Accordingly, St. Tammany Parish Government requires its employees to comply with both a Substance Abuse Policy and when applicable, a Driver's License Monitoring Policy.

## Substance Abuse Policy

As a recipient of several Federal funds through contracts or grants, St. Tammany Parish Government establishes itself as a Drug-Free Workplace. As such, STPG prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace. STPG also prohibits the possession or use of alcohol in the workplace.

## Awareness and Education

Use of illegal drugs and alcohol is an issue for all employers including St. Tammany Parish Government. It reaches beyond the workplace; it affects community and family. Loss of life, health, relationships, and employment are just a few of the risks presented by illegal drug and alcohol use. To support STPG employees, eligible employees are provided health insurance benefits that include behavioral health coverage and a prescription drug plan to address behavioral health conditions. Further, STPG offers an Employee Assistance Program. This is a benefit at no cost to eligible employees to provide, among other things, confidential guidance for and referral to substance abuse and/or mental health programs. STPG encourages all employees to seek treatment when necessary

or recommended and offers generous paid time off that can be used for employee wellness. If needed, the Parish also provides disability insurance at no cost to employees who qualify. STPG provides resources and training on substance abuse and the prevention of substance abuse via in-house communications such as emails and postings on the “watercooler” electronic screen. The Parish also conducts annual employee in-person trainings that include a substance abuse or behavioral health topic. STPG hires former drug offenders for appropriate positions and welcomes rehabilitated employees to return to duty. Supervisors are encouraged to maintain relationships of trust with their subordinates so that employees know they are supported in their efforts to seek assistance and to achieve wellness.

### Expectations for Employees

Employees are expected to arrive for work free from the presence of unlawful controlled substances and alcohol in their systems. An employee who is convicted of violating a criminal drug statute for conduct occurring in the workplace is required to notify their Director within five (5) days after the conviction. Employees who violate any part of this policy are subject to appropriate consequences. This includes subsequent drug tests, drug and/or alcohol rehabilitation, and/or disciplinary action up to and including termination.

### Parish Obligations

Within ten (10) days of being notified that an employee has been convicted of a criminal drug statute for conduct occurring in the workplace, STPG must notify the relevant granting or contracting agency. To further the goal of a drug-free workplace, STPG requires drug and/or alcohol testing under certain circumstances. See “Testing Circumstances” below. STPG understands the sensitivity of administering a drug and alcohol testing program. Substance and alcohol testing and the communication of results and consequences shall be done in such a manner as to ensure, as much as possible, the privacy and confidentiality of employee information. In all cases, only the smallest number of Parish representatives who need to know private employee information related to the violation and enforcement of this policy will be provided such private employee information.

### Testing Circumstances

The following list of circumstances is intended to provide a clear understanding of the instances of applicant and employee drug testing.

1. Pre-Employment. Applicants for employment with STPG who have been offered a position are required to submit to drug testing. Absent extraordinary circumstances, applicants must present themselves for drug testing within 48 hours of notification.
2. Random for CDLs. Employees who possess a Commercial Driver’s License, whether required by their position or not, are required to submit to random drug and alcohol testing in conformance with DOT regulations. Absent extraordinary circumstances, employees who are notified for random drug and/or alcohol testing must present themselves for testing within 2 hours of notification.
3. Reasonable Suspicion. When there is reasonable suspicion that an employee is under the influence of illegal drugs or alcohol at the workplace, that employee is required to submit to drug and alcohol testing. Such employee must present himself/herself for drug testing within 2 hours of notification.



4. Post-Accident. Employees who are involved in an accident involving the operation of Parish vehicles, vessels, machinery and/or equipment are required to submit to drug and alcohol testing under any one of these situations:

- A fatality is involved, or
- At least one individual involved in the accident immediately requires medical attention away from the scene, or
- The employee driver receives a citation for a moving violation, or
- At least one vehicle or item of equipment incurs disabling damage and cannot be driven from the scene.

Employees who are involved in an on-the-job accident must present themselves for drug testing within 2 hours of the accident, or as soon as possible.

5. Rehabilitation.

Employees who are in or have completed a drug or alcohol rehabilitation may be required to submit to alcohol and/or drug testing; employees who have had a prior positive drug and/or alcohol tests may be required to submit to subsequent alcohol and/or drug testing.

Nothing contained herein shall prohibit STPG from expanding the circumstances of applicant and employee drug and alcohol testing in order to obtain reduced workers' compensation or liability insurance rates.

## Definitions

### Unlawful Controlled Substances

Unlawful controlled substance means Schedule I-IV Controlled Substances under the U.S. Controlled Substances Act for which the employee or applicant has no prescription or for which the employee or applicant has a prescription, but is using it in a manner other than as prescribed or is being used by someone other than the person for whom it was prescribed.

### Reasonable Suspicion

Reasonable suspicion means a belief based on specific facts and reasonable inference drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances that constitute reasonable suspicion may include, but are not limited to:

- Direct observation of an employee's possession or use of an unlawful controlled substance;
- Erratic or abnormal behavior;
- Knowledge of an employee's possession or use as related by a reliable and credible source;
- Work-related accident;
- Glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination or reflexes;
- Arrest during work hours for a criminal drug statute;
- Decreased productivity and/or deterioration of work performance such as unusual absences from the work area, increased personal phone calls, preoccupation with personal problems;
- Unusual absenteeism and/or tardiness.

## Random

Random means a selection process performed by an outside vendor that does not identify an employee by name or other recognizable designation.

### **Drug panel**

A drug panel means a group of drugs identified by SAMHSA-approved drug testing laboratories or clinics that are typically tested together for workplace purposes. At a minimum, five (5) categories of drugs and/or their metabolites must be included in the panel: amphetamines, cocaine, marijuana, opiates, and phencyclidine (PCP). For CDLs, a drug panel means the group of drugs identified by the Department of Transportation that are tested together for maintenance of a Commercial Driver's License. STPG retains the right to test for a particular unlawful controlled substance that is not typically part of a drug panel.

### **Alcohol testing**

Alcohol testing means a test specifically to detect the consumption of alcohol.

### **Consent**

Consent means permission given by an employee for drug and/or alcohol testing. No drug or alcohol test may be administered without the employee or job applicant's written consent. Failure by an employee or job applicant to consent is considered a positive test result.

### **Tampering**

Tampering means obstructing the drug or alcohol procedure or producing an invalid specimen so as to affect test results. Tampering is considered a positive test result. Tampering includes but is not limited to consuming or using products to affect the result. An invalid specimen includes, but is not limited to ones that were not produced by the employee or applicant, a specimen that does not meet the temperature requirement of the clinic, or a diluted specimen as determined by the clinic.

## **Procedures**

Drug testing procedures shall conform to SAMSHA standards for workplace testing with regard to consent, time constraints, specimen collection, chain of custody, testing laboratory (must be HHS certified), Medical Review Officer (MRO), and confidential reporting of results to St. Tammany Parish. Testing for CDL purposes shall also comply with all rules and regulations established by the Department of Transportation for maintenance of CDLs. Except as otherwise required by law, tests may be lab-based or rapid (performed at the clinic and producing instant results). Unless an employee is being treated for a medical emergency wherein blood is being drawn, urine shall be the specimen collected and tested for unlawful controlled substances, and either a breath test or a mouth swab shall be the specimen used to test for alcohol.

## **Results**

Drug test results are either positive or negative as determined by SAMHSA drug cut off levels. An employee who believes the result is incorrect has the right to have the same specimen tested by a different SAMHSA-qualified laboratory. A positive drug test from a rapid test will be automatically subjected to SAMHSA-qualified laboratory testing.

## Consequences

Job Applicants. A positive drug or alcohol test result for a job applicant will result in the removal of the applicant for consideration for the immediate position and for any position for at least six (6) months.

Employees. A positive drug or alcohol test result for an employee will result in consequences ranging in severity from substance abuse treatment or education at the expense of the employee to disciplinary action up to and including termination. Factors to be considered in determining the appropriate consequence for the employee include whether the employee voluntarily admitted their own violation of this policy, the employee's work history, length of employment, current job performance and job duties, the existence of past disciplinary actions, and other factors especially health conditions of the employee. Failure by an employee to complete substance abuse treatment or education as recommended by a health care provider through EAP or otherwise, will result in disciplinary action.

## Driver's License Monitoring Policy

### Covered Employees

All employees who operate Parish vehicles or who operate personal vehicles while on Parish business are required to possess and maintain a valid driver's license of the required class to comply with employees' respective job descriptions.

### Employee Responsibilities

1. All employees who operate a Parish vehicle or a private vehicle while on Parish business while must be in possession of a valid, class-appropriate driver's license.
2. Employees are responsible for monitoring and maintaining their driver's licenses and for obtaining the required license and/or endorsement required for their respective job description/specification.
3. Employees promoted, demoted, or transferred must provide documentation of appropriate licensure for the new position based on the relevant job description.
4. Employees must immediately report the change in status of their driver's license that may result in the driver's license being suspended, revoked, restricted, or expired (any non-valid status).

### Parish Responsibilities

STPG will monitor the driver's licenses of covered employees for validity and compliance with the requirements of employees' respective job descriptions.

STPG will verify possession of a valid driver's license with appropriate endorsement(s) for all covered employees at the time of initial employment, and promotions, demotions, or transfers to positions requiring a driver's license of the class specific to the position.

STPG shall conduct at least an annual Motor Vehicle Record Check for covered employees.

## Non-Compliance Consequences

1. Department Directors will be informed of any invalid driver's license (restricted, expired, suspended, revoked, etc.) identified during the verification process of covered employees. Immediately thereafter, the Department Director will notify the affected employee(s) and direct the employee to refrain from the operation of all Parish vehicles and the operation of private vehicles while on Parish business.
2. Affected employees will have three (3) business days (excluding weekends and holidays) to resolve any and all legal obligations affecting the employee's ability to operate any motor vehicle. An employee, subject to the approval of the supervisor, will be required to utilize leave to resolve such issue(s).
3. The cost of license restoration shall be paid solely by the affected employee, and proof of the restoration or reinstatement must be provided by the employee to the supervisor and Department Director.

Employees who are unable to provide official verification of a valid driver's license within three (3) business days will remain in a non-driving status and may be subject to transfer to a non-driving position, if such a vacancy exists, or disciplinary action, up to and including termination, as determined by Human Resources based on the nature of the driving violation, the nature of the position occupied by the employee, the employee's work history, and other relevant factors such as actions previously imposed for similarly situated employees.

## Conduct

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### Employee Conduct

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

1. Report to work impaired or use illegal drugs, as described above in the Substance Abuse policy, while on Parish property or while on duty.
2. Fail to follow the orders of a supervisor, or fail to comply with any requirement which may be set forth in these Policies or other policies, standards, or guidelines set forth by the director, CAO, and/or Parish President.
3. Be absent from work without permission or fail to report such to the supervisor as set forth elsewhere in these Policies.
4. Be habitually absent or tardy.
5. Fail to perform his/her duties and responsibilities in an efficient, satisfactory and/or effective manner.
6. Abuse, misuse, misapply, or misappropriate material, property, or working time.
7. Fail to observe proper security procedures.
8. Engage in fighting or instigating a fight.

9. Commit any unlawful act, or fail to comply with any law, ordinance, or rules and regulations which may be required in the performance of an employee's duties.
10. Violate any safety rule or regulation, procedure, process, or guideline.
11. Express in any way towards any person false or unfounded accusations, the result of which would likely discredit another employee, or a supervisor, director, or any other public employee or official.
12. Remove without permission, misappropriate or misapply any money, merchandise, or property, which may include any property in the custody of the Parish and any property of the Parish.
13. Lie to a supervisor regarding the duties or responsibilities of the employee.
14. Act dishonestly, which shall include intentionally giving false information, falsifying records, or making other false statements.
15. Be on the premises of any Parish workplace during non-working hours without permission of the supervisor or director.
16. Divulge or misuse confidential information, which shall include the removal from Parish premises without proper authorization of any employee list or record, or design, drawing, computer record or program, or other confidential information of any kind.
17. Accept a fee, payment, gift, or any other item of value as defined and interpreted under the Louisiana Code of Governmental Ethics, privilege, or benefit for the performance of the employee's official duties other than official compensation.
18. Falsify a time record or any other record or document belonging to the Parish.
19. Abuse any leave benefit (e.g. reporting sick when not sick).
20. Use offensive or abusive language, behavior, or conduct towards or in the presence of another employee or member of the public.
21. Lobby before the legislature or other governmental agency or organization, or represent the interest of the Parish to any person or entity, without specific authorization from the Parish President and regarding the mission or operations of the Parish.
22. Without specific authorization from the respective director, use during the employee's work hours a television, radio, headset-type radio or any other similar electronic amusement device. More specifically, an employee shall not use any such device in the presence of the public or whenever it is foreseeable that such use could occur in the presence of the public.
23. Use any computer program, software, electronic file, or peripheral device owned by the Parish for non-Parish business. This is not meant to bar occasional personal use that does not interfere with an employee's job duties.
24. Peddle or solicit a donation or sale of an item, service, or contribution of any kind whatsoever while on duty or in the work place or in the presence of the public.
25. Engage in, conduct, effect or attempt to engage in, any campaign activity or effort whatsoever for any candidate who has qualified as a candidate for an elected public office while on duty.

26. Order from a company or catalog any item for personal use which will result in an invoice being issued under the Parish's name.
27. Act discourteously or offensively toward the public, any Parish official or employee, including any dishonest, discriminatory, or prejudicial behavior.
28. Drinking alcoholic beverages while on duty.
29. Use or promise to use, his/her influence or official authority to secure appointment to, or eligibility for, a position with Parish government.
30. Solicit or receive any money, goods, or service from any person or group of persons, for any political party or political purpose during work hours.
31. Commit any act or fail to act in a manner that sufficiently indicates that the employee is unsuitable or unfit to be employed in the respective service.
32. Record or videotape any conversation or proceedings involving employees and/or the public for the purpose of intimidation or bullying.
33. Violate the Ethics guidelines.

## Disciplinary Action

It shall be the policy of the Parish to effect disciplinary action in a fair, reasonable, and impartial manner, all for the purpose of assuring and promoting efficient and effective service to the public. The primary purpose of disciplinary action is to maintain the competency and integrity of Parish service. Disciplinary action may include verbal counseling, written reprimand, suspension, demotion, and discharge.

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

The disciplinary action for an employee's conduct and the pertinent information which relates to such disciplinary action shall be reviewed confidentially with the employee and shall include the following: the cause for the disciplinary action, the facts and circumstances which relate to the cause, the disciplinary action to be imposed, any corrective action to be taken, the effective date of such action, and the right of the employee to air a grievance on the matter if authorized in these policies (see Grievance Procedure).

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

1. **Verbal Counseling:** The Director shall verbally counsel an offending employee 1) as to the subject infraction, 2) as to the proper conduct which is required, and 3) if the condition is not corrected, that the employee shall be subject to more severe disciplinary action.
2. **Written Reprimand:** Upon learning of the infraction, the director or supervisor issues a written reprimand within a reasonable time thereafter. The reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further disciplinary action.

3. **Suspension Without Pay:** While on suspension, the employee shall not be entitled to paid compensation nor the use of paid leave.
4. **Demotion/Transfer:** May be utilized as described elsewhere in these Policies.
5. **Discharge:** This disciplinary action results in the involuntary separation from employment.

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

## Grievance Procedure

Employees may air grievances that they may have with regard to certain employment actions set forth below. Punitive action shall not be taken against any employee for submitting a grievance in good faith. Failure to comply with any step in this process shall waive the employee's grievance rights. An employee who voluntarily separates from Parish employment cannot file a grievance over their employment separation. Grievances may only be filed for the following reasons:

- Demotion or transfer that involves a decrease in salary as a result of disciplinary action.
- Suspension without pay as a result of disciplinary action.
- Discharge as a result of disciplinary action.

An employee who wishes to air a grievance (hereinafter referred to as the "grievant") shall first submit a written grievance outlining the specific and detailed facts to the Director of Human Resources within five (5) working days after learning of the incident at issue. It shall be the responsibility of the Director of Human Resources to study the grievance and respond to it, in writing, within five (5) working days. If the grievant feels the decision of the Director of Human Resources is unsatisfactory or inadequate, the grievant may make a written appeal to the CAO within five (5) working days of the Director of Human Resource's decision. The CAO's written decision, issued within ten (10) calendar days of receipt of the appeal is final.

## Personnel Board

If the grievant is not satisfied with the CAO's decision, they may appeal to the Personnel Board, who shall only have the right to allow the grievant to air their grievance. The Personnel Board shall have no right to reinstate employment, award monetary amounts, or otherwise act contrary to the Parish's at-will employment status.

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

1. The Board shall decide appeals promptly, but in any event within thirty (30) days after completion of a hearing(s).
2. The Board shall make its decision based on the facts presented by the appellants/parties concerned during the hearing(s).

3. No hearing or meeting to investigate shall be held unless the employee, department Director, Human Resources Director, CAO have been advised at least ten (10) days in advance of the date, time and place thereof. If any of the parties fails to appear at the place on the day and the hour fixed for such hearing, the Board may, at its discretion, decide the issue involved on the basis of the evidence presented.
4. The Board shall not be required to have the testimony taken at the hearing transcribed, but the employee, department Director, Human Resources Director or CAO may, at its own expense, make the necessary arrangements therefore.
5. The decision of the Board, together with its written finding of fact, if required, shall be certified in writing to the CAO.

### Oaths, Subpoenas, and Production of Records

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

### Political Activities

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

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

If an employee has been asked to engage in political activity during work hours, or feels they have been pressured or coerced at any time, or receives threats of loss of employment or other adverse action from anyone for the employee’s failure to support a candidate or certain legislation, the employee should immediately report such behavior to the Director of Human Resources.

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



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

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

Employees or Parish officials should promptly report any violation of this provision to the Director of Human Resources, whose duty it shall be to make a preliminary investigation concerning the alleged violations and report findings to the CAO. Such reports may be submitted anonymously. To the extent possible, resulting investigations will be handled confidentially by the Director of Human Resources.

## **Employee Separation and Post-Employment Policies**

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### **Employee Separation**

The employment relationship between the Parish and employees may be voluntary or involuntary.

#### **Voluntary Separation**

- 1) Resignation. Employees who resign are voluntarily separating from their employment with the Parish. Those who resign and who want to be considered for rehire are expected to provide at least two (2) weeks' notice to their supervisor.
- 2) Job Abandonment. Employees who are absent from work for three (3) consecutive workdays without notifying their supervisor and who cannot be contacted are considered to have voluntarily abandoned their jobs.
- 3) No Return to Duty. Employees who are unable to return to work after being absent from work for health reasons are considered voluntary separations.

Employees who voluntarily end the employment relationship are not entitled to unemployment benefits.

#### **Involuntary Separation**

- 1) Discharge for any or no reason.
- 2) Layoff

Employees who leave the employ of the Parish, voluntarily or involuntarily, may also be eligible to retire if they meet the qualifications to receive regular or disability retirement benefits as determined by the retirement system in which they participate.

## Out-Processing

An employee who has separated from the Parish shall receive pay for work performed through the last hour worked and for compensable leave subject to the usual kinds of deductions, as provided by law.

Separating employees are requested to complete an exit interview with the Human Resources office. An exit interview is conducted to identify for the Parish areas of strength and weakness in the employment relationship. Documentation of the exit interview shall not become part of the separating employee's personnel file.

All former employees are directed to provide updated personal contact information to the Human Resources Department at the time of separation and thereafter. Based on a former employee's personal email address, the former employee will be given post-employment access to the online employee portal for purposes of accessing pay records, federal and state income tax documents, and other federally-mandated documents.

## Post-Employment Health-Related Insurances

A separating employee who was covered by the Parish's health insurance at the time of separation may have health coverage for a short period of time beyond the separation date pursuant to the Parish's contract with the health insurance provider. For example, if provided for by contract, coverage may extend to the end of the month in which the employee separates. Beyond that and depending on the circumstances of the separation, some employees may have access to continued participation in the Parish health insurance plans.

### COBRA (Federal Law providing for continued coverage)

An employee who is no longer employed by the Parish (except for reasons of the employee's gross misconduct) or whose hours are reduced such that they are no longer eligible for coverage as an active employee may elect to continue coverage with the Parish at their own expense for a limited period of time, typically either eighteen (18) or thirty-six (36) months. The Human Resources Department shall provide COBRA information as required by law.

## Retirees

Retirees as defined herein who have not reached age 65 shall be eligible to continue coverage with the Parish-sponsored health insurance for active employees. Retirees who are age 65 or older shall be eligible to participate in a Parish sponsored Medicare Supplement plan or Medicare Advantage plan.

A retiree is a former employee who at the date of separation of service from the Parish is vested in PERS or has the requisite number of years of service with the Parish to be vested, and who when separated, was in good standing with the Parish. A retiree is in good standing if they have not

- 1) Abused, issued, misapplied, or misappropriated Parish material, property or working time;
- 2) Committed any unlawful act, or failed to comply with any law, ordinance, or rules and regulations which may be required in the performance of an employee's duties;

- 3) Acted dishonestly, which shall include intentionally giving false information, falsifying records, or making other false statements.

It shall not be required that the former employee who is a retiree under this section actually receive monthly retirement benefits; further, a former employee who is a retiree under this section is not precluded from having elected to withdraw contributions to PERS.

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

Retirees are responsible to pay premiums to maintain their health insurance coverage or their Medicare-related coverage. However, retirees who were hired prior to 1/1/98 are eligible for Parish premium contributions in accordance with the following table for Medicaid and Dental coverage only. Vision coverage is available, but paid 100% by the Retiree.

Years of Service with Parish	Percentage of Premium Paid by Retiree	Percentage of Premium Paid by Parish
20 years or more	25%	75%

## Medicare Benefits

Employees who have participated in the Parish's medical insurance plan and who are Medicare-eligible are encouraged to begin the Medicare enrollment process prior to their separation. Human Resources will provide the necessary documentation for the separating employee to enroll in Medicare without penalty.

## Post-Employment Health Plan (PEHP)

Retirees who have a PEHP account, formerly offered and funded by the Parish, may use the balances therein to pay post-employment health insurance premiums or Medicare plan-related premiums.

## Parochial Employees' Retirement System Plan Benefits

The Human Resources Department is able to assist employees with some but not all PERS issues. Because of the complexity of pension plans, and because individual circumstances are critical to assessing every situation, employees are encouraged to directly contact PERS with pension plan questions. Any conflict between a provision contained herein and a PERS regulation shall be resolved in favor of the PERS regulation.

Employees who participate in PERS may have options upon their separation from the Parish depending on individual circumstances.

- A former employee who meets the qualifications as specified by PERS to begin receiving retirement benefits at the time of separation, may apply to do so with PERS.
- A former employee who has participated in PERS may, upon separation, request a refund of their contributions to the retirement plan. This is true even if the former employee meets the qualifications as specified by PERS to either begin receiving retirement benefits at the time of

separation or at some future time. If this option is exercised, the former employee will receive from PERS the portion of contributions made by the former employee into PERS, but will not receive the contributions made by the Parish on behalf of the former employee into PERS. Refunds of contributions from PERS are made by PERS, not the Parish, and are subject to the regulations of that retirement system.

- A former employee **hired after 1/1/2007** who meets the qualifications as specified by PERS to receive benefits at some future time may apply for retirement benefits at that future time. For example, an employee with 30 years of service who separates from the Parish at age 50 is qualified to receive retirement benefits, not at the time of separation, but at a future time, which in this case, is when the employee reaches age 55.
- A former employee may take no action at all. PERS will maintain the former employee's account in the event a request for contributions is made in the future or in the event the former employee becomes employed with an entity that is a PERS member or a member of another public pension plan recognized by PERS for transfers of credit or reciprocity.

All former employees are directed to provide updated, accurate personal contact information to PERS.

## Social Security Benefits

Former employees who did not participate in PERS contributed to Social Security and are entitled to those benefits when eligible and to the extent allowed by Federal law.

## Deferred Compensation (457 Plan)

Former employees who contributed to a deferred compensation plan through payroll deduction during their employment with the Parish are directed to contact the Plan Administrator to advise them of their separation from the Parish.

## Parish-Paid Life Insurance Policy

Employees for whom the Parish paid premiums for a life insurance policy are entitled to convert the Parish policy to an individual one upon separation.

## Voluntary Products

Employees who enrolled in insurances and products during their employment with the Parish and paid for those insurances and products by payroll deduction are able to continue their enrollments after their separation from the Parish by private arrangement with and subject to the requirements of the vendors of those insurances and products.

## Post-Employment Work

Former employees who receive PERS benefits and who work subsequent to their employment with the Parish are directed to contact PERS as continued benefits may be affected.

Former employees who seek contract work with the Parish are directed to the Louisiana Code of Governmental Ethics for direction on permissible situations.

## Death of an Employee

Upon notification of the death of an employee, the Human Resources Department will contact the family and/or beneficiaries of the deceased employee to coordinate the distribution of pay and benefits to the family and/or beneficiaries.