

**ORDINANCE 04 - 3023, C. S.**  
**PERSONNEL POLICIES AND PROCEDURES**  
**MANUAL FOR CITY EMPLOYEES**

**Effective June 1, 2004**

**The Honorable Mayson H. Foster, Mayor**

**Martis Jones, Director of Administration**

**The Honorable Nicholas Muscarello, Council President**

**The Honorable Curtis Wilson, Council Vice President**

**The Honorable Willie Grant Jackson, Councilman**

**The Honorable Anthony Licciardi, Councilman**

**The Honorable Kathy Montecino, Councilwoman**

**INTRODUCTION**

**Role of Administration**

As the final authority in the executive operation of City government, in the event this manual or any provision in it is uncertain or unclear, the interpretation of this manual by the Mayor shall control. Headings and titles are used for the convenience of the reader, and shall not be construed to limit the application of the text of a rule to the subject matter contained in the heading or title.

**Rules of Interpretation**

Unless otherwise indicated, all policies contained in this manual supersede all others previously issued and approved. In those instances where a department may have followed policies, work standards and/or guidelines that differ from the official City policy, the policies contained herein shall govern, except where Federal or State Law, local Civil Service Rules or the Home Rule Charter dictate otherwise. Rules which specifically include one group of employees do not necessarily exclude the remainder, nor does a rule excluding one group of

employees necessarily include the remainder. Activities prohibited for an individual are also prohibited if conducted through another person.

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## **DEFINITIONS**

**Administration** shall mean the Mayor, or his designee.

**Appointing Authority** shall mean the employer, the Mayor.

**Chain of Command** shall mean the line of direct authority authorized by either the Charter of the City of Hammond or by the Mayor. The order of hierarchy shall be the Mayor, Director of Administration, and The City Council. Departmental lines of authority for all city departments, including the Police and Fire Services, shall be approved by the Mayor or the Director of Administration.

**City** shall mean the City of Hammond, State of Louisiana.

**City Council** shall mean the Legislative Branch of the City of Hammond, State of Louisiana.

**Communication System(s) / Communications Equipment** are defined as the telephones, whether wired or wireless, telephone lines, telephone recorders including voice mail, facsimile (FAX) machines, computers, data storage equipment and media, letterhead, postage meters, post office box, mailing address, e-mail, Internet Access, and projection systems provided by or owned by the City of Hammond.

**Compensatory time (K-Time)** is defined as hours earned by non-exempt employees in lieu of payment.

**Customer**: A Customer is any person with whom an employee comes into contact whether in person or through oral, written, or electronic communication, pursuant to employment with the City of Hammond.

**Emergency Response** includes dispatching of emergency vehicles and personnel, rescue work, and ambulance service personnel. **Employee** includes any person serving for pay with The City of Hammond excluding elected officials.

**Management**, member of, shall mean any individual(s) who have been authorized or appointed by the City Administration to directly oversee the day-to-day operation of a city department.

**Public Safety** includes personnel engaged in law enforcement, firefighting, or related activities.

**Retirement** is defined a separation from employment and the associated retirement benefits from one of the sponsored retirement plans including the Firefighters Retirement System, The Police Officers Retirement System or the Municipal Employees Retirement System und the terms for retirement of those plans.

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# CHAPTER 1

## GENERAL EMPLOYEE RELATIONS

### **Rule I-1 Administrative Authority**

- A. The final authority for personnel management rests with the Mayor.
- B. The Director of Administration, as designated by the Mayor, has the authority to direct and supervise the day-to-day management of all City departments, offices, and agencies of the City.
- C. The Director of Personnel is directly responsible for keeping all Department Heads informed of the latest developments in the area of equal employment opportunity and personnel administration.
- D. Each Department Head is responsible for administering the provisions of these rules and policies to his or her department.
- E. Some departments within the City have established additional policies and procedures which are unique to that department or are otherwise more stringent. These procedures have been reviewed by the Director of Administration and approved by the Mayor, and a copy has been filed with the Administration. However, no such policy shall create any new or additional monetary obligation on the part of the city to any employee or employees, nor shall such policies and/or procedures conflict with any policy or procedure contained herein.

### **Rule I-2 Chain of Command**

- A. The Chain of Command for the City of Hammond shall be designated by the Mayor and posted at 310 East Charles Street, Hammond, Louisiana.
- B. Every employee, upon receipt of this manual, is presumed to know the applicable chain-of-command that pertains to him or her. Except where otherwise specifically stated in this manual, no employee may violate the chain of command.

### **Rule I-3 Description of Employees**

Employees of the City shall be described in one of the following categories:

- A. Regular Full-Time Employees: A non-classified regular full-time employee is a person hired to work at least 35-hours per work week for an indefinite period of time and has completed the probationary period. Classified employees shall be defined by civil service law. This category includes *Salaried Exempt*, *Salaried Non-Exempt* and *Hourly* employees.
- B. Regular Part-Time Employees: A regular part-time employee is a person hired to work less than 35 hours a week for an indefinite period of time. This category includes *Salaried* and *Hourly* employees

- C. Temporary Part-Time Employees: A temporary part-time employee is a person hired to work less than 35 hours per week for a maximum length of time up to six (6) months. Temporary employees may be re-appointed to temporary employment at or after the end of the predetermined length of time of their earlier employment. This category includes *Salaried* and *Hourly* employees.
- D. Probationary Employees: A non-classified probationary employee is any non-classified employee during the probation period of six months of initial employment or the period immediately following the employee's re-employment. Classified employees are subject to civil service law.
- E. Inactive Employee: An inactive employee is an employee who has been placed on leave without pay for non-disciplinary reasons for a period of more than one (1) month. The Department Head of an inactive employee shall notify the Personnel Department in writing within forty-eight (48) hours upon any change in an employee's inactive status. This category includes *Salaried* and *Hourly* employees
- F. Exempt vs Non-Exempt Status: Exempt employees as defined by applicable Federal and State Wage and Hour Laws shall be so designated by the Department of Personnel at the time of the employee's hire and advised of the effect of this designation on the employee's compensation.

**Rule I-4 Communications Systems**

- A. Except as otherwise specifically stated herein, Communication Systems as defined herein shall only be used for employment-related activities.
- B. Receipt of this manual constitutes notice that no employee has any expectation of privacy in any communication on any Communication System(s). All communications made on Communication Equipment or by or through Communication System(s) as defined herein are and remain the sole property of the City of Hammond.
- C. No employee may use any Communication System(s) or Communications Equipment to store or communicate directly or indirectly any discriminatory, derogatory, or otherwise offensive words or language, including, but not limited to those based on an individual's [race](#), color, national origin, sex, sexual orientation, ethnicity, age, disability, religion, political beliefs, vulgarities, obscenities, jokes or sexually explicit images or messages of any kind.
- D. No employee may use any Communication System(s) or Communications Equipment to store or communicate directly or indirectly any solicitation to others for purposes that include any causes or organizations outside the auspices of City government.
- E. No employee except those specifically authorized to do so by the Mayor or his designee may use any communication System(s) or Communications Equipment to attempt to or to access an e-mail account other than one assigned to the employee.
- F. No employee may use any Communication System(s) or Communications Equipment to transmit directly or indirectly any City records to unauthorized persons or organizations.

- G. No employee may use any Communication System(s) or Communications Equipment to conduct or to attempt to conduct any illegal or unethical activity or any activity that could adversely affect the interests of the City of Hammond.
- H. Employees assigned to use e-mail and/or other forms of electronic communication for communication shall be held to the same level of responsibility as those using non-electronic forms of communication.
- I. No employee shall intentionally create any false record or enter any information incorrectly in Communication System(s) or Communications Equipment.
- J. Department Heads may establish security protocols for the transmission of sensitive or confidential information via e-mail or storing such information in Communication System(s) or Communications Equipment. All employees shall strictly follow the security protocols established by his or her department head.
- K. No employee may use Communication System(s) or Communications Equipment to directly or indirectly copy and/or transmit documents, software, images, or other information protected by copyright without express written authorization from the copyright holder.
- L. Employees may make local, non-charged telephone calls for personal business during lunch or “break” periods only.
- M. Emergency calls regarding illness, injury or injury to family members, changed family plans, or calls for similar reasons, may be made at any time. Incoming calls of an urgent and personal nature shall be directed to the employee. Otherwise, no employee may use the City’s long distance telephone service for personal use, including the use of communication of fax lines.
- N. No employee may accept “collect” calls except those from a City employee on official business, or as otherwise directed by a superior ranking employee or official.
- O. No employee may use city postage meters for personal mail.
- P. No employee may use the password of another to access any Communication System(s) or Communications Equipment unless specifically authorized or directed to do so by their Department Head, the Director of Administration, or the Mayor.
- Q. By using any Communication System(s) or Communications Equipment, every employee agrees that he or she is aware of the policies governing same, including that information contained therein or transmitted therewith may be read or monitored by authorized individuals.

### **Rule I-5 Conflict of Interest**

- A. No employee may receive gifts, gratuities, free trips, personal property, or any other item of value from any person or organization except as authorized by the [Louisiana](#) Code of Governmental Ethics.
- B. Any employee receiving any item or thing in violation of Rule I-5A. herein shall immediately, but in no instance less than the close of the same work day, notify his or her Department Head of receipt of same.
- C. Upon receiving notification of receipt of an item or thing in violation of Rule I-5A., each Department Head shall inform the Director of Administration of same, who shall be charged with disposing or otherwise responding to the item in violation.
- D. No employee shall engage in or participate in any business activity which actually or potentially could interfere with the employees' ability to perform his or her job duties for the City.
- E. Personal, religious, political and/or philosophical beliefs constitute a prohibited conflict of interest if
  1. the employee's pursuit/exercise of said beliefs unduly interferes with the employee carrying out his or her job responsibilities;
  2. the employee's pursuit/exercise of said beliefs unduly interferes with other employees' job performance, and/or
  3. the employee attempts to convince another employee of said beliefs after being asked not do so.
- F. No employee may otherwise violate the Code of Governmental Ethics.

### **Rule I-6 Contracts and Binding Agreements**

- A. No employee or Department Head shall, unless authorized by the Administration, enter into negotiations, contracts or agreements that may compel the expenditure of city funds including, but not limited to grants, donations, or other funds that are subject to city control or oversight.
- B. No employee or Department Head shall authorize or commit the use of any city asset or city employee in either formal or informal agreements with any person, agency, company, or other entity, without specific authorization of the Mayor or his/her designee.

### **Rule I-7 Customer Relations**

- A. No employee shall behave discourteously, disrespectfully or unfairly to a Customer.
- B. Each Department Head may establish additional written rules pertaining to behavior with Customers.

### **Rule I- 8 Distributions and Solicitation**

- A. Solicitation of funds or any thing of value for any private or personal purpose whatsoever by an employee of another employee for any reason is prohibited without the approval of the department head at any time.
- B. No employee shall be required to make any contribution nor may any employee be penalized in any way in connection with his or her employment according to his or her response to a solicitation.
- C. Distribution of advertising materials, handbills or other literature by City employees is prohibited in all working areas and public areas at all times except as authorized by the administration.
- D. Solicitation or distribution by non-employees is prohibited on City premises at all times except as authorized by the administration.

### **Rule I-9 Driver's License & Driving Record**

- A. Employees whose job duties require operation of a motor vehicle shall present and maintain a valid driver's license at all times and shall also maintain a driving record acceptable to our insurer.
- B. Any employee subject to Rule I-9A. shall immediately, but in no instance later than 24 hours, report any changes in his or her driving record to the department head, who shall immediately notify the personnel department.
- C. The department head may require employees subject to Rule I-9A. to submit a copy of his or her driving record to the department head at any time.

### **Rule I-10 Employee Relations**

- A. Each employee is responsible for meeting quality, service, and cost standards as established by his or her Department Head, or by the Director of Administration or the Mayor.

### **Rule I-11 Employment at Will**

No employee of the City of Hammond shall be employed except as employment at will. The City reserves the right to end any individual employment relationship at any time, within the constraints of applicable Federal and State laws, and local ordinances.

### **Rule I-12 [reserved]**

### **Rule I-13 Government and Political Activity**

- A. Non-Partisan Position Of The City. No employee shall infringe upon the right of any other employee to vote for or against any candidates, or proposition.
- B. The City shall not endorse or contribute to any political candidate, party, or cause. No employee shall represent otherwise.
- C. Individual Actions. No employee shall represent that any individual political action or position is endorsed by the City.

- D. No City employee shall use working hours or city property to solicit or receive any contributions, or political service, or to circulate any petition or campaign literature on behalf of any candidate for public office. No Department Head, Supervisor or other person in authority shall require an employee to support a candidate or political activity.
- E. Political Campaigns Of City Officials. City employees shall not be required to participate in any political campaign involving the election of city officials.
- F. Employees Seeking Elective Office. Any employee who wishes to accept or seek election to any governmental elected office shall resign from the City's service upon indicating such intention by formal declaration or other evidence of candidacy. Any employee serving in such a capacity upon the passage of this policy may continue to serve in said capacity.
- G. No employee shall display any political preference item of any kind on City property including public right of way, parking lots, on in buildings.

**Rule I-14 Positions Covered**

- A. Except where otherwise indicated, this manual shall apply to all employees of the City of Hammond.
- B. These rules apply to civil service Fire and Police employees except ~~only~~ in the areas which conflict with applicable Federal or State law or local civil service rules.

**Rule I-15. Privacy.**

All purses, briefcases, packages or any other containers on city property are subject to inspection at any time by the Mayor, Director of Administration, Department Head or Supervisor, as are any desk, desk drawers, and vehicles on the work site owned and/or operated by employees.



## **CHAPTER 2**

### **RECRUITMENT AND SELECTION**

#### **Rule II-1 Appointing Authority**

- A. Except as otherwise provided by the City Charter, the appointing authority for all city positions shall be the Mayor.
- B. Whenever an emergency exists, the Mayor or his designee may immediately appoint and/or employ for a temporary designated term needed personnel without regard to normal recruitment and selection requirements and procedures.
- C. All positions shall be designated as Regular Full-Time, Temporary Full-Time, Regular Part-Time, or Temporary Part-Time.

#### **Rule II-2 Applications for Employment**

- A. Applications for non-civil service employment shall only be submitted to the Personnel Department.
- B. No person applying for employment with the City of Hammond shall make any false statement of material fact on any employment application or other employment document submitted to the City.
- C. [reserved]
- D. The City of Hammond shall comply with all applicable federal and state laws and regulations pertaining to accommodations for individuals with disabilities to participate in our application process.
- E. Applications for employment shall expire after a period of 180 days following submission to the City. All active files of applicants shall be maintained by the Personnel Department and may be reviewed in the search for new employees.
- F. All internal and external applicants shall apply within the stated deadline of the job posting notice in order to be considered for the position.

#### **Rule II-3 Credit Investigation for certain employees**

- A. The City of Hammond reserves the right to require pre- and post-employment credit checks on any or all employees whose job functions requires direct access to City revenues or other valuable city assets.

- B. Upon being hired, no employee whose job function requires direct access to City revenues or other valuable city assets shall refuse to submit or cause to be submitted to the City requested information from the employee's credit records.

**Rule II-4 Employment and Proof of Age**

- A. The City of Hammond shall require all persons who are offered employment to provide proof of age when required for compliance with applicable labor laws and to determine benefits eligibility.
- B. No person under 18 years of age shall be employed in any position or activity prohibited by Child Labor Laws.

**Rule II-5 Employment of Aliens**

- A. Employment opportunities may be made available to persons who are not citizens of the United States.
- B. Employment of aliens shall be consistent with all applicable laws and regulations.
- C. Employees who are not citizens of the United States shall be required to present documentary proof of the legal right to work in the United States.
- D. Undocumented aliens and aliens who do not have the legal right to work in the United States shall not be employed.

**Rule II-6 Employment of Relatives**

The hiring of applicants for paid or unpaid employment with the City of Hammond who are related by birth, marriage, or adoption to any employee shall be in compliance with the Code of Governmental Ethics.

**Rule II-7 Former Employees**

- A. Good Standing Required To be considered for re-employment by the City of Hammond, an applicant who was formerly employed by the City of Hammond shall have left in Good Standing, i.e. shall have left voluntarily, had no pending or active disciplinary action at the time of separation, and provided at least two weeks advance notice of intention to terminate employment with the City.
- B. Involuntary Termination For Incapacity. A person who was terminated for incapacity may be considered for re-instatement by the City within one year following the separation provided that the reason for the incapacity has been corrected, the person's previous position and/or a similar position is available, and the person remains otherwise qualified to perform the duties of the position.

## **Rule II-8 Job Posting**

- A. Application By Current City Employees Subject to Rule II-10A., when possible, job openings may be filled by promotions or transfer of qualified persons from within the City of Hammond when internal candidates and external candidates are equally qualified. All advertised vacancies shall be posted for all present employees to see.
- B. Job Opportunity Announcement. When job openings are posted, the *Job Opportunity Announcement* shall state the job title, grade of pay, job description, and minimum qualifications and instructions for applying. Employees who wish to apply for a posted position shall meet the standards outlined in the Promotions and Transfers policy.
- C. External Applicants. Nothing herein shall be construed to prevent the City from seeking and/or hiring external applicants for employment with the City.
- D. Procedure. The following steps are designed to insure uniformity of Personnel Practices and compliance with various employment laws. These steps shall be followed before the job posting process can proceed:
- i) The Mayor or the Director of Administration shall approve requests for additional staff prior to any new job being advertised or posted.
  - ii) A Department Head requesting additional or replacement employees shall submit a *Personnel Requisition Form* to the Personnel Department identifying the position and the need of the position to the City.
  - iii) A complete Position Description Questionnaire (PDQ) shall be included with all *Personnel Requisition Forms*, including the following:
    1. a complete job description outlining all job duties and responsibilities
    2. applicable qualifications
    3. salary range
    4. performance standards.Requirements shall be specific and numeric whenever possible. For example: typing speed, computer software knowledge, special licenses, etc. If the JDQ has not been written or it is not current, the Personnel Department shall complete the JDQ with the Department Head requesting the additional staff prior to advertisement and posting.
  - iv) The Personnel Department shall then prepare, post and/or advertise a *Job Opportunity Announcement* stating the opening and closing dates of the application process.
  - v) No city employees may be considered for a posted job without first submitting a completed *Request for Transfer/Promotion Form* to Personnel.
  - vi) Nothing herein shall prevent any Department Head from recruiting qualified individuals to apply for a vacancy in his or her department. The Department head shall

notify Personnel in advance of said recruitment, and the recruited candidate shall otherwise be processed in the same manner as all other applicants.

- vii) The Personnel Department shall prepare and maintain the forms listed and/or required herein.

### **Rule II-9 Military Obligations**

- A. Week-end Duty. Employees with weekend military duty, whose city employment requires weekend work, shall work an alternative schedule at the discretion of the City. If no alternate schedule is acceptable to the Department Head, the employee shall be on unpaid leave during periods of weekend military duty.
- B. Annual Training. Employees who have a period of military training duty annually are granted unpaid military leave not to exceed fifteen (15) working days.
- C. Compensation During Periods of Annual Training. In recognition of the public service performed by the reservists and guardsmen, The City of Hammond shall pay the difference between the employee's regular pay and their military pay during Annual Training, if the military duty pay is less than regular pay.
- D. Use of Vacation Pay Not Prohibited. Employees may elect to use paid vacation during annual training or other periods of unpaid military duty.
- E. Other Military Obligations. The City of Hammond shall comply with all applicable State and Federal Laws pertaining to employment and reemployment of individuals called to duty in state or federal military service.

### **Rule II-10 Recruitment**

- A. Preference For Residents Of Hammond. In order that that the morale and efficiency of City services be enhanced by increasing the number of City officers and employees that reside in the City and who therefore have a stronger and more direct interest and a greater stake in the City's general welfare and in the quality of life enjoyed by those who have their principal home in the City; in order that that the strength of the City's economy be enhanced and the pace of economic development in the City be increased by maximizing the portion of the City's personnel expenditures re-spent by employees of the City within the City; in order to protect the City's tax base by encouraging the utilization, maintenance, improvement and redevelopment of residential properties in the City; and in order to foster and promote the establishment of actual domiciles in Hammond by as many employed persons as possible; in cases where residents and non-residents of Hammond are equally qualified for vacant positions, the resident shall receive first consideration in filling such vacancies.
- B. Fraudulent Act. Applicants who commit or attempt to commit a deceitful or fraudulent act at any stage of the selection process shall not be considered for employment.

- C. Testing/Screening. Applicants for certain positions may be required to fill out a standard screening instrument, to take a written test, or to take a skills test as a condition of being considered for employment as may be determined from time to time by the Personnel Department and/or Administration. The City makes reasonable accommodations for persons with disabilities to participate in testing and screening.
- D. Interviews. Applicants may be the subject of a personal interview by at least two persons. The City makes reasonable accommodations for persons with disabilities to participate in the interview process.
- E. Guidelines For Filling Classified Position Vacancies. Hiring and promotion of a current employee who is an employee of either the Fire or Police departments, shall be consistent with the laws and regulations of the State of Louisiana pertaining to Civil Service, of the Hammond Municipal Fire and Police Civil Service board and other conditions the City may require from time to time which are not inconsistent therewith.
- F. Procedures For Filling Classified Positions:
- i) Selection of Applicants to be Invited for Interview: The Director of Personnel shall make a determination of the number of applicants to be notified of vacancies, based on the following criteria:
    1. On a minimum ratio of 3 candidates to 1 vacancy, prospective candidates shall be selected from the current Eligibility List, as approved by the Civil Service Board.
    2. A minimum of 75% of the total number to be invited shall be applicants with final test scores of between 81 and 100.
    3. A maximum of 25% of the total number to be invited may be applicants with final test scores of between 76 and 80.
  - ii) Notification of Interview Schedule: The Director of Personnel or the designated person shall contact all selected candidates, in writing, or by oral communication properly documented to ascertain their interest in being invited for an interview.
  - iii) Criteria for Selection: All candidates shall have successfully taken the test for the appropriate class for which a vacancy exist, and have had said test score been approved by the Civil Service board. Otherwise, the City may devise objective and subjective selection criteria from time to time, which are not inconsistent with the laws and regulations of the State of Louisiana or with Hammond Municipal Fire and Police Civil Service Board rules.
  - iv) Selection Review Committee:
    1. The Selection Review Committee shall consist of the Director of Personnel, The the person designated by the Mayor, and the Chief of the department (Fire or Police) or designee(s), where the vacancy exists.
    2. The Director of Personnel shall serve as the Chairperson of the Committee. Observations and recommendations of the department heads involved shall be considered by the Director of Personnel. The Director of Personnel shall be responsible for making any and all final recommendations to the Mayor. Such

recommendations shall be made prior to any job offer being made to any candidate. The final decision in the selection process is made by the Mayor.

- v) Calculating Rate of Pay: All new or current employees appointed to any civil service position shall receive the starting pay for the title/class of the civil service position to which appointed.

G. Guidelines For Filling Non-Classified Position Vacancies. The Personnel Department shall ensure that ensure that the pool of candidates for consideration for any position includes a cross section of the ethnic and gender representations of the City populace who meet the required qualifications for the position.

H. Procedures:

- i) The Personnel Department shall be responsible for receiving all applications in response to the announced position vacancy. The Director of Personnel shall make a determination of the number of applicants to be invited to interview, based on a review of the qualifications of the prospective candidates.
- ii) Notification of Interview Schedule. Selected candidates shall be contacted by oral communication properly documented or in writing with an invitation to interview.
- iii) Criteria for Selection: All candidates shall first have been determined as having met the minimum qualifications for the posted position. Whenever possible, consideration shall be given to those candidates who:
  1. Reside within the city limits of Hammond, or are willing to relocate to the City of Hammond
  2. Demonstrate measurable ability, as determined by applicable aptitude testing.
  3. Match a stated level of past experience as reflected in job history.
  4. Demonstrate a level of effectiveness in the interviewing process.
  5. Receive a favorable recommendation from the Selection Review Committee.
- iv) Selection Review Committee: The Selection Review Committee shall consist of the Director of Personnel or his/her designee, and the Department Head or his/her designee of the department within which the vacant position exists. The Director of Personnel shall serve as the Chairman of the Committee. Observations and recommendations of the Department Heads involved shall be considered in making all final recommendations to the Mayor. Such recommendations shall be made prior to any formal job offer being extended to the candidate(s). The final decision in the selection process is that made by the Mayor.

I. Guidelines For Filling Non-Classified Management-Level “Exempt” Positions.

- i) It is imperative that the Mayor have the ability to offer an appropriate salary to a candidate that is not constrained by any existing pay and classification plan. Therefore, the following positions in City government, all of which are “EXEMPT” /Non-Classified status, are covered by these guidelines:

1. Director of Administration
2. Director of Personnel
  3. Finance Director
4. Recreation Director
5. Water and Sewer Superintendent
8. Streets Superintendent
9. Parks and Grounds Superintendent
10. Building Official
11. Data Processing Manager
12. City Planner
13. Purchasing Agent
14. Accounting Supervisor
15. Utility Billing Supervisor
16. Revenue Supervisor
17. Executive Assistant to the Mayor
18. Garage Supervisor
19. Airport Director
20. Grants Administrator

ii) Procedures:

1. Selection of candidates to fill a vacancy in any of the positions listed in subparagraph i) above shall be at the sole discretion of the Mayor. The Personnel Department shall be responsible for conducting any applicable background checks to determine the accuracy of information furnished by the candidate under consideration. The Personnel Department shall report to the Mayor the results of any applicable background check.
2. In the instance of filling an appointive position that requires council confirmation, the Mayor shall submit the name and background sketch of the nominee and proposed salary at a meeting of the City Council.
3. Determination of the starting salary to be offered a candidate for any position covered by subparagraph i) above shall be at the sole discretion of the Mayor, in conjunction with recommendations made by the Director of Administration and the Director of Personnel.

J. Post-Offer Psychological Screening (Police Officers Only).

- i) All finalists for civil service police positions to whom an offer of employment is made shall be required to take one or more psychological screenings designated by the City of Hammond. The entire screening shall be administered by a licensed clinical psychologist selected by the City of Hammond and a confidential written report shall be submitted to the Director of Personnel.
- ii) Police Officer Finalists participating in psychological screenings shall receive a rating of either acceptable, conditionally acceptable, or unacceptable. *Acceptable* is defined as “no significant psychological problems or dysfunction has been identified”. *Conditionally Acceptable* means that no significant psychological problems or dysfunction has been identified, but that there are signs, indicators, or trends of specific behaviors that could impact functioning as a public safety officer in certain

situations. In such instances, the concern shall be identified, and recommendations provided as to how to confirm the existence of the problem, or how it can be remedied. *Unacceptable* means that the screening has identified significant problems in psychological functioning, and the applicant is not recommended for hire.

- iii) The results of all Police Officer psychological screenings shall be considered valid for hiring purposes for a period not to exceed 180 days.
- iv) The City shall pay the cost of the post-offer psychological screenings of Police Officers, and the results shall be stored in confidential files maintained in the Personnel Department. Psychological test results shall be the sole property of the City of Hammond and are not available for public review.
- v) The City of Hammond reserves the right to compel any civil service police employee to submit to psychological screenings during the term of his or her employment when and if circumstances warrant.

K. Psychological Screening Of Applicants And/Or Employees

- i) The City of Hammond may order any employee to submit to one or more psychological evaluations if it is determined that such evaluation(s) is/are necessary to assess the level of safety and possible harm to the employee or to others posed by the apparent mental/psychological condition of the employee.
- ii) The City shall pay the cost of the psychological screening, and the results shall be stored in confidential files maintained in the Personnel Department.

L. Polygraph/Cvsa Testing.

- i) The City of Hammond may require that all finalists in the selection process for filling Police Officer positions submit to a testing process that may serve to detect deception or verify the truth of statements made during the application procedure. All such testing shall be conducted by a certified polygraphist/CVSA operator using an appropriate device, which meets the minimum instrumentation required by R.S. 37:2835, et seq. (The Polygraphist Act of Louisiana).
- ii) The City shall pay the cost of the polygraph/CVSA test, and the results shall be stored in confidential files maintained in the Personnel Department.

M. Post-Offer Physical Examinations.

- i) The City of Hammond may require individuals to whom employment in specific jobs is offered to submit to and pass a post-offer physical examination to determine ability to perform essential requirements of the job.
- ii) Any offer for such a job shall be made subject to the applicant's sufficient performance in the post-offer physical examination.
- iii) The City may designate a physician to conduct said examination.



- iv) The City pays the cost of the post-offer physical.
- v) Information from pre-employment physicals shall be stored in confidential files in the Personnel Department.
- vi) Applicants for such a job shall be asked to state in writing if they can perform the essential requirements of the job, with or without accommodation.
- vii) Applicants for such a job shall be asked to demonstrate their ability to perform the essential requirements of the job, or discuss accommodations required for them to do so.
- viii) When applicants describe the need for accommodation, they shall be asked to provide documentation of the necessity of and the appropriateness of the particular accommodation.

N. Post-Offer Drug Screenings. The City shall require individuals to whom employment is offered to submit to and pass a post-offer drug screening. All job offers shall be subject to the applicant's passing the drug screening. The City may designate its physician to conduct the examination. The City pays the cost of the post-offer drug screening. Information from post-offer drug screenings shall be stored in confidential files in the Personnel Department.

O. References. References provided by the candidate shall be checked by the Personnel Department on all candidates to whom job offers shall be made BEFORE the job offers are made. An unfavorable reference may constitute cause for rejection of the candidate by the City.

**Rule II-11 Reduction in Force (RIF)**

A. The City of Hammond reserves the right to reduce the size of its work force because of financial reasons, lack of work and/or other reasons that may be necessary in the sole discretion of the Mayor. The Mayor may elect to reduce the size of the work force equally across all departments, across all non-civil service employees, or according to the Order of Layoff described herein. Where ever possible reductions in force should be accomplished through natural attrition.

B. Order Of Layoff. The allocations among the departments of the number, positions, or categories of employees to be subjected to the RIF shall be directed toward those departments, positions or categories that are in whole or part:

- i) Not essential to the direct performance of basic health and safety activities to the public;
- ii) Not directly and essentially involved in activities producing revenues for the City;
- iii) Involved directly or in support of activities that have already suffered a reduction of demand for services due to the economy of the community and area;

- iv) Involved directly or in support of activities that shall be reduced under the reassessment of priorities among the services we perform;
- v) Involved directly or in support of activities that have suffered revenue shortfalls or other special funding reductions;
- vi) In which the workload has declined for any reason;
- vii) Involved primarily in internal service activities;
- viii) Departments in which the workload has the least adverse impact on services
- ix) Reorganization or consolidation of departments,

Based upon the factors, the RIF's allocations may specify positions no longer required, or allocate the RIF burden to the department generally. In all instances, and particularly when two or more employees exist in the area subject to the RIF, the burden of determination or selection shall be upon the Department Head or other designated supervisors. Benefits associated with a RIF are limited only to employees who are to leave the City's employment in good standing according to Rule II-7 herein and subject to the re-employment options hereafter provided.

C. Procedures.

- i) When the need for RIF arises, the Mayor through the Director of Administration shall inform the Department Heads concerned of the number of jobs to be vacated and such other specific designation of positions or categories as may be appropriate.
- ii). The Department Head shall recommend to the Mayor through the Director of Administration the employees to be separated, transferred, or assigned to a lower grade position because of the RIF.
- iii) In the selection of specific employees to be made subject to the RIF, the Department Head shall maintain the greatest performance, productivity, and operational proficiency possible in the department with the personnel remaining after the RIF. To that end, the Department Head shall apply the following standards as applicable:
- iv) When a selection is required from among two or more employees in the same position, classification, or category, the selection shall occur by seniority. An exception is allowable to preserve the specialized skills important to the continuing mission of the department, or to retain an employee whose overall performance is demonstrably superior to the next most senior employee.
- v) Upon selection, the Department Head shall, prior to any disclosure of the names of those to be subject to the RIF, submit the names of the selected employees to the Mayor through the Director of Administration and shall further submit such supporting documentation as shall be required by the Mayor.

- vi) The Mayor shall review the propriety of the selections under the standards provided in this section and under other applicable laws and regulations. No names shall be released until the Mayor has completed the review.
  - vii) After the review of the selections by the Mayor or his designee, the Department Head shall personally contact each employee selected for RIF to explain the necessity for the RIF, the selection process, and all benefits to be provided those subject to the RIF.
  - viii) There shall be no exceptions granted a department from a scheduled RIF's allocation once made. In the event of exceptional hardship, as when a department is losing several positions and a substantial percentage of its work force, and where excessive effect upon its efficiency and productivity may result, a delay in the selection of one position may be granted by the Mayor not to exceed thirty days.
  - ix) An employee subjected to the RIF shall have the same procedural appeal steps available as provided for employee grievances; however, no time extensions shall be granted to extend the final separation date. The sole issue subject to review by the appeal shall be alleged improper application by the Department Head of the selection standards provided for an RIF.
  - x) An employee subject to the RIF shall, upon the employee's request, have the option for re-employment in the same position or category in the department for a period of one year after the effective date of the RIF. This option is contingent on the department subsequently having a vacant, funded position which the Department Head desires to and is allowed to fill, and is contingent upon the employee maintaining qualifications for the positions. Reinstatement of positions which were the subject of an RIF within the year following the RIF shall occur in the reversed order the RIF. In such event, the Mayor, or his designee shall cause notice of the unfilled vacancy to be mailed by certified mail to the last known address of the employee. The notice shall be effective when mailed and the burden is on the employee to arrange for mail forwarding or such other efforts as the employee feels necessary to assure receipt of the notice. If it is determined that such position shall be filled, after notification, the employee shall give written notice of his or her desire to accept re-employment within fifteen days after the date of the notice and be able to report for duty within thirty days after the date he or she notifies the City of a desire to accept re-employment, or their re-employment shall terminate. Employees separated by the RIF may apply with all other applicants to any other vacant position(s) with the City to be filled, where they are qualified, but as to those positions, shall have no right or preference to such other positions.
  - xi) The Mayor or his designee shall provide all appropriate Department Heads with a current list of all options or benefits available for the employees subject to the RIF.
- D. Status During Layoff. An employee notified he or she is subject to a RIF may, during the "separation period" of thirty working days (6 weeks or 3 pay periods) following the date of notification, be subject to one or more of the following at the discretion of the Mayor:

- i) The employee may or may not be allowed to remain on the job site during the Separation Period.
- ii) Whether or not the employee is allowed to remain on the job site during the Separation Period, the employee shall maintain full salary and current benefits for that period of time.
- iii) The actual employment “termination date” shall be the last “paid” day and the termination date for group medical coverage shall be the same effective date as of employment termination.
- iv) During the Separation Period the employee affected may be allowed reasonable time off with pay to interview for other employment opportunities.
- v) The Personnel Department shall advise employees designated for RIF of any opportunities for internal transfer for which the employee may be qualified and of any opportunities for employment with other cities, governmental agencies or private employers known to him or her, which might be available to such employee.
- vi) The Personnel Department shall provide or obtain job counseling information and referral service information for affected employees.
- vii) Health/dental insurance benefits to the extent fully funded by the City shall continue to be funded by the City, where under the terms the provider of such benefit, for a period of up to thirty days (1 month) after the final date of employment termination. The employee (at current insurance status) shall be placed on the continuation coverage (COBRA) for thirty days as mentioned above (after the final date of termination). Coverage by a successor employer prior to eighteen months shall result in stopping this coverage. Affected employees shall be eligible to continue coverage (COBRA) after the thirty-day period at their cost.
- viii) Dependent insurance funded by the employee may be kept in force by the employee at the employee’s cost, for such a period of time as provided by the law.
- ix) Employees eligible to retire shall, at their option, be allowed to retire.
- x) Employees separated by the RIF shall be paid for accrued and unused vacation time under the same policies governing the separation of an employee.
- xi) Employees terminated through the RIF are eligible for possible return to the job vacated for a period of one year. If they are re-employed in that position or another City paid regular full-time position during that year, their seniority shall be reinstated based on the period of service existing upon the date terminated.
- xii) Employees are entitled to accumulated sick leave pay at termination in the case of a RIF.

xiii) The Personnel Department shall inform employees terminated through RIF of their rights regarding withdrawal or continued investment with the MERS (Municipal Employees Retirement System).

xiv) Employees may apply to the Louisiana Job Service to determine eligibility for unemployment compensation.

- E. Benefits Upon Recall. Employees who are recalled from RIF prior to one year following the RIF shall accrue benefits effective the day they return to work, and shall accrue leave at the same rate as when the employee was terminated. Determination of years of service shall at return be calculated based on years of service prior to termination.
- F. Failure To Report At Recall. Employees who do not report to work from RIF on the day scheduled are considered to have declined an offer of re-employment, and shall not then be considered for re-employment unless the absence is an excused absence arranged in advance, or because an emergency prevented the employee from reporting to work.
- G. Unemployment After RIF. In the event of a RIF, the City shall make its best efforts to cooperate with employees in obtaining unemployment insurance benefits.
- H. Civil Service Provisions. Notwithstanding any of the above Rule, the City shall comply with any and all applicable statutes and local civil service rules as it may pertain to reductions in force.

## CHAPTER 3

### EEO/AFFIRMATIVE ACTION

#### Rule III-1 [reserved]

#### Rule III-2 Americans with Disabilities

- A. The City shall comply with the provisions of Section 504 of the Vocational Rehabilitation Act and its implementing regulations, Part 84, Title 45, Code of Federal Regulations, and with the provisions of the Americans with Disabilities Act, [citation], to the extent that Act may be held to apply to municipal governments.

#### Rule III-3 Equal Employment Opportunity

- A. Policy. The City is committed to the philosophy and practice of equal employment opportunities for all persons, without regard to race, color, religion, sex, national origin, age - as required by law, veteran's status, disability, or physical handicaps. As well as employment, this policy also covers the practices of upgrading, demotion, or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation. This policy extends to all activities and programs which are conducted either by the City or by other non-departmental agencies, institutions, organizations, entities, or political subdivisions to which financial assistance is made available by the City through sub-grants, contracts, assistance in any form, or other arrangements using local, state or federal funds. All employees are required to support this philosophy, and to practice non-discrimination in their relationships with other employees. Department Heads, Supervisors and Managers have specific responsibilities for practicing equal employment in all job related decisions that affect current and prospective employees.
- B. EEO Program Commitment In carrying out its Equal Employment Opportunity program, the City of Hammond is committed to: recruiting and employing applicants on the basis of their fitness and qualification for a job without consideration for race, color, creed, political affiliation, country of national origin, sex, age, or membership in any lawful organization; utilizing and/or developing the skills of present employees to the fullest extent to include, but not to be limited to transfer, promotion, and detail consistent with personnel regulations; to providing a prompt, effective system for processing complaints of discrimination because of race, religion, color, political affiliation, disability, country of origin, sex, age, or membership in any lawful organization, and to providing counseling, training, and opportunity for advancement for all employees.
- C. Auditing And Reporting Evaluating the Equal Opportunity Compliance Program is the responsibility of the Director of Personnel, whose responsibilities include functioning as the Equal Opportunity Officer. However, those duties are shared by all levels of management. The City's Personnel Services Report shall be one of the primary sources used for the auditing of City staffing. The auditing and reporting system which is administered by the Director of Personnel, shall be utilized to measure the status, visibility, and effectiveness of the Equal Opportunity Compliance Program. The Director of

Personnel shall undertake, at least annually, a review of city staffing by analysis of data measured in the following formats for race, color, sex, age, disability, etc.: employee distribution by job classification, average employee salary, and changes in workforce composition. The results of this analysis shall be presented in a narrative form to both the Mayor and the City Council, with appropriate recommendations and action steps for addressing either the under-utilization and/or under-representation of specific groups. Written follow-up with the affected cost center managers (Department Heads) shall be provided within two (2) weeks of the completion of the analysis. On an annual basis, the Director of Personnel shall undertake a review of employee distribution by departments for submission of the EEO-4 Report. This analysis shall be completed using the latest data submitted by each Department Head and by comparing this data with the latest available computerized fiscal and personnel records.

- D. Dissemination Of Policy The City's Equal Opportunity Compliance Program includes procedures for the dissemination of this policy. The primary objective of this aspect of the program is to ensure awareness and understanding of the Policy by all employees, prospective employees, and the general public including minority, female, and community-based organizations. Internal dissemination is accomplished through bulletin board display of the Policy; placing of EO Posters in conspicuous places; and issuance of the policy to employees in this Manual. External communication of the Policy if requested is extended to, but not limited to labor organizations, employee associations; job applicants; community-based organizations; vocational rehabilitation and handicapped referral agencies; older worker referral agencies; and veterans groups.
- E. Discrimination Complaint Procedures It is the policy of the City of Hammond that no individual shall be denied services and/or any terms and conditions of employment because of that person or persons' race, color, national origin, age, sex, religion, and/or disability, except where age, sex, disability, etc. constitutes a bona-fide occupational qualification necessary for the performance of the job. In addition, no individual shall be intimidated, threatened, coerced, or otherwise discriminated against because he/she has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. All complaints of discrimination shall be filed in writing, using the City's Complaint Information Form, within 60 days of the date of the alleged discriminatory act. Such formal complaint shall be signed, and include the name, addresses and telephone numbers of the complainant and the individual(s) who committed the alleged violation; a description of the act(s) considered to be a violation; and other pertinent information which may assist in the resolution of the complaint; and the remedy sought. Forms for this purpose may be obtained from the Personnel office. Receipt of the complaint shall be acknowledged by the Director of Personnel within five (5) working days. A fact-finding conference shall be scheduled within twenty (20) days of receipt of the complaint. An official hearing on the matter shall be scheduled within thirty (30) days of the fact-finding conference, if the complaint is not resolved to the complainant's satisfaction or withdrawn by the complainant. The complainant shall be provided with a final decision in writing, within ninety (90) days of the filing of the complaint. All files associated with the complaint shall be maintained for not less than three (3) years upon final disposition of the complaint.

### **Rule III-4 No-Harassment Policy**

- A. The City of Hammond does not and shall not tolerate harassment of its employees. The term "harassment" includes, but is not limited to: slurs, jokes, and other verbal, graphic, or physical conduct relating to an individual's race, color, sex, religion, national origin, citizenship, age, or handicap. "Harassment" also includes sexual advances, requests for sexual favors, unwelcome or offensive touching, and other verbal, graphic, or physical conduct of a sexual nature.
- B. If an employee believes he or she is the subject of harassment by another employee or by a customer or vendor, the employee shall inform his or her supervisor immediately in accordance with the following procedures. The employee shall not be penalized in any way for reporting such conduct concerning himself/herself or another person.
- C. The City accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences.
- D. Procedures. An employee who believes he or she is the subject of harassment shall immediately report it to any of the following persons: their Supervisor, their Department Head, or the Director of Personnel. Supervisors and Department Heads shall report all charges of harassment to the Director of Personnel, The Director of Administration or The Mayor within twenty-four (24) hours of their receipt. The Director of Personnel or his or her designee shall immediately investigate the allegation. A report of findings shall be submitted to the Mayor who shall take the appropriate action to protect the rights of the charging employee and the charged employee, and to carry out the legal obligations of the City of Hammond.

### **Rule III-5 Veterans**

- A. The City shall not discriminate against any employee or applicant for employment because he/she is a veteran, disabled veteran, or veteran of the Vietnam Era. The City shall take affirmative action to employ and advance in employment-qualified veterans, disabled veterans and veterans of the Vietnam era.
- B. Implementation. In implementing the non-discrimination policy and affirmative action program of the City for veterans, disabled veterans, and Vietnam era veterans, the following procedures shall be implemented:
  - i) The Personnel Department shall review the personnel process to determine whether present procedures assure careful, thorough and systematic consideration of the job qualifications of known disabled and Vietnam era veteran applicants. (Only that portion of the military record relevant to a specific job qualification can be considered.)
  - ii) The Personnel Department shall review all physical or mental job qualification requirements to be sure they are relevant to the essential functions of the job and consistent with business necessity and safe job performance.



- iii) The Personnel Department shall make reasonable accommodations for the physical and mental limitations of disabled veterans unless undue hardship would result.
  - iv) The Personnel Department shall not reduce the agreed upon salary of a veteran because of any disability income, pension or other benefit he/she might receive as a result of their military service; this would exclude benefits received as a result of injury on the job.
  - v) The Personnel Department shall make every effort to actively recruit and publicize employment policies externally.
  - vi) The Personnel Department shall communicate the City's Affirmative Action policy relative to veterans to executive, management, supervisory and all other employees to get their understanding and support.
- C. Anyone alleging violation of Rule III-5 shall contact the Director of Personnel in person or at 542-3575.

## CHAPTER 4

### ORIENTATION AND TRAINING

#### **Rule IV-1 External Seminars and Training**

- A. Subject to budgeting constraints, the City may pay seminar fees, travel and lodging, and other reasonable and necessary expenses for full-time regular employees to attend seminars and training sessions. The employee and the external seminar or training shall meet all of the standards listed below before being considered for approval by the applicable Department Head.
- i) The seminar or training shall be directly related to the employee's immediate job responsibilities or required to achieve or maintain required licenses or certifications.
  - ii) The employee's attendance at the seminar or training shall first be approved by the employee's Supervisor for further recommendation to the Department Head.
  - iii) The seminar or training shall be offered by an accredited academic institution, or by an organization or firm generally established and recognized in the subject matter of the seminar.
- B. Procedure. The employee's Supervisor shall request approval of the seminar from the Department Head. Upon approval the Supervisor requests a check through accounts payable procedures to pay the seminar fees. The employee uses the expense reimbursement procedure to obtain reimbursement for travel (other than via air), meals, and other approved expenses at the standard approved rates. The employee is responsible for providing Personnel with a copy of any CEC (Continuing Education Credit) certificates received, to include in their personnel file.

#### **Rule IV-2. Orientation of New Employees**

- A. New employees shall undergo a period of orientation immediately after their employment. The orientation shall acquaint them with the City's policies and procedures, with their jobs, and with their internal and external working relationships. The orientation shall consist of two parts, as described below.
- B. Orientation To The City. The Personnel Office is responsible for orienting new employees to the City, to compensation and benefits issues, and to the expectations of employees. As a part of the orientation, new employees shall receive and sign for a copy of the Employee Handbook.
- C. Orientation To The Job. The new employee's immediate supervisor shall orient the employee to the job and to the internal and external working relationships for the job responsibilities. The purposes of this orientation are to provide the employee with the standards for success on the job, to assist the employee in succeeding, review safety

precautions, and to give feedback to the employee on performance against the standards for success.

#### **Rule IV-3 Professional Licenses and Certifications**

- A. Proper orientation of new employees is critical to their success. Managers and supervisors are expected to develop a plan for the success of each employee, and to work with the employee in carrying out the plan. Employees whose jobs require a professional license or certification shall present documentation of their license or certification prior to their employment.
- B. The City shall pay the cost of obtaining and maintaining required employee licenses or certifications in a current status. Copies of required licenses or certifications shall be provided by the employee for inclusion in the personnel files. Employees whose jobs require licenses or certifications shall meet the requirements for maintaining them in current status, and shall notify their supervisors of all changes in the status of their license or certification. This policy is for professional licenses and certifications only. This policy does not apply to driver's licenses.

#### **Rule IV-4 Professional Memberships**

The City shall pay the cost of employee's membership fees in professional organizations which are required for an employee's present job in the employee's job description. The costs paid under this paragraph shall be limited to annual membership fees or regular meeting fees for the professional organization, excluding food and drink. Approval for membership shall be approved by The Director of Administration or The Mayor.

#### **Rule IV-5 Training**

- A. Reimbursement Of Training Expenses. The City may require employees assigned to certain departments to enter into a contractual agreement for the reimbursement of expenses associated with job-related training provided and paid for by the City. Such an agreement shall be initiated as part of the pre-employment process.
- B. Obligation To Continue Employment--Police. All new Police Officer-Recruits may be required to agree to remain continually employed by the City of Hammond in the classified service following completion of their in-service field training for a period of time to be determined by the Chief of Police and the Personnel Director. In the event that an employee breaks such an agreement by leaving the employ of the City prior to the contract period, the employee shall be required to pay on demand, all or a portion (whichever is applicable) of the City's training expenses. Training expenses shall include costs associated with the selection and hiring process, basic and field training, and other non-recoverable equipment expenses.

## CHAPTER 5

### COMPENSATION AND BENEFITS

#### **Rule V-1 Absence Without Leave**

An employee failing to report for duty or remain at work as scheduled without proper notification or authorization shall be considered absent without leave and shall not be paid for the time away from work and may be subject to disciplinary action.

#### **Rule V-2 Administrative Absence with Pay**

With the approval of the Mayor, Department Heads may grant an employee administrative absence with pay for the purpose of attending a professional conference, convention, training activity, legislative proceeding, or civic function or meeting, or for the purpose of coordinating with governmental, public, and private agencies and entities in the interest of the City. Application for all such leaves should be made at least ten (10) days prior to the activity.

#### **Rule V-3 Authorized Leave of Absence**

- A. Except as otherwise mandated by civil service law and local civil service rules, in the event a regular, full-time employee requests to be temporarily released from the duties of his or her job with the City for a qualified reason, but does not wish to formally resign, the employee may be granted a leave without pay for a minimum of twenty (20) working days and a maximum of one hundred-twenty (120) working days. A qualified reason shall be illness of the employee, illness of the employee's immediate family, a call to active military service, or training in a field that is related to the position held and provided at an approved and accredited institution of higher learning.
- B. In the event the employee's position still exists at the end of the leave period referred to herein, the employee shall be reinstated to the position he or she vacated. If the position does not exist, the employee shall be appointed to the first available vacant position for which the employee is qualified at the same pay grade. If no such position exists, the employee shall be placed on layoff status governed by the City's Reduction In Force (RIF) policy.
- C. Procedures. Requests for authorized leave of absence shall only be considered if such request is made in writing, setting forth the reason for the leave, the date on which the leave is to begin, and the date on which active employment with the City shall resume. Applications are to be submitted to the employee's supervisor or Department Head, who shall then forward it to the Director of Administration through the Director of Personnel for approval. Authorized leave of absence shall be granted only when operating conditions at the City permit. The needs of the City shall determine the number of employees allowed out on unpaid leave at any one time, if any.
- D. Seniority. Authorized leave of absence shall be deducted from the length of service for purposes of seniority, unless the authorized leave of absence was requested because of a medical condition of the employee.

- E. Returning From A Leave Of Absence. An employee on authorized leave of absence shall notify the department head at least seven (7) days prior to his or her expected return date, confirming his or her intention to return. If the employee fails to return from a leave of absence on the day indicated in the original application or in any approved extension, such employee shall be considered to have voluntarily resigned from employment with the City as of the day on which they first began the leave of absence. If the employee requested authorized leave of absence due to a health condition of the employee, the employee shall submit a statement from his or her doctor affirming the employee is fit to return to the employee's normal duties.
- F. Accepting Other Employment Or Going Into Business While On Leave Of Absence. If an employee on authorized leave of absence accepts employment or otherwise enters into any new business venture while on authorized leave of absence, the employee shall be considered to have voluntarily resigned from employment with the City as of the day on which the employee first began the leave of absence.

**Rule V-3.1. Insurance Premium Payment During Leaves Of Absence.**

- A. The City shall continue to pay its share of insurance premiums for employee coverage for a maximum of 12 weeks while an employee is on authorized leave of absence due to a medical condition of the employee, including a condition which may qualify under the Family Medical Leave Act, or if the employee is called to active military duty .
- B. The City shall not continue to pay its share of insurance premiums for employee coverage while an employee is on authorized leave of absence for any reason other than <sup>(1)</sup>the medical condition of the employee, or <sup>(2)</sup>the call to active duty in the military. In the event the city does not pay its share of insurance premiums for the employee, the employee shall be responsible for paying the total premium for his or her coverage and that of dependents while the employee is on authorized leave of absence. Failure by the employee to pay any premium due may result in loss of coverage and possible refusal by the insurance carrier to allow the coverage to be reinstated.

**Rule V-4 Awards**

- A. Awards given in the name of The City are given to employees to recognize length of service, to recognize outstanding performance, and for other specific reasons as defined by the Mayor from time to time. This awards policy does not constitute an Incentive Compensation policy.
- B. Approval. All awards given in the name of the city shall be approved in advance by the Mayor, his designee, or the Department Head.
- C. Types Of Awards. Awards may in the form of pins or plaques, oral or written commendations, or other items selected by the Mayor or his designee. Copies of commendations shall be kept permanently in the personnel records of the employee.
- D. Service Awards. Each year, the City of Hammond honors its long-term employees by presenting service awards at an annual city function. Service awards shall be given to an

employee having completed ten, fifteen, twenty, and twenty-five years of service. The awards are:

Bronze	Ten Years of Service
Silver	Fifteen Years of Service
Gold	Twenty Years of Service
Gold with Ruby	Twenty-five Years of Service
Diamond	Thirty Years of Service
Platinum	Thirty-five Years of Service

- E. Procedures. Department Heads and Supervisors shall review the details of awards with the Mayor through the Director of Administration in advance of any announcement of the award. Supervisors who wish to sponsor friendly competition among employees shall review the details of the competition with their immediate supervisors and obtain approval before announcing the competition from the Mayor.

#### **Rule V-5 Bad Weather and Administrative Leave**

- A. In the event an employee perceives weather conditions present a danger were the employee to attempt to arrive at work, the employee shall communicate with the employee's supervisor or department head. If the supervisor or department head concurs, the employee may be allowed to either arrive at work later than usual if conditions improve, or may be relieved from work responsibilities for the day. If an employee is allowed to take a partial or an entire date off, and said time is not otherwise completed in the same pay cycle, the employee shall be charged with vacation or compensatory time. An employee who fails to report to work or to contact his supervisor by the beginning of his regularly scheduled work period may constitute an unexcused absence for both disciplinary and pay purposes. Tardiness or partial-day absence in times of severe weather conditions may be excused for disciplinary purposes if the supervisor can reasonably verify commuting difficulty consistent with the period of tardiness or absence.
- B. Pay For Reporting To Closed Office. In the event inclement weather is apparent or imminent, employees are required to monitor local media and to be available by telephone for notification of city office or facility closures. In the event no notification is made in advance and a non-exempt employee reports for work, such an employee shall receive a minimum of two (2) hours of straight time pay. Non-exempt employees who so report to work may be asked to perform other available work for the day, or for a shorter period, in which case the employee is obligated to do so.
- C. Closure Of Administrative Offices. When weather conditions are such that the Mayor declares the administrative offices officially closed, full-time employees, other than those in essential positions, shall be excused for the day with pay.
- D. Natural Disaster/Essential Employees. When there is an impending hurricane or any other natural disaster, the Mayor and department heads shall decide which employees are essential for the operation of city services. Employees designated as "essential" shall be required to remain on the job site during the period of emergency and shall otherwise abide by the orders of their department head.

- E. Natural Disaster Other Employees. In times of emergencies, non-essential employees may be required to perform duties other than those for which originally hired. Failure to follow orders during emergency/disaster work is may result in disciplinary action up to and including termination.

#### **Rule V-6 Benefits**

- A. Benefits of employment shall only be offered through the office of the Director of Personnel. No Department Head or Supervisor shall promise any employee any benefit. The cash pay of employees of the City of Hammond does not necessarily constitute the employee's total benefit package since employees may receive a number of benefits of substantial value including, but not limited to: hospitalization and medical insurance; life insurance; workers' compensation; retirement program; and social security system.
- B. Changes In Benefits. Benefits programs are subject to change at the City's sole discretion at any time. When possible, and where necessary, the City shall give advance notice of changes in benefits programs.
- C. Eligibility For Benefits. Benefits packages may vary in number of benefits and value of benefits among the rank of employees. All full-time, regular, non-classified employees of equal rank shall be eligible for the same benefits. Part-time employees may receive only those benefits which are required by law, provided that the minimum requirements set forth by law and in the benefit plan(s) are met. Temporary employees are not eligible to receive any employee benefits or paid leave.
- D. Payment Of Insurance Premium. The payment of any insurance premiums for individual coverage of eligible employees is at the City's sole discretion, and may be adjusted or eliminated as the costs of insurance changes or as budgetary reasons dictate. Payment for dependent coverage shall be borne by the employee if dependent coverage is elected by the employee. Payment of insurance premiums shall be by payroll deduction.
- E. Payment Of Insurance Premium During Family And Medical Leave. Federal Regulations require the City to maintain medical insurance coverage for employees during periods of family and medical leave. See FAMILY AND MEDICAL LEAVE for payment options.
- F. Payment Of Insurance Premium During Other Unpaid Leave Of Absence. Employees who are on an unpaid leave of absence may continue insurance coverage by paying the entire cost of the coverage. They shall pay their portion by check or cash prior to the date established by the Director of Administration.
- G. Waiting Period For Eligibility. Employees shall be employed by the City of Hammond for thirty (30) days to be eligible for the City's insurance coverage. After completion of the thirty (30) day waiting period, the employee shall become eligible for coverage on the 1<sup>st</sup> day of the month following such completion (e.g. start work on April 3, coverage becomes effective June 1).

- H. Benefits/Rules Summary. The Personnel Department shall supply each employee with a Benefits/Rules Summary as a part of employee orientation, receipt of which shall be acknowledged in writing by the employee. This document shall summarize some of the benefits and expectations of employment. A signed copy shall be maintained in the employee's folder in the Personnel Department. Each employee shall retain a copy for their records.
- I. Terminating Employees. Employees who terminate their employment with the City of Hammond may elect to continue insurance coverage at their own expense within the provisions of the insurance plan and subject to applicable law.
- J. Retirement. The City of Hammond participates in mandatory retirement programs for regular full-time employees. The provisions and restrictions of these retirement programs shall be governed by the respective retirement systems. The amount of the employee deduction and the City's contribution may vary depending on current retirement system policies, and budgetary constraints. Full-time employees shall become eligible for the retirement program immediately upon being hired by the City, except where otherwise stated in this Manual.
- K. Seniority Accrual. During the Probationary Period, no seniority rights shall vest in an employee. However, after completion of the Introductory Period, seniority shall be credited retroactively to the date of hire. For non-classified employees, seniority shall reflect length of employment beginning on the date on which an employee began work (Anniversary Date).
- L. Personnel Office Authority. The Personnel Department is the primary authority regarding the existence of or procedure for obtaining benefits.

**Rule V-7 Paid Bereavement Time Off**

Except as modified by civil service law and local civil service rules, the following governs paid bereavement time off for city employees:

- A. The City shall grant twenty-four (24) working hours of paid time off per instance to permanent employees to attend the funeral and take care of related matters upon the death of an immediate family member. For purposes of this policy, immediate family shall mean one of the following persons: spouse, parent, child, grandchild, brother or sister.
- B. The City shall grant eight (8) working hours of paid time off per instance to permanent employees to attend the funeral (in-state or out-of-state) of the employee's relative living in the employee's household, grandparent, parent-in-law, son-in-law, daughter-in-law, step-parents, step-children, and step-brother/sister.

**Rule V-7.1 Unpaid Bereavement Leave**

- A. [reserved]
- B. With a supervisor's prior approval, employees may take up to eight (8) hours without pay to attend funerals (in-state or out-of-state) of persons not mentioned in Rule V-7. With a



supervisor's prior approval, earned vacation leave may be used instead at the election of the employee.

- C. Other unpaid bereavement leave may be granted in other circumstances at the sole discretion of Department Heads in order to accommodate personal circumstances not anticipated by this policy.
- D. Employees shall notify their immediate supervisors as soon as is practically possible after becoming aware of the need for unpaid bereavement time off. Department Heads may approve bereavement time off, unless other approval is required by this policy. Supervisors shall mark the time-worked record of the employee with the words "bereavement leave" for the days of leave, and shall be responsible for correctly indicating if the leave is paid or unpaid. Employees may be required to provide a copy of an obituary or other appropriate documentation of the death and funeral before bereavement benefits are approved.

#### **Rule V-8 Breaks and Rest Periods**

- A. Workload permitting, supervisors may allow employees to take a paid rest period or break of ten(10) minutes during the first half of the work day, and an additional ten(10) minute break during the second half of the work day, in addition to their regularly scheduled meal periods. Pay is not reduced for the time spent in rest periods. Rest periods and breaks are a privilege and not a right. Abuse of this privilege may result in disciplinary action.
- B. Combining Or Saving Breaks. Employees may not combine breaks with lunch periods, combine two breaks, or skip breaks in order to leave work early.
- C. Procedures. Department Heads and Supervisors shall strictly enforce this Rule.

#### **Rule V-9 Compensation**

- A. No employee, worker, contractor, or laborer may be paid from petty cash or any other fund for work performed other than from the City treasury by check.
- B. The City of Hammond's Pay Plan is contained in ordinance No. 00-2628 for civil service employees, and in ordinance No. 00-2692 for unclassified employees.
- C. Grant Pay. The city may from time to time receive grants for extra work for employees. Calculation of rates of pay shall be based on normal calculated rates, and overtime may be paid if the employee works greater forty hours per week.
- D. Witness Pay. If an employee is required to attend criminal court proceedings outside their normal work hours, he or she shall be granted a minimum of two (2) hours of pay at the overtime rate.
- E. Supplemental Pay. Eligible Police and Fire department personnel may receive additional pay provided by the State of Louisiana exclusive of and in addition to compensation provided by the City of Hammond.

### **Rule V-10 Ending Shifts Early**

When conditions in the sole judgment of the City require it, the City may end shifts early and send employees home. When hourly employees are sent home early under this policy, they shall be paid for the time actually worked or a minimum of four(4) hours, whichever is the greater.

### **Rule V-11 Family and Medical Leave**

- A. The Family and Medical Leave Act requires employers to provide up to twelve(12) weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons for each twelve(12) months of employment. The Personnel Department shall be responsible for advising employees of their ability to qualify for Family and Medical Leave. To this end, the Personnel Department shall cause to be continually posted the notice Your Rights Under the Family and Medical Leave Act of 1993 or any successor document outlining the rights and obligations of employees and employers under the Act.
- B. Reservation Of Rights The City of Hammond reserves the right to evaluate and determine whether requests for leave pursuant to the Family and Medical Leave Act qualify. Employees shall provide thirty (30) days advance notice of foreseeable need for such leave. The City shall refer to the regulation, the notice, and other publications from the Department of Labor to comply with the Act, and shall provide employees with a copy of each document, if desired. The procedures below outline our process for compliance with the Act.
- C. Job Protection And Benefits. Upon return to work from Family and Medical Leave, employees shall be returned to the same or an equivalent job and shall not lose any employment benefit that accrued prior to the start of the leave. Employees' health insurance benefits and other applicable insurance benefits, if any, shall be maintained as though the employees continually worked. The employee may use the benefits of accumulated compensatory time, vacation leave or sick leave. However, sick leave is payable only upon the employee's return to work as a full-time employee. Failure to return to full-time employment will subject the employee to repayment of any sick leave used.
- D. Personnel Department Obligations. The Personnel Department shall maintain posted notice of family and medical leave with other legal notices, review family and medical leave as a part of new employee orientation, request documentation of need for leave from the health care provider, and shall determine if the leave is covered by the Family and Medical Leave Act. If covered, the Personnel Department shall be obligated to perform the following:
- i) Provide employee with a copy of the notice Your Rights Under the Family and Medical Leave Act of 1993 and a copy, if desired, of other Department of Labor documents used to determine entitlement.
  - ii) Review the policy and applicable requirements from the regulation, including:
    1. Advance notice,
    2. Alternative schedules,
    3. Other health care provider documentation at our expense, and

4. Documentation from health care provider of employee fitness to return to work.
  - iii) Determine employee eligibility for Family and Medical Leave, based on the 12 months of employment preceding the request for leave, and determines if employee is a Key Employee as defined by the act.
  - iv) Determine if alternative schedules for leave may be discussed with employee, and determines if Key Employee shall be reinstated.
  - v) Determine with employee the appropriate amounts of leave, based on the medical documentation. Increments of leave shall be one of: A. One block of time of more than three days B. Intermittent blocks of time of more than three days; or C. Adjustments to work schedule in increments of days, half days, and quarter hours.
  - vi) Determine the expected date of return from leave and specifies the periodic reports on status required of the employee.
  - vii) Outlines employee's payment options for continuing health insurance and other insurance benefits during leave, including employee's obligation to reimburse the City if the employee does not return to work.
  - viii) Summarize employee's options in a memorandum, and provides copy for employee.
  - ix) Review memoranda, selects from options, and signs the memorandum, keeping a copy.
  - x) Cooperate in obtaining additional medical documentation.
  - xi) Provide the required status reports.
  - xii) Review status reports as needed with employee to determine if leave may be shortened or extended.
  - xiii) Document the amounts of leave for purposes of complying with the Act and for determining eligibility for future leave.
- E. Payroll Office Obligation: In the event an employee qualifies under the Family and Medical Leave Act, the payroll office shall pay the employee portion of medical and other insurance as scheduled, or notify Personnel if payment shall not be made.
- F. Employee Obligation. In the event an employee qualifies under the Family and Medical Leave Act, the employee shall be responsible for confirming the date of return in advance as follows:
- i) One day in advance if leave is less than five days;
  - ii) Three days in advance if leave is from six to ten days; and

- iii) Five days in advance if leave is more than ten days.

Furthermore, the employee shall provide documentation from health care provider of employee's ability to perform the essential functions of the job.

G. Moonlighting. Any employee who works additional hours at another employment must submit such work for approval to the Director of Personnel, the Director of Administration, or to the Mayor. No civil service employee shall work any duty in a location where alcohol beverages are the primary sales.

#### **Rule V-12 Group Insurance**

- A. During orientation the Personnel Department shall advise every new employee of the various coverages available. Upon termination of employment with the City or loss of eligibility to remain covered under the various coverages provided, the Personnel Department shall advise the employee that the employee and any eligible dependents may have the right to continued coverage under COBRA regulations for a limited period of time at the employee's expense. Any rights under COBRA do not affect the conversion privilege as stated in the insurance policy.
- B. Life Insurance Beneficiary Designation. Regular full-time employees of the City may be offered coverage under the City's Group Life Insurance policy. The employee shall be responsible for designating the beneficiary by submitting the appropriate documents to the Personnel Department.
- C. Termination Of Insurance. The City reserves the right to limit or terminate any insurance coverage at any time.

#### **Rule V-13 Holidays**

Except as modified by civil service law and local civil service rules, the following governs holidays for city employees:

- A. All national holidays are scheduled to be observed on the day designated by common business practice. All regular full-time employees are entitled to receive eight (8) hours of holiday leave or compensatory time-off for holidays which occur during the work week. The Mayor may declare other special paid holidays by resolution as he/she deems necessary.
- B. When a single-day holiday falls on an employee's regularly scheduled day off, such employee shall receive eight (8) hours of paid holiday time. If he/she is absent from work the day before or the day after the holiday without pre-approved leave, the employee shall not receive the benefit of the holiday.
- C. If a special holiday is declared by the Mayor while an employee is on scheduled paid vacation, sick leave and/or paid Family and Medical Leave, the employee shall receive eight (8) hours of compensatory time-off with pay.

- D. Employees working on necessary continuous seven-day operations whose regularly scheduled day off falls on a holiday shall be granted eight (8) hours of compensatory time-off with pay in recognition of the holiday.
- E. With respect to all shift personnel, the actual date of the holiday shall be used for compensation purposes.
- F. Nothing herein shall exempt employees from their work responsibilities whose positions with the City of Hammond require the employee to work holidays and weekends.
- G. Employees who are scheduled to work on a holiday and fail to work as scheduled shall not be eligible for holiday pay and shall be subject to disciplinary action. Non-exempt and hourly paid employees who are required to work on holidays shall be paid at twice the normal hourly rate.
- H. Subject to operating requirements, the City's paid holidays are:

New Years Day	January 1
Martin Luther King Day	Third Monday in January
Mardi Gras	Day Before Ash Wednesday
Good Friday	Friday Before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	2nd Monday in October
Presidential Election	Tuesday following the 1 <sup>st</sup> Monday in November (Every 4 yrs.)
Veterans Day	November 11
Thanksgiving	4th Thursday in November
Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

- I. If a designated holiday falls on Saturday, it shall be observed on the preceding Friday. If a designated holiday falls on Sunday, it shall be observed on the following Monday, unless specifically changed by the Mayor. Notice of such change shall be provided to all employees by the Director of Personnel. If Christmas falls on Saturday, both the preceding Thursday and Friday shall be holidays; if Christmas falls on a Sunday, both the preceding Friday and the following Monday shall be holidays. If Christmas falls on a Monday, the

preceding Friday shall be a holiday. With respect to all shift personnel, the actual date of the holiday shall be used for holiday compensation purposes.

- J. The City of Hammond shall make reasonable accommodations for other religious practices or beliefs not included in the preceding list of holidays. Employees approved for this accommodation may take compensatory time off, vacation time, or time off without pay. Employees requesting accommodation for time off for religious practices not recognized as an official holiday may make arrangements with their Department Head. Requests shall be made at least ten (10) working days in advance. The decision to allow scheduling for this accommodation of leave time shall be at the discretion of the Department Head.

#### **Rule V-14 Jury Duty**

- A. Employees who are involuntarily summoned to serve on jury duty shall be excused from work for the time required under the summons, upon their delivery of a copy of the involuntary summons.
- B. Hours Of Service. To be eligible for pay under this policy, the summons shall require employees to serve on jury duty during their regularly scheduled working hours.
- C. Documentation. Employees shall provide documentation of the time spent as a juror, and documentation of the amounts of pay received. This documentation is issued by the Court. Supervisors shall be notified within forty-eight (48) hours of the employee's receipt of the jury summons.
- D. Early Release. Employees who are released early from jury duty whether a full day or half-day shall report to work if released with greater than three (3) hours remaining in the work day.

#### **Rule V-15 Light Duty**

- A. Under certain circumstances, an employee who has been ~~sick or~~ injured during the course of employment may request in writing a return to light duty addressed to their Department Head. A Request for Light Duty form may be obtained from the Personnel Department. A statement from the employee's physician shall accompany the employee's request explaining the specific restrictions from full duty. (e.g. no lifting over 20 pounds). This is often known as a release to "light duty".
- B. **Neither the administration or specific departments have an obligation to create or provide light duty positions for employees who request them**, and the approval for one employee to perform light duty shall in no way entitle any other employee to perform light duty. If the Department Head determines that a meaningful and useful duty assignment for which the employee is qualified is available, the Department Head shall notify Personnel in writing of his or her intention to assign the employee to light duty for a period not to exceed four weeks. Light duty assignments extending beyond four weeks shall be approved in advance by the Director of Administration or the Mayor.

- C. If the opinion of the Department Head is that no light duty assignment is available by taking into account the workload, budget, employee qualifications, and other relevant factors, then the employee may be placed, as appropriate, on sick, injury, or vacation leave. If accrued leaves have been exhausted, the employee may be considered for Family and Medical Leave (detailed in Rule V-24).

### **Rule V-16 Meal Periods.**

Meal periods are up to sixty (60) minutes of uninterrupted and unpaid time away from their workstations, unless arranged otherwise by Department Heads or Supervisors. In those instances where minors between the ages of 14 and 17 are hired for approved seasonal employment, a meal break of no less than 30 minutes shall be provided after a minimum of five (5) hours work. Meal periods of all employees are governed by FLSA rules.

### **Rule V-17 Other Benefits**

Other benefits not listed above may be provided by the City from time to time. However, for any benefit provided, the City specifically reserves the right to at any time alter, replace, or eliminate the benefit(s) provided.

### **Rule V-18 Overtime**

Except as otherwise indicated herein, the City of Hammond complies with the Fair Labor Standard Act as it pertains to overtime.

#### **Rule V-18.1. Compensatory time.**

- A. Compensatory Time. “Compensatory time” (K-Time) shall have that meaning as depicted in 29 USCA 207.
- B. Awarding Of Compensatory Time. Overtime hours earned by an employee during a Holiday may be awarded as overtime pay or as accrued compensatory time at the election of the City. Overtime hours earned all other times shall be paid as overtime pay unless agreed to otherwise by the employee and the department head.
- C. Accrual Rates For Compensatory Time. Accrual and payment of compensatory time shall be in accordance with, but shall not exceed, mandates contained in the Fair Labor Standards Act.
- D. Use Of Compensatory Time. Final approval of use of all K-time shall be given by the supervisor. Payment for accrued compensatory time upon termination of employment shall be calculated at the average regular rate of pay for the final 3 years of employment, or the final regular rate received by the employee, whichever is greater.

#### **Rule V-18.2. Other Pay Policies**

- A. Leave Time. Leave time taken during the work week period does not count as actual time worked in the calculation of overtime.

- B. On-Call Pay And Call Back Pay. Payment of “on call” pay and/or “call back” pay shall be in accordance with, but shall not exceed, mandates contained in the Fair Labor Standards Act.
- C. Use of Leave on City Holidays. City employees exercising any paid leave, which leave extends both before and after a City Holiday, shall be paid for the City Holiday without expending paid leave for that Holiday.

**Rule V-19. Payroll Practices**

- A.
  - i) Payroll checks for hourly employees and salaried employees are distributed at the time set by The Mayor, currently every two weeks. Payroll checks shall be distributed to Department Heads, to employees, or to whom he/she has designated in writing including direct deposit. The Accounting Office is responsible for distributing paychecks. Payroll checks not delivered to employees by the end of the employees' next regularly scheduled work shift are to be returned to the Accounting Office. All undelivered paychecks shall be placed under lock. Employees who are not scheduled to work on paydays may pick up their paychecks from their supervisors.
  - ii) All time sheets containing any leave whatsoever shall include documentation with the time sheet at the time of submission to payroll. No Department Head shall submit any timesheet containing leave hours unless documentation is included. Leave hours shall not be paid unless documentation accompanies the time sheet in which the leave hours are notated.
- B. Time Paid. Paychecks are distributed as follows:
  - i) With certain exceptions, all employees are paid every other Thursday for services performed for the two (2) week period ending the previous Sunday at 12:00 midnight. With certain exceptions, the payroll work week begins on Monday at 12:01 a.m. and ends on Sunday at 12:00 midnight. In the event the Thursday pay day is a holiday, employees shall be notified in writing in advance of the change in pay day. There are 26 pay periods during the year.
  - ii) Changes shall be made and announced in advance whenever the City’s holidays or closing interfere with the normal payday.
  - iii) Paycheck Distribution Procedures. Paychecks are distributed by the supervisor, or mailed to your home address if on leave. Changes in distribution time(s) or date(s) may be made by The Mayor with a minimum of two (2) weeks notice to employees.
- C. Obtaining Pay Checks Early. Payroll checks are dated with the date on which they are distributed. They cannot properly be cashed or deposited on an earlier date.
- D. Corrections. In the event an error has been made in any payroll check, the following shall govern:



- i) The employee is responsible for contacting the supervisor who approved the time sheet to verify the time sheet was not changed prior to its submission to Payroll.
- ii) If the supervisor who approved the time sheet is not available, and the potential error involves an underpayment or overpayment, it is the responsibility of the employee to contact the Payroll office and report the error immediately. The Payroll Technician shall respond after researching the records.
- iii) If it is found that the payroll check was issued in accordance with the time sheet submitted, and which was signed by the employee, the employee shall be so informed.
- iv) If there is still a question on the part of the employee, it shall be necessary for the employee to discuss the problem with his or her supervisor, or the person designated by the Department Head. If it is subsequently determined that there was a calculation error or omission made prior to the time sheet being forwarded to Payroll, the following shall apply:
  - v) Errors resulting in a \$50.00 or less underpayment shall be handled on the next scheduled payroll check.
  - vi) For verified errors of \$50.01 or more, the employee may return payroll check in which error has occurred, or the employee may elect to cash pay check and the adjustment shall be reflected in the next pay.

The Accounting Department shall make every effort to issue an additional check the same day the request is received, if turned in before 12 noon. All other requests shall be processed the next regular accounting work day.

- E. Payroll Deductions. The only deductions that may be made from employees' pay checks are those authorized by state and federal law, other provisions of these policies, or other deductions that the employee has personally authorized in writing to the Accounting Office at the City's discretion. The City is not obligated to recognize any assignments of wages or funds by its employees or their agents, unless directed to do so through the legal system. Employees shall be responsible for reporting any change in name, address, telephone number, marital status or number of exemptions shall be reported to his or her supervisor or to the Payroll Clerk immediately, to ensure proper credit for tax purposes.
- F. Docking From Wages. Wages of non-exempt employees who are tardy or absent from work shall be docked for the time not worked. Each department head is responsible for maintaining accurate attendance records, including lateness and absenteeism. Docking of pay shall not prevent the City from imposing additional disciplinary action.
- G. Wage Assignments. Whenever the city is ordered by a court to make deductions from an employee's paycheck, the payroll department shall make its best efforts to notify the affected employee in advance. According to the Federal Wage Garnishment Act, three (3) or more garnishments may be cause for dismissal.

- H. Payment Of Final Check. Upon separation from the City, with the exception of retirement, all employees shall receive a final check, which shall include payment for all outstanding hours worked, any unused K-time hours, and any unused vacation hours. Terminating employees shall be paid for their accumulated vacation leave up to the maximum allowed. City employees may accrue unused vacation leave up to a maximum of 360 hours for civil service employees and 280 hours for non-classified employees. An employee does not have the right to take vacation leave until he or she has satisfactorily completed the introductory period. Terminating employees who have voluntarily resigned receive their final pay on the next scheduled payday for the pay period in which termination occurs. Employees subject to a reduction in force shall also receive payment for any vested sick leave benefits.
- I. Withholding Final Check For City Property. The terminating employee shall be required to return all items and equipment belonging to the City of Hammond before his or her final paycheck is released. A written notice of verification of returned City-owned property shall be submitted by the Department Head or Supervisor to the Director of Personnel. Final checks shall only be issued by the Payroll office upon receipt of written notification from the Director of Personnel that all City-owned property distributed to the separating employee had been returned or accounted for. The final check shall be forwarded to the Director of Personnel for distribution.
- J. Portability Of Benefits With Transfer To Civil Service Position. Employees who move from a general government, non-civil service position to a civil service position shall be considered to have terminated their general government position. All accrued vacation, sick, holiday, and compensatory leave time from this position shall be transferred to the new position. Employees who move from a non-civil service overtime eligible position to a non-civil service overtime exempt position shall be allowed to take or shall be paid, at the Department Head's discretion, for all accrued compensatory leave and holiday leave. Sick leave and vacation leave balances shall be transferred to the new position.

**Rule V-19.1. Anniversary Date Calculation.**

Anniversary dates are defined as the month and day when an employee was hired. Anniversary dates fall on the date of hire beginning one year after the date of hire.

**Rule V-20. Retirement**

- A. All full time employees, and temporary employees of the City of Hammond who work more than 3 months, are members of the following statewide retirement systems: Municipal Employees Retirement System of Louisiana, Municipal Police Employees Retirement System of Louisiana, or Firefighters Retirement System of Louisiana. These systems are multiple-employer (cost-sharing) public employee retirement systems (PERS), controlled and administered by separate boards of trustees. Participation in the Retirement Plan is mandatory and begins on the first workday.

- B. A percentage of the employee's base salary is credited to his/her account, with the City making an additional contribution. In the event of termination, resignation, or death, a refund of the employee's contribution shall be issued to the employee or his/her beneficiary, based on the rules and regulations governing the respective Plan. Refund of the employee's contribution is not automatic, but shall be applied for on the appropriate forms available in the Payroll office.
- C. The Personnel Office shall make more specific information on each system that is part of the Plan available in the Personnel office.

**Rule V-21 Sabbath and Other Days of Religious Observance**

- A. Employees may be required to work as needed on Sunday and other days of religious observance at the discretion of the City.
- B. Accommodation Of Religious Beliefs. Subject to the needs of operations, The City of Hammond shall attempt to make reasonable accommodation of its employees' religious beliefs.
- C. Procedures. Employees who wish to have accommodations made for their observance of the Sabbath or other days of religious observance shall make their request in writing to their Department Head.

**Rule V-22 Sick Leave**

- A. Paid sick leave is provided to full-time non-classified employees and non-enforcement civil service employees, hereinafter "qualifying employees," for tending to illness without loss of pay when the qualifying employee was scheduled to work at the time of the illness. Qualifying employees shall receive their regular straight time pay up to the maximum accrued at the time of illness. Paid sick leave time accrued by qualifying employees may be used for the following:
  - i) bona-fide illness of self, including but not limited to visiting doctors, dentists or other practitioners in their offices;
  - ii) Tending to a non-elective serious health condition suffered by the employee's spouse, child, parent, or sibling. If another person can attend to the needs of an ill family member, the employee is expected to fulfill his or her duties as an employee of the City.
  - iii) family medical leave
- B. Accrual Rate. Qualifying employees accrue sick leave at a rate of 3.6923 hours per two-week pay period. i.e. 96 hours or 12 days per year. Although employees may not use paid sick leave during the employee's introductory period, the employee shall continue to accrue sick leave during that period which may be used at the successful conclusion of the introductory period. Part-time and temporary employees do not accrue paid sick leave. Furthermore, sick leave shall not accrue during any bi-weekly pay period during which an employee is on leave without pay, suspended, or otherwise absent without leave for more than one (1) working day during said bi-weekly pay period.
- C. Accrual Rules For Classified Employees. While state law may allow for greater number of days of sick leave for classified employees, each classified employee will accumulate sick

leave according to the above formula. Classified employees utilizing the sick leave benefit will be charged first against any accrued days and then against other allowable days under state law. In no case will the sick leave benefit be greater than the number of days allowable under state law.

- D. Using Paid Sick Leave, Documentation To Return to Work. Employees seeking to use paid sick leave to be absent from work on one and one day only shall contact his/her supervisor no later than 60 minutes from the time of his/her scheduled time to report for work. If advance notice is possible prior to the calendar day the employee desires to use paid sick leave, the employee shall complete the appropriate Leave Request Form as soon as reasonably practical. Employees who seek paid sick leave on more than one work day may be required by his or her department head to provide a physician's statement of treatment and certification of the employee's illness and the employee's ability to return to work. At its option, the City may require employees returning from any length of sick leave to be examined by its physician.
- E. Guidelines For Employees Returning To The Workplace Following Period Of Illness. An employee who has been absent from his/her job function due to illness and/or injury, may, at the discretion of the employee's Department Head, the Personnel Director, or the Director of Administration be examined by a physician selected by the City to determine if the illness, injury or any other condition which prevented the employee from being at work has been eliminated.
- i) STEP 1. The employee shall submit a written physician's statement to the Director of Personnel approving the return to work, and certifying that the return to work shall not jeopardize the health or safety of the employee or others.
  - ii) STEP 2. Following a review of the physician's statement and the circumstances surrounding the employee's absence involving less than sixty (60) days, the employee may be allowed to return to his/her duties without any further determination.
  - iii) STEP 3. In the event of absence in excess of sixty (60) days, it shall be mandatory that the employee be examined by a physician selected by the City. The employee shall be required to furnish the City-selected physician with authorization to receive a complete copy of his/her medical history and records, including test results for the period inclusive of the absence.
  - iv) STEP 4. In preparation for an examination, the employee shall be required to furnish the City-selected physician with a copy of his/her medical history and records, including test results for the period inclusive of the absence.
  - v) STEP 5. Based on the results of the examination conducted by the City-selected physician, the Mayor shall make the determination of whether the employee is cleared to return to his/her original job function, or whether some other personnel action is dictated by the circumstances and facts.

F. Documentation.

- i) If an employee uses more than one consecutive work day of paid sick leave, the employee shall as soon as reasonably practical, but no less than five (5) calendar days after beginning the use of paid sick leave, file with his/her supervisor a written statement by a registered physician certifying that the employee is or was ill and unable to work during the period of sick leave of absence. However, any employee using any sick leave on any work day immediately prior to a City holiday shall provide the above statement upon returning to work following the City holiday.
- ii) The City reserves the right to require any employee using paid sick leave for a personal illness or medical condition to undergo an examination by a physician, at City expense, or to otherwise require verification of the medical condition or illness of the employee's family member as the case may be.
- iii) If the City determines that no actual illness or medical condition occurred, the employee shall not be allowed to use paid sick leave for the absence and instead shall be charged for unauthorized leave of absence without pay for the period in question. The City, in such circumstances may also recover the compensation paid to the employee for the period in question and take such other disciplinary action including termination.

H. Restrictions.

- i) No employee while using paid sick leave, shall operate a City owned vehicle assigned to him/her.
- ii) No employee while using paid sick leave, shall engage in any "off-duty" employment including serving as a volunteer with the Hammond Fire Department, or as a reservist with the Hammond Police Department.
- iii) No employee shall be allowed to use paid sick leave if the illness or medical condition results from an elective medical procedure; a self-inflicted injury, illness or medical condition of any kind, illegal use of drugs or alcohol, or injury, illness or medical condition incurred while preparing to, committing, fleeing, or disposing of evidence of a misdemeanor or felony.
- iv) No employee shall be allowed to use paid sick leave for an illness, injury or medical condition otherwise compensable by workers' compensation. In such event, applicable state statutes shall govern compensation of the employee.

I. Accumulation, Retirement and Termination. If an employee does not use sick leave accrued up through December 31 of any given year, such unused balances shall be carried over and added to that which he/she accrues in the following year. An employee may accrue a maximum of one hundred eighty (180) working days or 1440 hours. At the time of retirement from the City, employees shall be paid for any unused sick leave at the straight time rate of pay earned at the time of separation. Terminating employees, other than in the case of a reduction in force (RIF) or at the time of retirement, are not paid for

accrued and unused sick days, regardless of whether their termination was voluntary or involuntary. However, the City shall honor policies not specified in this section and which are mandated by statute or federal laws governing all municipal employees.

- J. Exhaustion. When an employee has used all accumulated paid sick leave, but has vacation leave accumulations available for use, upon request by the employee, he/she may be permitted to use vacation leave for sick leave purposes, subject to the provisions, conditions and limitations set forth in these policies.
- K. Donation. No donations of accumulated paid sick leave time among employees eligible to accrue paid sick leave may be provided for

**Rule V-22.1 Extended Sick Leave Policy For Non-Classified Employees**

- A. In addition to the paid sick leave granted in Rule V-22, the City on a case by case basis may provide a one-time extended sick leave compensation of a maximum of forty (40) working days in any ~~two (2)~~ five (5) calendar year period to individual full-time employees who have completed their Introductory Period and whose non-elective medical and health conditions involve hospitalization, a catastrophic-type illness, and/or physician-directed rehabilitation following hospitalization and/or catastrophic-type illness. For the purpose of this policy, a catastrophic-type illness is defined as an illness that requires extensive medical treatment, which alters lifestyle and that which prevents the employee from performing any type of work for the City. Any illness or physical condition that makes an employee eligible for benefits under the Family and Medical Leave Act, shall qualify such employee for use of this benefit.
- B. Approval for use of such extended sick leave benefit shall be at the discretion of the Mayor, following a recommendation submitted to the Director of Personnel by the employee's Department Head or designee, using the appropriate Extended Leave Request form. The Director of Personnel shall review the recommendation to determine that all established procedures have been followed.
- C. Prior to submitting such a recommendation, it shall be the responsibility of the appropriate department head to investigate the circumstances surrounding the request to use this benefit, providing evidence to justify its approval. Such evidence shall include but not be limited to a written statement from a certified physician certifying the need for the extended sick leave.
- D. All regularly accrued sick leave and vacation leave shall first be exhausted before Extended Sick Leave may be granted to an otherwise eligible employee.
- E. This benefit may not be granted to cover hospitalization or injury that otherwise would be covered by workers' compensation, or to cover a self-inflicted injury, illness or medical condition.
- F. Before being allowed to return to work, any non-classified employee that has received extended leave shall submit a written physician's statement to the Director of Personnel

approving the employee's return to work, and certifying that the return to work shall not jeopardize the health or safety of the employee or others.

### **Rule V-22.3 Extended Sick Leave Policy For Civil Service Employees**

Extended sick leave for civil service employees is governed by Louisiana Revised Statutes 33:2214, et seq Chief of Police in the Hammond Police Manual.

### **Rule V-23 Reserved**

### **Rule V-24 Travel**

- A. Payment of travel expenses is intended to be and shall be solely for travel performed by employees and elected and appointed officials of the City on Official City Business. A *Travel Expense Report* shall be submitted to the Department Head prior to reimbursement to the employee. Travel shall be approved in advance by Department Heads and Administration at least 10 days in advance using a the most recent Travel Request Form. Travel by Department Heads shall be approved by the Mayor or The Director of Administration. All advance travel pay requests shall be approved by the Mayor or the Director of Administration prior to the issuance of checks. In the event that a City official travels with their spouse to a conference or on official City business, the City shall not pay any expense for the spouse.
- B. Use Of Personal Auto. The rate of reimbursement for employees utilizing their personal vehicles shall be at the rate reflected by the most recent published Internal Revenue Service allowance on the basis of the shortest practical route between points.
- C. Use Of Common Carrier. An employee on official city business traveling by mode of common carrier is entitled to a transportation allowance equal to the cost of the transportation. Receipts or other supporting evidence is required for passage on airlines, trains or bus.
- D. Use Of Rental Car. When authorized, the City shall pay auto rental charges. Unless otherwise authorized, the rental car shall be of the most economical variety. Purchased gas and oil used in rental cars shall normally be reimbursed provided receipts are submitted. Rental cars shall be filled with gasoline prior to returning them to the rental car establishment if the establishment shall charge more to refill the car than it would cost the employee to re-fill the car.
- E. Meal Allowance. Meal allowances shall be provided to accommodate for meals and other incidental expenses. The calendar day (midnight to midnight) is the unit for computing the meal allowance. For a fractional part of the day, at the beginning or ending of a continuous travel period, the 6-hour periods shown below are each considered to be considered as one quarter ( $\frac{1}{4}$ ) of a calendar day.

<i>1st Quarter</i>	<i>2nd Quarter</i>	<i>3rd Quarter</i>	<i>4th Quarter</i>
12:01 a.m. to 6:00 a.m.	6:01 a.m. to 12:00 p.m.	12:01 p.m. to 6:00 p.m.	6:00 p.m. to 12:00 a.m.

Compensation of meal allowances shall be on a quarter-day basis; the initial quarter to be that in which travel begins and the final quarter to be that in which travel ends. For authorized trips not involving overnight accommodations or less than 24 hours, the City shall reimburse for meals, including gratuities, according to the following maximum limitations:

Meal Time	Maximum \$
<i>Breakfast</i>	\$10.00
<i>Lunch</i>	\$10.00
<i>Dinner</i>	\$20.00

Dinner period is defined as a meal eaten between the hours of 5 p.m. and 12 midnights. For travel of more than 4 hours but less than 8 hours, one meal may be authorized. For travel in excess of eight hours but not overnight, two meals may be authorized provided the employee is in travel status during the normal mealtime hours. Expenses for lodging shall be supported by receipt and shall be reimbursed to the employee on actual basis for reasonable accommodations.

- F. Exceptions. On occasions, there may be justified exceptions to the above expenses such as an organized business luncheons in excess of the allowable lunch expense or travel where the allowances would not be reasonable. Such exemptions shall be approved by the Director of Administration or his or her designee and receipts furnished prior to the employee's reimbursement. Meal expense exceptions approved in excess of the normal allowable amount shall be reimbursed by adding the difference to the meal for such items. For example: A \$12.00 per person luncheon where the normal allowance is \$10.00; in this case, \$2.00 would be added to the meal allowance.
- G. Travel Time Compensation. The City of Hammond compensates its non-exempt employees in accordance with the rules established by the Fair Labor Standards Act 29 CFR, Part 758. In general, normal home to work travel time is not compensated. All travel in excess of normal home to work travel time conducted all within one day, is compensated. Additionally, travel that keeps an employee away from home overnight shall be paid for only to the extent that travel occurs during the employee's normal work hours. If the travel occurs during non-working days (i.e. Saturday or Sunday for an employee who works Monday to Friday), the time is compensable.
- H. Credit Cards. Employees are personally liable for expenses incurred by the unauthorized use of credit cards. Authorization of their use shall come from the Mayor or Director of Administration.



- I. Other Expenses. Telecommunications charges, ferry charges, bridge tolls, automobile storage and parking charges are travel related reimbursable expenses while on official City business. Receipts are not required for tips, taxis, parking and pay telephone calls. This section in no way represents all contingencies of travel and related expenses. Conservatism in travel and related expenses is expected and appreciated by the City of Hammond.

**Rule V-25 [RESERVED]**

**Rule V-26 Unpaid Pregnancy Disability Leave**

Pregnancy leave may be granted pregnancy disability leave up to twenty-six (26) weeks, which includes all days taken under the Family and Medical Leave Act. The actual length of the leave is determined by the employee's physician's certification of disability and of the ability to return to work. Employees who are granted unpaid pregnancy disability leave shall be returned to the same or similar jobs at the same rate of pay at the time the leave was granted, unless business necessity requires other actions. Employees that do not return to work upon expiration of the leave are terminated.

**Rule V-27 Vacation**

- A. Accrual. Regular full-time employees are eligible to accrue and use paid vacation time. Employees appointed to temporary positions are not eligible to accrue or use vacation time with pay. Regular full-time employees earn paid vacation on the basis of length of continuous employment service by accruing hours for each pay period.
- B. Accumulation. Accrued Vacation time for non-classified employees may be accumulated from year to year, up to a maximum of 120 hours over the number of hours accrued in that year. Any hours earned after the maximum is reached shall be deemed forfeited. Accrued vacation time for civil service employees may be accumulated from year to year with no maximum.
- C. Schedule. Accrual and accumulation of vacation time for civil service employees shall be governed by applicable state law and local civil service rules. Vacation time for non-civil service employees after one (1) year of service is accrued and accumulated according to the following schedule:

<i>Years of Service</i>	<i>Accrual Rate (Hours)</i>	<i>Total Accrual (Hrs)</i>	<i>Maximum accumulation per Year (hours)</i>
0-1 year	1.5385	<b>40</b>	<b>160</b>
1-4 years	3.0769	<b>80</b>	<b>200</b>
4-9 years	4.6154	<b>120</b>	<b>240</b>
9 + years	6.1538	<b>160</b>	<b>280</b>

- D. Scheduling. Use of vacation shall be scheduled by the Department Head, taking into account the wishes of the employee to the extent the work load permits. If during the scheduling of various employees' vacation dates, two employees request the same

vacation dates, and both employees cannot be scheduled for the same dates due to department workload, the employee with the longest length of service shall be given the first opportunity to accept or refuse the requested vacation dates. Vacations may not be rescheduled after approved, without the Department Heads authorization. When an official paid holiday occurs during a vacation period, an additional day off shall be allowed.

- E. Usage. Consistent with applicable law, the Administration may, from time to time, require usage of vacation leave in designated increments. Employees who are entitled to more than 10 days of vacation in a year shall not take more than 10 consecutive days of vacation without the approval of the Department Head and the Director of Administration at least six (6) weeks in advance. Vacations shall not be re-classified as sick leave or other leave time after an employee has scheduled a vacation.
  
- F. Payment In Lieu Of Vacation. The purpose of paid vacation is to provide employees with time to rest and relax. Therefore, no additional wages or salary shall be paid in lieu of a vacation unless the employee is unable to take a vacation due to the exigencies of his or her employment. See Louisiana Attorney General's Opinion 78-1581. If payment in lieu of vacation is approved, one (1) week of vacation may be paid equivalent to a regular scheduled workweek at the employee's basic straight time hourly rate.

#### **Rule V-28 Worker's Compensation**

- A. When an employee is injured within the course and scope of his or her employment for the City, he or she may be eligible for Workers' Compensation payments pursuant to State Law. The amounts of compensation paid by the Workers' Compensation carrier and the circumstances of compensation are determined by State Law. The determination of benefits eligibility and the amounts of benefits are administered by our workers' compensation insurance carrier. The Personnel Department or the Department Head shall provide reasonable assistance to employees in the initial filing of Workers' Compensation Claims.
  
- B. Eligibility. In order to be eligible for worker's compensation benefits, employees and Department Heads or Supervisors shall complete the required reports on all job related accidents, injuries, and illnesses immediately, and in every case within at least twenty-four(24) hours after their discovery regardless of whether the employee is scheduled to work. Such report is to be forwarded to the Personnel Department. The Personnel Department shall then notify Payroll of the employee's status.
  
- C. Reservation of Rights. The City of Hammond and its worker's compensation insurance carrier and/or administrator reserve any and all rights vested in the City of Hammond as employer by the laws of the State of Louisiana as the may pertain to worker's compensation claims.
  
- D. Status. As long as the injured employee is receiving full pay under any method provided in this section, he or she shall be considered as a full-time employee. If the injured employee

does not have sufficient accrued sick leave and vacation leave for the duration of the injury leave at full pay, then at the time his total compensation is reduced to one-half pay, he shall be considered as a half-time employee.

- E. Reporting. Any employee injured in the course and scope of employment and/or who is receiving workers' compensation benefits for more than two (2) consecutive work days shall maintain weekly telephone contact with his/her supervisor, to give an oral report of the employee's progress. This requirement shall be in addition any reporting requirements required or allowed by state statute and required or allowed by the City's worker's compensation insurance carrier and/or claims administrator.

#### **Rule V-29 Work Week and Work Hours**

- A. All work schedules for City departments are to be approved by the Mayor or the Director of Administration and may vary between departments.
- B. A time keeping system for all City employees has been established to ensure accurate recording of time worked. Each employee is responsible for the accuracy of his or her time card/sheet. In the event an error is made on a card or time sheet, the employee is responsible for notifying his or her supervisor of the error. The supervisor has the discretion to make a correction, which shall be initialed by the employee.
- C. No one may record hours worked on another's time card or pay sheet. Tampering with another's time card is cause for disciplinary action, including possible dismissal, of both employees.
- D. Work Shifts. The number of shifts and the beginning and ending times for each shift shall be established and changed as needed to ensure efficient operations.
- E. Assignment To Work Week And Shift Schedules. Department Heads and Supervisors shall assign employees to work weeks and to work shifts at the department head and or supervisor's discretion. Employees may be regularly scheduled to work a regular schedule during work weeks, or may be scheduled to work any days and shifts within a work week, consistent with operational needs and with applicable laws and regulations.
- F. Guidelines For Exempt Employees Time Recordation. The following shall govern the accounting of time by exempt employees:
  - i) Exempt employees shall not be required to give specific account for the number of hours actually worked on their bi-weekly time sheets. However, a time sheet shall be submitted to cover each pay period, recording the use of any sick and/or vacation leave hours taken.
  - ii) Should it be found that an exempt employee has either abused his or her discretion with regard to working time or has neglected the employee's responsibilities with the City, or that assigned subordinate staff are not able to make reasonable contact with a department head or decision maker in the event of an emergency, the exempt employee may be subject to disciplinary action.

- iii) It shall be the responsibility of the exempt employee to notify the Director of Administration or his or her immediate supervisor of any absence from the usual work site of duration of four (4) or more consecutive hours during the work day.
- iv) Non-work related absence of an exempt employee for eight (8) consecutive hours in a regular workday shall be assigned to the applicable leave category.

## **CHAPTER 6**

### **EMPLOYEE PERFORMANCE**

#### **Rule VI-1 [Reserved]**

#### **Rule VI-2 Disciplinary Action Generally**

- A. Employees whose conduct is unsatisfactory to the standards of the City of Hammond shall be subject to our progressive disciplinary action policy except where the severity of the offense merits immediate dismissal. The purpose of progressive discipline is to allow employees to know that their conduct or performance is unacceptable and to give the employee the opportunity to improve their conduct or performance.
- B. Disciplinary action may be recommended by Department Heads or by Supervisors to the Director of Personnel, who shall review the complete record and make a recommendation as to completeness of the documentation in light of City policy. The recommendation of the Director of Personnel shall then be forwarded to the Mayor for final action.
- C. All disciplinary actions shall be in written form and retained as a permanent record in the employee's file. Written warnings shall include the reasons for the supervisor's dissatisfaction and any supporting evidence. For the purpose of this policy, suspension is defined as suspension without pay.
- D. Disciplinary Actions shall be categorized into the following levels of ascending severity, as further defined herein:
  - i) Level One
  - ii) Level Two
  - iii) Level Three

#### **Rule VI-3 Disciplinary Procedures.**

- A. Prior to any recommended disciplinary action being submitted to the Mayor through the Director of Personnel for action, the employee shall be given an opportunity to review the documentation of the alleged violation. The employee involved shall be provided a further opportunity, not to exceed seventy two (72) hours, to give his/her perspective in writing of the alleged infraction. He/she shall be given an opportunity to affix his/her signature to the disciplinary action form. Such signature would only indicate awareness of disciplinary action in process, not an admission of guilt or agreement.
- B. When written notice of warning, suspension, or termination is given to the employee, a copy shall be placed in the employee's personnel file. Procedures for record keeping of civil service employee disciplinary actions shall be determined by the Fire Chief and Chief of Police for his or her respective department.
- C. Discipline is restricted to the following actions:

- i) Face to Face oral admonishment and warning made in such terms that the employee clearly understands it to be a warning
  - ii) A written memo retained in the employee's personnel file
  - iii) Leave without pay
  - iv) Demotion
  - v) Dismissal
- D. Time Limits On Disciplinary Actions. Disciplinary actions dated more than thirty-six (36) months earlier than the date of any one disciplinary action shall not be part of the City of Hammond's progressive discipline process.
- E. The City of Hammond specifically reserves the right to pursue applicable civil and criminal action against any employee in addition to executing disciplinary action.

**Rule VI-4 LEVEL ONE OFFENSES**

- A. Generally. The following rules, if violated, may result in a written reprimand for the first violation. A subsequent Level One violation within thirty-six (36) months is grounds for suspension or demotion as a Level Two offense.
- B. Absenteeism and Tardiness. No employee shall fail to arrive at work on time unless otherwise excused by the employee's supervisor.
- C. Sleeping And Inattention. No employee shall sleep, be inattentive, loiter or loaf on the job.
- D. Solicitation/Distribution. No employee shall solicit another employee during the working time of either employee. No employee shall distribute advertising materials, handbills or other literature in any working area at any time. Solicitation and distribution by non-employees is prohibited on city premises at all times.
- E. Conflict Of Interest. No employee shall fail to timely disclose any relationship, employment or belief that may foreseeably hinder or otherwise interfere with the employee's job performance or exercise of authority or discretion regarding acting in the best interest of the City of Hammond while on the job.
- D. Leaving Work Area. No employee shall leave his or her designated work area during regular working hours without permission from the employee's Supervisor or Department Head.
- E. Smoking in Restricted Areas. No employee shall smoke in restricted areas or at non-designated times, as specified by city ordinance.
- F. Unsanitary Conditions. No employee shall create or contribute to unsanitary conditions.
- G. Bulletin Board Notices. No employee shall post, remove or alter notices on any bulletin board on city property without permission of a Department Head.

- H. Eating in Unauthorized Areas. No employee shall eat food in unauthorized areas. Consumption of beverages is not included.
- I. Personal Appearance. No employee shall fail to maintain a neat and clean appearance in terms of the standards established by the employee's supervisor. No employee shall fail to meet designated standards for dress or personal grooming. No employee shall wear improper or unsafe clothing.
- J. Violation of Department Rules. No employee shall violate any rule or order established by a department head governing the employee's department, section, unit, or position. Department rules which regulate matters covered in this manual shall be governed by the provisions of this manual.
- K. Multiple Offenses. No employee shall commit more than one Level One offense in any thirty-six (36) month period. Each subsequent Level One offense committed in the same thirty-six (36) month period shall constitute a Level Two offense.

**Rule VI-4.1 LEVEL TWO OFFENSES**

- A. Generally. The following rules, if violated, may result in disciplinary action up to and including suspension without pay for a specified period of time not to exceed 240 hours on the first offense or a demotion. Violation of any of the following rules is considered a *Level Two* offense. A subsequent Level Two violation within thirty-six (36) months is grounds for termination as a Level Three offense.
- B. Poor Performance. No employee shall fail to maintain a satisfactory level of performance, after their initial twelve-month review.
- C. Damage To Property. No employee shall intentionally or negligently damage city property, or fail to immediately report damage to, or an accident involving a city vehicle or property.
- D. Safety. No employee shall violate any safety rules in the work place or on the jobsite.
- E. Harassment. No employee shall engage in any act defined as "harassment" in Rule III-4A.
- F. Gifts & Gratuities. No employee shall accept any thing of value including gifts and/or gratuities of any kind from a customer, citizen, vendor or supplier for the performance or non-performance of official duties.
- G. Misuse of City Property. No employee shall use any equipment, vehicles or other property of vendors, other employees, or the City for any purpose except that for which the employee is specifically authorized. No employee shall fail to maintain equipment in the employee's care in proper working order.
- H. Conflict. No employee shall engage in any conversation or exchange with another employee during the course of work, which can foreseeably disturb or alarm the public or which can foreseeably cause a disruption in work flow.

- I. Disorderly Conduct. No employee shall use obscene or abusive language toward any supervisor, employee, citizen or other person. No employee shall display indifference or rudeness towards a supervisor, employee, citizen or other person.
- J. Multiple Offenses. No employee shall commit more than one Level Two offense in any thirty-six (36) month period. Each subsequent Level Two offense committed in the same thirty-six (36) month period shall constitute a Level Three offense.

**Section VI-4.2. LEVEL THREE OFFENSES**

- A. Generally: The following rules if violated may result in disciplinary action up to and including termination. These are considered to be *Level Three* offenses and are of such a serious nature that a first occurrence may warrant an employee's termination.
- B. Violation of City Policy. Willful violation of any City policy or ordinance; any deliberate action that is extreme in nature and is obviously detrimental to the City's efforts to operate effectively.
- C. Serious Violation of Security or Safety Rules. Willful violation of security or safety rules, or willful failure to observe safety rules or the City's safety practices; failure to wear required safety equipment; tampering with the City's equipment or safety equipment.
- D. Negligence that Endangers the life or safety of self or another. No employee shall engage in or commit any act that could foreseeably endanger the life or safety of the employee or another person while on the job, while in the custody care or control of city property or equipment, or while otherwise representing the City as a City employee or official.
- E. Substance Abuse. Includes but is not limited to the following: Intoxication on the job, illegal use of drugs or narcotic, depressant, stimulant, hallucinogen or cannabinoids while on or off the job, commission of a criminal offense involving illegal drugs or alcohol, violation of the City's Drug and Alcohol Policy, Chapter VII.
- F. Theft. The taking or unauthorized possession of anything of value belonging to another, including the City of Hammond, with the intent to permanently deprive the owner of the thing.
- G. Fighting, Threats of violence, possession of dangerous weapons. No employee shall engage in fighting or threats of violence against any person on city premises or while representing the City. No employee shall make threats of violence, including, but not limited to threatening, intimidating, coercing, or interfering with co-workers and/or supervisors. No employee may possess or use a "Dangerous weapon" while on city property, unless specifically authorized and directed to do so in the employee's job description. "Dangerous Weapon" includes any gas, liquid, or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm.



- H. Fraud, Dishonesty, and False Statements. No employee or applicant shall falsify any application, medical history record, invoice, paperwork, time sheet, time card, or any other document for the City of Hammond. No employee shall commit any act of fraud whether on or off the job, nor shall any employee commit any act of dishonesty whether on or off the job.
- I. Unlawful/unethical activity. No employee shall engage in any kind of unlawful activity, whether or not in the course and scope of employment and whether or not on or off the worksite. No employee shall violate the Code of Governmental Ethics.
- J. Insubordination. No employee shall refuse to follow the directions or orders of a Supervisor, Department Head, or other superior ranking official.
- K. Gambling on City Property. No employee while on City property or while in the course and scope of employment shall participate in any gambling, gaming, wagering, or betting in which anything of value is at stake or potentially at stake.
- L. Non-approved Absence. No employee shall miss two (2) consecutive or non-consecutive days of work without receiving approval from his or her Department Head, unless an illness or emergency made it impossible to do so.
- N. Acts of Sabotage. No employee shall willfully or with gross negligence causing the destruction, damage, or loss of city property, or the property of fellow employees, citizens, customers, suppliers, or visitors in any manner.
- O. Release of Official Information Policy. No employee shall divulge confidential City information to unauthorized City employees or to the general public unless specifically authorized to do so.
- P. Interference. No employee shall engage in a pattern of behavior that is calculated or likely to create discord and/ or disharmony; nor shall any employee intentionally interfere with another employee's ability to function on the job; nor shall any employee willfully restrict work output or encourage others to do the same.
- Q. Immoral Conduct. No employee shall engage in any immoral, indecent, lewd or obscene conduct on city property.
- R. Theft of Long Distance Calls. No employee shall use the City's telephone system for personal long distance calls without prior authorization, unless said call specifically and directly pertains to an emergency regarding illness or injury or injury to family members, or calls for similar reasons.
- S. Theft through use of Fuel Card. No employee may use a City of Hammond fuel card for personal purposes, nor may any employee falsify mileage records or reports for reimbursement or remuneration of any kind.

- T. Cooperation with law enforcement. Employees of the City of Hammond shall co-operate with any and all law enforcement officials in the investigation of malfeasance or suspected thefts and in the prosecution of any persons charged with malfeasance or theft.
- U. Other Circumstances. Any provision of this manual for which there is no specific penalty stated shall constitute a Level Three offense.

#### **Rule VI-4.3 Demotions**

- A. A demotion is an assignment to a lower paying job classification and a work assignment within the lower classification with generally lesser responsibilities. Employees may be demoted due to failure to perform the duties of their present jobs, lack of a suitable job at their pay levels, reorganization, lack of work, or because of the City's need to manage the work force.
- B. If applicable, a written notice of demotion shall be given to the employee which describes the deficiency or the infraction involved and which states the likely consequences of further unsatisfactory performance or conduct. The demotion shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later advancement.

#### **Rule VI-5 Grievance Procedures for non civil service employees**

- A. Grievance Defined. A grievance is a written allegation of improper application or misapplication of policy, regulation or procedure of the City or department for whom the non-civil-service employee works, which has personally affected the employee. Grievances of Civil Service employees are governed under the state civil service laws. Matters between employees of different departments shall not be addressable through the grievance procedure and shall be resolved through the employee's chain of command within his or her department.
- B. General provisions. Any employee may submit a written grievance to his or her Department Head using the official form provided for this purpose. The grievance form must be submitted within five (5) working days after the cause of the grievance arises or becomes known. A grievance not brought forward by the employee within these time limits shall not be considered timely and shall be void.
- C. The Department Head shall study the grievance and attempt to resolve the issue within five (5) working days of receipt of the grievance. If the grievance cannot be resolved satisfactorily within that time period, the Department Head shall notify the employee and refer the grievance with the department head's comments or recommendations to the personnel director.
- D. The personnel director, after receiving referral of a grievance from the department head, shall attempt to resolve the issue within ten (10) working days of receipt of the grievance referral. If the grievance cannot be resolved satisfactorily within that time period, the personnel director shall notify the department head and refer the grievance

recommendation with the personnel director's comments or recommendations to the director of administration.

- E. The Director of Administration, within thirty (30) calendar days of receipt, resolve the grievance as he or she sees fit, or otherwise notify the department head and employee in the event a formal reply or resolution may not be available within the thirty (30) calendar day period herein. Only The Mayor may override the decision of The Director of Administration
- F. No employee or official shall intimidate, coerce or threaten reprisals against any employee exercising his or her rights under this grievance procedure.

#### **Rule VI-6 Attendance**

- A. Employees are required to be at work, ready to work, during the times and at the places customarily required by their job assignments, as defined by their Department Head or Supervisor, except for approved breaks and lunch. When an employee's work takes them away from their workstation, the employee shall advise the supervisor where the employee is going and how long the employee shall be away.
- B. Absence. Employees who are not at work during the times and at the places customarily required by their job assignment are considered absent, unless excused by their Department Head or Supervisor.
- C. Advance Approval Of Absence Required. Unless a valid emergency, an illness, or other circumstance prevents it, employees shall obtain advance approval from their Department Head for absences. When a valid emergency prevents advance approval of an absence, employees shall notify their supervisors as soon as possible thereafter. Failure to do so shall constitute a Level One offense.
- D. Record Of Absence Or Lateness. Every supervisor shall document any unexcused absence or lateness, and shall forward said documentation to Personnel to be placed in the employee's personnel file. Attendance records may be considered when evaluating requests for promotions, transfers, leaves of absence, approved time off, as well as layoffs, etc. Employees who miss work for three (3) consecutive work days without notifying their Department Head or without having a valid reason for not notifying their Department Head are considered to have abandoned their jobs.

#### **Rule VI-7 Performance Standards and Evaluations**

- A. Supervisors shall formally evaluate their employees' overall job performance against their job requirements at least every twelve (12) months. Special evaluations may be made if authorized by the Mayor. The purposes of the evaluation are: to communicate the level of job performance to employee; to identify the employee's job-related strengths; to identify employee's job-related developmental needs; and to review employee's compensation level.

- B. Review With Employees. Department Heads shall review and discuss the performance evaluations with their employees, and employees shall be given an opportunity to note their comments on the evaluation. Employees shall be provided copies of their performance evaluation reports if requested.
- C. Americans With Disabilities Act. If, at the time of the performance evaluation review in Rule VI-7B., the employee believes or has reason to believe the employee has a disability for which the employee may need accommodation, the employee shall notify the Department Head at the time of the performance evaluation review or within seventy two (72) hours thereafter. No department head or supervisor shall make any representation or commitment to the employee regarding accommodations.
- E. Probationary Employee Performance. Probationary employees shall be evaluated immediately prior to the completion of their six (6) month probation as detailed herein.

**Rule VI-8 Promotions, Transfers and Adjustments for Non-Classified employees**

- A. A promotion is defined as the assumption of job duties and responsibilities that are greater in character and scope than in the previous job. For purpose of salary administration, a promotion occurs when the new job is of a higher pay grade than the prior job. To be eligible for promotion or transfer, employees shall meet all the requirements listed below.
- B. Eligibility. Employees shall have received a satisfactory score in their most recent evaluation to be eligible for promotion or transfer. Employees with prior disciplinary records may not be eligible for promotion or transfer unless it is approved by the Department Head.
- C. Procedures. The Personnel Department shall be responsible for posting the procedure for applying for a promotion or transfer to open positions with the notice of the open position.
- D. Promotion Guidelines. All vacant non-classified positions shall be announced to the entire City workforce, unless exempted by the Mayor. Those employees who meet the minimum qualifications for the posted position who desire consideration shall be required to complete and submit an “Application for Posted Position” form created by the Personnel Department by the posted deadline.
- E. Approval Process. Approval of promotions and/or transfers shall be based on the minimum qualifications met by the candidate; individual ability as determined by any applicable aptitude test(s); candidate’s past performance in their current position; and recommendation from the department head. Longevity may be considered in making the final selection between two similarly qualified candidates. All promotions shall be coordinated between the Department Heads and the director of Personnel, and approved by the Mayor through the Director of Administration.
- F. Probationary Period. All promotions and transfers are subject to a six (6) month probationary period. During this period, the employee’s performance in the new position shall be reviewed and evaluated. The employee’s Department Head/Supervisor shall

complete a written performance appraisal at the end of the probationary period. The results of the appraisal shall determine whether the promotion or transfer becomes permanent.

- G. Temporary Promotions. Employees temporarily reassigned to a higher classification level, other than to fill in for vacations or short-term illness, for the benefit of the City, shall be paid according to the pay grade of the replaced employee, if higher, during the period of the temporary assignment.
- H. Reclassified Employees. If an employee is serving in a position which is reclassified to another classification with a higher pay grade, the employee's rate of pay shall be increased to that of the new classification. If an employee is serving in a position which is reclassified to a classification in a lower pay grade, the employee's salary may not be adjusted, except that if the employee's salary exceeds the maximum of the new range, the employee's salary shall be frozen and only allowed the annual seniority increase currently allowed, subject to budgeting constraints. If an employee's position is reclassified to another title in the same pay grade, no adjustment in salary shall be made.

#### **Rule VI-9 [reserved]**

#### **Rule VI-10 Resignation**

- A. Employees who voluntarily resign from the City shall give at least two (2) weeks notice of their intent to resign. At the option of the City, for good cause shown and when in the best interest of the City, an employee who gives notice of intent to resign may be placed on paid administrative leave for up to the entire two (2) week period and be prohibited from entering the work site.
- B. Employees who give notice of intent to resign may be assigned to other work as needed without a change in their rates of pay.
- C. Prior to an employee's final day at work, every employee shall submit to an Exit Interview scheduled by the Director of Personnel. Furthermore, employees who terminate their employment shall return all of the City's files, information, equipment, keys, and all other City property in their possession. Unless prohibited by law, employees shall not receive final pay and final reimbursement of expenses, if applicable, until all items of property have been returned. The value of any items of City property issued to a City employee and that is lost or damaged shall be deducted from the final paycheck.

#### **Rule VI-11 Suspension during Investigation**

- A. Employees may be suspended from work with or without pay for an indefinite period of time, in order for the Department Head to investigate incidents that would warrant discipline. The suspension of an employee requires the advance approval of the Mayor.
- B. Employees suspended during an investigation shall cooperate fully in the investigation, and shall otherwise be on call of the City during normal working hours. Failure to cooperate or to be on call shall constitute Insubordination.

**Rule V-12**  
**[reserved]**

**Rule VI-13 Resignation: Employment at will**

- A. Employment with the City of Hammond is employment at will. Employment at will shall mean that either the City or any employee has the right to terminate the employment relationship at any time.
- B. Return of City Property. Resigning employees shall return all of the City's files, information, equipment, keys, and all other City property in their possession. Unless prohibited by law, employees shall not receive final pay and final reimbursement of expenses, if applicable, until all items of property have been returned. The value of any items of City property issued to a City employee and that is lost or damaged shall be deducted from the final pay check.
- C. Benefits upon Resignation. Employee benefits cease on the effective date of an employee's resignation. The benefit plans published from time to time define the terms and conditions, if any, for resigning employees to receive benefits due or to continue benefits coverage at their own expense.
- D. Prior to an employee's final day at work, every employee shall submit to an Exit Interview scheduled by the Director of Personnel.

**Rule VI-14 Probationary Period**

- A. For regular full-time and part-time employees, the first six (6) months of employment or re-employment are the employee's Probationary Period. Employees in this Probationary Period are probationary employees. Temporary employees are in a Probationary Period their entire tenure with the City.
- B. Progress During The Probationary Period. Employees may be terminated at any time during the probationary period. Employees, other than temporary employees, who successfully complete the probationary period become regular employees.
- C. Interim Evaluations. Department Heads shall communicate to employees regarding their job performance throughout the probationary period using the Performance Evaluation Form. Department Heads shall formally evaluate new employees at the end of two (2) months and at the end of four (4) months of employment. Employees who are not performing satisfactorily at the end of their first four (4) months of employment shall be told they shall achieve satisfactory performance by their sixth (6<sup>th</sup>) month of employment, or they shall be terminated.
- D. Performance Standards. The standards for satisfactory job performance during the probationary period are the training plan developed by the Department Head and the usual level of performance for the length of time on the job.
- E. Evaluation At End Of Probationary Period. Department Heads shall formally evaluate the new employee's performance at the end of the six month probationary period. This

evaluation shall identify the successful job-related behaviors, the job-related behaviors employees need to change, and their areas of job related developmental needs. At the close of this evaluation, the Department Head may: recommend an extension of the probation period for a time span not to exceed one period of three months and if so notify the Mayor through the Director of Personnel; or recommend termination of the employee. Completion of the trial period does not guarantee employment. An employee may terminate his or her employment with or without notice and with or without cause and the City retains a similar right.

#### **Rule VI-15 Vehicles**

- A. Coverage. Rule VI-15 shall govern all vehicles owned by the City of Hammond not used by the police or fire departments.
- B. Authorized Usage. Vehicles owned by the City are to be used only for the purposes of providing public services and carrying out job responsibilities.
- C. Maintenance. Employees who are issued city owned vehicles are responsible for their timely and routine maintenance, and for completing required maintenance and use reports.
- D. Operation Of Vehicles. Employees who drive city owned vehicles are required to operate them in a safe and legal manner, and are otherwise required to wear seat belts at all time. Business passengers in city owned vehicles are also required to use seat belts. Persons not employed by the City of Hammond are not allowed to operate City vehicles. Employees who receive tickets for operation of a city owned vehicle shall be personally responsible for the ticket, and shall be otherwise subject to disciplinary action. An employee who causes an accident or damage to the property of others as a result of operating a city owned vehicle may be required to pay the costs to repair or replace the damaged property of the City or others.
- E. No Passengers Allowed. Employees who drive city owned vehicles shall not allow anyone to ride in the vehicle who does not have a business reason related to the employee's performance of job responsibilities without authorization from their Department Head.
- F. Prohibition Of Alcohol Or Drugs. No employee shall possess, test positive for, or be under the influence of drugs or narcotic, depressant, stimulant, hallucinogen or cannabinoids while operating vehicles owned by the City or while in possession of a City-owned vehicle.
- G. Fire Arms Or Deadly Weapons. No employee shall possess firearms or other dangerous weapons as defined herein while in City owned vehicles or on business for the City unless they are so authorized.

#### **Rule VI-16 Work Standards**

- A. The citizens of Hammond deserve and shall receive from all employees at all times courtesy and respect. No one is exempt from this rule.

- B. When in the course of a normal workday a city employee comes into contact with a member of the public, that employee's demeanor shall be one of sincere attention and friendliness. Each employee is expected to handle themselves in a professional manner and shall at all times exhibit a desire to accommodate or assist anyone with a need to contact a city employee.
- C. Any contact that requires follow-up action, such as returning a telephone call after finding out an answer to a question, shall be handled in a timely manner. All telephone calls/messages that require return calls shall, if possible, be handled within the hour and in all circumstances shall be no later than the next working day. All unsuccessful attempts to return calls shall be documented.
- D. Those employees that are required to wear uniforms shall maintain those uniforms in a clean and repaired manner and shall not substitute non-approved clothing as part of the uniform. All such requests for substitutions shall receive approval from the Department head - with the exception of the Fire and Police departments, prior to implementation or wearing of the proposed substitution garment including head wear and shoes.



## CHAPTER 7

### BEHAVIOR AND CONDUCT

#### **Rule VII-1 Alcohol and Drug Testing**

- A. Employees of the City may be required to submit to drug tests, blood alcohol tests, breathalyzer tests or other medical examinations under the following non-exclusive circumstances:
- i) When an employee is suspected of working or reporting to work with narcotic, depressant, stimulant, hallucinogen or cannabinoid chemicals his or her system; or
  - ii) When an employee suffers an on-the-job injury or is involved in an accident involving city equipment or vehicles. If a test conducted after any of the above circumstances confirms the presence of alcohol or the presence of narcotic, depressant, stimulant, hallucinogen or cannabinoid or other illegal or unauthorized drug(s) in the employee's system, the employee is subject to immediate termination. Refusal of an employee to undergo any of these examinations may also result in termination.
  - iii) On any random testing of employees.
- B. While this policy does not prohibit the medically indicated use of prescription medication under the direction of a physician, the abuse of prescription drugs or being under the influence of such drugs during work hours or on city property is prohibited. Employees who are required to take prescription or non-prescription drugs which may affect their ability to perform their duties in a safe and efficient manner shall immediately notify their Department Head.
- C. An employee may possess certain prescription drugs and medication with prior approval from his/her supervisor provided the drug and/or medication has been prescribed for and limited to his/her use, is kept in the original container, and a Medication Permission form is signed by the employee and supervisor. The City of Hammond reserves the right to exclude any and all medical and/or chemical substances from city property.
- D. Entry on city property is conditioned upon the City's right to search all persons and their possessions for any city-prohibited items.
- E. Drug screens may be utilized under the following additional circumstances:
- i) Pre-employment examinations.

- ii) Re-entrance employee examinations.
  - iii) Annual employee physical.
  - iv) Part of an overall search and inspection of the City's premises.
  - v) When there is reasonable suspicion of an employee's intoxication.
  - vi) When an employee is found in possession of suspected illegal or unauthorized drugs or paraphernalia.
  - vii) Following an accident or near-miss incident.
  - viii) When required by the City.
  - ix) Random sampling.
- F. All employees shall be subject to random drug testing. Employees shall be notified of their being selected for random testing. The Mayor, Director of Administration, or a designated representative to include the Department Head, Supervisor, Personnel Director and/or members of the Personnel Department shall notify employees of random selection. When contacted, the employee shall report for the test. If an employee who has been randomly selected is unable to report manner as the original list. The City shall make reasonable efforts to contact employees before 10:00 a.m. the day of the drug test. If an employee fails to show for testing, the Department Head shall be notified and the employee shall make immediate arrangements to take the test independently. Should the employee refuse to complete the test, The City may take such personnel action as it deems fit, including termination.
- G. All drug testing results shall be kept in strict confidence with access limited to a need-to-know basis. The results shall not be made a part of the normal personnel file. Any other information pertaining to an employee violating this policy shall also be confidential with access limited to a need-to-know basis.

#### **Rule VII-2 Consequences of Violation of Drug Abuse Policy**

- A. Any person found in violation of this policy shall be subject to immediate involuntary termination.**
- B. Should such termination occur, the employee shall be eligible to be paid all wages accrued to the date of termination, accrued vacation pay, and accrued compensatory time earned. Sick pay shall be paid based on the policy set forth in "Sick Pay Benefits" Rule V-22 or other applicable policy.**

## **Rule VII-5 Grooming, Dress & Personal Appearance**

- A. [reserved]
- B. Uniforms Or Protective Clothing In Specific Circumstances. Employees in some positions or performing certain duties are required to wear uniforms or protective clothing and equipment. The requirements for uniforms and protective clothing may vary from department to department and from job to job. Uniforms provided by the City remain the property of the City. Upon termination, such uniforms shall be returned or the cost shall be deducted from final paychecks.
- C. Name Tags. Employees may be required to wear name tags. The City shall provide the first name tag. Employees who lose or damage a name tag are required to replace it at their own expense through the Personnel Department.
- D. Authority To Establish Requirements. The Department Head is authorized to establish requirements for dress and grooming, and for protective clothing and equipment for his or her department, including, but not limited to those allowed by Rule IX-11.
- E. Fire And Police Employees. Grooming, dress and personal appearance for fire and police employees are governed by the employee's respective departmental manual.

## **Rule VII-6 [RESERVED]**

### **Rule VII-7 Presence During Non-Work Hours**

- A. Non-exempt and hourly paid employees shall not be present on city premises during hours they are not scheduled to work without the express approval of the department head or the Director of Administration. Nothing in this policy prevents employees from visiting areas of the city that are open to the general public. Non-exempt and hourly paid employees who wish to visit facilities during hours they are not scheduled to work shall obtain the advance approval of their Department Head.
- B. Employees on leave, including those on vacation, sick leave, disciplinary leave or voluntary leave of absence, may not utilize any city asset without the express approval of the supervisor, department head or the Director of Administration.

## **Rule VII-8 [RESERVED]**

## **Rule VII-9 [reserved]**

**Rule VII-10 Visitors**

Employees shall not receive visitors during work hours and on city premises or work sites without advance approval from their Department Head. If another person visits the premises in the attempt to visit an employee, the employee shall immediately notify a supervisor or Department Head.

## **CHAPTER 8**

### **EMPLOYEE COMMUNICATIONS**

#### **Rule VIII-1 Bulletin Boards**

- A. No other person other than a Department Head or his or her designee shall place any notice, request, or any other materials of any kind on City bulletin boards. Employees who wish to contribute ideas for City bulletin boards or City publications shall submit them in writing to their Department Head or other persons designated by the Director of Administration.
- B. Each Department Head shall display a copy of the availability of this policy boards of general communication.

#### **Rule VIII-2** **[RESERVED]**

#### **Rule VIII-3 Fair Treatment**

City policy is to treat all employees fairly and equally in all matters of their employment. The City expects every employee to treat all other employees fairly and equally in all matters of employment and in their working relationships. Department Heads are expected to solve problems with and among employees in a fair and equal manner.

#### **Rule VIII-4 News Media Relations**

- A. All inquiries from the news media about the City of Hammond shall ~~to~~ be referred to the Public Information Officer designated by the Mayor.
- B. The Public Information Officer shall assist the Mayor, the Director of Administration, and Department Heads with the City's news media needs.
- C. Information about a newsworthy incident/event which may affect the public or is otherwise newsworthy shall be forwarded to the Mayor or Director of Administration, who shall solely initiate news media contact and arrange for media access to the City representatives.
- D. Department Heads or their designated representatives wishing to issue public announcements or news releases shall do so through the Public Information Officer. Departments Heads requesting a news release for a planned or scheduled event shall provide the necessary background material and information in writing at least one week in

advance to allow for effective dissemination. Final approval and necessary revisions shall be the responsibility of the Public Information Officer. Announcements which affect more than one city department shall be coordinated with the other department heads by the Public Information Officer.

- E. The only official spokesperson for the Administration is the Mayor, the Public Information Officer, the Director of Administration and anyone that may be designated by either of the above named.
- F. The person who has been designated as Public Information Officer for the Fire and Police departments or in his or her absence, by the respective department heads, shall be authorized to release information relative to the routine operation of those departments. This includes routine information about arrests, fires and other reported similar incidents and occurrences.
- G. All requests for one-on-one interviews – whether on or off the record – or other public appearances shall be directed to the Public Information Officer.
- H. Dissemination of information to the public in the event of emergency conditions caused by a disaster shall be made without delay to all available media sources. Notification shall be made by the highest-ranking department official or his/her designee as quickly and as often as necessary to ensure the health and safety of all citizens.

**Rule VIII-5**  
**[RESERVED]**

## CHAPTER 9

### SAFETY AND SECURITY

#### **Rule IX-1 Access to Employee Personnel Files**

Except as otherwise required by State or Federal law, employee personnel files are the property of the City of Hammond. Their contents are confidential information, which shall not be released or made available to any person, except as required by force of law. Personnel files shall be under lock at all times they are not being used by designated management and staff of the Personnel Department. The Director of Personnel or his or her designee is responsible for the custody of the City's personnel files and is responsible for overseeing their security.

- B. Request For Review Of Files. Except as otherwise required by State or Federal law, personnel files may be open for review as follows:
- i) An employee or his or her duly authorized agent may examine certain portions of his/her personnel file;
  - ii) A department head having supervisory authority over the employee or an employee with a bona-fide need to know may examine material in that employee's file;
  - iii) By order of a court of competent jurisdiction, any person may examine such portion of any employee's personnel file as may be ordered by the Court;
  - iv) An official of an agency of the State or Federal Government or any other political subdivision of the State may inspect by formal request or subpoena any portion of a personnel file when such inspection is deemed to be necessary and essential in the pursuance of the proper function of the inspecting agency or deemed upon advice of the City Attorney to be required by law.
- C. In other instances an employee may, by written authorization according to procedures established by the Director of Personnel, grant permission for inspection of records. Employees may request in writing a copy of their file or any portion thereof. The charge for said copies shall be that established by the City Council for copying public records.

#### **Rule IX-2 Bonding Requirements**

No employee whose job description requires the employee to be bonded shall fail to maintain the qualifications required for bonding.

### **Rule IX-3 City Property**

- A. Use of city property by fire and police employees shall be governed by the employee's departmental manual.
- B. No employee shall remove any item of the City's property from the City's premises except as required to do their jobs as stated in the employee's job description or as otherwise mandated or authorized by the employee's Department Head.
- C. Non-civil service employees on leave of any kind or who otherwise shall be absent for no less than one hundred twenty (120) hours or three (3) weeks shall be required to turn in all assigned equipment, including vehicles and keys.
- D. It shall be the responsibility of the Department Head to ensure that all assigned city-owned equipment and property are accounted for. Certification to this effect shall be made in writing and sent to the Payroll office, prior to the release of any payroll checks covering leaves of absence.

### **Rule IX-4 [Reserved]**

### **Rule IX-5 Defensive Driving**

Any employee involved in a vehicular accident while driving a City vehicle, whether at fault or not, may be required to enroll in a defensive driving course.

### **Rule IX-6 [Reserved]**

### **Rule IX-7 [Reserved]**

### **Rule IX-8 Identification for non fire or police employees**

- A. The Personnel Department shall issue all current full-time employees an identification badge which shall bear a color photograph of the employee, their employee number, name, department to which assigned, and functional title.
- B. Each employee shall display said badges openly and face up by being clipped to outside pockets of shirt/blouse or jacket lapels, or on belts worn on external clothing. Unless otherwise exempted in this policy, identification badges are to be worn at all times during regular working hours, or while on official business representing the City.
- C. All identification badges issued by the City of Hammond remain the property of the City of Hammond. Upon separation from the employ of the City, all badges shall be turned in to the Personnel Department.
- D. No employee shall refuse to provide to a citizen the employee's name and department to which that employee is assigned when asked.
- E. Each employee shall display the City ID Badge as required herein or otherwise carry said badge on the employee's person at all times.



- F. The Personnel Department shall replace at no charge one ID badge per employee. If a City-issued ID badge is lost or destroyed a second or more times and the explanation for the loss indicates a lack of reasonable effort on the part of the employee to care for this City property, he/she shall be subject to disciplinary action under the policies and procedures of the City as outlined in the Personnel Policies Manual.
- G. Employees who can not immediately identify visitors are to refer the visitors to a Supervisor. Employees shall identify unknown persons by asking them to wait while the employee's Department Head is called. If the Department Head cannot be reached, employees are to ask the person to accompany them to an office where another Department Head or Supervisor shall take responsibility.

**Rule IX-9**  
**[reserved]**

**Rule IX-10 Personal Property**

- A. No Employee may be reimbursed for the loss of their cash or other personal property at their work site and/or on City premises unless it can be determined that damage occurred as a result of negligence of a City employee or an agent or contractor representing the City. Said reimbursement shall be at the discretion of the Mayor or Director of Administration.
- B. Employees required to provide their own equipment or hand tools shall provide their Department Head with a complete written inventory of the equipment and tools so provided by the employee, which inventory shall be signed by the employee and approved and signed by the Department Head. A copy of the inventory list shall be forwarded by the Department Head to the Personnel Department for the employee's file.

**Rule IX-11 Personal Protection Equipment**

- A. No employee shall fail to use, wear or otherwise utilize personal protection equipment and/or safety equipment provided to the employee.
- B. Supervisors of employees working in areas where possible danger of head injury from impact, falling or flying objects or from electrical shock and burns exist shall have hard hats issued to each such employee and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- C. Supervisors of employees working in areas where possible danger of danger of noise exposure exists shall have hearing conservation devices issued to each such employee and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- D. Supervisors of employees working in areas where machines or operations present potential eye or face injury from physical, chemical or radiation shall have eye and face protection equipment issued to each such employee and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.

- E. Supervisors of employees working in atmospheres immediately dangerous to life and health contaminants which are likely to have adverse delayed effect on the health of the employee shall have respiratory protective devices issued to each such employee and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- F. Supervisors of employees working in areas where equipment operation or the movement of heavy materials or construction situations could cause injury to the feet shall have protective footwear issued to each such employee and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- G. Supervisors of employees working in areas where work-site operations could cause injury to the hands shall require protective gloves be worn by all employees and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- H. Supervisors of employees exposed to vehicular traffic on alleys, roads, streets, or highways shall require outer garments marked with or made from reflectorized or high visibility material be worn by all such employees, and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- I. Supervisors of employees working in an overhead position which may require use of both hands and when there is a danger of falling shall require safety belts, lifelines, and lanyards be worn by all such employees, and shall order and direct said employees on their proper use and in the manner intended by the manufacturers.
- J. Supervisors of employees working over or near water where the danger of drowning exists shall have life jackets or buoyant work vests provided to all such employees, shall order and direct said employees on their proper use and in the manner intended by the manufacturers.

#### **Rule IX-12 Restricted Areas**

No employee shall enter any of the City's facilities or other designated areas which are clearly marked restricted to authorized personnel only.

#### **Rule IX-13 Safety**

- A. Department Heads shall be authorized to establish rules for safety of employees and for the safeguarding of City equipment and for otherwise conducting work in a safe manner, including the authority to require attendance at safety meetings.
- B. **PERSONAL SAFETY.** Employees who feel that any person or persons pose(s) a threat to their safety shall notify their Department Head or other management person immediately. If a Department Head or other management person is not available, employees shall call the Mayor or Police Department.

#### **Rule IX-14 [reserved]**

**Rule IX-15**  
[reserved]

**Rule IX-16 Vehicle and Equipment Operation**

- A. No Department Head or supervisor shall allow an employee to operate a City vehicle or piece of equipment in the scope and course of his/her employment without first being trained, instructed, certified and/or licensed, as may be applicable, in its proper operation and use, nor without training the employee on completing vehicular accident report forms and gathering pertinent facts to aid in loss prevention.
- B. Unless waived by the Department Head upon due consideration of the employee's or applicant's driving record and circumstances involving violations and accidents, the following driving prerequisites shall apply to every City employee who drives or operates City-owned motor vehicles or motorized equipment:
- i) A record of no more than 3 moving violations and/or accidents within a 24-month period; and
  - ii) No record of D.W.I. convictions in the preceding thirty -six (36) month period.
- C. Employees issued vehicles shall be responsible for the following:
- i) Generating and keeping weekly mileage reports;
  - ii) Following all the established maintenance schedules to maintain valid warranties;
  - iii) Keeping the vehicle clean at all times, and washed and vacuumed as often as necessary.
  - iv) Notify his or her supervisor immediately, and, if possible, prior to operation, if any City equipment or vehicle appears to be unsafe.
  - v) Notify their Department Head when their driver's license becomes invalid or suspended for any reason.
  - vi) Notify their Department Head in writing of any conviction of any State law or local ordinance relating to motor vehicle traffic control other than parking violations no later than 30 days after the issuance of the citation/notice of violation. The signed, written notification shall include the driver's full name and license number, the date of the offense, the nature of the violation, whether or not the violation was committed in a commercial motor vehicle, and the location of the offense.
  - vii) Wear seat belts and order passengers to also do so any time a vehicle is in operation.
  - viii) Notify a supervisor or department head of any non-correctable physical or driving skill defect which would retard or impair the employee's ability to safely operate a motor vehicle or of the employee's failure to comply with the driving prerequisites stated above.

- D. Supervisors shall record in writing any report of unsafe vehicles/equipment reported to them by an employee.
- E. The Department Head shall notify the Personnel Department of any change in status of an employee's driver's license.
- F. No employee shall alter, repair, or in any way change, add to, or remove any parts or accessories of any City-owned or leased property without the permission of his or her Department Head.

**Rule IX-17**  
**[reserved]**

**Rule IX-18 Work Restrictions due to Age**

- A. The City of Hammond does not discriminate on the basis of age in its employment decisions and practices. However the City of Hammond shall require all persons who are offered employment to provide proof of age when required for compliance with applicable labor laws and to determine benefits eligibility.
- B. No person under 18 years of age shall be employed in any position or activity prohibited by Child Labor Laws.

## **CHAPTER 10**

### **OTHER POLICIES**

**Rule X-1**  
[reserved]

**Rule X-2 Death Of An Employee**

- A. Procedures concerning the death of a fire or police employee are contained in the fire and police manuals respectively.
  
- B. In the event of a non fire or police employee's death, the following procedures are to be followed:
  - i) Upon receipt of such notification, the Department Head or supervisor shall furnish notice of the death to the Director of Personnel.
  
  - ii) The Director of Personnel shall secure confirmation of the employee's passing, by requesting, in writing, a certified copy of the death certificate from the employee's family. Contact shall be made with the person listed in personnel records as the individual to be contacted in case of an emergency.
  
  - iii) Upon receipt of the death certificate, the Director of Personnel shall process the exit form. Contact shall be made with the deceased employee's supervisor, to request confirmation that any City-owned equipment that might have been assigned to the employee is returned and accounted for. The Director of Personnel shall then authorize the Accounting/Payroll department to process a final check. The final check shall include any regular work hours due the deceased, and payment for any accrued benefits due at the time of death, less the value of any unaccounted for City property assigned to the deceased.
  
  - iv) The Director of Personnel shall be responsible for contacting the City's insurance carrier to provide notice of the death. The insurance carrier shall then handle the processing of any death benefit claims.

**Rule X-3 [Reserved]**

#### **Rule X-4 Forms**

All forms required in this Manual and/or approved for use in the operation of City government, are subject to revision or cancellation.

#### **Rule X-5 Legal Representation and Use of the City Attorney's Office**

- A. Any employee of the City of Hammond served with any legal document in the course and scope of their employment shall immediately advise the Director of Administration and the City Attorney's office. These documents include, but are not limited to a Petition, Answer, Request for Production of Documents, Request for Admissions, Interrogatories, subpoena or other similar documents.
- B. The employee served shall cooperate with the City Attorney's office in ensuring that requests for copies of records are made available as soon as possible, as approved by the City Attorney.
- C. As directed by the City Attorney or his designee, the employee shall make his or herself available for any meetings, deposition(s), and/or court appearance(s) as deemed appropriate or necessary in the defending of the City's interests.
- D. Any employee, whether department head or otherwise, who feels that they may have a need for utilizing the services of the City Attorney's office in their capacity as an employee of the City of Hammond, shall secure the approval of the Director of Administration prior to making contact with the City Attorney.
- E. Nothing herein shall be construed to limit or deny access of a Department Head to any full-time legal counsel that may be employed by the City.

#### **Rule X-6 Operational Procedures Manual**

All operations procedures manuals developed by City departments, shall follow a format prescribed by the Administration. Prior to its implementation, all such manuals are to be submitted to the Director of Administration for review and comment. The Mayor shall have final approval of any departmental manual. A copy of all approved department manuals shall be delivered to the Mayor's office.

#### **Rule X-7 Use of City-Owned Assets to Benefit Not-for Profit Agencies**

It is not the intent of the city administration to prohibit the use of City assets or employees for not-for-profit organizations. City assets may be used in conjunction with a function or service, including but not limited to Police or Fire volunteer services, churches, organized charities operating legally under the laws of the State of Louisiana and in concert with other State, Federal, or Parish agencies, while performing public service or charity (not-for-profit) type duty. Such use shall be approved by the Mayor or his/her designee.

#### **Rule X-8**

[reserved]

**Rule X-9 [reserved]**