

RULE I**MEETING OF THE BOARD**

- SECTION 1: The board shall hold one regular meeting within each quarterly period of the calendar year, in the months of January, April, July, and October. The board shall hold such special meetings as may be called by the chairperson or as provided in Act 282.
- SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at the Oakdale Police Department.
- SECTION 3: Notice of all meetings, including regular meetings, shall be given by posting such notice in the city hall, not less than five (5) days before the date fixed for such meetings, unless otherwise provided by law. Such notice shall state the time, place, and subject matter to be covered, and whether said meeting is regular or special.
- SECTION 4: Special meetings of the board will be held only upon call of the chairman, or in his/her absence, the vice-chairman, or as provided by Act 282. Notice of all special meetings shall be given by posting such notice in the Oakdale City Hall, Oakdale Police Department and Oakdale Fire Department, not less than twenty-four (24) hours before the date and time fixed for such meetings. Such notice shall state the time, place and subject matter to be covered, and that whether the meeting is regular or special.
- SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session.
- SECTION 6: All board members must be notified not less than five (5) days preceding all regular board meetings.
- SECTION 7: Four (4) members of the board must be present to constitute a quorum of the board. Concurring votes of three (3) members are necessary for decisions of all matters before the board.

RULE II

SUBJECT MATTER OF MEETINGS

SECTION 1: At regular meetings of the board it shall consider all old and new business which may be brought to its attention in the manner hereinafter provided.

SECTION 2: At special meetings the board shall consider only those items of business for which the meeting was called, except by agreement of a majority of the board members, other matters may be considered.

RULE III

ORDER OF BUSINESS

SECTION 1: At regular meetings the order of business shall be as follows:

1. Reading of the minutes
2. Special and general reports
3. Decisions and orders on matters considered at previous hearings and meetings.
4. New business.

SECTION 2: At special meetings the order of business shall be as follows:

1. Reading of minutes
2. Decisions and orders on matters considered at previous hearings and meetings
3. Hearing of matters previously fixed for the special meeting.

RULE IV

EXECUTIVE SESSIONS

SECTION 1: The board, if required, will meet in executive session during regular or special meetings, or by majority vote when considering those matters which may be discussed under provisions of Revised Statute 42:4.1 (relative to public meetings) and those statutes that follow. All voting on matters

discussed in an executive meeting will be held upon return to public meeting.

RULE V

APPLICATION FOR APPEALS AND HEARINGS

SECTION 1: Any person authorized to appeal to the board under the provisions of the Civil Service Law may apply for such an appeal by a written notice giving a clear and concise statement of the action complained against, the basis of the appeal, and the relief sought. Application for appeals to the board under the provisions of Sect. 2561 of the Civil Service Act shall be made only by regular employees in the classified service and shall be limited to matters involving discharge, corrective or disciplinary action and the application shall so state. All other request for hearings shall set forth the section of the Civil Service Act under which the application is brought and shall contain a statement of the jurisdiction of the board. All applications for appeals and other hearings must be signed by the applicant or his counsel, if any, and must give the full name and post office address of the appellant and of his counsel. Written notice shall be filed with the chairperson of the board and a copy thereof filed with the vice-chairman of the board.

SECTION 2: No appeal shall be effective unless the above stated notice is filed within fifteen (15) days following the action complained against, or where written notice is given of an action to be thereafter effective, within the fifteen (15) days following the date on which such written notice is given.

SECTION 3: The secretary of the board shall cause the date of filing to be noted on each notice of appeal and shall file said appeal on the appeals docket, giving the said appeal an appropriate title.

RULE VI

PROCEDURE ON APPEALS

SECTION 1: All hearings on appeals shall be open to the public.

SECTION 2: Parties shall have the right, but shall not be required, to be represented by counsel. When any party is represented by more than one attorney, only one attorney for any party shall be permitted to examine the same witness.

SECTION 3: The rules of evidence as applied in civil trials before the courts of this state need not be strictly complied with, but the board shall limit evidence to matters having a reasonable relevance to the issues before the board.

SECTION 4: Parties and witnesses shall be subject to cross-examination as in civil trials. The board looks with favor upon stipulations of undisputed facts.

SECTION 5: The board may, on request of any party or on its own motion, place witnesses other than parties under the rule of the board and thus exclude them from the hearing room.

SECTION 6: Any party desiring the issuance of a subpoena for the attendance of a witness or the production of books or papers must apply for appropriate order, to the board, in writing at least ten (10) days before the time fixed for the hearing.

SECTION 7: The written rules, regulations, and procedures of the civil service board and Act 282 will be the basis of all hearings and appeals.

RULE VII

DISMISSAL OF APPEALS

SECTION 1: If the appellant fails to appear at the place and time fixed for any hearing, his appeal may be dismissed or the board may, in its discretion, continue the case or proceed with the hearing and render its decision upon such evidence as may be adduced at the hearing.

RULE VIII

TRANSCRIPTS OF HEARINGS

SECTION 1: If any party to the hearing desires a permanent transcript of the hearing, the party shall furnish a court reporter for said purpose at their own expense. Where a court reporter is furnished, the original of the transcript shall be filed with the board and shall become part of the permanent record of the appeal. Where no court reporter is furnished, the secretary of the board shall maintain as complete notes as is feasible.

RULE IX

OTHER HEARINGS

SECTION 1: All other hearings of the board shall be instituted and shall be conducted in accordance with the above and foregoing rules and Civil Service Law in general.

RULE X

APPLICATION FOR ADMISSION TO TEST

SECTION 1: Test for entry upon promotional and competitive employment list shall be advertised for and administered in accordance with Section 2552 of the Civil Service Act. Test for entrance upon competitive employment list may be given as the needs of the service require, and shall be given after any existing competitive eligible list is fifteen months old and before said list expires. Test for entry upon promotional employment list may be given after existing list is twelve (12) months old and not yet expired.

SECTION 2: Applications for admission to tests on board approved forms, will be received by those individual(s) designated by the board at any time before final date in advance of the date fixed for the exam. Individuals, other than the board secretary, who are designated to receive applications will forward such applications to the board secretary. The applications shall be kept as a permanent record of the board in accordance with civil service law and state law on public records. Approved applications will be notified at least five (5) calendar days in advance of the date fixed for the examination.

- SECTION 3: Promotional and competitive employment lists shall be maintained by the board for eighteen (18) months.
- SECTION 4: Admission to tests shall be governed by provisions of Sect. 2553 of the Civil Service Act.
- SECTION 5: When results of any examination are furnished to the board by the State Examiner, the chairperson shall forthwith call the board for a special meeting for approval thereof. Employment list shall become effective upon approval of and by a majority of the board and filing of the same by the board with the State Examiner.

RULE XI

DISTRIBUTION OF BOARD RULES

- SECTION 1: A copy of the board rules shall be distributed to each board member, governing body one (1) copy, police and fire chief one (1) copy, police and fire bulletin boards one (1) copy.
- SECTION 2: A copy of the board rules shall be given on request to an appellant or his counsel prior to a hearing.

RULE XII

LEAVES OF ABSENCE

- SECTION 1: Leaves of Absence--Police and Fire
- A. Leaves of absence are classified as follows:
1. Leave of absence with pay
 2. Leave of absence without pay
 3. Absence without leave and pay - Absence without leave and pay (AWOL) occurs when an employee does not receive permission to take time off and is in a non-approved and non-pay status. Any employee who is absent without leave and pay shall be subject to disciplinary action, up to and including termination.

B. Sick leave

1. Each full time employee of the classified service accrues sick leave at the rate of twenty (20) hours per month until the first January 1st following that employee's hire date. After January 1st, each full time employee will receive two hundred and forty (240) hours per calendar year (January 1 - December 31) to be taken as sick leave. Unused sick leave days cannot be carried over to the next year.
2. Sick leave may not be used for absences incurred because of attendance to personal affairs. Any employee on sick leave is required to diligently pursue full recovery and any activity which is contrary to this endeavor may be the basis for disciplinary action, up to and including termination. No cash payment may be made for accumulated sick leave.
3. When an employee of the classified service is ill and cannot report for duty, it is their responsibility to notify the supervisor or the person designated by the chief of the department not later than *two (2) hours* prior to the start of the assigned duty period. Failure to call, as indicated above, will result in the forfeit of pay, as it is classified as "absence without leave and pay."
4. Sick leave is applicable to maternity claims. Maternity leave commences when a doctor certifies that the employee cannot perform all of the duties of her position and light duty within her classification is not available.
5. Should any employee need to be absent from his/her normally scheduled duties, due to an illness that last longer than three (3) normally scheduled working days, the employee is required to submit a doctor's certificate indicating the illness or condition which has justified his/her absence, as well as the probable duration of the illness. For failure to produce a doctor's certificate for any absence due to an illness requiring the employee to be absent more than three (3) normally scheduled

working days, the employee will be classified as "absent without leave and without pay." Should any employee exhibit a documented pattern of abuse, they will be required to submit a doctor's certificate even if the absence is only for one (1) normally scheduled working day. No cash payment may be made for accumulated sick leave.

C. Funeral Leave

1. An employee's immediate family is defined to consist of parents, spouse, brother or sister, grandparents, children, step-children, grandchildren and step-grandchildren.
2. Funeral leave in the event of an immediate family death shall be authorized without loss of pay or time, not to exceed five (5) calendar days, except in extenuating circumstances endorsed by the departmental chief. Funeral leave in the event of any other family member, shall be authorized without loss of pay or leave time not to exceed one (1) working day.
3. An employee's family members other than immediate family members shall be defined as father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, uncle, aunt, niece, and nephew.
4. In the event of family member other than an immediate family member, the employee shall be granted leave of absence with pay not to exceed one (1) calendar day, except in extenuating circumstances endorsed by the employee's chief.
5. In situations where unusually long travel time is involved in connections with the funeral of a member of an employee's immediate family or other family member, an employee may apply, in advance, in exceptional circumstances, for additional funeral leave. Total absence shall not exceed five (5) consecutive calendar days.
6. Funeral leave is authorized for the specific purpose of attending the funeral of the deceased family member.

7. The Appointing Authority is encouraged to establish written policies necessary to monitor funeral leave and to prevent abuse of this benefit, which may include notification prior to duty.

D. Examinations

Each employee of the classified service will be granted "leave of absence with pay" to take the municipal fire and police civil service examination.

Provisional employees are granted "leave of absence with pay" to take any municipal fire and police civil service examinations for the class they hold provisionally.

E. Civil Leave

Absence because of jury duty is "leave of absence with pay." However, the jury notice must be presented to the chief of the department or to the person designated by the chief to receive such notice at least five (5) days in advance of such jury duty. An employee shall be authorized to take leave time when performing jury duty, when subpoenaed to appear before the court, public body, or national defense. The city will pay the difference between pay earned for the special duty and the employee's regular pay from the city.

F. Attendance in district court on departmental business is with pay provided that the attendance is ordered by subpoena or other court order.

Each member of the classified service must present to the chief of the department or the person designated by him, any such notice to appear in court at least five (5) days in advance of such court attendance. Copy of such notice shall also be sent to the board.

G. Military Leave with Pay

An employee shall be authorized to take leave without loss of pay, time, or annual leave on all

days during which they are ordered to duty with troops or at field exercises, or for instructions required by membership of the Officer's Reserve Corps of the Army of the United States, the National Guard of the United States, the Training Corps, or the Civil Air Patrol, either as officers or enlisted personnel, for a maximum of fifteen (15) work days, as provided by Louisiana Revised Statute 42:394. Each member of the classified service shall give such notice of ordered duty at least thirty (30) days in advance to the chief of the department if known by him. Should the employee be called out on an emergency basis, he should contact his supervisor, the chief of the department, or the person designated by him to receive such notice.

H. Military Leave without Pay

Any member of the classified service called into the Armed Forces, will be carried on military leave without pay until he returns to duty. The employee is required to notify the chief of the department or the person designated by him to receive such notice and this board when he receives such notice. Any member of the classified service who is called into the Armed Forces will be allowed to take whatever annual leave to which he is entitled.

Provisional employees will not be granted a military leave of absence. They shall be required to resign or be dropped from service.

Any member of the classified service who is a member of the National Guard or in the Reserves of the Armed Forces, upon being ordered to active duty, shall be given any leave due the employee in Section G. Should the employee have used all leave to which he is entitled (in Section G), he shall be granted military leave without pay.

I. Personal Time Off

Each member of the classified service may apply to the chief of the department for personal time off when such time off will not exceed two (2) days and this leave is classified as "leave of absence without pay."

Any member of the classified service taking personal time off without applying for same shall be considered as "absent without leave or pay."

J. Annual Leave - Fire and Police

1. Each full-time employee of the classified service, after serving one year, shall accrue annual leave as follows:

Years of Employment	8 Hour Shift	12 Hour Shift	24 Hour Shift
1 Year	80 Hours	84 Hours	48 Hours
2 -5 Years	120 Hours	120 Hours	96 Hours
6 - 10 Years	160 Hours	168 Hours	120 Hours
11 - 15 Years	200 Hours	204 Hours	168 Hours
16 - 25 Years	240 Hours	240 Hours	240 Hours

2. No annual leave may be taken before the employee's first (1st) anniversary (365 calendar days).
3. No cash payment may be made in lieu of vacation until such time as the employee is separated from his/her employment.
4. The Appointing Authority has the right to regulate the time at which any employee is granted annual leave as proved in Revised Statue 33:2557.

K. Leave for Specialized Disaster Service Volunteer

1. Any employee who is a trained disaster volunteer of the American Red Cross may be granted leave from his/her regular work assignments, with pay, and without loss of seniority, annual leave, sick leave or earned overtime or compensatory time accumulation, for any period not to exceed fifteen (15) work days in any twelve (12) month period, to participate in specialized disaster relief services for disasters designated at Level III or above in the American Red Cross Regulations and

Procedures.

2. Leave may be granted upon written request of the employee to the Appointing Authority which shall include certification of the employee as a trained American Red Cross disaster volunteer, the nature and location of the disaster, anticipated duration of the leave, nature of services required, certification by an official of the American Red Cross that the employee's services are needed, and the identity and title of the official of the American Red Cross to whom the employee is to report.

L. Family Medical Leave

1. Notwithstanding the provisions of Subsection 2.b. (Military FMLA Leave):
 - a. Eligibility for FMLA shall be extended to employees of the classified service who have worked a total of at least 12 months and at least 1,250 hours in the 12 months immediately preceding the commencement of the leave.
 - b. A classified employee who is a returning uniformed service member protected under the USERRA shall be eligible if, but for his or her military service, the employee would have worked a total of at least 12 months and at least 1,250 hours in the 12 months immediately preceding the commencement of the leave.
2. a. Regular FMLA Leave - Employees of the classified service shall be eligible for up to twelve (12) workweeks of unpaid leave due to:
 - i. birth and care of eligible employee's child;
 - ii. placement for adoption or foster care of a child with the employee;
 - iii. care of an immediate family member (spouse, child, parent) who has a serious health condition;

- iv. care of the employee's own serious health condition;
- v. because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is covered member on active duty or has been notified of an impending call or order to active duty, in support of contingency operation, or;
- vi. other reasons provided in Public Law 103-3.

Not more than twelve (12) weeks of the combined total may be applied to regular FMLA leave during any single twelve-month period.

- b. Military FMLA Leave - Employees of the classified service shall be eligible for up to twenty-six (26) workweeks of unpaid leave in order to care for a covered service member with a serious injury or illness, as provided in Public Law 103-3. Such service member shall be defined as:
 - i. a member of the armed forces (including the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness;
 - ii. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the armed forces (including the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The combined total of military FMLA leave and regular FMLA leave shall not exceed

twenty-six (26) weeks during a single twelve-month period.

3. Spouses employed by the same department shall be limited in the amount of FMLA leave to a combined total of twelve (12) weeks of regular FMLA leave or twenty-six (26) weeks of military FMLA for the following reasons:
 - a. the birth and care of a newborn child
 - b. placement of a child for adoption or foster care
 - c. to care for a patient who has a serious health condition
4. At the discretion of the appointing authority, FMLA leave may run concurrently with paid leave, as follows:
 - a. Paid sick leave, only when such leave is necessary for the care of the employee's own serious health condition.
 - b. Compensatory and/or paid annual leave, when such leave is necessary for all other FMLA reasons. Compensatory leave shall be exhausted prior to using annual leave.
5. When paid leave is exhausted, an employee shall be entitled to the remaining unpaid FMLA leave, if any, to which he/she is entitled.
6. Accrual of departmental and/or promotional seniority shall continue while an employee is on paid or unpaid family medical leave.

M. Administrative leave with pay

The appointing authority may grant administrative leave with pay for a period not to exceed sixty (60) consecutive calendar days when circumstances develop that would warrant the removal of an employee from the department without disadvantage in order for the appointing authority to conduct an investigation concerning the conduct of the employee or as may be otherwise required under department policies and procedures. This leave may be extended for an additional period not to exceed

sixty (60) consecutive calendar days with prior approval of the board, when circumstances warrant such extension. Administrative leave shall be terminated upon the employee being ordered to return to active duty or upon the appointing authority affecting disciplinary action, whichever occurs first.

N. Expiration of Leave

Any member of the classified service who fails to report for duty upon the expiration of any authorized leave shall be considered to be absent without leave and pay and may be subject to disciplinary action, up to and including termination.

Adopted	11-05-04
Revised	08-02-05, 03-17-11, 10-12-17