

**ST. GEORGE FIRE PROTECTION DISTRICT  
CIVIL SERVICE RULES**

**RULE 1**

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 of 1964, hereinafter referred to as the Civil Service Act (Revised Statute 33:2531 and those that follow).
- SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at St. George Fire Department Administration Building at 13646 Perkins Road, Baton Rouge, La.
- SECTION 3: Notice of regular meetings shall be given by posting such notice in the building in which the meeting is to be held, not less than ten (10) days before the date fixed for such meeting, unless otherwise provided by law. Such notice shall state whether the meeting is regular or special, and shall include the date, time, place, and agenda of the meeting, provided that upon approval of two-thirds of the members present at a meeting of a public body, the public body may take up a matter not on the agenda.
- SECTION 4: Special meetings of the board will be held only upon call of the chairperson, or in such absence the vice-chairperson, or as provided by the Civil Service Act.
- SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session as provided by Revised Statute 42:4.1, and those statutes that follow.
- SECTION 6: All board members must be notified not less than ten (10) days preceding all regular board meetings. Special meetings may be held upon twenty-four hour notice, as provided by law.
- SECTION 7: Two members of the board must be present to constitute a quorum of the board. Concurring votes of two members are necessary for decision of all matters before the board.

**RULE 2**

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 two-thirds of the board members, other matters may be considered.

**RULE 3**

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 4**

EXECUTIVE SESSIONS:

SECTION 1: The board, if required, will meet in executive session during regular or special meetings, by two-thirds vote of those present when considering those matters which may be discussed under provisions of Revised Statute 42:6.1, (relative to exceptions to open meetings). Any voting on matters discussed

in executive sessions will be conducted **only** upon return to public meeting.

## **RULE 5**

### APPLICATION FOR APPEALS AND HEARINGS:

- SECTION 1: Any person authorized to appeal to the board under the provisions of the Civil Service Act 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 Section 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 requests 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 or the board official so designated to receive such applications.
- 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 6**

### PROCEDURE ON APPEALS: (Revised Statute 33:2561)

- 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. The burden of proof, as to the facts, shall be on the appointing authority except in those cases where the employee alleges discrimination based on political or religious beliefs, sex, or race.
- 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. The appointing authority shall be first to present evidence and testimony followed by the evidence and testimony of the appellant. Board members may ask questions of witnesses.
- 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 eight (8) days before the time fixed for the hearing. Such application shall state the purpose of the subpoena and what evidence or testimony is sought by the issuance of the subpoena. A subpoena service fee of \$ \_\_\_\_\_ will be required for any additional subpoena requested after the first four (4).
- SECTION 7: The written rules, regulations, and procedures of the civil service board and the Civil Service Act will be the basis of all hearings and appeals.

**RULE 7**

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 8**

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 first copy of the original of the transcript shall be filed with the board and shall become part of the permanent record of any subsequent appeal. Where no court reporter is furnished, the secretary of the board shall maintain as complete notes as is feasible and the board will issue a written finding of fact.

**RULE 9**

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 Act in general.

**RULE 10**

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 as determined by the civil service board. Test for entry upon promotional employment list may be given after existing list is

twelve (12) months old and not yet expired and shall be given at least one time during each successive period of eighteen months.

SECTION 2: Applications for admission to tests on board approved forms, will be received by those individuals designated by the board at any time before final date for receiving applications. Approved applicants will be notified at least five (5) days in advance of the date fixed for the exam. Individuals designated to receive applications will forward such applications to the board secretary and shall be kept as a permanent record of the board in accordance with Civil Service Act.

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 Section 2553 of the Civil Service Act and the qualification requirements of the classification plan. In the event of a demonstrated need for an eligibility list, the board may waive any requirements in the classification plan in order to establish a qualified pool of applicants for testing. A demonstrated need is established when an active provisional appointment exists in the classification to be tested.

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 lists 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 11**

#### DISTRIBUTION OF BOARD RULES:

SECTION 1: One copy of the board rules shall be distributed to each board member, governing body one copy, Fire Chief one copy, and fire station bulletin boards one 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 12**

**St. George Fire Protection District**

- 1. MISSION STATEMENT.....7
- 2. PERSONNEL POLICIES.....7
  - 2.1 Admission Policy.....7
  - 2.2 EEOC Statement.....7
  - 2.3 Drug and Alcohol Use Policy.....7
    - 2.3.1 Employee Drug Testing.....8
  - 2.4 Sexual and Other Unlawful Harassment.....17
  - 2.5 Conduct and Professionalism.....17
  - 2.6 General Rules of Conduct.....18
  - 2.7 Salaries.....19
    - 2.7.1 Original Appointment Rate.....19
    - 2.7.2 Rate of Pay Upon Promotion .....20
    - 2.7.3 Rate of Pay Upon Demotion.....20
    - 2.7.4 Temporary Assignments.....20
    - 2.7.5 Increases.....20
    - 2.7.6 Change in Rate of Pay.....21
    - 2.7.7 Overtime.....21
    - 2.7.8 Longevity.....22
    - 2.7.9 Educational Incentive Pay.....23
  - 2.8 Scheduled Work Hours.....23
    - 2.8.1 Shift Employees (24 hours).....24
    - 2.8.2 Communications Employees .....24
    - 2.8.3 Staff Employees (Non-Exempt)..... 24
    - 2.8.4 Staff Employees (Exempt).....24
  - 2.9 Uniforms & Grooming .....24
    - 2.9.1 Shift Employees (24 hour)..... 25
    - 2.9.2 Communications Employees.....25
    - 2.9.3 Staff Employees (Non-Exempt) .....26

- 2.10 Leave Policies.....27
  - 2.10.1 Administrative Leave.....27
  - 2.10.2 Vacation - Eligibility.....27
  - 2.10.3 Sick Leave.....28
  - 2.10.4 Compensatory Time.....31
  - 2.10.5 Holiday Compensation.....31
  - 2.10.6 Funeral Leave.....31
  - 2.10.7 Leave Without Pay .....32
  - 2.10.8 Emergency Leave.....32
  - 2.10.9 Military Leave.....32
  - 2.10.10 Civil Leave.....32
  - 2.10.11 Civil Leave - Off Duty.....33
  - 2.10.12 Family / Medical Leave.....33
  - 2.10.13 Securing Authorized Leave.....34
  - 2.10.14 Shift Swap.....34
  
- 2.11 Discipline.....34
  - 2.11.1 Infractions .....34
  - 2.11.2 Minor Infractions .....35
  - 2.11.3 Major Infractions .....35
  - 2.11.4 Implementation .....36
  - 2.11.5 Due Process .....37
  - 2.11.6 Appeals.....37
  
- 2.12 Change of Address/Phone Number .....38
  
- 2.13 Vehicle Operators License/EMT License .....38



**SECTION 1: Mission Statement**

The mission of the St. George Fire Protection District is to protect lives and property through the prevention and/or mitigation of fires and other emergencies. This mission will be accomplished through a variety of programs that are hereby established. These programs are established with life safety, property conservation, and cost effectiveness in mind, in that order.

**SECTION 2: Personnel Policies****2.1 Admission Policy**

Admission to the department for employment or membership shall be subject to guidelines as set forth by the administration or Fire & Police Civil Service Board.

**2.2 EEOC Statement**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the SGFPD will be based on merit, qualifications and abilities, The SGFPD does not discriminate in employment opportunities or practices on the bases of race, color, religion, sex, national origin, age, disability or any other characteristic protected by law. The SGFPD will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of their immediate supervisor. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination.

**2.3 Drug and Alcohol Use Policy**

It is the SGFPD's desire to provide a drug free, healthful, and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition in order to perform their jobs in a satisfactory manner. While on the SGFPD premises, and

while conducting business related activities off the SGFPD premises, no employee should use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the work place. If a possibility of impairment may result from the legal use of a prescribed drug, the employee's immediate supervisor shall be notified immediately. Violations of this policy may lead to disciplinary action, up to and including termination of employment, and or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

### **2.3.1 Employee Drug Testing**

#### **2.3.1.1 Purpose**

To provide a safe and healthy work environment.

To eradicate drug abuse and its' effects in the fire department workplace.

To protect the general public.

To maintain the efficient and orderly operation of the public safety services provided by the fire department.

To protect taxpayer property.

To comply with applicable laws and regulations.

#### **2.3.1.2 Definitions**

*Employee* means any person working full-time, part-time, or any volunteer performing work in any safety sensitive capacity.

*Workplace* means any site, building, premises, vehicle, or other location at which an employee is performing any fire department work.

*Drug* means: Any controlled substance as defined in the Louisiana Uniform Controlled Dangerous Substances Law,

LA-R.S. 40:961995, 961(7).

Any controlled substance as defined at 21 U.S.C. 802(6) or 21 CFR Part 1308.

Any controlled substance analogue as defined at 21 U.S.C. 802(32).

Anabolic steroids, which include all substances listed as 21 U.S.C. 802(41) and LA-R.S. 40:964 Schedule III, paragraph E.

*Alcoholic Beverage* means any fluid or any solid capable of being converted into fluid, suitable for human consumption, and containing more than one-half of one percent alcohol by volume.

*Positive Test* means:

For a drug, when the drug or its' metabolite is found in the employee's urine in concentrations greater than the applicable cutoff levels in a confirmatory testing procedure (as defined in LA-R.S. 49:1001(6)) and when a medical review officer (as defined in LA-R.S. 49:1001(10)) determines that there exists no legitimate explanation for the presence of the drug or metabolite in the urine.

For alcohol, when the employee's blood alcohol concentration is 0.05 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood.

*Reasonable Suspicion* means the observation of any one of the following facts:

Direct observation by a supervisor of employee drug or alcohol use while in the fire department workplace.

Arrest or conviction of the employee for a drug related offense.

Information received by a supervisor from an unidentified source or sources that the employee is using drugs or alcohol in the workplace or is impaired by drugs or alcohol in the workplace, when this information is corroborated by direct observation by any supervisor of drug or alcohol use by the employee or by other evidence from any supervisor with training and experience in the evaluation of drug-induced impairment.

*Serious Incident* means:

Any occurrence in which a fire department employee's neglect, act, or failure to act is a contributing or causative factor which:

Results in one or more deaths.

Results in bodily injury to any person, who, as a result of the injury:

Immediately receives medical treatment away from the scene of the accident.

Receives professional medical treatment beyond first aid.

Results in damage to property which:

Renders the property inoperable.

Is estimated by the accident investigator to be in excess of \$1500.00.

*Safety Sensitive* means:

All personnel (paid & volunteer) who regularly respond to or dispatch calls for emergency assistance with the fire department.

Positions with duties that are authorized or are required to perform fire safety

inspections of a structure.

Positions with duties that are authorized to carry firearms.

Positions that are authorized to operate fire department vehicles.

### **2.3.1.3 Prohibitions**

Drugs in the workplace. The unlawful manufacture, distribution, possession, or use (other than legally prescribed medication taken as prescribed) by a fire department employee of any drug in the fire department workplace.

Consumption or possession of alcohol. All fire department employees are prohibited from consuming alcoholic beverages in the fire department workplace.

Employees may be permitted, however, to engage in possession and moderate consumption of alcohol where such possession is a customary part of attendance at officially approved social functions, or events or functions such as conferences, receptions, and conventions.

Use of drugs and alcohol. All fire department employees are prohibited from:

Working or reporting for work under the influence of any drug (other than legally prescribed medication taken as prescribed) or with a sufficient amount of any drug or metabolite thereof in their systems to result in a positive test.

Working or reporting for work under the influence of alcohol, or with sufficient alcohol in their systems to result in a positive test.

It shall be a violation of this policy for an employee to be convicted of a violation

of any criminal drug or alcohol statute, when the conviction:

Arises out of a violation that occurred in the fire department workplace. Prevents the employee from performing the regular duties of his or her assigned position because:

The employee is incarcerated as a result of the conviction.

The crime committed bears such a relation to the employee's regular duties that the fact of its commission renders the employee unfit to continue to perform those duties.

Compliance with this policy, including participation in drug testing and alcohol testing, is a condition of continued employment/membership with the fire department. Any refusal to submit to a drug test or alcohol test, or refusal to cooperate with the fire department in any of the procedures involved in the drug and alcohol testing provided for by this policy, shall be a violation of this policy. For purposes of this policy, refusal shall include not only an express refusal to submit to a drug test or an alcohol test, but also any failure to appear for any test, failure to report a serious incident, or any absence or departure from fire department work that occurs without a verified legitimate reason:

After the employee learns that he or she is required to submit to the test or tests.

After an occurrence which, under this policy, could result in the employee being required to submit to a drug test or alcohol test.

Fire department employees are prohibited

from altering, tampering in any manner with, or substituting a sample for a drug test or alcohol test or otherwise interfering with any testing procedures.

#### **2.3.1.4 Drug Testing Procedure**

All collection, shipment, analysis, and review procedures conducted in connection with drug testing authorized or mandated by the provisions of this policy shall comply with LA-R.S. 49:1001-1015 where applicable, as well as with any applicable regulations.

The cutoff levels for all drug testing shall comply with LA-R.S. 49:1005(b)\_ this initial cutoff level for marijuana as determined by immunoassay testing shall be the lowest level authorized by an applicable statute or regulation.

The fire department shall require employees to submit samples for testing in order to enforce the prohibitions of this policy and to comply with applicable laws and regulations.

#### **2.3.1.5 Enforcement of This Policy**

In order to enforce the prohibitions of this policy against drugs and alcohol, the fire department may:

Performs drug and alcohol testing of applicants for fire department employment or membership.

Perform drug or alcohol testing of employees when "reasonable suspicion" exists as defined in this policy.

Perform drug and alcohol testing of fire department employees following serious incidents.

Perform random drug and alcohol testing of fire department employees.

The fire department may require any applicant for employment or membership to submit to a drug test or an alcohol test. The fire department shall not employ an applicant who has tested positive on a drug test or an alcohol test conducted pursuant to this policy. Such an applicant shall be considered physically unfit to perform fire department work. Drug testing and alcohol testing are conditions of employment and/or membership by the fire department. Therefore, any applicant who refuses to submit to a test of either type shall be denied employment and/or membership with the fire department.

All fire department employees shall report all serious incidents occurring in the fire department workplace to their immediate supervisor, or higher authority if the immediate supervisor is unavailable without delay. Any employee who delays in reporting an incident within the prescribed period shall be considered to have violated this policy, unless the employee is physically unable to make the report or such other extreme or extraordinary circumstances exist that justify the failure to report. Any employee whose actions or failure to act the fire department determines to be, or cannot rule out as, a causative factor in a serious incident occurring in the fire department workplace, shall be required to submit to a drug test and an alcohol test. Additionally, any employee who sustains an injury in the fire department workplace that requires medical treatment beyond first aid shall be required to submit to a drug test and an alcohol test for purposes authorized by the Louisiana Workers' Compensation Act, LA-R.S. 23:1021 et seq. when appropriate, a positive test under this section may also be considered a positive test for all other purposes of this policy.



All fire department employees who occupy safety-sensitive positions shall be subject to random drug testing. The selection process shall be such that for each testing occasion, every fire department employee has a substantially equal chance of being selected to provide a sample for testing.

#### **2.3.1.6 Discipline**

The purpose of this section is defining circumstances that constitute just cause for disciplinary action. Neither this section nor any part of this policy is intended to deny or otherwise limit an employee's right to due process protections guaranteed the employee under the United States and Louisiana constitutions, or to any appeal of rights available to the employee under the municipal fire and police civil service system.

An employee commits a violation of this policy when the employee:

Unlawfully manufactures, distributes, dispenses, possesses, or uses any drug in the fire department workplace in violation of this policy.

Consumes alcohol in the fire department workplace in violation of this policy.

Refuses to submit to a drug or alcohol test.

Has a positive drug or alcohol test after a serious incident as determined by the policy.

Test positive for any drug or metabolite listed in under the definition of Drug in this policy.

Works or reports for fire department work under the influence of alcohol or any drug listed in this policy.

Except as otherwise provided within this policy, any employee who commits any violation listed above shall be dismissed from the fire department.

#### **2.3.1.7 Appeal of Positive Test**

If an appeal to the appropriate board (municipal fire & police civil service board for full-time employees, board of commissioners for part-time employees and volunteers) includes a positive test for drugs or alcohol, the fire department may introduce a written report of the results of the test if:

A notice of the report is filed with the appropriate board and mailed to all parties twenty days prior to the hearing date.

Verified documentation of the chain of custody is submitted with the expert's report with an affidavit that states the documentation was made at or near the time of the chain of custody in the course of regularly conducted business activity.

An employee may challenge the testing procedure and/or chain of custody by giving ten days from receipt of the above referenced documents to the fire department and the appropriate board. At the next scheduled hearing the appropriate board will review the challenge and decide if it is necessary to have a full hearing on the validity and/or chain of custody of the drug or alcohol test results.

If the board finds that there is a procedure error in the administration of the test, the board may deny admissibility of the test. If there is no challenge to the testing procedure, the certified

report and affidavits will be admitted into evidence at the hearing as prima facie proof of its contents, provided that the party against whom the report is sought to be used may summon and examine those making the original of the report as witnesses under cross examination.

The employee may overcome this presumption of regularity by providing a preponderance of proof that the collection, shipping, testing, and medical review officer procedures contain irregularities. The board may order a full hearing on the validity of the documents if it deems necessary.

#### **2.3.1.8 Self Referral**

An employee who has never tested positive for drugs or alcohol while employed by the fire department may, at any time prior to the occurrence of a serious incident within the meaning of this policy, refer himself or herself for evaluation and treatment of a drug or alcohol abuse problem. An employee may only self-refer under this policy one time during all fire department employment.

An employee shall not be disciplined solely because of the self-referral and shall, with respect to any violations of this policy that occur after the self-referral, retain all rights available to employees under this policy.

The intent to self-refer shall be declared to the Fire Chief or Deputy Fire Chief in accordance with procedures established by the fire department pursuant to this policy.

The employee shall execute a referral agreement, in which the employee shall verify the intent to seek evaluation and treatment for a drug or alcohol abuse problem and acknowledge the consequences

of self-referral. The referral agreement shall be executed before a notary public and two witnesses. The employee shall have no right of appeal from the execution of the referral agreement.

An employee who executes a referral agreement shall not thereafter be permitted to return to work until such time as a physician or other health care provider acceptable to the fire department physician has evaluated the employee and certified that the employee has obtained rehabilitation or treatment and is fit to return to the performance of the regular duties of his or her position. The fire department shall be under no duty to transfer the employee to a different position or otherwise provide work for the employee during this period. The employee may use any accrued annual or compensatory leave time during the time he or she is not permitted to return to work; however, the employee shall be placed on leave without pay if all such leave time is exhausted during this period.

The circumstances of the employee's self-referral, including the records of the employee's evaluation and treatment shall, to the extent practical, be held confidential by the fire department. The only records pertaining to the self-referral maintained in the employee's personnel file shall be the original referral agreement.

#### **2.3.1.9 Referral Agreement**

In this referral agreement, the employee shall agree to participate in a rehabilitation program under such terms and conditions as the fire department may require and agree to submit to future testing at the fire department's discretion as part of a monitoring program for a period not to exceed 24 months from

the date of return to duty after evaluation, on the condition that a second positive test will result in the employee's dismissal. An employee shall be permitted to enter into only one referral agreement during all fire department employment. The referral agreement shall be executed before a notary public and two witnesses. If the employee violates any terms of the referral agreement, he or she will be dismissed.

An employee who enters into a referral agreement shall not thereafter be permitted to return to work until such time as a physician or other health care provider acceptable to the fire department physician has evaluated the employee and certified that the employee has obtained rehabilitation or treatment and is fit to return to the performance of the regular duties of his or her position. The fire department shall be under no duty to transfer the employee to a different position or otherwise provide work for the employee during this period. The employee may use any accrued annual or compensatory leave time during the time he or she is not permitted to return to work; however, the employee shall be placed on leave without pay if all such leave time is exhausted during this period.

#### **2.4 Sexual and Other Unlawful Harassment**

The SGFPD is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the

matter to his or her supervisor. If the supervisor is unavailable, or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Fire Chief or any other member of management. Employees can raise concerns and make reports without fear of reprisal. Any supervisor, manager, or employee who becomes aware of possible sexual or other unlawful harassment should promptly advise the Fire Chief, or another member of management, who will handle the matter in a timely, confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination.

## **2.5 Conduct and Professionalism**

All employees of SGFPD will conduct themselves in a professional and courteous manner at all times while representing the SGFPD. At no time will any of the following activity or behavior be tolerated while on duty, representing, or on any property maintained or owned by the SGFPD: Rough housing/horseplay; any action that is considered a violation of any local, state or federal law statute or ordinance; any other activity which may reflect negatively on the SGFPD.

All persons having business with the SGFPD are entitled to prompt, professional and courteous treatment. All interactions should be conducted with a friendly professional demeanor and tone. Any conflict arising from an encounter should be immediately reported to your supervisor for resolution. Any time a conflict arises, the personnel involved should maintain a courteous posture, refer the offended party to their immediate supervisor and disengage themselves from the situation.

Employees who have disagreements should maintain a calm professional demeanor while attempting to resolve them. Yelling, screaming, and abusive or threatening behavior or actions between employees are forbidden in the work place. Employees unable to settle their differences should contact their immediate supervisor for resolution.

No part of the immediately preceding section shall be construed to prohibit reasonable activity to prevent injury and or potentially unsafe acts that may result in

injury or damage if immediate and direct action is not taken.

All personnel of the SGFPD are responsible for compliance with all standard operating guidelines, rules, procedures, and directives of the SGFPD and its Officers.

## **2.6 General Rules of Conduct**

Members shall read and become familiar with the department's rules, regulations, policies, and procedures. No plea of ignorance of the rules and regulations will be accepted as an excuse for any violation.

Members shall promptly and willingly respond to the lawful orders of superior officers or acting officers. Refusal to obey a lawful order shall constitute insubordination. Obvious disrespect for or disruption of a supervisor's order likewise shall be deemed insubordination.

Members shall abide by federal and state law, local ordinances and rules, and the department's general orders and rules of conduct. Members shall not be required to obey orders that are illegal or in conflict with the departments rules and regulations.

Members shall not publicly criticize or comment derogatorily to anyone about instructions or orders received from a superior officer. Supervisors and acting supervisors shall refrain from exceeding their authority in giving orders. The wrongful or injurious exercise of authority is prohibited.

Every officer, on and off duty, will be held responsible for enforcing the department's rules. If a violation comes to an officer's attention, that officer shall immediately notify the member of the violation and take corrective action. Should an officer fail to report a violation of an order or the department's rules, that officer shall be equally responsible for the violation.

Should a member receive an order that conflicts with a previous order, the member shall notify the officer who issued the conflicting order and shall be governed by the officer's subsequent instructions.

Department members shall exhibit courtesy and respect to all officers and acting officers. While on duty, all officers shall be referred to by their appropriate rank.

Supervisors shall exhibit courtesy and respect to their subordinates and shall treat members in a fair and impartial manner.

Members shall treat one another with due courtesy and shall not engage in horseplay or disrespectful conduct while on duty.

Members are required to speak the truth at all times, whether or not under oath, in giving testimony, in connection with official orders, and in connection with official duties.

Members shall not make false reports concerning any department business or the personal character or conduct of any member.

Members shall exhibit courtesy and respect to members of the public and employees of other agencies.

Members are required to give their name and rank whenever requested by a member of the public.

Should a member have a complaint against a member of the public, he shall forward the complaint in writing to the Fire Chief.

## **2.7 Salaries**

All employees shall be paid in accordance with the pay plan adopted by the SGFPD Board of Commissioners.

### **2.7.1 Original Appointment Rate**

Original appointment to any position shall be at the minimum rate for that class unless the employee has prior experience. In this case, the employee may be placed anywhere within the scale for that class based on his/her experience and/or qualifications.



**2.7.2 Rate of Pay Upon Promotion**

When an employee is promoted, his/her pay shall be adjusted by placing the employee in the new pay range, which is the same or is immediately higher than the employee's current base pay. Then, the employee's pay shall be advanced two steps if available, in the new pay range, except if the adjustment to the new pay range equals or exceeds eight (8%) percent, then no further promotional increase is permitted.

**2.7.3 Rate of Pay Upon Demotion**

When an employee is demoted, his/her pay shall be fixed at a rate equal to his/her last rate in their former position, plus any step increases that would have been applicable.

**2.7.4 Temporary Assignments**

Whenever a temporary vacancy exists in a classified position subject to the department's minimum staffing guidelines, the position shall be filled by another member of the department to maintain minimum staffing. If a member of the same rank is not available to fill a position, a member from the rank immediately below the vacant position may be appointed temporarily.

When personnel are given a temporary assignment, they shall be compensated per occurrence (minimum of twelve hours) as per guidelines set forth by the administration.

When a temporary assignment ends, a member shall return to his/her previous position.

**2.7.5 Increases****2.7.5.1 Annual Increases**

All personnel shall receive an annual minimum increase in pay of two (2%) percent until their twenty-third year of service as follows:

If the original hire date was between January 1 and June 30, the annual increase date will be established as January 1 of each year.

If the original hire date was between July 1 and December 31, the annual increase date will be established as July 1 of each year.

#### **2.7.5.2 Merit Increases**

Newly hired or promoted employees shall be eligible for up to a four (4%) percent increase in pay based upon their performance evaluation at the completion of their working test period.

All other personnel who have not already reached the top step in the adopted pay plan for their classification shall be eligible for up to a two (2%) percent increase in pay annually based upon their performance evaluation that shall be conducted in conjunction with their annual increase date as noted in section 2.7.5.1.

#### **2.7.6 Change in Rate of Pay**

When any change is made in the rate of pay of an employee, a status change form must be filled out and approved by the Fire Chief or his designee and placed in the employee's personnel file.

#### **2.7.7 Overtime**

The SGFPD will compensate all employees for any overtime worked that is applicable based on the Fair Labor Standards Act.

The decision as to whether employees receive overtime pay or compensatory time shall be at the discretion of the Fire Chief or his

designee.

#### **2.7.7.1 Scheduled Overtime**

Personnel who work either a 56-hour or 42-hour workweek have overtime built into their schedule. As these personnel already receive a monthly salary, they are compensated for scheduled overtime hours at an additional half-time rate. They shall be compensated for this scheduled overtime as follows:

Personnel who work a 56-hour workweek shall be paid overtime based on a 28-day work cycle and averaged each year to determine the amount of average overtime to be earned on each check.

Personnel who work a 42-hour workweek shall be paid four (4) hours of overtime on each paycheck.

#### **2.7.7.2 Overtime (Extra-Pay)**

All extra duty in excess of regularly scheduled hours (either 56, 42, or 40, depending on job classification) shall be payable at a rate of time-and-one-half.

#### **2.7.7.3 Overtime - Leave Exceptions**

Personnel who are on sick leave because of an off-duty illness or injury shall not be entitled to scheduled overtime or overtime (extra-pay) unless they have worked in excess of their prescribed hours within that particular work period. Personnel who are on any other type of leave or sick leave because of an on-duty illness or injury shall continue to receive both scheduled overtime and any overtime

(extra-pay) to which he is entitled.

### **2.7.8 Longevity**

In addition to adjustments provided elsewhere in these policies, an employee shall be granted adjustments in pay in accordance with the following longevity plan and under the conditions described below:

Longevity pay shall be in addition to the current base pay of all employees affected. Longevity pay shall be granted on the basis of total departmental service and shall become effective as set forth in Section 2.7.5 in the year in which the employee becomes eligible.

An employee with a total of ten (10) years of service shall receive longevity pay at the rate of five (5%) of that employee's current base rate of pay. An additional one (1 %) percent shall be granted thereafter as set forth in Section 2.7.5 until the employee reaches twenty five (25) years of service for an accumulated maximum of twenty (20%) longevity pay.

### **2.7.9 Educational Incentive Pay**

In an effort to encourage the continuing higher education of the employees of the fire district, the district has implemented an educational incentive pay program.

#### **2.7.9.1 General Guidelines**

In order to be eligible for educational incentive pay, the employee must be a full-time employee and have received an associate's

degree or higher from an accredited university.

Employees seeking educational incentive pay must provide a copy of their diploma to the Deputy Fire Chief for verification.

Educational incentive pay shall be at the rate of \$750 per year for an associate's degree and \$1500 per year for a bachelor's degree or higher.

An employee may only be eligible for educational incentive pay for one degree regardless of how many degrees the employee has attained.

Educational incentive pay will be added to the base pay of the employee and will be calculated into the employee's hourly rate.

## **2.8 Scheduled Work Hours**

All employees are required to work their assigned schedule and any variation requires prior authorization from the Fire Chief or Deputy Fire Chief.

### **2.8.1 Shift Employees (24 hours)**

All normally scheduled shifts of the SGFPD are scheduled in 24-hour blocks. All shifts begin at 0700 hours and end at 0700 hours. All personnel are to be in full uniform, ready to work at their assigned station at the scheduled shift change or they will be considered late for work. Personnel who recognize the fact that they are going to arrive late for work for any reason should notify their immediate supervisor, if available, or the supervisor on duty at their assigned work station to allow proper arrangements to be made.

### **2.8.2 Communications Employees**

All normally scheduled shifts of the SGFPD are

scheduled in either 11-hour or 13-hour blocks. Day shifts begin at 0600 hours and end at 1700 hours. Night shifts begin at 1700 hours and end at 0600 hours. All personnel are to be in full uniform, ready to work at their assigned station at the scheduled shift change or they will be considered late for work. Employees working in this category are not allowed to sleep while on duty.

### **2.8.3 Staff Employees (Non-Exempt)**

SGFPD personnel who are normally scheduled in this category will work forty (40) hours each week as assigned by the Deputy Fire Chief.

### **2.8.4 Staff Employees (Exempt)**

Employees in this category include the Fire Chief, Deputy Fire Chief, Chief of Fire Prevention, Chief Training/Safety Officer, and Public Information Officer. These positions are not eligible to earn compensatory time or overtime.

## **2.9 Uniforms & Grooming**

The uniform as mandated by the SGFPD will be worn at all times while on duty.

### **2.9.1 Shift Employees (24 hour)**

Each employee in this category shall be provided with work uniforms that consist of pullover-collared shirts, T-shirts, pants, sweatshirts, jacket, and caps. Each employee may also be provided dress uniform shirts, dress uniform pants, badge, collar pins, and name tag. Each employee is required to provide their own black belt and black boots as follows: belt to be Eagle Rescue Belt or similar, boots to be black (Hi-Tec or similar) with ankle support, either 4" or 6". All on duty personnel shall keep an extra work uniform with them while at work in the event that their current one becomes soiled or unusable. All parts of the uniform should be clean and neat and reflect a

professional appearance. The dress uniform (if available) should be utilized for Public Education Demonstrations, Fire Inspections, and any other similar type events. The only patches and/or attachments allowed on dress uniforms are the St. George shoulder patch, issued badge, collar pins, and name tag; and they shall be properly and neatly affixed to the uniform. When wearing undershirts such as T-shirts, insulated undershirts, etc., they should not be visible outside of the uniform shirt.

All on duty personnel will groom themselves in a manner that reflects a neat, professional appearance. All employees shall report to work in a clean-shaven and well-groomed manner. Facial hair and sideburns that extend into the seal area of the SCBA are not permitted. Beards are not permitted. Hair must be off the collar. Mustaches must be groomed to meet the bottom corner of the lip. Earrings, bracelets (except for medic alert and similar bracelets) are not permitted for duty wear by employees in this category. Chains and necklaces must be worn inside the shirt and may not be visible from at the neckline. Employees may wear a wedding band/engagement ring set and one additional ring.

### **2.9.2 Communications Employees**

Each employee in this category shall be provided with work uniforms that consist of pullover-collared shirts, pants, jacket, and caps. Each employee is required to provide his or her own black belt and shoes. All on duty personnel should keep an extra uniform with them while at work in the event that their current one becomes soiled or unusable. All parts of the uniform should be clean and neat and reflect a professional appearance.

All on duty personnel will groom themselves in a manner that reflects a neat, professional appearance. All employees shall report to work in a clean-shaven and well-groomed manner.

Beards are not permitted. Hair must be off the collar. Mustaches must be groomed to meet the bottom corner of the lip. One pair of earrings may be worn as long as they are not loud, flashy, or distracting and compliment the uniform. Large loop type or dangling earrings are not permitted. The Fire Chief will have the final decision if a controversy over earrings arises. Bracelets (except for medic alert and similar bracelets) are not permitted for duty wear. Chains and necklaces must be worn inside the shirt and may not be visible from at the neckline. Employees may wear a wedding band/engagement ring set and one additional ring.

### **2.9.3 Staff Employees (Non-Exempt)**

Staff employees who are part of the uniformed service are required to wear their assigned uniforms at all times in compliance with the uniform policy. Each employee shall be provided with dress uniform shirts, dress uniform pants, pullover collared shirts, badge, collar pins, and name tag. Each employee is required to provide his or her own black belt and black shoes. All parts of the uniform should be clean and neat and reflect a professional appearance. The dress uniform shall be utilized for Public Education Demonstrations, Fire Inspections, and any other similar type events. The only patches and/or attachments allowed on dress uniforms are the St. George shoulder patch, issued badge, collar pins, and name tag; and they shall be properly and neatly affixed to the uniform. As a general rule, dress uniforms shall be worn by employees in this category Monday through Thursday during office hours, while the pullover collared shirts may be worn at night and on Friday, Saturday, and Sunday.

All on duty personnel will groom themselves in a manner that reflects a neat, professional appearance. All employees shall report to work in a clean-shaven and well-groomed manner. Beards are not permitted. Mustaches must be groomed to meet the bottom corner of the lip. One



pair of earrings may be worn as long as they are not loud, flashy, or distracting and compliment the uniform. Large loop type or dangling earrings are not permitted. The Fire Chief will have the final decision if a controversy over earrings arises. Bracelets (except for medic alert and similar bracelets) are not permitted for duty wear. Chains and necklaces must be worn inside the shirt and may not be visible from at the neckline. Employees may wear a wedding band/engagement ring set and one additional ring.

Staff employees who are not part of the uniformed service are required to dress in a manner that reflects the professionalism of the SGFPD. All parts of the dress clothing should be clean and neat and reflect a professional appearance. Friday is considered a "casual dress" day for non-uniformed office personnel. Jeans and sneakers may be worn on this day ONLY, provided that they are clean, neat and reflect a clean appearance. Tee shirts, sweatshirts etc may be worn provided they are not in poor taste or do not reflect negatively on the SGFPD.

## **2.10 Leave Policies**

### **2.10.1 Administrative Leave**

The Fire Chief may grant administrative leave with or without pay for periods not to exceed thirty days. Examples of such leave may include attendance at educational seminars or conferences, to take civil service examinations, during investigation of employee action, etc.

### **2.10.2 Vacation - Eligibility**

Employees are eligible for vacation leave after they have completed one (1) year of full time service. Employees who obtain one (1) year of service after the issuance of leave for a given year will be given prorated leave based on the number of whole months left in the calendar year. Vacation hours and/or days earned are determined by the length of service on January

1 of each calendar year as set forth by the following table:

**Staff Personnel (40-Hour)**

<u>Yrs. Exp.</u>	<u>Hours</u>
01 - 10	160
11 - 12	176
13 - 14	192
15 - 16	208
17 - 18	224
19 - 20	240
21+	264

**Line Personnel (56 Hour)**

<u>Yrs. Exp.</u>	<u>Hours</u>
01 - 10	216
11 - 12	240
13 - 14	264
15 - 16	288
17 - 18	312
19 - 20	336
21+	360

**Communications Personnel (42-Hour)**

<u>Yrs. Exp.</u>	<u>Hours</u>
01 - 10	180
11 - 12	192
13 - 14	216
15 - 16	228
17 - 18	252
19 - 20	276
21+	288

**2.10.3 Sick Leave**

Sick leave shall be available to each employee due to illness or injury not brought about by his/her own negligence or culpable indiscretion. Sick leave shall be governed by Louisiana Revised Statutes 40:1995.

**2.10.3.1 Sick Leave Usage**

An employee who uses sick leave shall file with their Asst. Chief, a statement stating the amount of time taken off and the cause. The employee may also be required to provide a doctor's excuse certifying that their absence from work due to an illness or injury was a necessity. For employees who become injured or ill with a doctor's certification while on approved leave, he/she shall cease using such leave and begin using sick leave.

**2.10.3.2 Sick Leave - Return to Work Certification**

An employee who is off work more than 3 calendar days or who has suffered any injury that required them to be on sick leave must provide a return to work authorization from the attending physician stating that they are capable of performing their job duties. If SGFPD has reason to doubt the validity of a Physicians certification either to return to work or to be absent from work, SGFPD may, at their expense, require the opinion of a second health care provider. If the second opinion differs from the initial opinion, SGFPD, at their own expense, may require an opinion from a third health care provider approved jointly by SGFPD and the employee. This final decision shall be binding on all parties.

**2.10.3.3 Sick Leave - Activities Limited**

Sick leave is provided to the employee for the purpose of recuperating from an illness or an injury without causing an undue financial burden on the employee. Employees who are on extended sick leave shall be required to call their Asst. Chief each morning of their assigned workdays no later than 08:00 hours. Employees who are on sick leave from an illness are required to be at their place of residence except in the case of performing necessary life functions such as picking up prescriptions, taking care of children etc. Any time an employee must leave their residence they are required to notify the Asst. Chief of their absence from their residence, the reason and the length of time. Employees who are using sick leave due to an injury are limited in their activities as prescribed by their attending physician and/or the fire department physician.

For personnel who are on sick leave and have scheduled vacation prior to their sick leave began, if approved by their attending physician and/or the fire department physician, they may begin their vacation on their prior approved dates and return to sick leave upon concluding their vacation leave.

However, if such activity is not approved by either their attending physician and/or the fire department physician, personnel shall be required to remain at their residence and to notify the Asst. Chief any time they may have to leave. In this instance, employees will be granted their unused vacation time at the

conclusion of their sick leave.

#### **2.10.3.4 Sick Leave Verification**

The Fire Chief or his designee may call or visit any employee on sick leave for the verification that the employee is abiding by all sick leave policies. Refusal of allowing this verification may result in disciplinary proceedings being initiated. The Asst. Chief shall call and check the status of each employee on sick leave each day to verify compliance with this policy.

#### **2.10.3.5 Limited Duty**

When an employee is placed on sick leave due to an illness or injury in excess of seven (7) calendar days, he shall be sent to the fire department physician for a fitness evaluation. If it is determined by the fire department physician that the employee can perform a limited duty assignment, the employee shall be assigned to communications, fire prevention, or any other limited duty assignment based on availability and need of such work at that time. If it is determined that the employee cannot return to a limited duty assignment, he shall return to the fire department physician at any time when so ordered for a subsequent evaluation.

#### **2.10.3.6 Perfect Attendance Incentive**

For employees who have served at least twelve months and who do not use sick leave for any off duty illness or injury during a calendar year, they shall be eligible for approved leave in the following calendar year as follows:

40-Hour Employee - 1 Day

42-Hour Employee - 12 Hours

56-Hour Employee - 24 Hours

#### **2.10.3.7 Excessive Sick Leave Usage**

Employees who have over three occurrences of utilizing sick leave for off-duty illnesses or injuries in a calendar year may affect their performance rating.

#### **2.10.4 Compensatory Time**

Compensatory time is time that is earned by the employee instead of cash payment. Compensatory time is earned at the straight time rate except when an employee is in overtime. Then, the rate of one and one half times (1 ½) the actual hours worked applies. The Fire Chief shall have the choice of paying the employee compensatory time or cash overtime at his discretion except during periods of required training. Required training hours will be compensated in compensatory time only.

#### **2.10.5 Holiday Compensation**

For the purpose of holiday compensation, a holiday is defined as starting at 0700 hours the day of the designated holiday and ending at 0700 hours the following day. An employee who's normal assigned workday falls on a scheduled holiday as determined by the District is eligible for holiday leave. Employees working a designated holiday are compensated at two (2) times their normal hourly rate. Employees who have received approved holiday leave on a designated holiday will be compensated at their normal hourly rate for that day. Holidays which fall on a weekend will be officially designated for the office staff as follows: if the actual holiday is on a Saturday, it will be observed on the preceding Friday; if the actual holiday

is on a Sunday, it will be observed on the following Monday.

#### **2.10.6 Funeral Leave**

Funeral leave without loss of pay is granted by the SGFPD to full time employees. Funeral leave is limited to one workday. Employees with extenuating circumstances (such as an out of state funeral) may be granted 2 days of funeral leave by the Fire Chief. The following family members are covered in the funeral leave policy: mothers, fathers, sisters, brothers, spouses, children, grandchildren, mother-in-law, father-in-law, and grandparents of the employee and his/her spouse. Time off required in excess of the above may be made up from vacation, compensatory time or leave without pay.

#### **2.10.7 Leave Without Pay**

Leave without pay may be utilized by the employee when they require time off from work but do not have any other available time. Leave without pay requires the express permission of the Fire Chief. The approval of the Fire Chief and the leave request (indicating the replacement employee) must be turned in at least 48 hours prior to the start of the leave. Any employee requesting leave without pay must provide his or her own replacement for the time scheduled off.

#### **2.10.8 Emergency Leave**

Emergency leave is defined as an unforeseeable major life crisis that requires the employee to be absent from work on vacation, comp, leave without pay or funeral leave without being able to give a 48-hour notice. Emergency leave (using one of the aforementioned leave times) may be granted by the Fire Chief or his designee. Upon return to work, the employee is required to complete all appropriate leave forms to account for the time off work.

**2.10.9 Military Leave**

Military leave is granted to those employees who are active in the armed forces of the United States reserves as indicated by state and federal law. Employees are eligible for 15 work shifts of military leave per calendar year.

Any portion of a shift taken off counts as one shift towards the aggregate of 15 shifts. Employees who are on military leave during a regularly scheduled work day and who are serving their time within the local area are required to return to work upon being discharged for the day. Employees wishing to participate in military activities after their 15 shifts of military leave have been utilized are allowed to use any other available leave time that they have earned in accordance with the guidelines established for desired leave or may receive leave without pay.

**2.10.10 Civil Leave**

Civil leave without loss of pay shall be granted when an employee is performing jury duty in any local, state or federal court. On duty employees are required to return to work to complete any time left on their scheduled shift after they are released from jury duty either for the day or completely released from service. Employees shall present a copy of the jury duty notification to their supervisor as soon as they receive it. Civil leave shall also be granted without loss of pay when an employee is subpoenaed to appear before a court, public body, commission or board and they receive no compensation. If an employee receives any compensation beyond mileage and meal stipend to appear before a court, public body, commission or board, the employee must use either vacation or comp time or complete a shift swap. In regards to the performance of their duties with the SGFPD or if the subpoena is issued by a governmental agency, the employee shall notify their supervisor and provide him with a copy of all subpoenas that the employee has received in



direct performance of their job duties or that has any bearing, effect or relevance to the SGFPD.

**2.10.11 Civil Leave -Off Duty**

Any employee (Full-time, Contract or Volunteer) who is issued a subpoena for a day they are not scheduled to work, in regards to the performance of their duties as a member of the SGFPD shall be compensated as if they are working extra-duty. Volunteers who are not paid an hourly rate shall be compensated at the entry-level contract firefighter rate.

**2.10.12 Family / Medical Leave**

An eligible employee (defined as being an employee with at least one year of full time service) shall be entitled to a total of 12 workweeks of family/medical leave during any calendar year. For purposes of this section, a calendar year is defined as beginning on January 1, and ending on December 31. Family/medical leave may be taken for one or more of the following reasons:

The birth of a son or daughter and in order to care for such son or daughter, the placement of a son or daughter with the employee for adoption or foster care, the care of children, spouse, or parents when such care is medically necessary, or a serious health condition that makes the employee unable to perform their job functions. A doctor's certificate may be required to verify whether family medical leave is necessary.

The amount of time credited towards family/medical leave shall be in direct proportion to the employee's regular scheduled workdays. The employee may exhaust all current leave they have available prior to taking leave with out pay under the family/medical leave act. An employee meeting the above requirements who wishes to utilize family/medical leave shall submit such request to the Fire Chief at least

30 days in advance (unless it is an unforeseeable emergency) stating the reason for leave, and indicating the amount of paid leave and the amount of leave without pay the employee desires-

#### **2.10.13 Securing Authorized Leave**

Any personnel desiring to obtain authorized leave shall follow the guidelines for doing so as set forth by the administration.

#### **2.10.14 Shift Swap**

*Shift swaps must occur within the same pay period.* Officers may not swap with persons of lower rank. Shift swaps must have the approval of both shifts' Assistant Chiefs.

### **2.11 Discipline**

In an effort to maintain an effective, efficient, and motivated workforce, the SGFPD has instituted an aggressive discipline policy that ensures fair and equal treatment of all employees. The SGFPD, through the adoption of this policy, has attempted to reduce inequities in the implementation of discipline by being as specific as possible with regard to infractions and their consequences.

#### **2.11.1 Infractions**

The purpose of the following list is to be illustrative of the class of various infractions. It is impossible to develop a totally encompassing list that delineates the class for every infraction. Each infraction or violation will be rated on the merits of the case, the situation and the employee's past performance. The Fire Chief reserves the final decision as to the penalty issued for any infraction and may deviate from the policy based on the events surrounding the incident.

**2.11.2 Minor Infractions**

Minor infractions are of a nature where a warning notice should correct the unacceptable behavior, however a system of progressive discipline is available should it be needed. Listed below are some examples of minor infractions:

Attendance

Tardiness

Engaging in any activity which delays a response

Improper uniform, grooming or personal hygiene

Failure to follow policy

Failure to carry out routine assigned duties

Failure to maintain issued equipment

Felony convictions that are not related to crimes against people, property, or drug related

Improper demeanor, attitude or decorum when dealing with the public or other public safety agencies

Telephone or fax transmission of a harassing, lewd or obscene nature

Use of tobacco of any kind where prohibited

Sleeping on the couches

Using any FD property or equipment for personal reasons without authorization

Having personal visitors in the station past 2100 hours

Driving with an expired, suspended, or invalid driver's license

**2.11.3 Major Infractions**

Major infractions represent a serious breach of policy or unacceptable behavior, which must be corrected immediately. Due to the facts of the case, some major infractions may result in termination of employment for a first offense. Listed below are some examples of major infractions:

Insubordination

Harassment, sexual, ethnic, hazing, etc.

Felony convictions, crimes against persons, property, or involving drugs

Theft of department equipment or property

Theft of property while on duty

Fighting on duty

Engaging in illegal, unlawful or other acts that are contrary to the operation of the fire department

Possession of a firearm in the station

Possession of any pornographic or sexually explicit material in the station

Engaging in any sexual activity while on duty, or in the station

Leaving without being properly relieved

Intentional damage to equipment or property

Failure to perform proper truck/equipment checks, where the omission results in an accident, injury, or equipment becomes disabled due to the omission

Accepting money, bribes or gifts of value in exchange for special considerations or leniency in the performance of their job

Falsely making any statement or act during an investigation or questioning relating to any activities of the fire department to a superior officer

Injuring, damaging, or falsifying a public record or document

Payroll fraud

Being absent without proper leave

Abuse/misuse of sick leave

**2.11.4 Implementation**

The following progression shall be used for minor and major infractions (each offense shall prescribe in thirty-six months):

**2.11.4.1 Minor Infractions**

1<sup>st</sup> , 2<sup>nd</sup>, & 3<sup>rd</sup> Offense - Employee receives warning notice.

4<sup>th</sup> Offense - 1 shift suspension without pay

5<sup>th</sup> Offense - 3 shifts suspension without pay

6<sup>th</sup> Offense - 30 calendar days suspension without pay

7<sup>th</sup> Offense - 90 calendar days suspension without pay

8<sup>th</sup> Offense - Termination of employment

**2.11.4.2 Major Infractions**

1<sup>st</sup> Offense - 1 shift suspension without pay

2<sup>nd</sup> Offense - 3 shifts suspension

without pay

3<sup>rd</sup> Offense - 30 calendar days  
suspension without pay

4<sup>th</sup> Offense - 90 calendar days  
suspension without pay

5<sup>th</sup> Offense - Termination of  
employment

#### **2.11.5 Due Process**

Any employee who faces disciplinary action shall be given a hearing to explain his/her actions and/or inactions and to present evidence to support their claims. This hearing shall be conducted prior to the administration of disciplinary action.

#### **2.11.6 Appeals**

Any employee may appeal any disciplinary action in accordance with either applicable civil service laws or rules & regulations of the SGFPD. All appeals made by non-civil service employees must be made in writing to the Fire Chief within 15 days of the disciplinary action.

#### **2.12 Change of Address/Phone Number**

All employees of the SGFPD are required to maintain a phone at their residence to enable call outs in an emergency. Anytime an employee's address and/or telephone number changes, the employee is required to notify the Fire Chief in writing within 24 hours of the change.

#### **2.13 Vehicle Operator's License/EMT License**

All employees of the SGFPD are required to maintain a current, valid driver's license issued by the state of Louisiana regardless of their employment classification. All employees whose civil service job description requires that they maintain

Emergency Medical Technician certification shall be required to maintain a current, valid certification.

All personnel shall maintain proof of driver's license and EMT certification on their person while on duty.

(this page left blank intentionally)

STG	02-19-92
Rev	08-26-92
	05-24-95
	02-14-01