

**CITY OF COVINGTON**  
**MUNICIPAL FIRE AND POLICE CIVIL SERVICE BOARD**  
**RULES AND REGULATIONS**

**RULE I**

**MEETINGS OF THE BOARD:**

- A. The Board shall hold one regular meeting within each quarterly period of the fiscal year, in the months of January, April, July, and October. The Board shall hold such special meetings as may be called by the Chairman or as provided in ACT 282.
- B. Unless otherwise provided in the notice for such meetings, all meetings shall be held at Covington City Hall Council Chambers.
- C. Notice of regular meetings shall be given by posting such notice in the City Hall, not less than ten (10) days before the date fixed for such meeting, unless otherwise provided by law.
- D. Notice of special meetings shall be given by posting such notice in the City Hall not less than twenty-four (24) hours before the time fixed for such meeting. Such notice shall state the time, place, and subject matter to be covered.
- E. Special meetings of the board will be held only upon call of the chairman, or in his absence, the vice-chairman, as provided by ACT 282.
- F. All board members must be notified, in writing, not less than five (5) days preceding all regular board meetings. Special meetings may be held upon twenty-four (24) hour notice, as provided by law.
- G. Four members of the board must be present to constitute a quorum of the board. Concurring votes of three members are necessary for decision of all matters before the board.

**RULE II**

**SUBJECT MATTER OF MEETINGS:**

- A. At regular meetings of the Board it shall consider all new and old business which may be brought to its attention in the manner

hereinafter provided.

- B. At special meetings the Board shall consider only those items for which the meeting was called, except that by agreement of 2/3 of the Board members, other matters may be considered.

**RULE III**

**ORDER OF BUSINESS:**

- A. 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.
- B. At special meetings the order of business shall be as follows:
  - 1. Reading of the minutes.
  - 2. Decisions and orders on matters considered at previous hearing and meetings.
  - 3. Hearing of matters previously fixed for the special meeting.

**RULE IV**

**CLOSED MEETINGS:**

- A. Closed meetings shall be held only in accordance with Louisiana Revised Statute 42:6, 42:6.1 or as provided by the Legislature.

**RULE V**

**APPLICATION FOR APPEALS AND HEARINGS:**

- A. 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 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 Chairman of the Board and a copy thereof filed with the Vice-Chairman of the Board. An additional copy shall be furnished the Board for service on the authority or person against whose action the appeal is taken, if any.

- B. 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 notice is given.
- C. 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:**

- A. All hearings on appeals shall be open to the public.
- B. Parties shall have the right, but shall not be required, to be represented by counsel, who must be duly licensed to practice law within the State of Louisiana. When any party is represented by more than one attorney, only one attorney for any party shall be permitted to examine the same witness.

In the absence of an attorney, appellant may choose someone to assist in his/her appeal. This person shall not be a witness and shall not be allowed to testify. He/she will not be allowed to examine witnesses or make any statement on behalf of the appellant.

- C. 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.

- D. Parties and witnesses shall be subject to cross-examination as in civil trials. The Board looks with favor upon stipulations of undisputed facts.
- E. 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.
- F. Any party desiring the issuance of a subpoena for the attendance of a witness or for the production of books or papers must apply for appropriate order 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 \$41.00 will be required, for any additional subpoena requested after the first four (4).
- G. The written rules, regulations and procedures of the Civil Service Board and ACT 282 will be the basis of a hearings and appeals.

#### **RULE VII**

##### **DISMISSAL OF APPEALS:**

- A. 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:**

- A. If any party to the hearing desires a permanent transcript of the hearing, he/she shall furnish a court reporter for said purpose at his/her 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 and the board shall issue a written finding of fact.

**RULE IX**

**OTHER HEARINGS:**

- A. 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 COMPETITIVE CIVIL SERVICE EXAMINATION:**

- A. These rules apply to applications for the following positions:
  - 1. FIRE DEPARTMENT
    - a. Fire Chief
    - b. Fire Alarm Dispatcher
    - c. Firefighter/Operator
  - 2. POLICE DEPARTMENT
    - a. Police Chief
    - b. Dispatcher
    - c. Police Officer
    - d. Police Records Clerk
    - e. Secretary to the Police Chief
- B. Application Form
  - 1. The wording and directions of the application form are hereby made a part of the rules of the board.
    - a. Each block of the form must be filled in completely, correctly, and legibly. (typed or printed)
    - b. Failure to answer all questions may cause the application to be delayed or rejected.
    - c. Providing false or misleading information will be cause for rejection of the application.
  - 2. The "Title or Position" block must be filled in with no more than one (1) of the classifications in Section 1. (Fire Chief, Fire Alarm Dispatcher, Firefighter/Operator, Police Chief, Dispatcher, Police Officer, Police Records Clerk, Secretary to the Police Chief)

- a. A separate application must be filed for each position.
3. Veterans Preference
- a. Applicants requesting veterans points must attach verifying documents (DD214) with the qualifying information highlighted.
- C. Applicants shall provide any verifying documentation as may be needed by the board in order to ascertain minimum qualifications. Failure to provide verification may cause applicant to be rejected for further consideration.
- D. Custody of Applications
- 1. Applicants must mail their applications to:  

THE COVINGTON FIRE AND POLICE  
CIVIL SERVICE BOARD  
POST OFFICE BOX 1603  
COVINGTON, LA 70434-1603
  - 2. Applicants may hand deliver their application to a civil service board member.
- E. Closing Date
- 1. Each notice published for a competitive examination shall have a closing date included in the notice.
  - 2. This date shall be the last date for accepting applications for that examination.
  - 3. Applications may be rejected or held for the next test date under the following circumstances:
    - a. Applications accepted by a board member after the closing date.
    - b. Applications postmarked after the closing date.
    - c. Applications postmarked on or before the closing date that are not in the possession of the board when the board meets to approve applications.

F. Study Guides

1. Study guides are made available to qualified applicants through the civil service board.

G. Reporting scores to and from other jurisdictions

1. Applicants for Firefighter/Operator and Police Officer who are requesting their examination score to be reported to or from another municipal fire and police civil service board must meet the minimum requirements for these classifications as specified under the classification plan of the Covington Municipal Fire and Police Civil Service.
2. Applicants requesting that the Covington Civil Service Board notify another person or board must make the request in writing and enclosed a stamped envelope addressed to that person or board.

**RULE XI**

**DISTRIBUTION OF BOARD RULES:**

- A. 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, and State Examiner one (1) copy.
- B. 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:**

- A. 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.

## B. Sick Leave with Pay

1. Each member of the classified fire service shall be entitled to and given sick leave with full pay not less than fifty-two (52) weeks for any sickness, injury, or incapacity not brought about by the employee's own negligence or culpable indiscretion.

Members shall not accrue sick leave with pay effective October 12, 2017.

Members shall be entitled to and given all unused accrued sick leave with full pay as of October 12, 2017, for any sickness, injury or incapacity not brought about by the employee's own negligence or culpable indiscretion and in accordance with Number 3 of this subsection.

2. Each member of the classified police service shall accrue eight (8) hours of sick leave with pay, per month, and be entitled and given such for any sickness, injury, or incapacity not brought about by the employee's own negligence or culpable indiscretion and in accordance with Number 3 of this subsection.
3. Each member of the classified fire and police service shall be allowed to use his/her accrued sick leave to care for an immediate family member who is sick, injured, or incapacitated.

Each member of the classified fire service shall not be allowed to use any of his/her fifty-two (52) weeks of sick leave to care for an immediate family member.

Immediate family members shall be defined as the employee's and the employee's spouse's parents, siblings, grandparents, children and grandchildren, and the employee's spouse.

4. Each member of the classified service who draws sick leave with pay shall have such pay decreased by the amount of workman's compensation benefits actually received by such member.



5. Sick leave, as provided in Numbers 1 and 2 of this subsection shall be applicable to maternity claims. Maternity sick leave due to the employee's pregnancy, the employee giving birth to a child, and related medical conditions commences when a doctor certifies that the employee cannot perform the duties of the position as assigned by the appointing authority.
6. Sick leave shall not be used for absences incurred because of attendance to personal affairs, except as provided in Number 3 of this subsection and Subsection C.
7. Any member on sick leave, except as provided in Number 3 of this subsection and Subsection C, is required to diligently pursue full recovery and any activity which is contrary to this endeavor may be the basis for disciplinary action which could include termination.

C. Personal Leave with Pay - Classified Fire Service

Each member of the classified fire service hired on or after October 12, 2017, shall be entitled to and given personal leave with pay not to exceed twenty-four (24) hours in his/her first year of employment to care for an immediate family member who is sick, injured, or incapacitated.

Immediate family members shall be defined as the employee's and the employee's spouse's parents, siblings, grandparents, children and grandchildren, and the employee's spouse.

D. Extended Sick Leave without Pay - On Duty Injury or Incapacity - Classified Police Service

Each member of the classified police service may be granted extended sick leave without pay under the following circumstances:

- a. Member's injury or incapacity was suffered on duty and not brought about by his/her own negligence or culpable indiscretion.
- b. Member is unable to return to work due to his/her injury or incapacity.

- c. Member is receiving workman's compensation benefits.
- d. Member has exhausted all sick, annual, compensatory time, and family medical leave and would be separated from the classified service if not granted such leave.

Extended sick leave without pay shall not be extended beyond the period of ninety (90) consecutive calendar days in any twenty-four (24) month period.

E. Extended Sick Leave without pay - Catastrophic Illness - Classified Police Service

Each member of the classified police service may be granted extended sick leave without pay under the following circumstances:

- a. Member has a catastrophic illness.
- b. Member is unable to return to work due to his/her illness.
- c. Member has exhausted all sick, annual, compensatory time, and family medical leave and would be separated from the classified service if not granted such leave.

Extended sick leave without pay shall not be extended beyond the period of ninety (90) consecutive calendar days in any twenty-four (24) month period.

F. Funeral Leave

- 1. Each employee of the classified service shall have "Leave of Absence With Pay", up to twenty-four (24) scheduled work hours per OCCURRENCE for death in the immediate family. There shall be no accrual of this leave from year to year. An employees' immediate family is defined to consist of the employees' and his/her spouses' parents, spouse, siblings, grandparents, children and grandchildren.
- 2. If an employee of the classified service has an

illness and or death in his immediate family and cannot report for duty, he/she must notify his/her "ranking" supervisor not later than two (2) hours before he/she is scheduled to report to duty. Failure to call, as indicated above, will result in the forfeit of pay as it is classified as "Absent Without Leave and Pay".

G. Examinations

Each employee of the classified service will be granted "Leave of Absence With Pay" to take any Municipal Fire and Police Civil Service examination.

Provisional employees are granted "Leave of Absence With Pay" to take a Municipal Fire and Police Civil Service examination for the class that they hold provisionally.

H. Jury Duty

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 the person designated by the Chief to receive such notice at least five (5) days in advance of such jury duty. In addition, the employee will be required to turn over to the City, all jury fees that he received.

I. District Court/Civil Service Board Attendance

Each departmental member of the civil service board shall be granted leave of absence with pay for the duration of any civil service board meeting which the employee representative attends, or for any time required to assist with civil service examinations, or other official business of the civil service board. Such time shall be considered as time worked or on duty.

J. Military Leave with Pay

1. An employee shall be authorized to take military leave without loss of pay or vacation leave when performing emergency military duty or participating in the two (2) week annual training duty required by membership in a reserve unit of United States Armed Forces or the Louisiana National Guard for a maximum of fifteen (15) days per calendar year as provided

in LRS 42:394.

2. Each member of the classified service shall give such notice of ordered duty at least ten (10) days in advance to the Chief of the Department. Should the employee be called out on an emergency basis, he shall contact his ranking supervisor.

K. Military Leave Without Pay

1. 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 F. Should the employee have used all leave entitled to in Section F, he/she shall be granted Military Leave Without Pay.
2. Any member of the classified service called into the Armed Forces will be allowed to take whatever Annual Leave to which he/she is entitled.
3. Provisional employees will not be granted a military leave of absence. They shall be required to resign or be dropped from service.

L. Personal Time Off

1. 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".
2. Any member of the classified service taking personal time off without applying for same shall be considered as "Absent Without Leave or Pay".
3. Leave of absence without pay, and absent without leave and pay, may be made up by working scheduled days off, as designated by the Chief of the Department.

M. Annual Leave - Fire and Police

1. Annual leave with pay is granted to employees of the classified service for the purpose of rehabilitation

and recreation. All leave must be properly applied for and documented on appropriate time sheets and records. Leave may be taken in one (1) hour increments.

2. Each employee of the classified service, after having served one (1) year, shall be entitled to an annual vacation leave of fifty-six (56) hours with full pay.
3. Following two (2) years of service, each employee shall be entitled to an annual vacation leave of one hundred and twelve (112) hours of vacation leave with full pay.
4. Following six (6) years of service, each employee shall be entitled to an annual vacation leave of one hundred and forty-six (146) hours with full pay.
5. Following ten (10) years of service, each employee shall be entitled to an annual vacation leave of one hundred and sixty-eight (168) hours with full pay.
6. Following eleven (11) years of service, each employee shall be entitled to an additional eight (8) hours for each year of service over ten (10) years, up to a maximum of two hundred and forty (240) hours with full pay.
7. No more than one hundred and sixty eight (168) hours of annual leave benefits may be taken at any given time.
8. At least forty (40) hours of annual leave must be taken, if entitled, per calendar year.
9. Accrued unused annual leave earned by an employee shall be carried forward to the employee's succeeding anniversary date not to exceed a maximum of 500 hours. Any annual leave requested but not approved shall be carried forward and made available for the next twelve (12) months.
10. Annual leave must be applied for at least seven (7) days in advance and approved by employee's ranking supervisor and the chief of the department. Approval or denial of a request for annual leave will be based on workload or other factors surrounding the need for

leave.

11. Payment for annual leave upon separation:

- a. Subject to this rule, each employee, upon separation from the classified service shall be paid the value of his accrued annual leave in a lump sum disregarding any final fraction of an hour. The payment for such leave shall be computed as follows.

1) When an employee is paid wages on an hourly basis, multiply his regular hourly rate by the number of hours of accrued annual leave.

2) When an employee is paid on other than an hourly basis, determine his hourly rate by converting his salary in accordance with provisions in the uniform pay plan for conversion to a working hourly rate. Multiply his converted hourly rate by the number of hours of accrued annual leave.

- b. An employee who leaves the classified service shall be compensated for the value of all of his/her accrued annual leave to which he is entitled under this rule. Terminal pay will be computed on the basis of the employee's hourly rate of pay at the time of his separation.

N. Leaves of Absence (Maternity Leave)

1. Leave for maternity reasons shall be allowed for a period not to exceed six (6) months duration and upon the advice of the attending physician may commence at any time prior to date of expectancy. Maternity leave shall be recorded as leave without pay.
2. An employee may return to work at any time following child birth, provided she has the permission of the attending physician. The appointing authority will require a statement from a physician certifying that the employee is able to resume her duties.

## O. 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 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.

## P. Family Medical Leave (Public Law 103-3)

1. Notwithstanding the provisions of Subsection 2.b. (Military FMLA Leave):
  - a. Eligibility for Family Medical Leave shall be extended to classified employees of the fire and police 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 fire and police 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 fire and police 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 seniority while on FMLA leave shall continue only when FMLA leave is run concurrently with paid leave. Unpaid FMLA leave shall be served without credit for departmental seniority.

Q. Administrative Leave with Pay

The appointing authority may grant administrative leave with pay for periods not to exceed sixty (60) 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 otherwise be required under department policies and procedures. This period may be extended up to an additional sixty (60) day period 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.

R. Special Leave/Seniority

1. If a classified employee has exhausted all of his/her annual leave and compensatory time, he/she may apply and be granted Special Leave/Seniority without pay up to (30) days by the appointing authority only when such leave would be in the departmental interest.
2. Any Special Leave/Seniority without pay exceeding thirty (30) days in any consecutive twelve (12) month period must first be approved by the civil service board. A classified employee on Special Leave/Seniority does not accrue seniority or other benefits during said leave.

[CPD1] Based on employee's current work assignment

[CPD2] Does not apply to leave accumulated before January 1999

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