

RULES OF OPERATION

MORGAN CITY MUNICIPAL FIRE & POLICE CIVIL SERVICE BOARD

RULE I

MEETING OF THE BOARD:

SECTION 1: The board shall hold one regular meeting within each quarterly period of the calendar year, in the months of January, April, July, and October. The board shall hold such special meetings as may be called by the chairperson or as provided in Revised Statute 33:2471 and those that follow.

SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at City Court Building, Morgan City, Louisiana.

SECTION 3: Notice of regular meetings shall be given by posting such notice in the city hall or at the building in which the meeting is to be held, not less than five (5) 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 chairman, or in his absence the vice-chairman, or as provided by Revised Statute 33:2471, and those that follow.

SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session as provided for in Revised Statute 42:4.1, and those statutes that follow except that investigations undertaken and initiated by the Board shall not be open to the public (R.S. 33:2477(4) and 5; and 33:2500(c)).

SECTION 6: All board members must be notified not less than five (5) days preceding all regular board meetings. Special meetings may be held upon

twenty-four hour notice, as provided by law.

SECTION 7: 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:

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 that by agreement of two-thirds of the board members other matters may be considered.

RULE III

ORDER OF BUSINESS:

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

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

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

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

RULE IVEXECUTIVE 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 shall be conducted **only** upon return to public meeting.

RULE VAPPLICATION FOR APPEALS AND HEARINGS:

SECTION 1: Any person authorized to appeal to the board under the provisions of 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 R.S. 33:2501 of Civil Service Law 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 Civil Service Law under 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 VI

PROCEDURE ON APPEALS: (Revised Statute 33:2501)

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 and the attorney for the board 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 and be accompanied by a subpoena service fee of \$5.00 for each subpoena requested.

SECTION 7: The written rules, regulations, and procedures of the civil service board and Revised Statute 33:2471 and those that follow will be the basis of all hearings and appeals.

RULE VII

DISMISSAL OF APPEALS:

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

RULE VIII

TRANSCRIPTS OF HEARINGS:

SECTION 1: If any party to the hearing desires a permanent transcript of the hearing, the party shall furnish a court reporter for said purpose at their own expense. Where a court reporter is furnished by the board, 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 IX

OTHER HEARINGS:

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

RULE XAPPLICATION FOR ADMISSION TO TEST:

- SECTION 1: Test for entry upon promotional and competitive employment list shall be advertised for and administered in accordance with R.S. 33:2492 of Civil Service Law. 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 (18) 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. Applications shall be received not later than 4:00 p.m. on the date designated for receipt of applications; applications received after 4:00 p.m. deadline shall be rejected. 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 Law.
- 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 R.S. 33:2493 of Civil Service Law and the qualification requirements of the classification plan.
- 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 XI

DISTRIBUTION OF BOARD RULES:

SECTION 1: A copy of the board rules shall be distributed to each board member, governing body one copy, Police Chief and Fire Chief, and police and fire station bulletin boards.

SECTION 2: A copy of the board rules shall be given on request to an appellant or his counsel prior to a hearing.

RULE XII

LEAVES OF ABSENCE

SECTION 1: Leaves of Absence--Police and Fire

A. Leaves of absence are classified as follows:

- 1. Leave of absence with pay
- 2. Leave of absence without pay
- 3. Absence without leave and pay

Absence without leave and pay occurs when an employee does not report to work on his/her assigned work shift and did not receive permission to take time off and is in a non-approved and non-pay status. Any employee who is absent without leave and pay may be subject to disciplinary action, up to and including termination.

B. General Provisions of Leaves of Absence

- 1. In accordance with R.S. 33:2557, the right to regulate the time at which a member of the classified service may take annual leave, or any other type of leave which is not beyond the control of the employee, shall be vested at all times with the Appointing Authority.
- 2. Leaves of absence with or without pay shall be granted to members of the classified service in accordance with the Morgan City Municipal Fire and Police Civil Service Board Rules.
- 3. The board has the authority to investigate grievances it receives regarding leaves of absence as it relates

to compliance with the board rules. The board may take any action it deems necessary and proper in accordance with its rules and civil service law.

C. Sick Leave

1. Each member of the classified fire service shall be entitled to and given, with full pay, sick leave not less than fifty-two (52) weeks for any sickness or injury or incapacity not brought about by the employee's own negligence or culpable indiscretion.
2. Each member of the classified police service shall be entitled to and given, with full pay, sick leave aggregating not less than fifty-two (52) weeks during any calendar year when the conditions actually warrant.
3. When a member of the classified service suffers a job-related injury or illness which entitles him/her to compensation under the State of Louisiana Worker's Compensation laws, he/she shall be granted Sick Leave with pay, in accordance with Numbers 1 and 2, respectfully, not to exceed the amount necessary to receive his/her full salary for sick leave and worker's compensation payments.
4. When a member of the classified service receives worker's compensation benefits, such employee's pay shall be decreased by the amount of worker's compensation payments received by such employee unless the governing authority receives such payments.
5. Sick leave shall not be used for absences incurred because of attendance to personal affairs. Any member of the classified service on sick leave is required to diligently pursue full recovery and any activity which is contrary to this endeavor may be the basis for disciplinary action up to and including termination.
6. Sick leave, as provided in Numbers 1 and 2, 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.

D. Bereavement Leave

1. In the event of the death of a member of an employee's immediate family, the employee shall be entitled to bereavement leave, with pay, which shall not exceed the following, as circumstances warrant.

12-Hour Shift Employees - 48 hours

24-Hour Shift Employees - 48 hours

8-Hour Shift Employees - 32 hours

2. In the event of the death of a member of an employee's other family members, the employee shall be entitled to bereavement leave, with pay, which shall not exceed one (1) calendar day, as circumstances warrant.
3. In the event of the death of an out-of-town member of an employee's immediate family or other family member, the employee shall be entitled to bereavement leave, with pay, which shall not exceed three (3) calendar days, as circumstances warrant.
4. Such leave of absence with pay may be adjacent to an employee's normal day(s) off; however, attendance at a funeral service shall not be the sole purpose for granting the paid leave of absence.
5. An employee's immediate family shall be defined to include the employee's spouse, mother, father, son, daughter, brother, sister, and step-children.
6. An employee's other family members shall be defined to include the employee's grandfather, grandmother, grandchildren, mother-in-law, father-in-law, aunt, and uncle.
7. Bereavement leave shall be granted for the following reasons: 1) for the employee to make final arrangements; 2) for the employee to attend the funeral service or ceremony; 3) for a mourning period immediately before or after the funeral service or ceremony; 4) for a mourning period if no funeral service or ceremony is held.

E. Examination Leave

1. Each permanent employee of the classified service shall be granted examination leave with pay to take any municipal fire and police civil service examination to which he/she has been approved for admission by the Morgan City Municipal Fire and Police Civil Service Board.
2. Each provisional employee of the classified service who has not obtained permanent status with his/her respective department shall only be granted examination leave with pay to take a municipal fire and police civil service examination for the class that he/she holds provisionally as follows:

EITHER

- a. The employee must have been approved for admission to such examination by the Morgan City Municipal Fire and Police Civil Service Board.

OR

- b. The employee must have been approved for admission to such examination by any civil service board in the municipal fire and police civil service system and his/her test score may be reported to the Morgan City Municipal Fire and Police Civil Service Board, in accordance with civil service law.

F. Civil Leave

1. Each employee of the classified service shall be granted civil leave with pay when ordered to jury duty.
2. Each employee who is subpoenaed as a witness in any court proceeding, civil service hearing, or in proceedings of other duly authorized public body, or when summoned to appear before a court, public body, board, or commission shall be granted civil leave with pay for any period of time his/her presence and availability is demanded.
3. Each employee who is subpoenaed for departmental business while on duty shall be granted civil leave

with pay and shall be allowed time away from his/her assigned duties in accordance with departmental policies.

4. Civil leave with pay may be granted in order to participate in emergency or civilian duty in connection with national defense or homeland security.
5. Civil leave shall not be granted for absences incurred because of court attendance relating to personal affairs. When an employee is required to be in attendance in court on personal affairs the employee shall be granted annual or compensatory leave with pay. If the employee has no unused annual or compensatory leave, the employee shall be granted leave without pay in accordance with the board's rules.

G. Civil Service Board Attendance Leave

The fire and police department members of the board shall be granted civil service board attendance leave with pay for the following reasons.

1. For the duration of any Morgan City Municipal Fire and Police Civil Service Board meeting he/she attends.
2. Any time he/she is required to assist with civil service examinations.
3. To attend training related to his/her duties and responsibilities as the fire department board member.
4. To attend to other official business of the board.

H. Military Leave with Pay

Any employee of the classified service shall be authorized to take military leave with pay without loss of pay, time, annual leave, or efficiency rating on all days during which he/she is ordered to duty with troops or at field exercises, or for instruction required by membership of the Officers' Reserve Corps of the Army of the United

States, the National Guard of the United States, the Naval Reserve Corps, the Marine Corps Reserve, the Air Force Reserve, the Citizens Military Training Corps, the Coast Guard Reserve, or the Civil Air Patrol, either as officers or enlisted personnel, for a maximum of fifteen (15) days in any one (1) calendar year, as provided by R.S. 42:394.

I. Military Leave without Pay

1. Any member of the classified service, except as provided in number 3, who leaves employment in order to perform voluntary or involuntary service in the uniformed services of the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, reserve military personnel, members of the National Disaster Medical System as specified in federal law, and other category of persons designated by the President in time of war or national emergency, shall be given any leave due the employee in Sub-section H. Should the employee have used all leave to which he/she is entitled (in Sub-section H), he/she shall be granted military leave without pay in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (38 U.S.C. 4301-4334).
2. Any such employee may request and shall be granted any unused annual leave or compensatory leave. An employee cannot be required to use such leaves of absence.
3. An employee serving in a provisional appointment who is not a regular and permanent employee shall not be granted military leave without pay. He/she shall be required to resign or be separated from the service.
4. A recruit serving in formal training who has been placed on military leave without pay for thirty (30) days or more shall have his/her formal training interrupted for the duration of the military leave. The employee shall resume his/her formal training the day he/she reports to active duty with his/her respective department. The time the employee served in his/her formal training prior to the interruption and the time the employee serves in the formal training after it is resumed will be used in calculating the total time served in his/her formal training. The employee must meet the requirements

of R.S. 33:2555.1 prior to beginning his/her working test.

5. A probational employee serving in a working test who has been placed on military leave without pay for thirty (30) days or more shall have his/her working test interrupted for the duration of the military leave. The employee shall resume his/her working test the day he/she reports to active duty with his/her respective department. The time the employee served in his/her working test prior to the interruption and the time the employee serves in the working test after it is resumed will be used in calculating the total time served in his/her working test. The employee must meet the requirements of R.S. 33:2555 prior to confirmation as a permanent employee in his/her respective class.
6. An employee who has his/her formal training or working test interrupted due to military leave shall be made whole at the completion of such periods. The employee=s records shall reflect the date he/she would have completed his/her formal training or working test had he/she not been on military leave. The employee=s seniority date, if required, shall be adjusted to reflect the date he/she would have begun accruing seniority had he/she not been on military leave.
7. The appointing authority shall report military leaves of absence without pay, interruption of formal training and working test, and resuming the formal training and working test to the board within fifteen (15) days of the effective date of action.

J. Annual Leave - Fire and Police

1. Police Department

- a. Each new member of the classified police service, after having served one (1) year of service with the Morgan City Police Department, shall be entitled to annual leave with full pay in accordance with Table 1. Service must be continuous with Morgan City Police Department.

TABLE 1 - ANNUAL LEAVE POLICE DEPARTMENT AFTER COMPLETING ONE (1) YEAR OF SERVICE	
12-hour Shift Employees	8-hour Shift Employees (40 hours a week)
Hours Accrued Per Year of Service	Hours Accrued Per Year of Service
152	152

- b. Each member of the classified police service, after having served one (1) year with the Morgan City Police Department, shall be entitled to annual leave with full pay on January 1st of each year of employment following his/her first anniversary date, in accordance with Table 2. Service must be continuous with the Morgan City Police Department.

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TABLE 2 - ANNUAL LEAVE POLICE DEPARTMENT		
Years of Continuous Service Completed on January 1st of each year	12-hour Shift Employees Hours Accrued per Year	8-hour Shift Employees (40 hours a week) Hours Accrued per Year
1 - 10	152	152
11	160	160
12	168	168
13	176	176
14	184	184
15	192	192
16	200	200
17	208	208
18	216	216
19	224	224
20	232	232
21	240	240

2. Fire Department

- a. Each member of the classified fire service, after having served one (1) year with the Morgan City Fire Department, shall be entitled to annual leave with full pay in accordance with Table 3. Service must be continuous with Morgan City Fire Department.

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TABLE 3 - ANNUAL LEAVE FIRE DEPARTMENT AFTER COMPLETING ONE (1) YEAR OF SERVICE	
24-hour Shift Employees Calendar Days Accrued Per Year of Service	8-hour Shift Employees (40 hours a week) Calendar Days Accrued Per Year of Service
19	19

- b. Each member of the classified fire service, after having served one (1) year with the Morgan City Fire Department, shall be entitled to annual leave with full pay on January 1st of each year of employment following his/her first anniversary date, in accordance with Table 4. Service must be continuous with the Morgan City Fire Department.

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TABLE 4 - ANNUAL LEAVE FIRE DEPARTMENT		
Years of Continuous Service Completed on January 1st of each year	24-hour Shift Employees	8-hour Shift Employees (40 hours a week)
	Calendar Days Accrued per Year	Calendar Days Accrued per Year
1 - 10	19	19
11	20	20
12	21	21
13	22	22
14	23	23
15	24	24
16	25	25
17	26	26
18	27	27
19	28	28
20	29	29
21	30	30

3. Calendar day shall be defined as a continuous 24-hour period of time from midnight to midnight upon which a work shift may fall.

Work shift shall be defined as a continuous period of duty which may cover parts of two calendar days.

4. Employees shall not be required to use their annual leave on days that they are not scheduled to work.

K. Personal Leave without Pay

1. Each employee of the classified service may be granted personal leave without pay, as follows, when such employee has no accumulated annual leave or compensatory time.

- a. 12-hour and 24-hour shift employees: not to exceed one hundred and twenty (120) hours in any calendar year.
- b. 8-hour shift employees: not to exceed eighty (80) hours in any calendar year.

L. Emergency Leave with Pay

Each member of the classified service may be granted emergency leave with pay not to exceed two (2) hours in emergency situations.

M. Special Leave

Each member of the classified service may be granted special leave of absence, with or without pay, and without loss of seniority, for a period not to exceed thirty (30) calendar days where such leave is determined to be in the departmental interest.

Under no circumstances shall such special leave be granted for the purpose of engaging in other employment.

N. Leave for Specialized Disaster Service Volunteer

Any member of the classified service who is a trained disaster volunteer of the American Red Cross may be granted leave from his/hers 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.

O. 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 as provided in Number 4 is exhausted, an employee shall be entitled to the remaining unpaid FMLA leave, if any, to which he/she is entitled.

6. Accrual of departmental and/or promotional seniority shall continue while an employee is on paid or unpaid family medical leave.

P. Administrative Leave with Pay

1. The appointing authority may grant administrative leave with pay for a period not to exceed sixty (60) consecutive calendar days (*for Fire Department*) 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 leave may be extended for an additional period not to exceed sixty (60) consecutive calendar days with prior approval of the board, when circumstances warrant such extension. Administrative leave shall be terminated upon the employee being ordered to return to active duty or upon the appointing authority affecting disciplinary action, whichever occurs first.
2. The appointing authority may grant administrative leave with pay for a period not to exceed seventy-five (75) consecutive calendar days (*for Police Department*) 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 leave may be extended for an additional period not to exceed seventy-five (75) consecutive calendar days with prior approval of the board, when circumstances warrant such extension. Administrative leave shall be terminated upon the employee being ordered to return to active duty or upon the appointing authority affecting disciplinary action, whichever occurs first.

Q. Expiration of Leave

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

RULE XIII

Morgan City Fire Department - Policy for buying, selling, and trading of compensatory time

In order to implement this type of policy it should be understood that this would only be allowed between employees of the same rank.

Firemen, Operators, and Captains would be allowed to buy, sell, or trade comp time that they have earned provided that it is documented showing who sold it and the person who received it. Compensatory time can also be traded buy only with someone of the same rank.

In the event of an emergency a senior employee may elect to give a lower class employee comp time if he desires but this time is not returnable.

Furthermore, an employee that is nearing retirement would be discouraged from buying comp time unless it is used within a week of it being purchased and only from someone of the same rank. Any comp time not actually earned is not the responsibility of the City of Morgan City should an employee get fired, quits, or retires.

Only 48 hours will be allowed to be purchased at a time and only once a month taking into account that they shall not go over the allotted number of hours allowed by state law. This policy can be monitored and adjusted to be sure that it meets the needs of the employee as well as the employer.

Hours shall not be purchased just to bank them for later use. In the event of an unforeseen emergency, employee will be allowed to purchase a maximum of 72 hours.

The chief of the department only at this time must approve all request until any possible problems are worked out. If the chief is not available an assistant chief can approve this request if all rules are followed.

RULE XIVCIVIL SERVICE APPEAL CODE OF CONDUCT

I. General Hearing Room Conduct

- (1) No person may engage in any conduct that would be disruptive to the business of the board.
- (2) Attorneys must help to maintain the dignity of the hearing room.
- (3) No one is allowed inside the rail except for attorneys, litigants, officers of the board, and anyone else the board specifically authorizes.
- (4) The chairman may prohibit the use of electronic transmitters, receivers, entertainment devices such as cellular telephones, beepers, computer disc players, etc., in the hearing room, subject to R. S. 42:8.

II. Attorney Conduct

- (1) No one may represent a party in any proceeding except counsel of record, unless allowed to do so by law.
- (2) As a general rule, attorneys desiring to address the board in opening and closing statements shall do so while standing, attorneys may be seated while questioning of witnesses. Unless directed otherwise by the chairman all documents shall be handed to the secretary who shall hand them to the chairman.
- (3) Private conversation or conference between attorneys or others in attendance during any board session should not be disruptive to the proceedings.
- (4) Attorneys shall address all remarks, objections, and comments to the board, never opposing counsel. Impromptu argument or discussion between counsel will not be permitted.
- (5) Attorneys shall speak and write civilly and respectfully in all communications with the board.
- (6) Attorneys shall be punctual and prepared for all board appearances so that all hearings and conferences may commence on time; if delayed, attorneys shall notify the board and

counsel, if possible.

- (7) Attorneys shall be considerate of the time constraints and pressures on the board and board staff inherent in their efforts to administer civil service appeals.
- (8) Attorneys shall not engage in any conduct that brings disorder or disruption to the hearing room. Attorneys shall advise their clients and witnesses appearing before the board of the proper conduct expected and required there and, to the best of their ability, prevent their clients and witnesses from creating disorder or disruption.
- (9) Attorneys shall not knowingly misrepresent, mischaracterize, misquote, or miscite facts or authorities in any oral or written communication to the board.
- (10) Attorneys shall not engage in ex parte communication with any board member on any pending action.
- (11) All parties and their attorneys shall comply with all requests of the board or its legal counsel related to pre-hearing procedure including, but not limited to, discovery deadlines, pre-hearing conferences, witness and exhibit lists, and pre-hearing memorandum. Attorneys shall make all reasonable efforts to resolve as many disputed issues of law and evidence prior to the hearing as possible.

III. Enforcement

- (1) Anyone violating any of these rules shall be subject to remedial action of the board including, but not necessarily limited to, warning, reprimand, restraint and removal from the hearing process.
- (2) All remedial action shall be commensurate with: a) the extent that the violation has disrupted the hearing process, b) past violations by the same person, and c) the likelihood that the person will continue to violate these rules.

Adopted	11-13-62
Revised	08-16-90, 04-07-94, 07-21-94, 09-21-95, 11-14-96, 01-18-01, 03-11-04, 07-29-04, 10-06-05, 12-19-18, 03-30-23