

**RULES OF THE FIRE CIVIL SERVICE BOARD
OF ST. BERNARD PARISH FIRE DISTRICT**

2538. RULES, REGULATIONS, AND ORDERS OF THE BOARD

Each board may adopt and execute rules, regulations, and orders necessary or desirable effectively to carry out the provisions of the Part, and shall do so when expressly required by this Part. No rule, regulation, or order shall be contrary to or in violation of any provisions, purpose, or intent of this Part or contrary to any other provisions of law. The board may amend or repeal any rule or part thereof in the same manner provided herein for the adoption of the rule.

A board may adopt any rule, either in its proposed or revised form, after holding a public hearing at which any officer or employee of the government of which the fire or police service is a part, and any private citizen and the State Examiner shall be given an opportunity to show cause why the proposed rule or amendment, or any part thereof, should not be adopted. Before the board holds this public hearing, it shall furnish at least thirty days notice in advance of the date, time, and place therefor to the mayor, commissioner of public safety, and any other municipal commissioner whom the rule may in any way affect, or the parish governing authority or fire protection district governing authority having jurisdiction over the fire or police service, and to the chief and each station of the departmental services to be affected by the adoption of any such rule, and to the State Examiner. A copy of all proposed rules to be discussed at any hearing shall be furnished with all notices. Each notice and copy of proposed rule furnished the various stations of the fire and police departments shall be posted upon the bulletin board of each station for a period of at least thirty days in advance of the hearing.

Within thirty days after the board has adopted any rule whether it is a new rule, an amendment of an existing rule, or an abolition in whole or in part thereof, it shall furnish an official copy thereof to all persons and places set forth above.

Rules adopted under the authority of the Part shall have the force and effect of law. Acts 1964, No. 282, 1: as amended Acts 1965, No. 146, 1.

RULE CONCERNING COMPETITIVE AND PROMOTIONAL APPLICATION FORMS

All applications for competitive and promotional examinations shall be received in the following manner:

1. By direct submission to the secretary of the board from the applicant.
2. By mail at the board's mailing address: 8201 West Judge Perez Drive, Chalmette, Louisiana 70043.

Applications submitted by any other means will not be accepted.

All applications when received shall be assigned a receipt number. A receipt bearing this number shall be given to the applicant if he or she submits said application in person, or if the application is received by mail, the secretary shall forward a receipt to the applicant at the address listed on said application not less than two working days after receipt of the application.

Any applicant not receiving a receipt within six working days of submitting an application by mail should contact the secretary of the board.

There will be no additions to the approved list of applicants at the test site considered without the applicant in question providing his or her receipt proving that the application was received by the board.

Henceforth, all blanks and items on competitive and promotional application forms are to be filled in by the applicant. If the question is not applicable, it is to be marked N/A. If the applicant has absolutely no way to determine an answer, he is to mark it unknown (unk.). The board secretary is instructed not to receive applications not completely filled out, nor will the board consider them.

A copy of the above rule is to be attached to each application form handed out.

RULE CONCERNING HEARING REQUEST FORMS FOR FIRE CIVIL SERVICE BOARD HEARINGS

A St. Bernard Parish Fire Department Civil Service Board Hearing Request Form must be filled out in order to have a hearing held by the Fire Civil Service Board. Any person coming before the St. Bernard Parish Fire Civil Service Board requesting a hearing and investigation under Paragraph 2561 of the current law, must include the following information in a written request. The Hearing Request Form must be filled out completely and submitted to the Board Secretary. Failure to answer all questions in the form may cause your hearing to be delayed. If the question is not applicable, it is to be marked N/A. If there is no way to determine an answer, please mark it unknown (UNK).

PLEASE FILL OUT THE HEARING REQUEST AS FOLLOWS:	
1)	Please PRINT your full name - first, middle initial, last.
2)	Please PRINT your COMPLETE mailing address.
3)	Your home phone number and your Fire Station phone number.
4)	Today's date - month, day and year.

5)	Your rank, station and your platoon you are working.
6)	Please fill in your name and a description of actions that took place, include all persons involved and their ranks, include dates, times and places.
7)	State possible action you would like the Civil Service Board to take.
8)	Please sign the form (your legal signature).
9)	The Secretary will fill in date when the hearing request is received. Remember to wait for your receipt.

A copy of the above rule is to be attached to each Hearing Request Form handed out.

RULE COVERING ANNUAL VACATION

- A. Each employee shall be entitled to annual leave with pay and shall after one month of employment, accrue leave in the following manner:
1. First year through 10th year - Eighteen (18) calendar days.
 2. Over ten (10) years - One additional day per year up to thirty (30) calendar days maximum.
- B. Employees may accumulate and carry forward six (6) 24 hour days vacation to the following year. Annual leave may only be taken as earned subject to approval of the department head. Regular holidays and/or normal non-working days occurring during a leave period shall not be considered as annual leave.
- C. No employee shall be credited with annual leave for any calendar month during which he has not been employed in a permanent status.
- D. Upon voluntary resignation or retirement an employee shall be compensated for annual leave accumulated to the date of separation, not to exceed 30 calendar days provided in the case of resignation, he has completed 12 or more months of continuous service and also provided he has submitted notice to the chief at least two (2) weeks in advance of the effective date of resignation.
- E. Earned vacation time shall not be forfeited by any member of the department for any cause.
- F. Accumulated annual leave may be used only after completion of the sixth month of service. Employees who are laid off before the completion of the sixth month of service shall be paid for earned and accumulated annual leave.

- G. Accumulated annual leave may be taken at the time or the times requested by the employee and approved by the appointing authority. If the workload of the employee's organizational unit makes the granting of annual leave undesirable for the time requested, the appointing authority shall notify the employee.

"Each employee shall be entitled to use a minimum of one year's accumulation of annual leave during any calendar year. When an employee entitled to annual leave makes a written request for leave, the appointing authority shall, within five (5) days after the date of the employee's request, either approve or disapprove the request in writing. If the request is denied, the appointing authority shall grant, in writing, permission for use of the annual leave requested during an equivalent period within the six (6) month period following the employee's request. This written permission shall be given to the employee within thirty (30) days after the request."

RULE COVERING CIVIL LEAVE

- A. An employee shall be given time off without loss of pay when performing jury duty, when subpoenaed to appear before a court, public body, or commission, when performing emergency civilian duty in connection with national defense, when ordered to appear for a medical or other examination by the Selective Service System or by a branch of the armed forces of the state or United States, for the purpose of voting, or when taking or participating in a fire civil service examination.
- B. When an employee is authorized or assigned to attend a conference, convention, or training program directly related to this work or the work of his department, no leave shall be reported and he shall be considered as working.

RULE COVERING LEAVE OF ABSENCE WITHOUT PAY

- A. An appointing authority may grant an employee leave without pay for a period not to exceed ninety (90) days or one period of three (3) months within a calendar year whenever such leave is considered to be in the best interest of the service; provided that:
1. Leave without pay for a longer period of time may be granted subject to review by the civil service board, and
 2. When an employee is on leave without pay for more than five (5) consecutive working days, the appointing authority must submit a report to the civil service board, and

3. When an employee does not return to work at the expiration of a period of leave without pay as authorized herein, he shall be considered as having resigned his position as of the day following the last day of leave.
- B. Employees with probationary or permanent status may be allowed sick leave without pay for a period not to exceed one (1) year, provided any sick leave without pay for a period exceeding ninety (90) days is recommended by a physician acceptable to the civil service board; and further, that the employee shall also be examined by an acceptable physician during the seventh month while on sick leave with pay. Sick leave without pay may be granted under this rule subject to the approval of the fire civil service board.

RULE COVERING SPECIAL LEAVE OF ABSENCE WITH PAY

- A. An appointing authority may grant a regular employee special leave of absence with pay for a period of not to exceed one (1) year whenever such leave is for the purpose of enabling the employee to obtain educational training necessary for the betterment of the service rendered by the department to the public. To obtain special leave of absence with pay, it must be clearly demonstrated that the course of study is related directly to the work of the department. No special leave of absence with pay can be granted until the approval of the civil service board is obtained.

PROPOSED RULE COVERING MILITARY LEAVE WITHOUT PAY

- A. Any regular employee or probationary employee, who shall have entered into active military or naval duty with the armed forces of the United States or the State of Louisiana, shall be placed on military leave without pay, such military leave to extend through a date of ninety (90) days after he is relieved from such service, or from hospitalization continuing after his discharge for a period of not more than one year. The employee shall be entitled to be restored to the position which he vacated, providing that he makes application in writing to the appointing authority of the agency wherein he was formerly employed within ninety (90) days from the date of honorable discharge or discharge under honorable conditions, or from hospitalization continuing after discharge for a period of not more than one year, is physically and mentally capable of performing the work of his position to the satisfaction of the appointing authority. In the case of an employee who was placed on military leave while serving a working test period, such an employee, upon returning to his position, shall be required to serve the remaining portion of his working test period before he may gain permanent status in his class of position.

- B. In the event a position vacated by a person entering any active military duty, including National Guard and reserves, no longer exists at the time he qualifies to return to work, such person shall be entitled to be re-employed in any position of the same classification within that department wherein he was employed, provided such re-employment does not necessitate the laying off of any person who was appointed at an earlier date than such person returning from aforementioned.
- C. Any member of the military in active duty, National Guard, or reserve may be on leave up to fifteen (15) days with pay, not affecting his annual leave.

RULE COVERING SICK LEAVE

- A. Every firefighter shall be entitled to full pay during sickness or incapacity not brought about by his own negligence or culpable indiscretion up to the amount of sick leave accrued to his account provided he properly notifies the appointing authority. This section does not take into account 52 weeks sick leave provided by state law which will be administered according to state law.
- B. Sick leave is defined as any period of time during which an employee may be excused from work without loss of pay due to:
 - 1. Personal illness, injury, or any other type of physical disability except injuries incurred on the job (Paragraph "F" below).
 - 2. Serious illness or death in the employee's immediate family. For the purpose of this section, the immediate family shall be deemed to include the parents, spouse, children, brothers, sisters, and immediate in-laws.
- C. Sick leave shall be credited to an employee at the rate of one (1) day for each month of continuous employment. Sick and vacation leave will not accrue during sick leave. One day is defined as being a 12-hour period.
- D. An employee on sick leave shall inform his supervisor of the fact and the reason at least one hour prior to reporting for duty. Failure to do so will result in denial of sick leave with pay for the period of absence. The employee will submit to such medical examinations, nursing visit, or other inquiry which the department deems necessary. Absence for part of a day that is chargeable to sick leave shall be charged proportionately in an amount not less than three (3) hours.
- E. Vacation leave shall be used for sick leave purposes after sick leave is exhausted. Employees who have exhausted all sick leave and vacation leave credits may, at the discretion

of the appointing authority, be granted leave of absence without pay for a period not to exceed one (1) year.

- F. The chief shall keep records of sick leave accrued, sick leave taken, and balance of sick leave for each employee.
- G. An employee on sick leave shall inform his supervisor of the fact and the reason one (1) hour prior to reporting time. Failure to do so will result in denial of sick leave with pay for the period of absence.

The employee will present a doctor's certificate and submit to medical examinations, nursing visits, or other inquiry when the department deems it necessary. Absence for part of a day that is charged to sick leave shall be charged proportionately in an amount not less than three (3) hours.

- H. Accumulated sick leave shall be reinstated for those persons, after being laid off, who are employed from re-employment registers or who are reinstated.
- I. When an employee is placed on authorized military leave without pay, all of his unused sick leave which he accumulated prior to his placement on military leave shall remain to his credit until such time as he returns to his position or forfeits his rights.
- J. Sequence for taking sick leave is as follows:
 - 1. Job related illness or injury:
 - a) 52 weeks leave per state law
 - b) Accumulated sick leave
 - c) Annual leave
 - 2. Off-duty related illness or injury not brought about by his own negligence or culpable indiscretion:
 - a) Accumulated sick leave
 - b) 52 weeks leave per state law
 - c) Annual leave
- K. The effective date of this rule is March 1, 1978.

RULE COVERING HOLIDAYS AND HOLIDAY PAY

- 1. The following days will be observed as holidays, unless otherwise provided for:

January 1 (New Year's Day)
3rd Monday in January (Martin Luther King's Birthday)
3rd Monday in February (President's Day)
Mardi Gras Day (Day before Ash Wednesday)
Good Friday (Friday before Easter)
Last Monday in May (Memorial Day)

July 4th (Independence Day)
 First Monday in September (Labor Day)
 Veteran's Day
 4th Thursday in November (Thanksgiving Day)
 4th Friday in November (Day after Thanksgiving Day)
 December 24th (Christmas Eve)
 December 25th (Christmas Day)
 December 31st (New Year's Eve)

2. In addition to the above holidays, any other day declared a holiday by the St. Bernard Parish Government should be observed as such.
3. On any holidays listed or holidays declared, employees should be paid two times (2x) the employees regular hourly rate, including compensation of State Supplemental Pay.
4. The above holidays coincide with the official holidays of St. Bernard Parish.

RULE COVERING FAMILY MEDICAL LEAVE

1. Each full-time employee of the classified service after having served one (1) year, shall be entitled up to twelve (12) weeks of unpaid leave, without credit for departmental seniority when appropriate documentation is supplied to the Appointing Authority for those reasons provided by Public Law 103-3 (Family and Medical Leave Act of 1993).
2. An employee will be required to first exhaust any or all compensatory time and any or all accumulated leave time before being granted unpaid leave without seniority.

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