

**CITY OF SHREVEPORT
PERSONNEL RULES AND REGULATIONS
EFFECTIVE JANUARY 1, 2013**

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GENERAL PROVISIONS

APPLICABILITY

These rules and regulations shall apply to all classified employees (and to employees of the police and fire departments to the extent required by Section 14.01 of the Charter). Failure to comply with these policies may result in disciplinary action. In these rules and regulations, the masculine gender is used for simplification; it is understood that the City applies these rules to all classified employees without distinction of gender and without discrimination.

AUTHORITY AND RESPONSIBILITY

The Human Resources Board may change these rules if necessary in order to more effectively and efficiently promote the interest of the City or its employees. The HR Director and/or representative is authorized and directed to interpret, develop, and implement necessary rules and regulations to ensure the efficient administration of these policies. Each Department Director is responsible for enforcing these policies and procedures. City employees are responsible for complying with and adhering to the policies and for conforming to the directions provided by departmental management in the fulfillment of these policies.

DISTRIBUTION

All City employees shall be informed of the existence of these policies and procedures. Each department shall ensure that each division, section, or work site makes one copy of the policies available for employee reference. One management person shall be designated to be responsible for that copy's current status.

REVISIONS

These policies will be reviewed and updated periodically. Any requests for additions or changes to this manual must be submitted in writing to the HR Director, for consideration by the Board.

DEFINITIONS

DEFINITIONS

In these rules, words used in the masculine gender include feminine gender. The following words, terms and phrases when used in these rules shall have the meaning respectively ascribed to them in this Rule unless the context plainly indicates a contrary meaning.

Allocation – The determination of the classification of each position.

Annual (Vacation) Leave – Leave with pay accrued by an employee for the purpose of personal and emergency use.

Appointment – An offer of employment by an appointing authority to a qualified person and the acceptance of such offer.

Board – The Human Resources Board established under the provision of Section 14.03 of the Charter (referred to as the Personnel Board in the Charter).

Charter – The Plan of Government of the City of Shreveport as set forth in the Code of Ordinances.

Class- One or more positions sufficiently similar in respect to duties and responsibilities that the same title may be used to designate each position in the group, the salary may be equitably applied, the same qualifications required, and the same examination used to select qualified employees.

Classification Plan – A system devised to group positions based on their duties and responsibilities.

Classified Employee – An individual filling a position not specifically included in the unclassified services as specified by Article 14 of the Charter.

Classified Service – All positions of employment in the City service (except employees in the departments of police and fire) that are not specifically placed in the unclassified service by the Charter.

Compensatory Time – Paid time off the job that is earned and accrued by an employee instead of immediate cash payment for working overtime hours and is calculated at 1½ hours for each hour of overtime worked.

Continuous City Service – Uninterrupted years of service as an active employee of the City with the exception of interruptions caused by: authorized leave of absence, layoff of not more than one year, and military service consisting of active duty in the armed forces of the United States for not more than six (6) years of voluntary service or an indefinite period of involuntary military service.

Demotion - Requires that the employee be assigned to a lower rate of pay in his/her new class specification.

Director – The Human Resources Director (“HR Director”) of the City of Shreveport (referred to as the Personnel Director in the Charter).

Department Head - The appointed authority in the highest level of management within a department.

Dismissal – The employee’s separation from employment by the City.

Employee – A person employed and paid wages by the City, with the exception of independent contractors.

Exceptional Qualifications – Demonstrated skills, abilities and experiences that substantially exceed the necessary minimal qualifications for the vacant position. The qualification should clearly demonstrate that the applicant can satisfactorily perform at the level and step being requested above the normal hiring rate and that such performance will be at least equal to or above that of the incumbents being paid at the same rate. Differentiation must be made between applicants who are simply "over-qualified" versus those who are truly "exceptionally qualified". The single fact that an applicant possesses more than the minimum qualifications will not necessarily be taken as evidence of exceptional qualifications.

Exempt Employees – Refers to those persons who are exempt from the overtime pay requirements as defined under the Fair Labor Standards Act and who are not monetarily compensated for overtime. For an employee to be classified as exempt, she/he must meet the FLSA’s definition of an executive, administrative or professional employee, or certain highly skilled computer-related employees, or other specific categories of employees.

Flex Time – A flexible work schedule is an alternative to the traditional 8 to 5, 40-hour work week. It allows employees to vary their arrival and/or departure times. Employees must work a prescribed number of hours during a pay period and be present during a daily "core time." The employee’s scheduled work hours are assigned by management. Flextime must be approved by the department head. Not all positions are suited for flextime.

Hiring Authority – Any officer, board, agency, commission, person, or group of persons having the power of selection over positions in the classified and unclassified services.

Lateral Transfer – When an employee changes departments and/or divisions but remains in the original class specification, does not break years in service and does not receive an increase in pay.

Non-Exempt Employees - Refers to those covered persons who are not exempt from the overtime pay requirements under the Fair Labor Standards Act.

Immediate Family – A mother, father, son, daughter, husband, wife, sister, brother, grandparents, grandchildren, mother-in-law, father-in-law, brother-in-law, sister-in-law, a legal guardian having legal custody of an individual or any blood relation living in legal common domicile with the employee. Immediate family will also cover employees under FMLA's locos parentis definition where applicable.

Insubordination - an employee's willful disregard for a manager's direct orders. The use of profanity towards a supervisor.

Overtime – Any time worked in excess of 40 hours in a normal workweek of 162 hours (except employees engaged in fire protection or law enforcement may be paid overtime on a work period basis which may be from 7 consecutive days to 28 consecutive days in length). Time worked in a workweek or work period, for the purpose of determining overtime, does not include any time charged for vacation (annual) leave, sick leave, holiday, bereavement, civil leave, inclement weather, or compensatory time.

Overtime Pay – Pay for overtime hours worked by non-exempt employees in a particular workweek, calculated at 1½ times an employee's regular hourly rate of pay

Part-Time – A working period less than 40 hours per week.

Pay – Salary, wages, fees, allowances and all other forms of valuable consideration, or the amount of any one or more of them earned by or paid to any employee by reason of service rendered in any position, but does not include any allowance for expenses authorized and incurred as incidental to employment.

Pay Plan – A guide to be used to assign pay ranges of specific monetary amounts to each job classification.

Performance Evaluation – An instrument to measure and evaluate an employee's performance.

Permanent Classified Employee - An individual filling a position not specifically included in the unclassified service as specified by Article 14 of the Charter. This individual holds a permanent position in the service of the City after satisfactorily completing a six (6) month working test period (probationary period), unless extended as otherwise provided herein.

Permanent Part-Time Classified Employee – A person filling a position not specifically included in the unclassified service as specified in Article 14 of the City Charter. The individual is prescheduled to work at least twenty (20) hours but less than forty (40) hours per workweek on a permanent, year-round basis. Such employees may complete their probationary periods and earn vacation and sick leave on a pro-rata, hour-for-hour basis equivalent to full-time employees.

Probationary Period – Working test period in a position, which consists of 6 months as set forth in the Charter.

Promotion – Change of a permanent employee from a position in one class to a position in another class on a higher level for which a higher maximum rate of pay is provided.

Public Hearing – A hearing after public notice in the official journal of at least ten (10) days, at which any person may have a reasonable opportunity to be heard, in accordance with such Rules and Regulations as may be adopted by the Board.

Reallocation – Change in the allocation of a position from one class to another wherein the duties of the position have undergone a change.

Reclassification – The action resulting from reallocation; changing the classification to which a position is assigned.

Reinstatement – The placement of an employee in a former class or position.

Resignation – When an employee notifies the hiring authority, oral or written, that she/he has chosen to discontinue employment with the City, or abandons his or her job.

Seasonal Employee – Persons employed to work solely due to seasonal fluctuations in demand for services and may be employed for up to forty (40) hours per workweek, but may not work more than 120 days in any given year.

Separation – Refers to the termination of employment of an employee with the City of Shreveport.

Service – All positions in any one of the jurisdictions placed within the classified service under the Charter.

Service Time Eligibility – The length of service credited to the employee for service in this current position.

Suspension – The act of an employee being placed on leave without pay as a result of discipline.

Sick Leave – Leave with pay granted an employee who is suffering with an illness or disability which prevents him from performing his usual duties and responsibilities or who requires medical, psychiatric, dental or optical consultation or treatment. Employees may use up to six (6) days per calendar year to personally attend to ill or injured members of an employee's immediate family.

Transfer – When an employee changes position, department, and/or division to a position in another department without a change in probation or permanent status and without a break in service of one or more working days.

Voluntary Demotion- Requires that the employee be assigned to a lower rate of pay in the new, lower classification.

Workweek – For FLSA purposes, a period of 168 hours during seven consecutive 24-hour days beginning at 12:01 a.m. **Monday and ending at 11:59 p.m. Sunday.**

SECTION ONE

HUMAN RESOURCES BOARD

COMPOSITION OF THE BOARD

The Human Resources Board shall consist of five (5) members. Each appointed member shall be a citizen of the United States of America, a resident of the City of Shreveport for at least five (5) years preceding his appointment, and shall, at the time of his appointment, be a qualified voter of the city. No member of the Board shall have been, during a period of six (6) months immediately preceding his appointment, a member of any local, state, or national committee of a political party, or an officer or member of a committee in any factional or political club or organization. No member of the Board shall be a candidate for nomination or election to any public office or hold any other public office or position of public employment, except that of notary public or a military office, and except that the member elected by the members of the classified service may be a municipal employee and are not required to live within the city limits of the City of Shreveport.

MEMBERS OF THE BOARD

One member shall be a member of the classified service, as herein defined, and shall be elected by the members of the classified service at a time and place fixed by the Council. The other four (4) members shall be appointed by the Mayor, subject to confirmation by the Council. All members of the Board shall serve without compensation. Each member shall serve a term of three (3) years from the date of his appointment. The terms of the members shall not be concurrent, and shall be arranged so that the terms of no more than two (2) members expire in any one calendar year. If a vacancy shall occur otherwise than by expiration of term, it shall be filled in the same manner as the original appointment, and said appointment shall be for the unexpired portion of the term.

POWERS OF THE BOARD

Unless and until otherwise provided by ordinance pursuant to section 4.20(c) hereof, the Human Resources Board shall have power and be required to:

- (a) Appoint and remove, as hereinafter provided, the Human Resources Director;
- (b) Adopt and amend, on the recommendation of the Human Resources Director, rules consistent with this Charter and the ordinances of the City for the purpose of carrying out the provisions of this article. Among other things, such rules and regulations shall provide for the method of holding competitive examinations; the establishment, maintenance, certification, consolidation and cancellation of eligible lists; the administration of the classification and pay plans; methods of promotion and the application of service ratings thereto; probationary period of employment; transfer of employees within the classification plan; hours of work, vacations, sick leaves and other leaves of absence; overtime pay; the order and manner in which layoffs shall be effected, and suspensions, dismissals and appeals therefrom; and such other rules and regulations as shall be necessary to provide adequate and systematic handling of the human resources affairs of the City;
- (c) Adopt, after public hearing, a classification plan;

- (d) Hear appeals from members of the classified service affected by the classification, reclassification and allocation of positions, and also hear appeals from any disciplinary action suspending for more than thirty (30) days, or reducing in rank or pay or removing, any member of the classified service as hereinafter provided;
- (e) Investigate any or all matters relating to conditions of employment in all departments and agencies of the City in which members of the classified service are employed, and make at least annually a report of its findings to the Council.

ELECTION OF CHAIRPERSON

The Board shall, at the first meeting of the new year, elect one of its members Chairperson for a term of (1) year, or until a successor is duly elected. If because of death, or otherwise, the Office of Chairperson is vacated before the expiration of the term of office, the Board shall elect a successor at its next meeting.

ELECTION OF SECRETARY

The Board shall, at the first meeting of the new year, elect one of its members Secretary for a term of one year, or until a successor is duly elected. If because of death, resignation or otherwise, the Office of Secretary is vacated before the expiration of term of office, the Board shall elect a successor at its next meeting.

MEETINGS

Meetings of the Board shall be subject to call by the Chairperson or majority of (3) members which constitute a quorum.

RULES OF ORDER

The Board shall not be bound by Robert's Rules of Order and its established by-laws. The Board will consider evidence in a manner established by the Board.

PRESERVATION OF RECORDS

Records of the Board shall be preserved for not less than two (2) years and until destruction is authorized by the Board, as consistent with law.

MINUTES OF THE MEETING

Minutes of all meetings of the Board shall be recorded in their entirety and attested by the Secretary. Copies of a summary of the minutes shall be made available to all department heads within the executive branch for informational and posting purposes.

SECTION TWO

HUMAN RESOURCES DISCIPLINARY

APPEALS PROCESS

REQUEST FOR APPEALS

An employee desiring to appeal a dismissal, demotion, or suspension shall, within ten (10) calendar days after notice is served in person or by certified mail, return receipt requested, addressed to his last known address, file with the HR Director, in triplicate, a written explanation of the charges and shall contain:

- (a) the action being appealed;
- (b) an admission or denial of violation;
- (c) reasons why the actions should not become effective;
- (d) what the Board is being asked to do.

Upon receipt, the HR Director shall immediately forward copies to the hiring authority concerned, the Chairman of the Human Resources Board, and the City Attorney.

No specific form is required. A letter to the Board containing the requirements of the preceding paragraph stating the complaint and requesting action from the Board is sufficient.

After submission, the HR Director shall note the date of its receipt and distribute copies to each of the Board members, the hiring authority, and the City Attorney.

The hiring authority shall respond to the employee. The response shall be received by the Board at least two (2) days before the hearing, and a copy shall be delivered or mailed to the employee and/or his attorney at the same time.

Any employee desiring to appeal his/her classification, reclassification or allocation of position shall follow the same procedure and adhere to the same time periods prescribed.

For the purpose of this section the following guidelines shall apply:

Classification - concurrent action by the Human Resources Board, HR Director, and the Executive Branch adopting the City Classification Plan and its several class specifications.

Reclassification – concurrent action by the Human Resources Board, HR Director, and the Executive Branch amending the City Classification Plan by adoption of new or revised class specifications or deletion of unused or obsolete class specifications.

Allocation of Positions – Action by the HR Director assigning positions of employment within the classified service to the various class specifications of the classification plan.

BOARD HEARING PROCEDURES

The Board will set the matter for hearing for the next scheduled board meeting after receipt of such appeals; however a minimum of seven (7) days shall be required from the date of appeal and the Board hearing. The Board shall advise the employee, the hiring authority and the City Attorney at least seven (7) days in advance of the date, time, and place of the hearing. The purpose of the hearing will be to determine whether or not the disciplinary action taken against the employee by the hiring authority was appropriate. The Board shall diligently seek the information and evidence bearing on the merits of the case. Either party of interest may be represented by counsel.

The parties at interest are requested not to contact the Board members individually, either before or after the hearing.

REPRESENTATION OF COUNSEL

If an employee will be represented at the hearing by an attorney, the HR Director should be advised of this fact by the appellant or his attorney at least seven (7) working days prior to the hearing. Upon receipt of such information, the HR Director should so advise the Board members, the hiring authority, and the City Attorney.

Any other employee who will be materially affected by the decision of the Board, either for or against the aggrieved employee, may request permission to intervene and participate in the proceeding or to appear and state his position. If practical, such requests should be filed in writing at least three (3) working days before the date fixed before the hearing, but the Board reserves the right to hear anyone who wants to be heard at the hearing. The allowances of a particular intervention will rest in the Board's discretion exercised in good faith. Any employee who does not make known or attempt to make known his position at the hearing may be considered to have waived his rights to complain later about the Board's decision and the consequences thereof.

EXPENSES FOR COURT APPEALS

In the appeals process, any party may, at his/her own expense make the necessary arrangements for the recording and stenographical transcribing of testimony using a certified court reporter satisfactory to the Board.

ADMINISTRATION OF MEETING

The Chairman will call on all parties, or their attorneys to state their appearances (names and addresses) for the record. Except as the Board may otherwise direct, in disciplinary matters the appealing party will present evidence first.

All persons who will offer testimony and make statements of fact during the hearing will be sworn. This may be done as a group at the onset of the hearing. Every statement of fact made at any time during the hearing by any person after having been thus sworn will be considered to have been made under oath, whether the statement is in response to a specific question or is volunteered in the course of a general discussion.

An effort will be made to complete the interrogation of each witness by all parties before beginning the interrogation of the next witness. However, the Board's hearings can sometimes be expedited by a discussion-type interrogation involving more than one witness at a time and

this will be permitted upon occasion within such limitations as the Board may find necessary or desirable in a particular case.

Documentary evidence will be filed with and marked for identification by the HR Director, or some other person designated for the purpose of the Chairman.

At the conclusion of the hearing, the Board may, in its discretion, hear oral argument, imposing such time limits as it deems appropriate. If the proceedings are being transcribed by an official reporter, the oral argument may or may not be transcribed with the transcript of testimony at the discretion of the Board.

The Board may permit or require the filing of briefs in which event, unless otherwise ordered by the Board; simultaneous briefs shall be filed within seven (7) days after the conclusion of the hearing. Unless otherwise indicated at the hearing, the Board may decide the matter without waiting for reply briefs but will accept those which are received in time to assist in its decision.

The disciplinary hearing shall be public at the option of the employee.

The decision of the Board will be accompanied by its written findings of fact. It shall be certified, in writing, to the hiring authority, the aggrieved employee, and/or his/her attorney.

RECUSATION OF MEMBERS

A Board member may be recused when he:

- (a) is a material witness in the matter currently pending before the Board;
- (b) has been employed or consulted as an attorney in the case or has been associated with an attorney during the latter's employment in the cause;
- (c) is the spouse of a party or of an attorney employed in the cause; or is related to a party, or to the spouse of the party, within the fourth degree; or is related to an attorney employed in the cause or to the spouse of the attorney within the second degree;
- (d) is personally interested in the cause, provided, however, the fact that the Board member is a citizen of the City, or pays taxes thereto, is not a ground for recusation.

A Board member may recuse himself whether a motion for his recusation has been filed by a party or not, in any cause in which grounds for recusation exists.

PARTIES REQUESTING RECUSATION OF MEMBERS

The party desiring to recuse a Board member shall file a written motion assigning the grounds for recusation. This motion shall be filed prior to the hearing unless the party discovers that fact constituting the ground for recusation thereafter, in which event it shall be filed immediately after these facts are discovered, but prior to the rendering of a decision on the merits of the cause.

If a valid ground for recusation is set forth in the motion, the Board member affected shall either recuse himself or have the motion referred to the remaining members of the Board.

RECUSAL OF BOARD MEMBER

If a Board member recuses himself or is recused by action of the remaining Board members, the cause shall be held and decided by the remaining Board members. The recused Board member will take no part in the hearing or the decision on the cause.

CONTINUANCE OF APPEALS HEARING

The Chairperson may, at his discretion, entertain and grant joint motions for continuance at any point during the appeal process without convening a full meeting of the Board.

Joint motions to continue an appeals hearing should be made in writing to the Chairman via the HR Director. The Chairman shall advise the HR Director of the disposition of said motion and the HR Director shall forthwith notify all parties of interest.

Motions for continuance shall be filed with the HR Director no later than three (3) days preceding any scheduled appeals hearing.

WITHDRAWAL OF APPEAL

An appellant may move to withdraw his/her appeal at any time during the appeal process. Motions to withdraw an appeal may be made only to the full Board, or a quorum thereof, in legal session convened.

Motions to withdraw an appeal may be made only by the appellant or counsel representing same. Such motions may be verbal or written, provided that motions seeking to withdraw an appeal with prejudice shall be in writing and shall assign reasons for the required dispositions.

Upon receipt of a properly filed motion to withdraw an appeal, the full Board or a quorum in legal session convened may, by majority vote, grant or deny said motion.

APPEALS MADE MOOT

During the course of any appeals hearing, should the hiring authority or other competent authority in an instant case administratively effect such action as to satisfy the full remedy sought by the appellant, and, should the appellant accept the administrative remedies offered, the instant appeal shall immediately become moot.

Appeals made moot shall be considered by the Board to have been fully and finally disposed and shall require no further action by the Board.

DISCRETIONARY APPEAL

Whenever an employee desires to place before the Board any matter other than dismissal, demotion, suspension, classification, reclassification or allocation of position, they may request a discretionary appeal.

DISCRETIONARY APPEAL PROCESS

The employee must have exhausted the administrative “grievance” procedure before coming to the Board (see Section Two of these Rules). This means they must have filed a formal grievance with their immediate supervisor, have been heard, and a decision made by their division head, their department head and the CAO.

To apply for a discretionary appeal, the employee must write the Board and disclose the following:

1. What he wants the Board to review.
2. What he wants the Board to do as a result of the review.

Upon receiving the written request, the Director shall within three (3) working days forward a copy of the request to the Mayor, Chief Administrative Officer and the affected department head. The appointing authority shall then have ten (10) working days in which it shall respond in writing to the employee’s request. The Human Resources Director shall include the hearing request on the agenda of the next regularly scheduled meeting of the Board. The decision of the Board as to whether or not the appeal will be granted shall be final.

Once this information is received the matter will be put on the Board’s agenda at their next scheduled meeting. The Board votes whether or not to hear the matter. The Board’s decision is final.

If the Board votes to hear the matter, it will be scheduled at the convenience of all parties. If agreed, the hearing may take place at the meeting in which the vote to hear it was taken.

The Board will not ordinarily allow a full hearing for a discretionary matter. The Board will review the records pertaining to the matter and interview the employee and representatives of his/her management. The employee will be expected to present his/her position in a concise and pointed manner.

The burden of proof in discretionary matters lies with the employee. That is, it is the employee’s responsibility to persuade the Board that a material error in fact, regulation, or abuse of discretion has been made, sufficient to question the decision made by their management and the CAO.

Certain matters will ordinarily not be heard by the Board. These include:

- Performance evaluations and pay outcomes.
- Letters of reprimand.
- Harassment findings.
- Accident Review Board findings.
- Drug test results.

If a hearing is granted, and if the Board finds for the employee, the Board may advise management of its findings and recommend action.

These time periods are of the essence. Failure to comply with the specified time limits will result in waiver of the right to file a grievance or seek an appeal.

ORIENTATION OF BOARD MEMBERS

All Board members will be oriented on the City Charter, Human Resources Rules and Regulations, Administrative Procedures and Executive Orders as they pertain to the Human Resources Department and Board members. Orientation will take place prior to the member's first board meeting.

SECTION THREE

PROHIBITED PRACTICES

No person in the classified service or who is an applicant for a position shall be appointed, promoted, reduced, or removed or in any way favored or discriminated against on the basis of sex, gender, race, color, national origin, ancestry, marital status, religion, age, non-job related disability, genetics, or any other basis prohibited by law.

No person shall willfully or corruptly make any false statement, certificate, mark, rating, or report in respect to any test, certification, promotion, reduction, or removal or appointment held or made under the provisions of this Charter, or in any manner commit or attempt to commit any fraud tending to prevent the impartial execution thereof or of the Rules and Regulations made in accordance herewith.

DAMAGE TO CITY PROPERTY

No employee shall, directly or indirectly (through negligence or misuse), cause damage to any City property or waste of any City property or funds.

MISUSE OF CITY TIME AND/OR PROPERTY

No person shall, directly or indirectly, use or cause to be used any City time or property for personal reasons or for personal gain, real or intended, or use such time or property for any purpose other than that for which it was intended in the conduct of City business.

CAMPAIGN CONTRIBUTIONS AND PARTICIPATION

No person holding a position in the classified service shall make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs or campaign of any political party or candidate further than in the exercise of his rights as a citizen to express his opinion and to cast his vote.

POLITICAL ACTIVITY

No person shall either directly or indirectly pay, render, or give any money, service, or other valuable thing to any person for or on account of or in connection with any test, appointment, promotion, reduction, or removal in which he is concerned. No person shall orally, by letter, or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or political purpose whatsoever from any person holding a position in the classified service.

WHAT IS PROHIBITED POLITICAL ACTIVITY?

- Any effort by a classified City employee to support or oppose a candidate or political party in an election, whether at the national, state, local, or even out-of-state level.
- A classified City employee must avoid both the ACTUAL support of a candidate, party, or faction and the APPEARANCE of giving such support.
- As a result of the prohibitions one cannot be forced to engage in such activity either directly or indirectly, through one's spouse or another person.
- Applicable to:
- Current classified employees, including those on approved leave with or without pay.
- Classified employees who are on leave without pay to serve in an unclassified job.

- Restrictions do not apply to unclassified employees except in those unique cases where they are prohibited.
- What legal authority governs such prohibitions?
- City of Shreveport Charter Section 14.12.

Classified employees MAY do the following:

- Serve as a poll commissioner or official watcher at the polls.
- Publicly support or oppose issues of public debate or election other than in support of or opposition to a candidate or political party or faction.
- Attend a free function open to the public where any or all of the candidates may speak or present their views.
- Be a member of a private organization that may, under certain circumstances, endorse a candidate for public office, so long as the primary purpose of the organization is not the support of or opposition to candidates, political parties, or factions. However, when the organization does support or oppose a candidate, party, or faction, you may NOT take an active part in the management of the affairs of the organization even in matters not related to that support or opposition.
- Sign a recall petition, as long as it is done on the employee's own time using the employee's own resources, and as long as the employee does not take active part in the recall effort by circulating the petition by mail or electronic means, asking others to sign, manning a booth or table collecting such signatures, etc.

Classified employees wishing to continue their employment shall NOT do the following:

- Become a candidate for nomination or election to public office.
- Become a member of any committee of a political party or faction.
- Make or solicit contributions for any candidate or political party or faction.
- Take an active part in the management of the affairs of a political party, faction or campaign
- Attend any fund raising function of a candidate or political party or faction even if someone gives you a free ticket. A function will be considered a fundraiser if it is advertised that anything - including food - will be sold at the function - even if you do not plan to buy anything.
- Solicit votes for or against a candidate or political party or faction.
- Publicly announce, in writing or otherwise, support of or opposition to a candidate or political party or faction.
- Prepare or distribute campaign material for or against a candidate or political party or faction.
- Contribute or volunteer time, effort, property, or any other thing of value in support of or opposition to a candidate or political party or faction.
- Display a bumper sticker on the vehicle you drive in support of or opposition to a candidate or political party or faction.

- Place a sign on your property supporting or opposing a candidate or political party or faction or allow anyone else to do so, unless it is your spouse or some other a co-owner who is not a classified employee.
- Contribute or loan money in support of or opposition to a candidate or political party or faction.
- Vote at the caucus or convention of a candidate or political party or faction.
- Wear, use, display, or distribute T-shirts, hats, stickers, pins, fans, water bottles, posters, signs, or any other material in support of or opposition to a candidate or political party or faction.

NOTE: The State Constitution further prohibits any person, whether a classified employee or not, from soliciting contributions for political purposes. The Constitution also prohibits any official in the City government from seeking to coerce employees into engaging in political activity.

DO'S AND DON'T'S FOR SPOUSES OF CANDIDATES:

Sometimes the spouse of the classified employee is a candidate for election to public office. In such case, the fact of support is taken for granted by people who know about the spousal relationship. Not everyone, however, may know that the classified employee is the spouse of the candidate, so the goal of avoiding the appearance of support by a classified employee may be violated. There are many activities in which a classified spouse may engage to support the candidate spouse without violating the goals of the political activity restrictions.

A spouse of a candidate may:

- Appear in a photograph with your spouse who is a candidate for elected office.
- Serve as a host or hostess at your home when your spouse who is a candidate for election has a party at your home in support of your spouse's candidacy, but you may not take an active part in soliciting campaign contributions.
- Attend a fundraiser or other political or social event with your spouse, and support the campaign—short of soliciting contributions—while there.
- Allow community funds to be used to support the campaign.

A spouse of a candidate may not:

- Place a bumper sticker supporting your spouse on the vehicle that you usually drive.
- Wear, use, display, or distribute fliers, handbills, tee shirts, hats, stickers, pins, fans, water bottles, or any other material supporting your spouse, unless you are with your spouse at a political or social event.
- Solicit contributions, whether you are with your spouse or not.
- Personally sell anything—including food—at any function that supports your spouse's campaign.

- Participate in any activity supporting your spouse's campaign while at work or on duty.

If clarification or questions arise regarding this topic consult with your HR office for information.

OTHER PROHIBITED ACTIVITY

No person shall make any false statement, mark, rating, or report with regard to any test, certification, or appointment made under any provision concerning civil service, or commit or attempt to commit any fraud preventing the impartial execution of the civil service rules.

No person shall directly or indirectly, give, render, pay, offer, solicit, or accept money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion, or proposed promotion, to, or advantage in, a position in the classified service.

No person shall defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, or appointment under the civil service rules, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the classified service.

REMOVAL

No officer or employee, including the members of the human resources board, in the classified service, shall continue in such position after becoming a candidate for election to any public office and upon proof of such candidacy the mayor shall declare the office or position vacant.

FINES

Any person who willfully or corruptly violates any statutorily prohibited practice shall upon conviction thereof in a court of competent jurisdiction be punished by a fine of not more than six hundred dollars (\$600) or by imprisonment for a term not exceeding sixty (60) days or by both.

Any person who is convicted under this section shall for a period of five (5) years be ineligible for appointment to or employment in a position in the service of the city, and shall if he be an officer or employee thereof immediately forfeit the office or position he holds.

Any person who violates any of these provisions in these rules shall also be subject to disciplinary action up to and including suspension, demotion and/or dismissal.

SOLICITING

In order to prevent disruption in City operations, interference with work and inconvenience to other employees, solicitation for any kind of cause is prohibited during the work time of any employee doing the soliciting or any employee being solicited.

SMOKING IN THE WORKPLACE

All City of Shreveport's buildings, vehicles, and facilities are "Smoke Free". The "Louisiana Smoke-Free Air Act" (Act 815), effective January 1, 2007, prohibits smoking in most public places and workplaces, including all restaurants with or without attached bars. It is prohibited to smoke within 25 feet of any public/city owned building. Violators may be fined.

SECTION FOUR

CODE OF GOVERNMENTAL ETHICS

City employees are also governed by the Louisiana State Code of Governmental Ethics, La. R.S. 42:1101, et seq.,.

Copies of the Code of Governmental Ethics will be made available in employee orientation sessions. Each employee is responsible for reading the Code of Governmental Ethics. Questions on the meaning and application of the Code must be directed upwards through established chains of command.

PENALTIES FOR VIOLATION OF CODE OF ETHICS

It is the duty of each City employee to promptly report suspected infractions or violations of the Code of Governmental Ethics to the Chief Administrative Officer or the City Attorney.

Penalties for violation of the Code of Governmental Ethics include removal, suspension, order of reduction in pay, or demotion of the public employee, or imposition of a fine of not more than five thousand dollars (\$5,000), or both.

NEPOTISM

Members of an employee's immediate family shall not be hired to serve in positions in the same division of the same department. See General Provisions for definition of "immediate family". This provision also applies to incumbents desiring to transfer to the same division of a department in which a member of the "immediate family" works.

EMPLOYEES WHO BECOME RELATED

In the event that two incumbent employees in the same division of the same department become related, one of the incumbents must transfer or resign unless an exception is requested from and authorized by the Department Head, Human Resources Director, and the Chief Administrative Officer. In no event would an exception be granted if one of the incumbent employees works under the direct or indirect supervision of the other.

WHISTLEBLOWER PROTECTION

Louisiana law protects public employees who report information which they reasonably believe is a violation of any provision of law, or any other acts of impropriety related to the scope or duties of public employment, to their agency heads, the Louisiana Board of Ethics, or any person or entity of competent authority or jurisdiction. Any public employee who reports a potential violation shall be free from discipline or reprisal (or threats of same) from his employer. This law (R.S. 42:1169) is enforced by the Louisiana Board of Ethics.

SECTION FIVE

ANTI - DISCRIMINATION POLICY

In December 2009, The City of Shreveport adopted its Discrimination Statement, Executive Order 09-01.

The City is committed to a policy of equal employment opportunity for all of its employees. The City actively seeks and employs qualified persons in all job classifications and administers all personnel actions without regard to sex, gender, race, color, national origin, ancestry, marital status, religion, age, non-job related disability, genetics, or any other basis prohibited by law.

Any employees with questions or concerns about any type of discrimination, harassment, or retaliation in the workplace are encouraged to bring these issues to the HR Director. If the question or concern involves the HR Director, the employee should contact the Chief Administrative Officer. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination, harassment, or retaliation will be subject to disciplinary action, up to and including termination of employment.

The City of Shreveport is committed to ensuring that the principles of fair and equal treatment in all respects of government are understood, respected, and practiced throughout City government. Access by all persons to employment or employment opportunities, contracts, activities or services performed by or on behalf of the City of Shreveport adds quality and perspective to the services we provide. This executive order shall establish the City's policy on discrimination and its applicability. The City and its management are committed to vigorously enforcing this policy at all levels of City government.

City employees have a responsibility for maintaining a high standard of honesty, integrity, impartiality and conduct in order to ensure the proper performance of the City's business and to maintain the confidence of the citizens. It is, therefore, the policy of the City that discrimination is unacceptable conduct in the workplace and will not be condoned. Employee conduct which violates these standards will not be tolerated. Discrimination increases hostilities, creates an offensive working environment, adversely affects productive working relationships, increases cost to the City and its citizens, obstructs the City's vision of diversity and quality, and tarnishes the public service image of the City government. It is the policy of this City that no person employed by the City of Shreveport, or who is an applicant for position therein, shall be favored or discriminated against because of race, sex, disability, age, ancestry, national origin, sexual orientation, gender identity, or political or religious affiliations. This policy is equally applicable to discrimination between supervisors and subordinates, between co-workers, between employees and non-employees, and/or those served by such. The City and its management are committed to vigorously enforcing this policy at all levels of City government.

The City of Shreveport is also committed to ensuring that the principles of fair and equal treatment in all respects of government are understood, respected, and practiced throughout City government. Discrimination is unacceptable in regard to the delivery of City services or contracting opportunities with the City. It is the policy of the City that no person shall be discriminated against because of race, sex, disability, age, ancestry, national origin, sexual orientation, gender identity, or political or religious affiliations in regard to contracts or contracting opportunities with the City of Shreveport, or activities or services performed by or on behalf of the City of Shreveport.

DEFINITIONS

Discrimination- Unfavorable or unfair treatment of an employee or an applicant for employment or unfavorable or unfair treatment of any person in regard to delivery of city services or contracting opportunities, because of sex, disability, age, ancestry, national origin, sexual orientation, gender identity, or political or religious affiliations.

Retaliation-Arbitrary discipline, unwanted change or work assignments, providing inaccurate work information, or failing to cooperate or discuss work-related matters with any employee because that employee has complained about, been a witness to or resisted discrimination or retaliation intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as described.

Employee - Any individual, regardless of status, employed by the City of Shreveport or volunteer working under the supervision of the City.

EMPLOYEE REPORTING PROCEDURE

- A. Reporting Complaints - Any employees who feel that this policy has been violated or that they have encountered sexual, gender, racial, religious, age, disability, or other prohibited discrimination or harassment, or feel that they have been retaliated against, should contact the HR Director immediately. Any employee desiring to report an incident of discrimination should report the incident within five (5) working days of the occurrence. At the Human Resources Director's discretion complaints may be accepted after this period. The complaint may be presented by the complainant in written or verbal form. In any event, the complaint shall be recorded in writing by the Human Resources Director or his/her designee and signed by the complainant. A complaint will include:
- Complainant's name, position, division, and department.
 - Accused's name, position, division, and department.
 - A description of the incident(s) including dates/times of occurrence and witnesses.
 - What remedy the employee desires.
- B. Complaints should be filed directly with the Human Resources Director, or his designee who shall immediately notify appropriate departmental managers and, if needed, the City Attorney. Employees are encouraged to utilize this Complaint Procedure. All complaints and investigations will be kept as confidential as possible, and no employee will be penalized or retaliated against because of use of this procedure. Any employee who feels they have been penalized or retaliated against by anyone at any time or place for using this procedure, for filing any type of legal claim, making a complaint or report, participating in an investigation, reporting a violation of law or Company policies, handbooks or rules, or any other reason, should use this complaint procedure.
- C. Where behaviors may be offensive and the offended party has a desire to stop the behaviors without formal procedure, the employee may notify the offending party directly, but is not required to do so.
- D. Any supervisor or department head who becomes aware of discrimination anywhere within the City's administration shall promptly report the facts to the Human Resources Director, or his designee.
- E. Administrative Inquiry:

The Human Resources Director, or designee, upon receipt of complaint shall have five (5) working days to conduct an administrative inquiry, which may involve the City Attorney's office.

At the conclusion of the inquiry, the Human Resources Director, or designee, shall formulate a finding of either misconduct or no misconduct under this policy's definition and review the results with material parties including the complainant and department head and the City Attorney.

Should any disciplinary action be initiated as a result of the inquiry, it will be conducted in accordance with A.P.2-6, Procedure for Disciplinary Actions.

Confidential records of the inquiry shall be maintained by the Human Resources Department.

A determination of misconduct in a discrimination complaint may warrant discipline, up to and including dismissal result in written warning, suspension, or termination, depending on the nature and severity of the misconduct, and the past disciplinary record of the employee.

It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint, or been a witness to discrimination or a discriminatory act. Any form of retaliation may warrant will result in discipline, up to and including dismissal suspension or termination, depending on the nature and severity of the retaliatory acts and the past disciplinary record of the employee.

F. Other Reporting Procedure

Any complaint or report of unfavorable or unfair treatment in the delivery of City services or contracting opportunities with the City of Shreveport in violation of this policy shall be promptly investigated by the Chief Administrative Officer, or his designee.

SECTION SIX

ANTI -HARASSMENT POLICY

It is the policy of the City that harassment of City employees, applicants for City employment, and of the public by City employees because of race, color, creed, sex, disability, age, national origin, sexual orientation, marital status, public assistance status, religion, or any other legally protected characteristic, is strictly prohibited. The City and its management are committed to vigorously enforcing its anti-harassment policies at all levels.

PROHIBITED CONDUCT

Verbal: Epithets, slurs, jokes, innuendo, negative stereotyping and comments (which make fun of, or that ridicules, denigrates, insults, belittles, degrades, or that are not flattering or show hostility or aversion toward an individual) because of or regarding a person's , sex, nationality, ancestry, race, marital status, color, religion, gender, age, disability, or other protected characteristic.

Non-verbal: Distribution, display or discussion of any thing or item, or written or graphic material that makes fun of, ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual, or group, because of sex, nationality, ancestry, race, marital status, color, religion, gender, age, disability, or other protected characteristic. This includes calendars, clothing, music, cartoons, photographs, magazines, newspapers, drawings, posters, e-mails and text messages.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. In addition to the above, other examples of prohibited sexual conduct are:

1. **Verbal:** Sexual innuendoes; suggestive comments; jokes of a sexual nature; unwelcomed sexual propositions; lewd remarks; threats; requests for any type of sexual favor; repeated and unwelcomed requests for dates; verbal abuse or "kidding," which is oriented towards one gender or is based on gender.
2. **Non-verbal:** The use, distribution, display, or discussion of any written or graphic material, including calendars, posters, cartoons, clothing, music, photographs, magazines, newspapers, drawings, e-mails, and text messages that are sexually suggestive, or show hostility toward an individual or group because of sex or gender; suggestive or insulting sounds; leering; staring; whistling and obscene gestures.
3. **Physical:** Unwelcome, unwanted physical contact, including but not limited to, touching, massaging, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, sexual intercourse or contact, or assault. Sex at work or while on the job is prohibited.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are acceptable to and welcomed by both parties, are not considered to be harassment.

EMPLOYEE REPORTING PROCEDURE

See Section Five and Executive Order 95-1.

SECTION SEVEN

WORKPLACE VIOLENCE POLICY

The City of Shreveport is committed to preventing workplace violence and to maintaining a safe work environment for its employees. As preventative measures, the City of Shreveport has adopted the following executive order to address workplace and domestic violence which may be displayed through intimidation, harassment, or threats which may occur on City property during work hours.

- A. The City of Shreveport realizes workplace violence and domestic violence in the workplace may cause detrimental and/or devastating effects on management and its employees. It is therefore the policy of the City that workplace violence will not be tolerated and shall be reported immediately. Employee conduct which violates these standards will not be tolerated. "Workplace violence" may include acts that result in damage to city resources. Workplace harassment and bullying may include forms of workplace violence. Domestic violence that spills over into the workplace in the form of assaults, threats, or other actions by outside parties with whom employees have a relationship and that occur at the workplace. In addition to a potential loss of human resources, the fear of workplace violence can affect morale, productivity and attendance. Workplace violence increases hostilities, increases cost to the City and its citizens, and tarnishes the public service image of City government.
- B. The City of Shreveport is committed to keeping its employees and the workplace free of violence and safe to the public which it serves.

DEFINITIONS

Workplace Violence - Any physical assault, threatening behavior, or verbal abuse that occurs in the work setting. Acts such as psychological trauma due to threats, obscene phone calls, an intimidating presence and harassment of any kind are included.

Harassment – Includes verbal or physical conduct that demeans or shows hostility toward an individual and creates an intimidating or hostile environment.

Threats - The expression of or an intention to cause harm or pain

PROCEDURES

All City employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. City employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous.

Conduct that threatens, intimidates, or coerces employees, customers, or a member of the public will not be tolerated. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. If an employee sees or hears a commotion or disturbance near his workstation, he should not try to intercede or see what is happening.

Human Resources will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the City of Shreveport may take disciplinary and/or legal action pending the outcome of the investigation.

Perpetrators found to be guilty of threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment and/or criminal charges.

The City of Shreveport encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. The City of Shreveport is eager to assist in the resolution of employee disputes.

SECTION EIGHT

CLASSIFICATION

CLASSIFICATION PLAN

Upon completion of a classification plan for all positions in the classified service according to similarity of authority, duties, and responsibility, the HR Director shall submit a copy of the specifications to each member of the Human Resources Board and shall hold a public hearing of which at least ten (10) days' notice shall be given by publication in the official journal to permit each department head and/or classified employee to be heard concerning the adequacy of the plan.

Upon adoption of the plan, the class title shall be the title of each position in the class. The class titles set forth therein shall be used to designate all positions in the classified service in all official records, documents, vouchers, and communications. No person shall be employed in a position in the classified service under any class title which had not been recommended by the HR Director and approved by the Human Resources Board as appropriate to the duties to be performed.

ALLOCATION OF POSITIONS

After the adoption of the specifications, the HR Director shall tentatively allocate each position to its proper class and shall notify each department head of the allocations of the positions under his jurisdiction. Further, the HR Director shall notify each classified employee by letter of the class to which the position he holds has been allocated.

The department head, or affected employee may, within five (5) days after notice, protest the allocation made by filing with the HR Director, in writing, his objections thereto. The HR Director shall, investigate each protest and submit his findings thereon to the Human Resources Board which shall determine the allocation. If no protest is received from the department head or individual within a five-day period after notification, the allocation will become definite.

When any position is reallocated to a different class, the employee in such a position shall be entitled to continue therein, with the same status and all the rights and privileges as he had before being reallocated.

The classification system places every budgeted position into a class specification that consists of a title, job skills, knowledge and abilities, minimum qualifications, and any licenses that may be required. Each class specification will have a salary grade and class number.

The class specification describes a range of duties performed by employees in that class. Positions that are similar may be grouped together and treated as one in respect to human resources and salary administration. The class specifications are generic, describing major duties and functions. They are not intended to describe specific positions.

CREATING CLASSES

When, in the opinion of the department head, there is a need for establishing a new class, or revising or abolishing an existing class in the classification plan, he shall submit to the Director, in writing, a statement describing in detail the duties of the class. The Director shall thereupon investigate the actual or suggested duties and shall prepare a class description or revise the existing description in close cooperation with the department head, and upon the approval of the Board, classify the position by assigning it to the appropriate class or create a new class.

Any employee may also request an audit of his position by filing a simultaneous request with the department head and the Human Resources Director. Methods described herein shall then be followed with the affected employee being notified of the Director's final determination.

The Human Resources Department will develop the class specification according to the classification plan and submit it to the Department Director.

After the Department Director and HR Director approve the classification, the HR Director will submit the classification to the Human Resources Board for approval.

FORCE AND EFFECT OF CLASSES

The specifications of the classes of positions in the classification plan, and their various parts, shall have the following force and effect:

- A. The definitions are descriptive and not restrictive.
- B. They are intended to indicate the kinds of positions that should be allocated to the several classes as determined by their duties and responsibilities, and shall not be construed as declaring to any extent, or in any way, what the duties or responsibilities of any position shall be, or as limiting or in any way modifying the power of any hiring authority to assign duties to and to direct and control the work of employees under his supervision.
- C. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind or quality.
- D. In determining the class to which any position should be allocated, the definition of each class shall be considered as a whole.
- E. Consideration shall be given to the general duties, specific tasks, responsibilities, qualification requirements, and the relation to other classes, as together affording a picture of the kind of employment that the class is intended to embrace.
- F. Qualifications commonly required of individuals holding positions of different classes such as acceptable physical condition, honesty, regular attendance and punctuality, and the ability to get along with coworkers and superiors, shall be deemed to be implied as essential qualification requirements of entrance to each class even though they are not specifically mentioned in the specifications, unless they are not demonstrably job related and requisite for successful job performance of the particular position.

ELIMINATING CLASSES

Individual class specifications may be abolished and eliminated from the classification plan upon recommendation of the Director and approval of the Board. The criteria used for determining whether or not a class should be abolished will be obsolescence or non-use.

CLASSIFICATION REVIEW

To ensure the accuracy of the existing title, job description, job specification and grade allocation, the Human Resources Department will initiate a maintenance review on a three-year cycle.

REQUESTING JOB AUDIT

An employee or their supervisor may also initiate a review of their classification by requesting a job audit from the Human Resources Department. The audit request form must be submitted

through their chain of command to their Department Director. A position will only be audited once in a twelve (12) month period.

The audit request should document the following:

- A. The grade to which the classification is allocated is inadequate for the City to attract or retain qualified individuals.
- B. Duties within the department have been reallocated or shifted which cause internal inequities in position classification or grade allocations.

Human Resources will conduct the review by updating the position description with feedback given by the incumbent and their supervisor. The revised information will be compared to current class specifications to determine if the incumbent is properly classified.

SECTION NINE

COMPENSATION PLAN

PREPARATION OF THE PLAN

The HR Director shall prepare a pay plan which shall consist of a salary range for each class or position in the classification plan, and which shall provide for regular increments within such range to be earned by length of service and satisfactory service ratings. Each such range shall be determined with due regard to the salary ranges for other classes and to the relative difficulty and responsibility of characteristic duties of positions in the class, the minimum qualifications required, the prevailing rate paid for similar private employment, and other facts that may properly be considered to have a bearing on the fairness and adequacy of the range.

SUBMISSION OF THE PLAN

Within sixty (60) days after the adoption of the classification plan by the Human Resources Board, the HR Director shall submit the proposed pay plan to the City Council.

ADOPTION OF THE PLAN

The Council shall have power to adopt the pay plan with or without modification. When so adopted the pay plan shall remain in effect until amended by the Council.

COMPENSATION OF THE PAY PLAN

As provided in Section 14.09 of the City Charter, the pay plan shall consist of a salary range for each class of position in the classification plan which shall provide for regular increments within such range to be earned by length of service, satisfactory performance evaluations and budget availability.

DEVELOPMENT AND MAINTENANCE OF PAY RANGES

The HR Director shall annually analyze the pay plan for adequacy. Techniques shall include, at a minimum, the assessment of impact of the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI), and such surveys of prevailing compensation deemed necessary to accurately portray wage and benefits paid to similar positions in other units of government and in the private sector in labor market areas comparable to Shreveport. The HR Director shall submit his findings and recommendations on the pay plan to the Mayor no later than June 30th of the fiscal year. Annual benchmark surveys shall be conducted representing thirty-three percent (33%) of total classifications. All classifications within the Plan shall be surveyed at least once each three (3) years.

APPOINTMENT RATE

The pay plan provides for the normal hiring rate (Step 0) to be paid at the time of appointment to a classification. Appointments to steps above the minimum rate of a salary level, may be authorized by the Chief Administrative Officer or his designee. The Human Resources Department shall submit quarterly reports to the Human Resources Board of each person hired above minimum entry rates.

APPOINTMENT RATE OF THE DIRECTOR

The Chief Administrative Officer (CAO) shall have the power to recommend the pay of a new director to the Human Resources Board. The CAO's recommendation must be based on

Director of Human Resource positions that are similar in the public and private sector. The CAO must come to a board meeting and advise the board of the basis for his recommendation.

The Human Resources Board shall have the final decision to set the pay of a new director. The Board has the authority to accept or adjust the recommendation.

APPOINTMENT RATE FOR EXCEPTIONAL QUALIFICATIONS

For the purpose of these rules, the term "Exceptional Qualifications" shall mean demonstrated skills, abilities and experiences that substantially exceed the minimal qualifications for the vacant position. The qualifications should clearly demonstrate that the applicant can satisfactorily perform at the level and step being requested above the normal hiring rate and that such performance will be at least equal to or above that of the incumbents being paid at the same rate. Differentiation must be made between applicants who are simply "over qualified" versus those who are truly "exceptionally qualified". The single fact that an applicant possesses more than the minimum qualifications will not necessarily be taken as evidence of exceptional qualifications.

The hiring authority should take into consideration the requested exceptional pay level as it relates to the applicant's supervisor's pay level.

For any appointments granted on the basis of exceptional qualifications of the appointee when other than the normal hiring rate is requested, the following procedures shall be applicable:

- A. Department heads requesting exceptional qualification appointments must submit, in writing, a memorandum substantiating such qualifications to the HR Director and indicate what additional benefits would accrue to the City should the subject be hired. **Credentials which may be included in the memo for consideration are: education, years' experience, License/Special Skills, accomplishments, potential Impact in the department, employment/work history and prior evaluations.**
- B. Exceptional Qualifications include soliciting in newspaper ads, internet advertising, job fairs, national journal advertising, etc., in the markets in which the City competes for employees for that job. The Human Resources department will decide the appropriate market in conjunction with the hiring department, and the appropriate recruitment activities. Items to be considered for exceptional qualifications are: education, years' experience, license/special skills, accomplishments, potential impact in the department employment/work history.
- C. The HR Director will review and comment on the acceptability of the request and will submit the memorandum and comments to the Office of the Chief Administrative Officer for approval.
- D. The request memorandum, together with the comments of the HR Director and the Chief Administrative Officer will be returned to the originating department.

Appointment rate for exceptional qualifications may be applied to new hires and internal promotions.

If an employee is promoted internally after competing for the position, the department director may place the employee at a step that results in more than an 8% increase in pay, up to 20%, to reflect the market value, job conditions and the employee's qualifications.

Promotions that result in an increase greater than 8% must be approved by the Human Resources Director and the CAO.

ENTRY LEVEL ADJUSTMENTS

The following procedure shall apply to any requests to change start or beginning rates of pay for any class of position.

- A. The Department Head shall notify the HR Director, in writing, of difficulties experienced in acquiring qualified applicants for the class or classes in question. The memorandum should address turnover, performance indicators, and like data to substantiate the complete inability to hire qualified applicants at the prescribed starting rates.
- B. The HR Director shall investigate all such requests and conduct such tests and surveys of the class as deemed necessary to pinpoint the exact nature of the perceived problem. The HR Director shall then certify his findings and recommendations simultaneously to the Chief Administrative Officer and the affected department head.
- C. Depending upon the circumstances, recommended remedial action may include an adjustment of the salary level to which the class is assigned, an adjustment in pay step to a step other than Step 0 of the assigned salary level to permit a higher start rate, or, different recruiting techniques, change in minimum qualifications or other similar non-fiscal approaches aimed at providing the best qualified applicants for the class.
- D. The Chief Administrative Officer shall have the final decision regarding remedial action. Any action affecting rate of pay, however, shall require concurrent approval of the Human Resources Board.
- E. In an instance where a salary level is reassigned, incumbents shall be moved to that pay step in the new level closest to the rate of pay in their old level. No incumbent so affected shall have his or her pay decreased by such action.

RATE UPON COMPLETION OF PROBATIONARY PERIODS

Probationary periods shall either be initial or promotional. All classified employees shall serve an initial probationary period of six (6) months duration from the date of appointment (hire) unless extended by joint approval of the department head and the HR Director. Such approval shall be in written form and contain the reasons which warrant extension. Such extension shall not exceed ninety (90) days from the date of end of the normal six (6) month probationary period and shall not be renewable.

During the initial probationary period, an employee may earn and accrue sick and annual (vacation) leave as hereinafter provided in these Rules. No use, however, may be made of such leave so long as an employee remains in an initial probationary period. This does not preclude approval of leave without pay granted a probationary employee by a department head or designee for good and compelling reason. Leave may be left at the discretion of the department. Such action may be considered at the department head level or designee and granted on a case-by-case basis.

Initial probationary employees placed on leave without pay may be replaced with a temporary appointment to ensure reemployment when able to again resume duty. In no event, however, shall reemployment be assured or promised if the period of leave without pay exceeds ninety (90) consecutive calendar days unless otherwise required by law. Employees so reemployed shall begin serving their probationary period from date of rehire with service time credited for continuous work before the leave of absence.

Employees who are promoted from a class of lower rank to a class of higher rank shall also serve a promotional probationary period of six (6) months from the date of appointment. Such promotional probation may be extended under the conditions set forth hereinabove.

Employees in promotional probation may use earned and accrued sick and annual (vacation) leave as hereinafter provided in these Rules.

At the completion of either initial or promotional probation, employees appointed to pay Step 0 shall receive an adjustment to Step .5 of their assigned salary level. This provision also applies to employees completing an extended probation, in which case the adjustment shall be effective the last day of the extension.

PAY RATES ON TRANSFERS, PROMOTIONS, DEMOTIONS, TEMPORARY INTRADEPARTMENTAL ASSIGNMENTS, OUT OF CLASS DETAIL OR RECLASSIFICATION OF A FILLED POSITION

If an employee is transferred, promoted, demoted, temporarily assigned to duty in another section within the department, or if their position is reallocated, the employee's pay in the new position shall be determined as follows:

- A. A lateral transfer entails no pay action.
- B. The rate of normal promotion (movement into a classification having a salary grade with a higher entry rate than the previously held classification) will be to a step in the new salary grade that is approximately an 8% increase in pay but no greater than approximately 8% or the closest step, unless movement to the entry level step provides an increase greater than 8% or unless the promotion occurs due to Exceptional Qualifications in which the employee competed. In a normal promotion, the employee's pay shall be increased to the entry rate (Step) or to the step closest to eight percent (8%), whichever is greater, above the employee's pay in his former class, provided that the amount used to determine the employee's step in his new pay range does not exceed the maximum pay range of the new class. Promotional employees are only placed on half steps if they are currently on the half step in the prior grade. Otherwise, normal promotions do not advance to the half step.
- C. Demotion may occur when an employee cannot perform at an acceptable level and clearly cannot succeed in their promotional assignment. Demotion requires that the employee be assigned to a lower rate of pay in the new, lower classification than the old, higher classification. A demotion may result in replacement of the employee at the immediately former classification, salary level and pay step or, comparable position depending on availability.

A demotion may be imposed for disciplinary reasons. A disciplinary demotion may be imposed as a corrective measure to address an employee's behavior or poor performance. In disciplinary demotions, an employee's pay must be reduced by at least eight percent (8%) below their former rate.

A regular voluntary demotion requires that the employee be assigned to a lower rate of pay in the new, lower classification than the prior classification. In voluntary demotions, an employee's pay must be reduced.

Employees demoted for disciplinary reasons obtain a new anniversary date effective the date of demotion for reasons of pay. Employees seeking voluntary demotion or who are demoted for non-disciplinary reasons may return to their immediately former anniversary date provided such action occurs before the end of the promotional probation.

- D. In a temporary intradepartmental assignment where the employee assumes, in addition to his regular duties, temporary duties which are not a part of a currently allocated position, the employee shall receive the same salary and benefits as he would be entitled to in his regular position during the temporary period. Where the temporary intradepartmental

assignments require that the employee fill a currently allocated position, this assignment will be viewed as an out-of-class detail, and his pay shall be determined according to the rules governing promotion, demotion, or transfer, whichever is applicable. The employee's human resources file should contain a record of this out-of-class duty.

Out-of-class is assigned when an employee performs new, previously unassigned duties and retains all or much of their current tasks, no immediate change is made. If the job is substantially different, a job audit should be conducted to determine the proper class to which to allocate duties. If an employee stops performing all or most of their regular duties and begins to perform the duties of a vacant job which exists, then the class and pay can be adjusted.

No adjustment can be made unless there is a vacant, authorized position which is temporarily occupied by an employee who ceases to perform all or most of their previously regular duties. Vacant includes not only unoccupied positions but also those temporarily vacated due to vacation, illness or other leaves of absence. The change should endure for at least 10 consecutive work days before reaching the threshold of out-of-class. Periods of less than 10 work days should be considered case-by-case in light of organizational necessity. Out of class details may not endure past three (3) months.

All requests must be made in writing from the department head to the HR Director which may include employee name, current class and pay, out-of-class along with pay adjustment, and duration of the detail.

For instances where a classified employee accepts an unclassified position on an interim, temporary basis and vice versa, they should be reviewed on a case-by-case basis with input from Human Resources, Legal and the CAO's office.

- E. In reclassification of a filled position where the incumbent remains in the position, pay shall be adjusted as follows:
 - 1. Probationary employees at Pay Steps "0" and ".5" shall be moved to those same steps in the new level.
 - 2. Non-probationary employees shall be adjusted to that pay step in the new level closest to their rate of pay in the old level, but not less than Pay Step "1".

PERFORMANCE PAY AWARDS

- A. Authority for performance pay awards rests solely with department heads subject to the administrative procedures and associated controls promulgated by the Chief Administrative Officer.
- B. Performance pay awards are to strictly reflect overall job performance which clearly Meets or Exceeds the normal level expected for an employee's position.
- C. Employee performance appraisals will be performed at standard intervals and shall be governed by administrative procedures promulgated by the Chief Administrative Officer. Standard intervals will include:
 - 1. A probationary status appraisal three (3) months after either initial hire or promotion.
 - 2. A final probationary appraisal six (6) months after either initial hire or promotion.
 - 3. Thereafter, annually as of anniversary date.

4. The term “anniversary date” is the date on which an employee entered a classification, whether by original appointment, reappointment, promotion, demotion or other change in position classification.
5. Nothing herein shall prohibit or restrict performance appraisals from being performed under special circumstance at times other than the standard intervals prescribed above. Such special circumstances may include, but not be limited to, marked changes in employee performance, changes in raters and on occasions of promotion or demotion.

DESIGNATION OF EXPEMPT AND NON-EXEMPT POSITIONS

- A. It is the purpose of these designations within the classified service to establish how employees in certain classes will be compensated for overtime work.
- B. For the purpose of determining exempt or non-exempt status, the HR Director will apply tests prescribed under Fair Labor Standards Act regulation to determine such status. Positions in the classified service will be treated on an individual basis for such tests. The findings of such tests shall be made part of the employee’s file and certified to their department head.
- E. Department heads, or designees, are responsible for requesting Fair Labor Standards Act exemption tests wherever the requirements of a position change so as to question the current exempt or non-exempt status. Such requests must be made promptly, in writing, to the HR Director.

OVERTIME COMPENSATION

For non-exempt employees, overtime work is to be held to a minimum consistent with the needs and budgetary constraints of the City. It is the responsibility of each supervisor to explore all possible alternatives before a decision is made to work employees on an overtime basis. All overtime work must be authorized by the supervisor prior to being worked.

PAYABLE OVERTIME

A non-exempt employee shall be compensated for each hour of overtime he/she is required to work by receiving overtime pay at a rate of 1½ times his/her regular hourly rate of pay for each overtime hour or part thereof or by receiving 1½ hours of compensatory time for each hour he/she is required to work overtime, or by a combination of paid overtime and compensatory time.

- A. A non-exempt employee may earn and accrue up to 240 hours of compensatory time off in lieu of overtime pay. Once a non-exempt employee reaches this maximum, he/she shall receive paid overtime for all future overtime hours until the compensatory time balance is reduced below the 240-hours maximum.
- B. If a non-exempt employee resigns or is terminated, all unused compensatory time shall be paid to the employee at his/her hourly pay rate.
- C. Compensatory time for non-exempt employees shall be taken before taking any type of accrued leave or leave without pay.
- D. Department heads, or designees, may decide which method to use in paying overtime to non-exempt employees.

CONDITONS OF COMPENSATION

- A. Employees will use earned compensatory time before taking annual leave, sick leave or being placed on leave without pay.
- B. Compensatory time for non-exempt employees shall not be cancelled until six months after the end of the quarter in which it was earned. Upon separation from the department in which he earned it, a non-exempt employee's accrued unused compensatory time shall be paid to him at his rate of pay.
- D. Unless an exception is granted pursuant to subparagraph (6) hereof, any compensatory time accrued in excess of 40 hours and any unused compensatory time at the end of six (6) months from the date on which it was earned shall be compensated.
- E. The recommended six (6) months is a reasonable time frame to be used by appointing authorities. In consideration of operational priorities and unforeseen circumstances, the six (6) month time frame may be extended with appropriate justification and upon approval of the department head.

COMPENSATORY TIME FOR EXEMPT EMPLOYEES

With authorization by the appointing authority, an exempt employee shall earn 1.5 hours of non-payable compensatory time for each hour he/she is required to work overtime.

- A. Such compensatory time for exempt employees may accrue up to 160 hours and will not be cancelled until six (6) months after the end of the quarter in which it was earned.
- B. Exempt employees will use earned compensatory time before taking any type of accrued leave or leave without pay.
- C. No exempt employee shall receive any payment for earned, unused compensatory time.

OTHER RATES OF PAY

- A. Call-Out Pay

When a non-exempt employee is called to a job site outside regular work hours for specially authorized and assigned tasks, he shall be paid at the overtime rate for either a minimum of two hours or the actual time worked, whichever is greater.

- B. Standby-Pay

When an employee is directed and required by competent authority to be on officially designated standby for duty, and, must significantly restrict his/her off-duty activity accordingly, he/she shall be compensated at the overtime rate for each hour of standby that exceeds forty (40) hours of work in the workweek.

A "significant restriction" exists where an employee must remain on call on the City's premises or so close thereto that he/she cannot use the time effectively for his/her own purposes.

Generally, an employee required to leave a phone number or address where he/she can be reached, or, an employee required to carry a communication device will not be considered under significant restriction. Such employees may be compensated by either:

1. Compensatory time at the rate of four (4) hours per twenty-four hour standby day; or,
2. Overtime pay for actual time worked. The decision as to which option to use shall be the hiring authority's.

C Holiday Pay

When a non-exempt employee is required to work on a holiday recognized by the City, he shall receive either holiday pay at a rate of 2½ times the hourly equivalent of his regular pay for each hour worked, or pay at the overtime rate of 1½ his regular pay and one (1) hour of compensatory time off for each hour worked. The decision as to which option is used shall rest with the department head or his/her designee.

EMPLOYEE CERTIFICATION REQUIREMENTS

No payment for personal service of any employee in the classified service shall be made until after certification by the Human Resources Board, or consistent with such delegation of authority as may be made to the Human Resources Director by the Board.

WITHHOLDING OF COMPENSATIONS

- A. The Department Head upon informing payroll may order the withholding of compensation from any person whom the Director has found is employed by the City contrary to the provisions of these Rules or of the provisions of Article 14 of the Charter of the City of Shreveport.
- B. Such an order shall be directed to persons who sign payrolls and paychecks. No payment of salary or wages shall be made unless the Human Resources Board specifically authorizes same. Any person violating such an order shall be liable for any and all sums paid contrary to such order.
- C. The HR Director may also order the withholding of compensation for the cost of equipment, uniforms, identification cards and other like goods and services supplied by the City to the employees pursuant to specific written agreements covering the terms and conditions of such loans, donations and purchases.

SECTION TEN

RECRUITMENT AND EMPLOYMENT

The HR Director shall have the power and be required to organize plans for the recruitment of qualified personnel for the service of the City.

COMPETITIVE EXAMINATIONS

- A. Examinations of determining qualifications for positions in each class shall be job related. The examinations may include written or oral questions or simulated tasks. There may be inquiries into facts relating to education or experience or accomplishments and investigations of the records of success attained by the applicant and personnel characteristic. Any combination of these and other techniques recognized as related to the job are permissible. If available, commercially prepared tests may be used to determine qualifications of applicants provided the test are valid and reliable.
- B. Promotion examinations will be based on the same standards as listed in this Section.
- C. The HR Director may hold examinations for which no final filing date has been set, which may be given on more than one date, bringing about a resulting open employment list. In providing for a continuous examination, the Director may determine the length of time to elapse before a candidate may reapply for an examination which has been failed.
- D. The Director shall, prior to any examination, determine the weights for the final score to be allowed for education, experience, training, personality, the written test, the oral test or any other item to be considered in grading the applicant.

PUBLIC NOTICE OF EXAMINATION

The Director may employ any method of publicizing examinations which he considers appropriate.

ADMISSION TO EXAMINATIONS

- A. Admission to the examinations shall be open to all persons who possess the minimum qualifications for a position in the class for which a list is being established.
- B. Promotions: Vacancies in higher positions in the classified service shall, as far as practicable, be filled by competitive process open to all applicants. The provisions of Subsection (d) of Section 14.06 of the Charter, relating to eligible lists, shall be applicable to filling of vacancies under this section.
- C. A person whose employment in the service is prohibited by any Federal or State law, or Parish or City ordinances shall not be admitted to any examination held under the authority of the Human Resources Department.

REJECTION OF APPLICANTS

The Director, subject to the Rules, may reject the application of any person for admission to an examination or refuse to test any applicant. The Director may cancel the eligibility of any person on the employment list who is found to lack any of the qualifications prescribed as requirements for admission to the examinations for the class for which he has applied. The Director may reject any applicant deemed to be physically or mentally unfit to perform

effectively the duties of a position of the class, or dismissed from the public service for delinquency or misconduct. Any applicant who has made a false statement of any material fact or attempted to practice deception or fraud in his application or in his tests or otherwise in securing eligibility for appointment may be rejected.

POSTPONEMENT AND CANCELLATION OF EXAMINATIONS

If a sufficient number of qualified candidates have not made application for an examination, the Director may postpone the last filing date and the date of the test, or cancel the examination. In any case, suitable notice shall be given of the action taken.

RESULTS OF EXAMINATIONS

- A. An employment list shall be established as a result of each examination containing the names of all applicants who successfully passed the examination. Applicants shall be ranked on the list according to their earned ratings, from highest to lowest. Only the highest three rankings will be forwarded to the hiring authority. The order of their names shall appear alphabetically.
- B. The Director may allow any or all examinations to be given on both a promotional and open competitive basis simultaneously.
- C. The employment and promotion list shall be active for not more than six (6) months.

ESTABLISHMENT OF REEMPLOYMENT LIST

After a layoff, the Director, or designee, shall automatically place the name of the employee on reemployment lists for other classes where no additional or different qualifications are prescribed for original entrance. Persons whose names are on reemployment lists will be certified for hire as provided in Subsection J of this rule. Unless removed under provisions of Subsection H of this Rule, the name of a person placed on a reemployment list shall remain thereon until two years after his classified service is terminated.

REMOVAL OF NAMES FROM LIST

The names of an eligible may be removed from an eligible list for any of the following causes and the eligible shall be notified if his whereabouts are known:

- A. Failure to report for an interview within three (3) days after notification that he has been certified.
- B. Refusal of employment, if offered under conditions previously listed by the eligible as acceptable.
- C. Having been employed previously to fill a permanent position.
- D. Failure to report to work after accepting employment.
- E. Inability of the postal authorities to locate applicant or failure to respond to notice from the Director.
- F. Death of the eligible.
- G. Failure of an eligible to receive employment after being certified three times to one or more hiring authorities.
- H. Failure of pre-employment drug screen or physical.

- I. When, at any time after the creation of an eligible list, the Director has reason to believe that one whose name appears on the list is unqualified for employment because of incapacity developed subsequent to his examination or because of error disclosed in computing his examination score, or because of false statements made in his application, or for other similar reasons. Such person shall be notified and given an opportunity to be heard, but should such person fail to appear for this hearing or, upon his being heard, fail to satisfy the Director, his name shall be removed from such eligible list.

REQUEST FOR CERTIFIED LIST

A certified list shall be requested and shall specify the title of the position, the cause of the vacancy, and any other information deemed necessary by the Director. Whenever practicable, such requests shall be made sufficiently in advance by the hiring authority to permit the Director to advertise the position, prepare a class specification, or to establish a list of applicants.

CERTIFICATION OF APPLICANTS

- A. The Director shall, subject to the Rules, certify to the hiring authority the names of the three (3) highest ranking scores eligible for the positions. The certified list shall contain the name, phone number of the applicants, and any other information which will enable the hiring authority to communicate readily with the applicants. The certified list shall remain in effect ten (10) days. The hiring authority will be provided with a copy of the highest ranking applicants' applications, resumes and/or batch report.
- B. The applicants certified shall be the highest ranking applicants willing to accept employment ranked in the following order:
 1. All applicants on the appropriate re-employment list.
 2. Those on the appropriate promotional list.
 3. Those on the appropriate original entrance employment list.
- C. All the names on the appropriate reemployment list shall be exhausted before the names are certified from any other list.
 1. Where fewer than three names are certified to fill a vacancy, the hiring authority may make his choice from the names certified.
 2. Whenever the name of a person on an eligible list has been certified three (3) times from the list to the same hiring authority and no employment of the person has been made, no further certification of that person's name from the list shall be made to the same hiring authority.
 3. When a vacancy is to be filled in a class for which no eligible list is available, the Director may request, in writing, a temporary appointment provided that such temporary appointment shall not be for a longer period than three (3) months and shall not be subject to renewal within a twelve (12) month period. The hiring authority shall advise the employee of beginning and ending dates. Each request will be examined on a case- by-case basis pending the approval of the Human Resources Director and CAO.

Temporary employment shall terminate upon the regular filling of the vacancy. Every person appointed on a temporary basis shall submit a formal application.

INTERVIEW BY HIRING AUTHORITY

The hiring authority shall notify the eligible to report at a designated time and place for an interview. If any eligible fails to report after notice without sufficient cause, or if an applicant refuses to accept employment, the Director shall be notified, in writing, whereupon the applicant's name shall be removed from the eligible list.

EMPLOYMENT

- A. Within ten (10) working days after names are certified, the hiring authority shall either make a conditional offer of employment to one of those certified for the vacancy or reject those certified provided there is good and sufficient reasonable cause to do so. All instances of rejection shall be documented in the manner prescribed by the Director. Where those certified are rejected, the hiring authority will so notify the Director and request additional certified applicants.
- B. Vacancies in positions in the classified service shall be filled from a reemployment list, or by demotion, transfer, reinstatement, promotion, original appointment or temporary appointment, in accordance with the provisions of Article 14 of "The Charter of the City of Shreveport, 1978" and Rules. Preferences shall be given to the methods named in the order in which they were named in this section.
- C. The hiring authority shall notify the applicant selected and shall direct him to the place and date to report for a medical examination, which will include a drug test. Upon successful completion of references, job related criminal background check, medical and drug test, and confirmation of E-Verify the applicant will be notified of the date of hire.
- D. The hiring authority shall advise the Director on the prescribed form, the name of the applicant appointed and the date the employment is to become effective.

TEMPORARY EMPLOYMENT

- A. When a vacancy is to be filled in a position of a class for which there are no applicants available for certification, the hiring authority, with the prior approval of the Director, may make a temporary employment of any person whom is deemed qualified.
- B. Temporary employment shall never continue for a period in excess of three (3) months and shall not be subject to renewal.
- C. Temporary employment shall terminate upon the regular filling of the vacancy in any manner authorized under the Charter.
- D. Every person appointed on a temporary basis shall submit a formal application. The application shall be a condition of employment on a temporary basis and shall be submitted to the Human Resources Department in accordance with the requirements established by the Director.

TRANSFERS

- A. An employee may be transferred from any position in the classified service to any other position of the same class or in any other class for which additional or different qualifications are prescribed. A transfer may occur upon recommendation of the hiring

authority and approval of a position in one organization unit to a position in another organization unit with the consent of the hiring authority of both units concerned. The hiring authority must provide written documentation to the temporary transfer justifying the decision.

The Director shall take interest in the possibilities for providing for improvement and economy in the service by means of transfer to effect adjustments of unsatisfactory conditions of employment and to meet variations in the work requirements of different organization units.

- B. No employee shall be transferred from a position in one class to a position in another class of higher rank or for which there are substantially dissimilar requirements for appointment unless he is appointed to the latter position after certification of his name from a list in accordance with the provisions of these Rules.
- C. Any change of an employee from a position in one class to a position in a class of lower rank shall be considered a demotion. An employee thus demoted shall have the right to appeal to the Board.

Employees are required to request voluntary demotions in writing. However, supervisors are mandated to accept the voluntary demotion given there is a vacancy in his/her previous class or lower.

See definition and process for voluntary demotion in Section Nine.

SEASONAL EMPLOYMENT

- A. Departments may employ persons to deal with fluctuations in demand for services that vary according to seasonal factors. Persons employed to work solely due to seasonal fluctuations in demand for services shall be deemed "seasonal employees" and so designated on all standard payroll and personnel records.
- B. Seasonal employees may be employed for up to forty (40) hours per workweek. They must be paid overtime for any work after forty (40) hours in any workweek unless otherwise exempt by law.
- C. Seasonal employees may be employed for any period of time not to exceed one thousand (1,000) hours per position per fiscal year.
- D. Appointment to seasonal positions shall be non-competitive. Each person so appointed must submit a formal employment application as a condition of employment within procedure prescribed by the Human Resources Director.

SECTION ELEVEN

WORKWEEK AND PROVISIONS FOR COMPENSATION

HOURS WORKED AND RELATED RULES AND REGULATIONS

A. Cancellation and Supersedure

These Rules and Regulations cancel and supersede all prior revisions.

B. Policies Concerning Equity, Fairness and Standardization

Exempt and non-exempt classified employees are employees of the City of Shreveport and not for the organizations to which they are assigned. Concerning hours worked, as well as all other conditions of employment, they shall be administered with equity, fairness, and standardization regardless of the organizations to which they are assigned; regardless of the source of funds from which they are paid; regardless of their race, color, religion, sex, age, or national origin, or other legally protected characteristic; and regardless of any other non-merit factor or artificial barrier to equal employment opportunity, (i.e., they shall be administered in accordance with these Rules and Regulations concerning hours worked and related matters).

C. Workweek

(1) The standard payroll workweek is a period of seven (7) consecutive 24-hour days (168 consecutive hours). A workweek may begin at any time of the day on any day of the week and ends 168 hours later. Once established, a workweek shall remain fixed, except that it may be changed when all of the following conditions are met:

(a) The change is intended to be permanent.

(b) The change is not for the purpose of evading the overtime requirements under FLSA.

(2) Hiring authorities shall establish, in writing, or shall cause to be established, in writing, the 168-hour workweek for each exempt or non-exempt classified employee. Each established workweek and changes thereto shall be entered on all required records, including, but not limited to, being entered on all copies of Position Descriptions.

D. Standard Schedule

Every exempt and non-exempt classified employee shall be assigned a standard work schedule. The following provisions apply:

(1) The standard schedule for full time exempt and non-exempt classified employees shall not be less nor more than 40 hours. Each standard 40-hour work schedule must occur within its own established 168-hour workweek and shall not overlap into or be a part of the next or any other established workweek or standard workweek.

(2) Required work shall be planned and administered such that one position is established and exists for each 40 hours of work assigned to exempt and non-exempt classified positions. Each such position shall be represented by a separate Position Description which describes the major duties and

responsibilities of the position in accordance with policies and procedures contained in the City of Shreveport Classification Plan.

- (3) The standard work schedule shall be forty (40) hours which shall equal 100% of all time. All hours must and shall be accounted for.
- (4) The establishment and administration of one position for each forty (40) hours of work assigned to and performed by exempt and non-exempt classified employees will measurably assist in determining the minimum hours necessary to successfully accomplish the mission and tasks of the City of Shreveport and the organizations thereof.
- (5) Hiring authorities shall establish, in writing, or shall cause to be established in writing, the standard work schedule and subsequent changes shall be entered on all required records, including, but not limited to, being entered on all copies of Position Descriptions. Standard work schedules shall reflect the assigned hours and days of work and the amount of time allowed for meal periods.
- (6) Hiring authorities and their designated representatives shall continue to assist the HR Director with the ongoing project of establishing new and revised Position Descriptions.
- (7) Position Descriptions shall be kept up-to-date at all times. Hiring authorities, or their designated representatives, shall report changes in duties and responsibilities, hours, etc., to the HR Director, in writing, either prior to or within one working day after such changes have been implemented.
- (8) Hiring authorities, or their designated representatives, shall furnish each exempt and non-exempt classified employee with an approved copy of the Position Description pertaining to his or her position within 30 days upon hiring/promotion/demotion.

OVERTIME HOURS DEFINED

Generally, any time worked in excess of forty (40) hours in a normal workweek of 168 hours shall be considered overtime. The time worked in a workweek, for the purpose of determining overtime, does not include any time charged for vacation (annual) leave, sick leave, holiday, bereavement, civil leave, inclement weather, or compensatory time.

GENERAL RESTRICTIONS AND PROHIBITIONS

The following general restrictions and prohibitions shall govern hours worked by classified employees:

- (1) Exempt classified employees may voluntarily work overtime providing such overtime is solely and only of their own accord, and they shall not be discriminated in favor of for so doing concerning pay, promotions, or any other condition of employment. They shall not be paid overtime or granted compensatory time off for working overtime.
- (2) Work that is “suffered and permitted” is defined as work which hiring authorities or their designated representative have not authorized and directed, but which they know is occurring and which, if it is not halted, will result in overtime work occurring. Non-exempt classified employees shall not be authorized, requested, directed, required or permitted to perform work which is “suffered and permitted”. Work “suffered and permitted” includes: Time worked before and after work hours; during lunch; voluntarily; and from home utilizing City issued electronic devices.

A. Electronic Devices and Non Exempt Employees

Hiring authorities should be aware of the consequences for issuing electronic and/or communication devices (i.e. PDA, Blackberrys, cell phones, email access from home, etc.) to non-exempt employees. The hiring authority should be aware that such devices accessed outside the normal work hours may result in overtime compensation. If the devices are necessary for the employee’s job, non-exempt employees should not be contacted after or before work hours, which may result in additional time worked or overtime compensation. Employees should be informed any time worked, including time utilizing electronic devices, must be approved by his supervisor.

- (1) Non-exempt classified employees shall not be authorized, requested, directed, required, or permitted to perform overtime work involving routine clerical, maintenance, mechanical or electrical repair, or any other task which, with proper planning and management, can be accomplished during the regular working hours of standard work schedules.
- (2) Oral and written agreements shall not be entered into which are designed to indicate the exempt or non-exempt classified employees have worked, are working, or will work more or less hours than they actually worked. Similarly, oral or written agreements which are not entitled, or which are designed to avoid crediting regular or overtime hours worked to which they are entitled, are prohibited.

AUTHORIZED EMERGENCY OVERTIME

Employees may be directed and required to work authorized emergency overtime only for one or more of the following reasons:

- (1) Classified employees may be directed to and required to work emergency overtime when their services are essential to help eliminate, alleviate, or correct an emergency condition which is endangering life, health, or property.

- (2) Classified employees may be directed and required to work emergency overtime when their services are essential to help eliminate, alleviate, or correct an emergency condition which is causing undue discomfort or inconvenience to the public.
- (3) Included within the definition of authorized emergency overtime is any condition or situation wherein such overtime will result in a valid and verifiable savings to the City of Shreveport. Classified employees may be directed and required to work emergency overtime when such a savings will result.

AUTHORIZED NON-EMERGENCY OVERTIME

Authorized non-emergency overtime is defined as any overtime which is directed and required that is not covered as outlined in Section Eleven, Workweek and Provisions for Compensation.

The following rules and regulations apply concerning authorized non-emergency overtime:

- (1) With proper planning and the allocation of one position for each forty (40) hours of work, non-emergency overtime shall be held to the absolute minimum necessary to carry out each organization's mission.
- (2) Subject to the restrictions inherent in the above policy, exempt classified employees may be directed and required to work non-emergency overtime for any reason not covered in Authorized Emergency Overtime above when, in the considered judgment of the hiring authority or designated representative concerned, such non-emergency overtime is vitally necessary to accomplish the organization's mission.
- (3) Non-exempt classified employees shall not be authorized, requested, directed, required, or permitted to work non-emergency overtime without the prior approval of the Chief Administrative Officer or his designee.

RECORDING HOURS WORKED

- (1) All hours worked by exempt and non-exempt classified employees shall be recorded.
- (2) Hiring authorities, or their designated representatives, shall, by signature, certify to the accuracy of hours worked at the close of each pay period and when granting compensatory time off.
- (3) Wherever they are installed, hand scans shall be utilized for recording hours worked by non-exempt classified employees.
- (4) Wherever they are installed, hand scans shall be utilized for recording hours worked by exempt classified employees who normally and regularly are authorized, directed, and required to work 45 or more hours during each 168-hour workweek.
- (5) Records of hours worked shall be kept in safe places and shall be available upon request for inspection or audit.
- (6) Organizational records for hours worked and centralized payroll records of hours worked maintained by the Department of Finance shall be retained for a minimum of three (3) years. Copies of canceled or superseded Position Descriptions maintained in the City Human Resources Department shall be retained for a minimum of five (5) years.

REPORTING VIOLATIONS OF THIS POLICY

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

It is a violation of the City's policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of City policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's time card to under or over-report hours worked. If any manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Human Resources Department.

As explained in this Section, you should not work any hours outside of your scheduled workday unless your supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless you are authorized to do so and that time is recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to record. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

If you have questions about deductions from your pay, please contact Human Resources immediately. If you believe your wages have been subject to any improper deductions or your pay does not accurately reflect all hours worked, you should report your concerns to a supervisor immediately. If a supervisor is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully-acceptable reply within 3 business days), you should immediately contact the HR Director. If you have not received a satisfactory response within 5 business days after reporting your concern to Human Resources and you are unsure who to contact to correct the problem, please immediately contact the Chief Administrative Officer.

Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy. In addition, the City will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the City's investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including separation.

HOLIDAYS

(A) Observance

The following holidays, with pay, will be observed by all employees in covered positions:

- (1) New Year's Day
- (2) President's Day
- (3) Good Friday
- (4) Memorial Day
- (5) Independence Day
- (6) Labor Day
- (7) Thanksgiving Day
- (8) Christmas Day
- (9) Martin Luther King, Jr. Day
- (10) Any other day declared a City Holiday by the Mayor.

(B) Compensation for Holiday Work

Employees required to work during paid holidays shall earn holiday pay as described in Section Ten.

SECTION TWELVE

ANNUAL LEAVE AND USAGE

ANNUAL AND SICK LEAVE

(A) Employees Eligible for Annual and Sick Leave

Permanent (full-time and part-time) and probationary status employees shall earn annual and sick leave. However, probationary employee may not use any leave until the completion of the initial six month probationary period. Temporary, seasonal, part time employees working less than 20 hour per week and interim status employees shall not earn annual and sick leave. Daily attendance and leave records must be maintained for employees eligible to accrue annual and sick leave.

(B) Earning of Annual and Sick Leave

The earning of annual and sick leave shall be based on the full-time equivalent years of City continuous service excluding service in an eligible position. Annual and sick leave shall be creditable at the end of each regular pay period in accordance with the following general schedule:

- (1) Less than five (5) years of service, at the rate of .0385 hour of annual leave and .0385 of sick leave for each hour of regular duty. (Maximum of ten (10) days annually - 3.34 per semimonthly pay period).
- (2) Five (5) years, but less than ten (10) years of service, at the rate of .0461 hour of annual leave and .0461 hour of sick leave for each hour of regular duty. (Maximum of twelve (12) days annually - 4.00 per semimonthly pay period).
- (3) Ten (10) years, but less than fifteen (10) years of service, at the rate of .0578 hours of annual leave and .0578 of sick leave for each hour of regular duty. (Maximum of fifteen (15) days annually - 5.00 per semimonthly pay period).
- (4) Fifteen (15) years, but less than twenty (20) years of service, at the rate of .0692 hours of annual leave and .0592 hour of sick leave for each hour of regular duty. (Maximum of eighteen (18) days annually - 6.00 per semimonthly pay period).
- (5) Twenty (20) or more years of service at the rate of .0807 hour of annual leave and .0807 hour of sick leave for each hour of regular duty. (Maximum of twenty-one (21) days annually - 7.00 per semimonthly pay period).

(C) Limitation of Earning Leave

No employee shall be credited with annual or sick leave for:

- (1) Any overtime hours.
- (2) Any hour of leave without pay.

Employees shall earn annual and sick leave during periods of leave with pay except when an employee separates for service without returning to normal duty after a period of leave with pay, the annual and sick leave earned during the last period of leave with pay shall be void and shall not be credited to the employee's accumulated annual and sick leave.

(D) Carrying Annual and Sick Leave Forward

Accrued unused sick leave credited to an employee shall be carried forward to succeeding calendar years without limitation. A maximum of 240 hours of accrued unused annual leave shall be carried forward to succeeding calendar years.

(E) Transfer of Annual and Sick Leave

If an employee changes, without a break in service, from an appointed position to the classified service, or from the classified service to an appointed position for the City, or is promoted, transferred, or demoted to a new position within the City of Shreveport, then the employee's annual and sick leave shall be forwarded to the section or department accepting him or her as an employee and shall be credited to the employee.

(F) Use of Annual (Vacation) Leave

Annual leave must be applied for by the employee and may be used only when approved by the appropriate appointing authority. Annual leave shall not be charged for non-work days. The minimum charge to annual leave records shall not be less than one (1) hour.

Upon a permanent classified employee's separation from service, the value of annual leave to his credit up to a maximum of 240 hours shall be paid to him in a lump sum, disregarding any final fractions of an hour. The payment shall be computed as follows:

- (1) When a permanent classified employee is paid on an hourly basis, multiply his regular hourly rate at the time of termination by the number of hours of accrued annual leave, not to exceed 240 hours.
- (2) When a permanent employee is paid other than an hourly basis, determine his hourly rate at the time of termination in accordance with the conversion table of the current pay plan. Multiply his converted hourly rate by the number of hours of accrued annual leave, not to exceed 240 hours.

A permanent classified employee shall be paid for unused accumulated vacation leave only upon final termination of his services from the City of Shreveport. Employees that do not complete their initial probationary period do not receive payment for unused vacation.

(G) Use of Sick Leave

Sick leave with pay may be taken for illness or injury which prevents performance of an employee's usual duties or for medical, psychiatric, dental or optical consultation or treatment. Sick leave shall not be charged for non-work days. The minimum charge for sick leave shall be one (1) hour.

Employees are responsible for personally notifying their supervisor or appointed designee of any absence due to illness before the beginning of their scheduled tour of duty (workday) as required by their appointing authority. This shall include each consecutive day of absence due to illness except for a medically documented illness unless other prior arrangements have been approved by your supervisor or department head.

When absence due to illness or injury up to and including three (3) consecutive working days, information (which may include documentation) regarding an employee's illness or injury may be requested by the appointing authority. All

instances of absence due to illness or injury for three (3) consecutive working days, shall require the employee to submit documentation upon return to work, in order to fully substantiate the employee's ability or inability to perform normal work duties. The hiring authority may also request documentation or doctor's statement: when there is believed to be a pattern in the employee's absence, or when there is excessive absenteeism of more than seven (7) days absent within a calendar year without doctor's statements or FMLA documentation. Should documentation presented be acceptable to the supervisor, the employee will have the instance of absence charged to accumulated sick leave and compensated accordingly. Should the documentation presented be unacceptable, or should no documentation be presented, the supervisor shall initiate such action as is appropriate to reduce the compensation of the employee for the amount of time absent from duty.

Accumulated sick leave up to six (6) days per calendar year may be granted for personal attendant to ill or injured members of an employee's immediate family unless the reason for leave is a FMLA-qualifying reason, in which case the employee shall use all available accrued paid time off concurrently with FMLA leave. The term "immediate family" means mother or father, husband or wife, son or daughter, brother or sister, mother-in-law or father-in-law, grandfather, grandmother, grandson and granddaughter. "Immediate family" would also include any other legal or blood relation living in common domicile with the employee.

(H) Reporting Leave

(1) Annual

Usage of annual vacation by employees of the City shall be reported to the timekeeper on a Absent Request and Report form (form 24) the day an employee returns to normal duties.

(2) Sick

- (a) Fraudulent – If, in the case of reviewing documentation submitted for purposes of securing sick leave with pay, the hiring authority or duly appointed representative finds evidence of deception, forgery or collusion on the part of an employee, such action(s) shall constitute fraud and the employee will be subject to disciplinary action.
- (b) Rate of Payment – The rate of pay granted for sick leave shall be the salary or wage the employee held at the time leave is used and subsequently approved.
- (c) Reporting- the Payroll Office shall be notified on the form 24 of all absences incurred and compensated under the provisions of this section. Such notification shall be tendered in a timely and accurate manner noting the amount of time each employee is granted paid sick leave.

USE OF COMPENSATORY TIME

Compensatory time which is earned under the provisions of Section Nine may be taken with approval of the employee's supervisor. Compensatory time must be used before taking any type of accrued leave or leave without pay.

OTHER LEAVE WITH PAY

An employee may be given time off by his department head or designee without loss of pay, annual, sick, or compensatory leave when, on a regular working day, he is:

- (A) Performing required jury duty.
- (B) Subpoenaed to appear as a witness before a court, grand jury, or other public body or commission.
- (C) Performing emergency civilian duty in relation to national defense.
- (D) Prevented from performing his or her assigned duties because of a natural disaster, as determined by the Mayor or Chief Administrative Office.
- (E) Taking an employment examination for a position with the City of Shreveport or taking an examination before a State Licensing Board necessary for employment with the City of Shreveport.
- (F) Prevented from performing duties essential to his work because of local conditions or celebrations, as determined by the Mayor or Chief Administrative Officer.
- (G) Funeral leave shall be limited to no more than five (5) working days per calendar year for death in the immediate family. Probationary employees may use Funeral leave during their initial six month probationary period if needed and with proper documentation as proof of relation.
- (H) Other authorized leave.

MILITARY LEAVE

Employees who are members of a reserve component of the Armed Forces of the United States or the National Guard, shall be granted leave of absence from their positions without loss of pay, time, annual, sick or compensatory leave. Employees will be granted such leave when ordered to active duty for field training or training authorized in lieu thereof, and when the individual is given constructive credit for such training, for periods not to exceed fifteen (15) working days in any calendar year. The appointing authority may grant an employee annual leave or leave without pay, or both, in accordance with other provisions of these rules for such periods which exceed fifteen (15) working days in any calendar year.

OPTIONAL LEAVE WITH PAY – WORKER’S COMPENSATION PAYMENTS

When an employee is absent from work due to disabilities from which he is entitled to worker’s compensation, he may use sick leave not to exceed the amount necessary to receive total payments for leave and worker’s compensation equal to his regular salary.

LEAVE WITHOUT PAY

A permanent employee may be granted leave without pay for a period not to exceed one (1) year by his Department Head with approval of the Mayor or Chief Administrative Officer for sickness, disability, educational development, or other good and sufficient reasons which are considered to be in the best interest of the City of Shreveport.

ADMINISTRATIVE WITH PAY

Administrative Leave with Pay allows an employee to be placed on administrative leave for up to 15 not exceed 30 working days with pay. Administrative leave may be warranted for severe actions without prior verbal or written warnings, and may be enacted for a period of investigation.

Administrative leave may be used in situations where an employee's continued presence could cause a severe disruption. Administrative leave request must be supported by a written memo from the department head. In order to enact the administrative leave policy the human resources director and the CAO must approve the leave. Administrative leave extending beyond 30 days will be at the discretion of the Human Resources Board. The CAO must appear before the Human Resources Board in order to request, justify and receive approval.

MAINTENANCE OF ATTENDANCE AND LEAVE RECORDS

The appointing authority, or his designee, shall maintain Attendance and Leave Records. These records shall be used to record attendance and leave including compensatory leave. These records will represent the documentation against which all leave taken and the accumulation thereof will be checked.

SECTION THIRTEEN

SICK LEAVE DONATION

Sick leave donation is authorized by City Council Ordinance adopted February 26, 2010 and is available only to full-time and regular part-time general classified employees and full-time unclassified employees.

APPLYING FOR DONATED SICK LEAVE

To apply for donated sick leave, an employee must complete a "Sick Leave Donation Request" form. The employee must obtain and supply a written statement from a physician which describes the condition for which the sick leave donation is requested and its anticipated duration.

REQUIREMENTS

An employee who has exhausted all accrued paid vacation and sick leave may apply for a sick leave account. The employee must file an application with the Human Resources Director, with a copy to the employee's Department Head. Within ten (10) days after receipt of the application, the account shall be established.

PROCESSING REQUEST FOR DONATED SICK LEAVE

Completed sick leave donation forms will be reviewed and approved by the Human Resources Department and the Chief Administrative Officer.

A sick leave donation request form may be returned at any level where the Human Resources Director or Chief Administrative Officer believes it to be either incomplete or in need of more information or clarification. If returned, the Chief Administrative Officer and/or Human Resources Director must do so, in writing, and provide specific reasons for the return.

Each level of review will take approximately two (2) workdays from the receipt, with the goal being final approval within five (5) days.

If approved, a "donated sick leave account" will be created and retained in the Human Resources Department. This manual file will be a record of the approval for donation, all time donated, and all time used from this account. Since it will contain personal medical information, it will be kept separate from ordinary human resources files.

DONATING SICK LEAVE

Employees must have at least 160 hours of accrued, unused sick leave, to donate sick leave to an employee who has been approved to receive such donations. Employees must maintain at least 160 hours accrued, unused sick leave of their own. Employees may not receive more hours than necessary to facilitate his or her return to work. Donation forms are limited to donations of 86.0 hours per week.

Once donated, the donor may not reclaim or revoke the sick leave donated under any circumstances. Specifically, any sick leave donated that is not used, either in full or in part, will be cancelled and cease to exist for both the donor and the donee.

To donate sick leave, an employee must fully complete a sick leave donation form for a specific donated sick leave account. Donors are advised that donated sick leave is not tax deductible.

USING DONATED SICK LEAVE

Provided an employee has been approved to receive donated sick leave, and provided sick is donated to that employee's sick leave donation account, the donated leave will be available for use by the donee for the sole purpose of dealing with the medical condition which qualified for the donation. Sick leave donation is limited to 12 weeks for all employees.

GENERAL RESTRICTIONS AND CAUTIONS

All employees are cautioned to exercise care in utilizing sick leave donation. Employees are free to donate or not donate as they see fit. It is inappropriate to coerce donation of sick leave, to promise or exchange things of value for donation of sick leave, and to engage in job-related conduct that attempts to reward or punish on the basis of sick leave donation.

INFORMATION AND SUPPORT

All questions regarding this process should be directed to the Human Resources Department.

Revised 04/22/2015

SECTION FOURTEEN

FAMILY & MEDICAL LEAVE POLICY

The City of Shreveport provides family leaves of absence without pay to eligible employees who wish to take time off from work duties for a serious health condition, for childbirth, adoption, or placement of a foster child, or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a healthcare provider.

Employees in the following employment classifications are eligible to request FMLA leave as described in this policy:

Regular employees who have been employed for twelve (12) months and actually worked 1,250 hours.

Eligible employees should make requests for family leave to their supervisor at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events. Employees must follow the City's usual and customary call-in procedures for reporting an absence, absent unusual circumstances.

Employees requesting family leave related to the serious health condition of themselves or a child, spouse, or parent, may be required to submit a healthcare provider's statement verifying the need for family leave, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request up to a maximum of twelve (12) weeks of family leave within any one (1) year period. Any combination of family leave and medical leave may not exceed the maximum limit. Employees will be required to use any accrued paid leave time as part of their family and medical leave.

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address certain qualifying exigencies. The City also provides a special leave entitlement that permits eligible employees to take up to 26 weeks of unpaid leave during a single twelve (12) month period to care for a spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces (including the National Guard or Reserves) who has a serious injury or illness incurred in the line of active duty.

Married employee couples may be restricted to a combined total of twelve (12) weeks leave within any one (1) year period of childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition, or a combined total of 26 weeks within a single twelve (12) month period to care for a covered service member with a serious injury or illness.

Subject to the terms, conditions, and limitations of the applicable plans, the City will continue to provide health insurance benefits for the full period of the approved FMLA leave.

An employee on leave is requested to provide the City with at least two (2) weeks advance notice of the date the employee intends to return to work. When a family or medical leave ends, the employee will be reinstated in the same position, or in an equivalent position for which the employee is qualified. A fitness for duty exam may be imposed. If an employee fails to report for work promptly at the end of the approved leave period, the City will assume that the employee has abandoned his or her job. (See definition for Job Abandonment in Section Sixteen)

Additional information about the FMLA is provided in the attached Notice to Employees.

SECTION FIFTEEN

AMERICANS WITH DISABILITY ACT (ADA)

AMERICANS WITH DISABILITY ACT (ADA)

The City of Shreveport recognizes its legal and moral responsibilities to assure disabled citizens are provided equal and full access to services, employment opportunities and participation in City sponsored programs and activities. It is also City policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The City will reasonably accommodate qualified individuals with a disability (as defined by the ADA and/or state law) so that they can perform the essential functions of a job (essential functions of a job are determined by the City and will not be modified). An individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for a position as any other applicant. Individuals who desire a reasonable accommodation should contact the HR Director promptly.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace – when such threat cannot be eliminated by reasonable accommodation – will not be hired. Current employees who pose a direct threat to the health or safety to other individuals in the workplace generally will be placed on appropriate leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Administrative Procedure 1-23 establishes internal procedures for the prompt and equitable resolution of accessibility complaints and other disability matters. Persons using this procedure will not forfeit the right to pursue complaint remedies with the appropriate federal agency.

SECTION SIXTEEN

RESIGNATIONS

An employee who wishes to resign from the classified service in good standing shall submit a letter of resignation to his hiring authority or department head within ten (10) days prior to the date it is to become effective.

Job Abandonment

Employees who fail to report for work for three (3) consecutive working days, or who fail to properly pre-notify a hiring authority of an impending absence for valid reasons, shall be deemed to have abandoned their position and shall be terminated accordingly, unless prohibited due to circumstances beyond the employee's control.

SECTION SEVENTEEN

PERFORMANCE APPRAISALS

EMPLOYEE PERFORMANCE APPRAISALS

Employee performance appraisals will be performed at standard intervals and shall be governed by administrative procedures promulgated by the Chief Administrative Officer. Standard intervals will include:

- A probationary status appraisal three (3) months after either initial hire or promotion.
- A final probationary appraisal six (6) months after either initial hire or promotion.
- Thereafter, annually as of anniversary date.
- The term “anniversary date” is the date on which an employee entered a classification, whether by original appointment, reappointment, promotion, demotion or other change in position classification.
- Nothing herein shall prohibit or restrict performance appraisals from being performed under special circumstances at times other than standard intervals prescribed above. Such special circumstances may include, but not be limited to, marked changes in employee performance, changes in raters, and on occasions of promotion or demotion.
- When conducting evaluations, employees should also refer to A.P 2-9 as it applies.

SECTION EIGHTEEN

PROMOTIONS

PROMOTIONS

Vacancies in higher positions in the classified service may, as far as practical, be filled by promotion from lower classes.

Department Head shall notify the Human Resources Director of any vacancy in a position in his department.

PROMOTIONAL EXAMINATIONS

Promotional examinations may consist of one or more of the following parts: written, oral, mental, or practical performance tests or it may be an unassembled examination. In some cases, a medical examination may be an additional requirement. Certification shall be made in the same manner as that prescribed for original employment.

SECTION NINETEEN

REDUCTION IN FORCE

LAYOFF

Whenever a position in the classified service is abolished or needs to be vacated because of a stoppage of work from a lack of funds or other cause, the employees of the class involved in the budgetary unit affected shall be laid off in the following order:

- (A) Temporary employees.
- (B) Newly hired employees who have not attained permanent status in their initial working test period.
- (C) Employees whose latest performance appraisal reflects an overall (“Below Requirements”) rating of unsatisfactory service, regardless of their length of service.
- (D) Employees whose latest performance appraisal reflects an overall (“Meets Requirements”) rating of satisfactory service in the reverse order of their length of service.
- (E) Employees whose latest performance appraisal reflects an overall (“Exceeds Requirements”) rating of outstanding service in the reverse order of their length of service.

For the purpose of this Rule, “length of service” shall be the time elapsed from the latest date of hire with the City.

The hiring authority shall give written notice to the director of every proposed layoff a reasonable time before the effective date, and the Director shall make orders relating to which he considers necessary to secure compliance with the rules. The name of every regular employee scheduled for layoff shall be placed on the appropriate reemployment list.

SECTION TWENTY

PRE DISCIPLINARY CONFERENCE PROCESS

It is the policy of the City of Shreveport that in each instance where an employee is either subject to or considered for disciplinary action involving termination, demotion, or suspension without pay, the department head shall conduct a pre-disciplinary action conference with the employee and the supervisor recommending the action. The purpose of the conference is to:

- A. Formalize and specify the charges against the employee, which shall be reduced to writing.
- B. Explain the evidence which support the charges and afford the employee an opportunity to learn of the nature of such evidence.
- C. Afford the employee an opportunity to present his/her side of the matter at hand, after having been advised of the department's position and evidence.

This conference shall, in all cases, precede the final departmental decision as to whether or not the employee shall be disciplined, and if so, by what means.

GENERAL GUIDELINES FOR CONDUCTING A PREDISCIPLINARY CONFERENCE

Below are general guidelines when conducting a pre disciplinary conference. Refer to A.P for complete disciplinary procedures.

- Scheduling and Timeliness: PDCs should be conducted promptly after an infraction, ideally within 5 working days of the event.
- Employee Notice: Employees should be formally notified well in advance of PDC in order to be prepared. Formal notices (including date, time and the charge) are given about two (2) working days in advance circumstances permitting.
- Representation: Employees may be accompanied by legal counsel or other representative at a PDC should they desire. Any such Counsel or representative shall be allowed to speak on behalf of the employee. The employee may also be allowed to request witness(es) to offer evidence on their behalf, which request shall not be unreasonably denied. At the department head's discretion, others may attend in support of the employee but likewise may not take any direct role in the PDC.
- Managing Meetings: The department head or designee is in charge of the PDC. Using the format prescribed by the A. P. all efforts should be made to conduct the PDC in a straight forward, objective and expeditious manner. Since the PDC is a fact-finding meeting and not an appellate review, adversarial or formalistic interactions should be minimalized.
- Service Notice: Written notices of PDC outcome should be provided directly to the employee promptly, ideally within one working day. Due to employee appeal rights start at the time of formal notice, this is important.

Revised 04/22/2014

PROCEDURE FOR CONDUCT OF PRE-DISCIPLINARY ACTION CONFERENCE

- A. Each supervisor is responsible for prompt notification of their department head, via established chains of command, whenever an employee initially becomes subject to one of the disciplinary actions covered by this procedure.
- B. Department heads may designate either their executive staffs or Division heads to act on their behalf in conducting pre-disciplinary action conferences except in instances involving a termination.
- C. Upon notification, department heads are responsible for promptly arranging and conducting pre-disciplinary action conferences which will be attended by the following:
 - (1.) the subject employee;
 - (2.) any supervisor and/or co-workers materially involved in the matter at hand;
 - (3.) the specific supervisor who has alleged the wrong doing by the employee along with whatever evidence he/she possesses to substantiate the allegations;
 - (4.) a representative of the Human Resources Department;
 - (5.) a representative of the City Attorney's office (for instances involving a termination)

At his discretion, the department head may require other levels of supervision or any other person with knowledge of the facts to attend the conference. The department head may also use clerical assistance in making notes of the conference.

- D. The conference shall be conducted by the department head as follows:
 - (1.) The department head will identify all present and state the purpose of the meeting. He will also note that the conference is strictly informal and that no sworn testimony is to be taken.
 - (2.) The department head will have the supervisor(s) specify the allegations against the subject employee and the precise actions which have given rise to the allegations.
 - (3.) The supervisor(s) shall be present or explain whatever evidence that supports the allegations.
 - (4.) The department head shall then ask the employee to state his/her side of the matter and to specifically address the evidence as presented. The employee shall be able to ask questions of those present at this time.
 - (5.) The Human Resources Department and City Attorney's Office representatives may, at this time, direct questions to those present.

- (6.) The department head shall complete a Pre-Disciplinary Action Conference Checklist and distribute copies to the employee, the supervisor, the Human Resources Department representative and the City Attorney's Office representative.
- (7.) The department head may at this time recess the conference to confer and consider his finding,
- (8.) Thereafter, the department head must furnish all parties, including the employee, with written findings. Such findings will constitute official notice of intent for disciplinary action and shall contain:
 - a) A review of the facts and evidence.
 - b) A finding which must specify what disciplinary action is to be taken, if any.
 - c) The possible consequences of any future infractions (if applicable).
 - d) Rights and procedure of appeal.

LEAVE ACCOUNTING FOR EMPLOYEES SUBJECT TO TERMINATION OR SUSPENSION WITHOUT PAY

- A. Employees subject to disciplinary termination or suspension without pay shall, for purposes of leave accounting, be treated as follows:
- 1) As the date of the alleged infraction, be placed on other leave with pay pending the issuance of the department head's written findings.
 - 2) A separate personnel action form should be submitted confirming the disciplinary action, effective the date of the written findings.
 - 3) Rescinded disciplinary actions are to be handled on a case-by-case basis in consultation with the Human Resources Department and the City Attorney's Office.

NOTIFICATION OF RIGHTS OF APPEAL, GENERAL CLASSIFIED EMPLOYEES

Notification of rights of appeal must be furnished as part of the department head's written findings. The following statements must be included, as appropriate, in each written finding:

- 1) For probationary employees, regardless of disciplinary action:
Probationary employees have no right or procedure of appeal of disciplinary actions.
- 2) For non-probationary employees, discipline involving a suspension of less than 30 days:
A suspension of less than 30 days may be appealed by following the Administrative Appeals Procedure contained in Section Twenty-One of the Personnel Rules and Regulations. This department and human resources will furnish a copy of this section upon your request.

- 3) For non-probationary employees, discipline involving a demotion, suspension of 30 days or more, or termination:

Demotion, suspension of 30 days or more, or terminations do not become effective until the employee is afforded an opportunity to be heard by the City Human Resources Board. If you wish to appeal this action, you must do so within ten (10) calendar days of the date of this notice (no later than 5:00 p.m.) _____ (day), _____ (date), _____ (year).

If you do not appeal by the time specified above, the discipline proposed will become effective as of the date of this notice. The method of filing an appeal is contained in Section One of the Personnel Rules and Regulations. This department will furnish you a copy of this section upon your request.

SECTION TWENTY - ONE

DISCIPLINARY ACTIONS AND DEMOTIONS

STANDARDS OF SERVICE

The following standards of service violations are applicable to all employees, both probationary and non-probationary. Violation of the following standards is grounds for disciplinary action. Penalty assessment will depend upon the nature of the infraction, its relation to the job and work environment, prior history and precedent.

A. Attendance

- (1) Documented absenteeism.

Note: After appropriate disciplinary measures have been taken, including a pre disciplinary hearing, an employee who is absent without leave for three (3) or more consecutive days may be deemed to have abandoned his/her job and may be removed from the payroll. (See definition for Job Abandonment in Section Sixteen).

- (2) Documented tardiness.
- (3) Leaving the work station without permission, which includes leaving early.
- (4) Unauthorized and extended lunch hours

B. Quality of Work

- (1) Inability or unwillingness to perform job assignments satisfactorily.
- (2) Unable or unwilling to adapt to job changes or assignments.

C. Work Habits

- (1) Horseplay or violation of safety rules.
- (2) Improper use of City vehicle or equipment and/or improper care of same.
- (3) Improper use of City vehicle or equipment when under the influence of any intoxicant.
- (4) Sleeping or loafing on the job.
- (5) Inattention to duties.
- (6) Failure to report accident, personal injuries or damages to City property.

D. Relationship with Other Employees

- (1) Unwilling/unable to accept supervision.
- (2) Unwilling or unable to work with others.

E. Disruption of the Working Environment

- (1) Disruption in the workplace: Fighting; profanity, abusive, bullying or threatening language.
- (2) Boisterous language or conduct causing injury to fellow employees through deliberate actions or gross negligence.
- (3) Insubordination or failure to comply with any policy, procedure, rule, or instruction.
- (4) Illegal strikes, lockouts, walk offs, slowdowns, or work stoppages.
- (5) Sabotage: negligent or willful destruction or misuse of City property, deliberate misuse or violation of operating procedures causing a loss in productivity or fiscal assets.

F. Public Contact

Rudeness or repeated discourtesy with the customers or the public be it oral, written or electronic.

Unbecoming conduct: Behavior that tarnishes the image of the City or causes negative publicity.

G. Dishonesty

- (1) Taking, stealing or misusing City property or funds without permission
- (2) Illegal gambling or betting on City time or property.
- (3) Soliciting or accepting gratuities from citizens, vendors, suppliers, or other City employees.
- (4) Falsifying official City reports or documents, or other actions detrimental to the City or fellow employees.
- (5) Using City paid time or property for personal reasons not related to City business.
- (6) Unauthorized use of City vehicle or property.

H. Being under the influence of, using, or possessing drugs or alcohol on the job or on City property or work sites.

Note: Disciplinary action for this offense shall be determined on a case-by-case basis in conjunction with an Employee Assistance Program referral.

I. Possession of a Dangerous Weapon

Reporting for work in possession of a firearm, either loaded or unloaded, any switchblade knife or spring knife, or other dangerous weapon will lead to immediate termination.

J. Repeated Infractions of Rules and Regulations

K. Charter Violations

- (1) Conflict of Interest (Section Four).
- (2) Undue political influence in elections (Section Four).
- (3) Holding or running for an elected office (Section Four).

- (4) Any violation of State Code of Ethics (City Code Section 2-11; La. R.S. 42:1011, et seq.)
- L. Violation of City alcohol and/or substance abuse policy (Section Twenty-Two)
- M. Violation of any other City policy, procedure, rule or instruction.

DISCIPLINARY PROCEDURES

A. Types of Disciplinary Actions Which may be Taken

- (1) **Oral Reprimand** – This is the least severe disciplinary action. A verbal warning is issued to advise the employee of a work-related problem and to provide an opportunity for the employee to correct the problem without taking formal disciplinary action.
- (2) **Written Reprimand** – its purpose is to help the employee who violates a work standard or the Rules of Conduct to recognize his errors and correct them, thereby reestablishing his status as a satisfactory employee. The written reprimand serves to document a conference with the employee and indicates that further disciplinary action may be taken if a problem is not corrected.
- (3) **Reassignment** – This action shall be normally and properly reserved for performance problems or inability to adjust to co-workers and/or other working conditions. This type of disciplinary action is similar in seriousness to the written reprimand, and consequently could be applied to similar offenses. Reassignment shall be used only when the employee's skills can be better utilized in the new assignment. It shall not be used to move a problem from one area to another.
- (4) **Suspension** – This is a severe form of disciplinary action which may be the result of a major infraction or uncorrected and documented problems. The employee is temporarily relieved of his duties and placed on leave without pay.
- (5) **Demotion** – This is considered a serious action in that it has a severe impact on the employee affected. Demotion is moving an employee from a position in one class to a different position in another class having a lesser degree of responsibility and a lower salary. Demotion may be used for inability to perform assigned tasks and for willful violations of standards of service.
- (6) **Dismissal** – This is the final and most severe form of disciplinary action that may be rendered. It shall be used only in cases of willful commission of a major offense or as the final step in cumulative discipline where the employee has demonstrated an unwillingness or inability to meet City standards.

Copies of all documented disciplinary actions pertaining to employee and his/her behavior must be forwarded to Human Resources for their knowledge and records prior to the pre disciplinary conference.

CORRECTIVE DISCIPLINARY PROCEDURES

It shall be the responsibility of the supervisor, upon observing or learning of improper conduct on the part of an employee under his supervision, to immediately discuss such conduct with the employee. There should be documentation to support all disciplinary actions.

- (1) If the offense is determined to be a minor infraction, the supervisor shall issue a simple oral reprimand. Whenever possible, the oral reprimand or any form of discipline shall be conducted in private. The immediate supervisor shall document the discussion.
- (2) In cases of more severe infractions, a written reprimand shall be issued. The affected employee shall be served with a written notice informing him of the:
 - (a) Reason(s) the action is being taken;
 - (b) Date(s), time(s) and place(s) of specific infraction(s);
 - (c) Disciplinary action being taken and consequences of repeated infractions of the same nature; and
 - (d) Right of the employee to appeal such disciplinary action within a specific time.

Note: For job performance problems, reassignment shall be considered on a case-by-case basis.
- (3) An employee may be suspended on:
 - (a) The third infraction of any nature.
 - (b) Commission of a minor infraction only after oral and written warnings have been issued (three infractions within a twelve (12) month period).
 - (c) Commission of a major infraction which does not warrant immediate dismissal.

NOTICE OF DISCIPLINARY ACTIONS FOR SUSPENSION, DEMOTION OR DISMISSAL

Written notice of these disciplinary actions shall be furnished in each instance promptly by the hiring authority and shall advise the employee of:

- (1) The reason(s) the action is being taken;
- (2) The effective date of the action;
- (3) Date(s), time(s) and place(s) of specific infraction(s), disciplinary action(s) being taken, and consequences of repeated infractions; and
- (4) The right to appeal such action within a specified time to a designated authority.

SECTION TWENTY-TWO

SUBSTANCE ABUSE SCREENING

The City of Shreveport has a legitimate concern and responsibility to ensure that its workforce can carry out its duty to the public in a safe manner. The concern for safety includes the safety of the workers and the public.

It is City policy that City employees are to be free of the effects of any substance that makes them a safety concern to co-workers or any others or renders them unfit to perform their duties while at the workplace. It is also City policy that City employees affected by substance abuse be afforded an opportunity to seek appropriate and responsive treatment for identified substance abuse disorders.

PROVIDING NOTICE

Clear and understandable written notice will be provided to applicants and employees prior to any substance abuse screening.

OBTAINING SUBSTANCE ABUSE SCREENS

The following procedures will apply in requiring and/or obtaining substance abuse screens.

- A. **Final Hiring Process:** All applicants will be screened prior to entering payroll.
 1. If a routine physical examination is an established part of the hiring process, the applicant will be drug screened at that point, and hiring will be conditional on the screen results.
 2. For positions which do not require routine physical examinations, hiring authorities must refer applicants otherwise selected for employment for substance abuse screening at the time of the offer of employment. The applicant must be informed that hiring will be conditional on the screen results. Screen results will automatically be reported to hiring authorities.
- B. **On-the-job Accidents:** Substance abuse screens should not be more than three (3) hours from the occurrence and escorted by management.
 1. Managers and/or supervisors should contact the Human Resources Department immediately whenever an on-the-job accident occurs.
 2. The Human Resources Department will coordinate obtaining the substance abuse screen with due regard to the nature of the accident, medical treatment, and facilities involved.
 3. Results will automatically be reported to human resources on an exception basis (i.e. positive results only).
 4. Hiring authorities may refer employees directly to authorized service providers. In such cases, the Human Resources Department must be notified within one (1) work day.
 5. Drug tests are not required when employees are not in the vehicle. However, if employees are in the vehicle, the driver and passengers must be drug tested. Testing should be administered consistently within the Department and/or Division.

- C. **Reasonable Suspicion:** When employee's behavior requires substance abuse screens that may be subject to screening.
1. "Reasonable suspicion" develops from, though is not limited to, the following observable behaviors:
 - a. Performance related shortcomings such as:
 - i. Reduced productivity;
 - ii. Excessive or repetitive vehicular, equipment, or work procedure accidents;
 - iii. Attendance problems including absenteeism, tardiness, and unusual use of sick leave; and
 - iv. Reporting to work unable to perform or obviously under the influence of chemical substances.
 - b. Common signs of substance use and/or intoxication, including:
 - i. Smell of alcohol or drugs on the breath of person;
 - ii. Disturbances in gait;
 - iii. Slurred speech; and
 - iv. Impaired motor control.
 - c. Possession of alcohol, drugs, and/or associated paraphernalia.
 - d. Consumption of alcohol or drugs while on duty.
 - e. Any other behavior inconsistent with previous performance.
 2. Managers and/or supervisors must contact the Human Resources Department whenever any reasonable suspicion develops.
 3. The Human Resources Department will coordinate obtaining the substance abuse screen with due regard to the nature of the situation.
 4. Results will automatically be reported to hiring authorities.
- D. **EAP Agreements:** Employees who participate in the Employee Assistance Program (EAP) will undergo substance screenings. Such screening must be in accordance with the written agreement and must be requested through the EAP Coordinator. Results will automatically be reported to hiring authorities on an exception basis (i.e. positive results only). See EAP Policy. (A.P)
- E. **Random Screening:** All sworn and/or commissioned public safety employees, and CDL drivers will be randomly tested.

RESULTS OF SUBSTANCE ABUSE SCREENING

Employees with positive findings (i.e. substance abuse screen results that report the presence of legal or illegal drugs or narcotics including controlled substances or alcohol, otherwise not explained by prescription medication) shall be subject to remedial and/or disciplinary action.

- Where standards of service and conduct have been violated, an employee is subject to disciplinary action after a pre-disciplinary hearing is conducted according to A.P. 2-6.

For a first time positive drug screen result, the following disciplinary actions are imposed:

- A five (5) day suspension without pay.
- A mandatory EAP referral.
- The employee must produce a negative undiluted screen at his/her expense, before returning to work from the five (5) day suspension.

Discipline for a second positive finding is termination.

For purposes of this policy, if the City receives a negative/dilute test result for an employee or applicant tested under this policy, that will be treated as a positive test result under this policy.

In this regard, the City's Drug Free Workplace Policy shall be observed. Specifically, the use, possession, manufacture, or distribution of controlled substances in the workplace will result in termination.

Probationary employees will be terminated upon initial positive substance screening or alcohol screening.

For more information call: Human Resources Department.....673-5150

SECTION TWENTY- THREE
POSITIVE ALCOHOL TEST

- A. Positives at less than 0.02:
 - 1. Employee may return to work.
 - 2. Test record retained in general testing file.
 - 3. Repeated results (three or more) will require an EAP assessment.
- B. Positives at 0.02, but below 0.04:
 - 1. Employee may not return to work until either:
 - a. A minimum of eight (8) hours; or
 - b. Until a retest shows that the alcohol concentration has dropped below 0.02.
 - 2. Test record retained in general testing file.
 - 3. Time off in B.1(a) above is without pay.
 - 4. Retest is at the cost of the requesting party. Only one retest is permitted within eight (8) hours of initial test.
 - 5. First time positive at this level will be offered an EAP assessment.
 - 6. Repeated results (three or more) will require an EAP assessment.
 - 7. Depending on individual circumstances, discipline may be warranted.
- C. Positives at 0.04 and greater:
 - 1. Employee may not return to work.
 - 2. A pre-disciplinary conference (PDC) must be scheduled at the earliest available time and date to formally allow the employee to respond to the screen results.
 - 3. The minimum discipline for a first time positive at this level will include:
 - a. Five (5) days suspension without pay for violation of standards of conduct.
 - b. Involuntary referral to the EAP for chemical dependency assessment.
 - c. Warning of termination should any future screen be reported confirmed positive for any chemical substance.
 - d. The nature and circumstances of each situation may indicate more severe discipline which can include termination.
 - e. A negative screen will be required before returning to work. The employee will pay for the return to work screen.
 - f. If the employee is unable or unwilling to provide a negative screen as directed and required, he will be terminated for inability to perform duties, failure to consent to substance abuse screening, or a combination of both.
- D. Safety Considerations and Responsibilities:

1. Any time an employee is obviously impaired or, when in the supervisor's or co-workers' opinion there is cause for concern about impairment, the employee must be removed from duties which could pose a safety hazard to person or property.
2. Specifically with respect to driving a vehicle or piece of equipment, an employee should be removed from that duty if any cause for concern exists about them being impaired.
3. In such cases, the department is responsible for promptly providing transportation to the testing facility.
4. In instances where an employee tests positive at 0.02 and above, the department is responsible for transporting the employee to their residence.
5. Employees who test at 0.02 and above may not be transported to their vehicles even though they may intend to return immediately to retrieve their vehicle upon arrival at their residence.
6. Supervisors are advised to consult promptly and directly with their management, the Human Resources Department, and the City Attorney's Office as such cases arise in order to respond effectively to individual circumstances.

SECTION TWENTY - FOUR

REFUSAL TO TEST

- A. Refusal to take a breath and/or urine test is grounds for discipline, including termination.
- B. In no event will an employee who refuses breath or any other substance abuse testing be scheduled for work.
- C. Specifically with respect to "breathalyzer" technology, an employee who cannot or will not breathe with enough force to allow the machine to work will be offered a blood test for alcohol content once before being considered to have refused the test.

SUSPICION OF DWI

- A. In situations where an employee may have operated a vehicle or mobile equipment and the possibility exists that they may be charged with DWI, supervisors should immediately consult with their management.
- B. Employees suspected of driving while intoxicated must be transported immediately to be subjected to drug and alcohol testing.
- C. Results for DWI screening will be used for general substance abuse screening purposes since the testing technology is the same.
- D. Results will require the minimum responses described above, regardless of whether the employee is charged with DWI.

SECTION TWENTY – FIVE

EMPLOYEE ASSISTANCE PROGRAM (EAP)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Shreveport recognizes that a wide range of life problems can affect an employee's well being and job performance. Therefore, the Employee Assistance Program (EAP) is a means by which employees, supervisors, and management may address life problems occurring either on or off the job (i.e. substance abuse, marital discord, financial difficulties). It is the City's intent to provide assistance to any employee who experiences personal problems which may affect health, morale, family, work performance, as well as other areas. The EAP provides a confidential counseling and referral service to assist in resolving employee's problems. The benefit is available to all regular full-time and permanent part-time employees and their dependents. Some of the areas covered by the program are: personal, family, marriage, legal, financial, drug, and alcohol related problems. Employees are asked to contact the HR Director for referrals.

SECTION TWENTY – SIX

RETURN TO WORK REQUIREMENTS

After an employee has had a first occurrence positive drug/alcohol test, except as otherwise provided in these rules, he will be suspended for up to five (5) work days (forty (40) hours). **With the approval of the department head, and depending upon the substance consumed, the employee may remain off up to 20 work days to assure a clean drug screen when returning to work.** In cases of PDC scheduling delays, the department may begin suspension time immediately upon notification of positive drug screen. The employee should be advised that a second drug test will result in termination.

Before returning to work the employee MUST complete the following:

- A. Take, pay for, and pass a return to work drug test. This must be done at Work Kare. Drug tests from any other provider will not be accepted.
- B. Schedule and complete an appointment for an EAP assessment. This cannot occur until the return to work drug test is complete and the results are back. Employee should call Human Resources to schedule an appointment.
- C. If the employee's return to work drug test is positive for drugs or alcohol, he will be terminated.
- D. If the employee does not complete the return to work drug test and the EAP assessment within the five (5) day (forty (40) hour) suspension, he will remain in unpaid status until complete. The employee may not return to work until both the drug test and the EAP appointment have been completed.
- E. In no event will an employee be allowed to remain off duty and away from work for longer than **twenty (20) work days (one hundred sixty (160) hours)** starting from the first day of the suspension. If the employee has not successfully completed his return to work test and EAP appointment within the **twenty (20) work days (one hundred sixty (160) hours)**, he will be considered to have abandoned his job and will be terminated accordingly.
- F. The employee should be relieved of his/her driving responsibilities until receiving negative drug results, to avoid all safety hazards.
- G. If the employee is deemed positive she/he should be relieved of his or her duties and removed from City property until a pre disciplinary hearing; a second drug test which is negative, referred to the HR Director, and complete a mandatory EAP visit.

Revised 04/22/2014

SECTION TWENTY-SEVEN

ARREST AND CONVICTIONS

CONVICTION OF A FELONY OFFENSE

Felony convictions are grounds for termination. The City does not hire applicants with a felony conviction within the past five (5) years, or older if required by law. Misdemeanor violations will be left to the discretion of the hiring authority to maintain an employment relationship with the employee. Arrest reports are run routinely by the Human Resources Department.

Information on arrest and/or convictions will be disseminated by the Human Resources Department exclusively to the department head. The department head is responsible for promptly reviewing all arrest and/or conviction situations, making a response consistent with these guidelines, and documenting their actions in the form provided. These decisions will be promptly reported to the CAO for review and endorsement.

CONVICTIONS JOB RELATED

For arrest and/or convictions where there is a clear relationship between the charge, normal duties and standards of conduct, department heads must timely convene a PDC to review the situation, hear the employee, and make a response.

CONVICTIONS NOT JOB RELATED

For arrest and/or convictions where it is not a clear relationship between the charge, normal duties, and standards of conduct, the department head must interview the employee promptly, ascertain the employee's position and advise them that the final disposition of the charge must be relayed back to the department head, when available.

The decision as to the relationship between the charge, normal duties, and standards of conduct will be made by the department head after consultation with staff, Legal and/or Human Resources.

ARREST INVOLVING POSSESSION, DISTRIBUTION OF DRUGS OR DUI

For such arrest, employees will be subject to drug testing as a condition of continued employment. Upon returning to work, the employee will be subject to random drug testing. Failure to comply with drug testing will result in termination.

ARREST INVOLVING DWI OR OTHER OFFENSES RELATED TO ALCOHOL

For such arrest, the Department Head, or designee, will conduct a meeting with the employee to determine job relatedness and respond to the CAO and the Human Resources Department.

SECTION TWENTY- EIGHT
APPEALS PROCEDURE

APPEALS PROCEDURE - GENERAL PROVISIONS

There are two general types of employee appeal procedures:

1. Human Resources Board Appeals, governed by the Board's rules of procedure which are included in these Rules in Section Three; and,
2. Administrative grievances, governed by the Procedure in this Section.

Generally, the Human Resources Board will hear appeals arising from termination, demotion, suspension without pay for more than thirty (30) days, classification, reclassification, and the allocation of positions.

Matters of other types such as pay, working conditions, hours of work, disciplinary situations involving reprimand or suspension of less than thirty (30) days will be pursued as administrative grievances.

Because these two appeal procedures have areas of overlapping authority, employees are strongly encouraged to notify the Human Resources Department early in the formation of any appeal.

The Human Resources Department will provide transcription assistance, as requested.

Any complaints which contain allegations of discrimination on the basis of race, color, sex, national origin, religion, handicap, age or veteran status shall be referred directly to the Human Resources Department.

Such complaints shall be processed through a separate procedure. An employee yet unsatisfied with the resolution of a discrimination complaint shall have the right to appeal to the Federal Equal Employment Opportunity Commission.

ADMINISTRATIVE APPEALS PROCEDURE

A. First Level

- (1) Any employee desiring to file an appeal or human resources grievance shall file a written complaint with the immediate supervisor within five (5) working days of the action or occurrence.
- (2) The written statement shall include:
 - (a) The employee's name, position, division, and department;
 - (b) What action caused the complaint;
 - (c) The reason(s) this action was inappropriate or unfair; and
 - (d) What remedy the employee desires.
- (3) Upon receipt, the Immediate Supervisor shall consider the employee's statement, hold a conference with the employee, and respond, in writing, to the employee within five (5) working days. If the employee is unsatisfied, the written response shall advise the employee of the next level of appeal.

B. Second Level

Should action at the First Level be unsatisfactory, the employee shall have five (5) working days to appeal, in writing, to the division head. The division head shall consider the statement, meet with the employee, and respond in writing within five (5) working days. The written response shall contain reference to the next level of appeal.

C. Third Level

Should the action taken at the Second Level be unsatisfactory, the employee shall have five (5) working days to appeal, in writing, to the department head. The department head shall consider the statement, meet with the employee, and respond, in writing, within five (5) working days. This shall be the final level of appeal for matters of disciplinary actions involving oral and written reprimands. All other issues, such as pay, working conditions, hours of work, disciplinary situations involving suspension of less than thirty (30) days, the employee shall be advised that the next level of appeal is the Chief Administrative Officer.

D. Fourth Level

Should action taken at the Third Level be unsatisfactory, the employee shall have five (5) working days to appeal, in writing, to the Chief Administrative Officer. Upon receipt of the complaint, the Chief Administrative Officer shall have ten (10) working days in which to hold the grievance hearing with the employee. He shall then have five (5) working days in which to respond to the employee.

E. Only those employees who have exhausted administrative remedies shall be eligible to appeal to the Board. Should the eligible employee desire to appeal the complaint to the Human Resources Board, he shall file written appeal in triplicate with the Director of Human Resources within five (5) working days of the receipt of the final statement from the Chief Administrative Officer.

HUMAN RESOURCES BOARD OF APPEALS

The Human Resources Board will hear appeals as required by the City Charter. Rules of Procedure for Human Resources Board hearings shall be provided by the Human Resources Director to interested parties upon request, and, may be found herein in Section Three.

Any employee having reason to believe that they are receiving unfair treatment because of some individual shall proceed directly to the person or office next higher in their chain of command and advise that person of the circumstances. Employees so affected may proceed through the chain of command ultimately to the Human Resources Board.

SECTION TWENTY – NINE

DRESS CODE

The City of Shreveport understands maintaining a professional image and appearance are important when serving the public. Quality customer service should be provided through our actions and appearance. It is not intended to restrict, limit personal expression or discriminate against any particular group or individual.

The purpose of this policy is to provide expectations regarding employee appearance and dress during work hours or any time while serving as a representative of the City. The City asks that employees dress with taste, dignity and professionalism at all times.

MONDAY THROUGH THURSDAY DRESS CODE:

The following is appropriate:

Females and Males – are asked to dress professional, clean and well groomed; dress pants, shirts, dress, skirts or jackets that are not overly revealing or distracting to customers or employees. This includes city-issued uniform attire, if applicable.

Only City-issued caps are to be worn (if applicable). All city-issued caps will be positioned properly, i.e. in a straight forward position, during work hours. Visible tattoos should not be vulgar, in poor taste and/or offensive. This policy applies to all employees within the City of Shreveport.

CASUAL DAYS (INCLUDING FRIDAYS)

Ideally, casual day is defined as respectable blue jeans and clean unworn sneakers. Those employees required to represent the city in public, in court or in any other public forum on any casual dress day are always required to be in city issued and identifiable work uniforms.

The following items are considered unacceptable.

CLOTHING NEVER ALLOWED

- Torn, patched or faded clothing even if purchased new in such condition
- Clothing with printed messages or pictures that are offensive
- Torn athletic shoes, house slippers or flip-flops
- Non City-issued and revealing shorts, revealing low rider or sagging pants or shirts that reveal the mid-section
- Bare-back dresses, blouses, single layer tank or tube tops, or muscle shirts
- Spandex or stretch pants or leggings
- Sweatshirts or warm-up suits
- No nose, tongue, lip or other head piercings are allowed

If an employee is found in violation of this policy the department head may request the employee to change his/her attire or take appropriate disciplinary action.

This list is not all inclusive; therefore individual Department Heads are given discretion to make their own decisions concerning accepted dress within their respective department.

Employees are always expected to exercise good judgment. Please contact the HR Director if you believe an exception should be made as a religious accommodation or for health reasons.

SECTION THIRTY

CELL PHONE AND AUDIO DEVICES

This policy is applicable to all classified employees regarding the use of City-issued cellular phones, personal cell phones, and audio devices while on duty. Employees are advised that as of August 2, 2010, texting while driving is illegal. If an employee is cited for violation by law enforcement, it is the employee's financial obligation, not the City of Shreveport; the employee may also be subject to discipline. Employees who are issued City cell phones to conduct business must comply with this policy and other procedures regarding its use. Employees whose job responsibilities include regular or even occasional driving are prohibited from using their cell phones or PDAs, either hands on or hands free, while driving for City-related purposes. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call, reading or sending a text message, or using hands free operations. All employees must comply with the policies and procedures regarding use of a personal cell phone or audio devices during working hours.

CELLULAR MOTOR VEHICLE RESTRICTIONS

Beginning January 3, 2012 the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous materials Safety Administration placed additional restrictions on the use of hand-held cellphone by drivers. The rule prohibits drivers from:

- Using at least one to hold a mobile phone to conduct a voice communication:
- Dialing or answering mobile phone by pressing more than a single button; and
- Reaching for a mobile phone in a manner that requires the driver to maneuver so that he is no longer in a seated, belted, driving position, such as reaching for a phone on the passenger seat or under the driver's seat.

The only time a hand-held cell phone can be used is if the driver has pulled the truck to the side of, or off, the road and is stopped in a safe location. The rule applies to any hand-held mobile communication device, including those with push-to-talk capabilities. The rule allows texting or hand-held cell phones use by drivers when necessary to communicate with law enforcement officers or other emergency services.

Drivers who fail to comply and companies that allow drivers to use hand-held cell phones will be subject to federal civil penalties for violations.

SECTION THIRTY - ONE

COMPUTER, INTERNET AND SOCIAL/ELECTRONIC MEDIA

The City of Shreveport has made a substantial investment in computers and communication devices (computers with internet and/or email capability, telephones, fax machines, copy machines and related equipment), and each employee has a duty to help protect that investment. The work of the City is to provide services to our customers, and these devices are provided to advance that cause. The City encourages the use of these helpful devices for their intended purposes. Other uses, however, detract from and impair the City's ability to achieve its goals and are discouraged.

The City's computer system, including the hardware, software, all data and messages created, sent, received or stored in the system, internet facilities, e-mail, voice mail, telephone/cell phone, and fax equipment are and remain at all times the property of the City and are provided for business purposes. No personal e-mail or internet accounts shall be used. No personal software or equipment may be used or installed without prior written permission.

Employees should keep in mind that when they are using word processing and e-mail, they are creating City documents using a City asset. These documents, like correspondence, purchase orders, and other documents you create while performing your job, are not private and may be read by others, both inside and outside of the City. Your computer, its software, word processing, e-mail, internet, and other systems, are the property of the City. They are not the private property of any employee. The City may review, audit, access, retrieve and disclose them. The City reserves the right, and does from time to time, to monitor the access and use of its computers, software, email, and internet facilities, without prior notice.

The City's anti-harassment, solicitation, EEO and anti-discrimination, confidentiality and other policies apply to the use of computers, software, e-mail, internet, voice mail and fax equipment.

The City's phone, e-mail and internet systems shall not be used to send (upload) or receive (download) copyrighted materials, unauthorized programs, trade secrets, proprietary financial information, or similar materials, without prior authorization.

Improper use of the City's computers and communication devices is prohibited. Uses that are improper should be obvious. The following list is provided by way of example, but does not cover all types of improper uses.

In addition to those above, the following uses are prohibited:

- Sending or opening emails, viewing sites, or downloading information from sites containing obscene, pornographic, hateful or otherwise offensive material.
- Involvement with any form of fraud or software, video or music piracy or copyright violations.
- Accessing or hacking into unauthorized areas.
- Sending any harassing content or materials to others.
- Accessing or using gambling sites.
- Use of social networking websites such as Facebook, MySpace, Twitter, or comparable sites unless job-related and/or otherwise approved by your supervisor.

- The use of personal email accounts on the City computers or communications devices.
- Transmission of chain letter email.

Employees may not use a code or password, access a file, or retrieve any information, unless authorized to do so. Employees should not attempt to gain access to another employee's computer or messages without that employee's permission. All computer passwords and passcodes must be provided to the City. No password or pass code may be used that is unknown to the City.

PERSONAL COMPUTING EQUIPMENT

Employees are prohibited from using any internet-capable hand-held device, personal computer, or other device to circumvent this policy, or for any purpose that violates this policy. No personal device should be connected to any of the City's networks without prior approval.

SOCIAL NETWORKING SITES

The City understands the current popularity of social networking websites, such as Facebook, MySpace, Twitter, or comparable sites. It also understands that employees may choose to visit or use such sites while not at work and while not using the City's equipment or networks. All of the City's employees play an integral role in its public relations, and customer service and every employee functions as a representative of the City.

Employees should keep in mind that such websites, by their very nature, are public. As such, all employees are encouraged to use such websites responsibly and to avoid any activity that may be deemed offensive or otherwise inappropriate. Employees are discouraged from any activity that may cast him or her, or the City, in an embarrassing or negative light.

SECTION THIRTY- TWO

RECORDS

EMPLOYMENT RECORDS

The Human Resources Director shall prescribe forms on which hiring authorities shall certify the fact of lawful creation of a position and the fact of lawful employment of a person to the position. The Human Resources Director shall also indicate on these forms the proper allocation of the position and the rate of pay at which payment is to be made. When submitted to the fiscal department where the payrolls are consolidated and prepared, these forms shall constitute authorization for the initial placement of the name of a person on a payroll.

LEAVE RECORDS

Each hiring authority shall, with the advice and assistance of the Director, install and maintain a leave record showing, for each employee who holds a position in the classified service:

- (1) Vacation time earned, used and unused;
- (2) Sick leave used; and
- (3) Any special leave or other leave with or without pay. Such records shall be documentary evidence to support and justify the certification of authorized leave of absence with pay as provided in these Rules.

ATTENDANCE RECORDS

It shall be the duty of each hiring authority to install a system of attendance records. Such systems shall be so designed as to facilitate the maintenance of adequate human resources records and to eliminate duplication of accounting and reporting to the fullest extent. It shall be the duty of the Director to advise and assist hiring authorities in establishing a system of attendance records.

CHANGE IN STATUS

Every temporary or permanent change in status of employees in the classified service shall be reported to the Director at such time and in such form, together with support in evidence or pertinent information on forms the Director shall prescribe.

OFFICIAL ROSTER

The Director shall establish and maintain a roster of all persons in the classified service in which there shall be set forth as to each such person:

- (1) The class title of the position held;
- (2) The salary or pay;
- (3) Any changes in class title, pay or status, and
- (4) Such other data as may be deemed useful.

EXAMINATION OF HUMAN RESOURCES RECORDS

The Director may, from time to time, examine departmental payrolls and related records to determine whether or not the persons on such payrolls have been employed, transferred, reinstated, continued or otherwise employed in violation of any provision of the Charter or Rules or are being paid at a rate other than the duly authorized rate.

RECORDS OF THE HUMAN RESOURCES DEPARTMENT

Except as specifically provided in this Rule, the records of the Human Resources Department shall be public record and shall be open to public inspection during office hours of the Department. For reasons of public policy, the following records shall be confidential and open for inspection only under the conditions described herein:

- (1) Examinations, examination materials, and the results of such tests, provided that the Director may post eligibility lists of applicants in the rank order of their placement on such list.
- (2) Confidential reports and investigations on the character, personality, and history of employees of candidates for positions in the City service.
- (3) Performance evaluations, except as provided in these Rules.

All official records of the Human Resources Department must be kept for a period of twelve (12) years in accordance with State Law.

SECTION THIRTY-THREE
CERTIFICATION OF PAYROLLS

CERTIFICATION PROCEDURE

Payrolls showing the names of classified employees shall be submitted to the Human Resources Department as early as practicable prior to the closing of a pay period. The Director shall cause each payroll to be checked against the roster maintained in the Human Resources Department and note thereon any exceptions. He shall then certify the payroll by executing a certificate as follows:

I hereby certify that the name and class title of each classified employee herein and above has been verified as correct, less an exception is noted hereon, and that by the records in the Human Resources Department these persons have been employed in accordance with provisions of Article 14 of the Charter.

Witness my hand this _____ of _____, 20____.”

Human Resources Director

It shall be unlawful for any disbursing officer to pay or cause to be paid, either directly or indirectly, compensation to any person, approval of which has been withheld or accepted to by the Director.

It shall be the duty of the Director to expedite the checking and certification of payrolls and to transmit them to the proper disbursing officer without delay.

SECTION THIRTY-FOUR

VALIDITY OF RULES

If any part of these Rules and Regulations is held by competent authority to be invalid, each and all of the other part or parts thereof not so held shall continue in full force and effect as though such invalid part has not been included herein.

REFERENCES

Personnel Rules and Regulations for Classified Employees – Adopted 1984

Personnel Rules and Regulations for Classified Employees Amendments

Shreveport Charter

Code of Ordinance

Louisiana Code of Ethics

Fair Labor Standards Act

Family Medical Leave Act

Department Of Labor

Employee Assistance Program AP 2-8

Harassment Statement - Executive Order 95-1

Diversity Statement – Executive Order 09-01

Equal Employment Opportunity (EEO) Goal Setting Executive Order 86-1

Whistleblower Protection for Public Employees – LSA-R.S 42.1169

Louisiana State Constitution and Statues – Prohibited Political Activity
Article X, Section 9 of the 1974 Constitution and in Chapter 14 of the State Civil Service Rules

Procedure for Disciplinary Actions Involving Termination, Demotion and Suspension Without Pay AP
2-6

Sick Leave Donation

Substance Abuse Screening AP 2-10

Substance Abuse Screening Alcohol Testing

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