



THE FLOOD PROTECTION AUTHORITY
Your Flood Defense System

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST

EMPLOYEE HANDBOOK

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Effective August 28, 2018

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DISCLAIMER

This handbook applies to the employees of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and its member districts consisting of the Orleans Levee District (OLD), the East Jefferson Levee District (EJLD) and the Lake Borgne Basin Levee District (LBBLD), hereinafter sometimes referred to collectively as the Flood Protection Authority. Nothing contained in this handbook is intended to create, nor creates, an expressed or implied employment contract.

This handbook is a set of general guidelines, policies, and procedures designed to assist the employee in performing his/her job. The policies and procedures contained in this handbook are subject to alteration or revision at any time, with or without advance notice to employees. Employees will be notified as soon as practicable of any changes by receiving a written copy of those changes.

The Louisiana State Civil Service Rules govern personnel practices and are binding for state classified employees in all state agencies and departments. These Rules are adopted and amended in open hearings by the Louisiana State Civil Service Commission. Authority for the rules is derived from Article X of the Louisiana State Constitution.

Nothing contained in this handbook is intended to conflict with Louisiana State Civil Service Rules. In cases of conflict, the Louisiana State Civil Service Rules shall govern. A copy of the Louisiana State Civil Service Rules can be found at the Louisiana Department of Civil Service located in the Claiborne Building, 1201 N. 3rd Street, Baton Rouge, Louisiana, or in your levee district Administrative Office. You can also find the Civil Service Rules on the State Civil Service Website, www.civilservice.louisiana.gov/CSRules/Index.aspx

INTRODUCTION

The Southeast Louisiana Flood Protection Authority – East (SLFPA-E) was established in 2007 and is the governing body for three constituent Levee Districts – the Orleans Levee District, the East Jefferson Levee District, and the Lake Borgne Basin Levee District. In an effort to ensure that employees of the SLFPA-E and all of our Levee Districts are subject to the same policies and procedures, the SLFPA-E Chief Administrative Officer (“CAO”) has reviewed and approved this handbook effective August 28, 2018. Revisions to policies contained in this handbook will be implemented by SLFPA-E’s CAO. Therefore, all suggested policy changes should be brought to the SLFPA-E CAO and/or Board to determine if such policy should be implemented on a regional or levee district basis. In the event of a conflict between these policies and Louisiana Department of State Civil Service (LA DSCS) Rules, LA DSCS Rules shall govern. In the event any Levee District policy conflicts with the policies in this handbook, the SLFPA-E Employee Handbook policy will govern. The Employee Services Director will coordinate a complete review and update of this handbook on a bi-annual basis.

SLFPA-E VISION STATEMENT

A flood risk management system that helps protect the lives and property of residents within the jurisdiction of the Authority from at least a 500-year flood event, which is defined as one with a 0.2% chance of being equaled or exceeded on an annual basis.

SLFPA-E MISSION STATEMENT

Our mission is to ensure the physical, operational and financial integrity of the regional flood risk management system, and to work with appropriate local, regional, state and federal agencies and officials to plan, design, construct, operate and maintain projects that will reduce the probability and consequences of flooding in SLFPA-E’s jurisdiction.

SLFPA-E GUIDING PRINCIPLES

1. We strive for operational excellence by leveraging the institutional knowledge, technical expertise, professionalism and dedication of our personnel.
2. We plan and manage flood protection as an integrated regional system rather than as a series of projects or individual, stand-alone levee districts. While we respect the history and uniqueness of each district, we believe it is their connectivity and shared history that knits neighboring districts into an effective regional system.
3. We recognize the contribution and dedication of each employee who, regardless of his or her job, plays a vital role in flood protection.
4. Our staff and board of commissioners must be transparent, honest, visible, responsive, responsible and accountable so that our actions over a sustained period of time will

- build trust with the public and the agencies with whom we work in the mission of building and managing a true regional system.
5. We value input from all sources at all levels.
 6. We exercise fiscal responsibility through the continuous improvement of our business operations.
 7. We operate and maintain existing levees, floodgates, floodwalls, armoring and LBBLD pumping stations, leveraging the most advanced standards and methods that finances permit.
 8. We embrace both coastal restoration and preservation, as well as flood protection-related construction, as critical components of flood risk reduction.
 9. We strive to better communicate to the public the residual risks that remain in any system, no matter how much protection it offers. That includes informing the public that flood risk reduction is a shared responsibility covering a range of activities as diverse as individuals raising their homes, improvements to the local drainage systems, and local governments making flood risk reduction a consideration in all land use decisions.
 10. We believe that a "multiple lines of defense" strategy should be adopted to reduce flood risks. We further believe that the system must be resilient to overtopping, using splashguards, armoring, and other engineered methods in order to prevent catastrophic levee and floodwall failures.

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge as follows:

I have received my copy of the Employee Handbook, which describes important information about the Flood Protection Authority and its constituent levee districts, Orleans, East Jefferson, Lake Borgne Basin, (collectively “Flood Protection Authority”). I understand that I should consult the Chief Administrative Officer (“CAO”) or Employee Services Representative regarding any questions not answered in the Handbook.

This Handbook and the policies and procedures contained herein supersede any and all prior policies/practices, oral or written representations or statements regarding the terms and conditions of my employment with the Flood Protection Authority. By distributing this Handbook, the CAO expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that any and all policies and practices may be changed at any time by the CAO, and the Flood Protection Authority reserves the right to change my hours, wages and working conditions at any time in accordance with the Louisiana Department of State Civil Service rules and federal employment laws. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the CAO or the Board of Commissioners has the ability to implement changes or revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise, or representation of continued employment. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.

I have received this handbook either electronically (Adobe PDF or via web line) or in printed form, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee’s Signature

Employee’s Name (Print)

Date

**DETACH AND RETURN TO EMPLOYEE SERVICES FOR RETENTION IN EMPLOYEE PERSONNEL FILE

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SECTION 1: JOB INFORMATION

A. PROBATIONARY APPOINTMENTS

Chapters 9 and 23 of the Civil Service Rules govern probationary and job appointments. A probationary appointment is a working test period. New employees serve a probationary period that is a minimum of six months and a maximum of twenty- four months. Failure to do work assignments, complete required training, or follow rules regarding leave and attendance, safety, and work behavior during the probationary period may result in disciplinary action up to and including termination of employment.

Civil Service Rule 23.5 defines a job appointment is a temporary appointment of an employee to fill a position in the classified service for a limited period of time. We may use a job appointment to fill a position for a period not to exceed four years, and may terminate a job appointment at any time.

Pursuant to Civil Service Rules 10.8 (b)(1), any employee whose official performance evaluation is “Needs Improvement/Unsuccessful” shall not receive a performance adjustment, a promotion or attain permanent status.

B. EMPLOYMENT ELIGIBILITY VERIFICATION

All employees, upon being hired, must provide verification of eligibility for employment in the United States by completing Form I-9. The hiring levee district may also require an employee to provide additional documentation. If at any time an employee’s Social Security Number is found to be inaccurate, that employee must resolve the problem with the Social Security Administration in order to retain employment. Employees must submit verification of resolution of the problem within 90 days of notification. Employees who do not resolve the problems with the Social Security Administration will be dismissed. When verifying employee eligibility, Employee Services employees will use e-verify and Louisiana New Hire reports.

C. U.S. FAIR LABOR STANDARDS ACT NON-EXEMPT AND EXEMPT STATUS

Per State Civil Service Rule 21.3, all Louisiana state employees are subject to the U.S. Fair Labor Standards Act or “FLSA” pertaining to compensation for overtime work. In compliance with federal law, Civil Service requires agencies to comply with FLSA.

FLSA and the use of the terms “Exempt” and “Non-Exempt” refer to an employee’s status as defined by FLSA. Per State Civil Service Rule 21.2, SLFPA-E is responsible for determining Exempt/Non-Exempt status of positions, and ensuring appropriate compensation for overtime work to Non-Exempt employees in accordance with the FLSA.

SLFPA-E’s overtime compensation exemption criteria will generally be as follows, but is subject to change on a case-by-case basis at the discretion of the appointing authority:

All employees whose hourly rate of pay is less than \$22.83 (equivalent of \$1,826 or less bi-weekly, or \$47,476 or less annually) are considered Non-Exempt by SLFPA-E for overtime compensation purposes.

All employees who fill positions that qualify for Executive, Administrative or Professional exemptions, as defined by FLSA, and whose base salary is more than \$47,476 annually are considered Exempt by SLFPA-E for FLSA overtime compensation purposes except as noted below.

Group I Exempt

SLFPA-E Unclassified positions qualify for Executive, Administrative or Professional exemptions and are not eligible for overtime compensation (OT and Comp-Time), except as described in “Overtime Work in Support of Emergency Operations”, and Office Managers described in “Group II” below.

Group II Exempt

All Administrative Schedule (AS), Scientific/Technical Schedule (TS), and Protective Schedule (PS) positions, at or above the grades of AS-613, TS-310 and PS-115 respectively (and Unclassified Special Assistants and Office Managers), are considered Exempt by SLFPA-E when the incumbent earns greater than \$47,476 per year; and are only eligible for hour-for-hour (straight) overtime compensation, when approved by the appointing authority, for hours worked beyond 40 hours in a work week and except as described in “Overtime Work in Support of Emergency Operations” (see “Section 2.B. OVERTIME (OT) COMPENSATION AND COMPENSATORY TIME (COMP-TIME) ACCRUAL” for applicable policies).

Group III Exempt

All Technician and Skilled Trades (WS) positions, grade WS-216 and above, are considered Exempt by SLFPA-E when the incumbent earns greater than \$47,476 per year AND supervises one or more employees; and are only eligible for hour for hour (straight) overtime compensation (OT and Comp-Time) on a case by case basis when approved by the appointing authority, except as described in “Overtime Work in Support of Emergency Operations.”

Non-Exempt

All classified employees not described above are considered “Non-Exempt” for overtime compensation purposes.

The Employee Services Department can assist employees in understanding their individual status as FLSA Exempt or Non-Exempt within SLFPA-E.

D. HOURS OF WORK AND LUNCH/BREAK PERIODS

Generally, all full-time employees work at least 40 hours per “workweek”, or the equivalent thereto if working an alternative flexible schedule. SLFPA-E may specify an alternate 80-hour, two-week work period for employees who are on an approved flexible work schedule or shift work (Police, for example) or who are exempt from the Fair Labor Standards Act (FLSA). Accordingly, work hours may differ in various departments or work groups within the Flood Protection Authority. Supervisors are responsible for assigning work schedules per these policies.

Hours of Work Definitions

A “work hour” is any hour of the day (or portion thereof) that is actually worked, and authorized to be worked, and should be recorded to the nearest quarter hour.

A “workday” is defined as the number of hours regularly scheduled to be worked in one day within five 8-hour days; four 9-hour days (plus one 4-hour day); or four 10-hour days that begin or end outside the “core workday”. Employees may also be assigned to alternative schedules to include flextime or compressed workweeks with the authorization of their managers.

The “Core Workday” is defined as the standard work day that begins not later than 9:00 a.m. and ends not earlier than 3:00 p.m.

A “work period” is any period of consecutive time worked without a break in timekeeping. For example, the “work period” for an employee who “clocks-in” at 8:00 a.m., takes two personal breaks and lunch during the day, and then “clocks-out” at 4:30 p.m. will be 8:00 a.m. to 4:30 p.m. Whereas, the work period(s) for an employee who “clocks-in” at 8:00 a.m., takes one personal break, “clocks-out” at 12:00 p.m., and returns to work and “clocks-in” again at 2:30 p.m. and later “clocks-out” at 4:30 p.m. will be considered two separate “work periods” of 4 hours and 2.0 hours respectively.

The “workweek” covers seven (7) consecutive days beginning on Monday at 12:00 AM and ending on Sunday at 11:59 PM. Alternative workweeks may be established for specific projects or departmental needs with prior coordination with the payroll department and authorization from the appointing authority.

A “pay period” is a regularly scheduled two-week period (26 per year) consisting of two workweeks.

Lunch Breaks

Employees will be afforded up to a 30-minute unpaid lunch break during their normal work schedule. Although lunch breaks will normally be at a regular scheduled time, the time and duration of lunch breaks may be changed at the supervisor’s discretion as the workload dictates.

The 30-minute unpaid lunch break will be applied to employees' time and attendance record after having accrued four (4) hours worked in one workday.

Only when an employee cannot be completely relieved from duty for the purpose of eating a meal will the lunch break will be considered paid hours worked. Supervisors must provide justification in an employee's timekeeping record for paid 30-minute lunch breaks to be approved.

Personal Breaks

Personal break periods of short duration will be counted as hours worked. When workloads permit, supervisors may permit at least one morning and one afternoon break for not longer than 15 minutes each. Personal breaks should not be used to extend "hours worked" during a work period and should not be initiated prior to one half hour into the workday or within one half hour of the regularly scheduled end of the workday. For example; if an employee reports for work at 7:30 a.m., the earliest he or she may initiate a 15-minute personal break will be 8:00 a.m., and if an employee's regularly scheduled end-of-workday is 4:00 p.m. the latest they may initiate a 15-minute personal break will be 3:30 p.m. Or, if an employee works 1.75 hours in the morning (e.g. 8:00 a.m. to 9:45 a.m.), then ends the work period and takes leave for several hours but returns to work for another 4-hour work period in the afternoon (e.g. 1:45 p.m. to 5:45 p.m.); the employee cannot use their 15-minute personal break to extend the work period (the morning hours worked) to 2 hours (8:00 a.m. to 10:00 a.m.). In other words, an employee cannot work 1.75 hours with no break and then add the 15-minute break to the end of that work period in order to record 2 hours worked. However, when workload permits, supervisors may pre-approve up to two 15-minute personal breaks to be taken in conjunction with the 30-minute unpaid lunch break. Use of personal breaks in conjunction with lunch should be considered a workday scheduling exception versus a rule, and should only be used on rare occasions to support an employee's need to take an hour lunch for personal business without having to take leave.

Supervisors are responsible for enforcing reasonable personal break policies and are expected to hold employees who routinely exceed the two 15-minute break policy accountable through counseling and discipline when necessary.

Alternative Work Schedules

SLFPA-E is committed to helping employees manage the demands of juggling work, family and life related issues by offering a number of possible flexible work arrangements. This provides employees with increased flexibility with their work schedule while allowing the agency to maintain an efficient and productive work environment. Alternative work scheduling is an opportunity to maintain high levels of employee productivity through various forms of creative or flexible work schedules.

Flexible work arrangements are not appropriate for all employees or positions and are not a universal employee benefit. Mandatory conditions must be met for a compressed work week schedule to be approved. The employee must have a satisfactory attendance record, the employee

must be meeting all performance expectations in their current role, and consistently demonstrating the ability to complete tasks and assignments on a timely basis. Additionally, the nature of the employee's work and responsibilities must be conducive to a flexible work arrangement without causing significant disruption to performance and/or service delivery.

Employees will be considered for alternative work scheduling on a case-by-case basis and only where alternative work schedules have been shown to accomplish both work and personal goals, to provide coverage for individual department operations, and to serve the agency as a whole with increased productivity at no expense to quality output. Supervisors should review flex-time requests for applicability to the entire work group and avoid instances where two or more employees have differing flex-time schedules than the rest of the work group. Supervisors should consult the appointing authority for guidance in applying flex-time policies fairly and consistently within a work group.

Some alternative work schedule options include but are not necessarily limited to:

- “Flex-time”, which is a block of time at the start and end of traditional eight-hour shifts during which employees may report and complete their required shift hours of work.
- Ten-hour day, four-day workweek, in which employees work ten hours per workday, reducing the workweek to four days a week.
- Nine-hour day, four days a week reducing the remaining one day a week to a four-hour day.
- Non-exempt employees are not permitted to “flex” their time on a weekly or bi-weekly basis. For example, if a non-exempt employee’s normal work schedule is 8 five-hour days, and the employee works ten hours one day. These extra hours cannot be used to take make up for time off the next day. Exceptions for non-exempt employees can be granted by agency’s appointing authority if it allows the employee to maintain an efficient and productive environment.
- Exempt employees may “flex” their time within the 80-hour work period

The agency appointing authority is responsible for identifying if any of the aforementioned staffing options are workable within his or her agency. This includes determining if the entire department or an entire shift must convert to one of the above alternative scheduling options. To determine whether it would be appropriate for volunteers to take on these work schedules, the appointing authority must assess the impact and outcome in terms of production, quality and absenteeism, and if one or a combination of the above is in the best interests of the department, the agency and employee. Department director/managers will document all approved Alternative Work Schedules in a memorandum for the record, acknowledged by the employee and approved by the appointing authority, prior to implementing the new schedule. Management of holidays for employees under this option is covered under section 3.J. HOLIDAYS.

There will be a six (6) month trial period for employees and/or workgroups to assess the impact of the flexible work arrangement. After successful completion of the trial period, the work arrangement will be reviewed annually thereafter to ensure continued success. The arrangement may be canceled for any reason by either management or the employee with a 4 week notice period. The notice period may be altered upon mutual agreement.

E. TIMEKEEPING

All employees must complete and acknowledge a time and attendance record per the agency's payroll system (paper record, "swipe-card", thumb print or other "clock-in" system) certifying their presence on the job (including any overtime worked), and any leave utilized for that pay period. Supervisors must also acknowledge this document to certify its accuracy. Employees should consult with their supervisor to determine the appropriate time and attendance record procedure/deadline that applies to their respective department.

F. ATTENDANCE

Regular attendance is very important! All employees, whether probationary or permanent, are expected to report for work every day according to their regular work schedules. The supervisor may change work schedules as the needs of the agency warrant.

Promptness is essential. Employees are expected to arrive at their respective duty stations ready to start work promptly at their scheduled duty times. Employees who are required to don safety equipment or specialized clothing will be afforded the opportunity to do so as part of their work day.

Employees must report for duty unless their absence is authorized. An employee who is unable to report for work because of illness, injury, or personal emergency must inform his/her supervisor no later than fifteen (15) minutes after his/her scheduled reporting time. If an employee calls in to notify his/her supervisor that he/she will be late for work, he/she may be docked annual leave or receive leave without pay until the employee arrives at work.

An employee who becomes ill while on duty or who has to leave work for personal reasons shall inform his/her supervisor personally and must obtain approval before leaving. If an employee is absent for work for more than two (2) days, he/she will be required to bring a doctor's note to document his/her illness. Acceptable notes are written or typed and signed by a Physician, Nurse Practitioner, Physician's Assistant or other recognized health care practitioner and must include contact information for the doctor's office. NOTE: If a supervisor identifies a pattern of potential abuse of this policy, disciplinary action may be taken with approval from the Appointing Authority or Legal.

For all employees, with the exception of an unpaid lunch break, approved time off between 9:00 a.m. and 3:00 p.m. will be recorded as Annual or Sick Leave, or accrued Comp-Time used.

As cited in Civil Service Rule 12.6(a)2 - "Unscheduled Absences", excessive absence or tardiness may be cause for disciplinary action up to and including termination: "An employee may be non-disciplinarily removed when he has seven (7) or more unscheduled absences during any consecutive 26-week period. The employee must first have been given written notice that his attendance requires improvement and a copy of this rule. The employee must also be given written notice each time he incurs a sixth unscheduled absence. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Agencies may, but are not required to, further define an unscheduled absence by agency policy, e.g. a requirement that leave be approved by the close of business the day before the absence. Under Rule 12.6, approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled, and a continuous absence for the same reason is one unscheduled absence, regardless of its duration."

Absences (annual and sick leave, unscheduled absences, tardiness, early departure, etc.) that are not approved within the timelines established in sections 3.B and 3.C will be considered "Unscheduled" for the purpose of rule 12.6.

G. ESSENTIAL PERSONNEL

All employees of SLFPA-E and its constituent Levee Districts who are considered Essential Personnel are required to report to their designated work location to ensure continuity of essential operations in the event of an emergency.

Employees that are considered Essential Personnel will have the following statement included in their position description:

"The Southeast Louisiana Flood Protection Authority - East (SLFPA-E) and its constituent Levee Districts is a disaster emergency-oriented agency. Part of SLFPA-E's mission is to ensure the physical, operational and financial integrity of the regional flood risk management system, and to protect the residents of the Greater New Orleans area from tidal surge, wind-driven water and river flooding.

In emergencies like Mississippi River flooding, Hurricane/Tropical Storm or storm surge events, as determined by the CAO or Appointing Authority, the incumbent will be on call and must report for duty if so required, remaining on duty in such situations until released from duty by the Appointing Authority."

Appointing Authorities may, in the absence of the above statement in a previously approved position description, require employees to acknowledge in writing their status as Essential Personnel until such time as the position description is updated and allocated by State Civil Service.

In the event of a declared emergency essential personnel should report to work if it is safe to do so. Essential Personnel must fulfill their duties to ensure the continuation of essential operations of the consolidated flood risk management system. Essential Personnel are expected to come to work in any and all extraordinary/emergency situations unless it is unsafe to do so or they are specifically excused by their supervisor.

Prior to, or during, an emergency event the Appointing Authority shall declare an emergency and establish a starting point(s) for each emergency. After the emergency, an end point(s) will be set. The start and end points may be different for different units and personnel within a specific department or agency. If an event such as a hurricane or flooding can be anticipated from forecasts, etc. a pre-declaration may be issued. The pre-declaration will provide notification of the possible upcoming emergency and serve as a recall notification for Essential Personnel.

Essential personnel may only be designated as Non-Essential Personnel by their supervisor and/or Appointing Authority during certain emergency situations as follows: (1) Supervisors and/or Appointing Authority must specifically notify the employee if he/she is to be designated as Non-Essential for a particular event; (2) If an employee is notified by their Supervisor and/or Appointing Authority that he/she has been determined to be Non-Essential, the employee is not required to report to work for the specific event; (3) Notification may be an emergency notification system using text messaging, voice-messaging, appropriate social media and/or email.

It is understood that individual emergencies, separate from a declared emergency, may arise for an employee. This does not include annual leave or vacation, but there may be an extremely small number of individuals who have strong compelling reasons why they need to be exempt from this policy on a case-by-case basis. While such exceptions will be very rare, if an employee feels they must ask for an exemption they should direct that request to their Supervisor. Any exemptions to the Essential Personnel policy will require the approval of the Appointing Authority.

H. PERFORMANCE EVALUATION SYSTEM

In accordance with Chapter 10 of the Civil Service Rules, planning and review sessions shall be conducted on all classified employees by the appropriate supervisor. Planning sessions shall be conducted no later than ninety (90) days following an employee's hire or movement into a different position with significantly different duties and at the beginning of the new performance year (no later than September 30th each year). Your planning will contain a minimum of one performance and one behavior expectation for the new performance year. All classified employees are evaluated annually at the end of the performance year. The performance year is July 1st through June 30th each year. Evaluations must be completed and given to the employee no later than August 31st or the last working day prior to August 31st if the 31st is on a weekend. Employees are evaluated on a three-level evaluation system based on the expectations established in their planning.

The three levels are:

- Exceptional – work and/or behavior consistently exceeded the performance criteria.
- Successful – work and/or behavior met the performance criteria.
- Needs Improvement/Unsuccessful – work and/or behavior did not meet the performance criteria.

Failure to evaluate an employee in a timely manner will result in the employee receiving an official evaluation of “Unrated: which has the same effect as a Successful evaluation.

The evaluating supervisor may elect not to evaluate an employee who has worked less than three (3) calendar months in the performance evaluation year. In such cases the employee will be assigned a default overall evaluation of “Not Evaluated,” which has the same effect as a “Successful” evaluation.

Per Civil Service Rule 10.11, a permanent employee who receives an overall evaluation of Needs Improvement/Unsuccessful” may request an official review by the agency reviewer(s). The request for review must be in writing and must be submitted to the designated Employee Services personnel for the employee’s department by September 15th. The request must explain the reasons and include any supporting documentation justifying the disagreement with the evaluation. The CAO will designate an agency reviewer or agency review panel. The evaluating supervisor or second level reviewer may not serve in this capacity. The agency reviewer or agency review panel will discuss the contested rating with the employee and the evaluating supervisor and will provide written results of the review to the employee, the evaluating supervisor and Employee Services by October 15th. If the employee’s rating is affirmed as “Need Improvement/Unsuccessful” after the agency review the employee may, within 10 days from receipt of the review decision request a review of the evaluation by the Director of State Civil Service. The request must be in writing and explain why the decision of the agency review is being contested. The Director of State Civil Service will review the evaluation after review of the employee’s performance file and issue a written decision, either affirming the overall evaluation or changing it to “Unrated” no later than 30 days from the date the request was received. This decision is final.

Pursuant to Civil Service Rule 10.2(b), evaluating Supervisors and/or Second Level Evaluators, shall be evaluated annually on their compliance with PES rules. Failure to comply with the PES rules will result in the supervisor being ineligible for a performance adjustment.

If an employee is hired after January 1 of the performance year, he/she is not eligible for a performance adjustment for that year.

I. PROMOTIONS

Promotional opportunities will be posted on the LA Careers website (www.jobs.la.gov). An employee must submit a timely application to be considered for promotion. All promotions will be subject to the discretion of the CAO and/or appointing authority under the guidelines of the Louisiana Civil Service Rules.

SECTION 2: PAY

A. PAY RATES AND PAY PERIODS

Pay is set according to the rate established by the Louisiana State Civil Service Commission for the classification of the position held by the employee. Various factors affect pay rates for certain positions and personnel. For a full description of Civil Service rules affecting hiring and entrance rates, optional pay adjustments, rewards and recognition, et cetera, see Chapter 6 of the State Civil Service Employee Services Handbook and agency policies.

All employees are paid based on a standard bi-weekly pay period beginning at 12:00 a.m. every other Monday and ending at 11:59 p.m. Sunday two-workweeks later. A timekeeping record certifying the number of hours worked and/or leave taken must be acknowledged by each employee. This should be done via the agency timekeeping system with an electronic signature or thumb print whenever practical. In the event an employee is unable to utilize the agency electronic timekeeping system he or she must acknowledge their hours worked and leave taken in writing with a signature.

All employees must have their pay deposited directly into a bank account. Information regarding direct deposit is available from the Employee Services Department.

B. OVERTIME (OT) COMPENSATION AND COMPENSATORY TIME (COMP-TIME) ACCRUAL

“FLSA Overtime” and “State Overtime”

FLSA overtime compensation is calculated for Non-Exempt employees who have worked in excess of the FLSA-defined work-week for their jobs. For most employees, this is 40 hours per week, or in rare cases a multi-week work schedule where the average hours worked in the work period is 40 per week. When employees perform work that does not require compensation under FLSA (work beyond 40 compensated hours; i.e. total paid time off and compensated time actually worked), those hours are referred to as “State Overtime.” State Overtime is defined and governed by State Civil Service Rule 21.7. Employees should refer to the “Overtime Payment Charts” under Job Aides & Resources in Chapter 21 of the Louisiana Department of State Civil Service Employee Services Handbook for more information.

For example: A Non-exempt employee’s normal schedule is four 10-hour days (M, T, W and Th). In this example, Monday is a paid holiday and the employee does not work (but is paid 10 hours holiday pay). The employee then works Tuesday through Thursday according to his/her normal schedule. So far, the employee has accrued 40 hours of compensated time and 30 hours actually worked. The employee is called in to work Friday for 10 hours and another 5 hours on Saturday. In this scenario the employee will have worked 45 hours and be compensated for a total 55 hours

(10 hours straight holiday time, 30 hours straight regular time, 10 hours straight “State Overtime”, and 5 hours of time-and-a-half FLSA Overtime).

All overtime work (FLSA or State) requires prior approval from the supervisor. Employees who perform overtime work without prior authorization from their supervisor are subject to disciplinary action.

Overtime Work and Overtime Compensation

All compensable overtime work must be pre-approved by the supervisor. FLSA Overtime for Non-Exempt employees is all hours worked in excess of 40 in a seven (7) consecutive day “workweek” as defined above. Non-exempt employees shall be compensated with overtime pay (OT) at one and one-half (1 1/2) times his/her regular rate of pay for all hours worked over 40 in a workweek. State Overtime for Non-Exempt and Exempt employees will be compensated with State Overtime at their regular hourly rate, or “Straight Time”.

Overtime Work and Compensatory Time (Comp-Time) Accrual

Overtime for exempt employees is defined as hours worked in excess of 40 hours in a work week. For calendar year 2018 only, exempt employees may select how they will be compensated for overtime, compensatory time earned hour for hour or overtime pay at straight time. Overtime compensated at the straight time rate may not exceed 10 hours per pay period; all approved overtime work performed by Exempt employees in excess of 10 hours per period will not be compensated. Exceptions may be granted by the appointing authority only.

Accrued Comp-Time may not exceed 80 hours. Additional Comp-Time accrual will not be approved for employees who have already “banked” 80 hours of Comp-Time; all approved overtime work performed by Exempt employees after 80 hours of Comp-Time has been accrued will not be compensated.

SLFPA-E retains the option of NOT granting paid overtime (OT) or Comp-Time to Exempt employees, although an Appointing Authority may elect (in writing) to do so. In such cases, the agency will generally compensate Exempt employees with cash payment rather than Comp-Time (OT); except in unusual circumstances like significantly extended work hours in response to a natural disaster or emergency as described in “Overtime Work in Support of Emergency Operations” below. The rate of Comp-Time accrual for Exempt employees will generally be hour-for-hour and only for hours worked in excess of 80 hours in a bi-weekly pay period.

Accrued Comp-Time shall only be paid to employees upon termination/resignation or transfer to another State agency or during the transition period noted above.

Accrued Comp-Time cannot be used in the same pay period in which it is accrued. In other words, accrued Comp-Time must be “banked” and can only be used in a subsequent pay period to which it was earned.

In all cases, Comp-Time shall be used before any other form of accrued leave (annual and sick).

Overtime Work During Closure of Normal Operations in Support of Emergency Operations

From time to time there may be circumstances where the appointing authority must close SLFPA-E and its constituent Levee Districts to normal operations due to emergency. “Emergency events” may include a Governor-declared emergency, “Named-storm” weather event, natural disasters, security risk to the public safety, or similar occurrences of an extraordinary nature, that in the judgement of the appointing authority threatens the ability of employees to properly safeguard the integrity of the flood protection system (hereafter referred to as “emergency event”).

The compensation policy is as follows for hours worked by classified employees who are identified by the appointing authority as essential personnel during an emergency event that requires SLFPA-E and its constituent levee districts to close for normal operations.

All approved overtime work in support of emergency operations as described above will be compensated monetarily (OT) at a one and one-half rate for both Exempt and Non-Exempt employees with a maximum of 18 hours that can be earned in a 24 hour time period beginning each day at midnight (regardless of whether the employee has actually worked 40 hours or not) for all classified employees .All approved overtime work in support of emergency operations for unclassified employees will be compensated monetarily (OT) at a “straight time” or hour for hour rate with a maximum of 18 hours in a 24 hour time period. This applies to all time worked during a time when the office is “closed is due to emergency events”. Note: Employee will receive two (2) 30-minute meal breaks.

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SECTION 3: LEAVE

A. EARNING AND USING LEAVE

Each employee (except those classified WAE or student appointments) earns annual and sick leave according to Civil Service Rules. Exact leave earned per pay period is calculated by multiplying the amount of leave earned per hour (see chart below) by the number of hours in the pay period. Leave is not accrued for hours worked overtime (FLSA or State) or for hours assessed leave without pay (LWOP).

<u>Years of Service</u>	<u>Hourly Accrual</u>	<u>Approximate Yearly Accrual for 40-hour work week (sick & annual)</u>
0 – 3 years	.0461	95.9 hours or 12 work days
3 years	.0576	119.8 hours or 15 work days
5 years	.0692	143.9 hours or 18 work days
10 years	.0807	167.8 hours or 21 work days
15+ years	.0923	192 hours or 24 work days

Example: An employee has seven years of State service. He/she is paid biweekly, and works 80 hours during the pay period. He/she would accrue 5.536 hours each of annual and sick leave for that period [.0692 per hour x 80 hours = 5.536 per pay period]. Assuming the employee has not been assessed LWOP, at the end of a year he/she would have accrued approximately 143.94 hours or approximately 18 days each of annual and sick leave (based on an 8-hour day).

A leave request must be submitted whenever an employee uses leave of any type. Requests for leave are to be submitted to the employee’s immediate supervisor using the agency payroll system (paperless), electronic calendar/appointment system (paperless), or traditional paper “Leave Slips.” Employees and supervisors are encouraged to process leave requests using paperless systems to the maximum extent practical.

For all employees, with the exception of an unpaid lunch break, approved time off between 9:00 a.m. and 3:00 p.m. will be recorded as Annual or Sick Leave, or accrued Comp-Time used.

Evaluating Supervisors may approve periods of annual or sick leave up to 40 hours (consecutive work days; i.e. one week). Second Level Evaluators may approve periods of annual or sick leave up to 80 hours (consecutive work days; i.e. two weeks); requests for greater than 80 hours (consecutive work days) or extended medical leave require approval of the appointing authority.

B. ANNUAL LEAVE

Annual leave is used for vacations and personal business. Annual leave for vacations, or when the employee will be travelling greater than 250 miles from their designated place of work, should be requested at least five (5) working days (one workweek) in advance. Annual leave for other personal business should be requested at least two (2) working days in advance.

Annual leave is granted at the discretion of the immediate supervisor. Under certain circumstances, an immediate supervisor may determine that annual leave must be approved, or revoked, by the Appointing Authority. It is the employee's responsibility to confirm approval with his/her supervisor. If an employee has accumulated Comp-Time balances, this leave shall be utilized prior to using annual leave.

An employee who fails to report for work when a leave request has been denied will be considered on unauthorized leave without pay and may be subject to disciplinary action.

All emergency (unscheduled) leave must be reported to your supervisor no later than fifteen (15) minutes after your scheduled starting time. For example, if you are scheduled to work at 7:00 a.m., you must call your supervisor by 7:15 a.m. to request emergency annual leave. Emergency leave is defined as leave that is not scheduled and it will be recorded by Evaluating Supervisors as "unscheduled" for the purpose of Civil Service Rule 12.6.

You must give a justifiable reason for your absence and may be required by your supervisor to provide documentation of the reason for such absence. Please note that reporting your absence does not mean that you will be granted leave automatically nor does it make the absence "scheduled."

Leave that is approved for use under the provisions of the Family and Medical Leave Act (FMLA) and leave granted for the purpose of an accommodation under the Americans with Disabilities Act (ADA), will not count as an unscheduled absence. However, employees are expected to comply with agency policy and practice regarding notice to supervisory personnel when absences will be necessary. The Appointing Authority retains the right to excuse, for a rational, business related reason, an absence that otherwise would be deemed to be unscheduled under this policy.

The minimum charge to annual leave records shall be one-quarter hour.

In accordance with Civil Service Rule 11.10, employees shall be paid a maximum of 300 hours of accumulated annual leave upon resignation, termination, or retirement. Additionally, an employee who voluntarily resigns or is non-disciplinarily dismissed shall, upon return to State service within 5 years of separation have his/her leave restored.

C. SICK LEAVE

Sick leave can only be used for the employee's personal illnesses, injuries, or for medical, optical or dental appointments. However, sick leave may also be used to attend to an immediate family member's needs, but only when FMLA leave has been pre-approved specifically for a family member's serious health condition.

Sick leave is granted at the discretion of the immediate supervisor. Under certain circumstances, an immediate supervisor may determine that sick leave must be approved, or revoked, by the

Appointing Authority. It is the employee's responsibility to confirm approval with his/her supervisor. If an employee has accumulated Comp-Time balances, this leave shall be utilized prior to using sick leave.

Sick leave required for medical/dental appointment must be reported to the supervisor at least two (2) days in advance. All emergency sick leave (unscheduled) shall be reported to your supervisor within fifteen (15) minutes of the employee's regularly scheduled starting time.

Sick leave, taken for more than two (2) days, will be subject to verification, and your supervisor shall request a doctor's note for your absence. A doctor's note must note the period of illness and the date(s) the employee was treated by the physician. The physician must state whether the employee may return to full duty and must list any restriction of activity. The certificate must be typed or written legibly and must be signed by the attending physician or a Physician's assistant and include contact information for the doctor's office.

In cases where verification is required, failure to provide the documentation verifying the sick leave may result in the employee being placed on unauthorized leave without pay as well as a recommendation for disciplinary action. Submission of a fraudulent or altered doctor's note will be cause for disciplinary action, up to and including termination.

The minimum charge to sick leave records shall be one-quarter hour.

The provisions of Louisiana Department of State Civil Service Rule 12.6(a)1 allows for non-disciplinary termination of an employee who is "unable to perform the essential functions of his job due to illness or medical disability and has fewer than eight hours of sick leave." Employees whose sick leave balance nears eight hours remaining should contact their Employee Services department immediately for more information.

Sick leave is forfeited upon separation. However, an employee who voluntarily resigns or is non-disciplinarily dismissed shall, upon return to State service within 5 years of separation have his/her sick leave restored. Employees who are non-disciplinarily dismissed under the authority of Civil Service Rule 12.6(a)(1) must be paid for any remaining sick leave upon separation.

D. LEAVE DURING DECLARED EMERGENCIES

Per Section 1.G.(1) of this handbook, all employees who are considered Essential Personnel are required to report for work in the event of a declared emergency unless otherwise exempted by policy. In the event of a declared emergency all approved leave and new leave requests within the time period of an emergency, from seven calendar days prior to and/or after the declaration of an emergency, will be considered revoked or denied. Exceptions shall be subject to review and approval by the respective Appointing Authority. Examples of exceptions to an Appointing Authority revoking or denying approved leave may include, but are not necessarily limited to: (1) The employee provides evidence that they intend to travel on leave a distance greater than 250

miles from their designated place of work and they provide evidence in the form of a paid ticket for transportation and/or lodging to a location outside a 250-mile radius. The intent of this policy is to ensure that employees who have made or are in the process of executing plans to travel outside a reasonable emergency recall radius from their workplace be allowed to take their leave as requested and approved to the maximum extent possible. (2) The employee has been notified of their designation as Non-Essential for a particular emergency event by the Appointing Authority per Section 1.G.(1).

Annual Leave requested after the start point for an emergency, and/or during the term of an emergency, will not be granted unless approved by the Appointing Authority. Time off in violation of this policy will be considered unexcused and Leave Without Pay (LWOP).

Sick Leave requested after the start point for an emergency, and/or during the term of an emergency, will generally not be granted. If an employee provides a doctor's note and acceptable release upon return to work the employee will be granted sick leave. If an employee does not provide a doctor's note and acceptable release upon return to work, time off will be LWOP. The employee will have 15 calendar days to provide a doctor's note.

E. FAMILY AND MEDICAL LEAVE ACT (FMLA)

SLFPA-E and its constituent Levee Districts will provide Family and Medical Leave to its eligible employees. The agency posts the mandatory FMLA Notice in employee common areas, and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the FMLA.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact your Employee Services department in writing.

General Provisions

Under this policy, SLFPA-E and its constituent Levee Districts will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid (Leave Without Pay - LWOP) or a combination of paid leave and LWOP, depending on the circumstances of the leave and as specified in this policy.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- 1) The employee must have worked for the agency for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- 2) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid leave or LWOP. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) The birth of a child and in order to care for that child.
- 2) The placement of a child for adoption or foster care and to care for the newly placed child.
- 3) To care for a spouse, child or parent with a serious health condition (described below).
- 4) The serious health condition (described below) of the employee:

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider

within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the agency's sick leave policy are encouraged to consult with the Employee Services Manager.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests LWOP as provided under this policy, the agency may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- 5) Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to cover active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- a. short-notice deployment
- b. military events and activities
- c. child care and school activities
- d. financial and legal arrangements
- e. counseling
- f. rest and recuperation
- g. post-deployment activities, and
- h. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status;

or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The agency will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the agency will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

If both spouses work for the agency and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If both spouses work for the agency and each wishes to take leave to care for a covered injured or ill service member, the spouses may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, the agency will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the agency will require the employee to reimburse the agency the amount it paid for the employee's health insurance premium during the leave period.

Under current agency policy, the employee pays a portion of his/her health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. If an employee is on LWOP, then payroll deductions for the health care premium cannot be made. Accordingly, if an employee wants to continue with health care coverage, he/she must continue to pay his/her portion of the health care premium, either in person or by mail. The payment must be received in the Accounting Department by the day the premium payment is normally made to the provider. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. Neither the SLFPA-E nor a Levee District will pay the employee's share of the health care premium and then seek reimbursement from the employee.

The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on LWOP, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

Use of Paid Leave and Leave Without Pay (LWOP)

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid annual, personal or sick leave prior to being eligible for LWOP. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave (either for the birth of the child or for an employee's serious health condition), including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of disability leave (pregnancy, for example), the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for LWOP for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid annual, personal or family leave prior to being eligible for LWOP.

An employee who is using military FMLA leave for a qualifying exigency must use all paid annual and personal leave prior to being eligible for LWOP. An employee using FMLA military caregiver leave must also use all paid annual, personal leave or sick leave (as long as the reason for the absence is covered by the agency's sick leave policy) prior to being eligible for LWOP.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period) and requires specific approval for intermittent leave or a reduced work schedule by the Appointing Authority.

The agency may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the agency and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the agency before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

Certification for an Employee's Serious Health Condition or Family Member's Serious Health Condition

The agency will require certification for an employee's serious health condition or certification for a qualifying family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition or DOL Certification of Health Care Provider for Family Member's Serious Health Condition, as appropriate. These forms will generally be provided by Employee Services at the same time as the employee's Notice of Eligibility and are also available for download from the U.S. Department of Labor website.

The agency may directly contact the employee's or family member's health care provider for verification or clarification purposes using a health care professional, an employee services professional, leave administrator or management official. The agency will not use the employee's direct supervisor for this contact. Before the agency makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the agency will obtain the

employee's or family member's permission for clarification of individually identifiable health information.

The agency has the right to ask for a second opinion if it has reason to doubt the certification. The agency will pay for the employee or family member to get a certification from a second doctor, which the agency will select. The agency may deny FMLA leave to an employee or family member who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the agency will require the opinion of a third doctor. The agency and the employee will mutually select the third doctor, and the agency will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification of Qualifying Exigency for Military Family Leave

The agency will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Service member for Military Family Leave

The agency will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

Recertification

The agency may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the agency may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The agency may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the employee services manager as soon as possible. The request must include the

anticipated start date, the estimated end date, whether intermittent/reduced work schedule is requested and an acknowledgement of receipt of FMLA notices. In the case of verbal notice, the employee should put their request/acknowledgement in writing within five days or as soon as physically able. The requirements and format for a written request are available from the Employee Services department.

Within five business days after the employee has provided this notice, the employee services manager will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the agency's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the employee services manager will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

Intent to Return to Work from FMLA Leave

An employee on FMLA leave may be required to report periodically on the employee's status and intent to return to work so long as the request does not discriminate against employees on FMLA leave.

F. FUNERAL LEAVE

According to Civil Service Rule 11.23.1, "Probationary and permanent employees may be granted time off without loss of pay, annual, or sick leave when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, stepsister, spouse, mother-in-law, father-in-law, grand-parent, grand-child, or domestic partner; provided such time off shall not exceed **two (2) days** on any one occasion."

Funeral leave may be used only for those relatives listed in the above rule. Documentation (such as a copy of the obituary, church bulletin, etc.) may be required in order for such leave to be granted.

G. MILITARY LEAVE

Provided they give advance notice, employees serving on job appointment, probationary or permanent status, who are members of a Reserve Component of the Armed Forces of the United

States, shall be entitled to military leave with pay. No advance notice is required when such notice is precluded by military necessity, or otherwise impossible or unreasonable. Maximum military leave with pay for military purposes is fifteen (15) working days per calendar year, except that it shall be limited to fifteen working days for each tour of active duty.

Employees should consider employment with their respective levee district as their primary job and, whenever possible, arrange drills and field training so as not to conflict with Levee District requirements. Employees affected should present a copy of orders (or correspondence in lieu of orders) ninety (90) days in advance when possible.

H. CIVIL, EMERGENCY, AND SPECIAL LEAVE

An employee shall receive regular paid compensation when called for jury duty. The employee must notify his/her supervisor when called and must submit a copy of the subpoena or notice received as verification. Verification of service for each day absent from work will include time of arrival and time of departure from court and signature of court official.

An employee shall receive regular paid compensation if summoned as a witness in either civil or criminal litigation provided the employee is neither the plaintiff nor the defendant in such proceedings. Leave must be verified by submitting a copy of the subpoena to the supervisor. Verification will include the time of arrival and time of departure from court and signature of court official.

An employee shall receive time off (with pay) to participate in a Louisiana State Civil Service examination or other required examination related to the employee's employment. The employee must notify his/her supervisor in advance and must submit a copy of the notice listing the date and time of the examination.

Employees shall receive regular paid compensation should the appointing authority determine that because of local conditions or celebrations it is impracticable for employees in such locality to report to work. Employee should ask about reimbursement of pay from the court for jury duty.

I. EDUCATIONAL LEAVE

Educational Leave may be granted in accordance with Civil Service Rule 11.24.

Leave without pay for educational purposes may be granted an employee for a period equivalent to the period of attendance at the educational institution.

Educational Leave with pay may be granted an employee for a maximum of thirty calendar days in one calendar year if the course of instruction to be taken is pertinent to the work of the employee in his department, provided that a permanent employee may be granted such leave for a maximum of ninety calendar days in one calendar year if the department requires him to take special training.

Employees granted educational leave without pay may be granted a stipend if there are funds available for that purpose.

J. HOLIDAYS

The legal holidays are:

New Year's Day	Independence Day	Thanksgiving Day
Martin Luther King Day	Labor Day	Christmas Day
Mardi Gras Day	Veterans' Day	General Election Day (every two years)
Good Friday		

The Governor may proclaim additional holidays for State employees.

The following examples serve as guidelines for the management of time off for employees who are on approved flexible work schedules or whose regular day-off falls on a holiday. SLFPA-E follows Louisiana Department of State Civil Service rules for the management of holidays and employees should contact the Employee Services department or their supervisor if they have questions regarding holiday leave management policies.

When one or more holidays or half-holidays fall on a full-time employee's regular day off, his or her holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated by the head of the agency.

When a holiday falls on a weekend, the Governor will often issue a proclamation in order to "designate" an alternate date, since MOST state employees are off on weekends. This "designated" holiday will not apply to those employees whose regular work schedules include weekend days as regular work days. These employees get only one holiday, the same as all other employees. These employees will NOT get the actual statutory or proclaimed holiday PLUS the designated holiday; if the holiday falls on their regular workday, they are entitled to the actual holiday day only (not the alternate day designated).

Employees on approved flexible work schedules often do not work a standard 8-hour workday. When determining how many holiday "hours" to give to an employee, supervisors will generally grant employees the same number of hours of "holiday" that would be charged if he or she were to be absent on that day during a non-holiday period.

For example, if an employee is on an approved flexible work schedule of four 10-hour days and is normally off on Friday, Saturday and Sunday, then if a holiday falls on a FRIDAY (the employee's regular day off), the agency will "designate" Thursday as the employee's holiday. Since the employee would be required to use 10 hours of leave to be off on a non-holiday Thursday, then the employee gets 10 hours off as his holiday. If this employee is required to report to work all day on that Thursday (the designated holiday), he or she would get overtime compensation in accordance with Chapter 21 of the Civil Service rules. In this case, the employee's "designated"

holiday will not affect other employees whose regular work schedule includes Friday. The holiday for the employees on a regular work schedule will be – Friday.

If an employee works four 9-hour days and then works 4 hours on Fridays (for a total of 40 hours in the week), and the holiday falls on Friday, the employee is off on Friday along with everyone else. This employee does NOT get extra holiday hours on another day. If the employee were to be absent on a non-holiday Friday, he would be required to use four hours of leave; therefore, this employee's holiday is the four-hour day.

To reduce controversy among employees, many agencies that allow their employees to work varied work schedules will often require all employees to revert to a five day, 8-hours a day workweek for those weeks during which a holiday occurs. Doing this provides each full-time employee with the same number of holiday hours.

Employees on LWOP are not entitled to holiday pay.

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SECTION 4: BENEFITS

A. HEALTH AND LIFE INSURANCE

Each agency of SLFPA-E offers a variety of Health and Life Insurance products which are available to all full-time employees. Each insurance product sets the percentage of premiums that must be paid by the agency and by the employee. The Board of Commissioners of SLFPA-E may elect to contribute a higher portion of the premiums if funds are available; however, increased employer contributions must be applied equally to all Levee Districts.

Vesting is the point at which an employee is entitled to a full share in an insurance benefit or pension fund. Each of the various Health and Life Insurance products available to SLFPA-E and Levee District employees has different levels of vesting based on years of participation or service. Employees should contact the Employee Services department for more information on Health benefits and Life Insurance product vesting and eligibility requirements.

If dependent coverage is not selected upon initial hire, the employee must wait until their program's open enrollment period to enroll, except in the following qualifying events:

- Marriage
- Birth, adoption, or attainment of legal guardianship of a child
- Loss of insurance coverage for the dependent(s)

Employees must add the dependent(s) within 30 days of the qualifying event and must provide documentation of the event (copy of marriage license, birth certificate, adoption papers, verification of loss of insurance coverage, etc.).

It is imperative that employees advise the Employee Services Department within 60 days after the finalization of a divorce or legal separation, or if a child is no longer eligible for coverage. Employee Services must also be provided the individual's current mailing address so that they can be sent notice that they may be eligible for continuing coverage under federal law.

An employee on leave without pay (LWOP) will be responsible for paying his/her portion of all insurance premiums while on leave without pay, and is responsible for contacting the Employee Services Department to discuss their options for paying their share of premiums during the LWOP period.

Some of these premiums may be tax deferred depending upon the individual plan chosen.

B. OTHER INSURANCE

The following additional insurance may also be available to full-time employees (such as but not limited to):

1. Dependent Life Insurance
2. Dental Insurance
3. Vision Insurance

For more information pertaining to group health and life insurance offered by the Louisiana Office of Group Benefits (OGB), consult the OGB-published booklet, “Helpful Information for Plan Members.” Additional information for all other Health and Life Insurance products may be obtained from the Employee Services department.

C. EMPLOYEE ASSISTANCE PROGRAM

The SLFPA-E’s and each Levee District’s Employee Assistance Program (EAP) offers to employees and their family members information, timely intervention, and referrals regarding family issues, marital issues, or individual mental health issues. All calls are confidential. The contact information is posted in all departments, or employees can contact the Employee Services department for more information.

D. CREDIT UNION

Employees may join the La Capitol Federal Credit Union. More information may be obtained from the Employee Services Department.

E. LOUISIANA DEFERRED COMPENSATION PLAN

The Louisiana Deferred Compensation Plan is an optional program that provides state employees an opportunity to invest money on a pre-tax basis, using payroll deductions. Because your taxable income is reduced by the amount of your contributions, you can save money rather than pay it in taxes. Participants pay no state or federal taxes on their contributions. The employee makes investment choices from a number of funds available or pay a small fee to have deferred compensation choose your investments. Investment choices vary in interest rates and risks involved. Interest earned on investments from your account are tax-deferred. Withdrawals from your account cannot be made while you are an active employee except in emergency situations as determined and approved by the Louisiana Deferred Compensation Board. No taxes are paid until you begin withdrawing funds. Further information regarding Deferred Compensation can be obtained from the Employee Services Department or by contacting Louisiana Deferred Compensation Plan at the below address:

2237 South Acadian Thruway
Suite 702
Baton Rouge, LA 70808
(225) 926-8082 or 1-800-937-7604

F. STUDENT TUITION ASSISTANCE AND REVENUE TRUST (START) PROGRAM

The START Program offers tax incentives designed to help parents and grandparents in preparing for the cost of providing their children and grandchildren a college education. This program was enacted by the Louisiana Legislature in 1995 to help make college educations more affordable and accessible to families.

A START account may be opened for a beneficiary of any age and can be tailored for each child depending on when and where the child will pursue his/her college education. In addition to earning interest, accounts may qualify for state awarded Tuition Assistance Grants.

START earnings are exempt from state taxes and federal taxes are deferred. The interest on accounts are taxed when disbursements are made to pay the child's college qualified educational expenses. The State will match a percentage of contributions made to the accounts annually. The START account may be used to pay tuition and qualified higher education expenses at in-state and out-of-state colleges and universities, as well as at in-state technical schools.

For further information call (800) 259-5626, extension 1012 or visit their website at www.startsaving.la.gov.

G. COMPREHENSIVE PUBLIC TRAINING PROGRAM (CPTP)

The Comprehensive Public Training Program (CPTP) provides state employees management, personal and professional development training opportunities. CPTP is housed within the Department of Civil Service and training is provided in partnership with Louisiana State University. Training courses are offered via interactive web-based classes and traditional instructor led classroom courses. The types of courses offered include management development, supervisory training, computer software and writing skills.

All employees are eligible to take appropriate classes with their supervisor's permission. All classes are offered during the workday and employees are considered on duty while participating in training. In addition, all supervisory personnel are required to take specialized training courses dependent on their supervisory level.

More information on CPTP training opportunities and requirements can be obtained from the Employee Services Department or online at www.civilservice.louisiana.gov under the CPTP link. The Employee Services Department can provide you information on registering for courses.

SLFPA may provide reimbursements for some trainings and/or additional certifications which must have prior approval by the appointing authority.

SECTION 5: RETIREMENT

A. RETIREMENT

All eligible employees become members of the Louisiana State Employees' Retirement System (LASERS). Employee contributions are currently based on a percentage of the employee's regular salary, but are subject to change by the Public Retirement Systems Actuarial Committee. The contribution rate for SLFPA-E and its member districts varies, and these rates are scheduled by the Public Retirement Systems Actuarial Committee.

To obtain information regarding your retirement benefits you may contact LASERS at (800) 256-3000 or go to their website www.lasersonline.org. You may obtain an estimate of the benefits you would receive upon retirement using the Member Self-Service section on the website. Whenever possible, employees should notify their supervisor and the Employee Services Department at least 60-90 days prior to their retirement to ensure timely retirement eligibility is based on the date you were hired. Employee contribution rates and vesting* requirements are detailed below:

B. ANTICIPATING RETIREMENT/DROP

It is recommended that you consult the Employee Services Department 6-12 months prior to eligibility for DROP participation or anticipated retirement to obtain information on retirement benefits. In addition, you should visit Employee Services 60-90 days prior to your DROP entry date or retirement effective date to complete the required forms. You may need to provide the following documents at that time:

- Copies of social security cards for yourself and your beneficiary
- Copies of birth certificates for yourself and your beneficiary
- Copy of marriage certificate if married or copy of divorce decree if divorced
- Signed and notarized Spousal Consent form if married and selecting a retirement option that does not provide a survivor's benefit to the spouse

Please note that LASERS may change the documents required.

C. LASERS MEMBERSHIP HANDBOOK

For a complete explanation of retirement benefits see the LASERS Membership Handbook, which is available online at www.lasersonline.org.

SECTION 6: GRIEVANCES

It is the policy of the Southeast Louisiana Flood Protection Authority (FPA) that a grievance process exists to allow for prompt, fair and orderly resolution of grievances arising out of employment. The person filing the grievance shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting his/her claim with respect to a personal grievance. The primary purpose of this procedure is to secure, at the most immediate level possible, an equitable solution to the claim of the aggrieved employee.

If at any step of the procedure outlined below, the administration fails to comply with the timelines set forth therein, the complaint and/or grievance shall immediately move to the next higher step in the process for review and decision.

I. Definitions

- A. A ***grievance*** is a claim by an employee or group of employees as a result of an alleged violation or misapplication of a contract, SLFPA policy, administrative regulation, or state or federal law, or an employee's perception of a wrong against him/her as a result of management's or another employee's decisions or behaviors.
- B. An ***aggrieved person*** is the person making the claim.
- C. A ***respondent*** is the person or persons responsible at each level of the procedure for responding to the claim of the aggrieved person.
- D. The term ***day*** shall mean working days.

II. Process for filing a Grievance

Appropriate steps to investigate the grievance may include, but shall not be limited to, discussions with persons other than the Aggrieved Person who may have been eyewitnesses to the incident or otherwise have personal knowledge of anything relevant to the subject matter of the grievance; research of appropriate files and records; or hearings with the aggrieved person(s).

Any complaint by an employee, group of employees, other SLFPA employees or group of employees about or involving the SLFPA system shall be reviewed in accordance with the following procedure.

Level One

An employee with a grievance shall, present the grievance, in writing and signed, to the immediate supervisor or manager within fourteen (14) calendar days from the date the employee first became aware of the cause of the grievance.

The written grievance shall specify:

1. The name of the aggrieved person;
2. The nature of the grievance and the facts causing the grievance;
3. The SLFPA policy, administrative regulation, or state or federal law that was allegedly violated, if applicable;
4. The nature or extent of the injury, loss, or inconvenience allegedly sustained or the rights allegedly violated;
5. The specific relief sought; and
6. The results of previous discussions and any dissatisfaction therewith.

The immediate supervisor or manager shall communicate his/her decision on the grievance to the aggrieved person, in writing, within seven (7) calendar days of receipt of the written grievance. The decision of the immediate supervisor or manager shall also notify the aggrieved person that a decision may be appealed to the Department Manager, and provide the name of the Department Manager.

Level Two

In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level One, or if no decision has been rendered within seven (7) calendar days from the date of receipt of the grievance by the immediate supervisor or manager, the aggrieved person may, within seven (7) days thereafter, appeal to the Department Manager. The appeal shall be in writing and shall set forth the same information called for at Level One, together with a copy of any written decisions rendered at the previous level. The Department Manager may meet with the party(s) in interest, but, in any event, he/she must render a written decision on the grievance within seven (7) calendar days from the date of his/her receipt of it.

Level Three

In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level Two, or if no decision has been rendered within seven (7) days from the date of receipt of the grievance by the Department Manager, the aggrieved person may, within seven (7) days thereafter, request a full hearing on the grievance before the Chief Administrative Officer (CAO) or his/her designee. If the aggrieved person fails to request a hearing within the time limit set out above, the person shall have no further right to proceed through the complaint/grievance process.

The CAO or his/her designee shall schedule the full hearing with the aggrieved person within ten (10) days of the request for a hearing. The CAO or his/her designee may receive at the hearing written statements of witnesses or other written materials and/or interview witnesses, if relevant to the grievance. The hearing is an informal meeting or hearing controlled by the CAO or his/her designee. The purpose of the hearing is to resolve the grievance. The CAO or his/her designee shall provide for the recording of the hearing and shall maintain a transcript of the proceedings. Following the hearing, the CAO or his/her designee shall make a written

recommendation regarding the disposition of the grievance. The written recommendation shall be provided to the employee within twenty-one (21) days following the hearing.

IF AN AGGRIEVED PERSON NEEDS ASSISTANCE WITH DRAFTING A GRIEVANCE, OR HAS QUESTIONS ABOUT THE PROCESS, HE/SHE SHOULD SPEAK WITH THE EMPLOYEE SERVICES REPRESENTATIVE ASSIGNED TO HIS/HER DEPARTMENT.

III. Special Circumstances

In the event a grievance is filed directly against the Department Manager and an Immediate Supervisor, the grievance shall be directed to the CAO. The Aggrieved Person should follow the grievance process set forth in Level One. In this instance, the CAO may ask the Employee Services Director, in conjunction with Executive Counsel, to investigate the grievance, which may include, but shall not be limited to, discussions with persons other than the grievant who may have been eyewitnesses to the incident or otherwise have personal knowledge of anything relevant to the subject matter of the grievance; research of appropriate files and records; or hearings with the aggrieved employee(s). The CAO shall have twenty-one (21) days to provide a written response to the grievance. The CAO also has the option of dismissing the grievance under the circumstances set forth below in “Summary Disposition of Grievances.”

IV. Summary Disposition of Grievances

At any time after the filing of a written grievance, an appointing authority may dismiss the grievance under any of the following grounds:

1. The action is appealable to the Civil Service Commission or the Director of Civil Service.
2. The grievant does not work for the levee district.
3. The person against whom the grievance is filed does not work for the levee district.
4. The grievance was not filed in the prescribed manner or within the prescribed time frame.
5. A decision on the grievance would be ineffective or moot.
6. The remedy requested cannot be granted.
7. The appointing authority, after consultation with the Employee Services Director and/or Executive Counsel, has determined the grievance to be frivolous.

8. The grievance is being used to impede the effective operations of SLFPA-E and/or its member districts.
9. The grievant did not appear for the grievance hearing after being given reasonable notice of the date and time of the hearing.

V. Miscellaneous

1. A grievance may be withdrawn at any level without prejudice of record. Additionally, there shall be no retaliation against a person because a grievance has been filed in accordance with the provisions outlined herein.
2. Copies of all written decisions of grievances shall be sent to all parties involved.
3. All documents, communications, or records dealing with a grievance shall be made part of the personnel files of the participants.
4. Appeals of grievance decisions shall be limited to the specific issues raised in the original grievance. The parties in interest will not be allowed to expand the issues during the grievance procedure, except to the extent necessary to respond to administrative decisions made along the way.
5. Failure by the aggrieved person to meet the time lines and requirements of this procedure shall result in dismissal of his/her grievance. Failure by respondent to meet the time lines and requirements of this procedure shall allow the aggrieved person, at his/her option, to proceed to the next level of appeal.
6. If the aggrieved person voluntarily or involuntarily leaves the employment of the SLFPA during the pendency, at any level, of a complaint or grievance, then such aggrieved person loses the right to continue the complaint process.
7. An action taken against an employee pursuant to the Discipline policy, or the Dismissal policy, may not form the basis of a complaint or grievance by that employee under this policy.

VI. Representation

An *aggrieved person* shall have the right to present his/her own grievance or may designate a representative to appear with him/her at any level of the above procedure.

The *aggrieved person* who chooses to have representation shall provide advance notice of such in writing to the superior at the respective procedural level at least two (2) days prior to the hearing on the grievance.

SECTION 7: REGULATIONS

A. COMMUNICATIONS

INCLUDING COMPUTER / INTERNET /E-MAIL / VOICE MAIL / TELEPHONE / CELLPHONE / RADIO / FAX MACHINE COMMUNICATIONS

Each employee's work telephone (regular or cell), fax machine, radio and computer system are the property of SLFPA-E or your levee district and are intended for business use only. SLFPA-E and its member districts reserve the right to review, audit, and disclose all matters sent or received over said system(s) or placed into its storage.

Installation of any computer software that is not licensed by SLFPA-E or its member districts on any agency owned computer is prohibited. Violation of this provision may be cause for disciplinary action up to and including termination.

Each employee's e-mail system and voice mail system are the property of SLFPA-E and/or its member districts and is intended for business use only. SLFPA-E and its member districts reserves the right to review, audit, and disclose all matters sent or received over its system(s) or placed into its storage. Employees should be aware that deleting a message from an e-mail/voice mail system may not fully eliminate the message from the system.

Internet access is intended for business use. Employees are prohibited from using any SLFPA-E or its member districts' communication system/property to send or receive improper communications, i.e., any material that is derogatory, defamatory, obscene, or otherwise inappropriate for the workplace. Violation of this provision may be cause for disciplinary action up to and including termination.

Posting of unlawful information or messages that violate agency policy to online message boards/bulletin boards is prohibited. Violation of this provision may be cause for disciplinary action up to and including termination and may be cause for prosecution.

Reference Cellular Telephone Policy attached hereto.

When using communication systems belonging to the SLFPA-E or its member districts employees should not have any expectation of privacy.

B. SMOKING

Smoking is prohibited in all buildings offices and vehicles of SLFPA-E and its member districts. Smoking areas may be designated in outdoor areas of the facilities.

C. ALCOHOL AND DRUGS

Testing may be required for pre-employment, post-accident and/or randomly for employees who have security sensitive jobs, if there is reasonable suspicion that an employee is using alcohol or drugs, if an employee is returning to duty following violation of this policy, or follow up tests if the employee participates in a drug program.

Employees are prohibited from reporting to work under the influence of alcohol or illegal drugs, and are prohibited from possessing or using such while at work or whenever in a SLFPA-E or member district facility or vehicle. Sale of drugs or alcohol is prohibited. See the Substance Abuse Policy attached hereto.

D. PERFORMING ASSIGNED DUTIES

Failure to perform assigned duties or to follow a supervisor's instructions may be cause for disciplinary action up to and including termination.

In cases of disagreement the employee is expected to perform the work assignment. After performing the work assigned, the employee may request to discuss the matter with a higher supervisor or utilize the grievance procedure. Work assignments may be altered at any time according to the supervisor's discretion and the needs of the Agency.

As far as practical every employee will be assigned regular job assignments. However, illness, absences, vacations or other circumstances may make it necessary at times to require an employee to perform duties in addition to or instead of those duties that would normally be assigned.

E. ASSIGNED WORK AREAS

Leaving an assigned work area during working hours without authorization may be cause for disciplinary action up to and including termination. Employees may leave their assigned work area for the duration of their unpaid lunch break as conditions permit.

F. PERSONAL USE OF AGENCY EQUIPMENT AND TIME

The use of SLFPA-E or any levee district equipment for personal use is prohibited. No private projects for individuals shall be done on levee district premises or while on duty.

G. CARE AND PROTECTION OF AGENCY PROPERTY

The following activities will not be tolerated and will be cause for the recommendation of disciplinary action, up to and including termination: Willful destruction or theft of Agency property or the property of others on Levee District property; operation of equipment the employee is not trained to use; unauthorized modification or unauthorized use of SLFPA-E or levee district property or the property of others.

H. TRAFFIC VIOLATIONS & ACCIDENTS

All employees are required to follow traffic laws when operating vehicles and equipment on duty. When an employee driving a vehicle owned by SLFPA-E or its member districts, whether on or off duty, receives a ticket for a traffic violation and/or accident, he/she must immediately notify the Employee Services Department of the incident. In addition, the employee will also be responsible for payment of the fine. In addition, disciplinary action will be imposed as follows:

1. Failure to report a violation or first violation – written reprimand.
2. Second violation – suspension of use of vehicle for 3 days,
3. Third violation – disciplinary action up to, and including, termination.

I. SAFETY/HEALTH

SLFPA-E and its member districts will continue to provide a clean, safe, and healthy work environment. Employees are expected to do their part, i.e., to work safely, to wear required safety equipment, to observe all safety rules and regulations, and to keep their work place neat and clean.

Employees should refer to the Southeast Louisiana Flood Protection Authority - East Safety Operations and Procedures Manual for information on the agency's safety and health programs.

The Occupational Safety and Health Act of 1970 gives employees and their representatives the right to file a complaint and request an OSHA inspection of their workplace if they believe there is a serious hazard or their employer is not following OSHA standards. Workers do not have to know whether a specific OSHA standard has been violated in order to file a complaint. The complaint should be filed as soon as possible after noticing the hazard or lack of compliance because OSHA citations may only be issued for violations that currently exist or existed in the past 6 months. More information on filing an OSHA complaint can be found at www.osha.gov.

J. EMERGENCIES / OVERTIME

During emergencies such as heavy rains, rising waters, hurricanes, and/or the threat of same or special work projects, all employees are subject to working long hours and may be required to stay on levee district premises.

Overtime work may be necessary because of emergencies or backlogs. Refusal to report for work or to remain on duty when instructed in such situations will be cause for disciplinary action up to and including termination. During emergency situations each employee is to leave with his/her supervisor a telephone number where he/she can be reached if needed. The employee should be able to report to work within a reasonable period of time after being called.

K. CHANGE OF ADDRESS/ STATUS

Employees must notify the Employee Services Department in writing whenever there is a change in his/her address, telephone number, marital status, name (through marriage, divorce or other legal change), person to notify in case of accident or illness, military status, number of dependents, insurance or retirement beneficiary, etc. Written notification must be provided within 15 days of change. Employees must also promptly notify his/her immediate supervisor in writing whenever there is a change in address, telephone number, or name.

L. DRESS/APPAREL

Appropriate dress is required for all employees. To the extent a uniform is issued, non-administrative personnel are expected to wear the agency-issued uniform and maintain a neat, clean, and well-groomed appearance. Employees should consult with their supervisor or department head for additional guidance on appropriate dress as it may vary from the general dress code.

Employees shall not wear clothing with logos that may offend other employees' religious, ethnic, or political sensibilities. Safety shoes, safety eyewear, hearing protectors (when appropriate), and other assigned safety gear must be used by employees as a condition of employment. For safety reasons, excessive jewelry is not permitted while performing manual labor or operating equipment and machinery.

Administrative personnel are expected to wear office appropriate attire and to maintain a neat, clean, well-groomed appearance. Shorts are not allowed.

M. TRAVEL REGULATIONS

SLFPA-E and its member districts will follow State of Louisiana Policy and Procedure Memorandum #49 (PPM49), TRAVEL RULES AND REGULATIONS.

Copies of this memorandum can be obtained from the Employee Services Department.

All travel must be pre-approved by the employee's supervisor and the CAO. Travel requests and/or requests for travel advance must be completed on the AUTHORIZATION FOR TRAVEL/SEMINAR/TRAINING COURSES form.

The employee must complete the TRAVEL EXPENSE REPORT within five (5) days of returning from travel. Failure to do so may result in the reimbursement of expenses being denied and/or any travel advance amount being deducted from the employee's payroll check. Notice will be provided to employees receiving a travel advance of this procedure, stating that the receipt of a travel advance indicates that the employee understands and consents to this procedure.

Business use of a personally owned vehicle will be reimbursed at the mileage rate prescribed in PPM49. This allowance includes gas, maintenance, and insurance coverage. A loss (accident, theft, etc.) on a personally owned vehicle will be considered a personal loss incurred during normal business use and SLFPA-E and/or your levee district will not reimburse such losses.

For all employees who use personally owned vehicles for normal business use, the SLFPA-E, nor its member districts will not take responsibility for any personal property losses to the employee or his vehicle, or any third-party loss, which would have been covered under an insurance policy covering theft or property damage, which would be typically purchased by the employee for his/her vehicle.

Incidental amounts for any parking, bridge tolls or causeway tolls must have the receipt and can be reimbursed through the Petty Cash Account, if one exists.

N. POLITICAL ACTIVITY

As a public employee the following political activities are prohibited for classified employees:

- Becoming a candidate for public office.
- Becoming a member of any committee of a political party or faction.
- Making or soliciting contributions for any candidate, political party or faction.
- Taking an active part in the management of the affairs of a political party, faction, candidate or campaign.
- Attending a fundraising function of a candidate or political party or faction, even if given a free ticket.
- Soliciting votes for or against a candidate, political party or faction.
- Publicly announcing, in writing or otherwise, support or opposition for a candidate, political party or faction.
- Preparing or distributing campaign materials for or against a candidate, political party or faction.
- Contributing or volunteering time, effort, property, or any other thing of value in support or opposition to a candidate, political party or faction.
- Displaying a bumper sticker on the vehicle you drive in support or opposition to a candidate, political party or faction.

- Placing a sign on your property supporting or opposing a candidate, political party or faction or allowing anyone who is not your spouse to do so.
- Contributing or loaning money in support of or in opposition to a candidate, political party or faction.
- Voting at the caucus or convention of a candidate, political party or faction.
- Wearing, using, displaying or distributing tee shirts, hats, stickers, pins, fans, water bottles or any other materials in support of or in opposition to a candidate, political party or faction.
- Liking or following a candidate on social media such as Facebook, Twitter, etc.

Engaging in such activities may subject the employee to investigation by State Civil Service and possible disciplinary action up to and including termination of employment. (See Chapter 14 of the Civil Service Rules for more details.)

O. OTHER PROHIBITED ACTIVITIES

The activities below are prohibited by SLFPA-E and its member districts. Violations may result in the recommendation for disciplinary action up to, and including, termination.

- Falsification of records, such as employment applications, time and attendance records, accident or injury reports or records, medical certificates, or work/productivity records;
- Insubordination, or uncivil or harsh treatment of supervisors, subordinates or co-workers;
- Refusal to report for work in emergencies, or refusal to remain on duty during emergencies when so directed;
- Refusal to accept or perform work assignments;
- Gambling on the property of SFLPA-E or its member districts, or while on duty;
- Provoking, instigating or participating in a fight, including making threatening comments or inflicting acts of violence against another person;
- Factionous behavior, i.e., creating or promoting dissension or conflict within the organization;

- Possession of explosives or weapons of any kind, except handguns, which are addressed in the following paragraph, on SLFPA-E or levee district property or premises or while on duty at non-department locations (except those authorized for commissioned law enforcement officers);
- Possession of handgun in a vehicle owned by SLFPA-E or levee district. However, an employee, who has a concealed weapon permit, is allowed to carry a weapon, so long as the weapon is stored in his/her private, locked vehicle, and hidden from plain view. An employee who has a concealed weapon permit and chooses to leave the weapon in his vehicle while at work may not use the presence of that weapon to intimidate or harass other employees. Despite having a concealed weapon permit, no employee may bring a weapon of any type to SLFPA-E's office. This requirement does not apply to Levee District Police Officers.
- With the exception of a pre-approved lunch-break, leaving the work area without knowledge or consent of supervisor or leaving the premises before the end of the assigned work period without requesting leave;
- Sleeping while on duty;
- Horseplay or agitation of fellow employees including scuffling, pushing, running, poking, etc.;
- Poor workmanship or failure to maintain production standards;
- Failure to follow SLFPA-E, or its member Districts, regulations in parking and drive areas;
- Use of profane language or other language that may be considered threatening, abusive, foul, offensive or insulting to the public, to a specific group of individuals, or to fellow employees or supervisors;
- Use of personal radios with headsets;
- Posting of personal pictures, informational material, etc. on, or removal of SLFPA-E or levee district notices or signs from the bulletin boards or elsewhere on work premises unless authorized to do so;
- Unauthorized use of SLFPA-E or levee district equipment, vehicles, or property, including police cars and police equipment used by non-police personnel;
- Installation of any computer software that is not licensed by SLFPA-E or its member districts, on any department owned computer;

- Texting and driving.

P. TERMINATED EMPLOYEES

Terminated employees are not allowed in non-public areas of SLFPA-E or its member districts unless authorized by the appointing authority. Requests for information on payroll or personnel matters may be handled by telephone, fax machine, or mail.

Q. EEO POLICY

It is the policy of SLFPA-E and its member districts to prohibit discrimination based on race, color, religion, creed, national origin or ancestry, sex, age, disability, political affiliation, or marital status in any personnel activity or action including recruitment, screening, hiring, training and supervision, transfers, benefits, or any conditions of employment such as disciplinary actions, layoffs, terminations, and evaluations.

This policy also prohibits an employee from discriminating against fellow employees, supervisors, clients, or public being served.

Besides the above, SLFPA-E and its member Districts employees deserve to work in an environment free of racial and ethnic jokes, references or slurs, and unsolicited and unwelcome sexual misconduct, harassment, pressure, or threats. Employees who violate this provision will be disciplined up to and including termination.

An employee who feels that he/she is the subject of discrimination should report such incidents to his/her supervisor immediately. If the employee believes that reporting such incidents through his/her chain of command would be inappropriate or uncomfortable, he/she should report the alleged discriminatory action to the Employee Services Department and/or the CAO. All complaints will be promptly investigated and any appropriate corrective action will be taken.

R. AMERICANS WITH DISABILITIES ACT

This act protects disabled individuals from discrimination in employment, public services and transportation, public accommodations and telecommunications.

Any qualified individual with a disability who requires a reasonable accommodation to perform the essential duties of his or her position should contact the Employee Services Department for assistance. Employees with complaints of discrimination due to a disability should follow the Agency Grievance Procedure as listed in this handbook.

In addition, employees with a medical condition or disability should notify the Employee Services Department and their supervisor if they will require assistance in the event of a workplace emergency and provide information relative to the type of assistance required.

S. SEXUAL AND OTHER TYPES OF PROHIBITED HARASSMENT POLICY

As an equal employment opportunity employer, SLFPA-E and its member districts prohibit all types of employment discrimination, including sexual, racial, and ethnic harassment. It is the Agency's policy to maintain a work environment free of harassment of any type. This includes, but is not necessarily limited to, verbal, physical, and visual harassment. Any employee or member of management who engages in such discriminatory conduct is subject to disciplinary action up to and including termination.

Sexual harassment infringes on employees' rights to a comfortable work environment, and it is a form of misconduct that undermines the integrity of the employment relationship. No employee - male or female -- should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. The Agency will not tolerate offensive, intimidating, or hostile conduct that interferes with an employee's work performance or creates a hostile working environment. Such conduct that is prohibited includes repeated offenses of sexual flirtations, advances, or propositions; continued or repeated verbal abuse of a sexual nature; explicit or degrading verbal comments about another individual or his or her appearance; offensive comments regarding sexual or private matters; the display of sexually suggestive pictures, objects or offensive jokes; or any other offensive or abusive physical or verbal conduct.

Other impermissible conduct includes the taking of any personnel action on the basis of an employee's submission to or refusal of sexual overtures. No employee should imply or threaten that an applicant's or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition or benefit of employment.

As a general rule, the agency will not tolerate any offensive, intimidating or hostile conduct that may interfere with the performance of an employee's job or endanger the safety and well-being of anyone while on the Agency's premises. Employees must use mature judgement and maintain the highest standards of performance and personal conduct at all times. Some examples of prohibited conduct are set forth below:

Verbal – sexual compliments; unwelcome sexual flirtations; advances or propositions; demands for sexual favors; personal inquiries regarding one's sexual activities or sexual preferences; graphic comments about an individual's body; telephone calls; texts; emails; social media communications; pressure for dates or sexual contact; jokes with a harsh sexual message; sexually degrading words used to describe an individual.

Non-Verbal – leering (lustful gazing); sending or receiving sexual notes; displaying sexually suggestive objects (i.e., nude or semi-nude pictures of pin-up calendars); sexually suggestive gestures in the workplace.

Physical – “blocking” physical behavior (for instance, pinning a person against a wall or at a desk, blocking his/her passage, forcing him/her duck under an arm or squeeze past); unsolicited touches, brushes, rubs, pinches, hugging, kissing, grabbing, or actual sexual assault.

Other examples of prohibited conduct are set forth below:

1. Verbal abuse, jokes, comments, nicknames or slurs that in any way relate to an individual’s race, color, sex, age, religion, national origin or disability;
2. Joking or “kidding” that is considered unacceptable or offensive to another person;
3. Threatening or profane language towards others;
4. Fighting, assaulting or injuring another person;
5. Pranks, practical jokes or other disorderly conduct;
6. Creating a working environment that is intimidating, hostile or offensive or adversely affects an employee’s work performance because of unwelcome or unwanted conversations, suggestions, comments, slurs, requests, demands, jokes, physical contacts or attentions.

Any questions regarding this policy should be addressed to the CAO. Any employee who believes that he or she has been the victim of any type of harassment or who has any knowledge of that kind of behavior is urged to report such conduct immediately to the CAO and/or the President of the Board of Commissioners. Every reasonable attempt will be made to protect confidentiality. Complaints will be promptly investigated and appropriate corrective action, disciplinary or otherwise will be taken as warranted.

The Agency will not tolerate any type of retaliation, direct or indirect, against any employee or other person who, in good faith, complains about or witnesses prohibited harassment.

This policy applies to all employees, supervisors, managers, vendors, and all other individuals doing business with the Agency.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with employee work effectiveness.

Employees must attend mandatory training regarding prohibited harassment when so required. Failure to comply with instructions to attend such mandatory training will be cause for disciplinary action up to and including termination of employment.

T. WORKPLACE VIOLENCE

SLFPA-E and its member districts are committed to providing, a safe environment for working and conducting business. As such, acts or threats of violence committed by or against employees, clients, tenants, vendors or members of the public, while on Agency property or while performing Agency business at other locations, will not be tolerated

The word violence in this policy shall mean an act or behavior that:

1. is physically assaulting;
2. a reasonable person would perceive as obsessively directed, i.e. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;
3. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
4. would be interpreted by a reasonable person as carrying potential for physical harm to the individual;
5. is a behavior or action that a reasonable person would perceive as menacing;
6. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or,
7. consists of a communicated or reasonably perceived threat to destroy property.

Violent actions on Agency properties or facilities, or while on Agency business, will not be tolerated or ignored. Any unlawful violent actions committed by employees, clients, tenants or members of the public while on Agency property, or while using Agency facilities, will be prosecuted as appropriate. The SLFPA-E intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public.

All employees are responsible for:

1. refraining from acts of violence;
2. seeking assistance to resolve personal issues that may lead to acts of violence in the workplace;
3. reporting to managers and supervisors any dangerous or threatening situations that occur in the workplace.

Employees are required to report to their managers/supervisors and/or to the Employee Services Department situations that occur outside of the workplace which may affect workplace safety, i.e., instances where protection orders have been issued, etc. An employee who receives a protective or restraining order which lists SLFPA-E or any of its member districts premises as protected area is required to provide the Employee Services Department with a copy of such order. Employees are also required to promptly report any acts or threats of violence against them or that they witnessed while on duty and to participate in any investigation into such acts.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on the property of SLFPA-E or its member districts may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence executed off Agency property but directed at its employees or members of the public while conducting official business, is a violation of this policy. Off-site threats include but are not limited to threats made via the telephone, fax, electronic or conventional mail, text messaging, social media or any other communication medium.

Violations of this policy will lead to disciplinary action that may include termination, arrest, and prosecution.

Employees must attend mandatory training in this area when so required. Failure to comply with instructions to attend such mandatory training will be cause for disciplinary action up to and including termination.

U. ACCIDENTS

All accidents and incidents, in addition to motor vehicle accidents, no matter how minor, must be reported to your immediate supervisor, the Employee Services Department and/or the Auxiliary Services Department, if one exists in your Levee District as soon as possible following the event. All employees should refer to the SLFPA-E Safety Operations and Procedures Manual for accident and injury reporting procedures. The Employee Services Department can assist the employee in completing the appropriate accident and injury forms as required by the Safety Operations and Procedures Manual.

According to the SLFPA-E Substance Abuse Policy, any employee involved in an accident while operating Agency owned vehicles or equipment must be tested for alcohol/drug use, unless all of the following exceptions occur:

- 1) the incident occurs while the employee is off duty;
- 2) the employee is not performing duties associated with the course and scope of his employment with the FPA at the time of the incident;
- 3) Damage to FPA property totals less than \$1000.00.

It is the responsibility of the immediate supervisor to ensure that the employee involved in the accident is tested for alcohol/drug use. Additionally, if there is any question as whether or not the three exceptions may apply to the accident, then the CAO should be immediately notified to determine if testing applies.

V. WORKER'S COMPENSATION

SLFPA-E and its member districts as required by the Louisiana Worker's Compensation Law provides medical benefits and replacement for part of lost wages to employees who are disabled because of occupational injury or disease in the course and scope of their employment with this agency.

Employees who have a balance of sick leave must exhaust their sick leave before being placed on a leave without pay status. Upon exhausting sick leave employees who have a balance of annual leave may choose to receive full salary during periods of disability by using their annual leave. Additionally, eligible employees will be placed on Family and Medical Leave at the onset of qualifying absences and this leave will run concurrently with the worker's compensation absence (refer to Section 3.D. of this handbook for more information on the FMLA and employee rights and responsibilities under FMLA). Employees are prohibited from keeping any combination of salary (paid based on accumulated leave) and worker's compensation benefits that exceed regular weekly earnings. Any excess amount must be returned to the Agency and will be used to restore a portion of the leave used during the period of disability.

Employees receiving worker's compensation benefits may receive service credit in the retirement system for the time they are on leave without pay by paying contributions based on the amount of their salary at the time of qualification for worker's compensation benefits.

Employees that test positive on a post-accident drug screen or alcohol test, may be denied workers' compensation benefits.

Reference Worker's Compensation policy attached hereto.

W. TRANSITIONAL DUTY

Employees who are temporarily unable to perform the full range of their regular duties due to illness, injury or pregnancy may be allowed to return to work on "transitional or light duty", if a suitable vacancy or work assignment exists. To be eligible, the employee must meet the minimum qualifications for the position and must be medically able to perform the duties of the position. For additional information regarding transitional duty, contact your Employee Services Department.

X. SOCIAL MEDIA POLICY

At Southeast Louisiana Flood Protection Authority - East (SLFPA-E) we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. Managers and supervisors should refer to other associated policies and procedures as outlined in the SLFPA-E Employee Handbook in administering the policy.

Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with SLFPA-E, as well as any other form of electronic communication. The same principles and guidelines found in other SLFPA-E employment policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects Board Members, Directors, or any others who work on behalf of SLFPA-E or SLFPA-E's legitimate business interests may result in disciplinary action up to and including termination.

Carefully read these guidelines, and other guidelines SLFPA-E or your respective levee district has in regard to Computer/Internet/E-Mail/Voicemail/Telephone/Cell Phone/Radio/Fax Machine Communications, Confidentiality Related to Litigation, and various discrimination, harassment & sexual harassment policies; and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful

Always be fair and courteous to fellow employees, Board Members, Directors, or any others who work on behalf of SLFPA-E. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, or by utilizing your supervisor's or CAO's Open Door Policy, than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage fellow employees, Board Members, Directors, or any others working for SLFPA-E or one of its levee districts; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or SLFPA-E policy.

Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about SLFPA-E, fellow employees, Board Members, Directors, or any others working on behalf of SLFPA-E.

Post only appropriate and respectful content

Maintain the confidentiality of matters related to SLFPA-E litigation (law suits), trade secrets and private or protected personal information. Trades secrets may include information regarding the operations and maintenance of the hurricane protection system, internal reports, policies, procedures or other internal business-related confidential communications.

Respect: financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may have an advantage in securing a contract or Request for Proposal (RFP) with SLFPA-E.

Do not create a link from your blog, website or other social networking site to a SLFPA-E website without identifying yourself as a SLFPA-E or constituent levee district employee.

Express only your personal opinions. Never represent yourself as a spokesperson for SLFPA-E. If SLFPA-E is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of SLFPA-E, fellow employees, Board Members, Directors, or any others working on behalf of SLFPA-E. If you do publish a blog or post online related to the work you do or subjects associated with SLFPA-E, make it clear that you are not speaking on behalf of SLFPA-E. It is best to include a disclaimer such as "The postings on this site are my own and do not reflect the views of SLFPA-E or its associated levee districts."

Using social media at work

Refrain from excessively using social media while on work time or on equipment we provide, and make sure that its use is consistent with the SLFPA-E Computer/Internet/E-Mail/Voice Mail/Telephone/Cell Phone/Radio/Fax Machine Communications Policy. Do not use SLFPA-E email addresses to register on social networks, blogs or other online tools utilized for personal use.

Y. ENFORCEMENT SOGs

SLFPA-E recognizes that law enforcement employees under certain circumstances will be governed by the Enforcement SOGs.

Z. ACCESS TO PERSONNEL FILE

Employees may view certain contents of their personnel file, as required by law. All requests for access to your personnel file must be provided in writing to Employee Services. Upon receipt of your written request, Employee Services will schedule an appointment for you to view your file during normal office hours. For purposes of this policy, in addition to basic records related to hiring, promotion, and final disciplinary decisions, employees may review documents in their personnel file relating to a positive drug test result, medical records for the employee and information obtained by the employer pertaining to exposure to toxic substances at the workplace,

and records regarding any certifications obtained or renewed during employment. Documents that the employee may not review include reference checks, records of any investigation undertaken by management, documents related to a judicial proceeding, any document that would violate the confidentiality of another employee, and documents used for employee planning.

Employees may request copies of documents they are eligible to view in their personnel file. Requests for copies must be made in writing to Employee Services. Refer to the policy.

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APPENDICES

- A. Substance Abuse Policy**
- B. Cellular Telephone Use Policy**
- C. Email Use Policy**
- D. Workers' Compensation Policy**



THE FLOOD PROTECTION AUTHORITY

Your Flood Defense System

BOARD OF COMMISSIONERS

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CHIEF ADMINISTRATIVE OFFICER
Derek E. Boese, PMP, LEED-AP

APPENDIX A

SUBSTANCE AND ALCOHOL ABUSE POLICY

EAST JEFFERSON LEVEE DISTRICT

203 Plaque Court
Harahan, LA 70123
504.733.0087

LAKE BORGNE BASIN LEVEE DISTRICT

P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682.5941

ORLEANS LEVEE DISTRICT

6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

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I. INTRODUCTION

The Southeast Louisiana Flood Protection Authority-East (“Authority”) is committed to maintaining a safe and healthy work environment for all employees, others doing business with the Authority, and the general public. The Authority is also dedicated to providing a drug and alcohol-free workplace.

The provisions of this policy are intended to enhance safe conduct of operations and the highest work standards attainable. On-the-job impairment from the use of drugs or alcoholic beverages poses a critical threat to safety and to the work environment in general.

The objective of maintaining a safe, drug and alcohol-free workplace is attainable through employee cooperation with the provisions set forth in this policy and by the efforts of the Authority to explicitly and forcefully prohibit the use, manufacture, sale, distribution and possession of prohibited drugs, prohibited substances, and alcoholic beverages on property under the control of the Authority and while performing work-related duties on or off property under the control of the Authority.

All employees of the Authority, as well as potential employees/applicants, individuals providing service to the Authority, i.e. temporary agency employees, and all other persons having an employment relationship with the Authority, whether classified, unclassified, student employees, student interns, full-time, part-time or temporary, for the purposes of this Policy, are hereinafter “employee(s)” unless otherwise noted.

Revised: July 1, 2018

II. DEFINITIONS

Adulterate – To corrupt, debase, or make impure by the addition of a foreign or inferior substance.

Adulterated Specimen - Any specimen that has been adulterated or diluted by a substance whether ingested or added to the specimen.

Any Intoxicant – Any form of intoxicant other than a drug.

Commercial Driver’s License (CDL) Drivers (CRF)107 - Any employee of the Authority who is required to have a CDL to drive a commercial motor vehicle in order to perform the functions of his/her job, including but not limited to full- time or part-time drivers.

Chain of Custody – Documentation of the control, transfer and analysis of samples.

Confirmation Testing – Two (2) breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than .02% alcohol concentration is considered a negative test. If the alcohol concentration is .02% or greater, a second “confirmation test” will be conducted. An alcohol concentration of .04% or greater is considered a positive test.

Controlled Substance – Any substance listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in regulation 21 CFR 1308.11 – 1308.15. A copy of the schedule is attached to this policy as Appendix 1.

Conviction – A finding of guilt (including a plea of “no contest”) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

Criminal Drug Statute – Any Federal, State, Local or other governmental criminal statute involving the manufacture, distribution, possession or use of a controlled substance.

Authority – The Southeast Louisiana Flood Protection Authority and Levee Districts under the control of the Authority: Orleans Levee District, East Jefferson Levee District, and Lake Borgne Basin Levee District.

Drug – A prohibited illegal drug or drug metabolite, or a controlled drug or substance.

Drug Screen – A scientific analysis of an individual’s blood, urine, hair, breath or saliva specimen for evidence of prohibited use of an illegal or controlled drug or substance.

EAP – Employee Assistance Program.

Employee – A person paid or unpaid in the service of the employer.

Revised: July 1, 2018

Evidential Breath Testing Devices – Breath alcohol testing will be conducted by the use of an Evidential Breath Testing Device (EBT) approved by the National Highway Traffic Safety Administration (NHTSA).

Failed Drug Test – A test result that is reported positive for the presence of a prohibited drug or drug metabolites in an individual’s system after a Medical Review Officer’s review. **Refusal to submit to a drug test will be considered a Failed Drug Test and will result in disciplinary up to termination of employment as defined in this policy.**

Illegal Drug - Any and all drugs and other similar substances, the use, possession, concealment, transportation, promotion, purchase and/or sale of which is made illegal by any law of the United States or State of Louisiana.

Medical Review Officer (“MRO”) - A licensed physician with knowledge of drug abuse disorders including the medical effects of prescription drugs, the pharmacology and toxicology of illegal or controlled substances. The MRO will review and confirm a positive test result and determine whether any legitimate alternative medical explanation could account for the positive result.

Misconduct – Willful or wanton disregard for employer’s interest, a deliberate violation of employer’s rules, or a direct disregard of standards of behavior the employer has a right to expect. [La. R.S. 23:1601 (10).

On-the-job – Any time or any place an employee, whether regular, appointed, casual, contract, full-time, permanent, or temporary, is engaged in Authority work or business on or off Authority property. “On the job” includes an employee traveling on Authority business, at meetings, conferences, seminars or training sessions, whether by Authority vehicle, personal vehicle, or common carrier. All breaks and meal periods are considered “on the job” because an employee is expected to return to work after such periods and function safely and productively.

Over-the-counter (OTC) - A drug or substance that does not require a prescription.

Pass Drug Screen – The initial testing or screening or the confirmation testing does not show evidence of the presence of a prohibited drug or a prohibited substance in an individual’s system in accordance with prohibited drugs or prohibited substances subject to testing as defined in this policy.

Prescription Drug – A controlled substance prescribed by an authorized, licensed physician for the employee or others as defined in this policy.

Principal Administrators – For purposes of this Policy includes: the Chief Administrative Officer, the Superintendent of Police and Executive Counsel.

Probational Employee – An employee who has not achieved permanent status as defined by Civil Service Rules.

Revised: July 1, 2018

Probationary Period – Sixty (60) month period after an employee returns to fully duty following a failed drug test.

Property, Premises, Work Site – All property owned, under the control of or used by the Authority, including but not limited to, buildings, offices, work stations, desks, lockers, cabinets, work sites, levees, floodwalls, common areas, parking lots, vehicles and equipment, etc.

Random Selection – The process used to ensure that every employee has an equal chance of being selected for a drug screen and/or alcohol test in each “Random Selection” period. The testing frequency and selection process shall ensure that every employee’s chance of selection continues to exist throughout his/her employment and shall be conducted by an independent drug and alcohol testing company.

Safety-Sensitive Position - The following positions within the Authority that have responsibility for the safety of the public and/or the environment: Police Officers, Reserve Police Officers, and Police Department Radio Dispatchers.

Specimen - Breath, urine, hair, blood, or saliva in accordance with the specific drug screen or test to be performed.

Split Specimen – Specimen initially collected but separated and stored during the collection process.

Termination of employment – The end of one’s employment with the employer.

Trained Technician – A person conducting the breath alcohol test is a certified Breath Alcohol Technician (BAT).

III. SUBSTANCE ABUSE POLICY GENERAL INFORMATION

POLICY ENFORCEMENT

It is a condition of employment that every employee as defined in this policy comply with the provisions of this policy for his/her own safety, the safety of other employees, the safety of the general public, and for the good of the Authority. In order to ensure compliance with this policy, the Authority will take one or more of the following steps as defined in this policy:

1. Conduct drug screen on all Authority employees subject to be tested.
2. Conduct alcohol test on all Authority employees subject to be tested.
3. Conduct investigations to accomplish the safety objective as set forth in this policy in accordance with established laws and guidelines.
4. Ensure employees report for duty in a condition that maximizes their ability to perform assigned tasks in a competent and safe manner.
5. Ensure employees report for duty without illegal/prohibited drugs, drug paraphernalia and/or alcohol in their possession or under their control while on Authority property, vehicles, work areas and work sites.

VIOLATION OF POLICY

Violation of this policy may result in disciplinary action up to and including termination of employment.

SEARCHES AND INSPECTIONS

The Authority, and any of its Principal Administrators, may at any time, and without probable cause or notification, conduct searches and inspections of Authority owned, leased or borrowed desks, lockers, work areas and vehicles for the purpose of determining if an employee is in possession, use, transportation or concealment of any illegal or prohibited substances. This type of search can occur so long as it is reasonable under the totality of the circumstances. Trained dogs may be used. Absent an emergency, a Principal Administrator should consult with Executive Counsel before conducting a search or inspection.

IV. **DRUG SCREEN AND ALCOHOL TEST**

The drug screen and alcohol test conducted by the Authority will follow procedures and standards already established by the Department of Health and Human Services (DHHS), the Substance Abuse and Mental Health Service Administration (SAMHSA), and the Department of Transportation (DOT).

These procedures, standards and guidelines are intended to promote fairness, accuracy, confidentiality, and appropriate mechanisms for the challenge of drug screen and/or alcohol test results for all Authority employees subject to a drug screen and/or alcohol test.

Employee Responsibilities. An employee is to provide the specimen required for drug screen and alcohol test, by either breath, urine, hair, blood, or saliva. If the employee refuses to submit to a drug screen or alcohol test, adulterates or dilutes the specimen, substitutes the specimen of another person, sends an imposter, refuses to sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test, the test will be considered a **Failed Test** and may result in termination of employment as set forth in this policy.

Pre-Employment Testing. The Authority will not hire any person as an employee unless that person passes a drug screen and alcohol test either before or after a conditional job offer. An employee transferring from another state agency is required to undergo and pass a pre-employment drug screen and alcohol test.

Post-Accident Testing. While operating Authority owned, leased, or borrowed vehicles, equipment or machinery at any time, whether on or off duty, an employee who is involved in or whose performance contributes to a vehicular, equipment, machinery accident/incident, injury and/or property damage, shall be required to submit to a drug screen and an alcohol test immediately after an accident occurs. The employee shall report the accident to a supervisor or designee immediately upon occurrence. Upon notification that an accident has occurred, the supervisor or designee will be responsible for ensuring that the accident/incident is reported to the Authority designee and that the employee is escorted to a designated facility for a drug screen and alcohol test.

For purposes of this section, “accident” is considered to be any incident that causes more than \$1,000.00 in damage to Authority equipment, and occurs as the result of a collision, allision, toppling, or “wrecking” of equipment. The term “accident” does NOT, for illustrative purposes, include such instances when a windshield is hit by a rock, or an employee stung by a bee or exposed to poison ivy. If there is any question as to whether an employee should be tested after an “accident,” the supervisor should contact a Principal Administrator.

Random Testing. Random drug screens and alcohol tests are required of all employees. Random tests are unannounced and spread throughout the calendar year. CDL drivers will be tested in accordance with DOT regulations and Authority policy.

1. The selected employee will report to the designated area on the Authority premises or will be escorted to a designated facility by his/her supervisor or designee. The employee must submit to a drug screen and/or an alcohol test on the date of the

selection. If an employee selected for a random drug screen/alcohol test is off-duty, the test will be performed on the day the employee returns to work, prior to performing his/her duties. The supervisor or designee will escort the employee to the designated testing facility.

2. The supervisor or designee must ensure that the employee has the proper identification on his/her person before leaving Authority premises. If the employee does not possess valid photo identification, he/she must obtain an Authority photo identification card prior to leaving Authority premises or work site.
3. Only the following identifications are considered acceptable:
 - a. A valid Louisiana Driver's License (a traffic citation is not acceptable)
 - b. A valid State identification card
 - c. An Authority identification card
4. In the event an employee is unable to provide enough urine for a urine specimen, then within five (5) days of the random test, he/she will need to provide an evaluation from a licensed physician, who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen. The evaluating physician should be informed that the employee was required to take a drug test, but was unable to provide a sufficient amount of urine to complete the test. The evaluating physician must indicate if the medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine.
5. An employee may also be subject to an oral swab test in the event other methods are not available or effective.

Reasonable Cause/Suspicion Testing. An employee will be subject to a drug screen and alcohol test when there is reasonable cause/suspicion to believe that the employee is using a prohibited drug and/or alcohol or is otherwise in violation of the provisions of this policy. The decision to test will be based on specific, contemporaneous physical, behavioral, or performance indicators of probable alcohol or drug use. A written record must be made of the observations leading to either a drug screen or alcohol test and signed by the observing supervisor and, when practicable, a witness. Prior to subjecting an employee to reasonable cause/suspicion testing, the supervisor(s) must obtain verbal approval from the CAO, Superintendent of Police, or Executive Counsel. (The possession of alcohol alone, although a violation of this policy, may not require reasonable cause testing.)

Return-to-Duty and Follow-Up Testing. A drug screen and/or alcohol test will be conducted on an employee who has violated the prohibited conduct standards of the Authority's policy before returning to his/her position. Follow-up drug screens and alcohol tests are random and unannounced, and will be conducted as follows:

Revised: July 1, 2018

1. Up to six (6) tests will be conducted in the first twelve (12) months after an employee returns to duty.
2. Follow-up testing may be extended for up to sixty (60) months following return-to-duty.

V. CONFIDENTIALITY

Drug screen and alcohol test results will be treated as confidential records of the employee.

Test results shall only be released pursuant to a subpoena and/or other legal basis. Disciplinary action, up to termination of employment, will be taken if an employee violates the confidentiality of drug screen and/or alcohol test results.

Records of test results may be released, without the consent of the employee, under the following circumstances:

1. As evidence in a lawful investigation by lawful authorities;
2. As evidence in litigation initiated by the employee against the employer;
3. As evidence in an administrative hearing initiated by the employee.

VI. DRUG SCREEN POLICY

Drug Screen Policy Objective

The use of illegal drugs, controlled substances, or unauthorized use of controlled drugs or substances endangers the safety of the employees and the general public and will not be tolerated by the Authority.

Drug Screen Procedural Safeguards

Additional procedural safeguards for the careful administration of the Authority drug screen policy include the following:

1. The drug screen shall include a strict urine specimen collection and Chain of Custody procedures approved by DHHS, SAMHSA and DOT except when the employee is unconscious or unable to sign the Chain of Custody, or produce a urine specimen on his own because of a medical condition. A drug screen will be performed as soon as possible in accordance with federal regulations and as defined in this policy.
2. An initial drug screen and confirmation screens will be performed only by laboratories that have been certified by DHHS.
3. All initial positive drug results shall be confirmed by means of Gas Chromatography/Mass Spectrometry (GC/MS).
4. For the detection of drugs or drug metabolites, a split sample collection method is used in accordance with federal and state guidelines, with both the primary and split sample specimens shipped to the laboratory.

Revised: July 1, 2018

5. The MRO will contact the employee/applicant to rule out the possibility that medications, medical history, or any other condition that may have caused the positive result prior to reporting a positive result to the Authority.
6. When a confirmed, positive screening is reported to the Authority by the MRO, the employee may, within seventy-two (72) hours, request in writing to the MRO that the split specimen be screened by a different certified laboratory for the drug for which a positive result was reported. This split sample screen shall be performed at the employee's expense.
7. In the event the employee requires hospital emergency care, screens may be performed in accordance with Authority and/or hospital protocol.

Prescription Drugs and Over-the-Counter Drugs

Abuse of a prescribed drug by the employee, or the use of a prescribed controlled drug not prescribed for the employee is prohibited.

Employees are required to notify their supervisors of the use of any and all prescribed or over-the-counter drugs that carry a warning that the medication may cause dizziness, drowsiness or other impairments that may endanger their safety and/or the safety of others. The supervisor shall temporarily remove the employee from performing duties until the medication is discontinued or ample time has lapsed since the last dose taken is labeled to be effective or the treating physician submits written notification that impairments from the medication do not exist.

Employees must maintain prescription drugs in prescribed quantities and be able to produce original prescription containers when required.

Controlled and/or prohibited drug and drug metabolites subject to screen are in accordance with current federal and state drug screen guidelines. Drugs and drug metabolites may be added as required by law.

Consequences of a Positive Drug Screen

Disciplinary action shall be taken after a complete and thorough review of all applicable data and in accordance with Chapter 12 of the Civil Service Rules, as well as Authority policy, rules, and regulations.

1. **TEMPORARY EMPLOYEES** will be **terminated** for violation of any provisions of this policy
2. **PROBATIONAL EMPLOYEES** will be **terminated** for violation of any provisions of this policy.

3. **SAFETY SENSITIVE POSITIONS**– Employees holding safety sensitive positions as defined in this policy will be **terminated** if tested positive for illegal/prohibited drugs **at any time** as defined in this policy.
4. **NON-SAFETY SENSITIVE POSITIONS** – Employees who do not hold safety sensitive positions are subject to the following¹:

FIRST POSITIVE SCREEN FOR DRUGS

- A. The employee will be terminated unless he agrees to sign the Return to Work Agreement acknowledging his understanding of the terms of the Return to Work Agreement:
- B. The employee shall be relieved of duty and placed on unpaid leave for at least thirty (30) working days, not to exceed ninety (90) working days.
- C. The employee shall be referred to the Authority’s Employee Assistance Program (EAP) by the Director of the Human Resource Department for evaluation of the nature and extent of the problem.
- D. The employee shall successfully complete a rehabilitation program as set forth by the EAP. The EAP may recommend a treatment program to be completed at the employee’s expense. The EAP will provide written verification of completion of the program by the employee to the Authority’s Human Resources Director or Authority designee. If a certified treatment program is not successfully completed within 90 working days, the employee shall be terminated.
- E. The employee **shall be required** to submit to and pass a drug screen prior to returning to full duty. The Medical Review Officer (MRO) will recommend whether the employee may return to full duty.
- F. The employee shall comply with the random drug screening as directed in this policy as well as all other screening/testing required as defined in this policy.

TESTING AFTER REHABILITATION

- A. After the MRO has recommended the employee return to work upon successful completion of a rehabilitation program, the employee will be subject to a reasonable random post-rehabilitation program of follow-up drug screens and alcohol tests, without prior notice, at the discretion of the

¹ Police Officers, both active and reserve, are not subject to the provisions in this section. Police officers hold safety sensitive positions, and therefore if they are found in violation of these policies, they will be terminated immediately.

Human Resources Director or Authority designee, for a period not to exceed sixty (60) months after the employee's return to full duty ("probationary period").

SECOND POSITIVE TEST

- A. If, during the probationary period, an employee tests positive a second time for illegal/prohibited drugs or substances as a result of any required drug screen, the employee shall be **terminated immediately**.

VII. ALCOHOL TEST POLICY

ALCOHOL POLICY OBJECTIVE

Although alcohol is a legal substance, the Authority's policy objective is to explicitly and forcefully prohibit the use, manufacture, distribution, sale, and possession of alcoholic beverages on Authority properties, premises, worksites, etc.

Performance of safety-sensitive functions, as defined in this policy, is prohibited under the following conditions:

1. While having an alcohol concentration of .02% to .039% (BAC) or greater as indicated by a breath alcohol test.
2. While using alcohol.

ALCOHOL TEST PROCEDURAL SAFEGUARDS

Additional procedural safeguards for the careful administration of the Authority alcohol test policy include the following:

1. An alcohol test shall include a breathalyzer test and Chain of Custody procedures approved by DHHS, SAMHSA and DOT with the exception that if the employee is unconscious or unable to sign the Chain of Custody, or submit to a breathalyzer test due to his/her medical condition. An alcohol test will be performed as soon as possible in accordance with federal regulations and as defined in this policy.
2. Alcohol tests that register at or above the violation level of .04% BAC, will be confirmed by scientifically approved methods and conducted by certified technicians.
3. In the event the employee requires hospital emergency care, testing may be performed in accordance with Authority and/or hospital protocol.

CONSEQUENCES OF POSITIVE ALCOHOL TEST

Disciplinary actions will be taken after a complete and thorough review of all applicable data and in accordance with Chapter 12 of the Civil Service Rules, as well as the rules and regulations of the Authority.

1. **TEMPORARY EMPLOYEES** will be **terminated** for violation of any aspects of this policy.
2. **PROBATIONAL EMPLOYEES** will be **terminated** for violation of any aspects of this policy.
3. **SAFETY SENSITIVE POSITIONS**– Employees holding safety sensitive positions as defined in this policy will be **terminated** if tested positive for alcohol **at any time** as defined in this policy.
4. **NON-SAFETY SENSITIVE POSITIONS** – Employees who do not hold safety sensitive positions are subject to the following:

FIRST POSITIVE TEST FOR ALCOHOL

- A. The employee will be terminated unless he agrees to the following requirements and signs a Return to Work Agreement with the Authority acknowledging his understanding and agreement.
- B. The employee shall be relieved of duty and placed on unpaid leave for at least thirty (30) working days, not to exceed ninety (90) working days.
- C. The employee shall be referred to the Authority's Employee Assistance Program (EAP) by the Director of the Human Resource Department or Authority designee for evaluation of the nature and extent of the problem.
- D. The employee shall successfully complete a rehabilitation program as set forth by the EAP. The EAP may recommend a treatment program to be completed at the employee's expense. The EAP will provide written verification of completion of the program by the employee to the Authority's Human Resources Director or Authority designee. If a certified treatment program is not successfully completed within 90 working days, the employee shall be terminated.
- E. The employee **shall be required** to submit to and pass an alcohol test prior to returning to full duty. The Medical Review Officer (MRO) will recommend whether the employee may return to full duty.
- F. The employee shall comply with the random alcohol test as directed in this policy as well as all other screening/testing required as defined in this policy.

TESTING AFTER REHABILITATION

- A. After the MRO has recommended the employee return to work upon successful completion of a rehabilitation program, the employee will be subject to a reasonable random post-rehabilitation program of follow-up drug screens and alcohol tests, without prior notice, at the discretion of the Human Resources Director or Authority designee for a period not to exceed sixty (60) months after the employee's return to full duty.

SECOND POSITIVE TEST

If, during the probationary period, any employee tests positive a second time for alcohol as a result of any required alcohol test, the employee shall be **terminated immediately**.

VIII. SELF-REPORTING

If prior to being randomly selected for a drug/alcohol test or involvement in an accident, an employee reports to his supervisor, a Principal Administrator or Human Resources Employee that he/she is struggling with a substance/alcohol problem that employee will be referred to counseling/medical assistance and will not be subjected to the testing or termination requirements of this policy.



THE FLOOD PROTECTION AUTHORITY

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CHIEF ADMINISTRATIVE OFFICER
Derek E. Boese, PMP, LEED-AP

APPENDIX B

CELLULAR TELEPHONE USE POLICY

EAST JEFFERSON LEVEE DISTRICT

203 Plauche Court
Harahan, LA 70123
504.733.0087

LAKE BORGNE BASIN LEVEE DISTRICT

P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682.5941

ORLEANS LEVEE DISTRICT

6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

CELLULAR TELEPHONE USE POLICY

Policy Statement The purpose of the Cellular Telephone Use Policy is to provide guidance regarding the purchase and use of cellular telephones. In addition, it's the policy of the Flood Protection Authority to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

Flood Protection Authority-Owned Cell Phones

1. Protocol for Assignment of Flood Protection Authority-Owned Cell Phones. A cell phone is considered a requirement under one or more of the following conditions:
 - A. Job Responsibilities require an employee to be away from regular land line access for long periods of time and communication by the employee is necessary to fulfill job objectives.
 - B. Cellular telephone use enhances the employee's personal safety on the job.
 - C. The employee's role carries responsibilities such that the ability to conduct two-way communication is necessary at all times.
2. Right to Privacy. Employees have NO right to privacy with respect to the use of Flood Protection Authority owned cell phones. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The Flood Protection Authority has the right to inspect any and all Flood Protection Authority owned cell phones used by employees for such information at any time and without notice.
3. Authorized use of Flood Protection Authority-Owned Cell Phones. Cell phones provided by the Flood Protection Authority are the property of the Flood Protection Authority and are to be used to conduct Flood Protection Authority business as outlined below:

- A. Cell phones should not be used for personal use, except for necessary work related situations such as unanticipated overtime or family emergencies. Calls of this nature should be infrequent in number and brief in duration.
 - B. The Flood Protection Authority will deduct from an employees salary any amounts payable for minutes billed in excess of the “free-time” minutes.
 - C. Cell phone use in violation of Flood Protection Authority or department work policies or for the purpose of personal financial gain is prohibited. Cell phones may not be used for blogging, jokes, gambling, games, or social networking (e.g., Facebook, Snapchat, Twitter). Cell phone use for any discriminatory, derogatory, sexual, illegal, unethical or otherwise inappropriate remarks or purposes is strictly prohibited.
 - D. Cell phone use and text messaging with a Flood Protection Authority-owned or privately-owned cell phone is prohibited while the employee is operating a Flood Protection Authority-owned motor vehicle. Speaking on the cell phone while driving should be done so only with a hands-free device. If no hands-free device is available, the driver shall pull to the side of the road in a safe location prior to answering or initiating cell calls. The use of hands-free technology is encouraged.
4. Employee Responsibilities Regarding Flood Protection Authority-Owned Cell Phones.
- A. Protect the Flood Protection Authority-owned cell phone from theft, loss or damage.
 - B. Immediately report loss, theft or damaged Flood Protection Authority-owned cell phone to your immediate supervisor or Department Head. All incidents will be reviewed/evaluated on a case-by-case basis to determine culpability.
 - C. As cell phone calls are not secure, use discretion while making calls of a sensitive or confidential nature.
 - D. Immediately return the cell phone to your immediate supervisor or Department Head if it is determined that the cell phone is no longer necessary for your job or upon termination of employment with the Flood Protection Authority.

Revised: July 1, 2018

5. Issuance of Flood Protection Authority-Owned Cell Phones.

The CAO, each Director and/or the Superintendent of Police will determine which employee for Foreman A level Supervisors or above will be allowed a stipend. Any employee seeking a stipend whose position is below a Foreman Level A can only get approval to do so from the CAO.

Use of Personal Cellular Telephones to Conduct Flood Protection Authority Business.

The Flood Protection Authority recognizes that some staff members carry personal cell phones for their personal use. Use of those cell phones during business hours should be kept at a minimum to discourage adverse impact on employee or co-worker performance and safety. Employees using privately-owned cellular phones may receive a \$50 per month stipend. The CAO, and Director of Engineering (for Foreman A Level Supervisors or above) and/or Chief of Police will determine who is allowed a stipend. The CAO can approve a stipend for anyone below a Foreman Level A.

Any violation of this Cellular Telephone Use Policy may result in disciplinary action, up to and including termination.

Public Records Act – Employees should be aware that work-related texts and voice messages on either a Flood Protection Authority issued cell phone or a personal cell phones are public records and subject to the Louisiana Public Records Act § 44:1 et seq. Employees have a duty to maintain such records in accordance with the State of Louisiana Record Retention Policy.



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CHIEF ADMINISTRATIVE OFFICER
Derek E. Boese, PMP, LEED-AP

APPENDIX C

EMAIL USE POLICY

EAST JEFFERSON LEVEE DISTRICT

203 Plaque Court
Harahan, LA 70123
504.733.0087

LAKE BORGNE BASIN LEVEE DISTRICT

P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682.5941

ORLEANS LEVEE DISTRICT

6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

EMAIL USE POLICY

1. Purpose

The purpose of this policy is to ensure the proper use of Southeast Louisiana Flood Protection Authority (hereinafter referred to as SLFPA-E) email system and make the users (defined below) aware of what SLFPA-E deems as acceptable and unacceptable use of its email system. This policy also provides for sanctions in cases of breach or violation of the policy terms.

2. Applicability

This policy applies to the use of the SLFPA-E email services by the users at the SLFPA-E offices, as well as remote locations, including but not limited to the users' homes, airports, hotels, and client/account. All SLFPA-E employees, full-time or part-time, independent contractors, interns, consultants, clients, and other third parties who have been granted the right to use the SLFPA-E email services are defined as the users for the purpose of this policy and are required to sign this agreement confirming their understanding and acceptance of this policy and related protocols.

3. System Monitoring

All email accounts maintained on the SLFPA-E email systems are property of the SLFPA-E. SLFPA-E has the right to read and keep a record of any emails that users transmit via the SLFPA-E email system. The SLFPA-E can and may monitor all email transmitted via the SLFPA-E email system. Employees have no reasonable expectation of privacy when it comes to business and personal use of the SLFPA-E email system. Additionally, any email, with the exception of those subject to the attorney-client, work product, and/or other privilege may be subject to disclosure under the Louisiana Public Records Law. Any information contained in any correspondence, regardless of its source, may be a public record subject to public inspection and reproduction in accordance with the Louisiana Public Records Law, La. Rev. Stat. 44:1 et seq.

4. Authorized Personal Email Use

Although SLFPA-E's email system is meant only for business use, SLFPA-E allows the reasonable use of email for personal use subject to the guidelines set forth below.

5. Unacceptable use of Email

The following acts shall constitute unacceptable use of the email system of the SLFPA-E:

- a. Use of SLFPA-E communications systems for a personal business or to send chain letters;
- b. Forwarding of SLFPA-E confidential messages to external locations;

- c. Distributing, disseminating or storing images, text or materials that might be considered indecent, pornographic, obscene or illegal;
- d. Distributing, disseminating or storing images, text or materials that might be considered discriminatory, offensive or abusive, in that the context is a personal attack, sexist or racist, or might be considered as harassment;
- e. Accessing copyrighted information in a way that violates copyright laws; Breaking into the SLFPA-E or another organizations system or unauthorized use of a password/mailbox; Broadcasting unsolicited personal views on social, political, religious or other non-business related matters;
- f. Using e-mail to operate another business, or solicit money for personal gain;
- g. Transmitting unsolicited commercial or advertising material;
- h. Undertaking deliberate activities that waste staff effort or network resources;
- i. Introducing any form of computer virus or mal-ware into the corporate network.

6. **Legal Risks Involved**

Although by its nature email seems to be less formal than other written communication, it is a business communication tool and the users are obliged to use this tool in a responsible, effective, and lawful manner. Therefore, it is important that users are aware that the following actions can lead to possible legal action:

- a. sending emails with any libelous, defamatory, offensive, racist or obscene remarks.
- b. forwarding emails with any libelous, defamatory, offensive, racist or obscene remarks.
- c. unlawfully forwarding confidential information of others.
- d. all documents or communication can become evidence.
- e. providing non-factual information.

The above list **does not** enumerate all the legal risks involved. However, by following the guidelines provided in this policy, the users can minimize the legal risks involved in the use of e-mail. If any user disregards the rules set out in this email policy, SLFPA-E can take corrective action up to and including termination of employment.

Protocols/Best Practice Use

7. Email Etiquette

A. Subject Line

Provide a brief description/introduction to what the email is about and any action needed.

B. TO: Recipient

The recipients listed in this field are the direct addressees of your email. These are the people to whom you are writing directly. **PLEASE NOTE:** {if you are introducing recipients to one another, then use the TO: field so everybody's email is visible}.

C. CC: "Carbon Copy or Courtesy Copy"

Is for anyone you want to keep in the loop but are not addressing directly in the email. **The general rule of thumb** is that recipients in the "TO:" field are expected to reply or follow up to the email, while those in the "CC:" field are not required to follow up.

D. BCC: "Blind Carbon Copy"

Recipients in this field cannot see one another's email addresses. Usage is primarily for sending an email to multiple recipients who do not know one another. It is not recommended to use the "BCC:" field to secretly loop in additional, unknown recipients.

8. Protocols/Best Practices

SLFPA-E considers email an important means of communication and recognizes the importance of appropriate email content and prompt replies in conveying a professional image and delivering good customer service. Therefore, SLFPA-E institutes the following guidelines for which users are expected to adhere:

A. Writing Emails

All email messages sent on SLFPA-E equipment should be professional and appropriate. Write well-structured emails and use short, descriptive subjects. SLFPA-E email style is informal. This means that sentences can be short and to the point. However, the use of Internet abbreviations and emoji's (characters such as smileys) are **not** encouraged. Signatures must include your name, job title and SLFPA-E's name. A disclaimer, which is set forth in Section 11, will be added underneath your signature

Some disclaimers may differ depending upon which department you work in. In other words, the Legal and HR Departments may have additional wording in their disclaimers.

Additional requirements include:

- Use the spell checker before you send out an email.
- Do not send unnecessary attachments.
- Only send emails of which the content could be displayed on a public notice board. If content cannot be displayed publicly in its current state, consider rephrasing the email, using other means of communication, or protecting information by using a password.
- Only mark emails as important if they really are important.

B. Replying to Emails

- Emails that require a reply should be answered at the earliest possible time;
- Prioritize emails from existing customers and business partners;
- A response is only expected from recipients listed in the “TO:” field;
- If you have a comment /question relevant only to the sender or a few people on the list, then remove all but the relevant people from the email reply.

C. Newsgroups

Subscribe to a newsletter or newsgroup **only** if it directly relates to the nature of your job, otherwise, it is **not** recommended. A Usenet Newsgroup is repository usually within the Usenet system, for messages posted from many users in different locations. Newsgroups are discussion groups/boards. Newsgroups generally come in either of two types, binary or text. Generally, Usenet conventions and rules are enacted with the primary intention of minimizing the overall amount of network traffic and resource usage.

D. Maintenance Policy

Email passwords should not be given to other colleagues and should be changed periodically; Passwords should consist of upper case, lower case and numerical values. **Upon separation, either involuntary/termination, accounts are disabled/deleted immediately unless the immediate supervisor requests, via a helpdesk ticket, that the account is to remain active. Upon voluntary separation (2-week notice) user access will immediately be disabled. During a two-week period after separation, the IT Director/System Administrator will incorporate an out-of-office reply indicating all email correspondences should be directed to the division/department head. Once the two-week duration is complete, the account will be terminated, unless the immediate supervisor requests from the IT Director, via a helpdesk ticket, that the account is to remain active.**

9. **Business Record Retention Policy**

E-mail messages are written business records and are subject to the SLFPA-E rules and policies relating to retaining and deleting business records, as well as the Louisiana Public Records Act, which requires a minimum three (3) year retention period.

10. **Confidential Information Policy**

Avoid sending confidential information by email. Users may not access, send, receive, solicit, print, copy, or reply to confidential or proprietary information about the SLFPA-E, its employees, clients, and other business associates.

Confidential information includes, but is not limited to:

- A. client lists;
- B. credit card numbers;
- C. Social Security numbers;
- D. employee performance reviews; (allowed)
- E. salary details; (allowed)
- F. passwords; and
- G. any other information that could embarrass the SLFPA-E and its associates if the information were disclosed to the public

11. **Disclaimer**

The following disclaimer shall be added to each outgoing email: Please be advised any information provided to the Southeast Louisiana Flood Protection Authority-East, or its member districts (Orleans Levee District, East Jefferson Levee District and Lake Borgne Basin Levee District) may be subject to disclosure under the Louisiana Public Records Law. Information contained in any correspondence, regardless of its source, may be a public record subject to public inspection and reproduction in accordance with the Louisiana Public Records Law, La. Rev. Stat. 44:1 et seq. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail, so that our address record can be corrected.

12. **Violations and Sanctions**

If an employee is found to violate any of the terms of this policy, the SLFPA-E may take disciplinary action up to and including termination of employment. The actual penalty applied will depend on factors such as the seriousness of the breach, the employee's disciplinary record, and any other factors SLFPA-E deems necessary to consider. If an employee witnesses email policy abuse, he/she is required to report the incident immediately to the Regional Director of Information Technology, by phone at 504-286-3131 or email at rdody@floodauthority.org.

Revised: July 1, 2018

13. **Amendment of Policy**

The SLFPA-E reserves the right to amend this policy at its discretion. In case of amendments, users will be informed appropriately.



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APPENDIX D

WORKERS' COMPENSATION POLICY

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504.286.3100

WORKERS' COMPENSATION POLICY

The Southeast Louisiana Flood Protection Authority-East (FPA) shall authorize and direct the Safety Risk Director to ensure workers' compensation coverage for its employees. Employees injured while acting in their official capacity shall be entitled to appropriate workers' compensation benefits prescribed under state statutes for the period of time while injured. Any employee reporting an injury or incapacitation due to a work-related accident shall be required to submit proper certification of the injury and/or incapacitation from a licensed physician.

At the time of employment, all employees shall be required to complete a questionnaire about their health and any previous accidents, injuries, or workers' compensation claims submitted, which shall be maintained in the employee's personnel file.

REPORTING OF ACCIDENTS

Should an accident occur to an employee while in the course of his/her duties, the employee shall immediately notify his/her supervisor. Once reported, a detailed report shall be submitted by the employee's supervisor to the Safety Risk Director or designee within five (5) days of the accident. Additional written commentary about the accident may also be required from the employee's supervisor. Periodic medical exams and subsequent reports verifying prolonged disability may be required as needed.

Immediately following any accident, whether or not injury occurs, the administrator of the facility shall file an Investigation of Accident Report with the Safety Risk Director or designee. If an injury occurs, an LWC-WC IA-1 (Louisiana Workforce Commission, Workers' Compensation - Employers First Report of Injury or Illness) must also be completed.

All accidents, and any investigation of accident reports, should be reported and provided to Executive Counsel and the Special Assistant handling insurance matters.

VEHICLE/ MOBILE EQUIPMENT ACCIDENT

If an accident occurs in an Authority vehicle or with mobile equipment, please call the Orleans police department 504-283-9800 or EJ police if operating in Jefferson Parish at 504-733-0077. The supervisor or designee will arrange for a Drug Screen or Alcohol Blood test for any assistance please contact the Safety Risk Director. The Supervisor or designee will take pictures of the scene and all damage that occurs. And complete the Supervisor's Accident / Incident report within 24 hours of the event and turn it into the Safety Risk Director.

BENEFITS

Employees injured while on official business shall be entitled to applicable workers' compensation benefits in accordance with state law. Workers' compensation benefits are generally paid in accordance with the following:

1. Weekly workers' compensation wage benefits do not begin until an employee has been disabled for more than one week (7 calendar days). If the employee is absent for two (2) weeks or longer, he/she is entitled to receive wage benefits for the first week of that disability.
2. As a general rule, an employee's weekly wage benefits under workers' compensation can be calculated by dividing his/her annual salary by 52 weeks and multiplying by 66-2/3%, up to the maximum average weekly wage (AWW) calculated by the State each year.
3. Sick leave benefits may be used to supplement workers' compensation benefits. If an employee chooses to utilize current and accumulated sick leave benefits in conjunction with workers' compensation benefits, the combination of the two benefits shall not be more than 100% of the employee's salary at the time of injury. In this situation, the balance of the employee's current and accumulated sick leave days shall be reduced by the corresponding percentage of the employee's salary paid for with sick leave benefits.

If an employee who has chosen to simultaneously receive both workers' compensation wage benefits and current and accumulated sick leave benefits exhausts all sick leave days, he/she shall thereafter receive only workers' compensation wage benefits.

4. All employees who return to work after receiving workers' compensation benefits will be required to provide a physician's statement detailing their fitness to return to work. Louisiana workers' compensation law mandates that employers provide and employees accept temporary alternative work when the treating physician specifies work related restrictions.

ALCOHOL AND DRUG USE

Workers' compensation benefits may be denied for an injury caused by the injured employee's intoxication at the time of injury.

In order to support a finding of intoxication due to alcohol or drug use, the FPA shall have the right to administer drug and alcohol testing or demand that the employee submit to drug and alcohol testing immediately after the alleged job accident. Such alcohol and drug testing shall be

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administered in accordance with the FPA policy. If the results of the drug test are positive, or the alcohol tests show blood alcohol equal to or greater than the limits outlined in state law, the employee shall be considered intoxicated, in which case the employee may be denied any workers' compensation benefits.

If the employee refuses to submit to drug and alcohol testing immediately after the accident, then it shall be presumed that the employee was intoxicated at the time of the accident, in which case the employee may be denied workers' compensation benefits.

All drug and alcohol testing shall be in accordance with state law and the FPA policy.

LOSS CONTROL

The FPA, recognizing the potential severity of on-the-job injuries and its costs to the organization and employees, shall require the Safety Risk Director to maintain an aggressive loss control program aimed at reducing and controlling risks of personal injury to employees and property damage to FPA facilities. The loss control program shall assure compliance with all safety and health laws, ordinances, and regulations that apply to the work place.

INFORMATION TO GIVE TO THE MEDICAL TREATMENT FACILITY

1. Name of employer Southeast Louisiana Flood Protection Authority- East
2. Advise that the employee was injured on the job
3. Worker's Compensation Provider: Louisiana Worker's Compensation Corporation (LWCC)
4. LWCC Worker's Compensation Policy No. 139651 (contact Safety Risk Director for current term)
 - LWCC Phone Number 1-800-267-2420
 - LWCC Phone Number 1-225-231-0969 Medical Billing
 - LWCC Fax Number 1-225-2310-969 Medical Billing

Southeast Louisiana Flood Protection Authority- East POC:

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