



Employee Handbook

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1.0 Employment and Personnel

1.1 Employment

The City of Gonzales Employment Policy is described in detail is Sec. 2-137 through Sec. 2-159 of the City of Gonzales Code of Ordinances, which are enumerated below. Any ordinances enumerated in this manual are subject to amendment by the City Council. **Reference Code Sec. 2-137. - Purpose.**

- (a) The general purpose of this article is to establish for the city a system of personnel administration based on established merit principles and policies governing the appointment, promotion, tenure, welfare, transfer, layoff, removal and discipline of its employees. All appointments and promotions in the city service shall be made solely on the basis of merit and fitness, to be ascertained by competitive examinations, except as herein specified:
 - (1) Elected officials and persons appointed to fill vacancies in elective office;
 - (2) Members of advisory boards and committees appointed by the mayor or city council;
 - (3) Employees of intergovernmental agencies;
 - (4) City attorney and city prosecutor;
 - (5) Consultants, advisors and counsels rendering temporary professional service;
 - (6) Independent contractors; and
 - (7) One confidential or administrative clerk for the mayor and city council.
- (b) All city employees not expressly exempted from coverage by this article shall be considered to be and shall be subject to the provisions contained herein.

Reference Code Sec. 2-138. - Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Allocation means an assignment of a position to a "class."

City service means all positions and employees covered, subject to the provisions of the personnel policies and rules of the city.

Class or class of positions means one (1) or more positions that are sufficiently alike with regard to the kind of work, the level of difficulty and responsibility, qualification requirements, and other allocation factors to warrant like treatment in carrying out the usual personnel activities.

Classification plan means methodology and products regarding the allocation of positions to classes, including official descriptive titles for all classes, class specifications, and rules and regulations for implementation and maintenance of the plan.

Department heads means the following designated positions:

- (1) Chief administrative officer/city clerk;
- (2) Chief of police;
- (3) Finance director;
- (4) Central office director;
- (5) Public works director;
- (6) Reserved;
- (7) Chief engineer;
- (8) Department supervisors;
- (9) Assistant fire chief;
- (10) City building official;

- (11) Human resources generalist;
- (12) Reserved;
- (13) Captains of the police department;
- (14) Fire chief;
- (15) Reserved;
- (16) District fire chief

Director means the mayor-administrator or his designee or the chief of police or his designee.

Employee or incumbent means a person assigned to perform the work of a position.

Pay plan means pay schedules, assignment of classes to pay ranges or specific rates of pay, and rules and regulations governing the implementation and maintenance of the plan.

Position means a group of duties and responsibilities, assigned or delegated by competent authority and requiring full-time or part-time employment of one person. A position can be vacant or occupied. It is the basic component of the entire classification process.

Service. See "city service."

Reference Code Sec. 2-139. - Merit principles.

The personnel rules promulgated by the city shall be in accordance with the following merit principles:

- (1) Recruitment, selection and advancement of employees should be on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointments.
- (2) Employees should be compensated equitable and adequately for work performed.
- (3) Employees should be trained, as needed, to assure high quality performance.
- (4) Employees should be retained on the basis of the adequacy of their performance, corrected when that performance is inadequate, and separated when performance cannot be corrected.
- (5) Applicants and employees will be treated fairly in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex or religious creed and with proper regard for their privacy and constitutional rights as citizens.
- (6) Wherein any of the above rules of merit principles conflict with civil service rules, the civil service rules shall prevail.

Reference Code Sec. 2-140. - Employee status.

- (a) All employees covered under the provisions of this article shall be classified either permanent (full-time), or temporary or seasonal (full-time or part-time).
 - (1) Permanent full-time employee is an employee whose position requires forty (40) hours of work a week on a regularly scheduled basis.
 - (2) Reserved.
 - (3) Temporary or seasonal employee (full-time or part-time) is an employee whose position was established for a limited period of time, not to exceed six (6) months.
- (b) Permanent employees shall be entitled to all benefits provided by the city. Temporary and seasonal employees shall not be entitled to any benefits, unless specified by the city council.

Reference Code Sec. 2-141. - Dissemination.

All city employees shall be informed of the existence of this article, and each department shall keep a current copy available for review by employees.

Reference Code Sec. 2-156. - Objective.

The position-classification plan shall provide a complete inventory of all types of work being performed within the personnel system, according to job-related factors such as the nature, scope and complexity of work, job responsibilities, and minimum qualification requirements. The primary purpose of the plan is to establish and maintain a framework for the fair and equal treatment of employees in all personnel functions.

Reference Code Sec. 2-157. - Compositions.

The classification plan shall include the following six (6) elements:

- (1) Classes. Positions grouped according to similarity of factors (i.e., difficulty of work, responsibility, job contacts, physical requirements, and training and experience).
- (2) Class titles. Descriptive titles of each class of positions. Class titles shall be used in all personnel actions.
- (3) Class specifications. A written description of each class of positions, specifying the degree to which each factor is considered in the classification plan and including examples of work that illustrate the factor descriptions.
- (4) Occupational index. An index of classes and series grouped into broad occupational groups.
- (5) Position status file. Assignment of a unique identification number for each position within its departmental unit. A card shall be maintained on each position by position number, indicating the name of the incumbent and the class to which the position is assigned.
- (6) Factor manual. Definitions of job factors; descriptions of their levels or degrees of variance and point values.

Reference Code Sec. 2-158. - Use.

The classification plan shall be used to facilitate the development, installation and maintenance of the following functions of the personnel office:

- (1) Recruitment and selection. To prepare announcements of examinations, based on knowledge, abilities, skills and other job-related factors.
- (2) Wage and salary administration. To identify internal factors that present various compensatory levels of work.
- (3) Career development. To identify logical lines of career progression; to develop training programs that will enable employees to qualify for classes with higher pay; and to determine criteria for appraising and counseling employees on their performance in their respective positions.
- (4) Standardization of terminology. To develop a uniform vocabulary for each position classification, for use in the personnel management system.

Reference Code Sec. 2-159. - Position action.

The mayor/chief of police shall consider the creation, reallocation or abolishment of any position for which such a request is made, provided no other similar request has been submitted within ninety (90) calendar days.

- (1) Creation or abolishment of position or reallocation of vacant position. The department head or the mayor/chief of police may initiate requests for the creation or abolishment of a position or reallocation of a vacant position whenever the requestor believes that changes in program or organization have had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein. Requests for reallocation shall include a written description of the newly assigned duties and responsibilities.
- (2) Reallocation of a filled position. The incumbent employee, the department head or the mayor/chief of police may initiate requests for the reallocation of a filled position whenever the requestor believes that changes in program or organization have had a permanent and substantial effect on the assignment and scope of duties and responsibilities therein. Requests for reallocation shall include a written description of the newly assigned duties and responsibilities.

In the reallocation of a filled position, the incumbent employee shall be permitted to remain in the position, provided the incumbent meets the qualification requirements for the new position and passes any required examination.

If the incumbent does not qualify for the new class, the incumbent shall be transferred to another position for which he is qualified. If no position is available for which the incumbent is qualified, his employment shall be terminated.

- (3) Action ratification. Action to create, abolish or reallocate a filled or vacant position shall be subject to ratification by the mayor and city council at its next regular meeting.
- (4) Maintenance of classification plan. The mayor/chief of police shall be responsible for the proper and continual maintenance of the classification plan. The director shall conduct such reviews of proposed or existing positions as deemed necessary to insure their proper allocation in the classification plan and to ascertain the validity of proposed or existing class specifications.

1.2 Compensation Plan

Reference Code Sec. 2-171. - Objective.

The compensation plan shall be designed to identify and define levels of compensation for work performed within the city employment system, based on job evaluation and a study of salary and fringe benefits. Job evaluation shall establish internal equity, and the salary and fringe benefits study shall establish external comparability. The primary purpose of the plan is to provide a method of compensation that can be applied consistently to all classes and positions. The mayor/chief of police shall conduct an annual review of one-third of all classes in the plan.

Reference Code Sec. 2-172. - Composition.

The compensation plan shall comprise the following:

- (1) Pay schedule. The pay structure shall be contained in one general schedule for all employees under the classified service. The general schedule shall be comprised of twenty-six (26) pay ranges. Each pay range will be approximately thirty-four (34) percent in width and divided into fourteen (14) steps. Each pay step within its respective range will be 2.238 percent higher than the step immediately preceding it. Each range shall be five (5) percent higher than the preceding range.

- (2) List of classes according to pay ranges. A list of classes, grouped according to their respective occupational group (i.e., clerical/technical, administrative/professional, and labor/trades) and assigned pay ranges.
- (3) Methodology. A procedural explanation of method employed to relate classes to the pay schedule.
- (4) Salary survey form. A summary of the salary survey data and a copy of the form used to obtain the data.

Reference Code Sec. 2-173. - Maintenance.

The mayor/chief of police shall conduct an annual audit of the prevailing compensation levels for such benchmark classes as he deems requisite to the proper review of the compensation plan. Based on the findings of the study, the mayor/chief of police shall submit recommendations to the city council.

Reference Code Sec. 2-174. - Pay plan adjustments.

On the effective date of any amendment to the compensation plan, the affected employee's rate of pay shall be adjusted to the same step above the minimum rate for the newly assigned range as the employee's position occupied in the previous pay range for the respective class.

Reference Code Sec. 2-175. - Appointment rate.

A newly created or reclassified position shall be assigned the minimum rate of pay for the range to which the position's class is assigned. The city council may authorize the mayor/chief of police to grant appointments above or below the position's current level of pay in the following cases, subject to a written request and reasons for the action:

- (1) Original appointment:
 - a. Exceptional qualifications. In cases where the applicant possesses exceptional qualifications directly relating to the class specification to which the applicant will be appointed, the position may be assigned a pay rate above the entry rate for that class, not in excess of the maximum rate for that range.
 - b. Recruitment difficulties. If, because of changes in market conditions, the entry level rate of pay for a class has not attracted qualified applicants, an applicant may be appointed to the class at a rate above its respective entry rate. In such case, other employees in the same class shall immediately be assigned at or above the new appointment rate.
- (2) Promotion. On promotion to another class, an employee shall be assigned a pay rate of not less than five (5) percent of his previous pay rate.
- (3) Current pay above maximum. No employee shall receive a higher rate of pay than the maximum allowed for the employee's class range, except when approved by city council.
- (4) Demotion. An employee voluntarily or involuntarily demoted for any reason shall be compensated on a range, as administratively determined (i.e., department head recommendation and personnel director approval).
- (5) Reinstatement. A former employee reinstated pursuant to the provisions of these rules shall be compensated on an approved range, as administratively determined (department head recommendation and mayor/chief of police approval).
- (6) Transfer. A lateral transfer requires no pay action.
- (7) Temporary assignment. In a temporary interdepartmental assignment, the employee shall be entitled to the same salary and benefits as he would be in his regular position.

Reference Code Sec. 2-176. - Merit.

An employee may be granted a merit award of one step on the basis of proficiency and performance. Such award shall not be automatic, but shall be granted only on the recommendation of the department head and if sufficient funds are available. The personnel director shall review all proposals and submit final recommendations to the mayor. No employee shall receive merit awards of more than one step within a class in any fiscal year. No employee shall receive a merit award during a probationary period.

Reference Code Sec. 2-178. - Overtime.

Overtime shall be authorized for the proper maintenance of essential city services and shall be allocated as evenly as possible among all qualified employees within the respective department. It shall be the responsibility of the department head to keep overtime to a minimum consistent with the needs and resources of the city and to examine all alternatives before authorizing overtime.

Reference Code Sec. 2-179. - Compensation for overtime.

- (a) All employees, with the exception of elected officials, the fire chief, and the assistant police chief, shall be compensated at the rate of time and one-half for each hour of overtime worked. The position of fire chief and assistant police chief can be compensated for overtime only if a state or federal disaster has been declared.
- (b) Employees shall be paid overtime in accordance with the city's adopted overtime policy. Employees working overtime shall have the option to be paid at the rate of one and one-half times the normal (non-holiday) rate of pay for each hour of overtime worked, or have the option to take compensatory time off to be calculated in the following manner:
 - (1) Compensatory time shall be provided on a time and one-half basis (i.e., one and one-half hours of compensatory time for each hour of overtime).
 - (2) A full-time employee may earn a total of eighty (80) hours of compensatory time in any one (1) fiscal year.
 - (3) The employee may request the use of accumulated comp time at any time. The employer is required to honor that request by allowing the employee to take time off within a reasonable time of the request unless the operations of the government would be unduly disrupted by the employee's absence.
 - (4) At any time the employer may demand the employee take time off to reduce banked compensation time.
 - (5) The employer shall cash out the employee's compensatory time balance as of May 1 of each year. The compensatory time balance shall be paid to the employee by May 31 of each fiscal year.
 - (6) The employer shall cash out the employee's compensatory time bank when the employment relationship is terminated, whether because of resignation, retirement, discharge, or death. The comp time bank must be cashed out at the rate of pay the employee is earning on termination or the average rate of pay for the last three (3) years of employment, whichever is greater.

Overtime Policy

- (a) All employees, with the exception of elected officials, the fire chief, and the assistant police chief, shall be compensated at the rate of time and one-half for each hour of overtime worked. The position of fire chief and assistant police chief can be compensated for overtime only if a state or federal disaster has been declared.
- (b) An employee who works hours in addition to his/her normal working hours shall have the option to be paid overtime or compensatory time. A standard work week runs from Wednesday 12:01 a.m. – Tuesday at midnight. The fact that an employee may have taken Leave, Vacation, Major Medical,

Education Hours, or Holiday Pay does not affect the fact that the employee is paid overtime for additional hours worked outside of regularly scheduled hours. Overtime and Compensatory Time (often referred to as “K’Time”) are paid as follows:

Overtime: One and a half times the regular hourly rate for each overtime hour Worked.

Compensatory Time: One and a half times the number of overtime hours.

(c) Overtime is paid to all employees for any hours worked in addition to his/her normally scheduled hours. Department Head Supervisors reserve the right to adjust normal working hours. All full-time employees of the City of Gonzales fall into one of the following pay categories:

- Regular Employees - Work 40 hour weeks consisting of four 9-hour days Monday through Thursday and one 4-hour day each Friday.
- Firefighters- Work 24-hour shifts averaging 240 hours in a month. All shifts begin at 0700 hours and end at 0700 hours.
- Policemen- Work 12-hour shifts averaging 84 hours in a two week period.

Regular Employees

Administrative Type Employees (Non-Exempt)

City Administration and Department of Public Works personnel who are normally scheduled in this category will work forty hours each week as assigned by their departmental supervisor. Any hours worked in addition to normally scheduled working hours, shall be compensated as compensatory time or overtime. These positions include employees in the following departments:

1. Administration
2. Engineering
3. Finance
4. Public Works
6. Recreation
7. Planning and Development
8. Community Services

Normal Working Hours

Regular employees typically work one of the following work schedules:

1. Monday through Thursday 7:00 am – 5:00 pm, Friday 7:00 am – 11:00 am.
- or
2. Monday – Thursday 6:30 am – 4:30 pm, Friday 6:30 am – 10:30 pm.

The City Engineer, because of the demands of the position, works a flex schedule. Overtime is paid only when working hours exceed 80 hours in a pay period.

Fire Department

Administrative Employees (Non-Exempt)

Fire Department personnel who are normally scheduled in this category will work forty hours each week as assigned by the Fire Chief. Any hours worked in addition to normally scheduled working hours, shall be compensated as compensatory time or overtime.

Shift Employees (24 hours) Non-Exempt

Each firefighter is paid a salaried amount based on a set number of shifts worked per year. Any hours outside of these regularly scheduled hours are considered Overtime or Compensatory Time.

Explanation of Shift Employees

The fire department shift personnel work on 3 rotating shifts, each 24 hours in length. If the shifts are labeled A, B, C, the rotation would appear like this (ACABABCBC) This creates a 9 day rotation. When the 9 day rotation is placed in a 14 day pay period, there will never be equal hours for all employees each pay period.

Administrative Employees (Exempt)

Employee(s) in this category include the Fire Chief. This position is not eligible to earn compensatory time or overtime unless a state of emergency has been declared by either a local, state, or federal official.

Police Department

Administrative Employees (Non-Exempt)

Police Department employees who are normally scheduled in this category work forty hours each week as assigned by the Police Chief. Any hours worked in addition to normally scheduled working hours shall be compensated as compensatory time or overtime.

Shift Employees (12 hours) Non Exempt

Police officers work 12 hours shifts, averaging 84 hours in a 2 week period. The 4 hours are paid in either compensatory time or overtime. Any additional hours worked outside of normal working shift hours are paid in either compensatory time or overtime.

Shifts are assigned by department heads.

Administrative Employees (Exempt)

Employee(s) in this category include the Police Chief and Assistant Police Chief. These positions are exempt from earning overtime. The Assistant Police Chief can only earn overtime or compensatory time if a state of emergency has been declared by either a local, state, or federal official.

Allowance Policies

Uniform Allowance

An annual uniform allowance of \$650.00 is provided to full-time employee's that are not provided a uniform which are primarily City administration and office staff and Police office staff.

New employees will receive a pro - rated amount that is based on the remaining calendar months in the current fiscal year. Upon termination, the employee must reimburse the city proportionately for the number of months remaining in the fiscal year.

No uniform allowance is provided to part-time employees, defined as those working less than 32 hours per week.

Police Department Detectives, with the authorization of the Chief of Police, will receive an annual uniform allowance of \$2,000 (or 76.92 per pay period) processed through payroll. School Resource Officers will receive an adjusted rate of \$666.67 (or 25.64 per pay period) due to working only 4 months out of the year (1/3 year) in plain clothes.

Cell Phone Allowance

Employees identified by the Mayor and the Chief of Police are provided a cell phone allowance of \$18.46 per pay period. Generally, these are employees that may need to be reached on short notice in the field or on off-hours due to critically needed duties or skills, like detectives, police supervisors, fire supervisors, department heads or second in command in departments, electricians, carpenters, accountants.

Vehicle Allowance

Employees identified by the Mayor due to critically required duties or skills are provided a vehicle.

1.3 Recruitment, Selection and Advancement

Reference Code Sec. 2-191. - Recruitment information.

- (a) Notice of all vacancies and examination sessions shall be directed to current employees and to such other labor market sources as the mayor/chief of police determines will be most likely to provide qualified applicants and to allow all persons the opportunity to exercise their full skills and talents in the service of the city.
- (b) Information in all recruitment notices shall be based on current specifications for the class in which the vacant position occurs and shall include: title and salary range; the nature of the work to be performed; the amount of experience and training required; the time, place, and manner of taking applications; the last date of receiving applications; and any other information the mayor/chief of police may require.

Reference Code Sec. 2-192. - Selection by competitive examination.

- (a) All appointments shall be made on the basis of merit. Insofar as practicable, every applicant shall be rated by an examination process appropriate for his class, prepared at the direction of the mayor/chief of police.
- (b) Examinations may be assembled or unassembled and may include written, oral, physical or performance tests; ratings of training and experience; or any combination of these. They may rate such factors as education, experience, demonstrated performance, aptitude, knowledge, character, physical fitness or any other qualifications that the mayor/chief of police determines to be valid indicators of performance in the class.
- (c) An applicant who takes an examination shall not be admitted to another examination for the same class until at least four (4) weeks have elapsed from the date of the previous examination. No applicant shall be admitted to examination for the same class more than three (3) times in any twelve (12) month period.
- (d) An applicant shall be given written notice of his final examination rating or of his failure to attain a place on the class register.

Reference Code Sec. 2-193. - Report on department recruitment efforts.

- (a) Whenever administrators or other employees are engaged in the recruitment process, the mayor or department administrator shall provide that applications received from candidates are sent to the mayor/chief of police for review.
- (b) All applications, or other documents submitted to the mayor/chief of police shall be marked with the control numbers of the positions for which recruitment is being made.
- (c) No offers of employment shall be made until the mayor/chief of police has determined the eligibility of the applicants.

Reference Code Sec. 2-194. - Methods of filling vacancies.

All vacant positions shall be filled by original appointment, emergency appointment, transfer or demotion. The personnel director shall determine the method of filling any vacancy after giving due consideration to the recommendation of the appropriate department head.

Reference Code Sec. 2-195. - Original and promotional appointments.

New applicants to the city service and current employees of the city shall be required to complete successfully the same examination process in order to be declared eligible for original or promotional appointment to a class. New applicants and current employees who successfully completed the examination process shall be considered eligible for the class.

Reference Code Sec. 2-196. - Trainee appointments.

- (a) When the duties and responsibilities of a position require it, the mayor/chief of police may authorize a department head to appoint an applicant to a position as a trainee.
- (b) When the department head determines that the employee is able to function in the position on a full performance basis, he shall notify the personnel director. At the end of the trainee period, the employee shall attain permanent status in class upon the mayor/chief of police's approval.
- (c) The minimum duration of a trainee period shall be one year from the date of the trainee appointment.

Reference Code Sec. 2-197. - Emergency appointments.

- (a) The personnel director shall be permitted to make an emergency appointment when a position vacancy caused by unforeseen circumstances or conditions beyond his control threatens the proper functioning of the city and the efficient rendering of public services.
- (b) A department head may make an emergency appointment without having formally established a position for the appointee. After making such appointment, the department head shall immediately report to the mayor/chief of police the duties and responsibilities of the appointee and the expected duration of the need for the appointee's services. After receiving notification of such an appointment, the personnel director shall take such steps as he deems necessary to maintain the integrity of the classification plan and the rule for limitation of emergency appointments.
- (c) An emergency appointment may be made without regard to the selection provisions of these rules, but in no case shall such appointments continue longer than thirty (30) work days, and in no case shall a position be filled by emergency appointment for more than thirty (30) out of any ninety (90) days.

Reference Code Sec. 2-198. - Demotion.

An employee may be demoted voluntarily, or for cause upon the recommendation of the department head and approval of the personnel director. A written statement of the reason for the demotion for cause shall be submitted to the mayor/chief of police and the employee affected prior to the effective date of the action. An employee may be demoted only to a class for which he has passed the examination.

Reference Code Sec. 2-199. - Probationary periods.

Every employee shall serve a probationary period when he is originally or promotionally appointed, transferred or demoted except that an employee demoted to the same position in the same class from which he was promoted shall not serve a second probationary period in that position. The employee who serves a trainee period after appointment to a position shall not be required to serve a probationary period for the position.

Reference Code Sec. 2-200. - Uses of the probationary period.

- (a) The probationary period shall be regarded as the working test portion of an examination process. The probationary period shall begin on the effective date of an employee's appointment, transfer, or demotion and shall continue for a period of six (6) months. At the request of the department head, the personnel director may extend an employee's probationary period one (1) work day for every work day during the probationary period the employee was unable to work because of personal illness or injury.
- (b) The mayor/chief of police may dismiss or demote a probationary employee whose performance does not meet the required work standards at any time during the employee's probationary period. If, however, an employee who has been promoted is found during his probationary period not to meet the required work standards of the new class, he shall be transferred to a position in his former class if one is vacant.

1.4 Absences from Work

Reference Code Sec. 2-211. - Holidays.

- (a) Regular holidays. The following days shall be observed as regular holidays by all classified employees:
 - (1) New Year's Day;
 - (2) Martin Luther King Day;
 - (3) Mardi Gras;
 - (4) Memorial Day;
 - (5) Independence Day;
 - (6) Juneteenth;
 - (7) Labor Day;
 - (8) Thanksgiving Day;
 - (9) Day after Thanksgiving;
 - (10) Christmas Eve;
 - (11) Christmas Day;
 - (12) Administrative granted holiday.
- (b) Regular holidays on Sunday/Saturday. Whenever a regular holiday falls on a Sunday, the following Monday shall be observed as the holiday. Whenever a regular holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.
- (c) Special holidays. Special holidays proclaimed by the mayor shall not be subject to the provisions of subsection (b) above.
- (d) Eligibility for paid holidays. Permanent full-time employees, except police and fire department personnel required to work, whose regular work schedule falls on a holiday shall be entitled to time off during the period with pay.
- (e) Compensation for holiday work.
 - (1) Employees required to work during holidays shall earn two (2) times the normal rate of pay for each regular hour worked and shall be compensated for overtime hours worked as provided for in section 2-179.
 - (2) An employee on a leave of absence without pay status on the holiday or on the scheduled work day immediately preceding and/or following shall not be entitled to receive pay for the holiday.
 - (3) Employees wishing to observe religious holidays not coinciding with official holidays may be given time off without pay, or may be authorized to use accrued personal leave.
 - (4) Full-time employees working an average 56-hour week or two thousand eight hundred eighty (2,880) hours annually who are required to work on any holiday adopted by the mayor and city council of Gonzales shall be paid an additional compensation of one (1) times the normal rate of pay. For these employees, a holiday shall begin on the calendar day of the holiday at the beginning of the shift, and shall run until the end of the shift. In those instances where a legal holiday falls on a weekend and the mayor and city council grant either the day before or the day after as the official observance of the holiday, the additional pay granted by this section shall apply only to the actual legal holiday.

Reference Code Sec. 2-212. - Leave system.

- (a) Leave:
 - (1) Eligibility for leave. Permanent and probationary status employees shall earn leave. Daily attendance and leave records must be maintained for employees eligible to accrue leave.

- (2) Formula for earning leave. The formula for earning leave shall be based on a full-time work schedule, and the credit shall be recorded at the close of each pay period as follows:
 - a. Each full-time city employee whose work week averages forty (40) hours per week or two thousand eighty (2,080) hours annually shall be credited with ten (10) hours leave for each one-month period worked.
 - b. Each full-time city employee whose shift work week averages fifty-six (56) hours per week or two thousand eight hundred eighty (2,880) hours annually shall be credited with fourteen (14) hours leave for each one-month period worked.
 - c. Employees shall not be made eligible for leave until after having completed six (6) months of continuous employment. Employees serving a probationary period shall accrue leave but will not be eligible to use leave until completing six (6) months of continuous employment.
 - d. Employees transferred or promoted shall retain leave time.
- (3) [Accrual schedule.] Leave shall be accrued on a fiscal year basis coinciding with the city's fiscal year of June 1 to May 31.

(b) Vacation.

- (1) Eligibility for vacation. Permanent and probationary status employees shall earn vacation.
- (2) Procedure for earning vacation. The procedure for earning vacation shall be based on a full-time work schedule, and the credit shall be awarded each full-time employee as follows:

After an employee has worked continuously for twelve (12) months they shall be eligible for vacation as follows:

Years of service worked	Total hours credited to full-time employees working an average 40-hour week or 2,080 hours per year.	Total hours credited to full-time employees working an average 56-hour week or 2,880 hours per year.
1—7	80	120
8—14	120	168
15 and over	160	216

- (3) [When credited.] Vacation hours shall be credited to the employee at the start of each year in January based on the actual years of service the employee has as of January 1.
 - (4) [Seniority.] Vacation preference will be governed by seniority.
 - (5) Reinstatement of vacation upon returning from separation. Upon returning to full-time status with the City of Gonzales after a separation, an employee with at least ten (10) years of prior service will be allowed credit for such time served in the calculation of vacation leave only.
- (c) Procedure for use of leave and vacation. Leave may be taken by the employee provided a request form is filed with the mayors office prior to the absence. For unplanned absences of one (1) day or less or for unplanned absences due to illness, the request form must be filed within twenty-four (24) hours of the employee's return. All deposits to and withdrawals from leave accounts will be properly recorded and all records will be maintained by the payroll department. Nonemergency leave shall be taken in a responsible manner and should not unduly interfere with the regular performance of one's job responsibilities. The mayor may reject any request for leave if such request would result in the

understaffing of any department on a particular day. For purposes of planning, request for vacation must be submitted to the mayor by January 31 of each year. Any request for vacation made after January 31 may not be honored.

- (d) Tardiness. Late arrivals and early departures during regular business hours must be immediately assigned to leave; failure to file a leave form on a timely basis shall result in an automatic fifty (50) percent time penalty. All tardiness will be charged in fifteen-minute increments.
- (e) Abuse. Unauthorized leave beyond available leave balances shall be automatically deducted [deducted] from the employee's salary and a leave reprimand shall be noticed to the employee. Misuse of the leave system may result in disciplinary action against the employee.
- (f) Lunch hour. Lunch hour for all employees is one (1) hour taken between the hours of 11:00 a.m. and 2:00 p.m. Any time taken in excess of the one (1) hour will be charged to leave.
- (g) Accrual of time. Any vacation and leave accrued in a fiscal year [June 1 to May 31] that is not utilized by an employee will be carried over up to ninety (90) days (720 hours) and which may then be utilized only for major medical leave.
- (h) Major medical leave. Major medical leave may be authorized by the mayor/chief of police for cases of potentially disabling medical conditions, or similar life-threatening conditions, for an employee or immediate family member, including a spouse or child, or an employee's hospitalization or related outpatient services for serious injury or illness or surgical procedures. Such leave shall require the advance approval of the mayor/chief of police and must include a written statement from the attending physician stating that such leave is medically necessary to the health of the employee and that the employee is unable to perform any of their normal work duties or responsibilities. Major medical leave is intended for serious and extensive medical services and does not include common ailments or illnesses for which leave should normally be used.
- (i) Transfer of personal time. An employee may transfer any portion of his/her unused leave or vacation time earned to another employee within a current calendar year for the purpose of a medical or family emergency for the receiving employee.

The time transferred can only be made on an equal per hour equity basis. The time donated by an employee earning less per hour than the donee shall be adjusted to the hourly rate of pay of the donee. Time donated by an employee earning an hourly rate equal to or greater than the donee, shall be transferred on an hour for hour basis.

All transfers of time must be authorized by both donor and donee as well as employee's supervisor and the mayor.

All transfers shall be irrevocable and used by donee within the calendar year donated.

Reference Code Sec. 2-213. - Absence for maternity purposes.

Leave for new family additions of dependent children, including pregnancy, child-birth or adoption, will be provided for any fulltime female employee, and may be deducted from accrued leave, or accrued vacation, or may be taken as leave without pay, as described in section 2-215, or may be taken as major medical leave, as authorized by the mayor/chief of police. Following authorized leave for maternity purposes, the employee will be permitted to return to the same or equivalent position with no loss of seniority and at an equivalent level of pay. An employee may, upon written request, be granted a leave of absence for maternity purposes subject to the following:

- (1) Prior to birth, pregnancy-related absences, including normal outpatient services, shall be charged against accrued leave.

(2) After having a new birth in the family or immediately after adopting a child, employees may return for a period of time on a part-time basis or other negotiated basis for a limited time period, not to exceed sixty (60) days, with approval from the department supervisor and the mayor before resuming full-time status.

Reference Code Sec. 2-214. - Administrative absence with pay.

- (a) Family emergency. The mayor/chief of police may authorize a leave of absence not to exceed four (4) working days in any one (1) calendar year for an employee where a death or serious injury or illness in the immediate family has occurred. Immediate family is defined as spouse, parent, brother, sister, child, grandparent, father-in-law, mother-in-law, grandchild, great grandchild or great grandparent. Emergency leave is with pay and not assigned to leave balances.
- (b) Civil leave. An employee shall be given time off, upon filing an appropriate leave form, with subpoena attached, in advance, without charge to leave or vacation and without loss of pay, when performing jury duty or when subpoenaed as a witness to appear before a court. The period of such leave shall be only as necessary for the performance of the activity, plus any necessary travel time.
- (c) Training and conference leave. An employee shall be given time off, upon filing an appropriate leave and travel request form in advance, without charge to leave, or vacation and without loss of pay for conferences, training programs (relative to employees' job), and board meetings. All training and conference leave should be approved in advance by the mayor or chief of police, and should provide a purpose beneficial to the city while remaining within the constraints of the funds allotted by the city council for travel purposes.

Reference Code Sec. 2-215. - Leave of absence without pay and extended medical leave.

- (a) Leaves of absence without pay may be authorized on an individual basis by the mayor or chief of police for a properly documented family emergency or medical emergency. During any authorized leave without pay, earned leave shall not accrue. Prior to taking leave without pay, an employee will be required to use all available paid leave.
- (b) An employee taking a medical or family leave will require a medical certification on forms provided by the city if leave is sought to care for a child, spouse, or parent with a serious health condition or due to illness or injury of the employee.
- (c) The mayor/chief of police will require any employee returning from medical leave of absence to obtain and present a current medical certification that the employee is able to resume work. Such certification must be provided prior to return to work.

Reference Code Sec. 2-216. - Military leave.

- (a) Active duty. A permanent employee who is drafted or is called for active duty in the Armed Forces of the United States, the Coast Guard, public health service, or civil defense, or is drafted into merchant marine service, shall (in accordance with existing law) be entitled to reemployment after honorable discharge or discharge under honorable conditions from such service, provided he is physically and mentally able to do the work required and reports for work within ninety (90) days of such discharge or within ninety (90) days after he is released from hospitalization continuing after discharge for a period of not more than one (1) year. The veteran shall be employed in the job he held when he left at the same salary or, if the job has been upgraded, at that salary. If his former job no longer exists, the veteran shall be employed in such capacity for which he is qualified at a salary comparable with that formerly received.

Employees called up to Active Duty will have the option to continue to pay their share of insurance and their share of the City pension plan (MPERS or MERS) and the City will continue to pay the City portion if the employee continues to pay their share.

- (b) Reserve training. A full-time employee who is a member of a reserve military organization of the United States or a member of the National Guard of the state who attends regular military reserve training will be given necessary time off for such training. Those employees who work a 40-hour work week or two thousand eighty (2,080) hours annually will be given the necessary time off for a period not to exceed one hundred twenty (120) hours in any one (1) calendar year. A full-time employee who works a 56-hour work week or two thousand eight hundred eighty (2,880) hours annually will be given necessary time off for a period not to exceed one hundred sixty-eight (168) hours in any one (1) calendar year. Time off for the purpose of attending military reserve training should not be considered leave or vacation. The city shall pay the employee the difference between the salary earned, while on active duty, and his regular city salary. A certified pay voucher from the military shall be required.

Reference Code Sec. 2-217. - Disability.

- (a) When the disability of an employee is of such nature that he is entitled to payment under workmen's compensation insurance which is in effect, the employee shall be entitled to be paid leave in the amount necessary to raise his or her total payment of compensation plus leave to the amount being paid at the time of disability.
- (b) If workmen's compensation does not begin at the time of disability but at a later date, the employee shall be paid at the regular leave rate (but not to exceed his accrued leave) up to the time workmen's compensation becomes effective, after which time, any remaining leave credit shall be used as prescribed above.
- (c) All incidences of work related accidents, illnesses or injury must be reported within twenty-four (24) hours of occurrence to the employee's supervisor. No employee will be terminated or punished for reporting an accident, illness or injury. Responsibility for claiming compensation under the workers' compensation law rests with the employee. When an employee is injured in a work related accident, the mayor/chief of police may grant the injured employee workers' compensation leave for any work time missed in the initial seven (7) calendar-day period following the injury. After this initial seven (7) day period, benefits will be paid in accordance with the city's workers' compensation insurance. An employee will not be eligible for workers' compensation leave once the seven (7) calendar-day period has expired.

Reference Code Sec. 2-218. - Payment of accrued leave and major medical leave.

An employee who separates from the city due to voluntary or involuntary termination will be paid for unused vacation that has accrued for that particular year. An employee will not be paid for leave.

Employees will be paid for major medical leave as follows:

All employees who are vested ten (10) years or more of service) at the time of voluntary or involuntary termination will be paid twenty-five (25) percent of accrued major medical leave.

1.5 Separations, Suspensions and Layoffs

Reference Code Sec. 2-231. - Resignation.

- (a) Any employee resigning from the employment of the city shall file a written resignation with his department head at least two (2) weeks before the date of termination. The resignation shall state the date it is to become effective and the employee's reasons for leaving. Department heads shall forward the employee's resignation to the personnel director within twenty-four (24) hours of receipt.
- (b) A resigning employee who fails to notify his department head as required by this section may be denied future employment with the city.
- (c) Unauthorized absence from work for a period of three (3) consecutive work days may be considered by a department head to be an automatic resignation.

Reference Code Sec. 2-232. - Layoffs.

- (a) The mayor/chief of police may reduce the work force or lay off employees because of a lack of work or because of insufficient funds. Quality of performance and length of service shall be taken into account in reductions of the work force.
- (b) Layoffs shall require approval of the mayor and city council.

Reference Code Sec. 2-233. - Suspension.

- (a) The mayor/chief of police may, for cause, suspend an employee without pay. Suspensions of up to three (3) work days may be imposed on an employee solely on the authority of the mayor/chief of police.
- (b) Extensions of a suspension beyond three (3) work days, or additional suspension to the first for any employee in any two-month period, may be imposed by the mayor/chief of police.

Reference Code Sec. 2-234. - Dismissal for cause.

Any employee may be dismissed for cause upon the recommendation of the department head and the approval of the mayor/chief of police.

Reference Code Sec. 2-235. - Causes for suspension, demotion, or dismissal.

Cause for suspension, demotion (as provided for in section 2-198), and dismissal shall include, but not be limited to, the following:

- (1) Unwillingness or failure of an employee to perform the duties of his position in a satisfactory manner;
- (2) The deliberate omission of any act that it is the employee's duty to perform;
- (3) The commission or omission of any act or acts to the prejudice of the department service; or any act contrary to public interest or policy;
- (4) Insubordination;

- (5) Conduct of a discourteous or wantonly offensive nature toward the public, any municipal officer or employee; and, any dishonest, disgraceful, immoral or prejudicial conduct;
- (6) Drinking alcoholic beverages while on duty; and reporting for duty while under the influence of alcohol;
- (7) The use of intoxicating liquors or habit-forming drugs, liquids, or preparations to an extent that precludes such employee from performing the duties of his position in a safe or satisfactory manner;
- (8) Falsely making a statement of any material fact in the application for admission to any test for securing eligibility or appointment to any position in the city service, or the practicing or attempting to practice fraud or deception in any such test;
- (9) The conviction of a felony;
- (10) Using or promising to use influence or official authority to secure any appointment to a position within the city service as a reward or return for partisan or political services;
- (11) Soliciting or receiving any money or valuable thing from any person or group of persons, for any political party or political purpose;
- (12) Inducing, or attempting to induce, by threats of coercion, any person holding a position in the city service to resign his position, take a leave of absence from his duties, or waive any of his rights under the personnel policies or of the rules lawfully adopted hereunder;
- (13) The development of any defect of physical or mental condition that precludes the employee from properly performing the duties of the position; or the development of any physical or mental condition that may endanger the health or lives of fellow employees;
- (14) The willful violation of any personnel policy or of any rule, regulation, or order lawfully adopted hereunder;
- (15) Any other act or failure to act, which the board of aldermen shall consider as being sufficient to show the offender to be an unsuitable or unfit person to be employed in the service.

1.6 Rights and Prohibitions

Reference Code Sec. 2-251. - Fraud.

No person shall willfully or corruptly make any false statement, certificate, mark rating, or report with regard to any test, certificate, or appointment, or commit or attempt to commit any fraud preventing the impartial execution of personnel rules.

Reference Code Sec. 2-252. - Employment discrimination.

No person shall be appointed, promoted, demoted, removed, denied any benefit relative to a full-time or part-time position or in any way favored or discriminated against because of political, religious, racial, age, national origin, sex, physical handicap, or other extraneous considerations and forms of prejudice. No person shall be discriminated against because of a physical handicap if the handicap does not inhibit effective performance in the position he is holding or applying to hold.

Reference Code Sec. 2-253. - Payment of money or services.

No person seeking appointment or promotion shall either directly or indirectly give, render, or pay any money, service, or other valuable things to any person for, on account of, or in connection with his test, appointment, or proposed promotion or appointment.

Reference Code Sec. 2-254. - Political endorsement.

No person shall seek the benefit of, or attempt to use, any political influence in his application for any appointment or in connection with performance appraisal or merit increase.

Reference Code Sec. 2-255. - Dual officeholding.

Dual officeholding shall be prohibited in accordance with the provisions of R.S. 42:61 through 42:75; the provisions of which are adopted herein as if fully set forth herein.

Reference Code Sec. 2-256. - Dual employment.

An employee shall not engage in outside employment, including self-employment, where such employment would constitute a conflict of interest or would adversely affect the employee's performance in the city service. Outside employment must be reported to, and approved by the mayor/chief of police. Dual public employment shall be further regulated in accordance with such related state law.

Reference Code Sec. 2-257. - Other prohibitions.

No employee shall engage in activities prohibited by law or administrative policy.

Reference Code Sec. 2-258. - Penalty for violations.

Violations of any of the prohibitions shall be grounds for rejection of application, suspension or dismissal.

1.7 Records

Reference Code Sec. 2-271. - Personnel records.

The mayor/chief of police shall maintain the official personnel files for all city employees. Unless otherwise provided by law, personnel files and information shall be confidential and may not be used or divulged for purposes unrelated to city personnel management, without the express permission of the employees involved. Nothing herein shall prevent the dissemination of impersonal statistical information. An employee shall have the right of reasonable inspection of his official personnel file under procedures established by the personnel office.

Reference Code Sec. 2-272. - Status changes.

Department heads shall report changes in the personnel status of employees in accordance with procedures developed by the personnel office.

Reference Code Sec. 2-273. - Records of written reprimands.

Upon written request from the employee, the personnel office may remove written reprimands from the employee's personnel file, one year after their being issued, provided the employee has received no disciplinary action since the written reprimand and provided the employee has demonstrated improvement.

Reference Code Sec. 2-274. - Personnel (classified) office records.

Records maintained by the personnel director shall include, but not be limited to, the following files:

- (1) Status of all positions in the city service covered by this article (see section 2-140);
- (2) Status, classification and pay of all employees in the city service;
- (3) Leave records, indicating annual leave earned, used and unused, and any other authorized leave with or without pay;
- (4) Personnel action or employment records including application forms and records relative to selection, appointment, demotion, transfer, layoff or termination, rates of pay or other terms of compensation.

Reference Code Sec. 2-275. - Period of retention.

All of the above records shall be maintained at least six (6) months after the date that record was made or the action was taken whichever occurred later. Records relevant to a charge of discrimination or action brought against the city by the United States Attorney General shall be retained until final disposition of the charge or action.

Reference Code Sec. 2-276. - Examination of records.

The personnel director shall, from time to time, examine department payrolls and related records to determine whether the persons on such payrolls have been appointed, transferred, reinstated, continued, or otherwise employed in violation of any provision of the law and rules and determine if employees are being paid at a rate other than the duly authorized rate.

1.8 Drug Free Work Place Policy

Reference Code Sec. 2-277. - Statement of policy.

In order to protect the health, welfare and safety of the public, co-workers and the individual employee; heighten efficiency and effectiveness of service to the public, and to ensure the continued integrity of the operation of the City of Gonzales system, there is hereby adopted a comprehensive program of substance abuse testing of applicants for employment and current employees which shall be undertaken in accordance with the provisions herein.

Reference Code Sec. 2-278. - Establishment of procedure.

There is hereby established an appropriate substance abuse testing procedure in the form of a urine screening procedure to test for the presence of any substance, medication or drug that when taken or used alone or in combination with some other substance drug, will modify one or more of the normal sensory or motor body functions (i.e., coordination reflexes, vision, etc.) in an individual. This includes alcohol, and

any and all forms of narcotics, depressants, stimulants or hallucinogens, whose sale is restricted or controlled by law, as well as prescription medication not legally obtainable in Louisiana, but which nevertheless has been obtained or used illegally.

Reference Code Sec. 2-279. - Employment status.

- (a) It is hereby declared and established that employment of all persons by the city is such that the nature and degree of their positions are sensitive per se to substance abuse due to the fact that it is the responsibility of this governing authority to protect the health, welfare and/or safety of the public, as well as coworkers and other individual employees who are at risk. All employees and applicants for employment will be required to submit to the substance abuse testing procedure which shall be conducted pursuant to the provisions of this division.
- (b) For the sole purpose of the implementation of this division, there are established three (3) categories of employment status:
 - (1) Category I—Pre-employment substance abuse testing of potential new employees.
 - (2) Category II—Post-employment probationary substance abuse testing of new employees.
 - (3) Category III—Substance abuse testing of all employees.

Reference Code Sec. 2-280. - Establishment of committee; purpose.

There is hereby established an ad hoc committee of this governing authority, known as the substance abuse testing committee, to consist of the members of the city council who shall oversee and manage the substance abuse testing program. In addition, it shall make recommendations and promulgate rules and regulations for the purpose of carrying out the policy of substance abuse testing established by this division.

Reference Code Sec. 2-281. - Pre-employment testing requirement (category I).

All individuals who apply for employment with this governing authority and submit a completed application which has been duly reviewed by the appropriate committee, shall voluntarily submit to the substance abuse screening procedure as a qualifying condition of eligibility for employment.

Reference Code Sec. 2-281.1. - Employment application; rejection (category I).

Any individual applicant who either does not pass the pre-employment substance abuse screening procedure, or does not undergo the pre-employment screening procedure at the prescribed time and place designated for testing, or who tampers with or attempts to adulterate the sample, shall be considered having failed that portion of his application for employment and rejected for employment by this governing authority. The applicant shall not be considered for employment unless six (6) months has elapsed from the date of rejection, subject to the conditions of section 2-281.2 below.

Reference Code Sec. 2-281.2. - Reapplication for employment; conditions (category I).

Any individual who has been disqualified pursuant to the provisions of section 2-281.1 above, may again make application for employment with this governing authority after an appropriate period of time, which is declared to be a six-month period from date of rejection, during which the individual has remained alcohol and/or drug free and submits documentation of the successful completion of a certified treatment program and continuing participation in an after-care program, all at the expense of applicant.

Reference Code Sec. 2-282. - Post-employment testing; new employees (category II).

An applicant for employment who has met all qualifications and requirements for employment, including but not limited to, the substance abuse screening procedure herein established and who is accepted by this governing authority as a regular full-time employee, shall be classified for the sole purposes of this division as a probationary employee for a period of six (6) months. Prior to beginning employment with the city, the employee shall agree in writing to voluntarily submit to unannounced

substance abuse testing. At least two (2) substance abuse testing procedures shall be administered during the probationary period.

Reference Code Sec. 2-282.1. - Dismissal; test failure or refusal (category II).

Any employee who either does not pass the substance abuse screening procedure during the probationary period or fails or refuses to undergo the screening procedure at the time and place designated for testing, or tampering with or attempting to adulterate the sample shall be considered as failing to successfully complete the testing procedure associated with employment with this governing authority, and such failure shall be considered to be presumptive evidence of the individual's inability to successfully pass the substance abuse testing procedure and will be grounds for immediate dismissal.

Reference Code Sec. 2-283. - Substance abuse testing; all employees (category III).

All employees who are employed by this governing authority under the provisions of section 2-279, shall submit to a substance abuse screening procedure as a condition of continuous eligibility for employment. All tests conducted shall be on an unannounced basis and shall apply to all regular full-time employees. All employees shall be tested at least once during each calendar year.

Reference Code Sec. 2-283.1. - Test failure or refusal; dismissal or suspension (category III).

Any employee who either does not pass the substance abuse screening procedure or who refuses to undergo the screening procedure at the prescribed time and place designated for testing or tampers with or attempts to adulterate the sample, shall be considered as having failed to successfully complete the testing procedure associated with employment with this governing authority and such failure shall be presumptive evidence of the individual's inability to successfully pass the substance abuse testing procedure. Thereafter, this governing authority shall have grounds for immediate dismissal, or suspension without pay, in the sole discretion of this governing authority, subject to the requirements of sections 2-285 and 2-285.1.

Reference Code Sec. 2-284. - Additional testing requirements; reasonable suspicions (categories II and III).

All employees under 2-279, Categories II and III shall additionally be required to participate in the substance abuse screening procedure if there exists reasonable suspicion to believe that the employee's fitness for duty is questionable, based on the following criteria:

- (1) Any observable work related behavior or similar pattern of conduct that appears to be abnormal, erratic or otherwise not in conformance with or acceptable to the city policy;
- (2) Any observable work related behavior or similar pattern of conduct that indicates signs of impairment in normal sensory and/or motor body functions;
- (3) Any articulable facts or evidence that indicate possible substance abuse on the job;
- (4) Any information or evidence that warrants, or emanates from, an authorized investigation of possible drug related activity by a specific individual or group;
- (5) Any pattern of alcohol and/or drug related behavior, conduct or activity that is violative of state or federal law.

Any employee who is sent for testing shall be driven to the testing facility by another employee and shall not drive themselves.

Reference Code Sec. 2-284.1. - Additional testing requirements; accident/injury (categories II and III).

All employees under section 2-279, Categories II and III, shall additionally be required to participate in the substance abuse screening procedure if the employee is involved in an on-the-job accident or sustains an on-the-job injury. For the purposes of this section: The term "accident" refers to any occurrence which requires treatment by qualified medical personnel, causes injury or fatality, produces damage to property

or material, or interrupts and/or terminates scheduled work assignments. Any employee sent for testing under this section shall be driven by another employee and shall not drive themselves.

Reference Code Sec. 2-285. - Due process hearing; employees (category III).

There is hereby established a due process hearing procedure for all Category III employees as follows:

- (1) An employee aggrieved by the results of the substance abuse testing procedure shall be allowed to appear before the board of aldermen in private session for the sole purpose of requesting and presenting arguments to limit the severity of the penalty to be imposed under section 2-283.1 of this division.
- (2) The city council shall, after due consideration and deliberation, render a decision of suspension or dismissal. No further hearing shall be held and the decision of the governing authority is final.
- (3) Should the city council determine that the suspension of the employee is the appropriate action, the employee shall be required to comply with the provisions of section 2-285.1.

Reference Code Sec. 2-285.1. - Suspension; rehabilitation (category III).

The employee shall make a good faith effort of rehabilitation during and after his determined period of suspension which shall be conditioned upon the following criteria:

- (1) Enrollment in and successful completion of a certified rehabilitation program;
- (2) The rehabilitation program must be in conformance with the standards normally acceptable within the health care industry;
- (3) The individual's rehabilitation program is comprised of one (1) or more components such as treatment, counseling, recovery and after-care services depending upon the nature and severity of the employee's substance abuse problem;
- (4) The employee agrees in writing to remain alcohol and drug free and to undergo unannounced post treatment substance abuse testing during and after the period of suspension and upon his reemployment with this governing authority.

All costs associated with rehabilitation, treatment, counseling and other related services shall be at the expense of employee and the failure of such employee to agree to and/or comply with these conditions, shall constitute adequate grounds for dismissal by this governing authority.

Reference Code Sec. 2-286. - Testing laboratory; criteria.

The mayor, at the direction of the city council, shall determine the appropriate laboratory to perform the substance abuse testing subject to their compliance with the following criteria:

- (1) The laboratory uses the best available technology for ensuring the full reliability and accuracy of substance abuse testing procedures.
- (2) The laboratory employs strict procedures governing the chain of custody of samples collected for substance abuse testing to ensure the integrity of each screening sample by carefully tracking its handling from the point of collection to final disposition of the sample.
- (3) The laboratory issues report of positive test results only where an initial positive test resulting from enzyme multiplied immunoassay technique (EMIT) screening is confirmed by a separate procedure such as thin layer chromatography/mass spectrometry.
- (4) The laboratory guarantees minimum confidence level of ninety-five (95) percent, by which is meant no false positive results and less than five (5) percent false negative results.
- (5) The laboratory maintains strict confidentiality of all sample results so that at no time will the laboratory release results from any substance abuse test to anyone except an authorized representative of this governing authority.

- (6) The laboratory agrees to hold the City of Gonzales harmless against any liability resulting from the lab's failure to comply with these or other governmental standards.
- (7) The laboratory has obtained certification from the National Institute on Drug Abuse and operates in accordance with those standards.

Reference Code Sec. 2-286.1. - Local collection agency; criteria.

The mayor of the city, at the direction of the board of aldermen, shall designate a local sample collection agency associated with the medical profession, and may contract with such agency to professionally collect, manage, secure and deliver to the testing agency, all samples collected. The local sample collection agency shall maintain strict confidentiality and will operate within the industry. The local sample collection agency shall employ strict procedures governing the chain of custody of samples collected for substance abuse testing to ensure the integrity of each screening sample.

Reference Code Sec. 2-287. - Confidentiality.

This governing authority shall maintain strict rules of confidentiality regarding test results and shall publicly disclose information only upon the specific written request of the tested employee.

Reference Code Sec. 2-288. - Controlled substances; testing list.

The governing authority, after consultation with representatives of appropriate health and human services groups, law enforcement officials and other interested parties shall prepare and maintain a list of substances for which testing shall be employed, as well as specific detection levels that are compatible with governmental requirements and consistent with standards normally accepted within the industry.

Reference Code Sec. 2-289. - Forms.

The City Council shall prescribe appropriate forms and documents to be executed by all participants in the substance abuse testing procedures employed in furtherance of the provisions of this division.

1.9 Discriminatory Practices Prohibited

Reference Code Division 10. Discriminatory Practices Prohibited

Reference Code Sec. 2-289.1. Statement of Policy:

The City of Gonzales is committed to providing a work environment that is free from unlawful discrimination and harassment in any form. It is the policy of the City of Gonzales to comply with all applicable laws that provide equal opportunity in employment for all persons and to prohibit unlawful discrimination in employment. The policy of the City of Gonzales is not to discriminate by reason of race, color, religion, sex/gender, pregnancy, genetic information, citizenship status, national origin, age, disability or veteran status. The City of Gonzales will comply with all applicable laws prohibiting employment discrimination based on any other factor. This policy applies to all terms and conditions of employment, including, but not limited to; hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Reference Code Sec. 2-289.2 - Policy Against Unlawful Discrimination/Harassment and Other Inappropriate or Unprofessional Conduct:

(1) Work Environment

The City of Gonzales insists that all individuals be treated with respect and dignity. The City of Gonzales expressly prohibits any form of unlawful discrimination or harassment, and will not tolerate, condone, or allow such conduct by fellow employees, supervisors, managers, customers, vendors, contractors, visitors, or others who conduct business with the City of Gonzales. The City of Gonzales' "work environment" extends to all City of Gonzales facilities and any setting outside the workplace where individuals who work with or for the City of Gonzales are gathered, such as business trips, meetings, conferences, and social events.

(2) Sexual Harassment

All employees will comply with state law (LRS 42:343) regarding mandatory training for public officers and employees to prevent sexual harassment.

Existing employees will complete the online "Ethics for Public Servants" training offered by the Louisiana Municipal Association no later than February 15th each year. New employees will complete this training within 30 days of employment.

The purpose of this policy statement on sexual harassment is to establish clearly and unequivocally that The City of Gonzales prohibits sexual harassment by and of its employees. No employee, either male or female, should be subjected to unsolicited or unwelcome verbal or physical sexual advances or conduct.

"Sexual harassment" has been defined by government agencies and the courts as conduct which includes all unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- (b) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (c) Such conduct is sufficiently severe or pervasive to alter the conditions of employment and to create a hostile or abusive working environment.

Sexual harassment may take many forms, including, but not limited to: verbal teasing or abuse of a sexual nature; inquiries about sexual activities, sexual orientation and gender identity; subtle pressure or abuse of a sexual nature; inappropriate, unwelcome and unnecessary touching of an individual, for example, grabbing, patting, pinching, hugging, repeatedly brushing against another employee's body or impeding the movement of another person; offensive sexual flirtation, advances, or propositioning, including suggestive looks or gestures; sexually graphic verbal commentaries or jokes made in any medium; sexually degrading words used to describe an individual; or the offensive display in the workplace of sexual or pornographic objects, pictures or writings.

(3) Racial/Ethnic Discrimination and Harassment

The purpose of this policy statement on racial/ethnic discrimination and harassment is to establish clearly and unequivocally that the City of Gonzales prohibits racial and ethnic discrimination, including racial/ethnic harassment, by and of its employees. No employee, regardless of race or ethnicity, should be subjected to racially or ethnically offensive, hostile, or intimidating conduct either verbal or physical.

Conduct with racial or ethnic content or overtones, which is severe, pervasive or persistent, may be considered racial/ethnic harassment. Racial/ethnic harassment may take many forms, including, but

not limited to: menacing behavior, words, or symbols directed at persons of a particular race or ethnicity; displaying, distributing or otherwise communicating anything offensive in any medium which focuses on race or ethnicity; making critical or mocking comments about racial or ethnic characteristics, such as voice, accent, physical features, hair texture, or manner of dress; perpetuating or promoting racial/ethnic stereotypes, such as assumptions about likes and dislikes based on race or ethnicity; assigning persons to an isolated or separate work area based on their race or ethnicity; basing overtime assignments on race or ethnicity.

(4) Other Illegal Harassment

In addition to sexual, racial, and ethnic harassment, the City of Gonzales recognizes that other forms of unlawful harassment exist. Such unlawful harassment may target persons because of their color, religion, gender, marital status, pregnancy, genetic information, citizenship status, national origin, age, disability, veteran status, or other factors. The City of Gonzales will not tolerate such conduct.

Reference Code Sec. 2-289.3. - Complaint Procedure Relating to Any Unlawful Discrimination or Harassment.

Each employee of the City of Gonzales is responsible for maintaining a work atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees of the City of Gonzales are responsible for respecting the rights of their coworkers. It is the City's policy to thoroughly investigate and remedy any known incidence of unlawful discrimination or harassment. The City is equally committed to respond to complaints of inappropriate or unprofessional behavior. In order to accomplish this policy, unlawful discrimination or harassment, as well as any other inappropriate or unprofessional behavior by or toward any City of Gonzales employee, supervisor, manager, customer, vendor, contractor, visitor, or other person, must be reported in the manner and procedure set forth below to the extent possible.

Accordingly, if you experience any harassment based on your gender, race, ethnicity, religion, or other "protected classification", and/or you believe that you have been treated in an unlawful, discriminatory manner, do not ignore it. Although the City of Gonzales encourages you to express your concerns directly to the offending person in a reasonable and safe manner, if, in your judgment, informal, direct communications between individuals is ineffective or impossible, you should immediately or as soon as possible communicate your problem to your direct supervisor. If you feel that you are unable to report the problem to your direct supervisor for any reason, then you should report the problem to the Director of Human Resources for the City of Gonzales, who will document the matter and inform the City Clerk/Chief Administrative Officer or Mayor, Assistant Chief or Police Chief, or Fire Chief or Assistant Fire Chief, as appropriate, who will then take appropriate action.

It is mandatory that *all parties* to an allegation of discrimination and/or harassment, sexual or otherwise, participate in the investigation of the incident, and cooperation in the investigation thereof is an express condition of each employee's employment with the City of Gonzales.

If you have a complaint involving the Mayor, Police Chief, or Fire Chief, then you should report the problem to the City Attorney. The City of Gonzales will endeavor to protect the privacy of both the complainant and the accused and to keep the investigation confidential to the extent practical and appropriate under the circumstances.

Reference Code Sec. 2-289.4 - No Retaliation

The City of Gonzales prohibits any form of retaliation against any employee for making a bona fide complaint in good faith under this policy or for assisting in a complaint investigation. Retaliation of any kind will be considered a violation of this policy.

Reference Code Sec. 2-289.5 - False complaints

The City of Gonzales will not tolerate the reporting of false complaints. If, through the course of an investigation, a complaint is found to be false, the person who knowingly reported a false complaint will be the subject of disciplinary action up to and including termination and may be held liable for the resources expended in investigating a false complaint.

Reference Code Sec. 2-289.6 - Remedial Measures

If unlawful discrimination, harassment, inappropriate or unprofessional conduct is found to have occurred, appropriate remedial action will be taken. If the employee is found to have violated this policy, such employee will be subject to disciplinary action up to and including immediate termination.

Reference Code Sec. 2-289.7 - Employee Responsibility

Employees have important responsibilities with respect to the policy against unlawful discrimination and harassment. City of Gonzales employees are responsible for knowing and understanding this policy and promoting a workplace free of unlawful discrimination and harassment by conducting themselves in a manner consistent with this policy. Employees also have a responsibility to report any unlawful discrimination or harassing conduct they are subjected to or they observe taking place toward another employee immediately or as soon as possible in accordance with the complaint procedure set forth above.

Reference Code Sec. 2-289.8 - Contractors and Vendors

Contractors, vendors and others who have a business or contractual relationship with the City of Gonzales are expected to abide by rules of conduct expressed in the Policy while doing business at or on behalf of the City of Gonzales. If you believe there has been a violation of policy by a contractor or vendor, you should immediately, or as soon as possible after the event, report any violation of policy by contractors and vendors in accordance with the complaint procedure set forth above.

Reference Code Sec. 2-289.9 - Policy regarding disability accommodations.

The City of Gonzales will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. If you believe you have a disability requiring accommodation, you should immediately or as soon as possible communicate your circumstances to your direct supervisor. If you feel that you are unable to report the issue to your direct supervisor for any reason, then you should report to the Director of Human Resources for the City of Gonzales, who will document the matter and inform the City Clerk/Chief Administrative Officer or Mayor, Assistant Chief or Police Chief, or Assistant Fire Chief or Fire Chief, who will then take appropriate action.

Reference Code Sec. 2-289.10 - Investigation

If a complaint is warranted, the City of Gonzales will designate an investigator and assign the case for a prompt and impartial fact-finding investigation of the complaint. The specific fact-finding steps may vary depending on the facts and circumstances of the complaint. Generally speaking, the designated investigator will:

1. Inform the complainant and respondent of the start of the investigation.
2. Initiate a formal fact-finding investigation of the complaint.
3. Collect and review relevant documentation.
4. Interview complainant, respondent, and witnesses to the reported event or events.
5. Provide respondent with ample opportunity to respond to the complaint.

Reference Code Sec. 2-289.11. - Acknowledgement

All current employees shall sign acknowledgement of receipt of the hereinbefore-stated policy and all future employees shall sign acknowledgement of same upon employment.

1.10 Internet, Intranet, E-Mail and Database Use Policy

The City of Gonzales currently has made available systems that will allow access to, and use of, e-mail, databases, the Internet, and the City of Gonzales Intranet system (hereinafter called City of Gonzales Systems), which will be used by the City of Gonzales employees.

Following are City of Gonzales policies and conditions regarding the use of, and access to, any City of Gonzales Systems. This policy applies to all those employees using City of Gonzales Systems, including those who are employed in a contract or temporary basis and may not meet the full legal definition of employee.

City of Gonzales Systems are intended for City of Gonzales business. Although occasional personal use is not prohibited, any use that interferes with normal business activities, interferes with the functioning of the network or does not abide by the restrictions of this policy, is strictly prohibited.

1. The city encourages employee use of City of Gonzales Systems:
 - a. To communicate with fellow employees and clients regarding matters within an employee's assigned duties
 - b. To acquire information related to, or designed to facilitate, the performance of regular assigned duties
 - c. To facilitate performance of any task or project in a manner approved by the employee's supervisor
2. E-mail is the property of City of Gonzales and is intended for carrying out City of Gonzales business. Employees should exercise the same care in drafting e-mail, communicating in chat groups, or posting items to newsgroups as they would for any other written communication. Anything created on the computer or the Internet may, and likely will, be received by others.

3. The City of Gonzales is to be considered as the recipient of all e-mail messages received by City of Gonzales employees, regardless of whether the e-mail message was originated from outside or inside of City of Gonzales.
4. City of Gonzales management can rightfully enter the e-mail system and view, copy or delete any messages, whether they have been held, sent, or received, and disclose such messages to others. The use of passwords to gain access to e-mail is for the protection of the City of Gonzales, not the employee; therefore, the employee should not assume that messages are confidential even though a private password is used.
5. While the City of Gonzales is allowing occasional personal use of its Systems, at no time may employees of the City of Gonzales use City of Gonzales Systems or resources which have been deemed unacceptable by management including but not limited to the following:
 - a. Sending, receiving, storing, viewing, printing, or otherwise disseminating material that is fraudulent, harassing, illegal, embarrassing, sexually explicit, obscene, excessively violent, intimidating, or defamatory.
 - b. Displaying, disseminating, downloading, printing, or in any way using copyrighted materials (including articles and software) in violation of copyright laws.
 - c. Sending, receiving, storing, viewing, printing, disseminating, or otherwise using proprietary data, trade secrets or the confidential information of the City of Gonzales in violation of City of Gonzales policy or proprietary agreements.
 - d. Sending, receiving, viewing, storing, printing, disseminating or soliciting sexually oriented messages and images.
 - e. Using any of these systems and resources for commercial or personal advertisements, solicitations, promotions, destructive programs (i.e. viruses and/or self-replicating code), political material, or any other unauthorized or personal use.
 - f. Sending, viewing, storing or otherwise using offensive or harassing statements, sexually explicit language, obscene or crude language, graphic depictions of violence, threat of harm to persons or their property, profanity, or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.
 - g. Making any personal purchases that do not abide by federal, state, and local laws and regulations including paying appropriate sales taxes. The City of Gonzales should not be involved in any personal purchases. No personal purchases should be made of an inappropriate nature including but not limited to items of a sexual nature or items related to the activities prohibited herein.
 - h. Engaging in any form of gambling that has the potential to transfer anything of value whether the potential transfer is immediate or in the future.

Note: While receiving unsolicited information cannot always be controlled, employee should make every effort to comply with the intent of these policies.

6. The City of Gonzales reserves the right to monitor the Internet, Intranet, e-mail, and database systems to ensure they are being used properly and for City of Gonzales business.
7. City of Gonzales databases contain confidential information. Therefore, it is mandatory

that all confidential information be guarded with utmost diligence. Either intentional or negligent sharing of this information could jeopardize City of Gonzales's future, as well as the job security of all City of Gonzales personnel.

8. All material downloaded from the Internet or from computers or networks that does not belong to the City of Gonzales must be scanned for viruses and other destructive programs before being placed on any of City of Gonzales computer system, network or other equipment.
9. Because of export restrictions, programs or files containing encryption technology are not to be placed on the Internet or transmitted in any way outside of the United States without prior written authorization from the author.
10. The City of Gonzales will not be responsible for any damages, direct or indirect, arising out of the use of any of the systems mentioned above.
11. The City of Gonzales has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites employees visit on the Internet, even those visited during the employee's personal use outside of business hours, monitoring the frequency and length of site visits and overall Internet use, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees. Employees waive the right to privacy in anything they create, view, store, send, or receive on any City of Gonzales System or computer, or through the Internet.
12. Employees must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activity.
13. These policies and conditions may be amended or revised from time-to-time. Employees will be provided with written copies of all amendments and revisions to these policies and conditions.
14. Any violation of these policies and conditions may result in disciplinary actions including possible termination, and/or legal action.

1.10 (a) Use of Social media

Employees assume any and all risk associated with the personal use of social media. The City may require immediate removal of material and/or take disciplinary action for the use of social media sites by employees that causes disruption of the workplace or impairs the mission of the City. The following activities are **strictly prohibited** relating to the personal use of social media:

- **Disclosure of confidential City information.**
- **Posting rumors or information that you know, or should reasonably know, to be false about the City of Gonzales, fellow employees, citizens, suppliers, and people working on behalf of the City of Gonzales.**
- **Communicating with the media about City related information without the permission of the Mayor, Police Chief, Fire Chief and/or City Clerk.**

- **Posting photographs of fellow employees without their permission.**
- **Posting personal statements, opinions, or beliefs and attributing those to the City of Gonzales.**
- **Posting any material that: (i) constitutes harassment, hate speech, or libel; (ii) violate the privacy rights of fellow employees; or (iii) is disruptive to the work environment because it impairs workplace discipline or control, impairs or erodes working relationships, creates dissension among co-worker, interferes with job performance, or obstructs operations.**

This policy applies to all employees who work for the City of Gonzales. Certain Civil Service employees may also have additional restrictions.

Social media is defined as and 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 the City of Gonzales), as well as any other form of electronic communication.

Violations of this Policy will subject the employee to disciplinary action, up to and including discharge from employment.

1.11 Employee Cell Phone Usage Policy

The City of Gonzales Cell Phone Policy outlines our guidelines for using cell phones at work. We recognize that cell phones (and smartphones especially) have become an integral part of everyday life. They may be a great asset if used correctly (for productivity apps, calendars, business calls etc.)

Beneficial Uses

Employees can benefit from using cell phones. Cell phone usage at work is allowed in the following instances:

- To make business calls.
- To use productivity apps.
- To check important messages.
- To make brief personal calls away from the working space of colleagues.

Detrimental Uses

Cell phones may also cause problems when used imprudently or excessively.

1. Despite their benefits, personal cell phones may cause problems in the workplace. Employees who use their cell phones excessively may:

- Get distracted from their work.
 - Disturb colleagues by speaking on their phones.
 - Cause accidents when they illegally use their phones inside company vehicles or near areas where using phones is prohibited
2. The City of Gonzales expects employees to use their cellphones prudently during working hours.
 3. The following uses of cell phones are prohibited during work hours:
 - Playing games on a cell phone during work hours.
 - Use of a cell phone for any reason while driving a city owned vehicle.
 - Use of cell phone headphones to listen to music while operating city owned equipment (Tractors, Backhoes, Trucks, etc)
 - Use of a cell phone's camera or microphone to record confidential information.
 - Use of a cell phone in areas where they are explicitly prohibited. (laboratories, courtrooms, etc.)
 - Speaking loudly on a cell phone within earshot of a colleagues' working space during working hours.
 - Downloading or uploading inappropriate, illegal or obscene material on a city-issued cell phone using a city internet or wifi connection.
 4. No employee may share the cellphone number of another employee with anyone without the express consent of the other employer or permission from the mayor or city clerk.
 5. Employees acknowledge that text messages or electronic communications sent or received via cellphone that are city business related are public records. As such, they are required to be maintained for three years. The employee is responsible for maintaining these records and agrees to submit them upon request.

Disciplinary Consequences

The City of Gonzales retains the right to monitor employees for excessive or inappropriate use of their cell phones. If an employee's phone usage causes a decline in productivity or interferes with our operations, the city reserves the right to ban that employee from using their cell phones at work.

Employees may face severe disciplinary action up to and including termination, in cases where they use a cell phone while on the job and:

- Cause a security breach;
- Disclose confidential information; or
- Cause an accident by recklessly using their cell phones.

1.12 Employee Ethics Policy

All employees will comply with state law (LRS 42:1111-1121) regarding the code of governmental ethics for public officers and employees.

Existing employees will complete the online “Ethics for Public Servants” training offered by the Louisiana Board of Ethics no later than February 15th each year. New employees will complete this training within 30 days of employment.

Actions to be taken if an ethics violation takes place:

1. Protect the confidentiality of the informant
2. Department head will hold hearing with the employee
3. The results of the hearing is shared with Mayor and HR
4. The mayor will consult the City Attorney if needed and recommend action
5. The employee will be advised of the recommended action
6. A record will be placed in the employee’s file
7. The agency head will disclose any violation to the ethics board.

The City will monitor possible ethics violations through the following actions:

Quarterly messages will be placed in paystubs reminding employees of responsibility to report ethics violations and that whistleblowers are kept confidential.

All employees, including elected officials, must turn in a signed copy of the ethics policy with their training certificates verifying that they read the City’s ethics policy.

2.0 Employee Benefits

2.1 Retirement

The City of Gonzales regular employees and firefighters will participate in the Municipal Employees Retirement System (MERS). City of Gonzales Police Department employees will participate in the Municipal Police Employees Retirement System (MPERS). The relevant city code sections affecting retirement are detailed below.

Reference Code Sec. 2-316. - Policy and purpose.

It is hereby declared to be the policy and purpose of the city to extend the provisions of Act No. 356, Regular Session, Louisiana Legislature of 1954, providing retirement to eligible officers and employees of the city. In pursuance of such policy, and for such purpose, the officers and employees of the city shall take such action as may be required by applicable state laws or regulations. The coverage of eligible officers and employees shall be retroactive to January 1, 1955.

Reference Code Sec. 2-317. - Execution of agreement with board of trustees.

The mayor is hereby authorized and directed to execute an agreement with the board of trustees of the municipal employees' retirement system to secure coverage of eligible officers and employees as provided in section 2-316.

Reference Code Sec. 2-318. - Withholdings.

Withholdings from salaries or wages of officers and employees for the purposes provided in section 2-316 are hereby and authorized to be made in the amount and at such times as may be required by the board of trustees in accordance with Act No. 356 of 1954, and shall be paid over to the board of trustees in such amounts and at such times as are designated by state laws and regulations of such agency.

Reference Code Sec. 2-319. - Employer contributions and assessment for administrative expenses.

Employer contributions and assessment for administrative expenses shall be paid from amounts appropriated for such purposes to the board of trustees in accordance with applicable state laws and regulations of the board of trustees.

Reference Code Sec. 2-320. - Records and reports.

The city clerk shall maintain such records and submit such reports as may be required by applicable state laws or regulations of the board of trustees.

Reference Code Sec. 2-290. - Exemption from firefighters retirement system.

The city and its firefighting employees are hereby declared to be exempt from the mandatory provisions of R.S. 33:2153A(1)(a), and neither Section 2153 A(1)(a) nor any of the other provisions of Act 434 of the 1979 Louisiana Legislature shall be applicable to this city or its firefighting employees.

2.2 Worker's Compensation Insurance

Worker's Compensation Policy

The City of Gonzales will provide Worker's Compensation Insurance through the Louisiana Municipal Risk Management Agency. The relevant city code is detailed as follows.

Reference Code Sec. 2-306. - Title and statement of purpose.

This division shall be cited as the "Workmen's Compensation and Employer Liability Claims Insurance Law of the City of Gonzales, Louisiana." The intent of this division is to provide for participation by the city in the Louisiana Municipal Risk Management Agency initially to share the risk and administration of workmen's compensation and employer liability claims and subsequently at the option of the applicant and agency if a subsequent fund is established, to share the risk of public liability claims; to authorize the mayor to contract to join in such agency; and to authorize the mayor to expend such applicable premium funds to contribute to the group self insurance fund of such agency as to workmen's compensation and employer liability claims, pursuant to R.S. 33:1341—33:1350.

Worker's Compensation Procedure

All incidences of work related accidents, illnesses or injury must be reported within 24 hours of occurrence to the employee's supervisor. No employee will be terminated or punished for reporting an accident, illness or injury.

Responsibility for claiming compensation under the Workers' Compensation law rests with the employee.

When an employee is injured in a work related accident, the City of Gonzales may grant the injured employee Workers' Compensation Leave for any work time missed in the initial seven calendar-day period following the injury. After this initial seven day period, benefits will be paid in accordance with the City's Workers' Compensation Insurance. An employee will not be eligible for Workers' Compensation Leave once the seven calendar-day period has expired.

2.3 Health Insurance Coverage

Employee Health Insurance

The City of Gonzales will provide medical coverage to its employees through Risk Management Inc., (RMI) an entity affiliated with the Louisiana Municipal Association (LMA).

Health Insurance Premiums will be set by the City Council.

The current rate structure for health insurance premiums paid by active full time city employees is as follows:

Coverage	Monthly Rate	Bi-Weekly	Monthly Rate	Bi-Weekly
	Local Hospital Network		National PPO Network	
Single Coverage	\$150.00	\$69.23	\$175.00	\$80.77
Family	\$350.00	\$161.54	\$450.00	\$207.69
Participant + Spouse	\$325.00	\$150.00	\$400.00	\$184.62
Participant + Child	\$300.00	\$138.46	\$350.00	\$161.54

Retiree Health Insurance

The rate structure for health insurance premiums paid by retirees will be as follows:

Coverage	Monthly Rate
Retiree Single Under 65	\$525.00
Retiree Family Under 65	\$900.00
Retiree Single 65 & Over	\$400.00
Retiree Family 65 & Over	\$550.00
One Under/One Over 65	\$625.00

Retirees who choose to retain medical coverage after retirement will be responsible for payment of a portion of the annual pre-determined medical premium as set by the city council. The portion payable by the retiree will be based on the retiree's years of service at retirement as illustrated in the following table:

Years of Service at Retirement	Retiree Portion	City of Gonzales Portion
Less Than 20	70%	30%
20 Years to Less Than 25	60%	40%
25 and Over	50%	50%

As of June 1, 2006, retirees reaching the age of 65 will no longer be offered coverage under the City of Gonzales Insurance Plan. These retirees are automatically eligible for Medicare and the Medicare Prescription Drug Program at the age of 65.

Covered retirees age 65 and older prior to June 1, 2006 will be allowed to retain coverage on the City of Gonzales Insurance Plan.

Any eligible dependent of a retiree will be allowed to remain on the City of Gonzales Insurance Plan until the age of 65 provided the dependent continues to meet all other dependent eligibility requirements.

All eligible dependents of any covered active employee or retiree will lose eligibility upon the death of the active employee or retiree.

Covered retirees having attained the age of 65 by December 31, 2016 will be provided with a \$200.00 stipend per month until the time of their death for the purpose of procuring a Medicare Supplement Plan. Covered employees aged 65 prior to December 31, 2016, who retire at a later date, will also be eligible for this program. Covered employees retired prior to December 31, 2016 will be eligible for this program upon attaining age 65.

Anyone who does not meet one of the above conditions will not be eligible for this program.

City Council Health Coverage

City Councilmen may participate in this health plan. Councilmen who choose not to participate will be granted an annual health insurance stipend of \$2,000. The stipend shall be paid at the end of each coverage year in December.

Active Councilmen who opt into the City of Gonzales Health Insurance Plan will not be eligible for the \$2,000 per year health stipend.

Covered Councilmen who leave office with at least twelve (12) years of service shall be eligible to remain on the City of Gonzales Health Insurance Plan provided the appropriate health insurance premium is paid in accordance with the retiree health insurance premium schedule.

Former Councilmen will not remain eligible for health coverage once they reach the age of sixty-five (65).

If at any point a former Councilman chooses to end health coverage with the City of Gonzales, he or she shall not be eligible to return to the health plan unless re-elected to office.

3.0 Travel

Business travel, including travel for training purposes, must be approved in advance by the Mayor, Chief of Police, or Fire Chief and be in writing. The Mayor, Chief of Police, and Fire Chief's travel should be in compliance with this policy and within budget. Travel by City Council members should be in compliance with this policy and within budget. All travel expenditures should be in accordance with the approved budget.

3.1 Lodging Guidelines

1. All hotel and travel accommodations shall be of the most reasonable rates to insure reimbursement.
2. Reimbursement for overnight lodging in Baton Rouge shall require the advanced approval of the Mayor or Chief of Police, and should be limited to circumstances where commuting to Baton Rouge would be unreasonably burdensome to the employee.
3. The Mayor or City Clerk's approval must be provided to allow lodging expenses to be direct billed to the municipality.
4. Conference Lodging - The Mayor has the authority to approve the actual cost of conference lodging, for a single occupancy standard room, when the traveler is staying at the designated conference hotel. The Mayor or City Clerk's approval must be provided to allow lodging expenses to be direct billed to the municipality. Detailed lodging receipts are required to be obtained by the traveler and submitted to the clerk upon return.

3.2 Transportation Guidelines

1. Airfare – The reason for using other than the lowest priced airfares must be documented on the expense report. Commercial air travel will be reimbursed at the coach/economy class rates unless such rates are not available. The difference between coach/economy class rates and first class or business class rate will be paid by the traveler.
2. City Owned Vehicle – Vehicles owned by the city may be used for business travel only. No employee may commute to work in a city owned vehicle without proper authorization from the mayor or chief of police. Incidental use of the vehicle while on city business is allowed. All other personal use of a municipality owned vehicle is strictly prohibited.
3. Any fuel purchases made on municipality credit cards must be signed for by the traveler making the purchase and the vehicle for which the purchase was made must be noted on the receipt. Receipts are to be turned in promptly to the clerk.
4. Efforts should be made to use city owned vehicles for all business related travel if available. All personally owned vehicles will be compensated at the IRS published mileage reimbursement rate.

Personal vehicle use for business travel must be approved in advance by the Mayor or Chief of Police.

5. Rental Vehicle – Rental vehicles must be approved in advance and only upon showing that the rental is the only or most economical means by which the purpose of the business trip can be accomplished. Only the cost of a compact model is reimbursable unless 1) non-availability is documented; 2) the vehicle will be used to transport more than two persons; or 3) the cost of a larger vehicle is no more than the rental rate for a compact. Detailed receipts and documentation of the business purpose are also required for reimbursement.
6. Taxis, etc. – Receipts are required for the reimbursement of the actual cost of public ground transportation used in connection with approved business travel.

3.3 Business Meals

1. Business Meal Allowance (includes the tax and tip) – Meal receipts are not required but the dates and meals claimed (breakfast, lunch, and dinner), including the business purpose for the meals must be documented on the travel expense forms.
2. Business meals incurred during overnight travel will be reimbursed in accordance with the following.

Breakfast: When travel begins at/or before 6:00 a.m. on the first day of travel, or extends beyond 9:00 a.m. on the last day of travel and for intervening days.

Lunch: No reimbursement shall be made for lunch for travel except when travel extends past 2 PM. If travel extends overnight, lunch may be reimbursed for those days where travel begins at or before 10:00 a.m. on the first day of travel, and extends beyond 2:00 p.m. on the last day of travel, and for any intervening days.

Dinner: When travel begins at or before 4:00 p.m. on the first day of travel, or extends beyond 8:00 p.m. on the last day of travel and for intervening days.

Meal Per Diem Rates Including Tip:

	Standard Rate	Baton Rouge	New Orleans Out of State	Washington, DC
Breakfast	\$ 13	\$16	\$17	\$18
Lunch	\$ 15	\$17	\$18	\$20
Dinner	\$ 26	\$31	\$34	\$36

Meals provided at no cost to the employee while in travel status, including meals provided as part of a conference/meeting cannot be claimed as per diem meals, unless approved by the Mayor or Chief of Police. Receipts are not required for routine meals within these allowances.

3. No reimbursement will be made for meals when travel does not extend beyond 30 miles, unless approved by Mayor or Chief of Police.

4. Parking fees associated with business travel will require a receipt for reimbursement.
5. The Mayor, Chief of Police, and City Councilmembers will not be reimbursed for meals in accordance with the per diems spelled out in Section 3.3-2 above. They shall be allowed a travel per diem of \$50.00 per day. This per diem is meant to cover meals, phone expenses, and any other expenses not expressly covered by this travel policy. When travel extends to New Orleans or out of state, the per diem will increase to \$75.00.

3.4 Registration Costs

1. Costs are reimbursed in full with a copy of the registration form/receipt and with evidence that payment was made.
2. The Mayor or City Clerk's approval must be provided to allow the cost of registration to be direct billed to the municipality. A copy of the registration form/receipt is required.

3.5 Travel Advances

1. Travel advances may be approved if the traveler can document that travel expenses would be unreasonably burdensome and create an undue personal financial hardship.
2. The Mayor must approve, in writing, any travel advance and any related costs (e.g., airfare, lodging, and registration) paid direct by the municipality.
3. An advance of funds for travel must be reasonable, be approved by the Mayor, and be documented on both the *Travel Advance Request Form* and the *Travel Expense Form*. The traveler must sign the forms which also gives authorization to deduct the amount advanced from his/her paycheck if required documentation is not submitted to the municipality within 30 days of return.

4.0 City Hall Access and Time Management Policy

Access to City Hall is restricted to authorized users. This policy defines the roles and responsibilities of authorized users.

4.1 User Access

User access is possible through the use of personal badges assigned to each individual. Each employee or granted user shall be assigned one single badge and one lanyard or retractable reel. All city issued badges, lanyards, and reels are considered property of the City of Gonzales. Badge access levels vary depending upon the user's specific job duties.

Access Control badges and access permissions are controlled by the Central Services Director and may be revised at any time.

4.2 User responsibilities

- Employees are required to maintain possession of their assigned badge at all times.
- Badges may not be shared with other individuals.
- Badges shall be used to enter exterior and interior doors which are restricted.
- Badges may not be used to grant access to unauthorized users.
- Unauthorized users shall access City Hall through the public entrance doors facing S. Irma Boulevard during normal operating hours.
- Badges shall be used to "clock in" and "clock out" at the designated card reader locations.
- Employees unable to "clock in" or "clock out" for any reason must communicate with their immediate supervisor to document attendance.
- Office employees have the option to purchase personal lanyards at their discretion and expense.
- Field employees must utilize the industrial grade retractable reel provided by the City.

4.3 Lost or Damaged Badges

Users are assigned one badge and one lanyard or reel. A badge and/or lanyard/reel that is damaged must be returned to the Central Services Director in order to receive a replacement at no cost. If a badge is lost and unaccounted for replacements are issued as follows:

- Replacement badge and lanyard at the cost of \$10.
- Replacement badge and/or industrial reel at the cost of \$25