

IV. COMPENSATION **AND BENEFITS**

A. COMPENSATION

COMPENSATION FOR PART-TIME SERVICES

When part-time service in any position is authorized or rendered, the actual compensation to be paid shall be an appropriate hourly rate determined by the Executive Director.

An employee who is employed for only part of a pay period shall be paid for the proportionate calendar days worked.

COMPENSATION FOR HOLIDAYS

Employees shall be eligible for compensation on holidays observed by the State of Louisiana except:

1. When the employee's regular work schedule averages less than 20 hours a week;
2. When the employee is on leave without pay immediately preceding and following the holiday period;
3. When the employee is on an intermittent work schedule.

COMPENSATION FOR ATTAINMENT OF ADVANCE DEGREE

The Executive Director may approve a base pay increase of up to 10% for an employee who attains a job-related master's degree, Ph.D., or their equivalent from an accredited college or university while employed.

PAYROLL PROCEDURES AND PROCESSES

1. The Commission must maintain adequate documentation of personnel and position actions, payroll and attendance, applicant flow and such other information as may be specified. The Executive Director shall prescribe the retention schedule for such records.
2. The Executive Director shall establish adequate internal controls to prevent fraud and to ensure that actions are in compliance with state law.

PAYROLL PERIODS AND TIMELY ISSUANCE OF PAYCHECKS DUE TO PORT EMPLOYEES

Issuing of payroll checks shall be weekly, biweekly, semi-monthly, or monthly payroll periods. Use of any other pay cycles must be approved by the Executive Director.

Paychecks due to employees shall be issued no later than seven calendar days following the end of the applicable payroll period unless approval is obtained from the Executive Director under conditions established by him.

LEAVE RECORDS

The Human Resource Analyst shall install and maintain a leave record showing, for each employee (1) annual leave earned, used and unused, (2) sick leave earned, used and unused, and (3) any special leave with or without pay. Such record shall be documentary evidence to support and justify the certification of authorized leave of absence with pay. The employee and the employee's supervisor will approve leave records monthly.

OFFICIAL ROSTER

The Human Resource Analyst shall establish and maintain a roster of all employees of all departments in which there shall be set forth as to each employee, the position held; the salary or pay; any change in class title, pay or status, and any other necessary data.

RECORDS

1. Access to any Port Commission records shall be subject and governed by the statutory provisions governing public records and documents.
2. The following records shall be held confidential:
 - a. Investigation correspondence and data related to the moral character and reputation of applicants for employment or employees.
 - b. Examination materials, questions, data and examination papers and records relating in any way to competitive examinations and other tests constructed, maintained, or conducted by the Port Commission.
 - c. Files, statements, reports, correspondence and other data in connection with and related to investigations of violations of the policies of the Greater Lafourche Port Commission.
 - d. Files, statements, reports, correspondence and other data collected in the course of salary surveys which identify private corporations with the actual salary rates and practices of that organization; or that reveal organizational characteristics that would make the corporation easily identifiable.
 - e. The contents of any decision or proposed decision of the Commission until the date such decision is rendered.

FORMS AND PROCEDURES

The Director may prescribe such personnel forms and procedures as may be necessary or desirable.

Chapter 21: Overtime and Overtime Compensation

21.1 Authority to Require Performance of Overtime

An employee in the classified service may be required by his appointing authority to work overtime.

21.2 Determination of exempt/non-exempt status of positions

Agencies shall determine the exempt or non-exempt status of all positions, in accordance with the Fair Labor Standards Act (FLSA).

21.3 Authority for compensation

All non-exempt employees shall be compensated for overtime in accordance with the FLSA for overtime conditions that are covered by the FLSA and shall be compensated in accordance with Civil Service rules for Port Overtime, which is defined in Rule 21.7.

All exempt employees shall be compensated in accordance with Civil Service rules for Port Overtime, which is defined in Rule 21.7.

21.4 Methods of compensation for overtime

Overtime compensation may be granted in the form of cash payment or compensatory leave earned; cash shall be paid when required under the FLSA or by these rules.

Employees who are employed on an intermittent schedule shall not earn compensatory leave but shall be paid cash.

21.5 Basis for the calculation of hourly rate of pay for overtime

The hourly rate of pay for Port Overtime shall be calculated using the employee's base pay plus State of Louisiana supplemental pay, if applicable.

The hourly rate of pay for Port Overtime earned at the time and one-half rate may be calculated in accordance with the FLSA or in accordance with subsection (a) of this rule.

The hourly rate of pay for all FLSA overtime shall be calculated in accordance with the FLSA.

21.6 Compensatory Leave- Crediting and Usage

Compensatory leave credited to an employee may be used by the employee, with the approval of the Executive Director.

An employee who has been credited with compensatory leave may be required by the Executive Director to take all or part of such leave at any time.

The GLPC may pay the balance of an employee's compensatory time at any time. The rate of pay shall be calculated in accordance with Rule 21.5. Payment is required under circumstances defined in Rule 21.10, 21.11 and 21.12.

21.7 Definition of Port Overtime

When an employee is not eligible for overtime under the provisions of the FLSA, Port Overtime shall be granted as follows:

1. For purposes of calculating hours worked for Port Overtime, a day off from work due to paid leave taken or a holiday observed is considered to be a day worked.
2. Port Overtime is work performed by an employee at the direction of the Executive Director and/or his or her immediate supervisor which is:
 - a. In excess of the employee's regularly scheduled workday;
 - b. In excess of the employee's regularly scheduled work period;
 - c. On a Port-observed holiday; or
 - d. During official closures

21.8 Compensation Rate- Non-Exempt Employees

All FLSA overtime shall be compensated at the time and one-half rate.

Port Overtime shall be compensated at time and one-half rate notwithstanding anything herein to the contrary, compensation for any work (whether or not such work would otherwise qualify as Port Overtime) performed during office closure and emergency duty shall be paid in accordance with the Port's Office Closure and Emergency Duty Pay Provisions.

21.9 Compensation Rate- Exempt Employees

The Executive Director shall determine compensation due exempt employees in accordance with one of the following options:

1. No overtime compensation
2. Compensation at the straight (hour for hour) rate
3. Compensation at the time and one-half rate

21.10 Caps and Required Payment for Overtime Earned at the Time and One-half Rate

Employees who accrue compensatory leave at the time and one-half rate shall accumulate no more of such compensatory leave than allowed under the FLSA.

Once the maximum balance of compensatory leave earned at the time and one-half rate is reached, any additional overtime work in excess of the employee's established FLSA work period must be paid to a non-exempt employee in cash at the time and one-half rate.

21.11 Caps, Required Payment, and Cancellation of Overtime Earned at the Hour-for-Hour Rate

Compensatory leave earned hour for hour may be accrued in excess of 360 hours, but not more than a total of 360 such hours shall be carried forward from one fiscal year to the next.

For non-exempt employees whose hour-for-hour compensatory leave balance exceeds the cap under subsection (a) of this rule, payment shall be made within 90 days after the beginning of the fiscal year for the excess compensatory leave. If payment is made, the employee's hourly rate of pay shall be calculated in accordance with Rule 21.5(a).

For exempt employees whose hour-for-hour compensatory leave balance exceeds the cap under subsection (a) of this rule, payment may be made within 90 days after the beginning of the fiscal year for the excess compensatory leave. If payment is made, the employee's hourly rate of pay shall be calculated in accordance with Rule 21.5(a). Any excess leave not paid, shall be cancelled.

21.12 Payment or Cancellation of Compensatory Leave upon Separation or Transfer

Time and One-half Compensatory Leave

Upon separation or transfer from a department, all compensatory leave earned at the time and one-half rate and credited to an employee shall be paid according to the method of calculation of hourly rate contained in the FLSA, including those payments made under this rule to exempt employees.

Hour-for-Hour Compensatory Leave

1. All unused compensatory leave earned hour for hour by exempt employees may be paid upon separation or transfer from the department in which he earned it at the final regular rate received by the employee, calculated in accordance with 21.5(a).
2. All unused compensatory leave earned hour for hour by exempt employees, if not paid to the employee upon separation or transfer, shall be cancelled upon separation or transfer from the department in which he earned it. Such leave shall not be recredited to him upon his reemployment in that or any other department.
3. Upon separation or transfer, unused compensatory leave earned hour for hour by non- exempt employees shall be paid at the final regular rate received by the employee calculated in accordance with 21.5(a). All additional such unused leave may be paid or cancelled and shall not be recredited to him upon his reemployment in that or any other department.

21.13 Exceptions to the Overtime Rules

The Commission may grant exceptions to these rules.

B. ON-CALL PAY

The Greater Lafourche Port Commission shall compensate all classified non-exempt employees for hours worked in excess of regularly scheduled hours of duty, when the worker is available for call back to his/her duty station work-ready, within 45 minutes, if his duty station is Galliano; or within 1 ½ hour, if his duty station is Fourchon. On-call compensation shall be paid when the worker has been directed by the appointing authority to be in on-call status as previously defined.

The rate of on-call pay shall be \$2.25 per hour. On-call pay is in addition to the employee's regular pay and is not to be included in terminal leave payments allowed under other sections of the Civil Service Rules. On-call pay shall not be granted to an employee for his/her regularly scheduled hours of duty. On-call pay shall also not be granted when an employee has taken sick or annual leave and has not been on duty for at least 4 hours in the 24 hour period that is the employee's regular work/on-call day. Further, when an employee is called back, he/she shall be considered in duty status and eligible for overtime compensation.

C. PER DIEMS

The Board of Commissioners shall be paid a per diem of \$150.00 per day for conducting the business of the Commission. The total per diem payments may not exceed \$900 per month beginning in the month of August 15, 2009. (Only paid for 6 per diems a month; only 1 per diem paid per day.

In order to better define the “business of the Commission”, the following guidelines are provided. These are not all inclusive. Management will seek advice from Commission President and legal counsel when there is uncertainty as to whether a per diem payment should be approved.

1. A per diem will be paid for attending Port Commission committee and regular meetings, signing official documents, checks, etc., meeting with management and employees, and inspecting Port facilities.
2. A per diem will be paid for conducting Port business with individuals doing business with the Port, such as tenants; landowners, customers, vendors, parties to Port contracts, etc. and potential tenants, customers, etc.
3. A per diem will be paid for attendance at meetings other than official Port Commission meetings where an employee or a Commissioner of the Port is speaking to the group or where the topics of discussion at the meeting are easily recognized as the business of the Port.
4. A per diem will be paid for attending a meeting or discussion with elected/appointed officials either in or out of the Port area, where the purpose of the meeting is to present information to the official or gain knowledge of actions that may impact Port activities.
5. Attendance at Employee Appreciation Day and Annual Safety & Service Award Banquet counts as valid per diem activity.
6. A per diem will not be paid for attending fundraisers for political candidates, for general political forums, or for social events sponsored by persons or entities doing business with the Port.
7. Tenant seafood boils or luncheons do not count as valid per diem activity unless information specific to port functions are presented.
8. If choose to participate in the reimbursement for phones “email/web” services – need to submit a copy of your phone bill each month that shows appropriate charge.
9. Mileage rate determined by the State’s vehicle travel rate.

D. EMPLOYEE BENEFITS

STATE RETIREMENT:

The Greater Lafourche Port Commission is a Louisiana State Employee's Retirement System (LASERS) participant. Membership in Lasers is mandatory for all State employees whose agency is a LASERS participant, except those exempted by law.

LASERS participants do not pay social security, but make contributions to LASERS. State law sets employee and employer contributions. Employee contributions are currently "tax sheltered". LASERS guarantees that you, your survivors, your beneficiary, and/or your estate will receive at least the amount of your total employee contributions.

If you are a Regular Member of LASERS, and were hired on or before June 30, 2006, you become eligible for retirement upon reaching one of the following criteria:

1. 30 years of service at any age
2. 25 years of service at age 55
3. 10 years of service at age 60
4. 20 years of service at any age, actuarially reduced (Deferred Retirement Option Plan [DROP] participation and retirement with an Initial Benefit Option [IBO] are not available to members who choose this option). The actuarial reduction is based on the number of months you are away from Regular retirement eligibility. This reduction can be affected depending on whether you are in state service or out of state service at the time of your retirement.

If you are a Regular Member of LASERS hired on or after July 1, 2006, you become eligible for retirement upon reaching one of the following criteria:

1. 5 years of service at age 60
2. 20 years of service at any age, actuarially reduced (Deferred Retirement Option Plan [DROP] participation and retirement with an Initial Benefit Option [IBO] are not available to members who choose this option). The actuarial reduction is based on the number of months you are away from Regular retirement eligibility. This reduction can be affected depending on whether you are in state service or out of state service at the time of your retirement.

More detailed information is available through the Greater Lafourche Port Commission Human Resource office. Every state employee will be provided with plan documents.

If you are a HAZ PLAN Member, you become eligible for retirement upon reaching one of the following criteria:

1. 12 years of service credit at age 55
2. 25 years of service credit any age
3. 20 years of service at any age, with an actuarially reduced benefit (Deferred Retirement Option Plan [DROP] participation and retirement with an Initial Benefit Option [IBO] are not available to members who choose this option). The actuarial reduction is based on the number of months you are away from HAZ PLAN Regular retirement eligibility. This reduction can be affected depending on whether you are in state service or out of state service at the time of your retirement. All years must be worked as a member of the HAZ PLAN, unless you transferred your prior service into the HAZ PLAN. Under HAZ PLAN retirement, you will not select a retirement option as your benefits are directed by statute.

HEALTH AND LIFE INSURANCE:

Group health and life insurance coverage is available to all Greater Lafourche Port Commission State employees and their families.

The Board of Commissioners has complete authority to choose the insurance carrier and the percentage of premiums to be paid by the Agency and/or the Employee.

The current plan is the Louisiana State Employee Group Benefits Program. Employees will be provided with information relating to the plan and will be given the opportunity to participate.

GROUP CANCER INSURANCE:

In addition to the group health and life insurance available through the State Employees Group Benefits Program, cancer insurance is available for all Greater Lafourche Port Commission State employees.

The Board of Commissioners has complete authority to choose the insurance carrier and the percentage of premiums to be paid by the Agency and the Employee.

The employee may choose either AFLAC or American Heritage for their coverage. Employees will be provided with information relating to the plans and will be given the opportunity to participate.

WORKER'S COMPENSATION:

Employees are protected under the State Worker's Compensation Law against loss of income due to injury or death that occurs during work activities. The Greater Lafourche Port Commission pays the entire cost of the Worker's Compensation insurance premium.

Employees must report all job-related accidents and injury. The insurance carrier will determine the benefits, if any, to be paid to the employee.

DEFERRED COMPENSATION:

All permanent full-time employees of the Greater Lafourche Port Commission may, at their own discretion, participate in the Louisiana Public Employees Deferred Compensation Plan.

The Board of Commissioners has complete authority to make voluntary employer's contributions to the plan at their discretion.

Employees will be provided with information relating to the Plan and will be given the opportunity to participate.

DENTAL AND/OR VISION PLAN:

All permanent full-time employees of the Greater Lafourche Port Commission may, at their own discretion, participate in the dental and/or vision plan.

The Board of Commissioners has complete authority to make voluntary employer's contributions to the plan at their discretion.

The current plans are thru Starmount Life Insurance. Employees will be provided with information relating to the Plan and will be given the opportunity to participate.

E. REWARDS AND RECOGNITION PROGRAM

It is the policy of the Greater Lafourche Port Commission to provide uniform guidelines and criteria regarding rewards and recognition for individual employees or for employee groups for significant achievements.

APPLICABILITY

This policy will apply to employees of the Greater Lafourche Port Commission with permanent status.

IMPLEMENTATION

This policy will be effective retroactive to December 18, 2000, the date on which the Board of Commissioners approved a resolution to submit the Greater Lafourche Port Commission Rewards and Recognition Program to the Civil Service Commission.

RESPONSIBILITIES

Appointing Authority - The appointing authority will be responsible for assuring that requests for awards and recognition comply with this policy and for certifying that adequate funding is available before the requests are forwarded to the Awards Panel for consideration.

Board of Commissioners - The Board of Commissioners will be responsible for approving each request before awards are granted.

Human Resource Office - The Human Resource office will be responsible for public posting of all recipients and the award received.

MONETARY PAYMENT

The amount of the award will be determined by the Awards Panel and submitted to the Board of Commissioners for final approval. All monetary awards are subject to payroll taxation laws and will be accounted for in the employee's W-2.

AWARDS PANEL

The Awards Panel will consist of the Executive Director, one (1) employee from each department, (Harbor Police, Maintenance, and Administration) and the head of the Personnel Committee of the Board of Commissioners. The three (3) employees will be selected at random and will voluntarily serve for two (2) years.

CRITERIA AND REQUIREMENTS

Depending upon available funding awards will be presented for the following:

Awards for Commitment to the Agency will be given annually according to the chart below to employees for their total number of years of service, as of December 31 of that year. Awards will also be given upon retirement.

1. 5 years of service – Service Award (approximate value \$100 not to exceed \$110)
2. 10 years of service – Service Award (approximate value \$200 not to exceed \$220)
3. 15 years of service – Service Award (approximate value \$300 not to exceed \$330)
4. 20 years of service – Service Award (approximate value \$400 not to exceed \$440)
5. 25 years of service – Service Award (approximate value \$500 not to exceed \$550)
6. 30 years of service – Service Award (approximate value \$600 not to exceed \$660)
7. Retirement from the Agency – (approximate value \$100 not to exceed \$110 plus \$20 not to exceed \$22) per year of service over 5 years

Safety Achievement Awards are intended to recognize individual personnel whose job requires work in the field 50% or more of the time for their contribution to the safety and loss prevention efforts of the agency. These include all maintenance and harbor police personnel. To qualify, employees must work twelve (12) months (based on a calendar year) with “no lost time” and “no cost to the Commission” resulting from a preventable accident or action. The award will be valued at approximately \$100 per year and may be monetary or non-monetary. At five year intervals, those employees maintaining “no lost time” and “no cost to the Commission” resulting from a preventable accident or action record for the five-year period will receive an additional monetary or non-monetary award valued at \$100. Monetary awards are subject to payroll taxes while non-monetary awards are not.

Safety Participation Awards are intended to recognize individual administrative personnel for their contribution to the safety and loss prevention efforts of the agency. To qualify, employees must work twelve (12) months (based on a calendar year) with “no lost time” and “no cost to the Commission” resulting from a preventable accident or action. The award will be valued at approximately \$50 per year and will be non-monetary. At five-year intervals, administrative employees maintaining a “no lost time” and “no cost to the Commission” resulting from a preventable accident or action record for the five-year period will receive an additional non-monetary award valued at approximately \$50. These non-monetary awards are “not” subject to payroll taxes.

Innovation Award

Employees or employee groups who have either developed a new idea/procedure, or improved upon an existing idea or procedure, which has been implemented that results in a savings to the agency through reduced cost or increased productivity or results in increased revenues or enhanced funding may be nominated for a monetary award of up to 9% of the employee's salary. The employee(s) affected shall have had a rating of at least "Successful" on their previous performance review in order to be considered for the award. The employee must not have been compensated under some other pay rule (such as detail to special duty) for work on the project. This award is subject to payroll taxes whether or not it is in a monetary form.

Award proposals are to be presented by a department or agency head. The following documentation must be submitted with each request:

1. A detailed explanation of the idea/procedure implemented, and the time period involved.
2. Documentation to support the beneficial results of the idea/procedure implemented.
3. The proposed award amount and justification for the amount requested.
4. The name, social security number and job title of recipients.
5. A copy of the rating page of the employee's previous performance review.

Special Projects Award

Employees or employee groups who have done outstanding work on a special project that has furthered the mission of the agency may be nominated for a monetary award of up to 9% of the employee's salary. The project shall have resulted in a major benefit to the agency. The employee(s) affected shall have had a rating of at least "Successful" on their previous performance review in order to be considered for the award. The employee must not have been compensated under some other pay rule (such as detail to special duty) for work on the project. This award is subject to payroll taxes whether or not it is in a monetary form.

Award proposals are to be presented by department or agency heads. The following documentation must be submitted with each request:

1. A detailed explanation of the project, the reason it was necessary and written documentation to support the project.

2. A statement that describes the benefit the agency received from the project.
3. The proposed award amount and justification for the amount requested.
4. The name, social security number and job title of the recipient.
5. A copy of the rating page of the employee's previous performance review.

PRESENTATION OF AWARDS

Announcements of the award recipients must be presented either in a staff meeting or other special meeting.

POSTING REQUIREMENTS

This policy shall be posted and available to all employees. Listings of reward recipients must be posted in the same manner.

F. PAY PHILOSOPHY

PAY SCALE DEVELOPMENT GUIDELINES

The Commission has developed pay scales based on current market rates in an effort to be competitive with the local job market while remaining fiscally responsible. The pay scales include MINIMUM points (MIN) which establish the lowest pay to be received for assigned job duty and a MAXIMUM point (MAX) which is **1.9** times the associated MIN point. The MIDDLE point (MID) is the sum of the MIN and the MAX points divided by two.

The pay scale MIN points may be increased each year by **2%** with the intent to keep pay scales flexible with increases in cost of living. These pay scales will also be reviewed periodically to ensure that they are consistent with market conditions.

HIRE RATE GUIDELINES

Employees will typically be hired between the MIN point and the MID point of their associated job title, depending on years of experience in a comparable job. Five or more years of experience would allow an employee to be hired at the MID point of the appropriate pay scale. No previous experience would warrant the employee being hired at the MIN point in the pay scale. Experience between zero and five years would be prorated into the pay scale between the MIN and the MID points. Other conditions that could be considered are the employee's capabilities, education, and market conditions. This is only a guideline; the Executive Director has the discretion to hire employees at the rate he sees fit.

PAY ADJUSTMENTS

Employees can earn increases in the following situations:

Port Performance Adjustments (PPA) of 1.0% may be granted by the GLPC board based on the overall success of the Port in meeting its strategic goals and objectives.

Employee Performance Adjustments (EPA) of 2.5% can be earned if the employee is rated "successful" or "excellent." If an employee's rating is "needs improvement," the EPA will not be earned for that year. If the EPA is not earned for 1 year, the employee will be considered in a probation period for 1 year. The employee's supervisor may be required to create an improvement plan for the employee. This plan is intended to set clear expectations for improvement during the probationary period. If the annual evaluation does not improve, the employee may be terminated.

If an employee is performing all necessary job duties in a successful manner, he/she will receive the PPA and EPA adjustment. This adjustment will be included in next year's budget. The pay increase will go into effect in January of the following year. The first check received in January will include the pay increase even if some of the days in the pay period were in December of the previous year. If an employee "needs improvement," they shall receive neither the PPA nor the EPA.

GLPC pay scale adjustments, PORT PERFORMANCE ADJUSTMENTS (PPA), and EMPLOYEE PERFORMANCE ADJUSTMENTS (EPA) may be capped by an annual budget figure as determined by the GLPC board.

Employees who are hired from September 1 to February 28th may be eligible for a pay adjustment. Employees hired after February 28th can receive the PPA, however; they will not receive an EPA adjustment until the following budget year unless authorized by the Executive Director in order to remain competitive with other local agencies.

If an employee is performing additional job duties other than originally intended and/or is given additional job responsibility and/or consistently exceeds expectations, they may be eligible for a merit increase and/or promotion at the discretion of the Executive Director.

It is the GLPC's intent that all pay increases will be administered in a consistent manner and justified in terms of this pay philosophy. The Executive Director has full authority to make any changes he feels are necessary to remain competitive with other job markets while remaining fiscally responsible.

G. OFFICE CLOSURE AND EMERGENCY DUTY PAY PROVISIONS

The Executive Director or the Governor may declare office closure and/or emergency duty when an Act of God or other conditions make it impractical for employees to work.

If the Executive Director or the Governor officially directs the closure of the Commission's offices and/or emergency duty, employees will be paid as follows:

Exempt and Non-exempt who are scheduled to work during office closure and/or emergency duty declaration but are not requested to work by their supervisor or Executive Director will receive regular pay for the hours they were scheduled to work during office closure and/or emergency duty.

Exempt employees who are specifically requested by their supervisor or the Executive Director to be on emergency duty and/or to work during office closure shall receive straight compensatory time for every hour they are required to work. Exempt employees are allowed to earn a maximum of 16 hours per day during the office closure and/or emergency duty.

Non-exempt employees who regularly report to the office who are scheduled to work and are specifically requested by their supervisor or the Executive Director to work during office closure shall receive pay for hours worked at their regular hourly pay plus time and one-half. For time worked outside of office closure hours they will be compensated at time and one-half.

Non-exempt employees who do not regularly report to the office who are scheduled to work during emergency duty shall receive their regular hourly pay plus time and one-half. Office closure does not apply to non-exempt employees who do not regularly report to the office.

Non-exempt employees who are not scheduled to work and are specifically requested by their supervisor or the Executive Director to work during office closure and/or emergency duty declaration shall receive time and one-half for hours worked during the office closure and/or emergency duty declaration that they were not otherwise scheduled to work.

For those persons who are designated on-call during office closure or emergency duty, the provisions of the Commission's on-call policy shall be in effect.

Office closure pay will only apply to office personnel from Monday through Friday during the hours of 8:00am to 4:30pm. Office personnel will receive office closure pay only if the specific location they regularly report to is closed. Employees who are unable to report to work before or after the office closure and/or emergency duty will be required to use their annual leave or may be allowed to charge the leave to straight compensatory time leave and then earn straight compensatory time up to the amount of the leave

charged. The Executive Director has the discretion of granting non-chargeable leave in extraordinary situations.

The Executive Director can officially lift the office closure and/or emergency duty prior to the orders of the Governor's office once he has determined it is necessary and safe for employees to return to normal operations. In the event of a discrepancy between Governor and Executive Director in the timing (i.e. calling or lifting) of the declaration of office closure or emergency duty, the timing of the Executive Director shall govern.

Exempt employees are to exhaust all compensatory time available, if any, before using any annual leave. All unused compensatory time earned by exempt employees shall be paid to the employee on the last payroll check of the same calendar year to which it was earned.

During office closure for the Reward and Recognition Banquet **all employees who are scheduled to work during office closure** from the end of the banquet to 4:30pm will receive regular pay. Therefore, **non-exempt employees who are scheduled to work** and continue to work during office closure will receive regular pay plus time and one-half from the end of the banquet to 4:30pm. **Non-exempt employee who are not scheduled to work** during the banquet and choose to attend the banquet will be paid their applicable overtime rate of time and one-half.

The Executive Director reserves the right to edit/change any of the above policies as he sees fit.

H. HOURS OF WORK, ANNUAL, SICK AND OTHER FORMS OF LEAVE

Chapter 11 of the Civil Service Rules defines who, in the classified service, is entitled to annual, sick and other forms of leave, how such leave is accumulated and used, and how such leave is paid for upon separation from service.

The Greater Lafourche Port Commission adopts the provisions of Chapter 11 of the Civil Service Rules as the agency's guidelines on Hours of Work, Annual, Sick and Other Forms of Leave for Unclassified personnel. References to "appointing authority" are hereby replaced with "Executive Director." References to "Commission" are hereby replaced with "Board of Commissioners." See these Rules below:

Chapter 11: Hours of Work, Annual, Sick and Other Forms of Leave

11.1 Full-Time Employees

1. Subject to the provisions of subsections (b) and (c) hereof, the work week for each full-time employee in the classified service shall be forty (40) hours; or an appointing authority may specify an alternate 80-hour, two-week work period for exempt employees.
2. An appointing authority, with the approval of the Commission, may specify a work week exceeding forty (40) hours for employees in specific classes of positions within his agency, or for employees in specific divisions or activities within his agency.
3. Subject to the provisions of subsections (a) and (b) of this Rule, the appropriate appointing authority shall designate and record the number of hours and days, which will constitute the regular work week of each full-time employee.
4. Each specification prepared under the provisions of subsection (b) of this Rule shall be filed with the Director.

11.2 Part-Time Employees

1. When the services of an employee are not needed on a full-time basis his appointing authority may establish a regular tour of duty for him on a part-time basis.
2. The appropriate appointing authority shall designate and record the number of hours and days, which will constitute the regular work week of each part-time employee.

11.3 Intermittent Workers

When the services of an employee are not needed on a regularly scheduled basis, the appointing authority may appoint an employee to serve on an intermittent hourly, daily,

weekly or monthly basis.

11.3.1 Repealed and Re-enacted in Rule 21.1, effective December 31, 2003

11.4 Repealed and re-enacted effective July 1, 1973, as Rules 1.3.1 and 1.39.1

11.5 Earning of Annual and Sick Leave

1. Annual and sick leave shall be earned by each full-time and each part-time employee who has a regular tour of duty, except that no employee shall earn annual or sick leave while serving on classified WAE appointment or while using leave from an agency leave pool as defined in Rule 11.34.
2. The earning of such leave shall be based on the equivalent of years of full-time State service and shall be creditable at the end of each calendar month or at the end of each regular pay period in accordance with the following general schedule:
 - a. Less than three years of service, at the rate of .0461 hour of annual leave and .0461 hour of sick leave for each hour of regular duty.
 - b. Three years but less than five years of service, at the rate of .0576 hour of annual leave and .0576 hour of sick leave for each hour of regular duty.
 - c. Five years but less than ten years of service, at the rate of .0692 hour of annual leave and .0692 hour of sick leave for each hour of regular duty.
 - d. Ten years but less than fifteen years of service, at the rate of .0807 hour of annual
 - e. leave and .0807 hour of sick leave for each hour of regular duty.
 - f. Fifteen or more years of service, at the rate of .0923 hour of annual leave and .0923 hour of sick leave for each hour of regular duty.
3. Repealed, effective July 1, 1973.
4. No employee shall be credited with annual or sick leave
 - a. For any overtime hour.
 - b. For any hour of leave without pay.
 - c. Repealed 9/13/2006.

- d. For any hour in on-call status outside his regular duty hours as defined in Rules 11.1 and 11.2.
- e. For any hour of travel or other activity outside his regular duty hours as defined in Rules 11.1 and 11.2.
- f. For any hour of a holiday or other non-workday which occurs while he is on leave without pay.

11.6 Carrying Leave Forward

- 1. Accrued unused annual and sick leave earned by an employee shall be carried forward to succeeding calendar years.
- 2. Repealed, effective March 15, 1973.

11.7 Use of Annual Leave

- 1. Annual leave must be applied for by the employee and may be used only when approved by the appointing authority or his designated representative.
- 2. Annual leave shall not be charged for non-workdays.
- 3. Each appointing authority shall select a method to charge the annual leave records of all employees. The minimum charge to annual leave records shall be not less than one-tenth hour (6 minutes) nor more than one-half hour.
- 4. The appointing authority shall use the same method for charging to leave records for both annual and sick leave.

11.8 Repealed, effective December 17, 1957

11.9 Enforced Annual Leave

- 1. Subject to subsection (b) hereof, and military leave provisions in Rule 11.26, an appointing authority may require an employee to take annual leave whenever in his administrative judgment such action would be in the best interest of the Department.
- 2. No employee shall be required to reduce his accrued annual leave to less than 240 hours except;
 - a. prior to being granted leave without pay, but subject to the right granted the employee by the military leave provisions of these rules; or,

- b. where it is determined that the need to be absent from work is because of a condition covered by the United States Family and Medical Leave Act.
- c. the leave is required during closures in accordance with Rule 17.10 as a layoff avoidance measure.

11.10 Payment for Annual Leave Upon Separation

1. Subject to Rule 11.18(a) and sub-section (b) of this rule, each employee upon separation from the classified service shall be paid the value of his accrued annual leave in a lump sum disregarding any final fraction of an hour; provided, that the privileges of this rule shall not extend to any employee who is dismissed for theft of agency funds or property. The payment for such leave shall be computed as follows:
 - a. When an employee is paid wages on an hourly basis, multiply his regular hourly rate by the number of hours of accrued annual leave.
 - b. When an employee is paid on other than an hourly basis, determine his hourly rate by converting his salary in accordance with provisions in the uniform pay plan for conversion to a working hourly rate. Multiply his converted hourly rate by the number of hours of accrued annual leave.
2. No terminal payment for annual leave earned under these Rules shall exceed the value of 300 hours, computed on the basis of the employee's hourly rate of pay (includes base supplement) at the time of his separation. The hourly rate of pay for employees who are on detail shall not include the employee's pay in the detail position.
3. No payment for annual leave under this Rule shall operate to continue the payee as a classified employee beyond the last day of active duty.
4. Payment for annual leave earned under administrative rules or regulations in effect prior to July 1, 1953, may be made upon separation in accord with such rules or regulations.
5. When an employee who has been paid under this Rule for accumulated annual leave is reemployed in a classified position, he shall pay the Department which reemploys him the value of such annual leave at the rate paid him less the value of working hours for which he has been paid which intervene between the last day worked and the date of reemployment and shall be given credit for the number of hours of annual leave for which he has made reimbursement, except when:
 - a. an employee returns to work for the first time after retirement or

- b. an employee is rehired into a job appointment or non-leave earning position, he/she shall not be required to make reimbursement.

6. Repealed and reenacted as Sub-section (d)6 of Rule 11.5, effective July 1, 1973.

7. Repealed, effective June 8, 1983.

11.10.1 Payment for Sick Leave When Employee Is Non-disciplinarily Removed under Rule 12.6(a)1

When an employee is removed in accordance with Rule 12.6 (a)1, he shall be paid the value of his accrued sick leave in a lump sum, based on his regular hourly rate of pay, unless he is reemployed in probational or permanent status in the classified state service or is reemployed in the unclassified service, without a break in service of one or more working days, in which cases the sick leave will transfer to the employing agency.

11.11 Repealed, effective December 17, 1957

11.12 Repealed, effective December 17, 1957

11.13 Use of Sick Leave

1. Sick leave may be utilized by an employee who has sufficient leave to his credit for necessary absence from duty because of:
 - a. His own illness or injury, which prevents him from performing his usual duties.
 - b. His own medical, dental, or optical consultation or treatment for the duration of time required for such appointments when it is not possible to arrange such appointments for non-duty hours.
 - c. Assertion, supported by medical certification, of his own need to be isolated from the workplace to avoid a health risk exposure during a health pandemic declared by the Governor because of a diagnosed high-risk immunological disorder.
 - d. The need to care for a son or daughter as defined by the Family Medical Leave Act when there is a health pandemic declared by the Governor, and there is no other suitable person available to care for the son or daughter because his or her school or place of care has been closed or the childcare provider is unavailable due to a reason directly related to the health pandemic.
2. In lieu of requesting annual leave, an employee who has sufficient leave to his credit may request sick leave for necessary absence from duty for the following reasons (Sick leave under this subsection may only be used when approved by the Executive

Director of his designated representative):

- a. Illness, or injury of an immediate family member which necessitates the absence.
 - b. Medical, dental, or optical consultation or treatment for immediate family members when it is not possible to arrange such appointments for non-duty hours.
3. Sick leave shall not be charged for non-workdays.
 4. Each appointing authority shall select a method to charge the sick leave records of all employees. The minimum charge to sick leave records shall be not less than one-tenth hour (6 minutes) nor more than one-half hour.
 5. Repealed, effective June 30, 1972.
 6. The appointing authority shall use the same method for charging to leave records for both annual and sick leave.

11.13.1 Enforced Sick Leave

An appointing authority may place an employee on sick leave when the employee asserts the need to be absent from the workplace because of the employee's illness or injury.

11.14 Certificate Required When Sick Leave Taken

An employee who has taken sick leave shall file with his appointing authority a certificate stating the cause of his absence and the amount of time taken. The appointing authority may require a statement from a registered physician or some other acceptable proof that the employee was ill and unable to report to work.

11.15 Repealed, effective July 11, 1984

11.16 Repealed, effective December 17, 1957

11.17 Repealed, effective December 17, 1957

11.18 Cancellation or Continuance of Annual and Sick Leave

1. When an employee separates from the state classified service, all accrued annual leave except that which must be paid and all accrued sick leave except that which must be paid under Rule 11.10.1 shall be cancelled; however, if the employee is reemployed in probational or permanent status in the classified service or is reemployed in the unclassified service without a break in service of one or more working days, all of the employee's annual and sick leave shall be transferred to the employing agency.

2. Subject to the provisions of Rule 11.19, when a former employee is reemployed with permanent or probationary status within 5 years of his separation, all accrued annual and sick leave that was cancelled upon separation shall be recredited to him; provided, that the privileges of this Rule shall not extend to an employee whose last separation was by dismissal or resignation to avoid dismissal.
3. Repealed, effective August 5, 1992.
4. Repealed, effective August 5, 1992.
5. Repealed, effective August 5, 1992.

11.19 Transferring Annual and Sick Leave Between Departments

1. Repealed, effective July 1, 1973.
2. Subject to the provisions of Subsection (c) of this Rule, all annual leave accrued by an employee for which he is not paid, and all sick leave accrued by him whenever he changes from employment in one department to employment in another department within a period of thirty calendar days shall be certified by his former department to the other department and shall be credited to the employee.
3. All annual leave accrued by an employee for which he was not paid, and all sick leave accrued by him at time of separation to enter military service shall be credited to him upon his reemployment in a classified position following such military service.
4. The annual and sick leave credits of a state employee, earned under the provisions of a formal system of leave accrual and use, or employed by an entity that employs state classified employees on a regular basis, who enters the Classified Service, shall be certified and credited in the same manner as provided in this rule for classified employees.

11.20 Repealed, effective December 17, 1957

11.21 Workmen's Compensation Payments

When an employee is absent from work due to disabilities for which he is entitled to workmen's compensation he

1. shall, to the extent of the amount accrued to his credit, be granted sick leave not to exceed the amount necessary to receive total payments for leave and workmen's compensation equal to his regular salary.

2. may, to the extent of the amount accrued to his credit, be granted annual leave or a combination of annual and sick leave not to exceed the amount necessary to receive total payments for leave and workmen's compensation equal to his regular salary.

Rule 11.21.1

1. When an employee engaged in law enforcement work is disabled while in the performance of duty of a hazardous nature, and because of such disability is unable to perform his usual duties, his appointing authority may, with prior approval of the Director, grant such disabled employee a leave of absence with full pay not to exceed six months during the period of such disability without charge against the employee's accumulated sick or annual leave, provided such employee must pay to his Department all amounts received by him as Workmen's Compensation benefits. Requests for such leave shall be submitted in writing by the appointing authority and shall include all information necessary to determine whether an employee is covered by this Rule.
2. If a request, made in accordance with the provisions of Subsection (a) of this Rule, is found to be questionable or if the leave requested exceeds or later extends beyond six months, the Director shall submit such request to the Commission for its review and approval.

11.22 Repealed, effective December 17, 1957

11.23 Civil, Emergency, and Special Leave

An employee serving with job appointment, probationary or permanent status shall be given time off without loss of pay, annual leave, or sick leave when:

1. Performing jury duty.
2. Summoned to appear as a witness before a court, grand jury, or other public body or commission, provided that for purposes of this Subsection a plaintiff or defendant shall not be considered a witness, nor shall this Subsection apply to an employee summoned as a witness as a result of employment other than State employment.
3. Performing emergency civilian duty in relation to national defense.
4. His appointing authority determines that he is prevented by an act of God from performing duty.
5. Amended and Re-enacted effective January 11, 1989, as Rule 11.23.2.

6. Participating in a State Civil Service examination on a regular workday, or taking a required examination pertinent to the examinee's State employment, before a State licensing board.
7. The appointing authority determines that because of local conditions or celebrations it is impracticable for his employees in such locality to work.
8. The employee is ordered to report for pre-induction physical examination incident to possible entry into the military forces of the United States.
9. The employee is a member of the National Guard and is ordered to active-duty incident to local emergency, act of God, civil or criminal insurrection, civil or criminal disobedience, or similar occurrences of an extraordinary and emergent nature which threatens or affects the peace or property of the people.
10. Engaged in the representation of a client in a criminal proceeding pursuant to an order of a court of competent jurisdiction, provided if compensation for such services is available from another source, he may not accept the special leave and the compensation.
11. The employee is a current member of a Civil Air Patrol and incident to such membership is ordered to perform duty with troops or participate in field exercises or training, except that such leave shall not exceed 15 working days in any one calendar year and shall not be used for unit meetings or training conducted during such meetings.

11.23.1 Funeral Leave

Probationary and permanent employees may be granted time off without loss of pay, annual leave or sick leave when attending the funeral or burial rites of a parent, stepparent, child, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, spouse, mother-in-law, father-in-law, grand-parent, or grand-child; provided such time off shall not exceed two days on any one occasion.

11.23.2 Voting Leave

A probationary or permanent employee may be granted time off without loss of pay, annual leave or sick leave when voting in a primary, general or special election which falls in his regularly scheduled workday, provided not more than two hours of leave shall be allowed to vote in the parish where he is employed and not more than one day to vote in another parish.

11.23.3 Voluntary Disaster Service Leave

A full-time probationary or permanent employee may be granted time off without loss of

pay, annual leave, compensatory leave, or sick leave, for a period not to exceed 15 workdays in any calendar year, to participate in American Red Cross relief services in Louisiana for disasters designated at Level III or above in the American Red Cross Regulations and Procedures. Such employees must have received a certification from the American Red Cross as a Trained Disaster Volunteer. All such requests must be made in writing and approved by the appointing authority.

11.24 Educational Leave

1. Leave without pay for educational purposes may be granted an employee for a period equivalent to the period of attendance at the educational institution.
2. Educational leave with pay may be granted an employee for a maximum of thirty calendar days in one calendar year if the course of instruction to be taken is pertinent to the work of the employee in his department, provided that a permanent employee may be granted such leave for a maximum of ninety calendar days in one calendar year if the Department requires him to take special training.
3. Employees granted educational leave without pay may be granted a stipend if there are funds available for that purpose.

11.25 Repealed, effective June 30, 1972

11.26 Military Leave

The provisions of this rule shall apply to members of a Reserve Component of the Armed Forces of the United States who are called to duty for military purposes, and to members of National Guard Units which are called to active duty as a result of a non-local or non-state emergency.

1. Military Leave with Pay.
 - a. Provided they give advance notice, employees serving on job appointment, probationary or permanent status, shall be entitled to military leave with pay.
 - b. No advance notice is required when such notice is either precluded by military necessity, or otherwise impossible or unreasonable.
 - c. Maximum military leave with pay for military purposes is 15 working days per calendar year.
2. Use of Annual and Compensatory Leave for Military Purposes.
 - a. Employees serving on job appointment, probationary or permanent status, who give

advance notice of military obligations and apply for annual or compensatory leave for military purposes, shall be granted such leave.

- b. No advance notice is required when such notice is either precluded by military necessity, or otherwise impossible or unreasonable.

3. Use of Leave Without Pay for Military Purposes.

Employees serving on job appointment, probationary or permanent status, who have either exhausted annual leave and compensatory time or choose not to use their paid leave for military purposes, shall be placed on leave without pay. This period of leave without pay for military purposes shall not exceed six years. After six years, he/she shall be separated from the classified service. This rule does not extend the term of temporary appointments which were made for less than six years; if the original term of the appointment was less than six years, the agency may end the appointment as originally scheduled and the employee may be separated.

4. Rights Upon Return.

Probational and permanent employees and employees serving on job appointments returning to their classified positions under the provisions of this Rule or Rule 23.15, which governs time frame requirements for restoration to state employment, shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have had if they had not been absent for military training or military active duty; however, probational status shall be governed by the provisions of Rule 9.3.

5. Repeal entire section as it applied only to Persian Gulf Crisis of 1990.

6. Repeal entire section as it applied only to Persian Gulf Crisis of 1990.

7. The provisions of this section of the rule apply to employees serving on job appointment, probationary or permanent status, who are called to active duty, and who are on Leave Without Pay by choice or because all annual and/or compensatory leave has been exhausted. The provisions of this subsection (g) shall apply retroactively to September 11, 2001. The provisions of this subsection (g) shall NOT apply to employees on "inactive duty for training" (weekend drills).

- a. When Military Leave with Pay as provided in Rule 11.26(a) has been exhausted, an employee whose military base pay is less than his state base pay shall be paid the difference between his military base pay and his state base pay in his regular position. Such payment shall be made on the same frequency and manner as the employee's regular state pay, unless other voluntary arrangements are made. Employees receiving the pay differential shall provide to agency officials any documentation appropriate to ensure the payment amount is calculated correctly. Employees who

choose to use their annual leave during their period of military absence shall not be eligible for receipt of the pay differential, unless the leave was used between September 11, 2001, and the date of the adoption of this rule, in which case subparagraph (4) shall apply.

- b. Employees shall continue to accrue sick and annual leave for the entire period of service, beginning the date of the service. Leave shall be accrued on the same basis as though the employee had not been activated. Leave earned shall be credited to the employee upon his return from active duty.
 - c. Employees who are on Leave Without Pay shall receive, each calendar year, the full 15-days of Military Leave with Pay provided in Rule 11.26(a)3. The pay differential allowed in 11.26(g)1 shall be suspended until the 15-day Military Leave with Pay period is exhausted and the employee returns to Leave Without Pay status.
 - d. If paid leave has been used during any portion of service from September 11, 2001, through the date of adoption of this rule, an employee who chooses to use the pay differential option shall have his leave balance reccredited with a leave amount equal to the value of the pay differential the employee would have received had this rule been in effect on September 11, 2001.
8. A probationary or permanent employee, who was called to active duty for military purposes and who resigned from state service, may, at his request, and within 90 days of his release from active duty, have his resignation rescinded and become eligible for the benefits of subsection (g) of this rule.

11.27 Leave of Absence without Pay

- 1. An appointing authority may extend leave of absence without pay to an employee, provided that such leave shall not prolong the period of the employee's appointment.
- 2. Abolish effective October 1, 2000.
- 3. Repealed effective February 16, 2009.
- 4. The appointment of an employee who has not completed his probationary period and who fails to return to duty in pay status on or before the first working day following the expiration date of any period of leave without pay extended him shall terminate as of the close of business on such expiration date.
- 5. A permanent employee who has been extended leave of absence without pay under the provisions of Subsection (a) or (b), or both, hereof shall be restored to duty in pay status on or before the first working day following the expiration of such leave of absence. If

the employee fails to report for or refuses to be restored to duty in pay status on the first working day following the expiration of his approved leave of absence without pay, or at an earlier date upon reasonable and proper notice from his appointing authority, he shall be considered as having deserted his position and shall be separated in accordance with the provisions of Chapter 12 of these Rules.

6. An appointing authority on its own initiative or at the request of the employee may curtail a period of leave of absence without pay extended to an employee, provided such curtailment is for the best interest of the State service and reasonable and proper notice thereof is furnished to the employee. Curtailment must not conflict with the provisions of Rule 11.26(b).
7. In addition to any disciplinary action which may be imposed against an employee for an unapproved absence, such employee may be placed on leave without pay by his appointing authority for the period of unapproved absence.

11.27.1 Leave Prohibited to Assume an Unclassified Position

A probationary employee shall not be granted leave to serve in an unclassified position.

11.28 Holidays

1. An employee, who is required by his appointing authority to work on his official holiday, shall be entitled to compensatory leave or overtime pay benefits as authorized in Chapter 21 of these Rules.
2. When a holiday falls on an employee's regular day off, and the appointing authority requires the employee to work on his designated holiday and the actual holiday, the appointing authority shall select only one of the two days as the employee's official holiday for overtime compensation as provided by the Rules contained in Chapter 21. The other day is to be compensated as regular overtime work.
3. Repealed, effective June 7, 1989.

11.29 Repealed and Re-enacted in Rules 21.4, 21.6, 21.7, 21.10 and 21.11, effective December 31, 2003

11.30 Repealed, effective December 17, 1957

11.31 Forms

The departments shall maintain uniform records on all types of leave on forms prescribed by the Director.

11.32 Repealed, effective December 17, 1957

11.33 Repealed, effective December 17, 1957

11.34 Crisis Leave Pool

Subject to the provisions of Rule 11.5(a), a department may establish a policy to implement and administer a pool of shared annual leave which may be used by employees who cannot work due to a crisis situation and who have insufficient appropriate paid leave to cover the absence needed for the crisis situation. An employee using leave from a crisis leave pool shall receive leave in sufficient quantity to ensure his wage replacement is 75% of the pay he would receive in a regularly scheduled workweek. A department's policy must have the approval of the Civil Service Commission prior to implementation. At minimum, policies must include the following conditions and elements:

1. Classified employees must have attained permanent status to be eligible to donate or use leave from the leave pool.
2. Each Department shall specify the calendar year or the fiscal year as their "crisis leave pool policy year". The department's policy shall establish a cap on the amount of annual leave which may be donated by an individual employee. No cap shall exceed 240 hours per employee per policy year.
3. The department's policy shall establish a reasonable balance of annual leave that donors are required to retain after the leave donation.
4. The department's policy shall establish a cap on the amount of leave which may be used by an individual employee. The cap shall not exceed 240 hours during one calendar year. The department's policy shall establish and clearly define eligibility criteria and the crisis situations which will be covered.
5. The department's policy shall define a procedure for administering the leave pool.
6. The department's policy shall establish a prohibition against the use of coercion or pressure to donate leave.
7. The department may establish other policy elements and conditions as deemed necessary. All additional elements and conditions shall be in compliance with Civil Service Rules.

A department's leave pool may be either: 1) a pool consisting of leave hours donated and used, or 2) a pool consisting of the dollar value of the leave donated and used.