YOUTH SERVICES
POLICY

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	Page 1 **of** 3
References: References are listed in Attachment A.2.1(c)	
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Approved By: *James Bueche, Ph.D., Deputy Secretary*	**Date of Approval:** 01/17/2020

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

This employee manual has been prepared to introduce employees to YS/ Office of Juvenile Justice (OJJ), and acquaint them with information concerning policies, procedures, benefits and other general guidelines, including the "Employee Rules of Conduct" [see Attachment A.2.1 (b)].

The information contained in this handbook applies to all employees and contract personnel of YS/OJJ. Its contents should not be interpreted as a contract, expressed or implied, between YS/OJJ and any of its employees. Furthermore, its contents should not be interpreted as superseding federal or state laws and State Civil Service Rules.

III. APPLICABILITY:

All YS employees.

IV. DEFINITIONS:

YS Employee - For the purpose of this policy, YS employees are all full time/part-time employees, contracted health care provider staff, volunteers and interns.

IV. POLICY:

It is the Deputy Secretary's policy that all YS/OJJ employees shall have access to general information concerning policies, procedures, benefits and other general guidelines, and that they be informed about the "Employee Rules of Conduct" and the standards and requirements YS/OJJ expects of its staff.

All employees shall be provided a copy of Attachment A.2.1 (b) for their reference; copies of the entire manual shall be made available throughout each unit at locations to be determined by the Unit Head. The Employee Manual is also accessible on the OYD Policy database in Lotus Notes, and on the OJJ website @: http://www.ojj.la.gov/.

This YS/OJJ Employee Manual supersedes any previous manual, and may be changed, revoked or modified in writing by the Deputy Secretary of YS/OJJ at any time. Although YS/OJJ has tried to prepare a comprehensive manual, it may not address every situation that could possibly arise.

Employees and contractors are responsible for knowing and adhering to the "Employee Rules of Conduct" portion of the manual. Any questions concerning the contents should be directed to the employee's supervisor, the Unit's Human Resources Liaison, or Department of Public Safety, Human Resources Office (DPS/HR).

V. PROCEDURES:

Unit Heads are responsible for the following:

A. Ensuring each employee within their unit is provided a copy of this policy and Attachments (a) and (b).

B. Ensuring each employee signs the "Receipt of Attachment (b) – Employee Rules of Conduct", and forwards a copy to DPS/HR for the employee's personnel file via the dedicated OJJ HR email box, OJJ-HRdocuments@LA.GOV.

C. Recommending appropriate disciplinary action in accordance with the range of penalties and factors available.

VI. IMPLEMENTATION:

The revisions outlined in “Employee Rules of Conduct” shall become effective February 1, 2020.

Previous Regulation/Policy Number: A.2.1
Previous Effective Date: 07/06/2017
Attachments/References: A.2.1 (a) General Information Employee Manual.February 2020
A.2.1 (b) Employee Rules of Conduct.February 2020
A.2.1 (c) References.January 2020
A.2.1 (d) Receipt.May 2017

John Bel Edwards
Governor

James Bueche, Ph.D.
Deputy Secretary

Youth Services
Employee Manual
A.2.1 (a) General Employment Information

February 2020

FOREWORD

Welcome to the DPS&C- Youth Services. The following pages contain information pertinent to all Youth Services staff by providing guidelines and information concerning their employment.

The manual includes employment-related information regarding Civil Service Rules, state statutes, federal mandates and ACA standards. The following information is meant to address employee rights, benefits, and provides an overview of the Civil Service Rules which govern personnel practices for all state employees. Hyperlinks to regulatory or administration agents have been provided to assist employees who seek additional information or greater detail.

Employees are encouraged to review this manual carefully and then perform their duties with confidence and pride.

James Bueche, Ph. D.
Deputy Secretary
Youth Services

YOUTH SERVICES EMPLOYEE MANUAL

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Mission Statement

The Office of Juvenile Justice protects the public by providing safe, and effective individualized services to youth, who will become productive, law abiding citizens.

Vision

OJJ is a quality system of care which embraces partnerships with families, communities and stakeholders to assist youth in redirecting their lives toward responsible citizenship.

Guiding Principles

Honest -	To be honest; do everything with integrity.
Achievement-	To be outcome-oriented in achieving results consistent with our mission.
Versatility -	To value, promote and support diversity and cultural competence.
Ethical -	To be ethical; to do the right thing, both legally and morally.

Focused -	To be focused on empowering people to succeed.
Accountable -	To be accountable for the effective and efficient management of our resources.
Informed -	To be informed and guided in our decisions by appropriate and valid data.
Team work-	To be an effective and efficient team of professionals.
Harmonious -	To be inclusive- involve all parties, both internal and external, who need to be a part of the process.

HAVE FAITH: TOGETHER WE CAN HELP CHANGE LIVES

AGENCY OVERVIEW

The Department of Public Safety and Corrections is comprised of three agencies: Public Safety Services, Corrections Services, and **Youth Services**. The Deputy Secretary, who is appointed by the Governor, serves as the chief executive officer of Youth Services.

Central Office Administration is comprised of centralized sections that support the management and operations of secure facilities, non-secure facilities, probation and parole regional offices, and all other services provided by Youth Services (YS).

Office of the Deputy Secretary

The Deputy Secretary is responsible for the functioning and control of all programs within YS. The Deputy Secretary formulates rules and regulations and determines policy regarding management, personnel, and overall operations. The Deputy Secretary leads and supports the staff, which is charged with carrying out the mission of the agency. Under the direction of the Deputy Secretary, YS has policy oversight and support responsibilities for state programs for youth who are adjudicated delinquent and any youth and their families ruled in need of services by courts of juvenile jurisdiction. YS staff also support the Administrative Remedy Procedure for youth and perform quality assurance activities for the youth facilities.

As part of the Deputy Secretary's Office, the Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, the Executive Management Officer over Intergovernmental Relations, Communications and Training, and the Regional Directors are responsible for special duties and functions as assigned by the Deputy Secretary.

The Assistant Secretary of YS duties and functions are provided in statute, and as determined by the Deputy Secretary. The Assistant Secretary serves on the Children's Cabinet Advisory Board.

The Undersecretary of YS is responsible for the functions of the Office of Management and Finance which include: accounting and budget control, procurement, and contract management, data processing, management and program analysis, personnel management, and the financial components of grants management.

There are three (3) Regional Directors that oversee the functions and operations for the Northern, Central & Southwestern, and Southeastern service areas.

Other Central Office executive staff carry out long and short-term projects. The Legal Services Section represents and defends YS in litigation, including Civil Service matters.

Youth Services is responsible for the management of seven (7) programs: Administration, Northern Region, Central Southwest Region, Southeast Region, Contract Services, and Auxiliary and Louisiana Housing for Juvenile Offenders.

Youth Services operates four (4) twenty-four (24) hour male secure facilities: Acadiana Center for Youth (Bunkie), Bridge City Center for Youth (Bridge City), Swanson Center for Youth (Monroe), and SCY's satellite campus Swanson Center for Youth at Columbia (SCYC).

In addition, within YS is Field Services, which provides probation and parole supervision and coordinates both residential and non-residential treatment services for delinquent youth as well as status offenders and their families. There are eleven regional offices, which are located in Alexandria, Baton Rouge, Hammond, Lafayette, Lake Charles, Monroe, Natchitoches, New Orleans, Shreveport, Tallulah, and Thibodaux.

Youth Services include:

- Evaluation and diagnostic services for youth adjudicated delinquent and youth of families adjudicated in need of services.

- Community placement services for youth adjudicated delinquent and youth of families adjudicated in need of services and disposed to the custody of Youth Services.

- Alternative services in lieu of out-of-home placement for youth adjudicated delinquent and youth of families adjudicated in need of services and disposed to the custody or supervision of Youth Services and for their families.

- Treatment services in secure custody facilities for youth adjudicated delinquent disposed to the custody of YS and who, as determined by the agency, require this restrictive level of care and custody.

- Probation and other programs of supervision for youth adjudicated delinquent and youth of families adjudicated in need of services.

- Community services directed at prevention of juvenile delinquency, intake screening, and diversion as deemed appropriate by YS.

- In addition the agency participates in programs for the care and treatment of youth taken into custody under the provisions of the Louisiana Children's Code pending adjudication, disposition, placement, or any or all of the above.

- Under the authority of the Undersecretary, the Office of Management and Finance provides management support to all units in activities involving fiscal matters and grant management, information services, food services, maintenance and construction, performance audit, procurement and contractual review and human resources.

GENERAL EMPLOYMENT INFORMATION

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

As an equal opportunity employer, YS assures equal opportunities to all applicants and employees without regard to race, color, religion, sex, sexual orientation, gender identity, age, veteran's status or any other non-merit factor, national origin, political affiliation or disability (except where sex, age or physical requirements constitute a bona fide occupational qualification necessary to the proper and efficient operation of the agency/organization).

Opportunities are provided for all employees of YS in the areas of compensation, promotion, recruitment, training, and all other aspects of employment. Youth Services Policy No. A.2.47 "Equal Employment Opportunity" provides a detailed analysis of the agency's commitment in this area.

A copy of the most recently approved EEO plan is available with each unit's Human Resource Liaison. Concerns about EEO are handled by the Central Office Legal Section or the Equal Employment Opportunity Commission (EEOC).

AMERICANS WITH DISABILITIES ACT (ADA)

Title I of the Americans with Disabilities Act (ADA) of 1990, which took effect July 26, 1992, as amended by the ADA Amendments Act of 2008 (P.L. 110-325), prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training and other terms, conditions and privileges of employment. To request an accommodation, assistance, or to learn more about the ADA, an employee may contact the unit's Human Resources Liaison. In addition, Youth Services Policy No. A.2.13 "Americans with Disabilities Act (Employees)" provides further information, such as Coordination of ADA matters, Requests for Accommodation, Essential Job Functions, Determination of Disability, and Conciliation Options, etc.

EMPLOYMENT

An individual's employment with YS shall be in either the classified or unclassified service. The Department of Civil Service establishes minimum qualifications for each classified job.

APPOINTMENTS IN CLASSIFED SERVICE

Applicants may be appointed to positions in the classified service in several ways.

A. Job Appointment

A job appointment is a temporary appointment used to fill a position in the classified service for a limited period of time, not to exceed four (4) years. For rational business reasons, an appointing authority may request a longer term job appointment from the Civil Service Commission, who may approve such requests or delegate approval authority to the Civil Service Director. An appointing authority may terminate a job appointment at any time. This rule is subject to Civil Service Rules 17.20(b) 4 and 17.25 concerning layoff related actions.

B. Probational Appointment

A probational appointment is a required step toward permanent status. Pursuant to YS Policy No. A.2.40 "Probationary Period" the probationary period for YS is one (1) year. During this working test period of employment an employee shall demonstrate their ability to satisfactorily perform their duties.

YS Policy No. A.2.2 "Pay Administration and Management" provides information about when an employee enters a probational appointment without a break in service. In accordance with Civil Service Rule 6.5 (a), pay shall not be reduced when an employee has served longer than six (6) months and is earning more than the minimum for the job the employee occupies, and is subsequently appointed to a probationary position in the same job class or different job class with the same maximum rate of pay within YS without a break in service.

An employee may be removed from employment at ANY time during the probationary period under Civil Service Rule 9.1(e). While on probation employees earn and may take annual, sick and compensatory leave, are paid for holidays, and are eligible for health care and retirement benefits.

C. Permanent Status

After an employee has satisfactorily completed the employee probationary period, permanent status is attained. Attainment of permanent status is beneficial because many of the rights under the State Civil Service system are limited to permanent employees.

A permanent employee who is promoted, transferred, reassigned or demoted to another position shall not be required to serve a probationary period in the new position.

A permanent or probationary employee who is appointed to another position following certification from an open competitive eligible list is considered a new employee in the new position, and shall serve a probationary period of no less than six (6) months or no more than twenty-four (24) months in such new position.

Employees who have already attained permanent status may transfer into YS as a permanent employee. Some positions may require that a permanent employee serve a probationary period.

D. Non-Competitive Reemployment

A former permanent employee who resigns from classified service in good standing or who was removed for non-disciplinary reasons may, within ten (10) years, be non-competitively reemployed in any position for which the employee is qualified and which has the same or a lower pay level than the class in which the employee had permanent status.

Persons who are reemployed serve a new 24 month probationary period. All unused sick leave and any annual leave for which the employee was not paid at the time of their resignation or non-disciplinary removal may be restored if reemployment is within five (5) years of separation. The employee shall be placed in the appropriate leave-earning category based upon years of prior service. It is the employee's responsibility to contact the Unit's Human Resources Liaison to have leave re-credited and prior state service verified.

An employee who resigns to avoid being terminated from their position in state service shall lose reemployment eligibility and unpaid leave.

E. Department Preferred Reemployment

If an employee is laid off or displaced during a layoff, the employee shall be given preferential hiring rights. Additional information is available from the Public Safety Services, Human Resources Office.

F. When Actually Employed (WAE)

WAE refers to a classified employee who is paid only "when the employee is actually employed." In accordance with Civil Service Rule 6.5 (d) compensation for employees hired as classified WAE appointments may be set at any rate of the applicable pay range. Pursuant to Civil Service Rule 23.6, a person may work as a classified WAE no more than 1245 during a 12-month period. Approval to exceed the 1245 hours must be granted by the Civil Service Commission. State Civil Service allows for the use of WAE appointments to address filling positions in a regular manner, filling positions to address an emergency, and to address work overload situations. A WAE must meet the Minimum Qualifications for the job; however, a test score is not required. Classified WAE appointees may be terminated at any time. A WAE employee shall not receive leave, benefits or attain permanent status.

POSITION CHANGES

Once an employee has attained permanent status, the employee may be eligible to consider career options and opportunities that involve promotions and transfers. Employees may also elect a voluntarily demotion.

A. Promotion:

A promotion is movement to a position in a job class with a higher pay range. Only classified permanent employees are eligible for promotions. Promotions do not require another probationary period.

A promotion may be either competitive or non-competitive. Competition is determined by the pay level of the position to be filled and by other limitations set by State Civil Service. Youth Services has the authority to issue in-house promotional announcements. No employee who has a current official overall performance evaluation of "Needs Improvement/Unsuccessful" shall be promoted.

B. Demotion:

A demotion is movement from a position in one job class to a position in another job class with a lower minimum pay rate for which the employee qualifies. A demotion may result from inefficiency in job performance, disciplinary action or the employee's own request (voluntary demotion). Employees who voluntarily demote may do so without a cut in pay with the approval of the agency's Appointing Authority. Demotions as a result of poor job performance or disciplinary action shall result in a cut in pay.

C. Transfer:

A transfer is movement from one position to another position. This may be between state agencies or between units within an agency. Another probationary period is not required to be served as a result of a transfer, although some state agencies require a new probationary period.

A transfer may be to a higher position (promotion), lower position (demotion), or a position on the same level (lateral). To transfer within YS, employees shall request and obtain approval from the appropriate Unit Heads.

D. Reassignment and Position Change:

The Deputy Secretary may reassign any probationary or permanent employee to a position with a different job title that has the same maximum rate of pay, provided the employee meets the minimum qualifications of the job to which the employee is being assigned and has State Civil Service requirements for testing and competition.

The Deputy Secretary may position change any probationary or permanent employee to a different position number with the same job title.

E. Detail to Special Duty:

A Detail to Special Duty is a temporary assignment to perform the duties of another position. If an employee is detailed to a job with a higher pay level, the employee shall be paid according to the rules on promotion. If the employee is detailed to a job with a lower pay level, the employee shall retain their current pay. No detail shall extend beyond one year without the State Civil Service Director's approval. The Deputy Secretary may end a detail at any time.

POSITION DESCRIPTION

The duties and responsibilities assigned to a particular job are recorded on a SF-3 Position Description Form, and are reviewed annually by the supervisor as part of the employee's performance evaluation and planning documents, as well as on the employee's anniversary hire date, to determine if duties described therein are current and accurate. Each employee shall receive a copy of the employee's position description, as it outlines the duties the employee is expected to perform.

Temporary changes in an employee's duties may be made by the Unit Head or supervisor. If the changes eventually become permanent, the position description shall be updated to reflect the changes.

Position descriptions shall be reviewed at least every five (5) years, when major duty changes have taken place, and prior to filling a vacant position at the supervisory level or above, unless the position description has been updated within the last 12 months, or is encompassed by a master job description in a high volume hiring situation such as Juvenile Justice Specialist (JJS).

Copies of position descriptions are available in the Public Safety Services, Human Resources Office. Youth Services Policy No. A.2.23 "Position Descriptions" provides information about the Position Description (SF-3), including an Instruction Sheet to be used as a guideline for completing the SF-3, and a Position Description Optional form to be used as needed for those positions with specific requirements, etc.

RECRUITMENT

Youth Services utilizes various options provided in Chapter 6 of the Civil Service Rules to recruit the best new employees and retain the most knowledgeable and experienced current employees. (Refer to YS Policy Nos. A.2.2, A.2.69, A.2.70, A.2.71 and A.2.72) These policies include:

- Special Entrance/Retention Rates – Civil Service Rule 6.5 (b)
- Pay above Minimum for Extraordinary Qualifications/Credentials – Civil Service Rule 6.5 (g)
- Non-competitive and Job Shortage Classes - Civil Service Rule 22, 23, and 24
- Attainment of a Juvenile Justice Certificate of Technical Studies – Civil Service Rule 6.16 (d)
- Attainment of Advanced Degree – Civil Service Rule 6.16 (h)
- Attainment of Baccalaureate Degree – Civil Service Rule 6.16 (d)
- Optional Pay for Retention – Civil Service Rule 6.16.2
- Premium Pay – Civil Service Rule 6.16 (a)
- Individual Pay Adjustment – Civil Service Rule 6.16 (c)

RESIGNATIONS AND TERMINATIONS

Resignations shall only be accepted by employees delegated with appointing authority. An employee's oral or written resignation becomes effective on the date and time specified by the employee. An employee may not withdraw or modify the resignation after the appointing authority accepts it, unless the appointing authority agrees. Supervisors and employees are encouraged to report any resignation concerns in order to provide as much information as possible concerning the reasons why individuals leave employment. This information is essential in gaining important data necessary to improve operations, as well as employee relations. A State Civil Service exit interviews is completed with employees who leave employment through the unit's Human Resources Liaison.

SENIORITY

Seniority is usually defined by circumstance and situation such as layoff, service awards, promotion or rank. Guidelines in determining the definitions of seniority for these different circumstances include applicable Civil Service Rules, sections of the Union Contract and applicable YS Policies. Additional information is available in the Public Safety Services Human Resources Office.

TIME AND ATTENDANCE

A pay period is a two-week (bi-weekly) record of an employee's attendance which begins on Monday and ends on Sunday of the following week. The Time and Attendance Report (OJJ Time Sheet) is a record of hours worked and leave taken during a specific bi-weekly pay period. All YS employees must submit a request for leave to their supervisor through the LEO on-line leave request prior to taking leave or as soon as they return to duty. An "Application for Leave Form" (SF-6) shall be utilized only when the requested leave was designated for a prior pay period.

Attached to the Time and Attendance Policy is the Time Entry Sheet which is used to record the number of hours worked and leave taken during a specific pay period, and the Leave Usage and Overtime Accumulation Chart, which is used to correctly calculate time entry.

It is the employee's responsibility to verify their time is recorded accurately and to signify this by signing and dating the time sheet or by certifying their time in LEO at the end of each pay period prior to forwarding it to their supervisor. If an employee believes an error has been made in the reporting of their time, the employee should discuss the matter with their supervisor immediately.

Youth Services Policy No. A.2.55 "Time and Attendance" provides further information, including the responsibilities of supervisors, designated trained Time Administrators, and the role of Public Safety Services Human Resources (PSS/HR).

FLEX TIME WORK SCHEDULES

It is the policy of the Deputy Secretary and YS to offer flexible schedules and flexible work hours when the effectiveness and functions of the agency are not compromised. Each unit shall identify the flexible work schedule options available to its employees based on the particular needs and business requirements of the office. Flexible work schedules and breaks are not vested rights to which employees are entitled, but privileges which may be granted to employees at the discretion of the Unit Head. Youth Services Policy No. A.2.50, "Flexible Work Schedules" addresses the procedures. Flexible work schedules consist of the following three options:

Traditional Work Hours:

A paid eight (8) hour work day, with an additional unpaid 30-minute to one (1) hour lunch time, Monday through Friday that encompasses the agency's business hours (8:00 a.m. to 4:30 p.m. or 8: a.m. to 5:00 p.m.) and totals 40 hours per week.

Flexible Work Schedule Options:

Option 1:

Four (4) paid work days of ten (10) hours each week of the pay period with the day off being **any** day, Monday through Friday, for a total of 40 hours per week.

Option 2:

Four (4) paid work days of (9) hours and one paid day of four (4) consecutive hours, totaling 40 hours each week of the pay period. The four (4) hour day may be on any day, Monday through Friday, with one-half day off in the morning or in the afternoon. [No lunch period is allowed on the four (4) hour workday.]

One Day Flexible Work Schedule:

One (1) day flexible work schedule in which the hours worked must be worked within a day regularly scheduled to be an eight (8), nine (9), or ten (10) hour workday, depending upon the option above that the employee works. An employee shall not be allowed to work a flexible day schedule that would cross over into another working day. The employee must meet the requirements of the normal work day hours on this particular day.

PAY

Pay adjustments, overtime compensation and special pay rates are governed by Youth Services Policy No. A.2.2 "Pay Administration and Management," within the parameters of the Fair Labor Standards Act and Civil Service Rules. An employee's salary is quoted as a monthly amount. However, the fiscal year is divided into twenty-six (26) pay periods. Each paycheck is based on the employee's yearly salary divided by the number of pay periods, which is twenty-six (26).

PAY SCHEDULE

Employees are paid under various pay schedules which are available from Public Safety Services HR, the unit's Human Resources Liaison or the Civil Service website: http://www.civilservice.louisiana.gov/divisions/compensation/payschedules.aspx

DIRECT DEPOSIT

The State of Louisiana requires mandatory direct deposit participation for all state employees. The unit's Human Resources Liaison will provide assistance in establishing a direct deposit account with the financial institution of choice, or employees may utilize Louisiana Employees Online (LEO – https://leo.doa.louisiana.gov) system to create and/or maintain direct deposit transactions.

LEAVE TYPES

(Civil Service Rules - Chapter 11)

A. Annual Leave

Annual leave shall be earned by each full-time and part-time employee who has a regular tour of duty, except that no employee shall earn annual or sick leave while serving on a classified WAE appointment or while using leave from an agency leave pool as defined in Civil Service Rule 11.34. 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.

Annual leave is intended primarily for vacations and personal business. It shall be applied for in advance and may only be used when approved by the employee's supervisor. Annual leave shall be applied for in six (6) minute increments. Annual leave is requested in advance, online through LEO, or on the "Application for Leave" Form SF-6. The unit's Human Resources Liaison will advise employees which method to use.

An employee should never sign a blank or incomplete leave form. Upon completion of the leave form, the employee should forward it to the appropriate supervisor for approval.

Accrued unused annual leave earned by an employee shall be carried forward to succeeding calendar years.

B. Sick Leave

Sick leave may be utilized by an employee who has sufficient leave to their credit for necessary absence from duty because of illness or injury which prevents them from performing their usual duties, or medical, dental, or optical consultation or treatment. 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.

An employee is required to file an application for sick leave stating the amount of time absent. Sick leave is requested in advance, if possible, online through LEO or on the

"Application for Leave" Form SF-6. The minimum amount which can be taken is six (6) minute increments.

If an employee has accrued compensatory leave ("K" time), that leave shall automatically be used before sick leave. However, employees may request the use of sick leave in lieu of accrued "K" time in writing to their supervisor, which shall be approved.

Accrued unused sick leave earned by an employee shall be carried forward to succeeding calendar years.

C. Family and Medical Leave

The Family and Medical Leave Act (FMLA) of 1993, as amended in 2008, 2010, 2013, and 2015 under Section 585 of the "National Defense Authorization Act" (NDAA), the U.S. Department of Labor (DOL), Wage and Hour Division (WHD) and in Civil Service Rules, requires covered employers to provide up to twelve (12) weeks, or 26 weeks in a case under the NDAA for FY 2008, of job-protected time off to eligible employees for certain family and medical reasons. In 2010, the FMLA was again amended, expanding the military related leave protections, as well as to include a special eligibility provision for airline flight crew employees. The Final Rule for this purpose was published in 2013.

Specific items covered under FMLA are birth or care for a newborn, adoption, placement of a child, care for an employee's own parent, child or spouse with a serious health condition and an employee's own serious health condition, to deal with deployment or return of a family member on Active Duty under NDAA, or to care for a parent who is incapable of self-care necessitated by the covered active duty of a military member.

If an employee has annual or sick leave credit, the Unit Head may require or the employee may elect to take such leave. Leave earned in accordance with the Fair Labor Standards Act (time and one-half compensatory leave) may not be used for family and medical leave. Employees with accumulated leave in the system will be coded accordingly. Sick leave may be used as paid leave under the FMLA for an employee's own illness, but may not be used for taking care of a family member.

Additional information is available in Youth Services Policy No. A.2.5, "Family and Medical Leave of Absence" and from Public Safety Services Human Resources Office or the unit's Human Resources Liaison.

The National Defense Authorization Act (NDAA) also permits an employee to take FMLA leave for "any qualifying exigency" (as defined by regulation). A number of broad categories for which military employees can use FMLA leave are as follows: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; and (9) additional activities not encompassed in the other categories, but agreed to by the employer and employee.

D. Military Leave

Requests for military leave, with pay when advanced notice is given, shall be granted on a nondiscriminatory basis to employees serving on job appointments, probationary or permanent status who are members of the 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, consistent with applicable laws and rules.

1. Military Leave with Pay

Employees serving on job appointments, probationary or permanent status and are members of a Reserve Component of the Armed Forces of the United States shall be entitled to military leave with pay provided advance notice is given.

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

Maximum military leave with pay shall be fifteen (15) working days per calendar year.

2. Use of Annual and Compensatory Leave for Military Purposes

Employees serving on job appointments, 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.

No advance notice shall be 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 appointments, probationary or permanent status who have exhausted either annual or compensatory leave, or have chosen not to use this 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 (6) years. After six (6) years, the employee shall be separated from the classified service.

4. Rights Upon Return

Provisional, probational and permanent employees, and employees serving on job appointments returning to their classified positions under the provisions of the Civil Service Rules 11.26. (d) and 23.15, shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have earned if they had not been absent for military training or military active duty. Both provisional and probational status, however, shall be governed by the provisions of the Civil Service Rule 9.3.

E. Civil, Emergency, and Special Leave

Upon request to the employee's immediate supervisor, an employee serving in a job appointment, probationary or permanent status shall be given time off without loss of pay, annual leave or sick leave under certain circumstances including:

1. Performing Jury Duty when summoned to serve on jury duty.

2. Summoned to appear as a Witness before a court, grand jury or other public body or commission when the employee is not the plaintiff or defendant (except when the summons to appear is job related).

3. Performing Emergency Civilian Duty in relation to national defense.

4. An Act of God/Catastrophic Emergency which prevents an employee from performing their duties. The Deputy Secretary shall decide when weather conditions constitute an emergency and determine what action shall be taken.

   The Deputy Secretary may close an office, designate which personnel may be excused and which employees shall remain on duty or report to duty in order to continue to provide public service. An employee shall contact their immediate supervisor when in doubt.

5. A Civil Service examination on a regular work day or taking a required examination pertinent to the employee's State employment. (Documentation shall be provided to the employee's supervisor regarding the time and date of the examination.)

6. When the appointing authority determines that because of local conditions or celebrations it is impracticable for employees in such locality to work. This could be limited to a single facility/office within the agency.

7. The employee is ordered to report for pre-induction physical examination incident to possible entry into the military forces of the United States.

8. 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.

9. When an employee is an attorney who is ordered to represent a criminal defendant by a court. However, if the employee is compensated from other sources special leave will not be granted.

10. When an employee is a current member of the Civil Air Patrol and is ordered to perform duties with troops or to participate in training. However, the employee is only entitled to 15 days of special leave and it cannot be used for normal unit meetings and training.

F. Compensatory Leave

Compensatory leave ("K" time) is compensation for overtime hours worked. Once an employee has earned "K" time, the employee may request to use it. "K" time balances shall be used before annual leave is used. The agency shall substitute "K" time for sick leave consistent with FMLA and Civil Service Rules and guidelines.

Compensatory time earned while employed with YS does not create a vested property or contractual right. It is the policy of the agency that upon transfer from another agency, no "K" time shall be credited to the employee's leave balance, and payment shall be made for "K" time balances upon separation in accordance with the flexibility allowed in the State Civil Service Rules Chapter 21.

At the time of hire, all employees shall sign a "Statement of Agreement Regarding Compensation for Overtime Work". Supervisors are responsible for monitoring the accrual of compensatory leave to ensure that the caps on accrual are not exceeded.

Further clarification on compensatory leave is available from the employee's supervisor and in YS Policy No. A.2.2, "Pay Administration and Management." This policy includes information about the earning of compensatory leave, payment of, and the amount of hours that can be transferred to the next fiscal year.

G. Other Types of Leave

The following types of leave may be granted at the option of the Unit Head:

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, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grand-parent, or grand-child; provided such time off shall not exceed two (2) days on any one occasion.

2. Leave without Pay

An employee may be granted a leave of absence without pay for specific time periods as approved by their Unit Head. Leave without pay for a time period beyond that approved by the Unit Head shall be approved by the Deputy Secretary on a case-by- case basis.

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

Educational Leave

An employee may be granted educational leave with pay for a maximum of thirty (30) calendar days in one (1) year to attend a course if it is relevant to the employee's job. In addition, an employee may be granted educational leave with pay for a maximum of ninety (90) calendar days in one year to attend training courses relevant to the employee's job.

3. 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 the employee's regularly scheduled work day. However, no more than two (2) hours of non-chargeable special leave shall be allowed to vote in the parish where the employee is employed and no more than one (1) day to vote in another parish.

4. 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 fifteen (15) work days 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 shall have received a certification from the American Red Cross as a Trained Disaster Volunteer. All such requests shall be made in writing and approved by the appointing authority.

5. Enforced Leave- Annual and Sick:

a. Enforced Annual Leave - Subject to Civil Service Rule 11.9 subsection (b), and military leave provisions in Civil Service Rule 11.26, an appointing authority may require an employee to take annual leave when in their administrative judgment such action would be in the best interest of the agency.

No employee shall be required to reduce their accrued annual leave to less than 240 hours except;

i. Prior to being granted leave without pay, but subject to the right granted the employee by the military leave provisions of these rules; or,

ii. 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; or,

iii. If the leave is required during closures in accordance with Civil Service Rule 17.10 as a layoff avoidance measure.

b. Enforced Sick Leave- An appointing authority may place an employee on sick leave when the employee asserts the need to be absent from the work place because of the employee's illness or injury.

6. Uncharged Leave for Training, Testing and Interviews - C.S. Rule 11.23(f) states, "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:

a. Participating in a State Civil Service examination on a regular day, or;

b. Taking a required examination pertinent to the examinee's state employment, before a State licensing board."

LEAVE EARNING RATES

A. 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 Civil Service Rule 11.34.

B. 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:

Full Time State Service	**Leave Earning Rates (*per hour of regular duty*)**
Less than 3 years	0.0461 hour of annual leave and .0461 hour of sick leave
3 years but less than 5 years	0.0576 hour of annual leave and .0576 hour of sick leave
5 years but less than 10 years	0.0692 hour of annual leave and .0692 hour of sick leave
10 years but less than 15 yrs.	0.0807 hour of annual leave and .0807 hour of sick leave
15 or more years	.0923 hour of annual leave and .0923 hour of sick leave

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

1. Any overtime hour.
2. Any hour of leave without pay.
3. Any hour in on-call status outside the employee's regular duty hours as defined in Civil Service Rules 11.1 and 11.2.
4. Any hour of travel or other activity outside the employee's regular duty hours as defined in Civil Service Rules 11.1 and 11.2.

5. Any hour of a holiday or other non-work day that occurs while the employee is on leave without pay.

OVERTIME

In emergencies, on designated holidays, and at other times considered necessary by the Unit Head or supervisor, an employee may be required to work overtime hours. State overtime is defined as:

- Time worked in excess of an employee's regularly scheduled work hours;
- Time worked in excess of an employee's regularly scheduled work period;
- On a holiday, including designated holidays; and
- During official office closures.

In accordance with the Fair Labor Standards Act, Civil Service Rules and YS policy, an employee shall be compensated for overtime in one of the following methods depending upon the employee's salary level and position title:

- Cash payment at the time-and-one-half rate;
- Cash payment at the regular rate;
- Compensatory leave earned at the time-and-one-half rate;
- Compensatory leave earned hour for hour; or
- No compensation.

On the Civil Service Commission may grant exceptions to Overtime rules.

HOLIDAYS

The following are observed as State holidays:

New Year's Day
Veterans Day
Martin Luther King, Jr.'s Birthday
Mardi Gras Day
Good Friday
Labor Day
General Election Day
Thanksgiving Day
Christmas Day
Independence Day
Inauguration Day (in Baton Rouge City limits, every four years)

A full time employee who is required to work on one of the above listed holidays on a day within the employee's scheduled work week shall be compensated as authorized in Civil Service Rule 6.12.1, which provides overtime options for work on holidays. When one of these holidays falls on the employee's regular day off, the employee's holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated. The Governor has the authority to declare holidays other than those listed.

RETIREMENT

Retirement issues can be very complex and employees are encouraged to:

- For information pertaining to retirement planning, details about retirement benefits, and retirement options, contact the unit's Human Resource Liaison.

Contributions

Contributions to the retirement system are based on the retirement plan the employee is a part of as listed below. Public Safety Services Human Resources or the units Human Resource Liaison can answer any questions regarding contribution rates.

Youth Services employees fall under two retirement plans: LASERS and Teachers (TRSL).

A. LASERS

For an explanation of membership benefits, contributions, and retirement plans available, refer to the LASERS website (http://lasersonline.org) or contact a LASERS Representative.

1. Regular Retirement
2. Hazardous Duty Services Plan

B. Teacher's Retirement

Teachers, teachers' aides, coaches and principals are eligible to join the Teachers' Retirement System of Louisiana (TRSL). There are different retirement plans available through TRSL. Refer to the following website: www.trsl.org for more information.

Retirement Options

A. Initial Benefit Option (IBO)

The IBO is an option that is selected at retirement that pays up to 36 months of the maximum benefit in a lump sum, which reduces future benefits. If an employee chooses the IBO, the employee is not allowed to select Option 1 as a retirement option. The IBO is not available to DROP participants, disability retirees, or 20 year retirees (La. R.S. 11:441(A)(4). Refer to LASERS website: http://lasersonline.org for more information.

B. Deferred Retirement Option Plan (DROP)

The Louisiana Legislature authorized the DROP, an optional method of retiring, in 1990. The eligibility for DROP participation was changed in the 1995 legislative session.

It is the employee's responsibility to review their specific retirement options. Go to the following website for information regarding state employees' retirement plans: http://lastersonline.org.

C. Disability Retirement

If you are a Regular Member and become totally disabled and incapable of performing your normal job duties, you may be eligible to start receiving a Disability retirement benefit. Refer to LASERS website: http://lasersonline.org for more information.

MEDICARE COVERAGE

On April 1, 1986, Medicare coverage for newly hired state employees became mandatory in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. This does not apply to employees who are currently covered under Social Security or those employees hired prior to April 1, 1986. Payment of this tax for an appropriate number of quarters makes one eligible for Medicare coverage as determined by Social Security.

INSURANCE

The State Office of Group Benefits offers group health and life insurance to its employees through various programs. Coverage is effective the first day of the month following one full month of employment. For example: If a person is employed on June 1, coverage will be effective July 1. If an employee's first day of employment is June 2, coverage will be effective August 1. There are also supplemental policies available for dental care, life insurance, accident, intensive care and cancer coverage. Contact the HR Liaison for the list of participating vendors. YS employees should refer to the following website: www.groupbenefis.org for more information.

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1986 (COBRA).

If an employee leaves employment with the state (other than by termination for cause), the employee is eligible to maintain their insurance coverage for a limited time under the provisions of COBRA. YS employees should refer to the following website: www.groupbenefits.org for more information.

TAX-FREE FLEXIBLE BENEFITS PLAN

The Flexible Benefits Plan (Flex Plan) with Premium Conversion and Flexible Spending Account gives an employee a way to take home more money in every paycheck. An employee's eligible insurance premiums, dependent care expenses, and medical care expenses are deducted from their employee gross salary – before taxes. Therefore, the employee pays less in tax and will see an increase in their employee net pay. YS employees should refer to the following website: www.groupbenefits.org for more information.

DEFERRED COMPENSATION

The Louisiana Deferred Compensation is a long-term savings/investment plan that provides a means of tax-sheltering a portion of an employee's income. As a supplement to other retirement benefits or savings that an employee may have, this voluntary Plan allows the employee to save and invest extra money for retirement - tax deferred. Not only will the employee defer taxes immediately, the employee may build extra savings consistently and automatically, have a variety

of investment options to choose from, and learn more about saving and investing for a secure financial future.

An employee may also qualify for a federal tax credit by participating in this Plan. Visit the following website: www.louisianadcpretire.gwrs.com for detailed investment options, planning tools, educational material; and enrollment documents on the deferred compensation plan.

All enrollment documents should be sent directly to:

State of Louisiana Public Employees Deferred
Compensation Plan
9100 Bluebonnet Centre Boulevard, Suite 203
Baton Rouge, LA 70809
(225) 926-8082 or (800) 937-7604

CREDIT UNIONS

Employees and retired employees of YS, as well as their spouses and children, are eligible to join the Department of Corrections Credit Union (DOCCU) or LaCapitol Federal Credit Union (LaCap).

Information regarding the LaCap can be obtained at their website: http://www.lacapfcu.org/.

Information regarding the DOCCU can be obtained at their website: http://www.doccu.com/.

EMPLOYEE AWARDS

The Deputy Secretary has established formal policy and guidelines for recognition of service by employees of YS. Youth Services Policy No. A.2.4, "Employee Awards," outlines award categories and the process taken to recognize exemplary employee service. Employee awards are selected and issued at both the unit and agency levels. There are categories for both monetary and non-monetary awards.

SAVINGS BONDS

A payroll savings plan is available through the purchase of United States Savings Bonds, which provide a convenient way to set money aside for building retirement or education funds. National Bank and Trust (NBT) is the administrator of the bond program for the State of Louisiana. Employees must contact them directly. Deductions are made through the ISIS/HR system. For more information go to the following website: www/nbtco.com or call 800-426-9314

WORKERS' COMPENSATION

The Workers' Compensation program is designed to protect employees from loss of income due to injuries that occur on the job. Any employee who is injured while on duty is covered under the "Louisiana Workers' Compensation Benefits" program.

When an employee is injured while working on the job, it is the employee's responsibility to notify the employee's immediate supervisor, regardless how minor the injury may appear. It is the supervisor's responsibility to report the incident to the Unit Head and the unit's Safety Officer. Necessary emergency medical treatment should be obtained as soon as possible. A Report of Injury or Illness Form must be completed by the employee and the employee's supervisor and must be promptly forwarded to the unit's Human Resources Liaison. For the necessary forms, contact the unit's Loss Prevention Officer.

If the injury requires outside medical attention or time away from work, the employee must contact the unit's Human Resources Liaison immediately to complete necessary paperwork. Approved medical expenses are covered by the Office of Risk Management. An employee shall be required to secure a release from their attending physician prior to returning to work. Refer to Youth Services Policy Nos. A.2.28, "Return to Work" and A. 2.49 "Worker's Compensation" for more information about an employee's return to work following an injury, and the required forms.

PERFORMANCE EVALUATION SYSTEM

The Performance Evaluation System (PES) is an essential aspect of the state's performance management system. It is designed to facilitate communication, formal and informal, between the employee and supervisor about expectations for doing the necessary job assignments to meet the goals and priorities of YS.

Unit guidelines and procedures for the PES shall be in compliance with Chapter 10 of the State Civil Service Rules, which is available in the unit's Human Resources Liaison's Office or online at: http://www.civilservice.louisiana.gov/CSRules/Chapter10.aspx.

All classified employees are covered by Civil Service Rules, Chapter 10, Performance Evaluation System, and shall be evaluated annually between July 1 and August 31st. All new employees shall have a Performance Planning Session completed within ninety (90) days of hire. All current employees shall have a Performance Planning Session completed between July 1st and September 30th. The Performance Planning Session and Performance Evaluation Session shall be

documented utilizing the "PES Planning and Evaluation Form". Refer to YS Policy No. A.2.45 "Performance Evaluation System (PES) and Market Rate Adjustments" for more information about the performance plan itself, the PES planning session, how the performance evaluation is conducted and how to request a review of a performance evaluation, etc.

STAFF DEVELOPMENT

It is the philosophy of YS to provide employees the knowledge, skills, attitudes and abilities needed to perform their jobs at a maximum level of efficiency, to promote employee growth and to enhance job enrichment.

Employees shall be provided orientation, basic training, in-service training, on-the-job training, and career development training appropriate to the needs of YS.

Minimum training hours are determined by one's job category and title. Each unit has a training plan available for review. Employees shall receive instructions regarding when and where to report for training and may be compensated for training hours exceeding normal regular work hours in accordance with Civil Service Rules and the Fair Labor Standards Act. They shall also receive training credits for all time spent in training.

SUPERVISORY TRAINING (EDGE)

Effective January 1, 2015, the Minimum Supervisory Training requirements for Group 1 Supervisors (nine (9) courses) consists of a blended learning approach of online classes and instructor-led training. The five (5) to seven (7) online courses, one (1) to three (3) instructor-led training courses, and one (1) elective are part of the the current Comprehensive Public Training Program (CPTP). Online courses are accessible to all state employees through the Louisiana Employees Online (LEO) system.

Training program information and a list of Frequently Asked Questions (FAQ) may be accessed at the following website: http://www.civilservice.louisiana.gov. Questions or concerns may be emailed to CPTPLSO.Coordinator@la.gov.

EMPLOYEE ASSISTANCE PROGRAM

It is the policy of YS to maintain an Employee Assistance Program (EAP) to enable employees whose personal or family problems are adversely affecting job performance to resolve these problems and achieve their maximum potential. Brochures are available with each unit's Human Resources Liaison explaining how the program works. Employees are encouraged to take advantage of the EAP to mutually benefit themselves and YS. Refer to YS Policy No. A.2.11, "Employee Assistance Program" for more information.

PERSONNEL FILES

A personnel record on each employee is maintained in the Public Safety Services Human Resources Office. Electronic personnel files on each employee are also maintained in the Human Capital Management (HCM) system in addition to hard copies of some employment records. Personnel records shall include all paperwork necessary to effect one's employment, along with other correspondence and records relevant to personnel matters.

The only documents contained in the personnel record that shall be produced in a response to request for information are those which are considered public information. Information may be provided to law enforcement officials and district attorneys who are conducting an official inquiry into a potential violation of law or prosecuting a criminal proceeding arising from an alleged violation of law.

Employee medical information shall only be released to those entities with a need to know based on business related reasons. Relevant medical information may be released to appropriate personnel involved in processing an employee's Worker's Compensation claim.

An employee may review the contents of the employee's personnel file at any time in the presence of the Records Custodian in the Public Safety Services Human Resources Office. YS Policy No. A.2.12 "Personnel Records," offers further clarification.

LOUISIANA EMPLOYEES ONLINE (LEO)

LEO is a portal providing a single point of access to a variety of employee information and services for employees paid through ISIS HR. Employees can access their pay statement information, benefits plans (all insurances, deferred compensation and retirement), and the state employee directory. Employees also have the ability through LEO to change their emergency contact information, address, bank and tax withholding information, view their leave records, and enter leave requests, and submit requests for Travel Reimbursements.

For frequently asked questions (FAQ) pertaining to LEO go to: www.ojj.la.gov

Employees can access LEO directly through the following websites:

1. https://leo.doa.louisiana.gov/irj/portal ; or

2. https:www.civilservice.louisiana.gov/Default.aspx (Click once with the right mouse button on the LEO - Louisiana Employees Online link at the bottom of the page.

EMPLOYEE GRIEVANCE PROCEDURES

A grievance is an official internal agency procedure used to resolve employee complaints and other personnel actions that are not appealable to the Civil Service Director or to the Civil Service Commission or are not charges which could be filed with the EEOC.

This procedure applies to all YS employees and is a method of determining the specific cause for a grievance, assessing the situation, and finding the best way to resolve the grievance. The procedure is intended for use when a dissatisfaction that cannot be resolved by less formal means arises in a day-to-day relationship between employees or between an employee and their employer.

Employees of YS are encouraged to make use of the agency's grievance procedure when informal efforts to resolve differences do not suffice; however, nothing contained herein should be

construed as denying employees the right to grieve non-disciplinary actions to the Louisiana Civil Service Commission, or any other outside entity from which relief may be requested directly.

YS Policy No. A.2.46 "Employee Grievance Procedure" outlines the steps and timelines associated with the process, as well as the "Employee Grievance Form" for filing. Grievance forms are maintained with each Unit Human Resources Liaison and are accessible on-line under OJJ forms on the OJJ website: www.ojj.la.gov.

Complaints involving harassment and discrimination based on a protected class shall be handled in accordance with YS Policy No. A.2.57 "Prohibited Harassment and Discrimination".

Complaints involving sexual harassment shall be handled in accordance with YS Policy No. A.2.8 "Sexual Harassment".

Complaints or appeals involving Performance Evaluation shall be addressed through procedures outlined in the YS Policy No. A.2.45 "Performance Evaluation System (PES) and Market Rate Adjustments".

An employee who files a grievance shall not be retaliated against.

What is Grievable?

The following types of complaints are grievable: health and safety concerns, personality disputes between supervisor and subordinates or among co-workers, perceived unfair treatment that does not rise to the level of legally protected discrimination, changes in work location or hours, and requirements of supervisory plans. However, for many actions, the difference between whether the action is "appealable" or "grievable" is WHY the employee is challenging the action or sometimes WHO the employee is. The following chart contains some examples:

AGENCY ACTION	REASON	GRIEVANCE vs. APPEAL
Denial of Performance Adjustment	because of race	Appeal to CS Commission
	"unfair" attendance policy	Agency Grievance
Denial of Promotion	because of gender	Appeal to CS Commission
	person selected did not meet qualification requirements	Appeal to CS Commission
	employee believes they are better qualified	Agency Grievance
No overtime compensation	non-exempt employee	Appeal to CS Commission
	exempt employee	Agency Grievance

Suspension with pay	permanent employee	Appeal to CS Commission
	non-permanent employee	Agency Grievance

Questions Regarding Grievances:
Questions regarding grievances shall be directed to the Undersecretary/designee or Public Safety Services Human Resources Office.

What is Appealable to the Director of Civil Service?
1. An allocation or reallocation decision – Civil Service Rule 5.3.
2. A Reviewer's decision concerning a Performance Evaluation given to a permanent employee – Civil Service Rule 10.14.

What is Appealable to the Civil Service Commission?
1. A suspension without pay, reduction in pay; involuntary demotion, or dismissal of a permanent employee.
2. A non-disciplinary removal of a permanent employee.
3. A layoff of a permanent employee.
4. An employment action/decision that discriminates against an employee because of their political or religious beliefs, sex or race.
5. An employment action/decision that violates a Civil Service Rule or the Civil Service Article X, Part 1 of the state constitution.

APPEAL RIGHTS

Civil Service Commission Appeals

State employees have certain rights and protections through the Department of State Civil Service. One of those rights is the appeal process. If an employee decides to file an appeal with the Civil Service Commission, the employee should go to the Civil Service website at: www.civilservice.louisiana.gov/ or contact the employee's unit's Human Resources Liaison for a copy of Chapter 13 of the Civil Service Rules. This chapter identifies those appealable issues, and outlines the time frame and specifics for filing an appeal.

Only the following persons have a right of appeal to the Commission:

a. A state classified employee with permanent status who has been removed or subjected to one of the disciplinary actions listed in Civil Service Rule 12.2(b).

b. A state classified employee who has been discriminated against in any employment action or decision because of the employee's political or religious beliefs, sex or race.

c. A state classified employee who has been adversely affected by a violation of any provision in the Civil Service Article or of any Civil Service Rule other than a rule in Chapter 10.

Youth Services Appeals

Youth Services has an internal grievance process for resolution of issues generally not appealable to Civil Service. Employees are encouraged to seek resolution of issues not appealable to Civil Service through this grievance process. However, seeking resolution through the YS internal grievance procedure does not prevent one from filing an appeal with the Department of Civil Service.

Employees may appeal a disciplinary action regarding demotions and dismissals to the Deputy Secretary only if a timely written response was furnished by the employee.

CODE OF ETHICS

All state employees are governed by the State Code of Governmental Ethics (La. R.S. 1950, Title 42, Chapter 15). Since state employees are in a position of public trust, they are not to engage in any activities, either privately or officially, where a conflict of interest may exist. State employees are prohibited from accepting gifts, gratuities or rewards for doing any service pertaining to the duties expected in the performance of their jobs. A state employee in this context is any individual in the classified or unclassified service, board member or contractual employee. The Code of Ethics is addressed in YS Policy No. A.2.38 "Ethics for Public Employees: Nepotism, Prohibited Relations, Gifts, Ethics Opinions".

Questions regarding the Code of Ethics should be directed to the unit's Human Resources Liaison or Ethics Liaison in Legal. In some instances, it may be necessary for that Human Resources Liaison to request guidance from the Public Safety Services Human Resources Section or the Office of the Deputy Secretary. When necessary, the Deputy Secretary will take action based upon the Agency's operational needs within legal and ethical determinations.

RESTRICTIONS/PROHIBITED ACTIVITIES

Classified Civil Service employees face certain restrictions, particularly in the area of politics. Political activities in which a state employee is allowed to participate include the following:

- Voting;
- Voicing a political opinion privately on the employee's own time;
- Attend election night parties (following runoff elections);
- Serving as a Poll Commissioner or official watcher at the Polls on behalf of the government (not a Poll watcher on behalf of a campaign);
- Attend debates or other free functions where all candidates may express their views; and
- Supporting or opposing bond issues, taxes or constitutional amendments on the employee's own time.

Most other political activities are prohibited. Some examples of prohibited activities are:

- Soliciting votes or contributions;
- Making political contributions;
- Displaying political stickers on personal car;
- Distributing political campaign cards;
- Making public political statements or addresses;

- Placing political signs on personal property unless the employee's spouse, who resides on the property, is not a state employee;
- You may not "Like" a candidate on Facebook or "Follow" a candidate on Twitter or take other measures in social media that would exhibit support for or against an individual's campaign;
- Publicly announcing support of, donation to, or volunteering time for a particular political party or faction; and
- Becoming a candidate for nomination or election to public office.

Additional information regarding these activities is available with each unit's Human Resources Liaison and from the Department of Civil Service website: www.civilservice.louisiana.gov/.

DRUG FREE WORKPLACE

It is the policy of YS to promote increased employee awareness of substance abuse through comprehensive education programs in order to achieve and maintain a workplace free of drugs and alcohol.

All employees are subject to drug and alcohol screening/confirmatory testing. Failure to comply with instructions/orders to submit to a drug and alcohol screen/confirmatory test may result in termination from employment. Youth Services Policy No. A.2.7 "Drug Free Workplace" offers additional guidance, and includes information about the types of screening/testing and when and why screening/testing is conducted.

PROHIBITED HARASSMENT AND DISCRIMATION

It is the Deputy Secretary's intent to maintain a workplace free of harassment and discrimination from any source, to discourage such conduct, to quickly address violations, and respond with investigations and disciplinary action when appropriate. Harassment and/or discrimination are illegal under federal, state, and local laws. Youth Services Policy No. A.2.57 "Prohibited Harassment and Discrimination" establishes a formal policy regarding harassment and discrimination of protected classes. A copy of the policy is available with each unit's Human Resources Liaison.

SEXUAL HARASSMENT

It is the Deputy Secretary's intent to maintain a workplace free of sexual harassment from any source, either supervisor or co-workers, and to discourage any instance of malicious accusation. YS prohibits and does not tolerate any such behavior. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. Training on "sexual harassment" issues is required and provided for all employees. Youth Services Policy No. A.2.8 "Sexual Harassment," establishes a formal policy regarding sexual harassment. A copy of the policy is available with each unit's Human Resources Liaison.

UNIONS

Eligible YS employees may become members of an organized union. The agency has an agreement with the American Federation of State, County and Municipal Employees Council 17 (AFSCME). Persons wishing to join AFSCME may contact their unit's Human Resources Liaison for the name of the local union steward.

LEGAL REPRESENTATION

It is the policy of YS to furnish legal representation to all employees who are sued for actions or inactions arising within the scope of their employment.

The Legal Section of the Deputy Secretary's Office is responsible for determining appropriate representation for employees who have been sued. Any employee who is served with papers as a result of the employee's employment with the agency shall advise their supervisor immediately as required by YS Policy No. A.2.43 "Employee Subpoenas, Notices of Hearing, Discovery, and Legal Correspondence."

OFFICIAL USE OF SOCIAL NETWORK

It is the Deputy Secretary's policy to protect and safeguard the confidentiality and security of Youth Services' operations by restricting the use of proprietary information concerning YS on social networks as referenced in YS Policy No. A.5.9. The official use of any social network shall be directed and coordinated by the Deputy Secretary/designee. Each employee is personally responsible for any on-line activity conducted with a YS/OJJ email address which can be traced back to YS/OJJ's domain and or uses YS/OJJ's assets. Employees may be disciplined, up to and including termination, for violating the provisions of YS Policy No. A.5.9 "Social Networking".

EMPLOYEE HOTLINE

It is the intent of the Deputy Secretary to provide a confidential outlet for staff to inform management about issues that need to be investigated, while at the same time protecting the identity of the caller. OJJ has expanded its toll free hotline, currently available to secure care youth, for use by staff statewide to bring their concerns to management while maintaining strict confidentiality.

The number for the OJJ Employee Hotline is **1.800.626.1430**.

STATE FACILITIES

ACADIANA CENTER FOR YOUTH (ACY)
1536 Bordelon Road,
Bunkie, LA 71322

BRIDGE CITY CENTER FOR YOUTH (BCCY)
3225 River Road
Bridge City, LA 70094

SWANSON CENTER FOR YOUTH (SCY)
4701 South Grand
Monroe, LA 71202

SWANSON CENTER FOR YOUTH at COLUMBIA (SCYC)
132 Highway 850
Columbia, LA 71418

Probation and Parole Offices

Regional Offices (*Denotes)

Region 1
New Orleans Office
2150 Westbank Expressway, Suite 424
Harvey, LA 70058
(504) 361-6890
Fax: (504) 361-6891

Region 2
Baton Rouge Office
660 N. Foster Dr., Suite C-200
Baton Rouge, LA 70806
(225) 922-1300
Fax: (225) 922-1315

Region 3
Hammond Office
42381 Deluxe Plaza
Hammond, LA 70403
(985) 543-4096
Fax: (985) 543-4100

Region 4
Thibodaux Office
1077 Highway 3185
Thibodaux, LA 70301
(985) 447-0902
Fax: (985) 447-0818

Region 5
Lafayette Office
130 Chappuis St.
Lafayette, LA 70501
(337) 262-5662
Fax: (337) 262-1072

Region 6
Lake Charles Office
807 West Bayou Pines Drive
Lake Charles, LA 70601
(337) 491-2833
Fax: (337) 491-2842

Region 7
Alexandria Office
1510 Lee Street
Alexandria, LA 71301
(318) 487-5252
Fax: (318) 487-5767

Region 8A
Shreveport Office
1525 Fairfield Ave., Suite 627
Shreveport, LA 71101
(318) 676-7020
Fax: (318) 676-7027

Region 8B
Natchitoches Office
109 Industrial Dr., 1907 Washington Street
Natchitoches, LA 71457
(318) 357-3152
Fax: (318) 357-3243

Region 9A
Monroe Office

Monroe, LA 71201
(318) 262-5262
Fax: (318) 362-5209

Region 9B
Tallulah Office
508 East Bayou Drive
Tallulah, LA 71284
(318) 574-3552
Fax: (318) 574-2516

IMPORTANT LINKS

AGENCY: YS/OJJ

STATE LINKS:

Info Louisiana: http://louisiana.gov

Louisiana Department of Civil Service: www.civilservice.lousiana.gov

Louisiana Employees Online (LEO): https://leo.doa.louisiana.gov/irj/portal

Louisiana State Legislature: www.legis.la.gov/legis/home.aspx

Louisiana's Employee Retirement System (LASERS): www.lasersonline.org

Louisiana's Teachers Retirement System (TRSL): www.trsl.org

Louisiana Deferred Compensation: https://louisianadcpretire.gwrs.com

GROUP BENEFITS:

Group Benefits: https://info.groupbenefits.org

Blue Cross/Blue Shield: http://www.bcbsla.com/ogb
HMO Plan – Health Maintenance Organization
CD – HSA Plan – Consumer Driven Health Spending Account

People's Health: www.peopleshealth.com

Vantage Health Plan: http://www.vhp-stategroup.com
DataPath Flexible Benefits: https://securemyrsc.com

Catamaran RX Prescriptions: https://www.mycatamaranrx.com

FEDERAL LINKS

The Department of Labor: www.dol.gov/
FMLA
COBRA

CREDIT UNIONS

LaCAP: www.lacapfcu.org

DOC: www.doccu.org

TRAINING

CPTP: www.civilservice.louisiana.gov/Divisions/Training/

Training Calendar: SharePoint

MISCELLANEOUS

https://otssupport.la.gov

John Bel Edwards
Governor

James Bueche, Ph.D.
Deputy Secretary

Youth Services
Employee Manual
A.2.1 (b) Employee Rules of Conduct

February 2020

YOUTH SERVICES EMPLOYEE RULES OF CONDUCT

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EMPLOYEE RULES AND CONDUCT CODE
PART I: EMPLOYEE RULES AND POLICIES

All employees are expected to lead by example. The Employee Rules and Conduct Code is comprised of YS/OJJ Policies which outline expected behaviors and Rules that describe behaviors that are prohibited. Consequences for failing to follow the rules include initiation of a performance evaluation review action or disciplinary action. The maximum penalty for any rule violation is dismissal.

RULE 1: GENERAL MISCONDUCT

a. **Rule 1a: Inappropriate Behavior** - Employees must conduct themselves in professional manner which supports the security and/or stability of the unit, the safety of staff and youth, and the efficiency of state service.

b. **Rule 1b: Inappropriate Behavior** - Each employee must perform his duties properly and free from negligence so as to fulfill the purpose and responsibility of his assignment.

RULE 2: SAFETY AND SECURITY

Employees must promote the safety and security of their assigned unit, the youth in their care, other staff and the public. They must prevent the introduction or storage of intoxicating liquors, weapons, drug paraphernalia, pornographic material, substances defined in the Uniform Controlled Dangerous Substance Law, and any other article, substance or thing that may reasonably be considered to endanger safety or security. Employees must not possess these items when at the worksite or on duty. Employees who violate this rule may also be prosecuted under La. R.S. 14:402.

a. Contraband -

- Any controlled dangerous substance as defined in LSA - R.S 40:961 et seq or any controlled dangerous substances or devices as defined in LSA-R.S. 14:402(D)(1), that if taken internally, whether separately or in combination with another drug or substance, produces or may produce a hypnotic effect;

- A dangerous weapon (or plans for making a dangerous weapon), or other instrumentality customarily used or intended for probable use as a dangerous weapon or to aid in an escape;

- Explosives or combustibles;

- An alcoholic beverage or other beverage which produces or may produce an intoxicating effect;

- Stolen property;

▪ Any currency or coin, article of food, toiletries, or clothing, unless authorized by the Facility Director;

▪ Any telecommunications equipment or component hardware, including but not limited to cellular phones, pagers, tape recorders, global satellite system equipment, subscriber identity module (SIM) cards, portable memory chips, batteries, and chargers, whether or not such equipment may be intended for use in planning or aiding an escape or attempt to escape from any institution, unless authorized by the Facility Director.

Facility-defined contraband is any item declared contraband by written policy, memo or instruction by the Deputy Secretary or Unit Head.

1. **Rule 2a1: Possession of Contraband** - No employee shall possess or attempt to possess intoxicating liquors, weapons, drug paraphernalia, pornographic material, substances defined in the Uniform Controlled Dangerous Substance Law, or any other article, substance or thing that may reasonably be considered to endanger safety or security. Employees who violate this rule may also be prosecuted under La. R.S. 14:402.

2. **Rule 2a2: Introduction of Contraband** - Contraband items shall not be brought into, possessed or stored in any part of a youth facility/office, state-owned vehicle or equipment, or personal vehicle or equipment brought into a secure facility.

3. **Rule 2a3: Failure to Report Contraband -** Employees must report any knowledge, observation or suspicion of contraband. Failure to report contraband is prohibited.

b. Alertness

1. **Rule 2b1: Failure to Remain Alert** - Employees are expected to remain alert while on duty.

2. **Rule 2b2: Sleeping While on Duty** - Employees are expected to remain awake while on duty. Sleeping while on duty is prohibited.

3. **Rule 2b3: Reporting to Work on Medication** – Employees must not report to work while taking medication that interferes with the proper performance of their duties. An employee taking medication which interferes with the proper performance of his duties shall request sick leave. If the employee does not request sick leave and comes to or remains at work, he shall be immediately placed on sick leave if the effect of the medication he is taking interferes with the performance of his duties.

c. Intoxicants or Drugs

1. **Rule 2c1: Working Under the Influence** – Employees are prohibited from possessing, using or being under the effects of alcohol, drugs or any mood-altering substance while on duty or on the premise of any YS/OJJ office or unit or while riding in or operating a state vehicle. Employees must be sober and drug-free while on duty.

2. **Rule 2c2: Failure to Take Alcohol or Drug Test** - An employee may not refuse to take an alcohol or drug test while on duty or in conjunction with an investigation of an event that occurred while he was on duty. Employees who are allowed home auto storage of state vehicles are subject to drug and/or alcohol testing any time they are driving a state vehicle.

3. **Rule 2c3: Positive Test for Prescription Drug but Having No Prescription** - It is prohibited for an employee to have a positive confirmatory test for a controlled or illicit substance or a prescription drug for which he has no current prescription properly issued in his name.

The philosophy of the Department regarding drug use is expressed in YS Policy No. A.2.7, "Drug-Free Workplace."

RULE 3: TREATMENT OF YOUTH

Employees are expected to display appropriate behavior and skills. Employees should use concern, empathy, respect and fairness when interacting with youth. Abuse, neglect or exploitation of youth is prohibited. It is recognized that unique problems are encountered in providing care for youth in facilities whose behavior is at times uncooperative, anti-social, violent or aggressive. Successful treatment and care for these youth is founded in programs that reflect both a learning environment and a structured setting.

Employees are to encourage, coach, and appropriately interact with youth, taking action to intervene when necessary. Physical interventions that are necessary may also be defined as force, that is, a physical, chemical or mechanical intervention that causes someone to act in a manner contrary to his intent or causes him to change his behavior to a desired action or to more desirable conduct. Action taken to effect intervention must be appropriate to the situation and consistent with the policies of YS, the laws of the state, and in keeping with ethical and moral dictates of professional practice.

If any employee sees abuse occurring, whether it is staff abusing youth, youth abusing staff, or youth abusing youth, he has a duty to intervene to stop the abuse, and he has an obligation to report the abuse by a written report to his supervisor. Standing idly by without responding to remedy the situation ("omission") is as much a violation as being actively involved in the incident.

a. **Abuse** – Abuse of youth is prohibited. Abuse is an intentional, knowing or reckless act or omission that may cause emotional harm, mental harm, physical injury, or death. This includes but is not limited to corporal punishment, slapping, hitting, and premature, excessive, or unnecessary physical or mechanical force. Some other examples of abuse are: harassment, coercion, cursing, taunting, intimidation, and the deliberately damaging, destroying or otherwise misusing a youth's belongings.

1. **Rule 3a1: Physical abuse**: Any behavior by a staff member that imposes physical pain on a youth, except when staff is authorized to use certain force techniques when necessary to maintain control in certain situations, is physical abuse. Examples of physical abuse are slapping, hitting, pushing, and any physical force exerted on a youth to produce or likely to produce pain. Employees should refer to YS Policy No. C.2.6 "Use of Interventions-Secure Care," which is a part of this rule. Physical abuse can be further described as:

   (a) Corporal punishment – punishment inflicted through the use of physical contact.

   (b) Excessive force – force used beyond that which is reasonable to control a situation where a form of physical intervention is warranted.

   (c) Premature force* – the use of physical intervention before exhaustion of the continuum outlined in YS Policy No. C.2.6 "Use of Interventions-Secure Care".

   ***APPLIES ONLY TO SECURE CARE FACILITY STAFF**

   (d) Unnecessary force – force used that cannot be reasonable justified by the facts of the situation.

2. **Rule 3a2: Emotional/Verbal abuse**: A failure to treat youth fairly and with dignity and respect. Examples of emotional abuse are harassing, cursing, taunting, coercing and intimidating youth.

3. **Rule 3a3: Property abuse**: The deliberate damage, loss, destruction, or misuse of a youth's belongings, regardless of whether those belongings are authorized by the facility or not. If unauthorized property is discovered, it must be handled in accordance with facility policy.

b. **Rule 3b: Neglect**: A negligent act or omission, including failure to comply with a youth's case plan, that causes or may cause substantial emotional harm or physical injury to, or death of a youth.

Institutional abuse or neglect [Children's Code 603. (14)] – any case of child abuse or neglect that occurs in any public or private facility that provides residential child care, treatment or education.

Neglect-Children's Code 603 (16) – The refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care treatment, or counseling for nay injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired.

c. **Rule 3c: Exploitation**: The illegal or improper manipulation of a youth or his resources for monetary or personal benefit is prohibited.

d. **Rule 3d: Sexual Abuse**: Any sexual behavior with a youth, with or without the youth's consent. This includes, but is not limited to, staff-on-youth sexual abuse, manipulation, exploitation, coercion, solicitation, verbal or physical intimidation, or force that may be used to gain participation in the sexual behavior.

RULE 4: DRESS/APPEARANCE

Employees are expected to dress appropriately and present a neat appearance. Specific dress/attire guidelines as outlined in YS Policy Nos. A.2.15 "Dress Code – Facility and Community Services" and A.2.56 "Central Office Dress Code" must be followed.

a. **Rule 4a: Dress Code** - Failure to dress within the dress code guidelines is prohibited.

b. **Rule 4b: Dress Code** - Failure to appear in court or at a hearing properly attired is prohibited. Employees who are subpoenaed to attend court, Civil Service or other work-related hearings must wear their uniforms or usual work attire.

c. **Rule 4c: Dress Code -** Employees in uniform must not enter places such as bars or lounges or loiter on their premises except in the performance of their official duties.

d. **Rule 4d: Dress Code**: YS badges and identification cards shall only be used in the performance of official duties.

RULE 5: JOB PERFORMANCE

Employees are expected to perform their duties so as to fulfill the purpose and responsibility of their assignment. They are to follow written and verbal instructions, provide truthful and complete information, maintain confidentiality of records and information, and ensure that all discussion of information between employees is job-related, professional and discreet.

a. **Rule 5a: Failure to Follow Orders** - Employees must follow written and verbal instructions. This includes but is not limited to: (a) YS policies, (b) unit procedures and directives, (c) post orders, (d) Civil Service Rules and (e) other written procedures and policies. Employees must obey verbal or written orders from Investigative Services investigators to appear for interviews, give written and/or oral statements, and to cooperate with investigators. Failure to follow a direct written or verbal order or instruction is an aggravating circumstance that will result in a more severe penalty.

b. **Rule 5b: Failure to Follow Orders (IS interviews/polygraph)** -Employees shall report for polygraph tests as provided for in YS Policy No. A.1.11 "Polygraph Testing of Employees" which is made a part of this rule. Employees can be ordered to report for a polygraph test by anyone in their chain of command or by an Investigative Services investigator. If an employee appears for a polygraph examination and refuses the order to be examined, he will be disciplined for failure to obey a direct order, part a. of this rule.

c. **Rule 5c: Failure to Provide Complete and Truthful Information -** Employees shall provide truthful, complete and accurate information on reports, logs, records, progress notes, case plans, e-mails, and other official work products as well as during interviews, meetings, court appearances, investigations and other work-related events.

d. **Rule 5d: Confidentiality of Records and Information -** Employees shall respect and maintain confidentiality of agency records and information pertaining to youth, personnel-related records, and other information pertaining to employees and youth except as ordered by the courts, specifically permitted by law or administratively approved.

e. **Rule 5e: Gossiping -** The discussion of confidential information between employees which is not job-related, professional or discreet is prohibited.

RULE 6: WORK BEHAVIOR - MALFEASANCE

Employees are expected to maintain cooperative, courteous, and helpful attitudes toward other fellow workers and employees, supervisors, visitors, youth and the general public.

a. **Rule 6a: Malfeasance, discourteous behavior, offensive language/behavior -** Employees are expected to be courteous to each other, supervisors, subordinates, youth, visitors and the general public. Employees shall not use racial slurs, or profane, derogatory, vulgar, intimidating or offensive language. "Language" includes gestures and facial expressions.

b. **Rule 6b: Malfeasance, Hostile or Offensive Workplace -** Deliberate and/or repeated unsolicited words, comments, gestures, or other acts which have the purpose or effect of unreasonably interfering with another employee's work performance or creating an intimidating, hostile, or offensive work environment are prohibited. Employees must obey YS Policies A.2.8 "Sexual Harassment" and A.2.47 "Equal Employment Opportunity".

c. **Rule 6c: Malfeasance – Threatening, Intimidating, Assaulting -** Employees shall not threaten, intimidate, or attempt to intimidate another employee or a visitor. No employee shall assault or commit battery upon another employee or visitor. To do so is prohibited.

d. **Rule 6d: Malfeasance – Negative Comments About Others -** Negative comments about other employees, their personal characteristics and/or job performance,* the administration or its policies, or management decisions shall not be made in the presence of youth, fellow or subordinate employees or visitors.

**This rule excludes job performance related comments made in the course of duty (i.e., comments made to immediately correct a critical error that must be rectified without delay regardless of the presence of other employees, youth, or visitors.*

e. **Rule 6e: Malfeasance – Disruptive Behavior -** Employees are expected to conduct themselves in a manner which neither disrupts nor causes others to disrupt usual operations.

f. **Rule 6f: Malfeasance – Failure to Aid -** Employees shall take reasonable steps to render aid and assistance whenever it appears that an individual's personal safety may be in jeopardy. This includes youth.

g. **Rule 6g: – Malfeasance – Theft -** Employees shall not steal or otherwise misappropriate the property of others or the State.

h. **Rule 6h: Malfeasance – Destruction of Property -** Employees shall not willfully or negligently damage, destroy, lose or misuse the property of others or of the State.

i. **Rule 6i: Malfeasance – Personal Activities -** Employees shall not use computers, study, read, or watch television for pleasure or recreation, or engage in personal recreational activities while on duty.

j. **Rule 6j: Malfeasance – Unsafe Operation of Equipment -** State and personal vehicles, equipment and machinery used in the performance of official duties shall be operated in a cautious and safe manner in conformity with state laws and YS/unit policies.

k. **Rule 6k: Malfeasance – Employees Living on the Grounds -** Employees living on the grounds of youth facilities and/or in state-owned housing shall obey all pertinent YS/unit policies and guidelines.

l. **Rule 6l.1: Malfeasance – Law Violations -** Employees shall not violate local, state or federal law.

Rule 6l.2: Malfeasance – Failure to Notify of Arrest/Summons - An employee charged with criminal conduct may be placed on leave pending the outcome of the charges. A criminal conviction is not necessary to support a finding of a violation of this rule. An employee must notify his immediate supervisor (or Unit Head if supervisor is not available) within 72 hours of his arrest or receipt of a summons/ticket/citation for any violation of the Criminal Code or Title 40, Controlled Dangerous Substances Law in accordance with YS Policy No. A.2.18 "Criminal Record Check".

m. **Rule 6m: Malfeasance – Contacting Outside Agencies on a Youth or Inmate's Behalf –** Employees are prohibited from either directly or indirectly contacting criminal justice or other outside agencies to influence or make recommendations, favorable or unfavorable, on behalf of persons in the custody of or under the supervision of YS or Corrections Services, except when such

recommendations are officially made as required by law or part of the employee's job, or when the employee was a victim of or a witness to a crime the youth or inmate committed or is a family member of a victim or witness.

n. **Rule 6n: Malfeasance – Failure to Cooperate with Investigations, Untruthfulness -**Employees shall cooperate with all YS and/or unit investigations and inquiries, answering all questions truthfully, completely and accurately.

o. **Rule 6o: Malfeasance – Sexual Misconduct -** Employees shall not engage in sexual conduct and/or sexually-related activities with anyone while on duty, including but not limited to hand-holding, kissing, hugging, inappropriate sexual contact, and sexual intercourse.

p. **Rule 6p: Malfeasance – Unsafe Weapon Handling -** Employees shall handle all weapons safely and in accordance with YS and unit policy.

RULE 7: ATTENDANCE AND WORK HOURS

Employees must report for duty each workday on time to one's duty station. Being on the premises does not constitute being at one's duty station. Employees are cautioned that violation of YS Policy No. A.2.37 "Separation for Unscheduled Absences" can result in disciplinary action if not followed in addition to the rules in this manual.

a. **Rule 7a: Failure to Secure Leave in Advance/Failure to Report for Duty** – Failure to secure leave in advance and in accordance with YS and unit policy is prohibited. Leave is to be requested and approved in advance, with the exception of sudden illness or emergency, in which case employees are expected to notify supervisors or follow unit procedures.

b. **Rule 7b: Job Abandonment -** Any employee absent for three consecutive work days without securing approved leave will be considered to have abandoned their job.

c. **Rule 7c: Late to Work -** Employees who will be late for work must follow unit procedures in notifying the appropriate authority. Failure to follow unit policy when the employee will be reporting late to work is prohibited.

d. **Rule 7d: Assigned Duty Post -** No employee shall fail to report to his assigned duty post or leave his assigned post without being properly relieved or without permission.

RULE 8: MEDIA RELATIONS

Rule 8: Media Relations: Violation of YS Policy No. C.1.13 "Legislative Request / Communication, Media Access and Public Information" is prohibited. Statements or releases to the news media, including but not limited to comments regarding YS policy or practices, shall be made only by the Deputy Secretary, Communications Director, Unit Head, or their designees, as set forth in policy.

RULE 9: RELATIONSHIPS WITH YOUTH AND THEIR FAMILIES – This rule and its subsections applies to youth currently in OJJ custody or under OJJ supervision and those formerly in OJJ custody or under OJJ supervision. Employees are expected to display appropriate behavior and use appropriate skills (i.e. concern, empathy, respect and fairness) with youth and their families.

a. **Rule 9a: Maintaining Professional Relationships with Youth, their Friends and Families -** Employees shall maintain a professional, work-related adult relationship with youth at all times. In the event a friend or relative of an employee is placed in OJJ custody or under OJJ supervision, the employee must advise his Unit Head of that fact. The Unit Head will advise the employee and other staff within the unit of restrictions and rules the Unit Head imposes as relates to the employee and the youth as a result of this placement.

   1. **Rule 9a1: Prohibited Relationships with Youth, Their Friends and Families** - Employees shall not be involved in nonprofessional relationships with youth or with youths' families or friends. This includes, but is not limited to, the writing/receiving of personal letters and making/receiving personal phone calls to/from youth or to/from youths' families or friends, as well as engaging in personal relationships and/or sexual activities with youth or youths' families or friends.

   2. **Rule 9a2: Reporting Prohibited Communication with Youth, Their Friends and Families** - An employee must immediately report the following to their supervisor: mail, phone calls, or any type of communications received from youths or their families which are outside the normal course and scope of the employee's job duties.

b. **Rule 9b: Prohibited Gifts** - Employees shall not accept gifts or anything of value from a youth, youth's family or a youth's visitors without Unit Head authorization.

c. **Rule 9c: Improper Purchases** - Purchases from youth must be processed through proper channels.

d. **Rule 9d: Receiving Money without Authorization** - Only those employees designated in writing by the Deputy Secretary or Unit Head may receive cash, checks, money orders or other type payments for transmission to or from youth.

e. **Rule 9e1: Gambling** – Employees are prohibited from betting or gambling with youth.

   Rule 9e2: Selling or Delivering Unauthorized Items, Unauthorized Transactions - Employees will not sell or deliver unauthorized items or contraband, borrow, lend, trade, give gifts (or anything of value) to youth, their families or visitors.

f. **Rule 9f: Circumventing YS Policies** - Employees shall not assist a youth or a youth's visitor or family member in circumventing YS policy.

RULE 10: REPORTING EMPLOYEE RULES OF CONDUCT VIOLATIONS

Rule 10: Failure to Report Employee Violations - Employees are required to report suspected or observed conduct and/or rule violations of other employees to their supervisor. They must report if they see a violation, hear about a violation, or have any reason to suspect that a violation has been/is about to be committed. If the violation(s) involve their supervisor, the activities are to be reported to the Unit Head.

EMPLOYEE RULES AND CONDUCT CODE
PART II: DISCIPLINARY ACTIONS

If the Unit Head determines that disciplinary action is appropriate as a result of the incident cited on the VR-1, the penalty shall be determined based upon the guidelines described below.

I. Available Penalties and Corrective Actions

Disciplinary penalties available for rule violations are: suspension without pay, reduction in pay, involuntary demotion and dismissal.

A. Reduction in pay (in increments equal to a specific number of days on suspension without pay).

B. Involuntary demotion in rank or pay level.

C. A suspension without pay cannot exceed 176 work hours except under Civil Service Rule 12.5, or as ordered or agreed to under Chapter 13 or 16.

D. Dismissal.

II. Application of Penalties

The severity of the penalty shall be determined by the seriousness of the offense and consideration of aggravating and mitigating circumstances. A combination of penalties (e.g. a reduction in pay coupled with a suspension) may be used to achieve the desired disciplinary result.

A. Aggravating circumstances include, but are not limited to:

1. Previous verified rule violations, the severity of the violation(s), the number of prior violations and the time frame over which the violations occurred.

2. Threat/danger to security (public, staff and youth).

3. Disruption of unit operations and activities (impairment to services).

4. Willfulness of the rule violation (whether the rule violation was intentional, deliberate or grossly negligent).

B. Mitigating circumstances shall include, but are not limited to:

1. Employee's length of service.

2. Employee's caliber of service.

EMPLOYEE RULES AND CONDUCT CODE
PART III: NON-DISCIPLINARY ACTIONS

There are a range of options available to address performance and/or job-related issues in a non-disciplinary manner. A VR-1 may be used but is not necessarily required or appropriate to initiate options.

The "Other Suspension Options" (described in Section III of this part) are non-disciplinary; however, contingent upon the findings surrounding the incident, these actions may precede disciplinary action.

I. Performance Evaluation Actions Resulting From VR-1

If it is determined that non-disciplinary performance review action should be imposed as a result of the incident cited on the VR-1, such action shall be made at the unit level. Performance review actions may include, but are not limited to:

A. Letter of Counseling (LOC) / Letter of Improvement (LOI).

B. Notation to Performance Planning and Review Record.

C. Formal or Informal Counseling Session/Conference.

D. Required Attendance at Specific Training.

Generally, LOC's/LOI's are issued at the discretion of the Unit Head for the purpose of advising the employee of his/her offending behavior or actions(s) and providing guidance and instruction regarding a required change in behavior.

LOC's/LOI's shall be issued to the employee under the signature of the Unit Head (or his designee) and a copy of the letter shall be placed into the employee's Performance Evaluation file maintained by the employee's supervisor. The employee may submit a written response to the letter; any such response shall be attached to and maintained with the letter. Both the letter, and response if any, must be downloaded into the Legal Services Employee Activity Database.

II. Other Performance Evaluation Related Options

If an employee's overall Performance Evaluation demonstrates "Needs Improvement / Unsuccessful", the employee shall not be eligible for: 1) a performance adjustment, a promotion or permanent status, or 2) detailed to a higher level position without prior approval of the State Civil Service Director, or 3) may be separated or disciplined in accordance with State Civil Service Rules applicable to the employee's status, in accordance with YS Policy No. A.2.45 "Performance Evaluation System (PES) and Market Rate Adjustments".

These actions differ from those described in Section I above, in that they are usually the result of Performance Evaluation documentation rather than a violation report, but they can be imposed as the result of a VR-1 as well.

A. Withholding of a Market Rate Adjustment

In accordance with Civil Service Rules, a performance adjustment cannot be granted if an employee's overall rating is "Needs Improvement/Unsuccessful".

***NOTE**: The employee's rating shall not be negatively affected solely due to a disciplinary action which is still in effect for a violation that occurred in the previous rating period.*

B. Probationary Period

It is the Deputy Secretary's policy that probationary periods for employees of YS, as described herein, shall be for a period of two (2) years. In order to provide the employee an opportunity to acquire and demonstrate new skills, display ability to adapt and improve, and provide sufficient opportunity for the unit to evaluate the appropriateness of granting permanent status.

C. Letters of Counseling (LOC) / Letters of Improvement (LOI)

The appointing authority may issue letters (such as warning, counseling, coaching, reprimands, supervisory plans, etc.) to attempt to improve an employee's behavior.

1. An employee may respond in writing to a LOC/LOI. The employee's response must be attached to each copy of the letter kept by the supervisor.

2. If the same or similar conduct recurs, a LOC/LOI can be used to support the severity of future discipline, but only if the letter advised the employee that the letter could be used for this purpose and advised the employee of his right to respond.

3. A LOC/LOI is not discipline, is only appealable under Rule 13.10(b) or (c), and may not be included in any publicly accessible personnel record.

III. Other Suspension Options

A. Suspension Pending Investigation

An employee may be verbally suspended by the Unit Head or his designee pending an internal investigation when it is believed that he has engaged in conduct which, if confirmed, would warrant disciplinary action and the employee's continued presence at work during the investigation would not be appropriate. The employee shall be placed on leave pending investigation (LI).

1. The employee shall be notified in writing that he is being suspended with pay and the general nature of the conduct being investigated.

2. A Suspension Pending Investigation is with pay, cannot exceed 260 work hours. Enforced compensatory or enforced annual leave cannot be used for this 260 hour period.

3. A suspension pending investigation is not discipline and is only appealable under Civil Service Rule 13.10(b) or (c).

B. Suspension Pending ***Criminal*** Proceedings

1. With prior Civil Service Commission approval, an appointing authority may suspend a permanent employee, without pay, pending criminal proceedings when an indictment or bill of information has been filed against the employee for conduct that, if proved, would be cause for dismissal and the appointing authority cannot obtain sufficient information to initiate dismissal proceedings.

2. An appointing authority's request for approval of a suspension under Civil Service Rule 12.5 shall explain:

   a. Why the conduct would be cause for dismissal;

   b. Why the employee cannot be allowed to work in any capacity;

   c. Why sufficient information to initiate dismissal proceedings cannot be obtained; and

   d. Documentation that an indictment or bill of information has been filed.

3. Before approving a suspension under this rule, the Civil Service Commission must furnish the employee a copy of the appointing authority's request and a reasonable opportunity to respond.

4. A permanent employee suspended under this rule shall be given written notice before the time the suspension begins. This notice shall comply with Civil Service Rule 12.8 to the extent possible.

IV. Enforced Leave

A. Enforced Sick Leave

Civil Service Rules state that an appointing authority may place an employee on sick leave when the employee asserts the need to be absent from the work place because of the employee's illness or injury. An employee who reports to work, with a doctor's excuse or medical release containing a restriction that prevents them from performing the essential functions of their job assignment are typically

placed on enforced sick leave, however, placement is at the discretion of the Unit Head.

The employee shall then be instructed to have his/her doctor fill out a new Essential Functions Form (EFF) and request for accommodations, if applicable. Once that documentation is obtained, the employee shall contact the unit's Human Resource Liaison to schedule a return to work hearing, at which time a determination will be made whether the employee can return to work performing his/her regular job functions, or if more time off is necessary to recover from his/her ailment.

If the employee's condition involves an impairment that meets qualifications under the Americans with Disabilities Act (ADA), the return to work hearing will determine if reasonable accommodations are available. Employees can refer to YS Policy No. A.2.13 "Americans with Disabilities Act (Employees, Applicants, Candidates, Visitors)" for more information on ADA Accommodations.

B. Enforced Annual Leave

A Unit Head may require an employee to take annual leave when it is determined such action is in the best interest of the unit and shall not cause the employee's annual leave balance to be reduced below 240 hours, the amount specified by Civil Service Rules (11.9.b).

All annual leave, (regular and enforced) has a roll or substitution routine in the payroll system, LA GOV-HCM. This means that before annual leave is reduced, the system will first reduce the K-time balance (1.5 rate), then the K-time balance (straight rate), and finally the Annual balance to cover the hours requested.

Reduction of K time is not a disciplinary action, but the LA GOV-HCM system will always take K-time first whenever "A- leave" is entered.

V. Removals

A Unit Head or his designee may remove an employee for non-disciplinary reasons as described in Chapter 12 of the Civil Service Rules. Reasons for non-disciplinary removals include: 1) less than eight (8) hours of sick leave and the employee is unable to perform the essential functions of the job due to illness or medical disability; or 2) has seven (7) or more unscheduled absences during any consecutive twenty-six (26) week period; or 3) when the employee, because of conduct that is not work related, fails to obtain or loses a license, commission, certificate or other accreditation that is legally required for him to hold his job; or 4) when the employee hold more than one (1) position in the state service and the multiple employment causes an employing agency to be liable for overtime payments under the Fair Labor Standards Act, and after having been provided the opportunity to do so, the employee refused to resign from one of the positions; or 5) when there is cause for dismissal, but the cause is not the employee's fault.

NOTE: *Employees may be removed for exhaustion of sick leave only after the requirements of the Family and Medical Act (FMLA) have been met (i.e., up to 12 weeks of leave per year for those employees who are eligible for and entitled to this benefit) and after the Americans with Disabilities Act (ADA) applicability has been reviewed and determined. A written pre-deprivation (Loudermill) notice must be sent to those employees proposed for removal.*

VI. Separations

A. Probationary Separation

1. A probationary employee may be separated by the appointing authority at any time under Civil Service Rule 9.1(e). Separations shall be effected by a standard transmittal letter bearing the signature of the Unit Head or his/her designee.

2. When an employee on probation is separated Civil Service does not require that the employee be given a reason for the separation. The Unit Head shall provide the employee a standard transmittal letter which simply advises the employee that:

   a. Employment shall be terminated as of a specific date; and

   b. The employee shall have the right to appeal under the provisions of Chapter 13 of the Civil Service Rules, which are available in the unit's Human Resource Liaison's Office only if an issue of discrimination or a violation of Civil Service Rules is alleged.

B. Permanent Employee Separation

1. When an appointing authority <u>decides</u> to remove a permanent employee, the employee must be given written notice of the action being taken <u>before</u> the time the action becomes effective. The written notice <u>must</u>:

   a. State what action is being taken and the date and time the action will become effective;

   b. Describe in detail the conduct for which the action is being taken including, where pertinent, dates, times, places, and names of persons directly involved in or affected by such conduct (unless their identities are protected by law, in which case, identification may be made as permitted by law); and

   c. Contain the following notice: "You have the right to appeal this action to the State Civil Service Commission within 30 calendar days following the date you receive this notice. The appeal procedure is contained in Chapter 13 of the Civil Service Rules, which is available from the Department of State Civil Service or your unit's Human Resource Liaison's Office."

2. Written notice is considered given when:

   a. It is hand delivered to the employee; or

   b. It is hand delivered to a person of suitable age and discretion who resides with the employee; or

   c. On the 7th calendar day after it was mailed with correct postage to the most recent address furnished by the employee in writing or electronically to the unit's Human Resource Liaison's Office.

Other rights of appeal provided to an employee with permanent status shall not apply to an employee with probationary status. (The employee's copy of the Louisiana Department of Labor – Employment Services Form [LDOL-ES 77] and the Employee Notification Form should be attached to the transmittal letter.)

VII. Resignation

1. An employee's oral or written resignation becomes effective on the date and time specified by the employee. An oral resignation must be documented by the person receiving it.

2. An employee may not withdraw or modify the resignation after the appointing authority accepts it, unless the appointing authority agrees.

3. When, after receiving notice that dismissal has been proposed, an employee resigns to avoid dismissal, the resignation must be reported as such.

EMPLOYEE RULES AND CONDUCT CODE
PART IV: THE VIOLATION REPORTING and INTERNAL DISCIPLINARY PROCESS

I. THE VR-1/*Loudermill* Notice

A. For all steps in the disciplinary process, the term "Unit Head" means all Secure Care Facility Directors, Community Based Services (CBS) Regional Managers, and applicable Central Office Section Heads.

For the purposes of making an initial penalty recommendation, the Regional Managers shall collaborate with the appropriate Regional Director.

B. *Cleveland Board of Education v. Loudermill* is the U.S. Supreme Court decision which requires that prior to imposing discipline on a classified permanent employee, the employee must have notice of the charges and an opportunity to be heard.

C. Employees are required to report rule violations on a UOR, which is then given to the supervisor. (See YS Policy No. A.1.14 "Unusual Occurrence Report", and Employee Rule #10, "Failure to Report Employee Rule Violations".)

D. When a rule violation is based on Rule 5: Job Performance, which requires more extensive evidence collection, the Unit Head can request assistance from supervisory-level employee or with the concurrence of the Regional Director seek assistance from Investigative Services.

E. The supervisor of the employee charged with a rule violation will usually complete the VR-1/*Loudermill* Notice either from their first-hand involvement or from Unusual Occurrence Reports (UOR) submitted to them. *(See Attachment (b) Form #1, VR-1/Loudermill Notice)* The Unit Head may designate a supervisory-level employee to assist with preparation of the VR-1.

F. Completed VR-1/Loudermill Notices are sent to the facility or office Data Input Person (DIP) for input of the VR-1 into the Employee Disciplinary Database (EAD). *(See Attachment (b), Form 4, EAD Information Sheet)*

G. The person who signs or authors the initial VR-1/*Loudermill* Notice cannot participate in the disciplinary process for that rule violation throughout the entire process.

H. When a rule violation is found in an Investigative Services investigation, the VR-1/*Loudermill* Notice shall be authored by a supervisory-level employee designated by the unit head with assistance from a Legal Services staff attorney as necessary.

I. If the Unit Head decides to issue a LOC upon reviewing the VR-1/*Loudermill* Notice, the VR-1/*Loudermill* Notice <u>will not</u> be issued to the employee. (See

Section VIII, LETTERS OF COUNSELING/LETTERS OF IMPROVEMENT for procedures.)

J. If the rule violation involves a youth, the VR-1/*Loudermill* Notice must contain the following language: "*Due to the confidentiality of information pertaining to offenders as set forth in La.R.S.15:574.12 and the Children's Code, the youth involved have been identified herein as Youth A, B, C, etc. A separate page stating the full names of the youth is attached so that you will be fully informed of the detailed reasons for this action against you in accordance with Civil Service Rule 12.8(a). The page with the actual name of the youth involved is confidential and will not accompany any other copies of this letter.*"

II. INITIATING THE VR-1/*LOUDERMILL* NOTICE

A. When discipline of an employee is proposed, Civil Service Rule 12.7 requires:

1. Notice to the employee of the proposed action;
2. That the notice must contain the actual basis for and description of the evidence to support the proposed action; and
3. That the notice provides the employee a reasonable opportunity to respond to the proposed disciplinary action.

B. **Notice** is written notice provided to the employee of the proposed discipline with the required factual basis, description of the evidence and opportunity to respond. This notice is also known as the *Loudermill* or pre-deprivation notice. The VR-1 form is utilized to provide the notice required by Civil Service and the decision in *Cleveland Board of Education v. Loudermill*.

C. The **factual basis** for a proposed disciplinary action are the facts, including the date, time, place and names of the persons relevant to the act of the employee at issue. This is generally the "who, what, where, when, why and how".

USE THIS: "*I propose to discipline you because on January 1, 2017, in the Smith Dorm recreation area at about 9:30a.m., you pushed Youth 'A' into the wall in violation of YS Policy A.2.1, Rule 3, Abuse.*" This spells out the: who, what, when, where and why.

NOT THIS: "*I propose to discipline you because you abused Youth A. in violation of YS Policy A.2.1, Rule 3, Abuse.*" This sentence does not spell out the facts. It draws a conclusion from the facts.

D. The **description of the evidence supporting the action** includes documents such as: witnesses' statements, time sheets, log entries, copies of work product and directives, complaints, reports, videos, pictures and recorded statements.

E. The **reasonable opportunity to respond** is satisfied by the following language on the VR-1 form. "*You have a right to respond to this proposed disciplinary action and to explain why this disciplinary action should not be taken. To be considered, your written response must be received in my office no later than five (5) calendar*

days from the date of this letter. You can mail your response to {the mailing address of the Unit Head signing the VR-1/Loudermill Notice} by certified mail or hand-delivered to my office. Please be sure to attach any witness statements or any other information that you believe will help me make the best decision. After your response has been considered, you will be advised what action, if any, will be taken."

III. PRIOR DISCIPLINE AND LETTERS OF COUNSELING/IMPROVEMENT

A. The VR-1/*Loudermill* Notice shall also include discipline that resulted in a final disciplinary letter as well as Letters of Counseling/Improvement which the employee received prior to the current rule violation. The Unit Head or designee shall confirm that such prior disciplinary letters and Letters of Counseling contained the language required by Civil Service.

IV. DELIVERY OF VR-1/LOUDERMILL NOTICE

A. When the Unit Head receives the VR-1/*Loudermill* Notice for review, the proposed penalty must be entered and the VR-1 signed.

B. The VR-1/*Loudermill* Notice shall be hand delivered to the employee by a supervisory- level employee, and a hand-delivery receipt shall be completed.

C. If hand-delivery is not possible the VR-1/*Loudermill* Notice may be sent by 1st Class mail. A certificate of mailing is also required.

V. EMPLOYEE RESPONSE

A. Should the employee choose to respond to the proposed disciplinary action described in the VR-1/*Loudermill* notice, he shall do so in writing to the Unit Head.

B. The employee may mail or hand-deliver his response to the Unit Head.

C. If the VR-1/*Loudermill* Notice is hand delivered to the employee the written response must be postmarked or hand carried to the Unit Head's office no later than close of business five (5) calendar days from the date of signing the hand-delivery receipt.

D. If the VR-1/*Loudermill* Notice is mailed to the employee, the written response must be postmarked or received in the Unit Head's office no later than close of business twelve (12) calendar days from the date of the certificate of mailing of the VR-1/*Loudermill* Notice.

E. The employee should attach to his response witness statements or anything he deems relevant to the matter.

F. The Unit Head shall date-stamp the response with the date that the response is received.

VI. UNIT HEAD REVIEW AND DECISION

A. Timely response received

If a timely response to the VR-1/*Loudermill* Notice is received, the Unit Head shall review the response and make a written decision as to the action, such as the appropriate penalty, modified action, no action, etc., and enter it on the VR-1 /*Loudermill* Notice. A **Unit Head decision shall be rendered no later than five (5) calendar days from receipt of the employee response**, unless as outlined in Section VI. D below, the Unit Head determines that a 10-day extension is necessary.

B. No response received

1. If the VR-1/*Loudermill* Notice is hand delivered to the employee and no response is received or his mailed response is not postmarked by close of business five (5) calendar days from the date of delivery as shown on the hand delivery receipt, the proposed penalty as written or as modified downward by the Unit Head must be converted to a final Unit Head penalty decision.

2. If the VR-1/Loudermill Notice is mailed and no response is received by close of business twelve (12) calendar days from the date on the certificate of mailing, the proposed penalty as written or as modified downward by the Unit Head must be converted to a final Unit Head penalty decision.

3. The **Unit Head decision shall be rendered no later than five (5) calendar days from the date the employee's response is due.** If the Unit Head modifies the penalty downward, the explanation for that modification must be written on the VR-1/*Loudermill* Notice in the appropriate location.

C. Untimely response

If an employee responds after the time delays have run, Civil Service Rules require that the employee response be considered as long as the delay is reasonable under the circumstances and is not burdensome to the agency. Factors to weigh in determining whether the delay in responding is reasonable are the number and complexity of the charges and the length of the delay. Questions regarding reasonableness shall be directed to Legal Services.

D. Extension of time for further investigation

1. If, after receiving the employee's response, the Unit Head determines that the facts of the VR-1 require more investigation, the time limit listed in Section VI, A. may be extended a maximum of ten (10) calendar days to allow for further investigation.

2. If the Unit Head opts to investigate, the Data Input Person (DIP) will make an entry in the Employee Activity Database noting the Unit Head has opted to investigate and requires an additional 10 days to respond. The DIP shall also

inform the employee in writing that due to the need for further investigation, the Unit Head will be taking an additional ten (10) days to respond. *(See Attachment (b) Form 2, Extension for Investigation)* The total time for the Unit Head's response in this case is fifteen (15) days.

VII. DISCIPLINARY LETTER-WRITTEN NOTICE OF DISCIPLINE

A. When the Unit Head makes a written decision on the final penalty and enters it into the Employee Activity Database, a Legal Services attorney will review the VR-1/*Loudermill* Notice and prepare the written notice of discipline using the information on the VR-1.

B. The completed Written Notice of Discipline will be emailed by the attorney to the Unit Head for signing and delivery to the employee.

C. If the VR-1/*Loudermill* Notice is not sufficient to meet the requirements as spelled out in Section II above it will be returned to the Unit for further action.

VIII. LETTERS OF COUNSELING (LOC)/LETTERS OF IMPROVEMENT (LOI)

A. A LOC / LOI is a non-disciplinary tool used to attempt to improve an employee's conduct, work performance, etc. In some cases, a LOC is an appropriate response to a rule violation. If the Unit Head decides that a LOC is appropriate, he shall write the LOC and give it to the employee.

B. A LOC can be issued by a supervisor without the necessity of a rule violation description entered into the Employee Activity Database.

C. All LOCs shall follow the form provided in the procedures for this policy. *(See Attachment (b) Form 3).*

D. An employee may respond in writing to the LOC. The employee's response must be attached to each copy of the LOC kept by the agency in the employee's supervisory file, <u>not in the official Personnel file</u>.

D. All LOCs and employee responses must be downloaded to the Employee Activity Database.

E. If the same or similar conduct recurs, a LOC can be used to support the severity of future discipline, <u>but only if the prior letter advised the employee that the letter could be used for this purpose and advised the employee of his right to respond</u>.

F. A LOC is only appealable under Civil Service Rule 13.10(b) or (c), and may not be included in any publicly accessible personnel record.

G. The supervisor who issues a LOC is responsible for keeping the LOC and employee response, if any, in the supervisor's file in which he gathers information pertinent to performance evaluations, and to transmit the letter to the unit's DIP for downloading into the Employee Activity Database.

H. Additional training may be ordered in a LOC. If the supervisor orders additional training, he must provide a copy of the LOC to the Staff Development Coordinator at the unit, who will schedule the training and verify to the Unit Head that it has been completed.

IX. CENTRAL OFFICE REVIEW

Central Office Executive Staff may review the disciplinary process in its different stages. At any time in the disciplinary process, a Central Office reviewer can bring a disciplinary action to the attention of the Deputy Secretary or Assistant Secretary, if that reviewer finds a discrepancy, error, disparity, or any other irregularity that may need to be addressed before the final disciplinary action is put into effect.

If the VR-1/*Loudermill* Notice has already been sent to the employee, and as the result of a Central Office Review the proposed disciplinary penalty is increased, the Unit Head shall be notified of the increased penalty and directed to issue a new VR-1/Loudermill Notice.

The new VR-1/*Loudermill* Notice shall include the modified penalty, clearly stating that the second *Loudermill* Notice voids and replaces the original VR-1/*Loudermill* Notice.

The new VR-1/Loudermill Notice shall be hand-delivered or mailed to the employee within ten (10) calendar days of referral of the disciplinary action to the Deputy Secretary.

If the Central Office review results in a lesser penalty, the Unit Head shall be advised of the new penalty which will be incorporated into the final written notice of discipline by the Legal Services attorney.

X. DEADLINES AND TIME LIMITS

The deadlines and time limits in this policy are to be strictly enforced to the extent practicable under workloads and conditions at the time of a particular action. Should a deadline pass, it shall not void or nullify the disciplinary action. If an employee can describe in particular that he has been prejudiced by a missed deadline, he should, in writing, bring that to the attention of the Assistant Secretary. The matter will be considered on a case-by-case basis by the Assistant Secretary and General Counsel in consultation with pertinent executive staff.

XI. CIVIL SERVICE APPEAL RIGHTS

Up-to-date information on an employee's appeal rights and appeal procedure can be located at the Civil Service website, http://www.civilservice.louisiana.gov/**,** or at your unit's Human Resource Liaison's Office or the Public Safety Services Human Resource Office. A few pertinent rules from Chapter 13 of the Civil Service Rules are as follows:

13.10 Appeals to the Commission

Only the following persons have a right of appeal to the Commission:

(a) A state classified employee with permanent status who has been removed or subjected to one of the disciplinary actions listed in Rule 12.2(b).

(b) A state classified employee who has been discriminated against in any employment action or decision because of his political or religious beliefs, sex or race.

(c) A state classified employee who has been adversely affected by a violation of any provision in the Civil Service Article or of any Civil Service Rule other than a rule in Chapter 10.

13.11 Request for Appeal.

A notice of appeal must:

(a) Be in writing; and

(b) Be signed by the appellant, or on his behalf by an attorney duly licensed to practice law in the Courts of the State of Louisiana, or on his behalf by a senior student of law designated under the provisions of Rule 13.19(b)2; and

(c) Give the name and mailing address of the appellant, and of his attorney or designated senior law student, if any and

(d) Contain a clear and concise statement of the actions complained against and a clear and concise statement of the basis of the appeal. Where discrimination is alleged to be a basis for appeal, specific facts supporting the conclusion of discrimination must be alleged in detail. The specific facts required will vary depending on the nature of the appeal; however, the facts must be alleged in sufficient detail to enable the agency to prepare a defense. A conclusion of discrimination is <u>not</u> sufficient. The types of facts which must be included are:

1. the date, time and place the discriminatory action took place;
2. the name of the person or agency alleged to have taken the discriminatory action;
3. a description of how appellant's action, conduct or performance was the same as that of other persons who were treated differently;
4. the names of other persons treated differently and the dates the different treatment occurred;
5. a description of events, including the dates and circumstances thereof, which led appellant to believe that the adverse decision was based on his religious or political beliefs, sex, race, or any other non-merit factor.

Where a violation of the Article or a Rule is alleged to be a basis for appeal, specific facts supporting the conclusion that a violation has occurred must be alleged in sufficient detail to enable the agency to prepare a defense.

(e) Give the date on which the action appealed from occurred, or that the appellant learned thereof; and

(f) State the date that the appellant received written notice of the action complained against, if written notice was given; and

(g) State the relief the appellant seeks.

13.12 Delay for Making Appeal.

(a) No appeal shall be effective unless a written notice complying with the requirements of Rule 13.11 is either (i) received in the office of the Director of State Civil Service at Baton Rouge, Louisiana, or (ii) is addressed to the Director of State Civil Service at Baton Rouge, Louisiana, with proper postage affixed, and is dated by the United States Post Office.

1. Within thirty (30) calendar days after the date on which appellant received written notice of the action on which the appeal is based when written notice before or after the action is required by these Rules; or
2. Within thirty (30) calendar days after the date when appellant learned or was aware that the action complained of had occurred when no written notice is required by these Rules or, if required, was given tardily or not at all.

(b) Legal holidays and days on which the office of the Department of State Civil Service is closed shall not serve to extend the delay period specified in Sub-section (a) hereof.

(c) No appeal shall lie against any action following the expiration of three hundred sixty-five (365) calendar days from the date on which it occurred.

(d) No appeal shall be supplemented or amended following the expiration of the delay period stipulated by Sub-section (a) hereof.

(e) Proof of the timeliness of mailing a request for appeal shall be shown only by a legible official United States postmark or by official receipt or certificate from the United State Postal Service made at the time of mailing which indicates the date thereof. In the event that the postmark is absent or illegible, the date that the request is received in the Unit Head's office shall determine whether the appeal was timely filed.

Form #1: VR-1 / *Loudermill* Notice

OFFICE OF YOUTH DEVELOPMENT
EMPLOYEE RULE VIOLATION REPORT

VR-1/Loudermill Notice

Date: **Unit:**

Name:		**Work Schedule:**
Job Title:		**Personnel #:**
Date of Incident:	**Time of Incident:**	**Place of Incident:**
Date Supervisor/Person writing VR1 became aware of incident:		**Team/Division:**
Mailing Address:		
City:	**State:**	**Zip:**
Address Verification:		
Rule Violation(s): (Incident Date after 10/01/2009)		

Description of Incident:

(State the **facts** for the proposed disciplinary action, including the date, time, place and names of the persons relevant to the act of the employee at issue. This is generally the "who, what, where, when, why and how.")

Name & Job Title of Supervisor: Signature of Supervisor: Maintained on File Date:

Signature: _____

Previous Rule Violations (Priors)

Proposed Penalty

Proposed Penalty:

You have the right to respond to this proposed disciplinary action and to explain why this disciplinary action should not be taken. To be considered, your written response must be received in my office no later than five (5) calendar days from the date of this letter. You can mail your response to me at ,
by certified mail, or hand-deliver it to my office. Please be sure to attach any witness statements or any other information that you believe will help me make the best decision. After your response has been considered, you will be advised what action, if any, will be taken.

Sincerely,

Form #2: When 10-day investigative extension is invoked

To: (employee)

From: Unit Head

Date:

Dear (employee):

Your response to the VR-1/*Loudermill* Notice issued to you for an incident that occurred on (DOI) has prompted the (Unit Head, Director, Regional Manager) to further investigate the facts of this incident. Therefore, the five day time limit in which to provide you with a decision has been extended for no more than ten additional days. (Unit Head) may need to call you or others in for an interview, or may need to interview you or others over the phone. If you do not cooperate with this information-gathering process, (Unit Head) will have to go forward and make the decision on the VR-1 without your additional input. If you are on leave during this time, (Unit Head) will most likely try to reach you by phone if there is additional information needed from you.

We are providing you with this notice in accordance with YS Policy No. A.2.1 "Employee Manual" so you will know the status of this matter and when you may expect a decision. You do not need to do anything in response to this notice.

Sincerely,
Appointing Authority

Form #3: Mandatory Letter of Counseling (LOC) Form

Dear (Employee):

This letter will serve as a letter of counseling. As such it will not be placed in your official personnel file and is not considered to be a disciplinary action. If you wish to respond in writing to this letter, you may, and your response will be attached to each copy of this letter kept by your supervisor.

{Description of incident and citation of rule violation goes here, could be the text of the VR-1 description.}

This letter of counseling is in lieu of official disciplinary action[1]. Your supervisor will maintain it in his/her files; it will not be placed in your official personnel file. But, be aware that it could be used as a prior offense to enhance penalties if you are again found to be in violation of the same or a similar YS employee rule. The State Civil Service Commission has held that prior counseling's may be used to support the severity of an action taken against an employee for the same, or a very similar offense that was the subject of the previous counseling.

[Here, the author of the LOC may want to make some pertinent statements of the "counseling" that he is doing, for example, "Please be aware of the importance of your leadership position at XYZCY and the responsibilities of your position. You must not fail to follow all reporting requirements, as well as supervise and manage all aspects of your assigned area(s)."]

Sincerely,
Whoever is writing this letter

---

1 Civil Service Rule 12.9 Improvement Letters.

(a) An appointing authority may issue letters (such as warnings, counseling, coaching, reprimands, supervisory plans, etc.) to attempt to improve an employee's conduct.

(b) An employee may respond in writing to an improvement letter. The employee's response must be attached to each copy of the letter kept by the agency.

(c) If the same or similar conduct recurs, an improvement letter can be used to support the severity of future discipline, <u>but</u> <u>only</u> if the letter advised the employee that the letter would be used for this purpose and advised the employee of his right to respond.

(d) An improvement letter is not discipline, is only appealable under Rule 13.10(b) or (c), and may not be included in any publicly accessible personnel record until used to support future discipline.

Form #4: Employee Activity Database (EAD) Information Sheet for Data Input Persons (DIPs) and Unit Heads

- All fields in the EAD should be completed at relevant times for tracking by Legal Services.

- Do not include youths' names in the "Description of Incident" section of the EAD when stating the facts for the proposed disciplinary action. Youths' names should be included, if necessary, in a separate word document as a labeled attachment to the VR1/Loudermill Notice. Refer to youths as "Youth A", "Youth B", "Youth C", etc. in the "Description of Incident" section. See example wording below.

ATTACHMENT 1

Youth A	Angelic Keller
Youth B	Revettea Woods
Youth C	Jennifer VanMetre
Youth D	Tina Darensbourg

- After printing the VR1/Loudermill Notice, the Unit Head (Appointing Authority) must sign before delivering to the employee. Any relevant, labeled attachments should be delivered with the Notice.

- Attach all supporting documentation (evidence) regarding the rule violation to the "Attachment Regarding Rule Violation" section of the EAD. The EAD has a limited capacity, so only include evidence necessary to prove the rule violation. Investigative Services' (IS) reports should not be attached to the EAD.

- Hand delivery receipts or certificates of mailing should be attached to the "Personnel Section" of the EAD, along with the signed copy of the VR1/Loudermill Notice and any other relevant, labeled attachments (youths' names, evidence, etc.)

- Please make sure that any Letters of Counseling (LOCs) or Final Disciplinary Letters, used as priors, are located in the EAD under their separate, associated VR1s.

EMPLOYEE RULES AND CONDUCT CODE
PART V: REHIRE/REEMPLOYMENT CONSIDERATIONS

I. A former permanent employee who resigns from classified service in good standing, or for non-disciplinary reasons may, within ten (10) years, be non-competitively reemployed in any position for which he/she is qualified and which as the same or a lower pay level than the class in which he/she had permanent status, in accordance with Civil Service Rules.

II. An employee who resigns to avoid being terminated from his/her position in state service shall lose eligibility for non-competitive reemployment, rehiring at former pay rate, placement on the department preferred reemployment list, and the right to have annual and sick leave restored.

NOTE: A resignation shall be designated as "Resignation to Avoid Dismissal" only when the recommended action on the VR-1 is dismissal. If an employee resigns to avoid any other penalty, the action shall be designated simply as a resignation.

When an employee resigns to avoid dismissal, the employing unit shall document fully the circumstances that brought about the resignation. Copies of the documentation shall be filed in the employee's personnel record. The employee shall be given a copy of the personnel action form.

III. If an employee is laid off or displaced during a layoff, he/she shall be given preferential hiring rights. Additional information is available from the Public Safety Services Human Resources Office.

RULES AND CONDUCT CODE
PART VI: DEFINITIONS

BUSINESS WORKDAY - Usual administrative workday (i.e., 8:00 a.m. until 4:30 p.m. Monday through Friday, except official state holidays); does not include weekends.

CALENDAR DAYS - Consecutive days including weekends and holidays.

CHILD CARE AGENCY - [Children's Code 603(6)] - Any public or private agency exercising custody of a child. OJJ is a child care agency.

DIRECT ORDER - An order, whether verbal or written, directed to a specific named employee.

DISCIPLINARY ACTION - Civil Service Rule 12.3 provides that only the following are disciplinary actions: suspensions without pay; reductions in pay; involuntary demotions and dismissals.

DISCHARGE FROM EMPLOYMENT - (various definitions)

Dismissal - Discharge from employment for disciplinary reasons.

Removal - Discharge from employment for non-disciplinary reasons as set forth in Civil Service Rule 12.6.

Resignation - Termination of employment at the employee's request. Termination is effective upon its acceptance by the Unit Head or other appointing authority, or by the occurrence of the effective date and time specified by the employee in his statement of intention to resign.

Resignation to avoid disciplinary action - Termination of employment at the employee's request after the employee has been advised that he has committed a rule violation and that dismissal/termination is a possible penalty.

Probationary Separation - Discharge from employment during the probationary period as set forth in Civil Service Rule 9.1(e).

Permanent Employee Separation – Removal of a permanent employee from service by an appointing authority as set forth in Civil Service Rule 12.8.

Termination - A general term for a voluntary or an involuntary separation from employment (see also dismissal, removal, separation, resignation).

ENFORCED LEAVE - As used in this document, the placement of an employee on enforced annual, sick or compensatory leave in accordance with Civil Service Rules 11.9, 11.13.1 and 21.6(b), respectively.

FLEX CUFFS - A flexible plastic restraining device designed specifically for restraining individuals, used only in extraordinary situations, and only under the guidelines established in YS Policy No. C.2.6 "Use of Interventions – Secure Care."

FORCE – A physical, chemical*, or mechanical intervention that causes someone to act in a manner contrary to his intent or causes him to change his behavior to a desired action or to more desirable conduct.

***CHEMICAL REFERENCE APPLIES ONLY TO PROBATION AND PAROLE STAFF**

FRAUD - Any intentional deception, misrepresentation or omission of important facts.

INVESTIGATIVE SERVICES (YS Policy No. A.1.4) - Assists the administration in creating a safe environment for youth and staff. IS staff are charged with the responsibility for verifying ALL YS applicants through the IS Central Registry, investigating allegations of abuse, including physical, sexual, mental or emotional abuse on the grounds of YS secure care facilities . This includes acts of violence by youth-on-youth, staff-on-youth and youth-on-staff. IS also completes investigations into allegations and sexual abuse or harassment, and referring for criminal prosecution those allegations which may involve criminal conduct, and aggressively responding to sexual abuse, sexual abuse included above, sexual harassment and voyeurism pursuant to YS Policy No. C.2.11 "PREA". Allegations of inappropriate staff/youth relationships are also investigated pursuant to YS Policy No. A.2.62. IS staff also conduct investigations on crimes committed on the grounds of secure facilities as described in YS Policy No. C.1.3 "Crimes Committed on the Grounds of YS Facilities/Office Buildings and/or Properties," and C.2.1 "Escapes and Runaways, Apprehensions, Reporting." IS staff also conduct other investigations as assigned by the Deputy Secretary.

LETTER OF COUNSELING (LOC) / LETTER OF IMPROVEMENT (LOI) – A non-disciplinary letter (such as warning, counseling, coaching, reprimand, supervisory plans) presented to an employee under the signature of the Unit Head (or his designee), which specifically advises the employee of his offending behavior and provides guidance and instruction regarding a required change in behavior. The LOC/LOI is an official part of the Performance Evaluation process and is non-appealable through the disciplinary process. A LOC/LOI will not be made part of an employee's personnel file, but will be maintained in a separate file by his supervisor. A LOC/LOI for a particular rule violation can be used to increase penalties for subsequent rule violations.

MANDATORY REPORTER [Children's Code 603(A) (15)] - Any individual performing their occupational duties who have an obligation to report suspected abuse or neglect that endangers the physical or mental health or welfare of a youth age 17 or under to the local office of the Child Protection Unit of the Department of Social Services in the parish where he/she is employed.

MECHANICAL RESTRAINT - A restraining device that establishes a higher level of restrictiveness. Mechanical restraints are approved handcuffs, handcuff belts, leg irons, and their keys, and shall be applied by trained custody staff.

NO ACTION - Decision made by the Unit Head (or his designee) or Deputy Secretary (or his designee) to take no action, in any manner, on a VR-1. A no-action VR-1 shall not be made a part of the employee's personnel record.

NON-TENURED TEACHER - Instructional personnel, including coaches and school administrators, who possess a teaching certificate or other instructional certificate as required by their job description, with either *less* than three years of service in an instructional capacity with YS, or those that have lost tenure following an ineffective rating on their annual Compass assessment.

PERFORMANCE EVALUATION REVIEW - A VR-1 does not always result in a disciplinary action. It may result in initiation of formal performance documentation in the Performance Evaluation process. Any performance documentation shall be kept in the employee's Performance Evaluation file, and maintained by his supervisor.

PHYSICAL INTERVENTION – A use of force which involves the application of approved techniques or restraints by a staff member to physically restrain a youth whose behavior is out of control, presenting an unsafe situation.

PROPERTY - Property includes, but is not limited to contraband, state owned equipment, and such items as food, clothing, equipment or other personal items.

REASSIGNMENT - The change, within the same department, of a probationary or permanent employee from a position in one job title to another position with a different job title, both of which have the same pay range. Employees subject to such action must qualify for the job to which they are being reassigned.

REDUCTION IN PAY - An action taken either for disciplinary reasons, demotion, or as a layoff avoidance measure whereby an employee's pay is reduced but the employee remains in the same job.

REGIONAL DIRECTOR – The Deputy Assistant Secretary responsible for the oversight of all functions and operations of the Community Based Services Regional Offices and the secure care facility in their assigned Region. For the purposes of this policy, the Regional Director is the Unit Head responsible for signing letters of disciplinary action on Community Based Services employees.

REPORTABLE INJURY: (YS Policy No. A.1.4) - An injury that threatens a youth's life or limb, that requires urgent treatment by a doctor, severely restricts the youth's usual activities or requires follow-up by a doctor.

RESTITUTION - If an employee damages, loses, or steals the property of the State or of a youth, he may be required to compensate the youth or the state for their loss or damage.

SERIOUSLY ENDANGER - An act which places the physical, mental, or emotional health and safety of a youth at risk and can be supported by persuasive, substantial, clear and convincing evidence that the youth's welfare may be injuriously affected.

SUBSTANTIATED REPORT: (YS Policy No. A.1.4) - An Investigative Services report following an allegation of abuse which finds that abuse has occurred.

SUMMONS – A ticket or citation issued to a person in lieu of his arrest for the commission of any traffic, criminal or drug offense.

SUSPENSION - Temporary release from employment for disciplinary reasons, pending criminal proceedings, or while an internal investigation is being conducted. A suspension can be imposed as either unpaid time off from work, or as a reduction in pay equivalent to a certain number of days of suspension.

TENURED TEACHER - Instructional personnel who possess a teaching certificate or other instructional certificate as required by their job description with a *minimum* of three years of service in an instructional capacity with YS, including coaches and school administrators.

TUTORS, TEACHERS' AIDES, TEACHERS' ASSISTANTS - Non-instructional, unclassified personnel.

UNIT HEAD - The head of an operational unit such as Facility Director, Regional Manager, and Deputy Secretary (for Central Office.)

UNUSUAL OCCURRENCE REPORT (UOR) - A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email.

VIOLATION REPORT (VR-1) - An internal worksheet usually used to document rule violations. A violation report (VR-1) may result in a disciplinary action, performance review action or no action taken as a result of a specific rule violation.

WORKING DAYS, WORK DAYS - As used in this document, the employee's scheduled work days.

YOUTH - Those persons assigned to the custody and/or supervision of YS or otherwise served by YS.

YOUTH SERVICES (YS) – Youth Services and the Office of Juvenile Justice within the Department of Public Safety and Corrections, charged with providing at-risk and delinquent youth the opportunity to become responsible and productive citizens using partnerships with families, communities, and other entities with emphasis on the safety of the youth and the public.

A.2.1 EMPLOYEE MANUAL REFERENCES:

General Information

ACA Standards 1A-01, 1A-04, 1A-05, 1A-10, 1A-16, 1A-17, 1A-29, 1C-01, 1C-02, 1C-04, 1C-04, 1C-05, 1C-06, 1C-08, 1C-09, 1C-09-1, 1C-11, 1C-15, 1C-16, 1C-18, 1C-19, 1C-20, 1C-21, 1C-23, 1C-24, 1C-25, 1D-01, 1D-02, 1D-05, 1D-07, 1D-09, 1F-06, 1F-15,1G-05, 2B-04, 3A-01, 3C-01 (Administration of Correctional Agencies); 4-JCF-2A, 2A-17, 2A-27, 2A-29, 3A-02, 3B-03, 3D-01, 4C-05,5C-04, 6A-02, 6A-04, 6B-10, 6B-14, 6C-01, 6C-02, 6C-04, 6C-05, 6C-07, 6C-08, 6C-09,6C-10, 6C-11, 6C-12, 6D-01, 6D-02, 6D-03, 6D-04, 6D-05, 6D-06,6D-07, 6D-08, 6D-09, 6D-10, 6D-11, 6D-12, 6E-14, 6G-06, 6G-08(Juvenile Correctional Facilities); Juvenile Probation and Aftercare Services 2-7022, 2-7027, 2-7030-1, 2-7032, 2-7065, 2-7036, 2-7038, 2-7040, 2-7041, 2-7042, 2-7043, 2-7057,2-7124

Attorney General Opinion # 03-01431

Civil Service Article X, Part 1

Civil Service Rules Chapters 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 21 and 23.

Civil Service General Circulars No. 001155, 001679 and 1728

La. R.S. Title 11:441(A)(4), 11:537(c), 11:62(5)(e); La. R.S. 42: 1101-1169; La. R.S. 1950, Title 42, Chapter 15;

LASERS Summary of Act 992, www.lasersonline.org

Office of Group Benefits (OGB) www.groupbenefits.org

YS Policy Nos:
YS Policies A.1.4 "Investigative Services", A.1.11 "Polygraph Testing of Employees", A.2.2 "Pay Administration and Management", A.2.4 "Employee Awards", A.2.5 "Family and Medical Leave of Absence", A.2.7 "Drug-Free Workplace", A.2.8 "Sexual Harassment", A.2.11 "Employee Assistance Program", A.2.12 "Personnel Records", A.2.13 "Americans with Disabilities Act – (Employees, Applicants, Candidates, Visitors)", A.2.17 "Employee Suspensions: Pending Investigation, Enforced Annual Leave, Pending Criminal Proceedings", A.2.19 "Commissioned Probation and Parole Officer – Juvenile/Special Agents", A.2.22 "Violence-Free Workplace", A.2.23 "Position Descriptions", A.2.24 "Staff Development and Training Plan", A.2.28 "Return to Work", A.2.33 "Uniformed Services Employment and Re-employment Rights", A.2.37 "Separation for Unscheduled Absences", A.2.38 "Ethics for Public Employees: Nepotism, Prohibited Relations, Gifts, Ethics Opinions", A.2.40 "Probationary Period", A.2.43 "Employee Subpoenas, Notices of Hearing, Discovery, and Legal Correspondence", A.2.45 "Performance Evaluation System (PES) and Market Rate Adjustments", A.2.46 "Employee Grievance Procedure", A.2.47 "Equal Employment Opportunity", A.2.49 "Worker's Compensation", A.2.50 "Flexible Work Schedule", A.2.55 "Time and Attendance", A.2.57 "Prohibited Harassment and Discrimination", A.2.69 "Attainment of Advanced Degree", A.2.70 "Attainment of Baccalaureate Degree", A.2.71 "Optional Pay", A.2.72 "Premium Pay", A.3.2 "Travel", A.5.9 "Social Networking", C.1.13 " Legislative Request/Communication, Media Access and Public Information", C.2.6 "Use of Interventions – Secure Care", C.4.3 "Mandatory Reporting of Abuse and Neglect of Youth", and D.10.12 "Use of Interventions – Community Based Services"

ROC (Rules of Conduct)

Children's Code 603: 609 (A 1-2; Article 509, 510, 603, 603 (14), 603 (16), 609, and 610;

Civil Service Rule 12.6

La. R.S. 14:402, 40:961, 14:403(A)(1), Title 40,

STATE OF LOUISIANA
YOUTH SERVICES
YS Policy No. A.2.1 "EMPLOYEE MANUAL"

RECEIPT OF:

Attachment (d) – Employee Rules of Conduct

This is to acknowledge that I, _____ have received a copy of the "Youth Service Employee Manual, Attachment (d) "Employee Rules of Conduct", which outlines the Employee Rules and the disciplinary system adopted for the enforcement of Youth Services Employee Rules.

I understand that I am responsible for familiarizing myself with its contents; and that I must conduct myself in accordance with the Employee Rules.

I further acknowledge that if I have any questions or need assistance I will seek guidance from my supervisor.

_____ _____

Employee Signature Date

_____ _____

Employee's Name (printed and legible) Date