

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF ST. MARTINVILLE, LOUISIANA
HELD ON THE 3rd DAY OF APRIL, 2023.

The Mayor and City Council of the City of St. Martinville, Louisiana met in Regular Session on the 3rd day of April 2023 at City Hall, their regular meeting place, pursuant to the call of the Mayor.

THERE were present: Jason Willis, Mayor

Mike Fuselier, Councilman

Carol Frederick, Councilman

Jonas Fontenette, Councilman

Janise Anthony, Councilman

Flo Chatman, Councilman

Allan L. Durand, City Attorney

THERE were absent: None

Mayor Jason Willis presiding, called the meeting to order.

It was moved by Jonas Fontenette duly seconded by Flo Chatman and unanimously carried that the minutes of the regular meeting held March 20, 2023 hereby be approved for publication in the Teche News, the Official Journal of the City of St. Martinville.

Upon motion of Mike Fuselier duly seconded by Jonas Fontenette and unanimously carried that the bills to be paid by the City Finance Committee hereby be approved for payment.

CAO Avis Gutekunst presented a financial report to Mayor and Council.

The following resolution was offered by Mike Fuselier duly seconded by Janise Anthony, and unanimously adopted:

RESOLUTION

A RESOLUTION PERTAINING TO THE MUNICIPAL WATER POLLUTION PREVENTION (MWPP) ENVIRONMENTAL AUDIT REPORT, REQUIRED FOR LOUISIANA POLLUTION DISCHARGE ELIMINATION SYSTEM (LPDES) PERMIT NUMBER LA0040941

WHEREAS, the City of St. Martinville owns and operates a wastewater collection and treatment system; and

WHEREAS, the Louisiana Department of Environmental Quality (LDEQ) requires that the City of St. Martinville complete an annual Municipal Water Pollution Prevention Environmental Audit Report (MWPP) for the City's wastewater collection and treatment system.

NOW, THEREFORE, BE IT RESOLVED that the City of St. Martinville informs LDEQ that the following actions were taken by the City Council:

1. Reviewed the City's MWPP Environmental Audit Report for the period of January, 2022 through December, 2022, which is attached to this resolution.
2. Set forth the following actions necessary to maintain permit requirements contained in the City's LPDES Permit (Number LA0040941):
 - a. Continue the City's current program of inspecting and repairing components of the City's wastewater collection system, to reduce storm water inflow and infiltration;
 - b. Continue to operate and maintain the City's existing treatment facility and make repairs thereto as may be necessary, so as to meet effluent limitations in accordance with the City's LPDES Permit.

THEREUPON, the above resolution was declared adopted.

C E R T I F I C A T E

I, LORRIE M. POIRIER, Secretary of the City of St. Martinville, Louisiana, do hereby certify that this is a true and correct copy of a resolution adopted by the City Council of the City of St. Martinville in Regular Session convened this 3rd day of April, 2023, at which time a quorum was present and voting.

LORRIE M. POIRIER
CLERK
CITY OF ST. MARTINVILLE, LOUISIANA

It was moved by Flo Chatman duly seconded by Janise Anthony and unanimously carried that permission be granted for Knights of Peter Clavier Council 54 & Court 54 to use the Festival Grounds to hold a Crawfish Boil Fundraiser from 10:00am – 1:00pm on Sunday, April 23, 2023.

It was moved by Mike Fuselier duly seconded by Carol Frederick and unanimously carried that permission be granted for St. Martin Parish Animal Services to use the front parking lot of Magnolia Park to hold annual rabies clinic on Saturday, April 15, 2023 from 8:00am - 9:00am.

Upon request of Richard Lanthier of Historic District Commission, it was moved by Mike Fuselier duly seconded by Carol Frederick and unanimously carried that Sam Hayes be appointed as Commission Member.

Upon request of Richard Lanthier of Historic District Commission, it was moved by Carol Frederick duly seconded by Mike Fuselier and unanimously carried that a letter of interest to form a cultural district within the downtown area be submitted to Louisiana Office of Cultural Development.

It was moved by Carol Frederick duly seconded by Mike Fuselier and unanimously carried that the holiday, sick and vacation policies of the Police Department Manual be amended as presented below. The funeral leave policy will be updated at a later date.

POLICY

The St. Martinville Police Department shall adhere to the leave policy as adopted and set forth by the City of St. Martinville Municipal Fire and Police Civil Service Board. Therefore, the Department sets forth that policy, as adopted by the Board, as policy for the Police Department. In such cases where there is a conflict concerning types of leave, the policy giving the employee the greater rights shall take effect.

This policy shall address all leaves of absence including Administrative Leave, Sick Leave, Funeral Leave/Family Emergency, Examinations, Jury Duty (Civil) Leave, City, District Court or Civil Service Board Attendance, Military Leave with Pay, Military Leave without Pay, Personal Time Off, Annual Leave, Special Leave, and the City of St. Martinville Family and Medical Leave Act.

This policy will also refer to the holidays as adopted in the City of St. Martinville Handbook.

Leaves of absence are classified as follows:

1. Leave of Absence with pay
2. Leave of absence without pay
3. Absence without leave or pay

Administrative Leave

The appointing authority may grant Administrative Leave with pay for periods not to exceed thirty (30) days when circumstances develop that would warrant the removal of an employee from the department without disadvantage in order for the appointing authority to conduct an investigation concerning the conduct of the employee. This period may not exceed thirty (30)

days without approval of the Civil Service Board.

Sick Leave

Sick leave may not be used for absences incurred because of attendance to personal affairs.

No member shall malingering, feign illness, nor attempt to shirk his or her duties by a false report of illness to his or her supervisor.

When an employee of the classified service is ill and cannot report for duty, it is his or her responsibility to notify the supervisor or the person designated by the Chief of Police not later than two (2) hours prior to the start of the assigned duty period. Failure to call, without justifiable cause, as indicated above, will result in the forfeit of pay, as it is classified as “Absence without Leave and Pay”, for the duration of the time the employee did not call in.

The employee that is sick shall not leave his or her residence during his or her scheduled tour of duty except for the following reasons:

- For a visit to the doctor;
- To obtain medication;
- To go to and from the hospital or other facilities of health care providers;
- To attend church, or
- To cast his/her vote in an election.

Anytime an employee on sick leave must leave his or her residence, for any reason other than the reasons designated above, he or she must notify the Chief of Police, Supervisor, or other designee on-duty, and give the reason for his or her leaving, where he or she is going, and when he or she is expected to return.

It shall be at the discretion of the Chief, Supervisor, or other designee on-duty to make spot checks on any employee that is on sick leave. The Chief, Supervisor, or designee on-duty shall do this by telephone, personal visit, or both, to verify that the employee is at the appropriate place and is abiding by these sick leave regulations. The time of these calls and/or visits shall be recorded on the daily radio log kept in the Communications center at Police Headquarters.

Sick leave is applicable to maternity claims. Maternity leave commences when a doctor certifies that the employee cannot perform all of the duties of her position, and “light duty” within her classification is not available.

Any employee who is absent from work for more **than two (2) consecutive days, or beyond the stated “return to work” date** due to illness, must turn in a report from the attending physician stating any lasting effects of the illness when the employee is back on-duty, any medications that may affect the performance of the employee while on-duty in the areas of safety to himself or herself, his or her fellow employees, and to the public. The date of return to duty shall also be given in the report. The information contained within the report will give the Chief of Police or his designee the needed information to make an informed decision as to whether the employee should operate apparatus or equipment, or perform some of the hazardous duties necessary. Only the Chief of Police or his designee is in the position to make an informed decision based on his knowledge of the work and what each duty involves.

For failure to produce a doctor’s report for any illness over two (2) days, the employee will be classified as “Absent without Leave and Pay”. Should any employee of the classified service abnormally absent himself or herself at any time, he or she will be required to submit a doctor’s report.

Anything not covered in this policy will be left to the discretion of the Chief of Police and the Mayor, who is the Appointing Authority.

***Revision on March 16, 2023 RM.**

For sick days accrued see the City of St. Martinville Employee Handbook.

Light Duty

Job requirements (see examples of work in respective classifications) able to be fulfilled as restricted by a Healthcare provider.

Light duty will be at the discretion of the Chief of Police. When approved it will be in increments not to exceed 30 days at a time. At the end of each 30 day period the employee may apply for/ be assigned additional light duty. Each time it will be approved or disapproved at the discretion of the Chief of Police.

Funeral Leave / Family Emergency

1. An employee may be given extra time off without loss of pay, vacation leave, or sick leave in the event of a death or serious injury or illness in the employee's family, not to exceed a three (3) day period, except in extenuating circumstances endorsed by the Chief of Police.
2. An employee's immediate family is defined to consist of the following: spouse, parent, child, brother, sister, grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, grandchild, brother-in-law, sister-in-law, half-brother, half-sister, and stepchildren.
3. If an employee of the classified service has a death in their immediate family and cannot report for duty, it is the employee's responsibility to notify the supervisor or the person designated by the Chief of Police not later than two (2) hours before is supposed to report for duty.

Examinations

Each employee of the classified service will be granted "Leave of Absence with Pay" to take any Municipal Fire and Police Civil Service examination.

Provisional employees are granted "Leave of Absence with Pay" to take a Municipal Fire and Police Civil Service examination for the class which they hold provisionally.

Jury Duty (Civil) Leave

Absence because of jury duty is "Leave of Absence with Pay". However, the jury notice must be presented to the Chief of Police or to the person designated by them to receive such notice at least five (5) days in advance of such jury duty. An employee shall be authorized to take leave time when performing jury duty, or when subpoenaed to appear before a court, public body, or commission, on departmental business, or when performing emergency or civilian duty in connection with national defense. The city will pay the difference between pay earned for the special duty and the employee's regular pay from the city.

City, District Court or Civil Service Board Attendance

Attendance in city or district court on departmental business is with pay provided that the attendance is ordered by subpoena or other court order. Employees on duty shall receive no compensation for court appearance. Should any employee of the classified service be required to be in attendance in court on departmental business on their time off, they shall be compensated by the courts normal rate of subpoena fee per subpoena not to exceed payment over three subpoenas.

Each departmental member of the Civil Service Board shall be granted "Leave of Absence with Pay" for the duration of any Civil Service Board meeting which the employee representative attends, or for any time required to assist with Civil Service examinations.

Military Leave with Pay

An employee shall be authorized to take leave without loss of pay or vacation leave time when performing emergency military duty or participating in the two-week annual training duty required by membership in a reserve unit of the United States Armed Forces or the Louisiana National Guard, for a maximum of fifteen (15) days, as provided by Revised Statute 42:394. Each member of the classified Service shall give such notice of ordered duty at least thirty (30) days in advance to the Chief of Police and to the Civil Service Board. Should the employee be called out on an emergency basis, he should contact his supervisor, the Chief of Police, or the person designated by him to receive such notice.

Military Leave without Pay

Any regular and permanent member of the classified service called into the Armed Forces will be carried on military leave without pay until the employee returns to duty. The employee is required to notify the Chief of Police or the person designated by him to receive such notice and

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the Civil Service Board when he receives such notice.

Any regular and permanent member of the classified service who is called into the Armed Forces will be allowed to take whatever annual leave to which the employee is entitled.

Provisional employees will not be granted military leave of absence. They shall be required to resign or be dropped from service.

Any member of the classified service who is a member of the National Guard or in the Reserves of the Armed Forces, upon being ordered to active duty, shall be given any leave due the employee as described in the above ***Military Leave with Pay*** section of this policy. Should the individual have used all leave to which the employee is entitled, then the employee shall be granted military leave without pay.

Personal Time Off

Each member of the classified service may apply to the Chief of Police for personal time off when such time off will not exceed two (2) days and this leave shall be classified as “Leave of Absence without Pay”.

Any member of the classified service taking personal time off without applying for same shall be considered “Absent without Leave and Pay”.

Vacation Leave

1. No cash payment may be made in lieu of a vacation.
2. All employee vacation schedules must be approved by the supervisor before any vacation is to begin. Employees with the greatest departmental seniority will have priority on the scheduling; however, the appointing authority has the right to regulate the time at which any employee is granted annual leave as provided in Revised Statute 33:2497.
3. Each full-time employee of the classified service shall be entitled to the following vacation leave:

*Revision on March 16, 2023 RM..

For days accrued, see the City of St. Martinville Employee Handbook

4. Any officer who wishes to trade time with another officer shall do so only after gaining prior approval from both affected shift supervisors. Time trading may only occur between equal ranks (i.e. Officer with Officer, Sergeant with Sergeant, etc.). Only in the event of an emergency will time trading be allowed between officers of different ranks, with prior approval of the Chief of Police or the Deputy Chief of Police. The time traded should fall within the same pay period in order not to change the number of scheduled hours (80) for either involved officer.

Special Leave

Special leave without pay up to thirty (30) days may be granted by the appointing authority when such leave would be in the departmental interest. Any special leave, with or without pay, exceeding thirty (30) days must first be approved by the Civil Service Board and if approval is granted the Board will determine, at that time, if departmental seniority is to be interrupted or continued.

Compensatory Time/ K-Time

First year employees may earn K-Time instead of overtime after working assigned hours with the approval from their Section Commanders. Officers may not accumulate more than 80 hours of K-Time at a time within their first year of employment. This allow first year officers to have leave time within their first year of employment. K-Time maybe carried over with prior approval. The maximum limit of 40 hours of K-Time maybe carried over to the new calendar year with prior approval from the Chief of Police or the Assistant Chief of Police. A request in writing must be submitted for review to the Section Commander and forward up the Chain of Command by the eleventh month (November).

Expiration of Leave

Any employee who fails to report for duty upon the expiration of any authorized leave will be considered to have resigned from the St. Martinville Police Department on the calendar day following leave expiration.

Holidays

Each member of the classified service shall be granted “Leave of Absence with Pay” on the following holidays:

*Revision on March 16, 2023 RM

For all Holidays, see the City of St. Martinville Employee Handbook.

Should a member of the classified service work assignment be such that the employee is scheduled to work on a legal holiday as set forth by the St. Martinville Municipal Fire and Police Civil Service Board, the employee will be paid an additional compensation of one and one half (1 ½) times the normal rate of pay. However, the governing authorities, at their option, may grant employees time off from work for which such additional compensation would be due and payable to said employees.

City of St. Martinville Family and Medical Leave Act

As this law is maintained by Congress changes may occur between manual updates. When there is a difference between the two the latest version shall prevail. Current versions may be found at www.dol.gov

Policy

It is the intention of the City of St. Martinville to comply with the Family and Medical Leave Act of 1993. With regard to this act the City of St. Martinville has enacted the following policy for City employees with regard to unpaid family and medical leave.

Purpose/Scope

The City of St. Martinville recognizes the occasional need for time away from work to participate in childbirth or placement of a child, and the care of family members who have serious health conditions. This policy is intended to assist employees of the City of St. Martinville in better balancing those family needs with workplace demands.

The policy allows eligible employees to take reasonable leaves of absence for the birth, or for the care of a spouse, son, daughter, or parent who has a serious health condition; or because the employee is unable to perform the functions of his or her position due to a serious health condition.

The provisions of this policy shall not supersede any state or local law that provides greater employee leave benefits and rights than are offered in this policy.

Employees are eligible to apply for family and medical leave for one or more of the following reasons:

Duration and Basis for Leave

ELIGIBLE EMPLOYEES ARE ENTITLED TO AT LEAST 12 WORK WEEKS OF LEAVE DURING ANY 12-MONTH PERIOD FOR ONE OR MORE OF THE FOLLOWING REASONS:

- Birth of an employee’s child, in order to care for that son or daughter.
- Employee’s spouse, son, daughter, or parent has a serious health condition, and the employee is needed to attend to the family member’s basic needs, both during periods of inpatient care and during periods of home care. The definition of “care” can include both physical and psychological care. An eligible employee may take leave under this provision regardless of the availability of another family member to provide the same or similar care.
- An employee is unable to perform the functions of his or her position due to a serious health condition.

Intermittent Leave

Family and medical leave may be taken intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

In such cases the employee may be temporarily transferred to an alternative job with equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular job.

Substitution of Paid Leave

Employees' compensatory time and annual leave will be used to cover some or all of the otherwise unpaid leave.

Serious Health Condition

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) a hospital, hospice, or residential medical care facility;
- any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days and for prenatal care.

Health Care Provider

Health care providers who qualify under the regulation to provide certification of a serious health condition for an employee or an immediate family member include:

- Doctors of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or,
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist) authorized to practice in the State and performing within the scope of their practice under State law; or,
- Nurse practitioners and nurse-midwives authorized to practice under State law and performing within the scope of their practice as defined under State law.

Maintenance of Health Benefits

The City of St. Martinville will maintain group health insurance coverage for an employee on medical or family leave on the same terms as if the employee had continued to work (if health insurance coverage was provided immediately prior to employee's leave).

If the employee on leave fails to pay his or her portion of the health insurance premium, within thirty days of being billed for such portion, the City of St. Martinville reserves the right to cancel all health insurance coverage.

The employee's health benefits will end if and when an employee informs the employer of intent not to return to work at the end of the leave period, or if the employee fails to return to work when the leave entitlement is used up. Should the employee wish to continue their insurance coverage, they should notify the City of St. Martinville immediately to find out their options.

The City of St. Martinville will use the right to recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from family or medical leave. However, the employee may not be asked to reimburse the City of St. Martinville if he or she fails to return to work for legitimate medical reasons or circumstances beyond the employee's control; or the continuation, recurrence, or onset of a serious health condition.

Benefits

Certain types of earned benefits, such as seniority, annual leave, sick leave, and annual step increases will not continue to accrue during the time the employee is on family or medical leave. These earned benefits will be delayed by the length of time taken off for family and medical leave.

Across the board raises will be given to employees on family or medical leave.

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Other benefits, such as elected life insurance coverage, the employee will need to make arrangements so that the benefits may be maintained during periods of unpaid family or medical leave. Upon return to work, the employee will be restored to the same benefits as if the employee had continued to work the entire leave period.

The use of family and medical leave will not result in the loss of any benefit that accrued, was earned, or was entitled to before the employee's leave began, but will be delayed by the amount of time the employee was absent. Accordingly, this leave period will not be counted as a breach of service for purposes of vesting or eligibility to participate in benefit programs.

Job Restoration

Upon return from family or medical leave, an employee shall be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

If an employee would have been laid off had he or she not been on family leave of absence, any right to reinstatement would be whatever it would have been had he or she not been on leave of absence when the layoff occurred.

Notice of Certification

Employees seeking to use family or Medical leave shall be required to provide:

- An employee requesting family leave is required to give 30 day's advance notice before the date the leave is to begin if the need is foreseeable. Bona fide emergencies will be accommodated as soon as "practicable".
- Medical certifications supporting the need for leave due to a serious health condition affect the employee or an immediate family member, issued by the health care provider of the employee or the employee's spouse, son, daughter, or parent as appropriate. Certification shall include:
 - The date on which the serious health condition commenced.
 - The probable duration of the condition.
 - The appropriate medical facts within the knowledge of the health care provider regarding the condition.
 - A statement that the employee is needed to care for the son, daughter, spouse, or parent.
- If the City of St. Martinville questions the validity of the certification, it will require, at the City of St. Martinville's expense, that the employee obtain a second opinion. If the second opinion conflicts with the original opinion, the City of St. Martinville may require, at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the City of St. Martinville and the employee. This third opinion will be final and binding on both parties.
- A bi-weekly report during family or medical leave on the employee's or family member's status. This bi-weekly report should include the employee's intent to return to work.
- A "fitness-for-duty" certification to return to work.

When leave is needed to care for an immediate family member or the employee's own illness and is for planned medical treatment, the employee must attempt to schedule treatment so that it will not unduly disrupt the employer's operation.

Failure to submit medical certification to the City of St. Martinville, from the health care provider who is treating the employee or the employee's immediate family member, will result in denial of **continuation** of family or medical leave, due to failure of the employee to fulfill obligation to provide supporting medical certification as required by law.

Applying for a Family Leave

Employees should complete and submit for approval by the Appointing Authority, a written request for a family leave of absence. This request should conform to the notice and certification requirements mentioned above. The appropriate "Leave Request Form" should be used.

A copy of any documentation concerning an employee's family leave will be placed in the employee's personnel file.

Definitions

Employee Benefits

All benefits provided or made available to employees by the City of St. Martinville, including group health, life, and short- and long-term disability insurance; vacation; educational benefits; and pensions – regardless of whether these benefits are provided by a practice or written policy.

Parent

The biological parent of an employee, an individual who stood in place of the parent to that employee, or an employee who has day-to-day responsibility for caring for a child.

Serious Health Condition

An illness, injury, impairment, or physical or mental condition involving inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Severability

The invalidity or unenforceable of any provision of this policy shall not affect the validity or unenforceable of any other provision of this policy or any other application of such provision.

Communication

This policy will be communicated to all City of St. Martinville employees through the personnel department. The communication vehicles used should ensure employees understand the benefits and responsibilities under this policy. Examples of communication vehicles include distributing a copy of the policy or summary of its contents to all employees, inclusion in employee handbooks or employee rules, posting notices, etc.

Review and Revision

Additions, deletions, and revisions to this policy are the responsibility of the Administration Department of the City of St. Martinville.

Upon recommendation of Chief Ricky Martin, it was moved by Mike Fuselier duly seconded by Carol Frederick and unanimously carried that Ethan Landry be hired as a part-time Post-Certified Police Officer with a rate of pay of \$10.00/hr.

It was moved by Flo Chatman duly seconded by Carol Frederick and unanimously carried that the holiday, sick, vacation and highly contagious viruses policies of the employee handbook be amended as presented below.

LEAVE BENEFITS AND OTHER WORK POLICIES

Holidays

December 24th, Christmas Eve
December 25th, Christmas Day
December 31st, New Year's Eve
January 1st, New Year's Day
Martin Luther King's Birthday
Mardi Gras
Good Friday
National Memorial Day (May)
July 4th Independence Day
First Monday in September, Labor Day
November 1st, All Saints Day
Fourth Thursday and Friday in November, Thanksgiving Day and the day after
November 11th, Veterans Day

Full-time employees (employees who regularly work 40 hours per week) receive one (1) paid day off for each full day of holiday time. Holiday benefits for Part-Time employees will be pro-rated in accordance with the hours regularly worked by the employee. Temporary employees are ineligible for holiday leave benefits.

Employee must work the day before and the day after unless vacation has been schedule in accordance with this policy. Any sick time request must accompanied by a doctor's excuse.

When a holiday falls on a Saturday, the Friday before shall be declared a holiday for all City personnel. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for all City personnel.

When a holiday falls on a Saturday, Police Department personnel shall be paid eight (8) hours of holiday pay at straight time, in addition to their regular pay for the preceding Friday. When a holiday falls on a Sunday, Police Department personnel shall be paid eight (8) hours of holiday pay at straight time in addition to their regular pay for the ensuing Monday.

Any regular employee of the Police Department required to work scheduled hours on any of the holidays shall be paid at double his normal hourly rate for the number of hours actually worked. (No Holiday hours paid)

Any regular employee of the Police Department required to work unscheduled hours on any of the holidays shall be paid at double his normal hourly rate for the number of hours actually worked in addition to the holiday pay.

Any regular employee of the City required to work scheduled hours on any of the holidays shall be paid at his normal hourly rate for the number of hours actually worked in addition to the holiday pay.

Any regular employee of the City required to work unscheduled hours on any of the following holidays shall be paid at 1.5 times his normal hourly rate for the number of hours actually worked in addition to the holiday pay:

December 24th, Christmas Eve
December 31st, New Year's Eve
Martin Luther King's Birthday
Mardi Gras
Good Friday
National Memorial Day (May)

July 4th Independence Day
First Monday in September, Labor Day
November 1st, All Saints Day
Fourth Friday in November, the day after Thanksgiving Day
November 11th, Veterans Day

Any regular employee of the City required to work unscheduled hours on any of the following holidays (does not include holiday observed day) shall be paid at 2 times his normal hourly rate for the number of hours actually worked in addition to the holiday pay:

December 25th, Christmas Day
January 1st, New Year's Day
Fourth Thursday in November, Thanksgiving Day

Any regular employee of the City required to work unscheduled hours on holiday observed days shall be paid at 1.5 times his normal hourly rate for the number of hours actually worked in addition to holiday pay.

Vacation/Sick Leave

Regular Employees of the City of St. Martinville except the Police Department:

- Up to three (3) years- On the first of the month after hire date - the employee will be allowed 6.67 hours per month of service; 80 hours per year of sick leave and 6.67 hours per month of service; 80 hours of vacation per year.
- Three (3) years, but less than ten (10) years – On first of the month after anniversary date of 3 years of work with the city, the employee will be allowed 10 hours per month of service; 120 hours per year of sick leave and 10 hours per month of service; 120 hours of vacation per year.
- Ten (10) years or more - On the first of the month after anniversary date of 10 years of work with the city, the employee will be allowed 13.33 hours per month of service; 160 hours per year of sick leave and 13.33 hours per month of service; 160 hours of vacation per year.
- Employees will begin accumulating Vacation and Sick leave in first 30 days or less of employment.
- Employees will not be allowed to use accumulated days of Vacation or Sick leave until the first day of the month after the probationary period of 6 months.
- Employees may take up to 10 days of vacation at a time with supervisors' approval.

Sick Leave Policy:

- Part-time and temporary employees are not eligible for paid sick leave benefits.
- "Sick Leave" shall be interpreted to mean actual illness which prevents an employee from performing his work.
- Use of sick leave is subject to approval by the supervisor and must be requested in hourly increments.
- When an employee is ill and cannot report for work, it is his/her responsibility to notify their immediate supervisor no later than 2 hours prior to the start of the assigned duty period. Failure to call, as indicated above, will result in the forfeit of pay, as it is classified as "absence without leave and pay."
- Unused sick leave can accumulate from year to year up to a maximum of 30 days (240 hours) for full-time.
- If an employee's illness or injury requires consecutive absences of more than two (2) days, a physician's documentation will be required.
- No sick leave benefits are paid upon separation of employment from The City of St. Martinville for any reason.
- Any City employee who retires from employment with the city will be compensated for any accumulated sick leave. This payment is not to be in a lump sum, but rather would be paid throughout the number of working days for which the employee has accumulated sick leave. Prior notice needs to be given and sick leave coordinated before paid.

Vacation Leave Policy:

- Part-time and temporary employees are not eligible for paid vacation leave benefits.
- All employee vacation schedules must be approved by the supervisor at least two (2) weeks before any vacation is to begin. Employees with the greatest departmental seniority will have priority on the scheduling.
- Up to 80 hours of vacation leave can be carried over to the subsequent year.
- Accrued, unused vacation leave benefits are paid upon separation of employment from The City of St. Martinville.
- Vacation leave can be taken in multiples of one (1) hour.

- Any regular employee of the City, except the Police Department, called in to work normally unscheduled hours on a scheduled and approved vacation day, shall be paid at one and one-half times his normal hourly rate of pay for the number of hours actually worked.
- Any regular employee of the City, except the Police Department, called in to work normally scheduled hours on a scheduled and approved vacation day, shall be paid at one- and one-half times his normal hourly rate of pay for the number of hours actually worked and shall not be charged vacation leave for those hours actually worked, and shall be entitled to reschedule those vacation hours.

The City of St. Martinville Police Department:

Sick Leave:

- Up to five (5) years - On the first of the month after hire date, the employee will be allowed eight (8) hours per month of service; ninety six (96) hours per year
- Five (5) years or more - On the first of the month after anniversary date of five years of service with the city, the employee will be allowed twelve (12) hours per month of service; one hundred forty-four (144) hours per year

Sick Leave Policy:

- Part-time and temporary employees are not eligible for paid sick leave benefits.
- “Sick Leave” shall be interpreted to mean actual illness which prevents an employee from performing his work.
- Use of sick leave is subject to approval by the supervisor and must be requested in hourly increments.
- Unused sick leave can accumulate from year to year up to a maximum of 30 days (240 hours) for full-time.
- No cash payment (lump sum) may be made for accumulated sick leave.
- Should any illness last longer than three (3) calendar days, the employee is required to submit a doctor’s certificate indicating the illness or condition which justified his absence, as well as the probable duration of the illness. For failure to produce a doctor’s certificate for any illness over three (3) days, the employee will be classified as “absent without leave and pay.” (should any employee of the classified service abnormally absent himself/herself before or after his/her scheduled days off, or at any time, he/she will be required to submit a doctor’s certificate should the absence be for only one (1) calendar day.)
- When an employee of the classified service is ill and cannot report for duty, it is his/her responsibility to notify the supervisor or the person designated by the chief of the department not later than 2 hours prior to the start of the assigned duty period. Failure to call, as indicated above, will result in the forfeit of pay, as it is classified as “absence without leave and pay.”
- Sick leave is applicable to maternity claims. Maternity leave commences when a doctor certifies that the employee cannot perform all of the duties of her position and light duty within her classification is not available.
- Sick leave shall be taken in multiples of one (1) hour.
- No sick leave benefits are paid upon separation of employment from The City of St. Martinville for any reason.

Vacation Leave:

1 to 5 years	14 working days
5 to 10 years	21 working days
10 to 15 years	28 working days
15 to 20 years	35 working days

Vacation Leave Policy:

- “Working Day” shall be interpreted to mean an 8 hour day.
- Up to five (5) years - On the first of the month after hire date - the employee will be allowed 9.33 hours per month of service; 112 hours per year of vacation.
- Five (5) years, but less than ten (10) years - On the first of the month after anniversary date of 5 years of service with the city - the employee will be allowed 14 hours per month of service; 168 hours per year of vacation.
- Ten (10) years, but less than fifteen (15) years - On the first of the month after anniversary date of 10 years of service with the city - the employee will be allowed 18.67 hours per month of service; 224 hours per year of vacation.
- Fifteen (15) years or more - On the first of the month after anniversary date of 15 years of service with the city - the employee will be allowed 23.33 hours per month of service; 280 hours of vacation per year.
- Part-time and temporary employees are not eligible for paid vacation leave benefits.

- Vacation leave may be taken after the first of the month following probationary period of 6 months of employment.
- All employee vacation schedules must be approved by the supervisor at least two (2) weeks before any vacation is to begin. Employees with the greatest departmental seniority will have priority on the scheduling.
- Up to 80 hours of vacation leave can be carried over to the subsequent year.
- Accrued, unused vacation leave benefits are paid upon separation of employment from The City of St. Martinville.
- Vacation leave can be taken in multiples of one (1) hour.
- Any regular employee of the Police Department called in to work normally unscheduled hours on a scheduled and approved vacation day, shall be paid at one and one-half times his normal hourly rate of pay for the number of hours actually worked.
- Any regular employee of the Police Department called in to work normally scheduled hours on a scheduled and approved vacation day, shall be paid at one and one-half times his normal hourly rate of pay for the number of hours actually worked, and shall not be charged vacation leave for those hours actually worked and shall be entitled to reschedule those vacation hours.

Military Leave

An employee shall be authorized to take leave without loss of pay or vacation leave time when performing emergency military duty or participating in the two-week annual training duty required by membership in a reserve unit of the U.S. Armed Forces or the Louisiana National Guard, for a maximum of fifteen (15) work days. During the fifteen (15) work days, the City will pay the difference between pay earned for the special duty, if less, and the employee's regular pay from the City. Each employee shall give such notice of ordered duty at least thirty (30) days in advance to the department head, if known by him along with documentation stating the nature and duration of the leave. Should the employee be called out on an emergency basis, he should contact his department head.

Civic Responsibility

Absence because of jury duty is "leave of absence with pay." However, the jury notice must be presented to the department head at least five (5) days in advance, or in less than five days, as soon as notice is received. An employee shall be authorized to take civil leave time when performing jury duty, when subpoenaed to appear before a court, public body, or commission, or when performing emergency or civilian duty in connection with national defense.

Funeral Leave

Employees shall be entitled to funeral leave with pay of three (3) days (up to 24 hours) in the event of a death in the employee's immediate family (spouse/life partner, parents, brother or sister, and children) and one (1) day (up to 8 hours) for father-in-law or mother-in-law, brother-in-law, sister-in-law, daughter-in-law, or son-in-law, grandparents, step-children, aunts, uncles, nieces and nephews. If an employee wishes to take time off due to the death of an immediate family member, the employee should notify their supervisor immediately. Approval of bereavement leave will occur in the absence of unusual operating requirements. An employee may use, with their supervisor's approval, available paid leave for additional time off as necessary and in accordance with operating needs.

If an employee of the Police Department has a death in his/her family and cannot report for duty, it is his/her responsibility to notify the supervisor or the person designated by the Chief of the department not later than two hours before he/she is scheduled to report to duty.

Americans with Disabilities Policy

The Americans with Disabilities Act (ADA) is a federal law that prohibits employers with 15 or more employees from discriminating against applicants and employees with disabilities. It also requires employers to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job functions of the position.

The City of St. Martinville complies with all applicable laws concerning the employment of individuals with disabilities and acts in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). The company does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When a job applicant with a disability requests accommodation that can be reasonably provided without creating an undue hardship or causing a workplace safety risk, he or she will be given the same consideration for employment as any other applicant.

The City of St. Martinville will reasonably accommodate qualified individuals (candidates and employees) with disabilities so that they can perform the essential functions of a job, unless the requested accommodations result in the following:

- A direct threat to the safety or well-being of the individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation; or
- An undue hardship to The City of St. Martinville

Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy.
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The Human Resources department is responsible for implementing this policy, including the resolution of reasonable accommodation, safety, direct threat and undue hardship issues. Contact them with any questions or requests for accommodation.

Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) provides certain employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave.

FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men and women.

FMLA applies to all public agencies, all public and private elementary and secondary schools, and companies with 50 or more employees. These employers must provide an eligible employee with up to 12 weeks of unpaid leave each year for any of the following reasons:

- for the birth and care of the newborn child of an employee;
- for placement with the employee of a child for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition.

Employees are eligible for leave if they have worked for their employer at least 12 months, at least 1,250 hours over the past 12 months, and work at a location where the company employs 50 or more employees within 75 miles. Whether an employee has worked the minimum 1,250 hours of service is determined according to FLSA principles for determining compensable hours or work.

Time taken off work due to pregnancy complications can be counted against the 12 weeks of family and medical leave.

Highly contagious viruses

This company policy on coronavirus, monkey pox, and/ or any other highly contagious virus recognized by the CDC as requiring a quarantine period will defer to all CDC recommendations and the mayor's recommendations. Our intent is intent to respond promptly, responsibly, and transparently to these health precautions. We assure you that we will always treat your private health and personal data with high confidentiality and sensitivity as required by HIPPA laws.

The following resolution was offered by Mike Fuselier duly seconded by Janise Anthony, and unanimously adopted:

**RESOLUTION AUTHORIZING PREPARATION AND SUBMITTAL
OF AN APPLICATION TO THE LOUISIANA DEPARTMENT OF HEALTH (LDH),
OFFICE OF PUBLIC HEALTH, (OPH) AGENCY FOR THE DRINKING WATER
STATE REVOLVING FUND ("DWSRF") LEAD SERVICE LINE REPLACEMENT GRANT**

WHEREAS, the City of St. Martinville is eligible to receive funding from the United States Environmental Protection Agency for the Drinking Water State Revolving Fund Lead Service Line Replacement Grant; and

WHEREAS, funding is available for the complete service line replacement which is an eligible DWSRF expense with said funding being provided from the Bipartisan Infrastructure Law which has invested \$3 billion dollars towards Lead Service Line Replacement; and

WHEREAS, the Mayor and The Council of the City of St. Martinville deem it in the best interest of the **City of St. Martinville** and its citizens to seek and apply for the grants.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and The Council of the **City of St. Martinville** hereby authorizes and directs EJES to make proper application to the Louisiana Department of Health (LDH) Office of Public Health (OPH) Agency for the Lead Service Line Replacement funding and further, that.

FURTHER, BE IT RESOLVED that:

1. The Mayor and The Council of the **City of St. Martinville** authorize EJES as the official designee and applicant's agent', and authorize them to make proper on-line application to the Louisiana Department of Health (LDH) Office of Public Health (OPH) and that Grant Administrator and/or the designee be authorized to assist with the application; and
2. The Mayor and The Council of the **City of St. Martinville**, Louisiana, be authorized to accept the EPA funding, if awarded; and
3. The Mayor and The Council of the **City of St. Martinville**, Louisiana be authorized to execute said funding offer, funding agreement, and other documents that may of necessity, be executed in the implementation of this initiative and that the Grant Administrator and/or the designee be authorized to administer and implement the funding.

RESOLVED, this 3rd day of April 2023.

Mayor

ATTEST:

Clerk

CERTIFICATE

I, **City of St. Martinville**, the duly appointed, qualified and acting Clerk and lawful custodian of the Minutes of The Mayor and The Council of the **City of St. Martinville** and Seal of said Town, certify that the foregoing is a true and exact copy of a Resolution Adopted by the Mayor and Council of the **City of St. Martinville** at an Adjourned Board Meeting held on Monday, April 3, 2023.

WITNESS my signature and official seal of office this 3rd day of April, 2023.

Clerk

Upon request of Ernes Etienne, it was moved by Flo Chatman duly seconded by Janise Anthony and unanimously carried that the City Council go into executive session to discuss a personnel matter regarding Ernest Etienne.

The City Council reconvened after executive session upon motion of Janise Anthony duly seconded by Mike Fuselier.

Following executive session, it was moved by Mike Fuselier duly seconded by Carol Frederick that Mayor Willis’s recommendation for the employment of Ernest Etienne to be terminated for insubordination of his supervisor and other information presented in executive session be approved.

Mr. Fuselier’s motion being submitted to a vote, the vote thereon was:

Yeas: M.Fuselier, C.Frederick and J. Anthony

Nays: None

Abstain: J.Fontenette (due to conflict of interest because to family personnel) and
F.Chatman

Absent: None

Mayor Jason Willis gave Mayor’s report on the following: City App is up and running, Utility Billing Conversion, supervisor, employees and citizens participation in winning Clean City Contest, new AMI meters for the utility department, Youth Recreation Sports update and Easter Egg Hunt being held at Notre Dame Church.

There being no further business to come before the Mayor and City Council, Mayor Willis adjourned the meeting upon motion of Jonas Fontenette duly seconded by Flo Chatman.

JASON WILLIS, MAYOR

ATTEST:

LORRIE M POIRIER, CLERK
EXECUTIVE ADMINISTRATIVE ASSISTANT