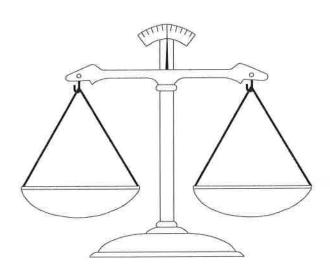
RULES OF THE CIVIL SERVICE COMMISSION CITY OF NEW ORLEANS



As adopted and amended through October 21, 2013 under the authority granted by Article X, Section 10 of the Constitution of the State of Louisiana

RULE CHANGES IN 1997

Rule VIII, Section 4 Rule I, No. 19 Rule II, Section 7	Civil Leave Consecutive Service Special Counsel & Other Professional Services	amended March 24, 1997 amended April 24, 1997 amended April 24, 1997
Rule V, Section 9	Substance Abuse Testing	amended June 2, 1997
Rule III, Section 8	Transfer of a Functional Unit	amended June 26, 1997
Rule I, No. 33	Immediate Family	amended November 20, 1997
Rule VIII, Section 10	Family Medical Leave	amended November 20, 1997
Rule V, Section 9.15	Substance Abuse Testing	amended November 20, 1997

NO RULE CHANGES IN 1998

RULE CHANGES IN 1999

Rule V, Section 9.13 Rule I, No. 4 Rule I, No. 42 Rule I, No. 60 Rule IV, Section 1.3 (a-c) Rule IV, Section 1.5	Substance Abuse Testing Annual Rate Monthly Rate Regular Hourly Base Rate The Pay Plan The Pay Plan	amended February 25,1999 amended March 4, 1999 amended March 4, 1999 amended March 4, 1999 amended March 4, 1999 amended March 4, 1999
Rule IV, Section 1.6 (a-d)	The Pay Plan	amended March 4, 1999
Rule IV, Section 4.1	Pay Rates of Casual Laborers and Temporary Workers	amended March 4, 1999
Rule IV, Section 8 (a-g)	Longevity Pay Increases	amended March 4, 1999
Rule I, No. 35	Job Series	amended April 29, 1999
Rule III, Section 1.2	Creating Classes and Allocating Positions	amended April 29, 1999
Rule III, Section 5.3	Dual Assignments	amended April 29, 1999
Rule V, Section 5.5	Establishment of Promotion Lists and Employment Lists	amended April 29, 1999
Rule VI, Section 4.8 (a) Rule XII, Section 1.1 Rule IV, Section 2.3	Reinstatement and Reemployment Layoffs Administration Pay Increases	amended April 29, 1999 amended April 29, 1999 amended December 16, 1999

RULE CHANGES IN 2000

Rule IV, Section 12	Incentive pay	amended September 21, 2000, adopted by Council October 5, 2000
Rule VIII, Section 2.1(d)1,3,4 Sick Leave		amended October 27, 2000
Rule IX, Section 1.4	Maintaining Standards of Service	amended December 14, 2000
Rule II, Section 11.5	Compliance with Orders	amended December 14, 2000

RULE CHANGES IN 2001

Rule III, Section 6	Contracts	amended January 25, 2001
Rule II, Section 6.1 & 6.2	Summary Disposition of Appeal	amended January 25, 2001
Rule I, Number 52	Privatize, Privatization	amended March 22, 2001

RULE CHANGES IN 2001 (continued)

Establishment of Promotional Lists	amended July 25, 2001
and Employment Lists	
Selection of Special counsel and	adopted September 17, 2001
and Hearing	
Non-Competitive Examinations	amended September 17, 2001
Annual Leave	amended December 13, 2001
Family Medical Leave	amended December 13, 2001
	and Employment Lists Selection of Special counsel and and Hearing Non-Competitive Examinations Annual Leave

RULE CHANGES IN 2002

Rule IX, Section 1.4	Maintaining Standards of Service	adopted November 13, 2002
Rule IV, Section 1.3(a)	Pay Plan	adopted December 16, 2002
		approved by Council June 5, 2003
Rule IV, Section 9.2(a)	Pay Plan	adopted December 16, 2002,
		approved by Council June 5, 2003,
		effective July 13, 2002

RULE CHANGES IN 2003

Rule IV, Section 8.1	Longevity Pay Increases	amended December 13, 2001
		approved by Council February 6, 2003,

effective January 1, 2002

RULE CHANGES IN 2004

Rule I, #25, #58	Definition of "Director" and "Record"	amended December 13, 2004
Rule VIII, Sections 1, 2 & 3	Annual and Other Forms of Leave	amended December 13, 2004
Rule VIII, Section 10	Family Medical Leave	amended December 13, 2004
Rule X	Records Rule	amended December 13, 2004
Rule XIII	Veterans Preference	amended December 13, 2004

RULE CHANGES IN 2005

Rule II, Section 2.3	Emergency Rules	amended September 29,2005
		effective retroactive to August 29,2005
Rule I, #20	Definition of "Consecutive Service"	amended and effective November 14,
		2005
Rule II, Section 12.6	Administration of the Employee-	amended November 14, 2005
	Member Election	
Rule XII, Section 6	Preferred Reemployment Benefits	amended and effective December 12,
		2005
Rule VI, Section 4.1	Reemployment and Reinstatement	amended and effective December 12,
		2005

RULE CHANGES IN 2006

Rule II, Section 4.21 Rule IV, Section 11	Attorneys' Fees Emergency Rate of Pay	amended May 15, 2006 amended May 15, 2006, adopted by the Council May 25, 2006 effective June 1, 2006
Rule VI, Section 4.9 Rule II, Section 13	Reinstatement and Reemployment Selection of Professional Service Contractors	amended and effective June 19, 2006 amended July 17, 2006
Rule VIII, Section 1.3	Annual Leave Carried Forward	amended and effective November 20, 2006
Rule V, Section 8.1	Non-competitive Exams	amended December 18, 2006
RULE CHANGES IN 2007		
Rule V, Section 9 Rule III, Section 4	Substance Abuse Testing Temporary Work in a Higher Classification	amended and effective February 28, 2007 amended September 17, 2007
RULE CHANGES IN 2008		
Rule IV, Section 2	Pay Increases	amended November 17, 2008 approved by the Council April 23, 2009 effective April 5, 2009
RULE CHANGES IN 2009		
Rule VIII, Section 1.3 Rule XII, Section 9	Annual Leave Carried Forward Furlough to Avoid Layoff	amended and effective January 12, 2009 amended November 30, 2009 effective December 1, 2009
Rule I, Section 1	Definition of Furlough	amended November 30, 2009 effective December 1, 2009
Rule V, Section 5.4	Combining Lists	amended December 14, 2009 effective January 1, 2010
RULE CHANGES IN 2010		
Rule VIII, Section 2.9	Sick Leave (Police I.O.D. pay)	amended January 25, 2010 effective February 1, 2010
Rule XII	Layoffs	amended March 15, 2010 effective April 1, 2010
Rule VI, Section 4	Reinstatement and Reemployment	amended March 15, 2010 effective April 1, 2010
Rule VIII, Section 2.9	Sick Leave (Police I.O.D. pay)	amended June 21,2010 effective July 1, 2010
Rule IV, Section 9.8	Overtime Compensation in Emergencies	amended and effective July 19, 2010 approved by Council August 26, 2010
RULE CHANGES IN 2011		

Leave Donation (annual leave)

amended March 21, 2011 effective April 1, 2011

NO RULE CHANGES IN 2012

Rule VIII, Section 2.12 (g)

RULE CHANGES IN 2013

Rule V, Section 2.5	Examinations	amended February 18, 2013
		effective March 1, 2013
Rule VIII, Section 10.1	Family and Medical Leave	amended February 18, 2013
		effective March 1, 2013
Rule XIII, Section 1.1	Veteran's Preference	amended February 18, 2013
,		effective March 1, 2013
Rule VIII, Section 5	Leave Without Pay	amended October 21, 2013
,	·	effective November 1, 2013

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CITY CIVIL SERVICE RULES

(as adopted December 9, 1953, and adopted and amended July 22, 1975 effective August 1, 1975, and in accordance with Article X of the Louisiana State Constitution of 1974)

RULEI

DEFINITIONS

(amended May 8, 1958, September 24, 1979, November 8, 1979, November 16, 1979, August 28, 1980, March 12, 1981, October 26, 1982, April 19, 1983, July 12, 1984, September 13, 1984, October 23, 1985, February 13, 1986, January 21, 1988, May 19, 1988, August 24, 1989, amended September 27, 1990, amended October 25, 1990, City Council approved December 6, 1990, April 20, 1995, April 24, 1997, November 20, 1997, March 4, 1999, April 29, 1999, amended December 13, 2004, effective January 1, 2005, amended November 14, 2005, effective November 14, 2005)

Section 1. The following words and phrases, when used in these Rules, shall have the following meaning:

- 1. "Accumulated Annual Leave": annual leave earned and not used.
- 2. "Advance in Rate of Pay": a salary increase given to an employee for a reason other than a change in the classification of the employee's position or a change in the established pay grade of the employee's class of positions. (amended September 27, 1990)
- 3. "Allocation": the official determination of the class to which a position in the classified service belongs.
- 4. "Annual Rate": the amount established exclusively by the Civil Service Commission as enumerated in the pay grade table of the classified pay plan which represents salary or wages earned by or paid to any employee by reason of services rendered in any position. (adopted March 4, 1999, effective March 28, 1999)
- 5. "Appointing Authority": any officer, board, agency, commission, or person having the power to make appointments to positions in the city service.
- 6. "Appointment": the designation of a person, by due authority, to become an employee in a position, and his induction into employment in the position.
- 7. "Appropriate Employment List": the list established for a particular class of position or, in the absence of such a list, another list of names of persons who, because they meet certain required standards or possess certain minimum qualifications, are deemed by the Director to be eligible for appointment to a position in a class other than the class for they which they were examined or in which they have permanent status.

- 8. "Average Service Rating": the simple arithmetic mean of the average scores (the actual numerical values) given on the employee service rating forms. (amended November 16, 1979)
- 9. "Band": a series of test scores, defined by a high score and a low score, which, based upon the psychometric properties of the total distribution of test scores, may be interpreted as indicative of a given level of knowledge, skill or ability for a job class. (adopted October 26, 1982, effective October 26, 1982)
- 10. "Base Rate": that amount established exclusively by the Civil Service Commission as enumerated in the pay range table of the classified pay plan which represents salary or wages earned by or paid to any employee by reason of services rendered in any position, exclusive of all overtime payment, shift differential pay, special rates of pay and temporary pay increases earned in accordance with these rules.
- "Bonus Sick Day(s), Bonus Vacation Day(s)": sick or vacation leave days that are in addition to employees' normal accrual. These are measured and used in the manner described in the definition for "leave days" (amended April 20, 1995).
- 12. "Certification": official notice to an appointing authority, by the Department, of a list of names of persons from an appropriate employment list, who are eligible to be considered for appointment to a position in the classified service.
- 13. "Certification after Probation": official notice by an appointing authority that an employee has satisfactorily completed his working test period.
- 14. "City Service" or "Civil Service of the City": all offices and positions of trust or employment with the city, any department, agency, board or commission thereof, or corporation organized for public purposes, including persons employed by city or joint federal and city agencies administering city and federal relief and other funds, other than the military and naval service, irrespective of whether the pay for the offices and positions of trust or employment be paid out of the city treasury either in whole or in part, except those excepted by the provision of Article X of the Constitution of Louisiana.
- "Class" or "Class of Positions": a definitely recognized kind of employment in the classified service, designed to embrace positions that are so nearly alike in the essential character of their duties, responsibilities, and consequent qualification requirements, that they can fairly and equitably be treated alike under like conditions for all personnel purposes.
- 16. "Classification Plan": all the classes of positions established for the classified service.
- 17. "Classified Service": all offices and positions of trust or employment in the city service, except those placed in the unclassified service by Section 2 of Article X of the Constitution of Louisiana.
- 18. "Commission": the City Civil Service Commission.

- 19. "Competitive Position": any position in the classified service that is subject to the requirements relating to appointment on the basis of competitive tests of fitness, and applies to every position in the classified service that is not expressly excepted or included among the positions in the unclassified service.
- 20. "Consecutive Service": continuous performance of official duties under current employment in the classified service for an uninterrupted period of time. In cases where an employee has been separated under the provisions of Rule IX because of inability to work due to an on-the-job injury, or as the result of a layoff under the provisions of Rule XII, the employee, upon reinstatement, shall retain his/her original consecutive service date. However, consecutive service is broken by an employee's dismissal, resignation, or retirement, except when an employee enters a Deferred Retirement Option Plan (DROP) or retires due to layoff. (adopted August 28, 1980, amended January 21, 1988, effective February 1, 1988, amended April 24, 1997, amended and effective November 14, 2005)
- 21. "Continuous Examination": an examination for which no final filing date has been set, which will be given on more than one date, and from which the resulting employment list is an open list.
- 22. "Demotion": a change of an employee in the classified service from a position in one class to a position in another class for which a lower pay grade is provided in the pay plan. (amended July 12, 1984, effective August 1, 1984, amended September 27, 1990)
- 23. "Department": the Department of City Civil Service, including both the Commission and the Director.
- 24. "Departmental Certification": certification from a promotional register of a list of persons who already have permanent status in a lower class of positions in the same department.
- 25. "Director": shall mean the Personnel Director as provided for in Article X of the Louisiana State Constitution. (amended December 13, effective January 1, 2005)
- 26. "Division": any major section or officially designed component or part of an organization unit of city government. (amended November 8, 1979)
- 27. "Dual Assignment": The assignment on an occasional basis of additional duties and responsibilities ordinarily not embraced by the employee's classification, but comprising such different and distinct characteristics that the employee discernibly functions in another classification of work. (adopted July 12, 1984, effective August 1, 1984)
- 28. "Eligible": a person whose name is on a list.
- 29. "Employee": a person legally occupying a position.
- 30. "Employment List": an original entrance employment list, a promotion employment list, or a reemployment list.

- 31. "Entrance Examination": an examination for positions in a particular class, admission to which is not limited to persons employed in the city service.
- 32. "Examination": the entire qualifying procedure through which an applicant for a classified position must go in his attempt to gain a place on an employment list.
- "Functional Unit": any officially designated subsection of a division which is contained in an organization unit of city government. (adopted November 8, 1979)
- 34. "Furlough": a period of absence from work without pay required of employees by an appointing authority for fiscal or other valid reasons, in order to avoid a layoff. (adopted November 30, 2009)
- "Immediate Family": an employee's father or mother, wife or husband, son or daughter, brother or sister, and if living under the same roof with the employee, other relatives or relatives by marriage or a domestic partner who is registered with the Clerk of Council in accordance with Chapter 87, Section 87-5 of the City Code. (amended November 20, 1997, effective December 1, 1997)
- 36. "Job Series": a series of classes or a group of positions which have a close occupational relationship and provide a natural career progression. (amended April 29, 1999)
- 37. "Lateral Classification Change": the change of an employee from a position in one classification to one in another classification at the same pay grade for which the employee is qualified. (amended April 20, 1995)
- 38. "Law": Article X of the Constitution of Louisiana, and R.S. 33:2391 et seq., when same is not in conflict with the Constitution, and the Rules adopted pursuant to Article X of the Constitution, shall be known as the Law.
- 39. "Layoff": the termination of an employee because of lack of work or financial appropriation, abolition of position, or any other cause which is not of a disciplinary nature and does not warrant an appeal. (amended May 19, 1988, effective June 1, 1988)
- 40. "Leave Day(s)": a period of time equivalent to an employee's regularly scheduled working day.
 - For employees whose work week is thirty-five (35) hours, "leave day" is defined as seven (7) hours.
 - For employees whose work week is forty (40) hours, "leave day" is defined as eight (8) hours.
 - For non-exempt law enforcement personnel, "leave day" is defined as eight (8) hours and thirty-three (33) minutes.
 - For Fire Department employees on a "24 hour on 48 hour off" work schedule, "leave day" is defined as twelve (12) hours. (amended April 20, 1995)
- 41. "Leave Year": a continuous period of twelve calendar months beginning on January 1 of any year.

- 42. "List": an employment list, an original entrance employment list, a promotion employment list, or a reemployment list.
- 43. "Monthly Rate": the amount established by taking the annual rate and dividing by 12. (adopted March 4, 1999, effective March 28, 1999)
- 44. "Open List": a list to which eligibles may be added from time to time through the continuous examination procedure.
- 45. "Organization Unit": any agency, board, commission or department of city government that is designated by rule or regulation as a complete governmental unit for purposes of administration of this Law. (amended November 8, 1979)
- 46. "Original Entrance Employment List": an employment list for a class resulting from tests of fitness open to all applicants who meet the prescribed requirements for admission to the tests, regardless of prior employment in the classified service.
- 47. "Pay": salary, wages, fees, allowances, and all other forms of valuable consideration, or the amount of any one or more of these, earned by or paid to any employee by reason of services rendered in any position; does not include allowances for expenses authorized and incurred as incidents to employment.
- 48. "Pay Plan: all the scales of rates of pay prescribed under provisions of the Law for classes of positions in the classified service.
- 49. "Pay Status" of an employee: his presence for work or absence on authorized leave with pay during and throughout each working day in a specified period.
- 50. "Personnel Form, Personnel Document, Payroll Document": the forms or documents, paper or electronic, designated by the Personnel Director for use in effecting personnel or payroll changes. (amended April 20, 1995)
- 51. "Position": any office or any employment, in the service of the city, or two or more of them, the duties of which call for services to be rendered by one person, including positions jointly employed by federal and City agencies administering federal and City relief funds.
- 52. "Preferred Reemployment": a special case of reemployment which provides the employee with unique rights and is available only to employees who have been laid off. (amended April 20, 1995)
- 53 "Privatize", "Privatization": The performance by private enterprise or other public, private or non-profit entities of a function or service which has been, or could be, provided by employees in the classified service. (amended March 22, 2001, effective April 1, 2001)
- "Promotion": a change of an employee in the classified service from a position in one class to a position in another class for which a higher pay grade is provided in the pay plan. (amended July 12, 1984, effective August 1, 1984, amended September 27, 1990)

"Promotion Employment List" or "Promotion List": an employment list for a class resulting from tests of fitness limited to applicants who are employees of lower classes in the classified service.

- 56. "Promotional Examination": an examination for positions in a particular class, admission to which is limited to qualified applicants who possess permanent or probationary status in a classification with a lower pay grade. Probationary appointments to classifications having the same pay grade and temporary appointments to higher classifications which do not void the employee's permanent or probationary status shall not disqualify applicants who are otherwise qualified. (amended September 13, 1984, effective October 1, 1984, amended September 27, 1990)
- "Public Hearing": a hearing held after written public notice has been posted at the principal office of the Civil Service Commission not less than twenty-four (24) hours before the meeting, at which any person may have a reasonable opportunity to be heard, in accordance with rules and regulations adopted by the Commission. (amended September 24, 1979)
- "Public Notice": shall consist of the posting of a notice of intention on the part of the Commission or Department to take certain action. This notice shall be posted on a bulletin board located at the offices of the Department or published in the official journal of the City.
- 59. "Record": Any form, record, document or similar conveyance in physical or electronic form. (amended December 13, 2004, effective January 1, 2005)
- 60. "Reemployment": the reappointment, via a reemployment list, of a former regular employee who was separated for reasons other than fault or delinquency, to a position in the class from which he or she was separated. Also, the reappointment of a present employee who had been demoted. (amended April 20, 1995)
- 61. "Reemployment List": an employment list for a class consisting of a list of names of persons who have previously occupied positions allocated to the class, and who have been found to be entitled to certification for reappointment to positions of the class.
- 62. "Regular Employee": an employee who has been appointed to a position in the classified service in accordance with the Law and these Rules and who has completed the working test period.
- "Regular Hourly Base Rate": a gradient mode of salary converted from any of the uniform annual salary steps established exclusively by the City Civil Service Commission as enumerated in the salary table of the Classified Pay Plan. (adopted April 19, 1983, amended March 4, 1999, effective March 28, 1999)
- 64. "Regulation": a definition, policy, or mode of procedure, consistent with the Rules, formally prescribed in writing by the Director to govern the manner of giving effect to a part of Section 10, Article X of the Constitution of Louisiana and these Rules.

65. "Re-Hire": the employment of a former employee who has no rights beyond those of a new employee, but for whom personnel records may exist. (amended April 20, 1995)

- "Reinstatement": the reappointment of a former working test or regular employee who was separated from his or her position for reasons other than fault or delinquency.

 Reinstatement is made to a position in the same class, with the same department, as that vacated by the employee. (amended April 20, 1995)
- "Selective Certification": certification to an appointing authority by the Department of a list of names of persons who have been specifically selected from an appropriate employment list because of their possession of certain necessary and specified qualifications.
- "Sick Leave": absence from duty because of the employee's (1) illness or injury, or (2) quarantine by health authorities. Sick leave shall also be granted for absence because of death in the immediate family of the employee (see definition for "immediate family"). (amended April 20, 1995)
- "Sick Leave with Pay": (a) payment on account of sickness or accident disability (including quarantine by health officials and absence before or after childbirth due to medical reasons); or (b) payment for time absent due to death in immediate family. (adopted December 28, 1978)
- 70. "Special Hourly Base Rate": a gradient mode of salary which is determined by combining the supplemental pay established by the state legislature with city millage distribution dedicated for increasing the pay of police and fire personnel, converting that sum to an hourly rate, which is then added to the regular hourly base rate. (adopted April 19, 1983, amended October 23, 1985, effective April 13, 1986)
- 71. "Substance Abuse Testing": an appropriate screening procedure to test for the presence of any substance, medication or drug that, when taken or used alone or in combination with some other substance or drug, will modify one or more of the normal sensory or motor body functions (i.e., coordination, reflexes, vision, etc.) in an individual. This includes alcohol; any and all forms of narcotics, depressants, stimulants or hallucinogens whose sale is restricted or controlled by law, as well as prescription medication legally obtainable in Louisiana, but which nevertheless has been obtained or used illegally. (adopted August 24, 1989, effective September 1, 1989)
- 72. "Temporary Appointment": an appointment for a limited period of service without acquisition by the appointee of any continuing right to be retained as an employee beyond that period.
- 73. "Termination of Service": Separation of an employee from his position by reason of death, resignation, layoff, dismissal, expiration of his term of appointment, or failure to return after the expiration of a period of authorized leave.

- 74. "Test": a specific phase of the examination process, such as a written test, performance test, oral interview, experience rating, etc.
- 75. "Transfer": the change of an employee from a position in one organization unit to a position in another organization unit in the same classification; see also "Lateral Classification Change". (amended April 20, 1995)
- 76. "Unassembled Examination": an examination or test for which candidates are not all assembled in the same place at the same time.
- 77. "Voluntary Demotion": a change made with the employee's consent to a classification at a lower pay grade. (April 20, 1995)
- "Working Test Period Employee": an employee who has been appointed to a position from an employment list, but who has not completed the working test period. The terms "probation period" and "probational employee" shall be considered identical with "working test period" and "working test employee".