



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpj.net

#15

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MARCH 19, 2019 AT THREE O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to adopt the following ordinance:

ORDINANCE SBPC #2145-03-19

Summary No. 3689

Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, ARTICLE V; DISCIPLINARY ACTIONS, SECTION 17-121; DISCIPLINARY PROCEDURE IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, The St. Bernard Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to amend Chapter 17; Personnel, Article V; Disciplinary Actions, Section 17-121; Disciplinary Procedure to provide for pre-termination hearings.

SECTION 1. The St. Bernard Parish Council hereby amends Chapter 17; Personnel, Article V; Disciplinary Actions, Section 17-121; Disciplinary Procedure as shown on "Exhibit A".

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



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Extract #15 continued
March 19, 2019

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

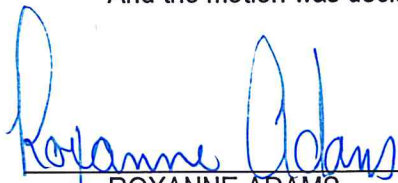
YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of March, 2019.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

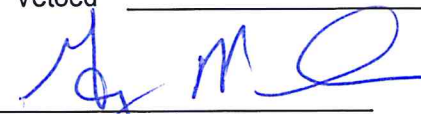
Delivered to the Parish President 3/21/19 1:20pm
Date and Time

Received by Maegen Campu

Approved ✓

Vetoed _____

Parish President


Guy McInnis

Returned to Clerk of the Council

3/26/19 9:28am
Date and Time

Received by

Elijah Mela

Summary No. 3689
Exhibit "A"
Ordinance SBPC #2145-03-19

Chapter 17 - Personnel
Article V- Disciplinary Actions
Section 17-121- Disciplinary Procedure

Sec. 17-121. - Disciplinary procedure.

- (a) If an employee is not meeting parish standards of behavior or performance, the employee's supervisor should take the following action:
 - (1) Meet with the employee to discuss the matter;
 - (2) Inform the employee of the nature of the problem and the action necessary to correct it;
 - (3) Consult with the director of human resources;
 - (4) Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place and the reason for the meeting; and
 - (5) Have the employee sign the memorandum, warning, or if deemed appropriate an adverse action of reprimand, suspension or termination. Refusal of the employee to sign any documentation shall not prohibit disciplinary action.
- (b) If there is a second occurrence, the supervisor should hold another meeting with the employee and take the following formal disciplinary action:
 - (1) Issue a written reprimand to the employee;
 - (2) Have employee sign reprimand;
 - (3) Warn the employee that a third incident will result in more severe disciplinary action; and
 - (4) Prepare and forward to the director of human resources, a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee.
- (c) If there are additional occurrences, the supervisor should continue the formal disciplinary procedure and take the following action:
 - (1) Issue a written reprimand or warning;
 - (2) Have employee sign reprimand; and
 - (3) Recommend suspension of the employee without pay for up to five (5) working days; or
 - (4) Recommend suspension of the employee indefinitely and recommend termination.
 - (5) Prepare and forward to the director of human resources a written report describing the occurrences, indicating the time between the occurrences and summarizing the action taken or recommended and its jurisdiction.
- (d) The progressive disciplinary procedures described in this section may be applied to an employee who is experiencing a series of unrelated problems involving job performance and/or behavior.
- (e) In cases involving serious misconduct, such as a violation of law, the procedures outlined in this section may be disregarded. The supervisor should recommend suspension of the employee immediately, and if appropriate, recommend termination of the employee.

Summary No. 3689
Exhibit "A"
Ordinance SBPC #2145-03-19

- (f) If a supervisor recommends and makes a written report to the chief administrative officer that an employee's service be terminated, a complete investigation of the situation should be conducted before the termination decision is made. The chief administrative officer shall approve all terminations or suspensions that last longer than one (1) working day.
 - (g) In every case of termination of employment of a regular employee, the appointing authority shall conduct a pre-termination hearing and shall notify the employee of the proposed termination at least three (3) days prior to the pre-termination hearing. No termination decision shall be taken prior to a pre-termination hearing unless the employee has refused notice of the pre-termination hearing and/or has taken steps that prevented the appointing authority from being able to effectuate notice of the pre-termination hearing.
 - (h) Employees who believe they have been disciplined too severely or without good cause are encouraged to utilize the grievance procedure as outlined in article II, division 2, section 17-57.
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