



St. Bernard Parish Council

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

#14

Failed

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, OCTOBER 4, 2022 AT SEVEN O'CLOCK P.M.

On motion of Mr. Everhardt, the following Resolution failed due to a lack of a second:

RESOLUTION SBPC #2267-10-22

A RESOLUTION RESPECTFULLY REQUESTING THAT ATTORNEY GENERAL JEFF LANDRY PROVIDE THE ST. BERNARD PARISH COUNCIL WITH AN OPINION REGARDING ST. BERNARD PARISH GOVERNMENT'S CAO, DIRECTORS AND UNCLASSIFIED SALARY EMPLOYEES TO BE PAID DOUBLE TIME DURING DECLARED EMERGENCIES.

WHEREAS, the St. Bernard Parish Council is respectfully requesting an official opinion regarding whether or not its legal for the St. Bernard Parish CAO, Directors, and unclassified salary employees to be paid double time during declared emergencies as per Chapter 17 Personnel; Article X; Section 17-175 Declared Emergency Pay of the St. Bernard Parish Code of Ordinances; and,

WHEREAS, the CAO and Directors of all departments are appointed and serve at the pleasure of the Parish President as per Article IV Administration; Section 4-01 General Provisions of the St. Bernard Parish Home Rule Charter; and,

WHEREAS, Chapter 17 Personnel; Article X; Section 17-175 Declared Emergency Pay of the St. Bernard Parish Code of Ordinances and Article IV Administration; Section 4-01 General Provisions of the St. Bernard Parish Home Rule Charter is attached for your reference.

NOW THEREFORE, BE IT RESOLVED that the St. Bernard Parish Council, the Governing Authority, does hereby respectfully request that Attorney General Jeff Landry provide the St. Bernard Parish Council with an official opinion regarding double time pay during declared emergencies to the St. Bernard Parish CAO, Directors, and unclassified salaried employees.



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Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

Fred Everhardt, Jr.
*Councilmember
District E*

Roxanne Adams
Clerk of Council

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Extract #14 continued
October 4, 2022

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

YEAS:

NAYS:

ABSENT:

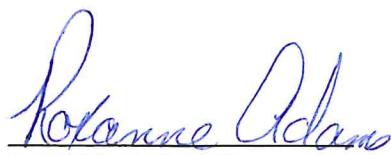
The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **xxxxx** on the 4th day of October, 2022.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, October 4, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 4th day of October, 2022.


ROXANNE ADAMS
CLERK OF COUNCIL

Chapter 17 - Personnel

ARTICLE X. - Essential Personnel Policy For Declared Emergencies

Sec. 17-175. Declared emergency pay.

- (a) Hourly, salary non-exempt and salary-exempt employees who work during a declared emergency shall be granted two (2) times pay for each hour worked during a declared emergency. For each hour worked in essential capacity, the employee shall be paid two (2) times their normal hourly rate. Salaried employees hourly rate is determined by dividing the annual salary by the annual hours worked based on either a thirty-five- or forty-hour work week.
- (b) In lieu of (a) above, the parish president may, at his/her discretion, or for budgetary reasons, grant leave time in proportion to the time worked.
- (c) Non-essential personnel will be paid for normal work time during a declared emergency, and will be required to report back to work as soon as possible after the emergency has diminished. The parish president will determine the exact time employees will be excused from work.
- (d) Essential personnel called to duty for an emergency declared under this article may be required to work out of their normal job classification, description, and/or assignment as may be required for parish government to properly respond to the declared emergency.
- (e) An employee that is assigned to perform work outside of their normal duties and job classification in response to an emergency declared under this article is not entitled to any pay adjustment(s), enhancement(s), or increase(s) of any nature as a result of said out of classification work assignment.
- (f) Necessary and reasonable stand-by time incurred in preparation of and directly related to the protection of public health, life and safety will be paid for declared emergencies.
- (g) Any employee that is not considered essential personnel and is called out to work during a declared emergency shall be paid essential personnel rates.
- (h) If any essential pay period lasts longer than two (2) weeks the CAO and the finance director can determine to revert back to regular pay due to budgetary issues only.

Ord. No. SBPC-1847-01-17, § 1(Exh. A), 1-17-17

Ord. No. SBPC-2054-04-18, § 1(Exh. B), 4-17-18

Ord. No. SBPC-2284-12-20, § 1(Exh. A), 12-1-20

**HOME RULE CHARTER
FOR
ST. BERNARD PARISH,
LOUISIANA**

ARTICLE IV. ADMINISTRATION

Sec. 4-01. General provisions.

- (a) Except as otherwise provided by this Charter, all departments, offices, and agencies of the parish and all employees thereof shall be under the direction and supervision of the president. The president shall have the sole authority to appoint the chief administrative officer and all directors of departments in the executive branch created by this Charter. The chief administrative officer and all directors of departments shall be unclassified and shall serve at the pleasure of the president.
- (b) Except as otherwise provided by this Charter, the salaries of the chief administrative officer and directors of the departments appointed by the president shall be set by the president subject to approval by the council.