

OFFICE OF INSPECTOR GENERAL JEFFERSON PARISH



PUBLIC RELEASE

HANDLING OF CONFIDENTIAL INFORMATION

—

ELECTRONIC INFORMATION POLICY

2014-0023

INVESTIGATIVE REPORT
ISSUED 1/8/2015



JPOIG 2014-0023

HANDLING OF CONFIDENTIAL INFORMATION - ELECTRONIC INFORMATION POLICY

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OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH

DAVID N. MCCLINTOCK
INSPECTOR GENERAL



DATE: 01/08/2015

TO: The Citizens of Jefferson Parish

FROM: The Jefferson Parish Office of Inspector General

RE: JPOIG 2014-0023: Handling of Confidential Information – Electronic Information Policy

Please find attached the Jefferson Parish Office of Inspector General's (JPOIG) Public Release of an investigation relating to the release of the JPOIG Confidential Memorandum dated 04/07/2014 by a staff member of Council District #4 to the media on 04/09/2014. Two separate reports resulted from the same nucleus of facts.

First, report 2014-0023 was issued to Councilmembers and the Parish President to facilitate a response to broad policy concerns and recommendations arising from the factual circumstances. In tandem therewith, the second report 2014-0023A was issued to the Councilman for Council District #4 in his capacity as supervisor over the staff member who self-reported to this office the release of the JPOIG Confidential Memorandum to the media. This cover letter jointly addresses both reports. However, since the reports are quite similar the broader report will be presented in full and supplemented in a clear fashion where necessary to include any relevant information contained within the Council District #4 specific report.

The reports contain similar findings and recommendations relating to Parish policy, or lack thereof, regarding the handling of confidential information and transmitting Parish communications via use of private electronic mail. The reports generally focused on these findings:

1. A confidential JPOIG Supplemental Memorandum was distributed to unintended recipients (individuals not designated by JPOIG to receive the report);
2. A Council staff member forwarded the confidential memorandum received from the Parish Attorney to a non-Parish e-mail account; and
3. A Council staff member forwarded a communication from a non-Parish e-mail account to the media.

Recommendations followed regarding the development of specific policy which would serve to:

1. Ensure and support the integrity of the process attendant to JPOIG reports;
2. Raise awareness to the need for internal controls and policies designed to protect confidential information;

3. Ensure the Parish is able to comply with other relevant provision(s) of law, including public records law, by guarding against the use of private electronic mails for Parish business.

Responses

Timely responses were received to the reports by and/or on behalf of the following:¹

1. Council Chairman Elton M. Lagasse
2. Parish President through Jacques L. Molaison, Deputy Chief Operating Officer
3. Councilman E. Ben Zahn, III²

The responses received are discussed in brief below:

Council Chairman Elton Lagasse

In his response, Council Chairman Lagasse reiterated his offices commitment to guard the confidentiality of information and to generally support the efforts of this office.

Parish President

The Parish President responded through his Deputy Chief Operating Officer Jacques L. Molaison. The response was appropriately limited to recommendation #3 Use of Private E-mail for Parish Communications that was contained in the report directed to the Parish Council and Parish President. Responding to the recommendation, Mr. Molaison wrote:

“it has been the position of the Jefferson Parish Council that administrative management policies apply solely to the administrative officers and employees reporting directly to the Parish President, and employees reporting to the Jefferson Parish Council are not likewise bound to follow those protocols.”

Notwithstanding the above, the response from the Parish President’s Office detailed an affirmative action taken on the recommendation by amending the Parish Administrative Management Policies to resolve broader policy concerns raised in the report relative to use of private e-mails for Parish business. The following language has been added to Administrative Management Policy #513:

“Employee email created, generated or received using the Parish’s email server, which pertain to Jefferson Parish Government business may become public record regardless of their creation or generation using private computers, servers, or email systems. For tracking purposes, employees should always default to using the Parish email system for Jefferson Parish Government business, except where exigent circumstances mandate such use of private equipment and/or servers.”

¹ JPCO 2-155.10(9) provides that persons or entities which are the subject of a JPOIG recommendation shall have thirty days (30) to submit a written explanation or rebuttal of findings before the report is finalized. Sub-paragraph 19 provides that “it shall be the duty of every parish officer, employee” to “cooperate with the inspector general in any investigation, audit, inspection, performance review...”

² Councilman Zahn received both reports.

We commend the commitment and action taken by the Parish President to provide guidance and clarification to the employees reporting to the Chief Administrative Officer. The expectation that Parish employees are expected to conduct Parish business using Parish emails absent exigent circumstances more clearly supports transparency and the Parish's ability to comply with applicable law.

Councilman E. "Ben" Zahn, III

There are numerous elements to the response received from Councilman Zahn which is attached in full. We will touch on the responses to the findings and recommendations of the report. However; and in connection with his response, Councilman Zahn filed a Public Records Request ("PRR") with the Parish Attorney's Office seeking other e-mails involving the same JPOIG Draft Supplemental memorandum. The response to his PRR was submitted as an "exhibit" to his response. Councilman Zahn contends that records obtained as a result of his PRR indicate a lack of due diligence on the part of the JPOIG. Councilman Zahn also raised concerns that the JPOIG effort was too narrow and that it was conducted for political reasons. The JPOIG will address these concerns separately.

Finding: Forwarding of Official Parish E-mail to Non-Parish E-Mail Account

Councilman Zahn acknowledged in his response that it "may be best practice to have a policy in place regarding the transmission of public documents to personal email accounts . . ." Later in his response, Councilman Zahn maintains that "the transmission of the e-mail, while admittedly not best practice, does not violate any law or policy in place at the time."

Notwithstanding this acknowledgement and recognition, it is not wholly clear whether Councilman Zahn will seek to adopt a policy for his Council office which represents best practices or to otherwise recommend such a policy be adopted by the Council for Parish employees who fall under the supervision of the Council. Councilman Zahn did write that his office "looks forward to working with other Council Offices, Human Resources, the Department of Ethics and Compliance, and the Parish Attorney's Office on the development and implementation of policies and procedures relative to media requests and the use of private e-mail.

Finding: Forwarding Official Parish E-mail to Unauthorized Person

Councilman Zahn responds the finding related to use of private e-mails by parish employees by writing "neither the transmission of the memorandum to a private e-mail account nor the accidental transmission of the memorandum to the media were a violation of law or Parish policy." Councilman Zahn emphasizes that his staffer "was properly in possession of the memorandum and as it was a record obtained and prepared by your [the JPOIG] office, (i.e. a memorandum, audit, report, etc.), there is no affirmative duty for him to maintain the confidentiality." Councilman Zahn included with his attachments three exhibits identified as Exhibit A, B and C.

Exhibit A was identified to be documents that Councilman Zahn received via PRR No. 0624-14. Councilman Zahn notes and relies upon this attachment as it shows that the JPOIG "memorandum was transmitted to a non-Parish email account or to a person who may not have

been the proper recipient.” Exhibit B is an opinion dated August 11, 2014 rendered by the Parish Attorney wherein she concludes, “The duty to not disclose [a] preliminary report applies only to the office of the inspector general. The subject has no duty to maintain the confidentiality of the preliminary report under local or state law, with the exception of any documents or records that are otherwise privileged.” Exhibit C contains documents which were attachments to the report.

Finally, Councilman Zahn writes that he believes that “this investigation is absolutely politically motivated as opposed to corrective in nature.” He also believes that “[t]his is unquestionably a targeted attempt to embarrass the District 4 Office and Staff, as well as myself.”

The reports begins with an acknowledgement that the “case was opened as a result of the individual self-reporting the incident to the JPOIG.” The scope of the investigation and the report which followed was, as circumstances permitted, defined in measure by the act of self-reporting. The underlying actions, notwithstanding their prevalence, represent those that are indicative of policy gaps and effective controls, a point which the Councilman does not appear to dispute. Moreover, it is an area of policy that the Parish President has already taken action to correct by amending the Administrative Management Policies; however, these policies are not applicable to the Council and council staff.

Councilman Zahn indicates that the JPOIG failed to pursue due diligence based on the results of his PRR. Using the Councilman’s data and our own verification it was determined that across all emails (inclusive of the confidential draft and the confidential final) there were 32 emails in total that included 37 separate recipients. Considering the 37 recipients 30 were Parish employees who were either original recipients or subordinates of original recipients. The issue of subordinate recipients is addressed within the main report. Of the 7 remaining recipients, 5 were the Commissioners of the Ethics and Compliance Commission; 1 was sent by a Councilman to the legal Counsel for East Jefferson Hospital and 1 was sent to the CEO of West Jefferson Hospital.

We fail to see how any of these correspondence rise to the level of a confidential report being sent from a parish server to a personal yahoo.com account and then to a member of the media, regardless of the intent of the latter. In both of the other instances the correspondence was sent from Jeffparish.net accounts, where a record was created, and the recipients were individuals who are arguably entitled to receipt from elected officials in the course of conducting their official business. We respectfully disagree with Councilman Zahn’s concerns.

The JPOIG has reviewed “Councilman Zahn’s “Exhibit C” and compared that with what was provided to this office from Council District #4 and/or with what is contained in the parish’s archival system and found no material discrepancy in wording. We do acknowledge that the process used to scan and redact originals, such as those emails provided by the staffer, does on occasion identify fonts differently or fail to properly recognize characters.³ Again, none are material.

³ For instance, we noted that that the header of an email (identified as page #016 in the finalized report) reflects the parish email extension of jeffparish.net as jettparish net, where the software’s optical character recognition (“ocr”) process recognized the j’s as t’s. There are numerous examples of spacing, punctuation and individual characters not being properly recognized.

Conclusion

The JPOIG believes that the findings set forth in the reports are supported, and the recommendations merit consideration by the Council. It does seem that great emphasis has been placed on the rather straight forward findings. We note for those who may not yet be familiar with the Inspector General model that a finding based upon supporting material should not be misconstrued as a determination that law or policy has been violated.

In adopting JPCO 2-155.10, the Parish Council charged the Inspector General with providing increased accountability and with creating a program of oversight designed to deter illegal acts among other things. Further, the ordinance specifically charges the Inspector General with the authority to “[e]ngage in prevention activities” as well as to report upon findings and recommendations. JPCO 2-155.10(11). Thus, the purpose of this report is to provide increased accountability by identifying the absence of written policy.

Policies which are directed toward an identified risk serves to protect the Parish from damage, regardless of the gravity of the damages. The purpose of the report was to bring light that there is no policy or procedure in place to guard against the release of confidential Parish information via its placement onto private emails or otherwise ensure that the Parish can comply with pertinent laws relating to public records.

Further, the JPCO 2-155.10(9)(b) prohibits the Inspector General from “concluding a report or recommendation, which contains findings as to the person or entity being reported [on] or who is subject of the recommendation,” before providing the “affected person or entity a copy of the report or recommendation.” The person, or entity, is provided thirty (30) working days to “submit a written explanation or rebuttal of the findings before the report or recommendation is finalized, and such timely submitted written explanation or rebuttal shall be attached to the finalized report or recommendation.” Finally, the ordinance provides that the inspector general “shall report its recommendation and results of its findings to the ethics and compliance commission.”

Thus, the opinion rendered by the Parish Attorney is correct insofar as the ordinance strictly prohibits the Inspector General from releasing a report until such time as the affected person has an opportunity to respond and does not strictly prohibit the affected person from releasing the draft report. While not stated with such specificity or clarity, the ordinance unequivocally establishes a process which mandates (1) a draft copy to the affected person; (2) an opportunity to respond to the draft and (3) a finalization of the report which would include all responses.

The JPOIG Confidential Memorandum dated 04/07/2014 was provided to the media by a staff member of Council District #4 within 48 hours of its receipt by Councilmembers. This report related to efforts undertaken by the JPOIG to monitor ongoing efforts by the Parish regarding the lease of its public hospitals. The premature release of the report to the media is contrary to the very foundation of the system wisely adopted by the Parish and was an affront to the interest of

those who should have been given the thirty days provided to reflect, consider, investigate, inquire, and respond before the report was made public.

Ultimately, we are pleased that the Office of the Parish President has strengthened the policies applicable to the Parish Administration and that Councilman Lagasse has stated his offices commitment to maintaining confidentiality and to the efforts of this office. We are also encouraged by Councilman Zahn's stated intention to work with other entities towards the implementation of policies and procedures on media requests and the use of private e-mail and look forward to the culmination of those efforts.



2014-0023

Report Generated Parish Wide to both Council
and the Parish President

Includes an excerpt under Recommendation #2 from the Report Issued to Council District #4.



**OFFICE OF INSPECTOR GENERAL
JEFFERSON PARISH**

DAVID N. McCLINTOCK
INSPECTOR GENERAL



Date of Report: 01/07/2015	<u>INVESTIGATION</u> <u>PUBLIC RELEASE</u>	Case # 2014-0023
Timeframe: 04/08-09/2014	Report By: Nicholas Hartfield, Agent	Status: Final
<u>Subject of Investigation</u>		
<ul style="list-style-type: none"> • Handling of Confidential Information • Electronic Information Policy 		

INTRODUCTION

This is an investigative memorandum relating to the release of the JPOIG Confidential Memorandum dated 04/07/2014 by a staff member of Council District #4 to the media on 04/09/2014. This case was opened as a result of the individual self-reporting the incident to the JPOIG. This memorandum contains a summary of facts, as reported by the Council District #4 staff member (“staff member”) or as otherwise established. Related thereto, there are findings and recommendations.

This report is one of two reports which will be issued. The instant report addresses broader policy concerns and presents recommendations. It is being distributed to those who have authority to respond to the policy concerns which are raised. The second report addresses findings and presents recommendations related to the conduct of the staff member. The second report is being distributed to the staff member’s supervisor, appointing authority.

These reports are provided to the appropriate persons for response and comment. The response and comment period is 30 working days. This report will not be finalized until the expiration of the comment period unless responses are earlier received from all recipients, per JPCO 2-155.1-(9). Thereafter, the reports will be finalized and made public in accordance with JPCO 2-155.10(9).

SUMMARY OF FACTS

On 04/08/2014 at approximately 17:05 hours, Inspector General David N. McClintock presented a *Supplemental Memorandum Draft* to Jefferson Parish Councilmembers Elton M. Lagasse, Christopher L. Roberts, Ricky J. Templet, Paul D. Johnston, Mark D. Spears, E. “Ben” Zahn, III, and Cynthia Lee-Sheng.¹ The *Supplemental Memorandum* was provided as an attachment to the communication sent via electronic mail. Jefferson Parish Attorney Deborah Cunningham-

¹ Supplemental Memorandum Draft, Subject: Hospital Lease – Recommendations Regarding Formal Negotiation was presented as part of the JPOIG monitoring of the Parish’s intended lease of its two public hospitals.

Foshee was copied on the communication. The communication was addressed to each named recipient at their respective Parish e-mail address (@jeffparish.net).

The JPOIG Supplemental Memorandum Draft contained the following confidentiality notice:

“This confidential memorandum is issued by the Inspector General pursuant to the authority conferred by JPCO 2-155.10. It is intended for the sole use of the named council members. It is not intended to be read, disclosed, reproduced, distributed, disseminated, in whole or in part by anyone other than the council members. The report contains confidential information, information which would not be subject to public records request, and/or information which may be subject to other agreements of confidentiality and nondisclosure.”

On 04/09/2014 at 07:41 hours, Council Aides, the Director of Research and Budget, and Research and Budget Legal Analyst were forwarded IG McClintock’s communication by Parish Attorney Cunningham-Foshee who wrote “FYI-received last evening.”² At or about the time the communication was received, the communication was forwarded to a personal, non-Parish e-mail account of the staff member.

A second e-mail, including the JPOIG draft report as an attachment, was sent by Parish Attorney Cunningham-Foshee at 12:42:46 hours to the staff member upon the staff member’s request. At or about this time, the second communication was similarly forwarded to the same non-Parish e-mail account of the staff member.

The staff member stated that an e-mail response was sent to the Parish Attorney’s first communication notifying her that the first communication had been sent without the referenced *Supplemental Memorandum* attached. The Parish Attorney then responded by forwarding the communication a second time with an attachment.

The staff member further explained that Ben Myers, a news reporter for The Times-Picayune, contacted him via telephone on that same day stating that he was trying to find someone who had a copy of the JPOIG Confidential Memorandum. The staff member stated Mr. Myers was told that these things usually come with restrictions and the e-mail received did not have an attachment. Mr. Myers then asked the staff member to send the e-mail received. On 04/09/2014 at approximately 15:22 hours, the staff member forwarded the e-mail from the personal, non-Parish e-mail account sent by the Parish Attorney to the Parish e-mail account.. The forwarded communication to Ben Myers included the statement “No attachment”.

²



On 04/09/2014, IG McClintock received information indicating that at least one media outlet had been provided a copy of the JPOIG confidential memorandum and that the media outlet will likely publish it on 04/09/2014. On that same day at approximately 17:17 hours, IG McClintock notified Councilmembers by electronic mail that the media had purportedly obtained a copy of the memorandum. Shortly thereafter, the staff member contacted IG McClintock and self-reported, taking responsibility for providing a copy of the JPOIG Confidential Memorandum to the media. The staff member explained that the staff member believed it was the initial communication from the Parish Attorney which did not have the JPOIG Confidential Memorandum attached that was being forwarded.

On 04/16/2014, the staff member was interviewed by Special Agent Nicholas Hartfield. The staff member provided copies of relevant electronic mail communications.

ANALYSIS

These findings raise issues and questions under La. Revised Statute 33:9614 and JPCO 2-155.10. These findings also raise compliance issues with regard to other laws, notably the Louisiana Public Records Law among them³.

Louisiana Revised Statute 33:9614

La.Revised Statute 33:9614 provides that records, data and information compiled by an inspector general in an investigation, audit or review is confidential and privileged until the matter is complete. However, no privilege established by law shall be deemed waived on any record obtained by an inspector general. Any record or information obtained by an inspector general in connection with a matter which is confidential or privileged pursuant to any other provision of law shall remain confidential or privileged. It shall be a misdemeanor punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for any public official, corporation or individual to make public any such information or record.

Jefferson Parish Code of Ordinances 2-155.10

Jefferson Parish Code of Ordinances 2-155.10 (9) provides that persons or entities which are the subject of a JPOIG recommendation shall have thirty days (30) to submit a written explanation or rebuttal of findings before the report is finalized. Sub-paragraph 19 provides that “it shall be the duty of every parish officer, employee” to “cooperate with the inspector general in any investigation, audit, inspection, performance review...”

The *Supplemental Memorandum Draft* was not “complete” when it was disseminated and released to the media. It was presented in draft form to Councilmembers who were each entitled to thirty days to consider and comment upon its content. JPCO 2-155.10(9) provides a purposeful process which is intended to facilitate and foster a period of confidential review and comment. The release of a draft report by any one individual operates to the prejudice of another’s right to consider and respond before its publication. The dissemination and release of the report was a

³ La.R.S. 44:1 et seq.

breach of confidentiality as provided by La. Revised Statute 33:9614 and represented an affront to the process established by JPCO 2-155(10).

Other Compliance Issues: Policy and Procedure

The Parish's ability to ensure compliance with other provisions of law is adversely impacted by the absence of policy and procedure which addresses the handling of confidential information and movement of official Parish communication to non-Parish controlled environments. The Louisiana Public Records Law generally provides that all records or documentary materials, regardless of their physical form, "having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business" under the authority of a public body are "public records," save certain exceptions.⁴ Except as otherwise provided, any person may obtain a copy of any public record.⁵ Whether or not records of a public body are otherwise exempt from being released to any person, the public body has an obligation to preserve and retain public records. Under the Louisiana Public Records Law, the Parish has both an obligation to retain public records and an obligation to permit persons to examine public records, unless the records are otherwise deemed exempt. .

Our review of the Parish's ordinances, policies, and procedures does not reveal any meaningful or comprehensive guidance on the handling of confidential information or establish the manner in which Parish Council business in this regard must be conducted. We found the Parish's Administrative Management Policies, approved by the Parish President in April of 2013. However, the scope and effect of the policies extend only to "all administrative officers and employees of the parish responsible to the Parish President." Like policies applicable to the Parish Council, and employees under the supervision of the Parish Council, may have provided guidance under these circumstances. For example, there is (1) the "Media Communications Policy" which establish guidelines for communications and release of information in coordination with the Parish Office of Public Information; (2) the "Use of Equipment, Vehicles and Information/Communication Resources which generally defines appropriate use of parish e-mail technology; and (3) other policies which capture the handling of specific confidential information, such as employee files. These policies provide that "Parish e-mail is to be used solely for communications and responding to inquiries related to efficient and effective operation of government" and provide further that all "forms of data created, entered, shared, transmitted, received or stored using Parish technology and communication system is considered Parish property." Still, the policy manual is not wholly clear that official Parish business conducted through use of technology should not be conducted in a manner which impairs the Parish's ability to comply with pertinent state law or otherwise compromises the integrity of material which may contain confidential information.

We find no meaningful ordinance, policy, or procedure that bears clearly on the issues of handling confidential material or the establishment of approved methods for conducting Parish business using Parish technology or technology equipment.

⁴ La.R.S. 44:1.

⁵ La.R.S. 44:31.

FINDINGS

1. Dissemination of JPOIG Supplemental Memorandum Draft

Confidential JPOIG Supplemental Memorandum was distributed to unintended recipients

2. Forwarding of Official Parish E-mail to Non-Parish E-mail Account

Staff member received the confidential memorandum from the Parish Attorney. The communication(s) received from the Parish Attorney was automatically forwarded to a non-Parish e-mail account.

3. Forwarding of Official Parish E-mail to Unauthorized Person

Staff member forwarded the communication received from the Parish Attorney to the media from the non-Parish e-mail account.

RECOMMENDATIONS

1. Dissemination of JPOIG Supplemental Memorandum Draft to unintended recipients.

The JPOIG *Supplemental Memorandum Draft* was directed to Councilmembers as governing authority of the parish's public hospitals, West Jefferson Medical Center and East Jefferson, Hospital as well as the Health and Hospital Services District.⁶ The *Supplemental Memorandum Draft* did not contain confidential information, but its confidential nature was explicitly noticed, "It is not intended to be read, disclosed, reproduced, distributed, disseminated, in whole or in part by anyone other than the council members."

To ensure the integrity of process, the JPOIG recommends that the Parish Council, individually or collectively, adopt policy(ies) addressing the receipt, reproduction and dissemination of official Parish documents. Further, the policy(ies) should address handling material of a sensitive, privileged or confidential nature and/or implement such policies and procedures to ensure integrity and control of such material.

2. Media Communications: Forwarding Legal Communications To Media

Legal communications, including communications from the Parish Attorney, may contain information which is confidential and privileged. Forwarding communications from the Parish Attorney to the media or another may result in unintended consequences for the Parish, its elected officials and employees. For reasons similar to those above, the JPOIG recommends that the Parish Council review, or establish, policies and procedures regarding the receipt,

⁶ The JPOIG provided comments and a recommendation on the processes and actions of the Jefferson Parish Hospital & Health Services District to the Jefferson Parish Council as governing authority for the parish and that of the hospital district(s) by *Confidential* Memorandum which hand delivered to each Councilmember, individually, on September 13, 2013. The JPOIG received a request by the Parish Attorney for an extension of time within which to respond to the memorandum on behalf of the Council. A response to the report was received from the Parish Attorney on behalf of the Council. Additional responses to the memorandum were received by individual councilmembers <http://www.jpoig.net/images/pdf/synopsis.pdf>. The confidential, draft *Supplemental Memorandum* was provided to Councilmembers and the Parish Attorney, in her capacity as legal counsel.

reproduction or dissemination of material of a sensitive, privileged or confidential nature and/or implement such policies and procedures to ensure integrity and control of such material.

The following excerpt appeared under a similarly headed finding in the Council District #4 Report:

The JPOIG *Supplemental Memorandum Draft* was directed to Councilmembers as governing authority of the parish’s public hospitals, West Jefferson Medical Center and East Jefferson, Hospital as well as the Health and Hospital Services District.⁷ The *Supplemental Memorandum Draft* did not contain confidential information, but its confidential nature was explicitly noticed, “*It is not intended to be read, disclosed, reproduced, distributed, disseminated, in whole or in part by anyone other than the council members.*”

Whether the information was appropriately received or erroneously, the recipient is responsible for their individual handling of the material. To ensure the integrity of process, the JPOIG recommends that the Parish Council clearly set forth policy establishing that the authority to disseminate JPOIG reports and memorandums. Further, the Council should consider reviewing, or establishing, policies and procedures regarding the receipt, reproduction or dissemination of material of a sensitive, privileged or confidential nature and/or implement such policies and procedures to ensure integrity and control of such material.

The JPOIG recommends that the Council District #4 consider and establish, policies and procedures regarding the receipt, reproduction or dissemination of material of a sensitive, privileged or confidential nature and/or implement such policies and procedures to ensure integrity and control of such material. A similar recommendation will be made in a related report addressing broader Parish concerns.

3. Use of Private E-Mail For Parish Communications

Electronic communications are common for government and private sector work place environments. The use and misuse of an electronic communication system is a recognized area of risk. Further, there are available best practice policies and procedures regarding the use and control of these systems. The placement of an entity’s e-mails into a private e-mail account(s), and the use of the private e-mail account(s) to conduct business, serves to defeat processes put in place to ensure compliance with applicable laws, such as the public records laws, and the integrity of communications. Conversely, the Parish e-mail, like many private and public enterprises, permits employees to securely access e-mails through the internet. Similarly, e-mails can be received and sent using smart phones and other mobile devices. Regardless of the means of access, there is a record of this correspondence within the Parish e-mail system. This

⁷ The JPOIG provided comments and a recommendation on the processes and actions of the Jefferson Parish Hospital & Health Services District to the Jefferson Parish Council as governing authority for the parish and that of the hospital district(s) by *Confidential* Memorandum which hand delivered to each Councilmember, individually, on September 13, 2013. The JPOIG received a request by the Parish Attorney for an extension of time within which to respond to the memorandum on behalf of the Council. A response to the report was received by Parish Attorney on behalf of the Council. Additional responses to the memorandum were received by individual councilmembers <http://www.jpoig.net/images/pdf/synopsis.pdf>. The confidential, draft *Supplemental Memorandum* was provided to Councilmembers and the Parish Attorney, in her capacity as legal counsel.

access and technology negate the need to rely upon other e-mail accounts, including personal e-mail accounts, to conduct private business.

For this reason, the JPOIG recommends that the adoption of a policy addressing the use of private e-mails to conduct Parish business.

Signature: Nicholas Hartfield
Agent
Agent Hartfield is no longer with the office

Signature: David McClintock
Inspector General

Auto forwarded email
from Council District #4
employee's Jefferson
Parish email account to a
personal yahoo.com
account.



From: [REDACTED]@jeffparish.net
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Date: April 9, 2014 at 7:41 AM
To: [REDACTED]@yahoo.com

From: DFoshee

Sent: Wednesday, April 09, 2014 7:41:49 AM (UTC-06:00) Central Time (US & Canada)

To: [REDACTED]
[REDACTED]

Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McCJintock"¹¹

<dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>

Cc: 'DFoshee'

<DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>

Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
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Jefferson Parish
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Jefferson, LA 70123
Office: 504-736-8962
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<Draft Memo Hospital Lease 04082014.pdf>

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Email sent from Council District #4 employee's personal yahoo.com account to the media.



From: [REDACTED]@yahoo.com
Subject: Fwd:JPOIGHospitalLeaseSupplementalMemorandum
Date: April 9, 2014 at 3:22 PM
To: BenjaminMyers Benamin Myers@nola.com

No attachment

[REDACTED]

Sent from my iPad

[REDACTED]

[REDACTED]

[REDACTED]

Begin forwarded message:

From: [REDACTED]@jeffparish.net>

Date: April 9, 2014 at 12:42:48 PM CDT

To: [REDACTED]@yahoo.com" [REDACTED]

Subject: FW:JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee

Sent: Wednesday, April 09, 2014 12:42:46 PM (UTC-06:00) Central Time (US & Canada)

To: [REDACTED]

Subject: Fwd:JPOIG Hospital Lease Supplemental Memorandum

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock"¹¹

<dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>

Cc: 'DFoshee'

<DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>

Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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Draft Memo Hospital
Lease 04082014.pdf)

Nola.com article from
04/30/2014 based on
JPOIG Confidential
Draft.





Everything New Orleans

Jefferson Parish IG concerned lack of direction compromises hospital lease negotiation

JP's new IG David McClintock

Jefferson Parish Inspector General David McClintock ([NOLA.com](#) | [The Times-Picayune archive](#))

Ben Myers, NOLA.com | [The Times-Picayune By Ben Myers, NOLA.com](#) | [The Times-Picayune](#)

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on April 09, 2014 at 4:21 PM, updated April 09, 2014 at 7:07 PM

Jefferson Parish Inspector General David McClintock is concerned the Parish Council's continued failure to establish clear procedures for leasing the parish's two public hospitals will compromise negotiations with the companies seeking the leases. In a **confidential draft memorandum** to council members, McClintock said "the absence and reluctance to establish a frame work for the process continues to color and compromise an optimal outcome."

See update

The council on Wednesday granted West Jefferson Medical Center's wish to negotiate a lease with Louisiana Children's Medical Center, but it is letting East Jefferson General Hospital take more time to find a lease partner. Council members have 30 days to respond to McClintock's memo before he finalizes and publishes it.

Read McClintock's complete memo.

East Jefferson's first choice, Hospital Corp. of America, **withdrew from the lease competition** in February, citing uncertainty in the political process. Another finalist, Ochsner Health System, **dropped out Wednesday**, broadly stating that it wasn't a good fit.

As West Jefferson Medical Center prepares to enter negotiations with Children's and East Jefferson searches for a new lease partner, McClintock expressed concern that the Parish Council is not providing direction to either hospital board. "There will be unavoidable conflicts of interest if the council permits the hospitals' management team, attorneys, advisers or board members to direct negotiations without a process in place," he wrote. "The risk of conflict is no less were individual council members permitted to direct or influences negotiations."

Furthermore, "there remains (1) no clear structure and line of authority for future negotiations; and (2) no process which permits a negotiation team to act in such a manner which ensures the integrity of the process," according to the draft.

McClintock also is concerned that Parish Council's lack of involvement in hiring professional services will "result in substantial, uncoordinated and potentially duplicative institution-specific expenditures." That's a presumed reference to East Jefferson and West Jefferson hiring their own advisers.

The inspector general's draft memo says Jefferson has already spent \$1.4 million on two merger-and-acquisition consultants and additional money on an antitrust law firm. East Jefferson is now **finalizing an additional contract** with one of the consultants, Joshua Nemzoff, to solicit and negotiate with additional lease partners.

McClintock recommended that Jefferson engage a single negotiating team to work with each hospital board, and to provide "clear direction" concerning contact with potential lessees and related expenses.

Last year, McClintock **joined the Bureau of Governmental Research** and others in criticizing the Parish Council for **falling to establish objective scoring criteria** for selecting a lessee for the hospitals.

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Response to 2014-0023

Elton M. Lagasse
Council Chairman



ELTON M. LAGASSE
COUNCIL CHAIRMAN
JEFFERSON PARISH

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GRETN, LOUISIANA 70054
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September 25, 2014

David N. McClintock
Office of Inspector General
5401 Jefferson Highway, Suite C
Jefferson, La 70123

Re: Investigation #2014-0023 Handling of Confidential Information/Electronic Information Policy

Dear Mr. McClintock,

I have read your report regarding the above subject and I would like offer my comments to you. I would just like to reiterate my commitment to your office and that neither I nor my Administrative Aides would ever release any "Confidential Information" that you have shared with my office. I will continue to support your office in any way that you deem necessary. I appreciate you and your staff's hard work and due diligence.

Sincerely,


Elton M. Lagasse
Council Chairman at Large, Div. B

EML/adc



Response to 2014-0023

Jacques L. Molaison

Deputy Chief Operating Officer

Office of the Parish President



PARISH OF JEFFERSON

OFFICE OF THE PRESIDENT

JOHN F. YOUNG, JR.
PARISH PRESIDENT

JACQUES L. MOLAISON
DEPUTY CHIEF OPERATING OFFICER

October 28, 2014

VIA ELECTRONIC MAIL

Mr. David McClintock
5401 Jefferson Highway
Suite C
Jefferson, Louisiana 70123
dmcclintock@jpoig.net

RE: Investigation #2014-0023
Handling of Confidential Information – Electronic Information Policy

Dear Mr. McClintock:

The following is in response to the draft report referenced above. The scope of this response is limited to those references pertaining to the Jefferson Parish Administration and its policies, referenced in your report under the topic heading "Other Compliance Issues: Policies and Procedure." Accordingly, and consistent with your findings, it has been the position of the Jefferson Parish Council that administrative management policies apply solely to the administrative officers and employees reporting directly to the Parish President, and employees reporting to the Jefferson Parish Council are not likewise bound to follow those protocols. To this end, and in response to the report recommendations referenced as Item 3, the Parish President has issued an updated Directive, and made further revisions to the Administrative Management Policies, which are acknowledged by Parish President employees pursuant to the Employee Acknowledgment, copies of which are attached hereto for your reference as Exhibits A, B, and C respectively.

I trust that these revisions adequately address your concerns. If you have any questions, or if I may respond to additional concerns, please do not hesitate to contact me.

Best regards,


Jacques L. Molaison
Deputy Chief Operating Officer

JLM/

Attachments: (3)

Cc: Honorable John F. Young, Jr.
Jennifer Van Vrancken Dwyer

Honorable Elton Lagasse, Chairman
Honorable Chris Roberts
Honorable Ricky Templet
Honorable Paul Johnston
Honorable Mark Spears
Honorable Ben Zahn
Honorable Cynthia Lee-Sheng



Response to 2014-0023
Office of the Parish President

Copy of Enhanced Administrative Management
Policy #513



PARISH OF JEFFERSON

OFFICE OF THE PRESIDENT

JOHN F. YOUNG, JR.
PARISH PRESIDENT

Date: October 17, 2014
To: All Employees
From: John F. Young, Jr.
Parish President
Subject: Administrative Management Policies Manual – Update No. 2

Attached is Update No. 2 to the Administrative Management Policies manual. Policy 513. Use of Equipment, Vehicles and Information/Communication Resources; Section 2. Use Technologies and Communication Systems; Subsection 2.1 Establishment is the only policy section being changed in Update No. 2. The manual is established for the purpose of comprehensively developing, maintaining and communicating the standards, terms and conditions of employee conduct. It is imperative that all parish employees comply with local, state, and federal laws governing employment.

Every employee must, as a condition of employment, thoroughly familiarize themselves with the Administrative Management Policies and strictly comply with them. It is incumbent upon every department director to be well-versed and compliant with all the policies and to ensure the departmental supervisor applies these policies and protocols fairly and consistently. The policies and protocols set forth in the Jefferson Parish Administrative Management Policies manual, as updated, supersedes any prior policies or directives previously communicated on the particular subject matter or heading. Directors and supervisors shall be responsible for disseminating changes to these policies.

I hope you will view the Jefferson Parish Administrative Management Policies as an opportunity to foster cooperative employer-employee relationships through established, documented and clearly communicated standards of accountability, performance and conduct.

Thank you for your daily contribution to making Jefferson Parish a wonderful place to live, work and raise a family.



Response to 2014-0023
Office of the Parish President

Copy of Employee Receipt of Policy for Update #2
(10/17/2014)

**JEFFERSON PARISH ADMINISTRATIVE MANAGEMENT POLICIES MANUAL
UPDATE NO. 2 (10/17/2014)**

EMPLOYEE RECEIPT

Parish President John F. Young, Jr., as chief administrative officer of parish government, is issuing update no. 2 to the Administrative Management Policies manual. Policy 513. Use of Equipment, Vehicles and Information/Communication Resources; Section 2. Use Technologies and Communication Systems; Subsection 2.1 Establishment is the only policy section being changed in update no. 2. Any previously issued administrative management policies or procedures on the subjects covered in this manual are superseded by the policies and procedures set forth in the Administrative Management Polices manual, as updated.

The Jefferson Parish Administrative Management Policies manual, as updated, may be viewed in its entirety on the Human Resource Management Department home page of the Parish's intranet site found at: <http://jpnet/home>. It may also be viewed on the Human Resource Management Department's home page of the Parish's internet site found at: <http://www.jeffparish.net>.

Employees may view a printed copy of the Jefferson Parish Administrative Management Policies manual, as updated, which shall be maintained within each department. Employees requiring assistance under the Americans with Disability Act Amendments of 2008 (ADAAA) should direct requests to Parish ADA Coordinator at (504) 736-6086.

As a condition of employment with Jefferson Parish, you must thoroughly familiarize yourself with these policies and comply with them in their entirety.

Your signature is necessary to document the fact that you were provided free access to the Administrative Management Policies manual, as updated.

Employee Name (Please print)

Employee Signature

Date

**Completed form is to be retained by each department
in the employee's departmental personnel file
and**

**Copies of all completed forms are to be forwarded to
the Personnel Department for inclusion in the
Personnel Department's employee file.**



Response to 2014-0023
Office of the Parish President

Jefferson Parish Administrative Management Policy

JEFFERSON PARISH

ADMINISTRATIVE MANAGEMENT POLICIES



Preface

The Jefferson Parish Administrative Management Policies manual is established for the purpose of developing, maintaining and communicating policies to parish government employees. It is intended to ensure compliance with local ordinances governing terms of employment and relevant federal and state employment law. It is also intended to provide for the standards, terms and conditions of employment in a clear and comprehensive manner to maximize efficiency and orderly operation of parish government.

The Jefferson Parish Administrative Management Policies manual is adopted by the Parish President as chief administrative officer of parish government. The Parish President reserves the right to withdraw or amend the policies contained in this document to ensure effective and efficient operation of parish government.

This manual is not to be construed as ***a contract of employment, to create any such contractual obligations for the parish, and does not create or abridge any rights otherwise provided by local, state or federal law.*** Nothing in this manual should be construed as a guaranty of any particular term or condition of employment or of any particular position or otherwise confer the expectation of continued employment.

The Jefferson Parish Administrative Management Policies manual may be viewed in its entirety on the Human Resource Management Department home page of the Parish's intranet site found at: <http://jpnet/home>. It may also be viewed on the Human Resource Management Department's home page of the Parish's internet site found at: <http://www.jeffparish.net>. Employees may view a printed copy which shall be maintained within each department. Employees requiring assistance under the Americans with Disability Act Amendments Act of 2008 (ADAAA) should direct requests to Parish ADA Coordinator at (504) 736-6086.

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100 General Provisions

101 Definitions

The following words, terms and phrases shall have the ascribed meanings, unless defined by local ordinance or in the case where their context or use requires otherwise:

“Administrative Assistants” means chief operating officer, deputy chief operating officer and chief administrative assistants who assist Parish President in the supervision and coordination of duties and obligations imposed upon the Parish President by the Charter.¹

“Authoritative source” means written or verbal directive issued by the Parish President, an appointing authority, director of a department, or a supervisor.

“Appointing Authority” means any agency, board, commission, officer, official or other individual duly empowered to make appointments to positions and to take disciplinary action, including but not limited to termination, in Jefferson Parish Government. (Appointing Authority chart is found in Appendix.)

“Candidate,” sometimes referred to as “prospective employee”,

“Chain of command” refers to the formal line of authority e.g. supervision and communication by and between employees and supervisors, supervisors and management positions, but not necessarily in order of ascending hierarchal authority.

“Chief Operating Officer” means the chief and deputy chief operating officer to the Parish President.

“Compliance” refers to the Department of Governmental and Ethics Compliance its director/ ethics and compliance officer.

“Compensatory Time” is paid time off from work granted to an employee for working extra hours.

“Department” means any parish department created by parish ordinance and any offices under its control.

“Director” means an officer who is the head of a department created by parish ordinance and appointed by the Parish President, or in the case of Personnel Director, appointed by Personnel Board.²

“Duty” means the obligation of an employee to carry out an assigned task, service, function or responsibility as a consequence of his position or title, or the conduct thereof, or the duration of time an employee is or is to be engaged in his assigned service to the parish.

“Employee” includes each and every individual employed by the parish who is under the supervision and administration of the Parish President, including but not limited to classified employees, unclassified employees, administrative assistants, directors, and officers, whether the employment be full-time or part-time.

¹ JPCO 2-87

² Jefferson Parish Charter 4.03(c)(1)

“Substance Use Office” refers generally and specifically to the division within the Department of Human Resource which maintains certain confidential and medical employee information.

“Human Resource” refers to the Department of Human Resource Management and its director.

“Lawful order” means any order, directive, policy or instruction given by an authoritative source or given to ensure compliance with federal, state or local law which may be conveyed verbally or in writing.

“Mission” refers to the goal and role of employees as public servants to devote their best effort to do the best job possible the best way possible to meet the needs of the citizens of Jefferson Parish.

“Parish” means Jefferson Parish Government.

“Parish President” means the chief administrative officer of Jefferson Parish.

“Parish Attorney” refers to the Law Department, sometimes identified as the Department of Parish Attorney and assistant parish attorneys or the legal department.

“Policy” refers to uniform, published standards approved by the Parish President and implemented by parish departments which are intended to achieve effective and efficient administration of parish government which is intended to inform and guide an employee with respect to the employee’s role in the mission of parish government; and may take the form of a policy, directive or plan.

“Pre-disciplinary hearing” refers to a meeting between the appointing authority, or designated representative, and a subordinate employee who is alleged to have violated a policy, regulation, rule, performance standard or has otherwise acted or failed to act in a manner to the prejudice of parish employment.

“Suspension” means an action taken for disciplinary reasons which places an employee in a temporary status away from work, without duties, and pay. A suspension, regardless of duration, is a serious matter and considered a severe disciplinary action.

“Staff” refers to an employee, more than one employee, or the role or relationship in which an employee participates or shares with another employee.

“State” means State of Louisiana.

“Supervisor” refers to the principal employee who is assigned to provide direction to an employee with respect to the employee’s performance of ordinary, work-related tasks, duties and responsibilities, or another employee who shares in the provision of said direction to an employee, or one or more employees in an employee’s ascending channel of administration.

“Supervisory staff” refers to one or more supervisors and may include appointing authorities, directors and supervisors.

“Supplemental policies” refers policies which are incorporated herein by reference but which are published separately.

“Workplace” is given the broadest possible meaning and includes by way of example any office, building, facility, or property that is owned, leased or occupied by the parish, or any location at which an employee is acting within the course and scope of employment, effects an operation, function or duty, provides goods or services, or participates with another person in any such activity.

“Work-day” means regular working hours, including lunch periods, clean up time and other breaks.

“Jefferson Parish Code of Ordinance” or “JPCO” refers to the Jefferson Parish Code of Ordinances adopted by the Jefferson Parish Council, maintained by the Jefferson Parish Council Clerk and commonly referred to as the “Municipal Code.”

102 Establishment and Purpose

1. *The Parish President, as chief administrative officer, is empowered to appoint and remove, in accordance with law, all administrative officers and employees of the parish responsible to the Parish President. The Parish President is responsible for the administration and supervision of parish departments, offices, agencies and special districts.*³ (Parish Government Organizational Chart is found in Appendix.)
2. The establishment and periodic amendment of this manual is intended to guide parish government employees in their routine work activities and relationships to ensure effective and efficient parish government. Employees fairly deserve the opportunity to be informed of their duties and responsibilities; to be provided with adequate administrative and supervisory direction; to be informed of their performance levels; and to be treated with dignity and respect at all times.
3. The purpose of this Administrative Management Manual is to establish and maintain a uniform system for developing, maintaining and communicating policies to parish government employees which will ensure compliance with local ordinances governing terms of employment; relevant federal and state employment law; and to provide for the standards, terms and conditions of employment in a clear and comprehensive fashion to maximize the efficiency and orderly operation of parish government.⁴

103 Scope and Effect

1. These policies shall apply to all administrative officers and employees of the parish responsible to the Parish President, whether they be unclassified, employees whose term of

³ “The Parish President shall be the chief administrative officer of the parish and, as such, responsible to the Parish Council for carrying out policies adopted by the Council and for the administration and supervision of all parish departments, offices, agencies, and special districts. The Parish President shall not be responsible for, nor have authority to administer or supervise, the offices of Sheriff, Clerk of District Court, Tax Assessor, or Coroner, except insofar as Section 4.02 and Section 4.03 of this Charter may be applied validly to those offices.” Jefferson Parish Charter, Article 3, The Parish President, Section 3.03(A), Powers and Duties. “The Parish President shall have the power to appoint and remove, subject to the provisions of this Charter, all administrative officers and employees of the parish responsible to him; or may, at his discretion, authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office subject to the provisions of this Charter.” Jefferson Parish Charter, Article 3, The Parish President, Section 3.03(B), Powers and Duties.

⁴ Appointment and dismissal of employees in the service of elected officials, other than the Parish President, are made by the elected officials subject to the provisions governing Personnel Administration. Jefferson Parish Charter, Article 4, Administrative Organization, Section 4.03, Personnel Administration.

employment is at the will of the Parish President, or classified, employees whose term of employment is governed by Personnel Administration and policies of the Personnel Board.⁵

2. These policies shall not be construed so as to restrict the civil rights of employees or interfere with the administration of their private affairs.
3. If any policy or its application to any person or circumstance is found to be in conflict with any parish ordinance governing personnel, then the parish ordinance shall take precedence but such finding shall not be construed to affect any other policy.⁶
4. As may be needed for efficient and effective operations, parish departments may develop, implement and revise specific procedures and departmental rules pertaining to unique operational requirements and their effect upon department employees.
 - 4.1 Departmental rules and procedures must be consistent with the intent of the language and procedures of the policies set forth herein.
 - 4.2 If any conflict arises between the provisions set forth herein and a departmental procedure, these policies shall take precedence.

104 Development and Review of Policies

1. Establishment

The primary responsibility for the development and review of policies contained herein and any related supplemental policies lies with Human Resource Director. Policies should be developed and reviewed in accordance with the below guidelines:
2. Development of policies; procedure
 - 2.1 A need for a new policy or to revise a policy is identified by the Parish President or department director. The need is communicated to the Director of Human Resource.
 - 2.2 The Director of Human Resource assesses the need to determine whether a new policy or revision is warranted. This assessment may include but is not limited to defining the problem or situation to be resolved by the policy; determine whether and to what extent the problem may be answered or resolved by existing policies; and assign staff to evaluate the frequency and/or prevalence of the problem.
 - 2.3 If the Director of Human Resource concludes there is a need for a new policy or policy revision, then the Director of Human Resource collects and reviews data from departments, other jurisdictions and literature review of best practices. At the conclusion of this process, the Director of Human Resource drafts a policy or policy revision for review and consideration by the Legal Department and Compliance.
 - 2.4 Once reviewed by Legal Department and Compliance, the draft, with comments and revisions, shall be presented to the Parish President for consideration and approval.
 - 2.5 All new administrative management policies or policy revisions are subject to approval by the Parish President.
 - 2.6 New or revised policies approved by the Parish President shall be added to the Administrative Management Manual or otherwise maintained as a supplemental policy by Human Resource who shall, at that same time, notify all chief administrative assistants and department directors of the new policy or policy revision.
3. Review of policies

⁵ Jeff Parish Charter, Article 4.03, Personnel Administration.

⁶ Jefferson Parish Executive Pay Plan, JPCO 13709, as amended; Jefferson Parish Personnel rules of the Classified Service, JPCO 20739; Pay Plan for the Classified Service, JPCO 4074, as amended; JPCO Chapter 23, Personnel.

This Administrative Management Manual shall be reviewed every two years by the Department of Human Resource in collaboration with the Director of Compliance to ensure continuing currency and relevance in providing guidance to parish government employees.⁷

4. Revisions of policies

The most current edition of the Administrative Management Policies Manual supersedes all prior editions, manuals, policies or documents, as well as, any prior formal or informal procedure, advisory, guidance, or practice that may conflict with the Administrative Management Policies Manual.

105 Application and Interpretation of Policies

1. Application of policies

The policies contained herein shall be interpreted, applied and enforced by supervisory employees. Rewarding employment relationships result from the open, fair and consistent interaction between employees and those that supervise or manage operations of government.

2. Interpretation of policies; generally

Generally, words, terms and phrases contained herein shall be read within their context and shall be construed according to the common and approved usage of the language. Words used in the singular number include the plural and the plural includes the singular. Words used in one gender apply also to the other genders, except as otherwise clearly indicated by the context. The word "shall" is mandatory and the word "may" is permissive.

3. Interpretation of policies; specific instances

Specific questions regarding the interpretation of the policies contained herein shall be made by department directors to the Director of Human Resource. The Director of Human Resource may delegate or assign one or more assistants the responsibility of resolving questions arising from interpretation of policies.

106 Implementation and Compliance with Policies

1. Human Resource is responsible for the dissemination of the Administrative Management Manual and any related, supplemental policies (e.g. safety policy manual, substance policy manual, etc.) to new employees and for the initial dissemination of new policies or policy revisions to directors to be disseminated.

2. Directors are responsible for ensuring that all employees have access to this Administrative Management Manual and any related supplemental policies.

3. Directors are responsible for implementing policies which responsibility extends to the education and training of employees on new policies and policy revisions.

4. It is the joint responsibility of directors and chief administrative assistants to ensure policies are interpreted, applied and enforced in a fair and consistent manner.

5. All employees shall have access to this Administrative Management Manual and related supplemental policies relative to their employment.

6. Employees covered or affected by these policies, and any related supplemental policies, are deemed to have knowledge of and are responsible for compliance with these policies.

⁷See JPCO 2-155.

200 Employment Practices

201 Recruitment/Selection

1. Interview Procedures

1.1 Establishment

All candidates for employment certified by Personnel Department as qualified for appointment to any vacant position shall be interviewed by the appointing authority or designated representative.⁸ No appointing authority may make an offer of employment to any new applicant until such time as the appointing authority has ascertained whether the candidate was previously employed within parish government.

1.2 Purpose

- To ensure that all qualified candidates are considered for employment.
- To ensure that departments make well-informed employment selection decisions by verifying candidate's work history and references prior to any offer of employment.
- To ensure that all appointing authorities check selected candidates' previous employment records with Jefferson Parish prior to making an offer of employment or appointment.
- To ensure that Jefferson Parish selects and appoints qualified candidates to open positions in a non-discriminatory manner.

1.3 Scope

This process applies to all departments, offices and agencies under the administration of the Parish President, whether the position is classified or un-classified.

1.4 Procedure

- 1.4.1 Each appointing authority shall establish written, standard procedures and practices for the selection and appointment of qualified candidates for employment within a department.
- 1.4.2 These practices shall comply with all personnel rules, fair employment practices, include interviews and, where appropriate, written communications to selected and non-selected candidates.
- 1.4.3 The appointing authority may contact Human Resource for assistance with the interview process, reference checks, notification letters, or related issues.
- 1.4.4 All candidates must be asked if they have previously worked for Jefferson Parish.
- 1.4.5 Prior to making an offer of employment, the department employee who performs payroll functions shall run a check through the Parish Payroll System to determine whether the candidate has a prior employment history with Jefferson Parish. The check can be accomplished by (1) selecting "Work with Employees" on the Payroll System Main Menu; (2) Pressing F9 to re-sequence; (3) enter employee last name(s). The candidate's name should appear in the list of employees on the screen if the candidate has a prior employment history with Jefferson Parish,
- 1.4.6 If the candidate was previously employed within the parish, the hiring department shall contact Human Resource for information regarding available employment history with Jefferson Parish.
- 1.4.7 Human Resource will provide the hiring department with available information regarding the candidate's previous employment with Jefferson Parish.

⁸ NOTE: It is recommended that certified candidates be interviewed by more than one person and that interviewers reflect and/or represent the diversity of the population of candidates.

- 1.4.8 The employment selection process may only continue after the hiring department has reviewed all candidates' previous employment information.
 - 1.4.9 Each appointing authority shall make the final employment selection in accordance with these procedures. If the selected candidates are not interviewed by the appointing authority, the appointing authority shall review the recommendation(s) of the Department staff person(s) conducting the interview prior to an offer of employment being made, and attempt to meet with the newly recommended candidate before the candidate begins work or during the probationary period.
 - 1.4.10 Any deviation from this procedure may take place only after the appointing authority has informed the appropriate chief administrative assistant of reasons or circumstances which prevent compliance and has received written approval to proceed with hiring.
2. Appointment to Position/Notification of Selection
 - 2.1 The appointing authority shall notify all candidates of their selection or non-selection for employment.
 - 2.2 Candidates selected for employment
Candidates selected for employment shall be given an offer of employment contingent upon satisfying pre-employment conditions.
 - 2.3 Candidates not Selected for employment
The appointing authority shall also notify all other candidates in writing that they were not selected for the position, "I would like to thank you for your recent interest in working for Jefferson Parish Government. The Department of _____ has reached a decision to hire another qualified candidate. I would encourage you to visit our Personnel Department website at www.jeffparish.net in order for you to continue your pursuit of employment opportunities with Jefferson Parish. I wish you the best of luck in your career endeavors. Respectfully...."
 3. Background Checks
 - 3.1 Establishment and purpose
The parish may conduct background checks of applicants during the normal employment process. There must be a nexus between the assigned duties and the scope of the background investigation. While conducting a background investigation, the parish may make a preliminary offer to the selected applicant. However, any offer shall be conditional on the results of the background investigation.
 - 3.2 Background investigations for prospective, classified employees must be conducted through Personnel. Background investigations for prospective, unclassified employees must be approved by the Director of Human Resource. Subsequent background investigations may be conducted in the same manner if significant changes are made to the job description or duties.
 - 3.3 When a background investigation is or may be required, the job advertisement shall include a notice that a background investigation may be required before hire or assignment to the position.
 - 3.4 Depending upon the scope of the background investigation, the applicant/employee may be required to sign a release.
 - 3.5 The content of the background investigation shall be maintained confidential unless disclosure is otherwise required by state or federal law.

202 Employment Requirements

1. Medical Examinations/Drug Screening
 - 1.1 Establishment

- All prospective employees of Jefferson Parish government must undergo a pre-placement physical examination conducted by Parish-authorized physician(s) prior to employment with the Parish.
- All such candidates for employment must also undergo a drug screening as outlined in the Jefferson Parish Substance Use Policy, prior to being hired by the Parish.
- All original "Pre-Placement Physical Examination" forms shall be forwarded to the parish authorized physician. No departments shall maintain a copy of any "Pre-Placement Physical Examination" form.

1.2 Purpose

The purpose of the physical is to ensure that all persons hired for work are physically able to perform the duties for the position; qualify, where necessary, employees for the State Second Injury Fund; and ensure that directors, supervisors and other pertinent personnel are informed regarding any restrictions on the work or duties of the employee and any necessary accommodations.

1.3 Scope

This requirement applies to all departments, offices and agencies under the administration of the Parish President, whether the position is classified or unclassified, and/or all those whose employees are covered by Jefferson Parish insurance carriers.

1.4 Procedure for Unclassified Employees

1.4.1 The physical examination will be based on the actual physical requirements and duties of the position for which he/she is being considered.

1.4.2 Once an unclassified position becomes available, an HR20 form must be completed and submitted through normal routing channels. As much information as possible should be provided in the "Part A" of the "Pre-Placement Physical Examination" as this is the information upon which the physician will rely in developing or "tailoring" the pre-placement physical to the position.

1.4.3 The normal procedure for interviewing of prospective employees for the position will then be followed.

1.4.4 Once a tentative hiring decision is made, the prospective employee must be informed that employment is contingent upon the prospective employee passing a pre-placement physical examination and drug screening.

1.4.5 If the candidate successfully completes the entire pre-placement physical, the Human Resource Management -- Substance Use Office will notify the department and a tentative employment date can then be assigned.

1.4.6 All medical records pertaining to the pre-placement physical will be kept in separate, confidential files maintained by the Human Resource Manager -- Substance Use Office.

1.4.7 Any appointing authority who has questions or requires assistance with the pre-placement physical exam process shall contact the appropriate Human Resource Manager. All necessary forms and pertinent phone numbers and addresses are available through Human Resource.

1.5 Procedure for Classified Employees

1.5.1 The physical examination will be based on the actual physical requirements and duties of the position for which he/she is being considered.

1.5.2 Once a classified position becomes available, the department must complete and submit a Requisition form in NeoGov. As much information as possible should be provided in the "Job Description" portion of the Requisition form, as this is the information which the physician will rely upon in developing or "tailoring" the pre-placement physical to the position.

1.5.3 The normal procedure for the certification and interviewing of prospective employees for the position will then be followed.

- 1.5.4 Once a tentative hiring decision is made, the prospective employee must be informed that employment is contingent upon the prospective employee passing a pre-placement physical examination and drug screening.
 - 1.5.5 If the candidate successfully completes the entire pre-placement physical, the Human Resource Manager – Substance Use Office will notify the department and a tentative employment date can then be assigned.
 - 1.5.6 All medical records pertaining to the pre-placement physical will be kept in separate, confidential files maintained by Human Resource Manager – Substance Use Office.
 - 1.5.7 Any appointing authority who has questions or requires assistance with the pre-placement physical exam process shall contact the appropriate Human Resource Manager. All necessary forms and pertinent phone numbers and addresses are available through Human Resource.
2. Department of Transportation (DOT) Safety sensitive positions
 - 2.1 Requests for DOT Drug and Alcohol Testing Information from Previous Employer. All persons employed in DOT safety sensitive positions, shall provide written consent by signing a Release of Information form. (Release of Information Form is found in Appendix.) Written consent shall be obtained as a condition of employment with Parish for any DOT safety sensitive position. The hiring Department is required to submit a request for DOT Drug and Alcohol Testing Information to any previous DOT regulated employer for whom this employee has worked within the three year period prior to their anticipated date of appointment.
 - 2.2 As the employer, the Parish through the hiring Department, must obtain and review this information before the employee first performs safety sensitive functions. If this is not feasible, the Parish, through the hiring Department, must obtain and review the information as soon as possible. However, the Parish must not permit the employee to perform safety sensitive functions after 30 days from the date the employee first performed safety sensitive functions, unless the Parish has obtained or made, and documented, a good faith effort to obtain this information. It is the hiring Department's responsibility to track the qualifications of their employees.⁹
 - 2.3 The Release of Information Form shall be retained by the Department in the employee's personnel file. A copy of the form may be provided to the employee upon request and a copy shall be forwarded to Human Resource Manager – Substance Use Office for review.
 - 2.4 Information obtained from "Request for DOT Drug and Alcohol Testing Information from Previous Employer" will be kept in separate, confidential files maintained by Human Resource Manager – Substance Use Office.
 3. "E-Verify"/I-9 Form

Within first three (3) days of starting work, the employees is required to complete the employment verification I-9 process through Human Resource.¹⁰

Driver's License Requirements

 - 3.1 Positions which may require operation of a motor vehicle may only be occupied by individuals who are at least eighteen (18) years of age, possess a valid Louisiana driver's license (to include any required endorsements), and possess an acceptable driving record:
 - A determination of "acceptable" driving record is made based upon reasonable assessment of job duties;
 - A determination that an individual in the classified service does not possess an "acceptable" driving record may only be made by Personnel;

⁹ DOT, United States Department of Transportation. 49 C.F.R. Part 40.

¹⁰ JP Resolution 118097; Title IV, Subtitle A, of the Illegal Immigration Reform & Immigrant Responsibility Act of 1996, Pub.L. 104-208, 110 Stat. 3009, as amended (8 U.S.C. §1324a note).

- A determination that an individual in the unclassified service does not possess an “acceptable” driving record is made by the appointing authority;
 - An individual’s insurability by a private insurance carrier and/or proof of insurance may be considered.
- 3.2 If an employee occupies a position which may require operation of a motor vehicle, the employee shall notify the employee’s supervisor should the driver’s license be suspended, revoked, cancelled, or if the employee becomes disqualified from operating a motor vehicle. It is the responsibility of the supervisor to notify the director who shall thereafter notify Human Resource in writing of the employee’s change in circumstance.
 - 3.3 An employee shall not operate any vehicle in the course and scope of employment with the parish unless the employee possesses a valid Louisiana driver’s license and any required endorsements.
 - 3.4 Suspension, revocation or disqualification of driving privileges may be cause for disciplinary action or termination.
 - 3.5 Employees required to maintain a valid Commercial Driver’s License
Employees shall maintain a valid Commercial Driver’s License when such license is required.
 4. Professional License Requirement
 - 4.1 Positions which require a professional license or certification shall only be occupied by individuals who maintain licensure and/or certification and who remain in good standing with the licensing body.
 - 4.2 Suspension, revocation or disqualification of professional license shall be cause for disciplinary action and/or termination.
 5. Employee Orientation
Within the first 30 days of employment, the employee shall participate in “New Employee Orientation” program as defined and set forth in Section 206.

203 Nepotism and Fraternization

1. Nepotism and Fraternization
 - 1.1 Establishment and purpose
This policy is established in furtherance of local and state law relating to nepotism.¹¹
The purpose of this policy is to address the reality or appearance of improper influence, favor or conflict of interest and issues relating to supervision, safety, confidentiality and security which may arise when immediate family members, members of the same household, or persons having an intimate relationship are employees of Jefferson Parish.
 - 1.2 A member of an employee’s immediate family or the employee’s household or a person with whom a parish employee has an intimate relationship may be considered for employment, may be employed, and/or may be considered for a promotion or position within the parish provided the individual possesses all the skills and qualifications for the position of employment.
 - 1.3 Employment within parish government by immediate family members, members of the same household, or persons having an intimate relationship:
 - No member of a department head’s immediate family may be employed to work within the same department;
 - No member of a department head’s household may be employed to work within the same department;

¹¹La.R.S. 42:1119, Nepotism.

•Notwithstanding the above, an employee may continue with employment when a member of the employee's immediate family, household or person with whom the employee is having an intimate relationship is appointed as a department head providing the employee has been employed within the department for a period of one year prior to the appointment.

•No supervisor may supervise a member of their immediate family, a member of the household, or an individual with whom the supervisor is having an intimate relationship.¹²

2. Definitions

2.1 "Immediate family member" includes an employee's spouse, child (step-children), child's spouse, sibling, sibling's spouse, parents (step-parents), grandparents, spouse's parents and other blood relatives living or relatives by marriage living in the same household;¹³

2.2 "Member of household" includes any individual residing in the same home as the employee;

2.3 "Intimate relationship" includes relationship where persons are considered dating on a repeated basis, are engaged, cohabitate or consider themselves domestic partners.

3. Changes in Circumstance

Employees who marry or become immediate family members, household members or enter into an intimate relationship during the term of their parish government employment may continue to serve as long as:

•One employee does not and could not have authority to supervise, appoint, remove or discipline the other;

•One employee is not and could not be responsible for auditing the work of the other;

•Circumstances do not otherwise exist which would create a conflict of interest for either employee.

204 Separation from Employment

1. Resignation

1.1 An employee desiring to leave parish employment shall normally submit a written resignation to the employee's director or designee at least fourteen calendar days prior to the effective date of the employee's resignation.

1.2 Upon receipt of a notice of resignation, the department director shall forward a written notice to the employee acknowledging the notice of intent to resign and any terms or conditions that need to be satisfied prior to the employee's last day of employment. It is the prerogative of the appointing authority to accept a notice of resignation effective immediately without a two week waiting period.

1.3 Human Resource, in the case of unclassified, executive staff, or department director, as the case may be, is responsible for timely completing an HR21 form documenting the date of resignation.

2. Retirement

2.1 Upon receipt of a notice from an employee of the employee's intent to retire, the department director, in conjunction with Human Resource, shall forward written acknowledgment to the employee indicating Jefferson Parish's acknowledgment of the notice of intent to retire and any terms or conditions that need to be satisfied prior to the employee's last day of employment.

¹² See La.R.s. 42:1119; JPCO 23-116.

¹³See La.R.S. 42:1102 and JPCO 4074, as amended, Personnel Rules, Definitions.

- 2.2 Human Resource, in the case of unclassified, executive staff, or the department director, as the case may be, is responsible for timely completing an HR21 form documenting the date of retirement.
3. Exit Interview
 - 3.1 Establishment

It is the responsibility of each appointing authority or designee to schedule an exit interview with each employee who separates from parish employment.
 - 3.2 Purpose

The interview shall be conducted for the purposes of (a) learning the circumstances and/or reason for which the employee leaves parish employment except in circumstances involving disciplinary termination; (b) documenting via departing employee's own words the reason the employee is leaving parish employment when separation is voluntary; (c) identifying conflicts, disputes or problems which may require corrective action; (d) to document positive or negative feedback relative to the employment experience; (e) to provide for Parish employee security by providing terminated employee with opportunity to voice complaint, and/or identify any employee who may verbalize or otherwise indicate a threat of violence; (f) answer any questions the employee may have regarding final pay, benefits and/or insurance; (g) inform employee on employment restrictions post government service.
 - 3.3 Procedure
 - 3.3.1 The appointing authority or designee shall conduct the exit interview utilizing the form prescribed by Human Resource. (Exit Interview Form is found in Appendix.) The form shall be retained by the department in the employee's personnel file. A copy of the form may be provided to the employee upon request and shall be forwarded to Human Resource and Personnel Department for review.
 - 3.3.2 The exit interview shall be conducted in connection with signing any necessary payroll documents, DP-11's, retirement documents, and retrieval of all property in the employee's possession including but not limited to Parish identification, keys, parking card, tools, radios, computers, boots, gloves, raincoats, uniforms, beepers, and any other Parish items assigned to the employee.
 - 3.3.3 At the conclusion of the exit interview, the employee shall receive and acknowledge in writing the receipt of a "Post Employment" information sheet published by the Louisiana Board of Ethics. (Post Employment Information Sheet is found in Appendix.)
4. Termination

A classified employee is subject to involuntary disciplinary termination from employment as provided by the Personnel Rules. An unclassified employee's term of employment is at the will of the appointing authority.

205 Employee Files

1. Personnel File
 - 1.1 An official personnel file shall be maintained for each parish employee. Personnel files are the property of Jefferson Parish and shall be retained in accordance with local, state and federal law. The file's contents include, but are not limited to, application for employment, resume, legal name, mailing address, telephone number, date of birth, social security number, date of hire, job title, assigned work unit, assigned salary, job classification, payroll/personnel actions, commendations, performance appraisals, discipline documentation and actions, training and safety records, termination information, and exit interviews.

- 1.2 Payroll and attendance records shall be maintained on all classified employees in accordance with the Personnel Rules.¹⁴
- 1.3 All employees have an affirmative obligation to keep the parish informed of their current address, telephone numbers and name. All employees have an affirmative obligation to report any changes in address, telephone number, and name to the employee's director or Human Resource in the case of unclassified, executive employees. The department director or Human Resource, as the case may be, is responsible for timely completing a DP11 or HR21 form documenting changes in address, telephone or name (e.g. marital status).
- 1.4 All employees have an affirmative obligation to immediately report any changes in marital status or dependents to Human Resource.
- 1.5 An employee's personnel file is confidential. Only the employee, the employee's supervisors, Human Resource staff, Personnel and Legal Department shall have access to personnel files. Personnel file materials will be disclosed to the extent required by law.
2. Appointing Authority/Departmental Personnel Files
 - 2.1 Appointing Authority and/or Directors, as the case may be, shall maintain personnel records in accordance with Personnel Rules, Records.
 - 2.2 Appointing Authority and/or Directors having questions or needing assistance with the implementation of this policy may contact Human Resource.
 - 2.3 Departmental personnel files are considered confidential and shall be maintained in a locked, secured file cabinet and shall be accessible only by authorized staff.
 - 2.4 An employee may request to review the employee's own personnel file by appointment with an authorized staff person.
 - 2.5 Departmental files shall be considered a part of the employee's official personnel record.
3. Confidential Medical File
 - 3.1 Employee medical records include but are not limited to any information obtained from medical examinations, medical leave, and pre-placement physicals.
 - 3.2 Employee medical records are strictly confidential and shall be maintained in a separate, designated file. This file shall not include any records of pre-placement physicals which are separately maintained.
 - 3.3 Records of pre-placement physical examinations, inquiries, and substance use testing shall be maintained in the Human Resource Department Substance Use Office. Information obtained from records may be made available only under limited conditions outlined below.
 - 3.4 Information regarding an employee's medical condition or history shall be collected and maintained on separate forms and in separate medical files and shall be treated as confidential except that:
 - 3.4.1 Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employees and necessary accommodations;
 - 3.4.2 First Aid and Safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
 - 3.4.3 Governmental officials investigating compliance with the American with Disabilities Act (ADA), as amended, shall be provided relevant information upon request.
 - 3.5 Information obtained from "Request for DOT Drug and Alcohol Testing Information from Previous employer" will be maintained in the Human Resource Department-Substance Use Office, available only, under limited conditions outlined above.
4. Access

¹⁴ Rule XI, Records.

- 4.1 Necessary steps must be taken to ensure that all employee personnel records do not contain medical information. Each employee must have a separate medical file which must be maintained in a locked, secured file cabinet separate and apart from personnel records.
- 4.2 Employees are entitled to review their own official personnel or confidential medical file. Employee records may not be reproduced, removed, or altered without the consent of Parish Attorney.
- 4.3 If an employee disagrees with the accuracy or content of the information contained in the employee's personnel file, the employee may file a statement explaining the employee's position regarding the disputed information and request the statement be included in the employee's file.
5. Public Disclosure
 - 5.1 To protect the privacy of employees, no information (except for routine employment verifications as defined below under Employment Verification) from employee's personnel file shall be released to the public without written request for specific information.
 - 5.2 Information in personnel files will not be disclosed if doing so would violate an employee's right to privacy as defined by law, unless disclosure is required by law.
 - 5.3 The decision to release or not release information shall be made by Legal Department in consultation with Human Resource as appropriate.
 - 5.4 If information is released, the affected employee shall be notified and notification shall be documented.
6. Parish Employment Verification
 - 6.1 Department of Accounting – Payroll is authorized to provide employment verification on current and former employees. Department of Accounting – Payroll will verify employment of current or former employees upon request from a prospective employer or financial organization such as a bank, mortgage company or credit bureau.
 - 6.2 Only the employee's name, dates of employment, job title, classification, pay rate and/or pay range will be released.
7. Records collection and retention
 - 7.1 Upon the separation of an employee for any reason, all departmental files shall be retained within the department.
 - 7.2 Personnel records shall be retained in accordance with state law. Actual retention practices may be modified by lawsuit, statute, complaint, or to further the orderly administration of parish government.

206 Employee Development

1. Establishment

Employee development is essential to furthering the mission of parish government to provide service, leadership, and vision for the improvement of the quality of life in Jefferson Parish. It is the policy of Jefferson Parish, through Human Resource, to provide for employee development program(s). Human Resource shall be responsible for approving, planning, developing, scheduling, and coordinating all employee development programs. Development is to be achieved in a professional, cost-effective, non-discriminatory manner designed to serve and advance the parish's mission.
2. Purpose of employee development programs:
 - 2.1 To retain experienced employees by providing a workplace which supports and promotes employee development through training, educational and enrichment opportunities;
 - 2.2 To ensure that employee development is offered and conducted in a fair, professional and non-discriminatory manner;

- 2.3 To ensure that established standards of conduct are met and maintained through mandatory training programs;
- 2.4 To ensure integrity of development programs without redundancy, duplication or inefficient use of resources;
- 2.5 To meet specialized training and development needs of departments and staff.
- 3. Scope
 - This policy shall not apply to job-related conferences, on-the-job training experience, enrolling in college courses or other continuing education courses, mandatory continuing education to meet certification or licensing.
- 4. Directed or approved training and development
 - 4.1 Human Resource shall be responsible for developing a procedure for approving, planning, developing, scheduling and coordinating training for parish employees;
 - 4.2 Training programs may be conducted live or on-line;
 - 4.3 Participation in employee training and development activities shall be as directed or approved by the employee's director or designee;
 - 4.4 Each employee has an affirmative obligation to request prior approval for non-directed training and development activities.
- 5. Mandatory Development Programs
 - 5.1 Documentation of Participation
 - Human Resource will develop a procedure to document and maintain documentation of employee attendance and participation in all mandatory development programs as may be appropriate.
 - 5.2 New Employee Orientation
 - Human Resource will conduct an orientation for all new employees on matters relating to: the values of Jefferson Parish government employees; the employee's responsibilities under local and state ethics laws; the employee's role in contributing to effective parish government; performance and evaluation standards; promotional opportunities; employee benefits; job safety; and any other matters pertinent to orienting the employee with parish government employment.¹⁵
 - 5.3 Department Orientation Program
 - 5.3.1 Each department is responsible for conducting an up-to-date formal Departmental Orientation Program for all newly-hired employees beginning within the first week of employment. This orientation shall be in addition to New Employee Orientation.
 - 5.3.2 Procedures for developing and conducting departmental orientation programs are explained and detailed in on-line tutorial "Departmental Orientation Programs" prepared by Human Resource and accessible via intranet.
 - 5.3.3 The objective of the departmental orientation program is to (a) genuinely welcome all new employees and ensure that their introduction to parish employment is positive and informative; (b) to prepare and motivate all new employees to take pride in their employment, to take ownership of their responsibilities, and to provide excellence in public service; (c) to educate all new employees about their department's mission, goals, purpose, responsibilities, operations, and inter-departmental functional relationships to enhance their understanding of the department where they work and their role within their department; (d) to promote a positive picture of the department; (e) to provide important information/resources to help the new employee begin the job and become successful in his/her position; (f) to help new employees feel at ease; (g) to develop in new employees a sense of commitment to Jefferson Parish.
 - 5.4 Executive Leadership

¹⁵ See Section 202 Employment Requirements.

Individual appointed or promoted to a position of Administrative Assistant, Director or Parish Attorney must attend executive leadership training. The training shall provide instruction and education on (a) leadership at every level, including time management; (b) discipline and documentation; (c) substance use policy(ies); (d) harassment and discrimination; (e) classified performance review; and (f) basic finance and purchasing procedures.

5.5 Basic Supervision

All employees promoted or hired for a supervisory position must complete basic supervision training. Basic supervision shall provide instruction and education on (a) role of supervisor; (b) fair employment practices; (c) communication/motivation of employees; (d) discipline/documentation; (e) customer service; (f) drug awareness/substance use Policy; (g) employee attendance/absenteeism; (h) workplace safety; (i) performance evaluation; (j) workplace harassment and discrimination.

5.6 Annual Ethics training

All employees shall receive one hour of approved training on the Louisiana Code of Governmental Ethics.¹⁶

5.7 Annual Sexual Harassment Training

All employees shall receive one hour of sexual harassment education and training each year.¹⁷

5.8 Annual training on selected employment law and policies

Human Resource shall provide annual training on one of the following subjects, and all employees in supervisory positions shall receive annual training on the offered subject (a) Substance Use; (b) Techniques of Documentation; (c) American with Disabilities Act (ADA), as amended/Family Medical Leave Act (FMLA); (d) Equal Employment Opportunity (EEO)

5.9 Biennial training workplace harassment

Human Resource shall offer training on workplace harassment on a regular basis. All employees in supervisory positions shall receive training on workplace harassment at least once every two years.

5.10 Specialized training

Specialized training shall be coordinated through Human Resources. The responsibility for assessing and identifying a need for specialized training rests with directors. When a need has been identified, the director shall make written request to Human Resource for specialized training. Human Resource assesses the need and means by which the training may be conducted using the following information which shall be set forth in the written request:

- Purpose for training: Description of departmental responsibilities and objectives met by training;
- Participants: A list of employees who will participate in the training;
- Content: Description of the content and nature of training to be received;
- Cost: Expected or associated cost of training, including but not limited to purchase of materials, fees, and expenses;
- Location: Known or proposed location where specialized training will take place;
- Method of delivery: A description of how the training can be conducted, whether live or via internet, and availability of alternatives.
- Additional information: Any additional information which the director feels is critical to assessing the need and means by which training can be accomplished.

¹⁶ La.R.S. 42:1170.

¹⁷ La Senate Concurrent Resolution No. 107, SLS 12RS-390.

- 5.11 Elective training
 Optional training for employees may be made available through Human Resource as needed or requested. Elective training will be offered and participation will be subject to the following:
- Human Resource will announce and/or publish elective, training opportunities on a parish-wide basis through memos to directors, e-mail transmissions, notices on department bulletin boards, and on the Jefferson Parish web-site, H.R. Training.
 - Participation is subject to director approval.
 - All employees wishing to participate must complete and submit a class registration form which has been approved by the employee's director to Human Resource.
 - Human Resource will confirm with the employee and director whether the employee is enrolled for the training course via e-mail transmission.
 - Once enrollment has been confirmed, the employee is responsible for attending and participating in scheduled training.
 - Certificates of completion will be sent to each employee, the department, and personnel.
 - Each department shall account for employees' participation in training and shall maintain a record of participation.
6. Compensation for Participation and approved training
- 6.1 Human Resource directed or approved training: Human Resource shall provide training within the normal work day. No additional compensation or economic benefit will be given for participation in training conducted by or coordinated through Human Resource.
- 6.2 Other training (not directed or approved by Human Resource): Other training which is not directed or approved by Human Resource usually shall not be conducted on parish work time, but the employee may utilize annual leave time if approved by supervisor. Classified employees may comply with Rule IX, Section 4, Subsection 4.2 of the Personnel Rules of the Classified Service.¹⁸

207 Transitional Work Assignments

1. Job related injury or illness
 Employees who experience on-the-job injury or illness which results in their temporary inability to return to full range of duties in the employee's regular classification should accept transitional work assignments.¹⁹
2. Unrelated injury or illness
 Employees who experience an off-the-job injury or illness which results in the inability to return to the full range of duties in the employee's regular classification may *not* be considered for transitional work assignments.
3. Transitional work assignments
 - 3.1 Transitional work assignments will consist of work which is within the restrictions outlined by the employee's health care provider. Such assignments may include, but are not necessarily limited to:

¹⁸ Rule IX, Section 4, Subsection 4.2 states that when an employee is authorized or assigned to attend a convention, conference, or training program directly related to his own position or to the functions and operations of his department he shall be considered to be on duty and no leave shall be reported for or charged against the employee.

¹⁹ See also Jefferson Parish Personnel Rules of the Classified Service, Rule IX, Section 15.

- 3.1.1 Part-time or full-time, with a temporary waiver of certain regular duties (reasonable accommodation) in an employee's regular position classification; or
- 3.1.2 Part-time or full-time in another capacity.
- 3.2 Implementation of transitional work assignments shall be governed by Personnel rules of the Classified Service.²⁰ Employees assigned to transitional work assignments will receive regular hourly rate of pay for regular job classification for the number of hours worked in the transitional work assignment approved by appointing authority. Transitional work assignment may not exceed 90 days absent approval by Personnel Board.²¹
- 3.3 A transitional work assignment may be terminated by the appointing authority and/or director, as may be appropriate.
- 3.4 Refusal to accept transitional work assignments may result in loss of worker's compensation and or affected benefits.²²

300 Equal Employment Opportunity – Non Discrimination

301 Equal Employment Opportunity

- 1. Establishment and purpose
 - 1.1 Jefferson Parish Government is an equal employment opportunity employer. Jefferson Parish is committed to hiring, training and promoting into all job levels qualified individuals without regard to race, color, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, genetic information or veteran status.
 - 1.2 The purpose of this policy is to ensure equal opportunity for employment within the parish, to make clear employees have the right to work free from discriminatory conduct, to define responsibilities for reporting violations of this policy and to establish reporting procedures.
- 2. Scope and effect
 - 2.1 Jefferson Parish will not disadvantage employees or discriminate in compensation or other conditions of employment in violation of this policy and it will administer all personnel matters in accordance herewith.
 - 2.2 Physical capacity requirements relating to minimum standards for employment may be a reasonable selection factor. However, such standards must be reasonably necessary for the specific work to be performed and uniformly applied to all applicants for the particular job category, regardless of age or gender.
 - 2.3 This policy is not intended to prohibit consideration of physical capacity requirements relating to minimum standards for employment. Age, gender or physical requirements may be considered if they constitute a bona fide occupational qualification (BFOQ) necessary for performance of the essential duties of the job.
 - 2.4 Unlawful discrimination and/or discriminatory conduct are strictly prohibited in the workplace or in any work-related setting whether it be directed at an employee,

²⁰ Jefferson Parish Personnel rules of the Classified Service, Rule IX, Section 15.

²¹ Jefferson Parish Personnel rules of the Classified Service, Rule IX, Section 15.

²² See Jefferson Parish Personnel Rules of the Classified Service, Rule IX, Section 15.

Transitional work assignments for unclassified is at the discretion of the appointing authority.

- supervisor, or manager and whether it occurs among or between fellow employees, or employee(s) and management.
- 2.5 Equal employment opportunity as to age applies to persons who are age 18 or older. Federal and state law forbids employment discrimination on the basis of age. It is unlawful to fail or refuse to hire or to terminate an individual or otherwise discriminate against any individual with respect to compensation, terms, conditions or privileges of employment because of the individual's age.
 - 2.6 Equal employment opportunity for persons with disabling conditions includes making a reasonable accommodation to known disabilities of a qualified disabled applicant or employee who would be able to perform the essential duties of the job if such reasonable accommodation was made.
 - 2.7 This policy and the principles of equal employment opportunity also apply to the selection and treatment of independent contractors, persons working within work setting who may be employees of temporary agencies and other persons or entities doing business for or with the parish.
3. Compliance and responsibility
 - 3.1 Compliance
 - 3.1.1 All employees will be subject to corrective administrative or corrective disciplinary action up to and including termination for violation of this policy.
 - 3.1.2 Compliance with this policy shall be promoted through ongoing training and education of employees. This may be accomplished but is not limited to one of the following means (1) display of posters regarding equal opportunity in areas highly visible to employees; (2) Incorporating a statement "Equal Opportunity Employer --M/F/D/V" (Minority/Female/Disabled/Veteran on all advertisements for jobs.
 - 3.2 Department of Human Resource
Human Resource is responsible for maintaining records of training and education of policy. Human Resource is responsible for maintaining records of claims for violations of policy by employees reported through the grievance process.
 - 3.3 Employee Responsibility
All employees have an affirmative obligation to refrain from conduct which is contrary to this policy. Each employee has an affirmative obligation to thoroughly and impartially assist in any investigation or complaint of discriminatory conduct. All employees have a right and a responsibility to report conduct which the employee believes to violate this policy.
 - 3.4 Supervisor responsibility
Each supervisor has an affirmative obligation to ensure that discrimination is not practiced in the workplace or in work-related settings and that there is full compliance with this policy by each employee subject to supervisor's authority. Each supervisor has an affirmative obligation to thoroughly and impartially assist in any investigation of complaints of discriminatory conduct. Appointing authority shall take recommended action against any employee who is shown to have violated this policy.
 4. Complaint and reporting procedure
 - 4.1 Violations of local, state, federal law or this policy will not be tolerated and will constitute just cause for disciplinary action. The Parish will promptly and thoroughly investigate every complaint of violation of this policy and appropriate action will be taken.
 - 4.2 Employees may make a complaint to the employee's supervisor and/or to Human Resource by the grievance process.
 - 4.3 Applicants for employment with Jefferson Parish who wish to file a complaint for violations of this policy may make complaint to Personnel.

302 Employees and Applicants with Disabilities

1. Employees and applicants with disabilities
 - 1.1 It is the policy of the parish to provide reasonable accommodations to persons, employees or applicants for employment who qualify as individuals with disabilities under the Americans with Disability Act Amendments Act of 2008 (ADAAA) and Louisiana state law against discrimination.
 - 1.2 This policy does not constitute an express or implied contract, and is simply a statement of parish government's commitment to providing reasonable accommodations as appropriate to qualified persons with disabilities.
 - 1.3 The ADAAA defines a disability as a physical or mental impairment that substantially limits one or more major life activities, has a record of such a physical or mental impairment, or is regarded as having such impairment.²³
 - 1.4 Louisiana employment discrimination law defines disability in a like manner as the ADAAA.²⁴
 - 1.5 A qualified individual with a disability is a person with (a) a sensory, mental or physical condition that is medically diagnosable, (b) who satisfies the job requirements by educational background, employment experience, skills, licenses or any other qualification standards that are job related, (c) who is able to perform all functions that are essential to the job, with or without reasonable accommodation, and (d) who is able to meet the production and performance standard(s) for the position.
2. Reasonable Accommodation
 - 2.1 Qualified individuals with disabilities have the right to request and receive reasonable accommodations in those aspects of employment that are considered necessary to perform the essential functions of the job.
 - 2.2 An interactive process will be initiated when there is a request for an accommodation from an employee or applicant.
 - 2.3 It is the responsibility of Human Resource or designated representative to receive requests for accommodation, participate in the interactive process with the employee or applicant and the affected director, and recommend an appropriate accommodation.
 - 2.4 Directors shall document and forward to Human Resource any initial information received from an employee about a potential qualifying disability as well as any request for accommodation.
3. Notice and Responsibility
 - 3.1 It is the responsibility of the employee or applicant to provide timely notice and documentation on the nature of a disability, work-related restrictions, and if known, the accommodations needed.
 - 3.2 Those who fail to provide such information may forfeit their eligibility for reasonable accommodation.
 - 3.3 Jefferson Parish assumes no obligation to create vacant positions, to offer reassignment to promotional positions or to waive job qualifications or essential functions in the accommodation process or to make any other non-reasonable accommodation.

²³ 42 U.S.C. Section 12101 *et seq*, generally.

²⁴ La.R.S. 23:301-369.

400 Employment Compensation and Work Schedule

401 Compensation and Pay Plan

1. Establishment and purpose
Compensation and pay plan for parish employees is as established by ordinance under the Executive Pay Plan for unclassified employees and under the Jefferson Parish Classified Service administered by the Department of Personnel under the direction of the Personnel Board. This policy is established in furtherance of the functions of the chief administrative officer and to clarify terms and conditions of employment not otherwise provided by ordinance or law.²⁵
2. Scope; employee responsibility
All employees, and particularly payroll clerks, staff assigned accounting functions, directors and the like, have an affirmative obligation to ensure that employees are compensated accurately and that such compensation is accurately processed through the parish Financial Management System.

402 Hours of Work and Work Schedule

1. Establishment
Hours of work for classified employees are as provided by the Personnel Rules. Hours of work for unclassified employees are as provided by the Executive Pay Plan. The needs of the citizens of Jefferson are met by various work schedules in place throughout the parish which vary from department to department depending upon the responsibilities and duties undertaken. This policy is established to provide guidance on setting and keeping work schedules as well as accounting for employee time and absence from work.²⁶
2. Scope
This policy applies to classified employees. Unclassified employees work schedule is governed by the Executive Pay Plan which provides that employees are expected to work whenever and whatever hours are required to satisfy the needs of service but not less than thirty-five (35) hours.²⁷
3. Workweek
The standard workweek is seven (7) consecutive calendar days beginning at 12:01 a.m. on the first day and ending at 12:00 midnight on the seventh consecutive calendar day thereafter. Each department has an affirmative obligation to correctly and accurately report regular time.
4. Work Schedule(s)
 - 4.1 Regular Work Schedule
 - 4.1.1 A normal work schedule for full-time employees consists of not less than thirty-five (35) hours each workweek exclusive of "lunch" period(s).
 - 4.1.2 A regular work schedule is Monday through Friday, 8:30 a.m. until 4:30 p.m.
 - 4.1.3 Departments may set work hours and hours may be rearranged, adjusted or staggered as needed to meet hours of operation, office hours, special project

²⁵ Jefferson Parish Personnel, Rule III and IX, JPCO 474; Jefferson Parish Executive Pay Plan, Section XVIII, JPCO 13709

²⁶ Jefferson Parish Charter Section 4.03

²⁷ Jefferson Parish Executive Pay Plan, Section XVIII, JPCO 13709.

- assignments, meeting requirements, operational concerns, and emergency situations.
- 4.2 Stand-by duty and on-call duty
 - 4.2.1 All employees may be called back/called-in to work in situations as may be deemed appropriate.
 - 4.2.2 The decision to call an employee back to work may be made by the director or supervisor, as the situation may dictate.
 - 4.2.3 Employees in some departments may be required to render stand-by duty or be on-call outside of regular working hours; and while on stand-by or on-call, shall be available and ready for communication with the appropriate authority.²⁸
 - 4.3 Emergency Work Schedule

All employees are subject to call 24 hours a day, 7 days a week, unless exempted, in case of a declared emergency. Employees are required to contact their department when a hurricane, bad storm, or emergency poses a threat to Jefferson Parish. Certain employees may be designated "Essential Duty Personnel." ("Designation as Essential Workforce Directive" is found in Appendix.)
 - 4.4 Make-up time

The parish makes no provision for make-up time. An employee is not permitted to work solely for the purpose of "restoring" time lost due to absence from the job.
 - 5. Rest and Meal Periods
 - 5.1 Rest and meal periods shall be in accordance with applicable law and determined by each department.
 - 5.2 Rest and meal periods shall be scheduled by the employee's supervisor, and employees shall abide by the schedule.
 - 5.3 Employees shall be relieved of work duties while at lunch. If the employee is required to work or interrupt lunch break, the employee shall be compensated accordingly.
 - 5.4 Meal periods are not provided on paid-time unless an on-duty meal period is provided or required as part of the employee's regular work schedule.
 - 6. Overtime
 - 6.1 Per the Fair Labor Standards Act (FLSA), overtime pay is provided for "non-exempt" employees.
 - 6.2 Employees in positions defined as FLSA "exempt" may not be entitled to receive overtime pay.²⁹
 - 6.3 Employees in positions defined as FLSA "non-exempt" are entitled to receive compensation at a rate of time and one-half for hours worked in excess of forty (40) hours in a workweek. Employees may be compensated monetarily as provided by local ordinance or by compensatory time under such terms and conditions which are compliant with the FLSA.
 - 6.4 No employee shall work overtime unless directed or as otherwise previously approved.
 - 6.5 Overtime hours worked without approval and/or approval of overtime without proper authorization shall be regarded as a violation of this policy and may subject the violator(s) to disciplinary action.
 - 6.6 Each department has an affirmative obligation to correctly and accurately report overtime hours.
 - 6.7 "Non-exempt" employees who work overtime will record such hours on their time sheet or time record rounded to the nearest quarter of the hour.
 - 6.8 Supervisors are required to verify overtime prior to information being submitted to payroll clerk.

²⁸ Personnel Rules 4, Section 5, 5.6.

²⁹ Jefferson Parish Personnel Rule IV, Section 5.1.

7. Compensatory Time

7.1 Establishment and purpose

This policy is established as a supplement to and to ensure compliance with FLSA and local ordinances governing overtime. The purpose of this policy is to provide standard for use of overtime compensation with paid time off.

7.2 Policy for Non-Exempt Employees

It is the policy of the parish that non-exempt status employees who work in excess of 40 hours in the standard work week shall be compensated for such overtime at the rate of one and one-half times their regular rate of compensation as required by the FLSA. Non-exempt employees may be compensated for overtime worked in the form of overtime wages or compensatory time at the rate of time and one-half.

7.3 Policy for Exempt Employees

It is the policy of this parish that exempt employees who work in excess of 40 hours in the standard work week shall not be entitled to compensation for such overtime except and unless the appointing authority may approve compensatory time. In times of declared emergency, the Parish President may prescribe other methods of overtime compensation for exempt employees.

7.4 Accrued Compensatory Time

Employees who have accrued compensatory time balances must use this compensatory time while in their current employing department. Accrued compensatory time is not transferable between different departments, offices, divisions or taxing districts. In the event an employee transfers from one department to another, all compensatory time must be used by or paid out to the transferring employee unless the appointing authority of the receiving department agrees to transfer of compensatory time.

7.5 Director Responsibility

- The director is responsible for establishing a system to accurately authorize and record compensatory time. All authorized accrued compensatory time should be reported in the parish payroll system.

- Directors should utilize compensatory time only when their budgets allow for it, and only if they can grant the employee's time to use the accrued compensatory time up to the maximum 10 workday carryover provision allowance (70 or 80 hours of compensatory time).

- Department appointing authority must advise and receive consent from their supervising CAA, if applicable, prior to the acceptance of new budgetary obligations in the form of compensatory time brought into the department by the transferring employee.

- Departments must notify employees if compensatory time is to be used in lieu of paid time.

- Departments should look at alternative flexible methods of scheduling work, adjusting hours within work week in order to meet needs of service while controlling overtime.

7.6 Employee Responsibility

- All employees are responsible for working as directed in an efficient and effective manner to meet department service obligations.

- If an employee has accrued compensatory time, it is the responsibility of the employee to request use of the compensatory time and receive approval for use of compensatory time before any time is taken away from work.

- All use of compensatory time requires director approval.

- Compensatory time should be used in the quarter it is earned.

- In all cases in which compensatory cannot be used in the quarter, employees may not carry more than 10 workdays of compensatory time from one calendar year to the next.

- Employees will be paid for unused compensatory time in excess of 10 days at the end of a calendar year.

403 Attendance, Leave and Absence

1. Establishment
2. Scope

Personnel Rules govern the use of leave by classified employees. This includes but is not be limited to use of Annual, Sick, Civil, Military, Funeral, Holiday, Leave Without Pay, Absence Without Leave (AWOL), Special Leave of Absence, and Family and Medical Leave. Executive Pay Plan governs the use of leave by unclassified employees. This includes but is not be limited to use of Annual, Sick, Civil, Military, Funeral, Holiday, Leave Without Pay, Absence Without Leave (AWOL), and Family and Medical Leave.
3. Attendance
 - 3.1 Except as may be protected by applicable law, employees shall maintain a pattern of regular and reliable attendance.
 - 3.2 Employees shall report to duty in accordance with the rules regarding hours of work, holidays and leaves of absence.
 - 3.3 Employees shall report ready for work in a timely manner. Employees reporting to work are expected to be on the job site at the time designated by the employee's work schedule, ready to begin work and shall normally remain on duty until the end of their shift or completion of their scheduled work day.
Full-time employees shall perform a full day's work every day of work.
4. Notification to Supervisor Required; Tardiness
 - 4.1 No employee shall be late in reporting to or be absent from work for any reason other than those specified in these rules and regulations without making prior arrangements with the employee's supervisor. Unless such arrangements are made, an employee, who for any reason fails to report to work in a timely manner, or leaves the work site for any reason, shall immediately notify the employee's supervisor of the reason for the absence or tardiness per departmental protocol.
 - 4.2 All employees have affirmative obligation to report any tardiness to the employee's immediate supervisor and, at that same time, provide an explanation as to the cause for the tardiness. Communicating with co-employees or others does not relieve the employee of the affirmative obligation to report the tardiness to the employee's supervisor and provide an explanation.
 - 4.3 All tardiness shall be documented.
 - 4.4 Occasional tardiness may be unavoidable, ie. in cases of bad weather or other conditions beyond the employee's control, and may be excused but must be documented.
 - 4.5 Continued or frequent tardiness is inexcusable and may lead to disciplinary action.
 - 4.6 An appointing authority may deem an employee Absent Without Leave from duty in increments of 15 minutes for tardiness which shall be properly documented and reported.
5. Absence
 - 5.1 Absence Charges

Authorized absence shall be accounted and reported on appropriate leave form, whether sick or annual, etc.
 - 5.2 Unauthorized Absence

An unauthorized absence from duty shall be considered an absence without leave approval. An absence from duty without leave approval shall normally be treated as Absent Without Leave. Disciplinary action may be taken for any incident of Absence Without Leave.
6. Abandonment of Position

- 6.1 After five consecutive scheduled work days of unauthorized absence and/or the employee's failure to contact the employee's supervisor as provided herein, the employee shall be considered to have abandoned the employee's position.³⁰
- 6.2 Abandonment of position shall be considered a constructive resignation from employment from Jefferson Parish.

404 Unearned Compensation

1. Establishment
Unearned compensation is a prohibited donation of public funds.³¹ It is the policy of this parish to timely recover unearned compensation once discovered in a reasonable manner. Unearned compensation includes but is not limited to overpayment of wages, miscalculations of leave, and erroneous refunds of deductions.³²
2. Purpose
The purpose of this policy is to mandate the establishment of internal controls designed to prevent overpayment and to establish procedures for the recoupment of overpayments.
3. Scope
This policy applies to all employees, whether the position is classified or un-classified, as well as all separated employees.
4. Definitions
For purposes of this policy, the following words shall have the following meaning:
Deduction: any voluntary/involuntary reduction in gross pay (e.g. health insurance, taxes)
Direct Deposit Reversal: a formal request to a financial institution which received compensation for an employee to return funds deposited into the employee's account.
Gaining department: the department to which the overpaid employee is transferring.
Losing department: the department from which the overpaid employee is terminating/separating.
Net pay: the amount of compensation due to the employee after withholding all voluntary and involuntary deductions from his wage/compensation earned.
Overpayment: the amount of excess compensation paid to an employee in error.
Recoupment: the act of recovering unearned compensation paid to an employee in error.
Separated employee: an individual who was formerly an employee of the parish but who no longer is employed by the parish.
Wage: the payment to an employee for services rendered.
5. Procedure
 - 5.1 Verification of receipt of policy
All newly hired employees must sign a document verifying acknowledgement of the Parish Administrative Management Policies which explains all of the conditions to be met by employees. The applicant, acknowledging his/her receipt and understanding of this policy and, that if he/she is overpaid, the Parish will follow the process set forth herein for the recoupment of overpayments.
 - 5.2 Notification

³⁰ Jefferson Parish Personnel Rule IX, Section 13.

³¹ La.Const. Article VII, Section 14.

³² While La.R.S. 42:460 concerning recoupment of overpayments pertains to state employees, the statutes are used as a guideline for local agencies to recover overpayments. La.R.S. 42:460 makes no reference to authorization by an employee. Recoupment of an overpayment is distinguishable from those payroll deductions contemplated by La.R.S. 42:456 which do require prior authorization by an employee. Op.Atty.Gen. No. 7-0080 (Dec. 14, 2007).

An employee shall be notified immediately (verbally or in written or electronic form) if and when Accounting determines that an overpayment has been made. If the initial notification is verbal, it must be followed with a written confirmation. The written confirmation to the employee shall include the following:

- Pay date(s) on which the overpayment occurred;
- Amount of overpayment;
- Reason that overpayment occurred;
- Plan of action for recoupment of overpayment;
- Employee options for reimbursement of overpayment, as appropriate;
- Procedure employee should use if disputing any aspect of the overpayment; and
- Instructions on how to locate this policy.

Prior to a deduction actually being made from the employee's future pay, the employee must agree that an overpayment occurred and agree to the plan for recoupment, either by express consent or implied consent. Express consent occurs when the employee responds to written notification, either verbally or in writing, and advises that he agrees that he has been overpaid and he agrees with the parish plan of action for the recoupment. Implied consent is when the employee does not respond to the written notification within 10 working days. This implies that the employee agrees that he has been overpaid and agrees with the plan of action for the recoupment, thus implying his/her consent to the recoupment of funds. If the employee disputes the claim of overpayment, deduction will not begin until a resolution to the dispute has been reached.

5.3 Recoupment of overpayment

The amount to be recouped from any one paycheck cannot cause the employee's bi-weekly gross hourly wage to fall below the federal minimum wage without specific written approval from the employee.

5.3.1 From current employees

Should an overpayment be discovered for a current parish employee, the procedures outlined above will be followed by the parish. Repayment options will include:

- Direct deposit reversal; or
- One-time deduction from a subsequent paycheck; or
- Payment plan. Recurring deductions can be established for a period not to exceed 12 months. Any exceptions to the 12 month period must be approved by the Chief Operating Officer and the appointing authority; or
- Personal payment from employee (e.g. check or money order). Prior approval for this method of payment must be obtained from the Accounting Director.

If an employee who has been overpaid is separating from the Parish, every effort shall be made to have the procedure completed such that the amount of the overpayment may be withheld from the employee's final paycheck. If the full amount is not recovered in the final payment, the parish shall follow the guidelines set forth below.

5.3.2 From separated employees

Employees separated from the Parish will be notified by the Accounting Director of any overpayments according to the guidelines outlined above. Further, the written notice will include a demand for payment and should include the following repayment options:

5.3.2.1 One-time personal payment from employee (e.g. check or money order), or

5.3.2.2 Payment plan. The employee may submit multiple payments as agreed upon and the period of recoupment may not exceed 12

months. Payment plans exceeding 12 months must have prior approval from the Chief Operating Officer and the appointing authority. Should Accounting be unable to recover the overpayments from a separated employee and with the approval of the appointing authority, Accounting will turn the matter over to the Parish Attorney for legal action.

5.4 Dispute

The parish will make every effort to ensure that an employee's pay is correct. However, any employee who believes he/she has been improperly paid (overpaid or underpaid) or has had funds withheld from his paycheck inappropriately, should bring this to the attention of his supervisor and/or his appointing authority and the Accounting, Payroll Division immediately upon discovery of the error. It is recommended that employees review their pay statements as early as Thursday of the pay week to determine if pay is as expected.

6. Responsibilities

6.1 Employees

Upon learning of an overpayment or possible overpayment, an employee has an obligation to take the following action:

- Notify employee's supervisor and/or director; and
- Notify Accounting; and
- Notify payroll clerk for employee's department; and
- Cooperate with the parish to recoup the overpayment through a repayment plan.

6.2 Directors

Directors are responsible for ensuring compliance with the policy which shall extend but not be limited to the following:

- Educate and train all employees on this policy;
- Develop, maintain and follow internal procedures which ensure that an employee's time is entered and reported correctly;
- Notify the Department of Accounting, Payroll Division and Human Resource in writing of any reported overpayment or possible overpayment;
- Notify the Department of Accounting, Payroll Division and Human Resource in writing of pending separation, whether by termination or resignation, and/or transfers of employment.
- Notify affected employee and employee's supervisor and coordinate with Accounting and Human Resource to establish a repayment plan as soon as practicable.
- Hold all managers and supervisors responsible and accountable to this policy.

6.3 Managers/Supervisors

- Comply with policy as instructed by director.
- Notify supervisor and/or Accounting and Human Resource when supervisor becomes aware of or suspects that an overpayment has been made.
- Assist and cooperate in establishing repayment plan.

6.4 Payroll Clerks

- Follow all procedures to ensure the accurate input of employee's time.
- Notify director and Accounting, Payroll Officer, when clerk believes that an employee has been paid incorrectly.
- Notify director of any problem with timekeeping process.

6.5 Accounting Department

- Ensure that all personnel actions affecting pay are processed accurately and in accordance with pay rules for the various types of employees and officials served by the parish;
- Notify an employee when the employee has been overpaid and explain how the overpayment occurred;
- Work with the employee in establishing a repayment plan;

- Provide written notice to employee when the employee was given verbal notice by department;
- Ensure compliance with procedures as procedures relate to direct deposit reversals, transferring funds received between departments, and reporting of accounts receivables.

6.6 Parish Attorney

Parish Attorney is responsible for taking appropriate legal action to recover overpayments when so requested by Accounting and/or upon recommendation of the appointing authority.

7. Requests from the employee for exceptions to this policy shall be submitted to the appointing authority and Accounting. All exceptions shall be approved by Chief Operating Officer and appointing authority. Written request for exception shall include:
 - Name and title of the employee making the request for exception;
 - Department in which employee works;
 - Brief description of circumstances creating overpayments;
 - Explanation and supporting documentation of reasons the employee believes that some of all of the overpayment should not be recovered or why the money recovered should be repaid to the employee.
8. Questions
Questions regarding this policy should be directed to Human Resource.
9. Penalties
Any employee found to have violated this policy will be subject to disciplinary action up to and including termination. For purposes of this section, "any employee" shall include:
 - Any employee who benefited from an overpayment;
 - Any payroll clerk who knowingly failed to take corrective action upon notice of an overpayment, or who knew or should have known an overpayment occurred;
 - Any director who knowingly failed to take corrective action upon notice of an overpayment, or who knew or should have known an overpayment occurred;
 - Any Accounting employee who knowingly failed to take corrective action upon notice of an overpayment, or who knew or should have known an overpayment occurred.

500 Employee Responsibilities, Performance and Conduct

501 General Provisions

1. Establishment and purpose
 - 1.1 It is essential to ensuring the orderly operation and effectiveness of parish government to maintain a clear description of duties, obligations and expectations that pertain to the desired conduct of all parish employees. Every employee has the right and obligation to know what is required of them as employees by way of their conduct whether it be expected, permissive, or prohibited, and whether such conduct occurs in the workplace or during off-hours should such conduct materially impose upon the integrity of parish government.
 - 1.2 The purpose of this section is to establish guidelines and requirements for an employee to follow, the collective accomplishment of which (a) advances the mission of parish government, (b) provides for a work environment marked by cooperation and mutual respect, and (c) supports consistent and trustworthy decision making.
2. Scope
The provisions of this section are not intended to be definitive of every action or behavior required of an employee or, otherwise, of every undesirable act or failure to act that offends

the provisions of this section. Each and every provision shall be given a genuine construction, with reference to the purpose of the provision.

3. Employee Information

3.1 All employees have an affirmative obligation to keep the parish informed of their current address, telephone numbers and name. All employees have an affirmative obligation to report any changes in address, telephone number, and name to the employee's director or Human Resource in the case of unclassified, executive employees.

3.2 All employees have an affirmative obligation to report any changes in marital status or dependents to Human Resource.

3.3 All employees have an affirmative duty to update information referenced in a timely manner and as soon as practical.

4. Employee Values

Employee values serve as a framework to guide our daily action and decisions. Shared values are commitments that guide our professional interactions, govern the way we treat others and inspire a dedication to superior public services, high ethical standards and indisputable integrity. The core values for all employees of parish government are:

Public First

We hold foremost that it is a high honor and distinct privilege to serve the citizens of Jefferson Parish, and recognize that the respect of the public can never be anticipated if not first earned.

Pursuit of Excellence

Our success will be measured by our productivity and getting the job done right the first time as cost-effectively as possible is our goal. Each day we strive to work smarter and more successfully.

Positive Response to Change

An effective government organization must evolve to meet continuing economic, social and institutional challenges. We welcome the developing demands and expectations of the public with creative thinking, innovation and more efficient processes.

Respect for the Individual

We honor the dignity, individuality and rights of all persons. Our interaction with others is marked by honest, direct and relevant communication, and we show respect for diversity and personal and professional differences.

Community Mindedness

We realize that our work impacts the community in which we reside, and many times, beyond such. Both as individuals and team members, we will strive to make our communities better places to live, work and learn.

5. Work-related decisions

Work-related decisions made by an employee shall be void of any unfairness, unreasonableness and impropriety, or the appearance thereof. Accordingly, an employee shall strive at all times to make work-related decisions that are lawful, ethical and in compliance with relevant policies. Whenever appropriate, an employee should rely on the "STAR" method to make work-related decisions: Stop, Think & Act Responsibly. Employees are obligated to cooperate with regard to internal investigations; to advise their supervisors of progress or problems in their assigned duties; to promptly communicate any occurrences that may change or alter the smooth and effective operations of the department.

6. Conformance to law

An employee shall conform to, and abide by the law of the United States of America and its sovereignties whenever present therein, and the State of Louisiana and its political

subdivisions whenever present therein. Employee shall be truthful and accurate in conduct, both orally and in writing. As used in this Section, the term "law" shall mean each and every applicable code, regulation, statute, rule and ordinance whether it be federal, state or local.

7. Conduct unbecoming an employee

As an employee, one shall act dutifully, responsibly and professionally at all times as not to reflect unfavorably upon one's self or Jefferson Parish. Unbecoming conduct refers to conduct by an employee which tends to:

- bring parish government into disrepute or public embarrassment;
- discredit one's self in one's role as an employee;
- impair the operational effectiveness of parish government or its staff;
- adversely affect the morale of staff; or
- reasonably be expected to damage the public's respect, confidence or trust of parish government.

8. Courtesy

8.1 All employees shall at all times be polite and forthcoming and maintain a temperate demeanor in the employee's interaction with others.

8.2 No employee shall make use of coarse, hostile, profane or insolent language, whether it is verbal, written or communicated by depiction, signal or gesture while acting in the course and scope of employment.

8.3 No employee shall communicate any biased, derogatory or prejudicial comment or personal opinion or belief that is related to race, color, gender, age, national origin, religion, politics, marital status, familial status, mental or physical disability, sexual orientation, gender identity, genetic information, veteran status, or any other personal characteristic while in the course and scope of employment or any other occasion or circumstance which may bring parish government into disrepute, public embarrassment or may otherwise reflect poorly upon the individual as a parish government employee.

8.4 All employees shall demonstrate by their words and actions their commitment to excellent customer service. Employees are to serve all customers, both internal and external, in a positive and respectful manner.

9. Use of official title/position

9.1 "Official title/position" may include but is not limited to the identification card, badge, insignia, patch, official title or position, or any other tangible or intangible thing by which it can be construed that the Jefferson Parish government is being interjected. It is the purpose of this Section to limit the use of an employee's official title/position to matters within the course and scope of employment.

9.2 No employee shall directly or indirectly participate in or allow any form of solicitation or demand wherein use is made of an official title/position without proper approval and authorization.

9.3 No employee shall use or permit use of an official title/position for personal or financial gain or the benefit of an individual or group of individuals.³³

9.4 No employee shall seek or receive any form of reward, remuneration, compensation, or privilege whether tangible or intangible for the performance of the duties and responsibilities associated with or arising out of parish employment.³⁴

9.5 No employee shall use or attempt to use an official title/position for the purpose of avoiding the consequence of an unlawful act.

9.6 No employee may use any parish government office, building, facility or property as the employee's address for personal reasons, including by way of example employee's driver's license, vehicle registration, other personal papers or legal instruments.

³³ See La.R.S. 42:1116 and 42:1117.

³⁴ See La.R.S. 42:1111, Payment from nonpublic source.

10. Parish identification card
 - 10.1 All employees shall possess and display the parish identification card issued by parish government whenever the employee is in the course, scope or performance of assigned duties, tasks and responsibilities, except whenever the display of such may be adverse to the conduct of a specific duty or task or may pose a risk to the safety of an employee.
 - 10.2 Identification cards shall be displayed in manner which facilitates easy viewing and ready recognition especially during the course, scope and performance of duty which necessitates the interaction with any non-employee of parish government.

502 Reporting and Performance of Duty

1. Reporting for duty
 - 1.1 An employee shall report for duty at the time and place specified by the employee's supervisor, and be physically and mentally fit to accomplish assigned duties, tasks and responsibilities in a manner consistent with this section.
 - 1.2 An employee shall report for duty attired, groomed and giving an appearance that is consistent with the provisions of herein and as per department protocol.
2. Performance of duty
 - 2.1 Licensure and proficiency

An employee shall maintain licensure and a proficiency level sufficient to properly perform assigned duties, tasks and responsibilities as set forth in or contemplated by the position, and, accordingly, shall perform such assigned duties and tasks and responsibilities properly. Unsatisfactory performance by an employee may be evidenced by non-exclusive identifiers:

 - Unwillingness or inability to perform any assigned duty, task or responsibility;
 - Failure to maintain licensure or conform to work standards established for the employee's position;
 - Absence from the workplace without proper authorization;
 - Repeated poor performance evaluations;
 - Repeated disciplinary actions or documented counseling sessions;
 - Repeated poor performance evaluations;
 - Insubordinate behavior;
 - Refusing to follow or ignoring proper instructions or directives of supervisor;
 - Failing to notify proper authority of any irregular or improper acts that may discredit the service of the Parish;
 - Making false records or statements of any kind;
 - Disruptive or other inappropriate behavior or conduct in the workplace.
 - 2.2 Appropriate Action

An employee shall be responsible for action taken and/or action which was not taken as may be appropriate under the circumstances. An employee cannot avoid responsibility by attempting to shift the burden of such responsibility to another.
 - 2.3 Carrying out assigned duties

An employee shall carry out assigned duties, tasks and responsibilities in a prudent manner void of negligence. Negligence exists whenever the conduct of an employee amounts to a gross deviation below the standard of care expected to be maintained by a reasonably prudent person under like circumstances.
 - 2.4 Compliance with policies

An employee shall adhere strictly to the policies, directives, procedures, practices, and standards of service for parish government employees.

3. Neglect of duty
 - 3.1 An employee, without proper authorization, shall not be absent from the assigned workplace or fail to perform assigned duties, tasks and responsibilities.
 - 3.2 An employee shall remain awake and alert while on-duty or, if unable to do so, shall report promptly to the employee's supervisor, who shall determine the proper course of action.
4. Notification of illness, injury, failure to report or leave of work site
 - 4.1 Illness, injury, failure to report or leave of work site, notification
 - 4.1.1 An employee is obliged to notify the employee's supervisor, or otherwise ensure the supervisor is apprised, that the employee will be unable to report for duty for any reason, in particular due to illness, injury, failure to report, or leave of work site. The employee shall reasonably apprise the supervisor of the nature of the illness/injury, where the employee will be recovering, and when the employee expects to return to work.
 - 4.1.2 Any changes in situation shall be promptly reported to the supervisor by the employee.
 - 4.2 An employee taken ill or injured while on-duty shall promptly report such to the employee's supervisor and comply with the provisions of other relevant policies, directives and plans.
 - 4.3 An employee shall not feign or attempt to perpetrate deception of illness or injury to another person as to the genuine nature of the employee's physical condition.
5. Off-duty conduct
 - 5.1 Certain types of off-duty conduct and/or activities by employees which may reasonably be expected to damage the public's respect, confidence or trust of the parish government represent the potential of material concern to Jefferson Parish.
 - 5.2 Employees who engage in, or are associated with illegal, harmful or destructive conduct which by its very nature discredits one's self in one's role as a parish government employee or brings parish government into disrepute or public embarrassment may be subject to disciplinary action.³⁵

503 Media Communications Policy

1. Establishment

An employee shall not publically publish, or allow to be published his or her statement concerning official Parish business without direction from the Office of Public Information. An employee shall not knowingly appear in the employee's official capacity or give the appearance of acting in the employee's official capacity, for example appearing in parish uniform, before cameras without prior approval.
2. Purpose

The purpose of this policy is to set forth guidelines and procedures for responding to inquiries and requests for information or interviews from members of the media and/or for public appearances of employees acting in their official capacity.

³⁵ AG 2011-0218 An employee who pleads guilty to a misdemeanor will be determined after considering all of the facts and circumstances considering the offense and its relation to the nature of the employee's job. If an employee is convicted or pleads guilty to a misdemeanor, an employee continued employment

3. Scope
This policy applies to all administrative officers and employees of the parish responsible to the Parish President, whether they are unclassified or classified employees.
4. Policy
Jefferson Parish has an established Office of Public Information which operates under direction of an appointed Public Information Officer who is authorized by the Parish President to receive and respond to requests for information and interviews from members of the media and to communicate directly with members of the media. Requests for information, interviews or public appearances by employees shall be directed to the Office of Public Information for response and/or direction. No press releases are to be issued unless reviewed and approved by the Office of Public Information.
5. Procedure
 - 5.1 Receipt of request for information, interview or public appearance
Upon receipt of a request for information, interview or public appearance by media or upon being contacted by a member of the media, the parish employee shall inform the media representative that requests for information, interviews or public appearances are answered by the Office of Public Information. At that time, the employee shall provide the name and contact number of the Public Information Officer.
 - 5.2 Public Information Officer, responsibilities
 - Be available to respond to requests by media and keep local media informed of contact information.
 - Assess and determine whether an inquiry or request for information is one of particular importance, such as one involving a potential controversy or legal dispute. If the inquiry or request is one of particular importance, then the Public Information Officer is to notify the Parish President, Parish Attorney, affected department and supervising chief administrative officer before releasing information or responding to inquiry.
 - Once a decision is made by the Public Information Officer as to the appropriate response and course of action, the Public Information Officer shall contact the departmental director and supervising chief administrative officer and notify or instruct individuals how the request or inquiry will be answered.
 - If an on camera appearance is requested in connection with an interview, the Public Information Officer will determine the appropriate parish representative to appear on camera in consultation with the Parish President or designated representative. Unless otherwise instructed by the Public Information Officer, the time and place for the interview shall be coordinated through the Public Information Officer.
 - 5.3 Director responsibilities
 - Direct requests to Public Information Officer and provide contact information for Public Information Officer upon receiving requests, including but not limited to incidents where the media may appear without prior notice at a particular work site or job.
 - Seek to obtain contact information from media representative, if available, and subject of requests. Promptly provide information to Public Information Officer for response and direction.
 - Alert the Public Information Officer if the requests may involve a matter of particular importance and the relevant history or facts.
 - Be available to Public Information Officer before, during and after regular work hours by telephone or other means of communication to assist in coordinating response and providing answers to request.
 - Refrain from making any public statement or appearance unless expressly authorized.
 - 5.4 Employee responsibilities
 - Inform media that all requests for information, interview or public appearance are received and answered by Public Information Office.
 - Direct requests to immediate supervisor who shall immediately direct requests to department director.

- Seek to obtain contact information from media representative, if available, and subject of requests. Promptly provide information to immediate supervisor.
- Refrain from making any public statement or appearance unless expressly authorized.

504 Secondary Employment

1. Establishment
An employee's job position and job duties to the parish shall be considered the employee's primary occupation, taking precedence over all other occupations.
2. Purpose
The purpose of this policy is to provide guidelines and boundaries to ensure that secondary or supplemental employment outside of the parish does not interfere with the employee's obligations to the parish and performance of duties. Further, it is the purpose of this policy to ensure that secondary or supplemental employment does not conflict with the employee's position with the parish, obligations to the parish, or performance of duties associated with parish employment.
3. Scope
This policy applies to all administrative officers and employees of the parish responsible to the Parish President, whether they are unclassified or classified employees.
4. Limitations on Secondary or Supplemental Employment
 - 4.1 No employee shall engage in secondary or supplemental employment or otherwise receive compensation from any person or business entity who is a prohibited source under the Code of Governmental Ethics.³⁶
 - 4.2 No employee shall utilize parish property or equipment in furtherance of or in connection with secondary or supplemental employment, including but not limited to vehicles, office space, computer/data processing, hardware, software, terminals, telecommunications equipment and services.)
 - 4.3 No employee shall engage in secondary or supplemental employment activities while on duty in his/her primary employment with the parish.
 - 4.4 No employee shall represent himself/herself as a parish employee while engaged in outside employment.
 - 4.5 Unclassified employees
Secondary or supplemental employment of unclassified persons is as set forth in the Executive Pay Plan, Article XIX, except as otherwise provided by the Parish President for those unclassified persons who are under the administrative supervision of the Parish President.³⁷
 - 4.6 Classified Employees
Classified employee may not have secondary or supplemental employment outside of the Parish in the following cases:
 - It is the opinion of the department director that outside employment by one or all employees directly or indirectly impairs operational efficiency or effectiveness of department.
 - Secondary or supplemental employment work schedule conflicts with or interferes with employee's ability to comply with parish work schedule, regular, on-call, stand-by or emergency.
 - Secondary or supplemental employment otherwise impairs an employee's ability to safely and effectively perform duties of parish employment.

³⁶ La.R.S. 42:1111 *et seq.*

³⁷ Executive Pay Plan, Ordinance 18483, as amended, Article XIX.

- Secondary or supplemental employment compromises or tends to compromise employee's judgment or actions relative to employee's obligations to the parish or otherwise cast the parish in an unfavorable light.
5. Procedure
 - 5.1 An employee has affirmative obligation to disclose secondary or supplemental employment to the employee's supervisor on the form prescribed by Human Resource. (Secondary Employment, Notice and Request for Approval Form, Parts A through D, is found in Appendix).
 - 5.2 If in the exercise of supervisory discretion a director instructs an employee that no secondary or supplemental employment is permitted, then the employee is obliged to discontinue engaging in secondary or supplemental employment as a condition of continued employment with the parish.
 - 5.3 The director may advise employees by departmental policy or by copy to employee(s) of Secondary Employment, Notice and Request for Approval Form indicating status of "APPROVED" or "DECLINED." (Secondary Employment, Notice and Request for Approval Form, is found in Appendix.)
 - 5.4 In the case of notice to an affected employee, the employee shall confirm receipt of decision by signing form where indicated. (Secondary Employment, Notice and Request for Approval Form, Part E is found in Appendix.) A copy of which shall become part of personnel file maintained within the department.
 6. Penalty

Failure to comply with this policy, including but not limited to discontinuing secondary or supplemental employment when instructed to do so, may lead to disciplinary action and/or termination of parish employment.

505 Attire, Appearance and Grooming

1. Establishment

Every parish government employee shall meet and keep fundamental standards for work attire, professional appearance and suitable grooming appropriate to personal interaction with the public and in order to reflect and ensure the operational effectiveness of parish government.
2. Purpose

It is the purpose of this section to define standards that guide and direct employees with respect to acceptable and prohibited workplace attire, appearance and grooming.
3. Interpretation and application of provisions
 - 3.1 The provisions of this Section are not intended to be definitive of all modes of dress, material expressions of individuality, forms of attire, appearance and grooming. Rather, the provisions shall be applied to ensure that the attire, appearance and grooming of an employee does not contribute to an unsafe, unhealthy, nonproductive or disruptive work environment.
 - 3.2 These provisions are subject to reasonable interpretation by supervisory staff who may affix the relevance of any provision herein with respect to any circumstance, condition or situation whenever essential to ensuring operational effectiveness for parish government employees.
4. Compliance with provisions

Each director shall be responsible for the enforcement of the provisions of this Section with respect to the attire, appearance and grooming of employees with the departments under their supervision. Any action taken by a director under this Section shall be solely for the

purpose of preserving a work environment that is safe, healthy and productive while, at the same time, reasonably accommodating diversity, individuality and personal differences. To ensure fairness and consistency throughout parish government, a director may consult Human Resource on questions relating to the appropriateness of an employee's attire, appearance or grooming.

5. General provisions

- 5.1 Chief administrative assistants shall monitor departments for the purpose of assessing respective compliance with the provisions of this Section.
- 5.2 Human Resource shall notify the appropriate director whenever an incident or breach of policy is detected. The director, in consultation with the director's chief administrative assistant, shall take such action to resolve the matter within the department.
- 5.3 A director may rely upon Human Resource or employee's supervisory staff to take necessary, informal action with respect to the inappropriateness of the employee's attire, appearance or grooming.
 - 5.3.1 "Informal action" refers to the conduct and documentation of any action intended to correct the subject deficiency which does not constitute formal disciplinary action under Jefferson Parish Classified Service, e.g. counseling or letter of instruction.
 - 5.3.2 "Preferred voluntary action" refers to immediate action on the part of the employee which, in the sole opinion of the supervisory staff, sufficiently resolves issue, ie. covering body ink, removing piercing, adding, covering or removing questionable articles of clothing.
 - 5.3.3 "Patently offensive" refers to the visual or olfactory properties of an item or substance that (1) an average person applying contemporary community standards would find such to be extraordinarily objectionable, derogatory or repulsive, and (2) may contribute to an unsafe, unhealthy, nonproductive or disruptive work environment. An odor or scent is patently offensive whenever it tends to adversely impact the health of any person in the workplace (e.g., triggering an ailment relating to (1) respiration, such as allergic asthma, non-allergic asthma, reactive airway dysfunction syndrome (RADS); (2) neurology, such as headaches, migraine headaches, nausea, dizziness and mental confusion; (3) skin, such as hives, irritation and sensitization; or (4) eyes, such as irritation, tearing and inflammation)
 - 5.3.4 An employee whose absence from the workplace is necessitated in order for the employee to comply with this policy shall take leave. A failure to comply which necessitates an employee's absence is present whenever the employee's attire, appearance or grooming likely will contribute to an unsafe, unhealthy, nonproductive or disruptive work environment if the employee remains in the workplace.

Attire

- 5.4 An employee shall always be neat and clean in person and dress, and while on duty, shall be attired and equipped according to the nature of the employee's duties and job conditions.
- 5.5 It is the policy of Jefferson Parish that the clothing and overall appearance of employees must be appropriate business attire. Employees who work around machinery and equipment must observe sound safety regulations, including the wearing of appropriate articles of clothing (shoes, goggles, hard-hats, and so forth). Employees are required to follow departmental regulations concerning uniforms.
- 5.6 It is the responsibility of each department through its director to develop a uniform and/or dress code appropriate to job descriptions.

506 Ethics and Professional Standards

(Reserved for future)

507 Workplace Violence

1. Establishment and purpose
Violence in the workplace will not be tolerated in any form. The purpose of this policy is to establish guidelines and procedures which support a safe and secure workplace.
2. Scope
 - 2.1 Workplace violence includes any physical or verbal behavior that endangers or harms another employee, contractor, vendor or citizen or that a reasonable person would perceive to constitute threat of harm.
 - 2.2 Acts of violence may occur between fellow employees. This policy applies to all Jefferson Parish employees, whether classified or unclassified.
 - 2.3 Acts of violence may also occur between employees and others while the employees are in the course and scope of their parish employment which includes but is not limited to citizens, contractors and vendors. This policy, by extension, also applies to interaction between employees and these persons.
3. Definitions
 - 3.1 "Assault" an attempt to commit a battery or the intentional placing of another in reasonable apprehension of receiving a battery.
 - 3.2 "Battery" the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.
 - 3.3 "Credible threat" a statement or action that would cause a reasonable person to fear for the person's safety or the safety of another and does, in fact, cause such fear.
 - 3.4 "Dangerous weapon" means any knives including but not limited to any fixed blade knife, switch blade knife; guns of any kind; metal knuckles; biological contaminants; explosives; or any other object not designed as a weapon but used to inflict or threaten bodily harm.
 - 3.5 "Domestic violence" means abusive behavior that is physical, sexual, psychological or economic.
4. Prohibited Conduct
The following is a non-exclusive list of prohibited conduct. Prohibited conduct may include but is not limited to the following:
 - Actions or behavior resulting in physical assault against a person or property;
 - Threatening behavior or verbal abuse that occurs in the work setting;
 - Any physical altercation, hitting, pushing, shoving, holding/restraining, spitting on, blocking movement of another person, coercion, horseplay, intimidation and stalking;
 - Verbal or written threats communicated directly or indirectly that a reasonable person would perceive as intimidation or otherwise cause fear of physical or emotional harm;
 - Use of parish e-mail, telephones, radios to communicate threats or engage in intimidating behavior.
 - Inappropriate verbal or physical behavior that would cause a reasonable person to feel unsafe, such as obscene phone calls, angry outbursts, throwing objects, or expressions of hostility.
 - Intimidating presence and harassment of any kind;
 - Domestic violence introduced into the workplace in the form of assaults, threats or other actions by outside parties with whom employees have relationships and that occur at the workplace.
5. Employee Responsibility

- 5.1 Every employee is responsible for conducting himself in a courteous, civil and respectful manner toward all persons.
- 5.2 All employees have an obligation to adhere to this policy by refraining from any conduct that violates this policy;
- 5.3 Every employee has an affirmative obligation to assist the parish in ensuring a violence free work environment;
- 5.4 Any parish employee who reasonably believes the words or actions of another employee, contractor, vendor or citizen constitutes a violation of this policy has the responsibility to immediately report such behavior to immediate supervisor, director of department or Human Resource Manager.
- 5.5 In the event of an immediate threat or danger, employees should not confront the threatening party. In such case, employees should immediately retreat and call 9-1-1 if appropriate. Any use of force by an employee to protect person or parish property should be reported to immediate supervisor and Human Resource as soon as possible.
6. Threats of Domestic Violence at Work
 - 6.1 Any employee who is a victim of domestic violence shall report behavior that threatens the employee at work.
 - 6.2 Reports may be made to the employee's supervisor, director, or Human Resource. The parish will work with the employee through the employee's supervisor and/or director to implement reasonable measures designed to enhance the employee's safety and security at work while endeavoring, but cannot guarantee privacy.
7. Supervisor Responsibility
 - 7.1 Each supervisor has a responsibility to assist in maintaining a workplace that is free from workplace violence and needs to promptly address any problems encountered in an appropriate manner.
 - 7.2 Supervisors must discuss this policy with current and new employees and assure that employees are informed of this policy, have an opportunity to ask questions regarding this policy, and are aware that they are not to engage in or endure violence in the workplace.
 - 7.3 Supervisors have the responsibility to promptly address issues of workplace violence; to thoroughly and impartially assist in investigating complaints of workplace violence; and to take, recommend or carry out appropriate action against any employee who is proven to be in violation of this policy. Supervisors are to report all complaints of workplace violence to their Human Resource manager, to take all complaints of workplace violence seriously, and to treat these matters confidentially.
 - 7.4 Supervisors who allow or tolerate workplace violence are considered to be violating this policy.
8. Investigation of Reports of Workplace Violence
 - 8.1 All threats of violence should be taken seriously when received.
 - 8.2 Supervisors, directors and Human Resource personnel and other parish staff who may receive reports of workplace violence or observe such behavior directly have the responsibility to take prompt action to see that an investigation is initiated.
 - 8.3 An employee who has been threatened or assaulted by another at the workplace shall immediately report the situation to the employee's immediate supervisor unless the employee has a legitimate reason for not reporting the incident to the employee's immediate supervisor.
 - 8.4 Upon receipt of a report of workplace violence, the supervisor to whom the incident is reported will immediately notify Human Resource and the appointing authority.
 - 8.5 Incidents which present no immediate danger should be promptly handled by supervisors as follows:
 - Employees involved in incident should be separated and isolated until the employees are interviewed or statements taken.

- Employees who witnessed incident should be identified and separated from incident until such time as their statements are taken;
 - Document all actions and statements taken;
 - Notify director.
- 8.6 Incidents which present an immediate danger should be promptly handled by supervisors as follows:
- Contact building security or local police (9-1-1)
 - Take reasonable measures to warn others or secure the area to protect other employees from danger;
 - Order those presenting an immediate danger to leave;
 - Do not attempt to physically remove an individual;
 - Document all conduct, actions and statements.
 - Notify your supervisor or director as soon as practicable.
9. Reprisal and Retaliation
- 9.1 Any employee, who in good faith, reports an alleged incident of workplace violence, will not be subject to reprisal or retaliation of any kind.
- 9.2 Retaliation against employees who report acts of workplace violence is strictly prohibited. Instances of retaliation will be investigated and appropriate disciplinary action taken against the actor which may include termination and/or referral to the appropriate civil or criminal authorities.
- 9.3 Any employee who feels the subject of retaliation or reprisal should report this to employee's director or Human Resource.
- 9.4 Any employee who is found to have knowingly made false accusation of workplace violence or retaliation may be subject to disciplinary action up to and including termination.

508 Prohibition against Harassment

1. Establishment
It is the intent of the parish to provide and maintain a workplace free from all types and forms of harassment, including but not limited to initiating, directing, engaging or participating in verbal or physical conduct that denigrates, shows hostility, insults, or involves offending acts such as epithets, slurs, negative stereotyping, humiliation, or posting, distributing, creating, or displaying written or graphic materials which serve to offend or harass an individual or group of individuals based upon age, race, color, religion, national origin, mental or physical ability, sexual orientation, gender, gender identity, genetic information, or veteran status.
2. Purpose
The purpose of this policy is to ensure parish employees do not have to endure harassment by any other parish employee and to provide for a workplace which is conducive to efficient, productive public service free from any harassing conduct or behavior. The purpose is also to provide corrective consequences where employees may seek relief from all forms of workplace harassment.
3. Scope
- 3.1 The scope of this policy extends to behavior which may violate state, federal or local law, but is not limited to such behavior and extends to any harassing behavior as defined below.
- 3.2 Workplace harassment may manifest itself in the form of conduct which violates state, federal and/or local law;
- 3.3 Workplace harassment may also manifest itself in the form of conduct which is not conducive to creating a work environment marked by courtesy, civility and respect.
4. Definitions

- 4.1 “Harassment” is defined as verbal, physical or other conduct that is derogatory or shows hostility toward an individual because of the individual’s race, color, religion, gender, marital status, familial status, national origin, age, mental or physical ability, sexual orientation, gender identity, genetic information, or veteran status *and* which has the purpose or effect
- Of creating an intimidating, hostile, abusive or offensive work environment;
 - of unreasonably interfering with an individual’s work performance; or
 - otherwise adversely affects an individual’s employment and employment-related opportunities.
- 4.2 “Sexual harassment” is defined as unwanted sexual advances, requests for sexual favors, and other sexually oriented verbal or physical conduct where and when
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or
 - submission to or rejection of such conduct is used as a basis for employment decisions affecting such individual; or
 - such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile, or offensive work environment.
5. Prohibited Conduct
- 5.1 Verbal or physical conduct
The following represents a non-exclusive list of conduct which is prohibited by this policy:
- The use of insults innuendos or slurs because of an individual’s race, color, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, genetic information or veteran status.
 - Jokes, pranks or other banter, including negative stereotyping, which relates to or is derogatory or shows hostility based on an individual’s race, color, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, genetic information or veteran status
 - Unwelcome physical touching or contact, such as pinching, kissing, grabbing, patting or hugging.
- 5.2 Written or graphic material
The following represents a non-exclusive list of conduct which is prohibited by this policy:
- Material that is disparaging or displays hostility on the basis of a race, color, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, genetic information or veteran status and is placed on walls or elsewhere in the employer’s premises or circulated in the workplace.
 - Material that is reasonably deemed to be sexually provocative or stimulating and is placed on walls or elsewhere in the employer’s premises or circulated in the workplace;
 - Sending, displaying or disseminating inappropriate jokes or other written or graphic material via e mail, the internet or by fax, or downloading this material from the internet.
6. Employee Responsibility
- 6.1 Every employee is responsible for conducting himself in a courteous, civil and respectful manner toward all persons;
- 6.2 All employees have an obligation to adhere to this policy by refraining from any conduct that violates this policy;
- 6.3 Every employee has an affirmative obligation to assist the parish in ensuring a work environment free of harassment;
- 6.4 Any parish employee who reasonably believes the words or actions of another employee, violates this policy has the responsibility to immediately report such behavior to immediate supervisor, director of department or Human Resource Manager.
- 6.5 Any affected employee may respond to the harassment in the following manner:

- Politely but firmly tell the offending individual to stop the harassing conduct, and report the conduct to the employee's supervisor;
 - Report the matter to the director of the department or Human Resource; and
 - File a grievance report.
7. Supervisor Responsibility
- 7.1 Each supervisor has a responsibility to assist in maintaining a workplace that is free from workplace violence and needs to promptly address any problems encountered in an appropriate manner:
- Supervisors must take immediate action to stop and prevent harassment where they know or have reason to know that it is occurring;
 - Tacit approval of harassment, for example permitting laughing, treating a situation as a joke, failing to take action or advising an employee not to complain is prohibited;
 - Supervisors are responsible for ensuring that notes; comments, posters and other materials on walls, bulletin boards or elsewhere in the workplace, that are derogatory or show hostility are removed;
- 7.2 Supervisors must discuss this policy with current and new employees and assure that employees are informed of this policy, have an opportunity to ask questions regarding this policy, and are aware that they are not to engage in or endure harassment in the workplace.
- 7.3 Supervisors have the responsibility to promptly address issues of harassment; to thoroughly and impartially assist in investigating complaints of harassment; and to take, recommend or carry out appropriate action against any employee who is proven to be in violation of this policy. Supervisors are to report all complaints of harassment to their Human Resource manager and to take all complaints of harassment seriously.
- 7.4 Every effort should be made to treat matters as confidential. However, supervisors must inform complainant that strict confidentiality may not be feasible.
- 7.5 Supervisors who allow or tolerate harassment in the workplace are considered to be violating this policy.
- 7.6 Supervisors who are aware of harassment and condone such behavior through action or inaction will be subject to disciplinary action.
8. Procedure
- 8.1 All threats of violence should be taken seriously when received.
- 8.2 Supervisors, directors and Human Resource personnel and other parish staff who may receive reports of workplace harassment or observe such behavior directly have the responsibility to take prompt action to see that an investigation is initiated.
- 8.3 An employee who has been harassed by another at the workplace shall immediately report the situation to the employee's immediate supervisor unless the employee has a legitimate reason for not reporting the incident to the employee's immediate supervisor.
- 8.4 Upon receipt of a report of workplace harassment, the supervisor to whom the incident is reported will notify director.
- 8.5 Incidents should be promptly handled by supervisors as follows:
- 8.5.1 Affected or involved employees should be counseled and interviewed as appropriate.
 - 8.5.2 Counseling and interviews should be documented;
 - 8.5.3 Notify director.
 - 8.5.4 All reasonable measures shall be undertaken to ensure privacy and confidentiality of corrective action.
9. Review of Complaint
- 9.1 All complaints must be thoroughly and promptly investigated;
- 9.2 Human Resource shall be responsible for conducting the investigation and submitting a report and recommended action to the appointing authority and/or director;

- 9.3 Individual making the complaint and the accused shall be notified of the results of the investigation;
- 9.4 In the event the person making the complaint is not satisfied with the report or results of the investigation, the person making the complaint may request the issue be addressed by appointing authority or chief administrative assistant;
- 9.5 The chief administrative assistant shall review the report and action to be taken and shall issue a determination in response to the person making the complaint. The chief administrative assistant may affirm the report and action or make amendments to the report or the action to be taken.
- 9.6 The chief administrative assistant's review shall be a final determination of the recommended responsive or corrective action.
- 10. Reprisal
 - 10.1 Any employee who, in good faith, reports harassing conduct will not be subject to reprisal or retaliation of any kind.
 - 10.2 Retaliation against employees who report harassing conduct is strictly prohibited. Instances of retaliation will be investigated and appropriate disciplinary action taken against the actor which may include termination and/or referral to the appropriate civil or criminal authorities.
 - 10.3 Any employee who feels the subject of retaliation or reprisal should report this to the employee's director or Human Resource.
 - 10.4 Any employee who is found to have knowingly brought forward unfounded or untrue accusations of workplace harassment or retaliation may be subject to disciplinary action up to and including termination.

509 Political Activity

- 1. Prohibited conduct
 - 1.1 All employees shall abide by Part II of the Code of Ordinances, Section 23-2, Political activities of parish employees.
 - 1.2 All employees whose term of employment is governed by "Personnel Administration" (Classified Service) Jefferson Parish Department of Personnel shall abide by and are responsible for knowing the Personnel Rules of the Classified Service, Rule XV, Prohibitions Against Political Activity.
- 2. Candidates for public office

An employee shall immediately resign or forfeit employment with the Parish upon qualifying as a candidate for any public elective office *or* engaging in fund raising, directly or indirectly, to support a candidacy for public elective office whichever of the two events occurs first.
- 3. Use of property

Use of parish owned-properties or facilities or parish owned equipment or supplies for factional political purposes, meetings, or furtherance of factional political interests, is prohibited. Any employee violating this policy is subject to the appropriate disciplinary action.

510 Drugs, Alcohol and Tobacco

- 1. "Drugs" refers to any controlled dangerous substance as defined in R.S. 40:961(7), or controlled substance analogue as defined in R.S. 40:961(8).
- 2. "Alcohol" refers to any alcoholic beverages as defined in R.S. 26:241(1).

3. No employee shall use, consume or be under the influence of any drugs while in the workplace, while on-duty, or otherwise in the course and scope of employment except and unless such is a medication prescribed by a licensed medical practitioner pursuant to the employee's treatment by said licensed medical practitioner and used in a manner consistent with said prescription.
4. No employee shall report to work under the influence of any medication, prescribed or over-the-counter, which may impair the employee's ability to safely perform employee's duties as per the parish *Substance Use Policy Manual*.
5. An employee's use of drugs other than in the dosage prescribed by his licensed medical practitioner may subject the employee to all applicable provisions of the Jefferson Parish Substance Use Policy.
6. No employee shall use or be under the influence of alcohol at any level of blood alcohol content in the workplace, while on-duty, otherwise in the course and scope of employment and/or prior to or during the operation of a parish owned motor vehicle or motorized equipment.
7. No employee shall frequent or visit any bar, lounge, pub, saloon or tavern which is permitted to sell and serve alcohol during the work day and/or while acting in the course and scope of assigned duties except and unless such is within the course and scope of the employees job description and assigned duties. An employee is not prohibited from purchasing food, absent any purchase or consumption of alcohol, during the employee's authorized lunch break from an establishment which is permitted sell alcohol to patrons.
8. The use of any tobacco product in the workplace by an employee is prohibited except in any area designated for such use.
9. Jefferson Parish is a smoke-free workplace and as such the use of smokeless cigarettes is prohibited in Parish facilities.

511 Gambling

1. The parish does not permit gambling in any form by its employees during work days. This policy includes the selling of lottery tickets, sports pools, dice, and other games of chance.
2. A work day is defined herein as regular and over-time working hours, lunch periods, clean up time, and other breaks.
3. No employee shall frequent or visit any casino, racetrack, or off-track wagering facility during the work day and/or while acting in the course and scope of assigned duties except and unless such is within the course and scope of the employees job description and assigned duties.
4. Where lawful and appropriate, participation in games of chance which support charitable organizations may be permitted only after receiving written approval by Parish President or the Parish President's designee.
5. Violation of this policy will be just cause for disciplinary action.

512 Conviction and Arrests for Certain Crimes – Duty to Report

1. Conviction and arrests of certain crimes
 - 1.1 Conviction and arrests of certain crimes may have a direct effect on an employee's ability to perform the employee's regular assigned duties.
 - 1.2 The degree to which the arrest or conviction of a crime has on an employee's ability to perform the employee's regular duties would include but not be limited to (a) the nexus between the type of crime and the employee's regular duties; (b) the impact of any

conditions of release, diversion, conviction, post-conviction orders placed on the employee's ability to fully perform job duties.

- 1.3 A determination of whether an employee's ability to perform job duties has been impaired by an arrest or conviction for certain crimes shall be made by the appointing authority in consultation with Human Resource.
- 1.4 Employees who are no longer able to perform job duties because of an arrest or conviction of certain crimes may be subject to disciplinary action.
2. Duty to report
 - 2.1 All employees have a duty to report certain arrest and convictions to the employees' appointing authority within 72 hours
 - 2.2 Any arrest for a felony offense shall be reported;
 - 2.3 Any arrest for battery or Driving Under the Influence (DUI) shall be reported.
3. Failure to report
Any employee who fails to comply with the reporting requirements of this policy may be subject to disciplinary action.³⁸

513 Use of Equipment, Vehicles and Information/Communication Resources

1. Use of Equipment or Vehicles
(Reserved for future use)
2. Use Technologies and Communication Systems
 - 2.1. Establishment
This policy is established to govern access and usage of Parish technology and communications systems administered by or under supervision of Electronic Information System Department ("EIS"), including but not limited to the Parish computers, servers, network system, electronic mail system, intranet, internet access, and voice systems. This policy is also established to define expectations regarding usage and/or access to Parish technology and communication systems and to provide for related responsibilities. Please note: Employee email created, generated or received using the Parish's email server, which pertain to Jefferson Parish Government business may become public record regardless of their creation or generation using private computers, servers, or email systems. For tracking purposes, employees should always default to using the Parish email system for Jefferson Parish Government business, except where exigent circumstances mandate such use of private equipment and/or servers.
 - 2.2. Purpose
The purpose of this policy is to provide strict guidelines regarding the use of Parish technology and communication systems, to provide strict guidelines regarding computers, storage devices and/or mobile devices (including but not limited to smart phones, tablets and other mobile devices) present at the work place, whether or not such equipment is owned by the Parish, which may be used to access the Parish network systems or is otherwise supported by the Parish network system, including internet access.
 - 2.3. Scope

³⁸ Jefferson Parish Personnel , Rule X, Section 2, Termination for conviction of a felony

The scope of this policy extends to the access and usage of Parish technology and communication systems whether it is through Parish owned equipment or personal devices.

2.4. Policy Definitions

“Electronic mail” or “e-mail” means any message or communication which is sent or received through the Parish network or by Parish Internet access and includes any electronic data, images, or attachments to the message or communication.

“Internet” means an open computer network which connects computers and other computer networks and organizational computer facilities world-wide through which communications may be made and resources gathered and shared.

“Mobile devices” means a small, hand-held computing device typically having a display screen with touch input and/or a miniature keyboard with an operating system, the capability to run certain software applications.

“Parish network” means the computers and computing hardware devices that are linked together through communication channels maintained by the Parish to facilitate communication and resource-sharing within Parish government and includes Parish electronic mail system and Parish intranet.

“Parish intranet” is the restricted network accessible by Parish computers through which certain information and resources are shared within Parish government.

“Parish technology and communication system” means the Parish network and the computer hardware and software acquired and maintained by the Parish which supports use of technology by the Parish through computers, printers, scanners and other supported equipment.

“Smart phone” is a cellular telephone with advanced functionality such as text messaging, internet access, camera capabilities, recording capabilities, electronic mail capabilities.

2.5. Ownership and access to technology and communication; No Expectation of Privacy

- Parish technology and communications system is for the effective and efficient operation of government and uses related to Parish employment.

- All forms of data created, entered, shared, transmitted, received or stored using Parish technology and communication system is considered Parish property and is subject to being monitored, viewed, or released except as may otherwise be prohibited by state or federal privacy laws.

- Employees should assume that all forms of data created, entered, shared, transmitted, received or stored using Parish technology communication system will be monitored and viewed. Employees using Parish technology and communication systems to create, access, share, transmit or receive data or information that would otherwise be subject to any claim of confidentiality or privilege from disclosure hereby waives the right to assert such claim of confidentiality or privilege from disclosure.

- Parish has licensed the use of certain commercial software application programs for Parish purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use or distribute copies of such software in a manner which does not comply with applicable licensing agreement or otherwise violates the terms of the license agreement.

2.6. Electronic Mail and Electronic Mail Tampering

- Parish e-mail is to be used solely for communications and responding to inquiries related to the efficient and effective operation of government and job-related duties. All e-mails shall conform with parish format: (1) background shall be stark white with black or blue lettering throughout; (2) font size shall not exceed 14pt; (3) electronic signatures may be inserted; (4) contact information may be inserted which may include your name, job title, department, address, phone numbers; (5) personalized stationary and colored backgrounds are not allowed nor are logos, emoticons, images, philosophies, personal message statements, or quotations.

- Transmission or receipt of e-mails for strictly personal reasons is considered a misuse and abuse of Parish technology and communication system.

- E-mail messages received shall not be altered without the sender's permission nor shall messages be altered and forwarded to another user and/or unauthorized attachments placed on another's e-mail without the individual's permission.

- "1,2,3's" of Parish e-mail:

3 DON'TS (1) DON'T use e-mail as a substitute for a conversation; (2) DON'T use casual or offensive language, slang, abbreviations or emotional symbols when composing an e-mail; (3) DON'T "Reply All," unless it is essential that *all* original recipients receive reply.

3 DO'S (1) DO assume all e-mails are subject to public disclosure; (2) DO include a subject and closing (signature); (3) DO proofread before sending.

2.7. Internet Usage and Browsing

Internet access is restricted to uses which further effective and efficient operation of government, to provide enhanced service of the highest quality, and to support other direct job-related purposes. Internet access is a Parish resource which is provided as a tool for employees to engage in necessary research, professional development and work-related communications. Internet access shall not be used for strictly personal purposes or reasons unrelated to Parish employment and job duties.

2.8. Prohibited Uses of Technology and Communication Systems

The following is a non-exclusive list of prohibited uses of the Parish technology and communication systems:

- Downloading files from the Internet or other devices or receiving or sending files as attachments to e-mails which are unrelated to the efficient and effective operation of Parish or job duties;

- Causing congestion, disruption disablement, alteration or impairment through misuse of Parish technology and communication systems;

- Installing software on Parish computer without verifiable license;

- Installing software on Parish computers that is legally licensed to user but not licensed to Parish;

- Installing or reconfiguring hardware or software on Parish computers or network without proper authorization from EIS;

- Using systems to solicit or sell products or services that are unrelated to Parish business;

- Accessing networks, servers, drives, folders or files to which the employee has not been granted access or authorization from the appropriate supervisor;

- Making unauthorized copies of Parish files, information or data in any format, photographic, audio, etc.;

- Destroying, deleting, erasing or concealing Parish files or other data, or otherwise making such files or data unavailable or inaccessible to the Parish or to another authorized user of the Parish system;

- Misrepresenting oneself or the Parish through use of Parish technology and communication systems;

- Propagating any virus, worm, Trojan horse, or other program or code designed to disrupt, disable, impair, or otherwise harm either Parish technology and communication systems or those of any individual computer;

- Using abusive, profane, threatening, discriminatory or otherwise objectionable language through use of Parish technology and communication systems;

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam");

- Sending, receiving or accessing offensive materials, including but not limited to sexually explicit materials or materials whose content would otherwise be considered discriminatory or harassing;

- Engaging in unlawful or malicious activities;
- Engaging in recreational games, gambling or wagering activity through use of Parish technology and communication systems;
- Defeating or attempting to defeat security restrictions governing use of Parish technology and communication systems;
- Engaging in political or partisan activity;
- Maintaining, organizing, or participating in non-work related Web logs (“blogs”), Web journals, “chat rooms”, social media sites.

2.9. Responsibilities

2.9.1. EIS Responsibility

EIS is responsible for regularly checking and monitoring department and employee use and access to Parish technology and communication system, including but not limited to accessing and monitoring individual’s use of computer equipment, electronic-mail, and internet access.

2.9.2. Employee Responsibility

All employees are responsible for:

- Using Parish technology and communication in a manner consistent with this policy and shall refrain from engaging in any conduct which compromises the integrity of the Parish technology and communication system or otherwise violates this Administrative Management Policy;
- Choosing a secure password and changing the password frequently;
- Protecting and preserving security by keeping confidential passwords;
- Logging off of Parish computer and/or network;
- Refraining from leaving computer unattended without enabling proper security;
- Reporting abuse of Parish technology and communication systems to appropriate supervisor;
- Reporting information which indicates systems’ security has been breached or compromise or the integrity of the system is otherwise compromise, including by way of example only a misappropriated password, incident computer viruses, computer crashes.

2.9.3. Supervisor Responsibility

- Monitoring and ensuring compliance by employees;
- Determine, approve or deny requests for use and access to Parish technology and communication systems based upon departmental needs, needs for services; employee job-duties, potential for misuse or abuse of systems;
- Review employee authorization and access to Parish technology and communication systems upon change of employee classification or position;
- Notify and confirm with EIS that employee access to Parish technology and communication systems is terminated upon termination of employment;
- Receiving reports from employees of abuse or misuse of Parish technology and communication systems;
- Receiving information from employees that systems’ security has been breached or otherwise compromised, including reports of viruses and computer crashes;
- Reporting abuse or misuse of Parish technology and communication systems and breaches or compromises in systems’ security to EIS;
- Taking appropriate disciplinary action.

3. Acquisition of Technology/ Communication System Resources

Any technology and communication system equipment and computer drivers to be installed on the Parish technology and communication system shall be acquired by the Parish with the approval of EIS to be installed by EIS.

600 Employee Evaluation and Protection

601 Employee Evaluation

(Reserved for future)

602 Maintaining Standards of Effective Service

1. Establishment
Jefferson Parish is committed to enforcing a system of corrective discipline that is critical to the overall enforcement of policies, rules and regulations. Corrective disciplinary action will be taken when an employee is unwilling or unable to perform the duties of the employee's position in a satisfactory manner, has engaged in prohibited conduct, violated the provisions of this manual, neglected to perform any action, or has otherwise become subject to corrective action. Jefferson Parish hereby provides notice to all employees that discipline may be imposed for substandard performance, unacceptable or prohibited conduct or as otherwise appropriate. "Corrective action" is defined to include but not be limited to an oral warning, written reprimand, fine or restitution, suspension, denial of salary increase, demotion (reduction in pay) and termination.
2. Purpose
The purpose of this policy is to address serious incidents of misconduct, wrongful acts, repeated violations of policies, regulations, rules, or unacceptable performance of any employee and to provide a procedure for corrective disciplinary action, including disciplinary suspensions.
3. Scope
This policy applies to all appointed, classified, unclassified, full-time, and part-time employees under the administrative authority of the Parish President. The authority to administer disciplinary suspensions resides with the appointing authorities. This policy is not intended to create or confer any interest in employment of position beyond that which is established pursuant to the parish home rule charter and the Personnel Rules of the Classified Service.
4. Fines or Restitution
 - 4.1 Establishment
All employees who are entrusted with or charged with the use of parish property and equipment have an affirmative obligation to use, maintain, and protect the equipment from loss or damage. Employees will be held responsible for damage to or loss of parish property. If damage or loss occurs, the employee(s) entrusted with the care and custody of the property may be required to pay restitution for the repair or replacement of the damaged property, or alternatively, may be fined whether such damage or loss is the result of willful neglect, recklessness, negligence or accident.
 - 4.2 Purpose
The purpose of this policy is to provide a uniform, corrective policy as it relates to damage to all parish vehicles, equipment and property; to provide a fair, reasonable policy which encourages employees to be cautious and protective of parish property and equipment; and to provide a reasonable measure by which the parish may recover for the damage or loss to parish property and equipment by employees.
 - 4.3 Scope
This policy applies to all employees of the classified service. This policy does not preclude the parish from pursuing any other remedy available by law to recover for property loss ~~of~~ or ~~damaged~~ from an individual who ceases to be in the classified

service. This policy does not preclude seeking recovery whether by way of fine or restitution, or other appropriate action, against an un-classified employee of the parish.

4.4 Definition

“Vehicles” includes by way of example only any parish owned car, van, sports-utility, truck, trailer.

“Heavy-equipment” includes but is not limited to tractors, fork-lifts, riding lawn mowers, cranes, and all attachments and accessories essential or related to use.

“Small motorized equipment” includes motorized push, lawn mowers, weed-eaters, ground tillers, power-washers, post-hole diggers, jack hammers, disk-sanders, and all attachments and accessories essential or related to use.

“Power tools” includes any tool powered by electricity or battery such as saws of all kind, drills, hand-held sanders, compressors, and all attachments and accessories related to use.

“Hand-held tools” includes any hand held tool which is not powered by electricity or battery, such as hammers, saws, drills, and the like.

“Electronics” includes but is not limited to computers, projectors, radio, cell-phones, and cameras.

4.5 Supervisor responsibility

Each supervisor has an affirmative obligation to ensure that parish equipment is only used by employees in furtherance of their job duties. Further, each supervisor has an affirmative obligation to ensure that property which is entrusted to and used by employees in the furtherance of the employee’s job duties is returned and its use unimpaired by damage. Any loss or damage to parish property by an employee shall be documented and reported to the appointing authority for appropriate action.

4.6 Appointing authority responsibility

Appointing authority shall receive any reports of damage or loss to parish property and shall take appropriate action in accordance with this policy.

4.7 Procedure

Disciplinary action will be determined by the appointing authority who shall consider the information provided by and recommendations of the employee’s supervisor. A pre-disciplinary hearing shall be scheduled and conducted in accordance with this policy prior to reaching a final decision regarding disciplinary action. An order to pay a fine or restitution is considered disciplinary action under the Personnel Rules of the Classified Service. Any order to pay a fine or restitution must comply with this policy and the Personnel Rules of the Classified Service.³⁹

4.8 Fines or restitution

4.8.1 Fines

- For damage or loss of property the replacement or repair of which exceeds \$1000 but is less than \$5000, the employee may be ordered to pay a fine up to 50% the value of the property or repair or \$1000.

- For damage or loss of property the replacement or repair of which exceeds \$5000, the employee may be ordered to pay a fine up to 25% the value of the property or repair or \$2500.

4.8.2 Restitution

³⁹ Jefferson Parish Personnel, Rule X, Section 1.

For damage or loss of property the replacement or repair of which is less than \$1000, the employee shall be ordered to pay reasonable restitution. In determining restitution, the value of the property or the cost of repair shall be considered but is not determinative. In the case of repair, restitution shall not exceed the actual cost of repair. In case of replacement, the cost of replacement shall be considered. Other factors which may be considered are date property was first acquired, wear-tear on property prior to being lost or damaged, whether equipment technology is considered obsolete.

4.9 Payment of fine or restitution

The procedure for payment of fines or restitution shall be the same procedure specified for Recoupment of Overpayment. No action shall be made to secure payment of fine or restitution until all delays for appeal to the Personnel Board have expired, and the disciplinary action is considered final.

5. Counseling Session

6. Pre-Disciplinary Hearings

6.1 Establishment; definition

It is the policy of Jefferson Parish to afford employees a "Pre-Disciplinary" hearing before formal action is taken for violations of policy, rule, regulation, substandard performance, unacceptable or prohibited conduct or otherwise committed some act to the prejudice of service.

"Pre-disciplinary" hearing is defined as a meeting between the appointing authority and a subordinate employee who is alleged to have violated a policy, regulation, rule, performance standard or has otherwise acted or failed to act in a manner to the prejudice of parish employment.

6.2 Purpose

The purpose of "Pre-Disciplinary" hearing is to provide notice to an employee of allegations of violations of policy, rule, regulation, performance standard by the appointing authority; before disciplinary action, as defined by the Personnel rules of the Classified Services, is taken.

6.3 Scope

This policy applies only to parish employees in classified service. Every employee of the classified service shall be offered the opportunity to participate in a pre-disciplinary hearing before an employee is (1) terminated; (2) suspended; (3) subjected to a reduction in pay; (4) demoted; (5) involuntary retirement; (6) fined or ordered to pay restitution. This policy does not apply to un-classified employees whose term of employment is at-the-will of the appointing authority.

6.4 Appointing authority responsibility

6.4.1 Pre-disciplinary hearings may only be conducted by an appointing authority.

6.4.2 It is the primary responsibility of the appointing authority to conduct a pre-disciplinary hearing with an employee prior to taking any formal disciplinary action which may give rise to an appeal under the parish Personnel Rules of the Classified Service.

6.4.3 Appointing authority is responsible for preparing and providing written notice to the employee of the pre-disciplinary hearing.

6.4.4 Human Resource shall be contacted and assist in conducting a pre-disciplinary hearing for the employee upon a determination that formal disciplinary action may be warranted.

6.5 Human Resource responsibility

6.5.1 Human Resource shall attend all pre-disciplinary hearings for the purpose of facilitating and verifying that the department has adhered to this policy and that the employee is given an opportunity to present information in favor of employment or opposition to any disciplinary action.

- 6.5.2 Human Resource shall assist the appointing authority in preparing notice of pre-disciplinary hearing to the employee.
- 6.6 Notice
- 6.6.1 The employee shall be given notice of the pre-disciplinary hearing reasonably in advance of the scheduled hearing; either; (1) by hand in writing, except in exigent circumstances notice may then be oral; or (2) by mail, U.S. mail, postmarked five (5) calendar days in advance of scheduled hearing.
- 6.6.2 The notice shall (1) state the date, time and place of pre-disciplinary hearing; (2) describe the conduct, action or inaction, which gives rise to the pre-disciplinary hearing; (3) describe of information or facts which is the basis for the hearing; (4) refer to the policy, law, regulation, rule or performance standard which has been violated; (5) inform the employee that the employee will have an opportunity to respond to the information and facts presented and to present information and facts; (6) inform the employee that formal disciplinary action may be taken based upon information provided and findings reached following the pre-disciplinary hearing.
- 6.7 Procedure
- The pre-disciplinary hearing shall be documented:
- 6.7.1 The pre-disciplinary hearing shall be documented. The documentation shall include but is not limited to the following:
- Date, time, place and duration of hearing;
 - Copy of notice of pre-disciplinary hearing;
 - Description facts and/or copy of evidence presented during the hearing that tend to establish the conduct, action or inaction, on the part of the employee which is a violation of a policy, law, regulation, rule or performance standard which has been violated;
 - Description of facts and/or copy of evidence presented during the hearing by the employee that tend to establish the employee did not engage in conduct, action or inaction, which is a violation of a policy, law, regulation, rule or performance standard;
 - Documentation that the employee was provided an uninterrupted opportunity to present any facts or evidence which tend to establish that the employee did not engage in conduct, action or inaction, which is a violation of a policy, law, regulation, rule or performance standard.
- 6.7.2 A digital recorder is preferred but not required for purposes of documenting hearing. If a digital recorder is used, the employee must be notified and the recording must begin with a statement that the hearing is being taped.
7. Disciplinary Suspensions

603 Grievance Policy Procedures

1. Establishment
The Administration of Jefferson Parish Government is committed to providing an employee forum through which all classified employees may voice dissatisfaction and complaints relative to their work with the Parish. Further, it is the policy of the Parish that no employee will be penalized or discriminated against for using the Grievance Program or should they fear any form of retaliation.
2. Purpose
 - 2.1 To establish a fair and consistent manner for handling employee complaints;
 - 2.2 To provide all classified employees with a means of recourse when they feel they have not been treated fairly or in accordance with Parish or departmental policy.

3. Scope
- 3.1 This policy applies to all classified probationary and permanent status employees of Jefferson Parish government. It is the responsibility of each appointing authority and all supervisory personnel to ensure that employee grievances are handled within the parameters set forth in this policy. Failure by supervisory personnel to comply with this program negatively reflects on job performance and may result in corrective disciplinary action taken against the supervisor.
- 3.2 It should be noted that matters pertaining to the rights and discretion of the Parish Administration and the Parish Council concerning departmental reorganization and employees therein are not grievable.
- 3.3 Under no circumstances will an employee's job security, status, working conditions, or relationship with management be jeopardized because a complaint has been appealed to a higher level of management. Any employee who files a grievance is expected to comply with all work rules and policies pending the resolution of a grievance, unless they are unlawful or present imminent danger.
- 3.4 If any doubt exists as to whether a particular dispute or complaint is grievable, the grievance/complaint may be taken up through the Grievance Program in order to resolve doubt. However, the filing of a grievance will not interrupt or suspend the timelines of filing an appeal with the Jefferson Parish Personnel Board. In order to avoid losing his/her right to appeal, the employee must file an appeal within thirty (30) days of the action taken against him/her.
4. Definitions
- Since classified employees of Jefferson Parish also have a right to appeal certain actions to the Jefferson Parish Personnel Board, it will be necessary to begin by differentiating between those matters that are grievable through the Grievance Program and those that are appealable to the Personnel Board.
- 4.1 A "Grievance" is a complaint or dissatisfaction expressed by an employee when he/she believes, rightly or wrongly, that he/she has not been treated fairly or in accordance with Parish or departmental policy. The following is a list of examples and is not all inclusive:
- 1) Working conditions;
 - 2) Safety hazards or concerns;
 - 3) Sexual harassment or other forms of harassment;
 - 4) Alleged violations of department and/or Parish policy;
 - 5) Abuse of discretion by supervisor;
 - 6) Work-related disputes with fellow employees;
 - 7) All forms of discrimination which may not be directly related to employee actions.
- 4.2 The following is a list of actions which are Appealable to the Personnel Board and are not grievable through this Grievance Program:
- 1.) Suspension;
 - 2.) Dismissal;
 - 3.) Lay-off;
 - 4.) Reduction in pay;
 - 5.) Demotion;
 - 6.) Fine;
 - 7.) Matters of specific allegations of discrimination directly related to merit employment actions;
 - 8.) Unsatisfactory service ratings resulting in appealable actions;
 - 9.) Untimely service ratings;
 - 10.) Involuntary leave;
 - 11.) Absence Without Leave (AWOL);

12.) Actions taken by the Personnel Department, such as job reclassification.

5. Procedure

NOTE: Under certain specific circumstances a grievance/complaint may be brought directly to the Department of Human Resource Management. When cases involve allegations of sexual harassment, discriminatory employment practices, illegal acts, or threats of physical harm, an employee may contact their Department's Human Resource Manager or the Director of Human Resource Management at 736-6175. The Human Resource Manager will make a determination concerning the best method to resolve the complaint no later than 24 hours following receipt of the complaint.

Other than the specific circumstances described above, the following list briefly outlines the six steps that must be followed in the grievance process until the step at which grievance is resolved:

STEP 1: Employee discusses grievance/complaint with supervisor.

STEP 2: Employee fills out Employee Grievance Form and returns it to supervisor for a response. (Grievance Form is found in Appendix.)

STEP 3: Supervisor offers solution to grievance/complaint in writing and discusses with the employee.

STEP 4: The employee indicates in writing whether he accepts, in which case the process stops as the grievance is resolved, or does not accept the supervisor's solution.

STEP 5: The Director discusses the grievance/complaint and provides a written solution.

STEP 6: The employee indicates in writing whether he accepts, in which case the process stops as the grievance is resolved, or does not accept the Director's solution.

A detailed explanation of the steps in the Grievance Process follows:

5.1. **Step One: Oral Discussion**

5.1.1 Step 1: Employee discusses grievance/complaint with supervisor, within (10) ten working days from the occurrence of the action which prompted the problem/complaint.

5.1.2 The immediate supervisor must conduct a meeting with the complaining employee within (5) five working days from his/her notification of grievance/complaint. At this meeting the immediate supervisor should allow enough time and privacy to facilitate an open and frank discussion. The employee should be provided the opportunity to present grievance/complaint. A sincere attempt should be made by both parties to resolve the grievance/complaint at this level.

5.1.3 At the conclusion of the meeting between the employee and immediate supervisor, if the grievance/complaint has been resolved, the matter is concluded.

- If complaint/ problem is resolved, process stops.
- If complaint/problem is not resolved, proceed to Step 2.

5.2. **Step Two: Employee Grievance Form – Top Section (Grievance Form is found in Appendix.)**

- 5.2.1 If the grievance/complaint has not been resolved to the mutual satisfaction of both parties at the Step 1 meeting, the employee may formalize the grievance/complaint in writing and continue the process by completing the Employee Grievance Form (EGF).
- 5.2.2 Employee completes top section of the EGF, which must include a specific suggested solution, and gives it to supervisor for a response. This form must be completed and submitted within (5) five working days from the conclusion of the initial Step 1 meeting where the grievance/complaint was verbally discussed with supervisor.
- 5.2.3. In completing the form, the employee should include sufficient facts, times, dates, and details in order to clearly describe the grievance/complaint. This will assist in identifying the issues to be addressed.
- 5.2.4 The relief or solution sought by the employee must be limited to conditions which directly affect the employee. (For example, the employee “may not” request that some form of disciplinary action be taken against a co-worker or supervisor. The employee “may,” for example, request that a particular practice that is offensive be discontinued or amended.) Employees who have the same grievance/complaint (i.e., a problem working condition, etc.), may file a grievance jointly by having the employees who wish to be parties to the grievance sign the grievance form.
- 5.2.5 The only matters that may be introduced at any step in the grievance process will be those contained on EGF.
- 5.3. **Step Three: Supervisor Solution**
- 5.3.1 When the immediate supervisor receives the completed EGF, the supervisor must review it and complete the Supervisory Response section of the form, indicating proposed resolution. The immediate supervisor must provide a written solution in response and review it with the employee within (5) five working days of receipt of the EGF. During this review, the grieving employee must complete the Employee’s Response section of the EGF.
- 5.4. **Step Four: Employee Accepts/Does Not Accept Solution**
- 5.4.1 During the review with the supervisor, the employee indicates in writing whether he accepts or does not accept the supervisor’s solution.
- If solution accepted, process stops and copies of grievance form (Form EGF) are distributed.
 - If solution not accepted, proceed to Step 5.
- 5.4.2 If the grievance is resolved at Step 4, this concludes the grievance process, and the EGF paperwork is immediately disbursed by the immediate supervisor who provided the resolution as follows:
- The original remains in the department;
 - One copy goes to the employee;
 - One copy goes to Human Resources;
 - One copy goes to the Director of the department where the grievance originated.
- 5.4.3 When the grieving employee does not accept the written resolution offered at Step 3 and signs the “Employee’s Response” section of the EGF requesting the grievance to be continued to the department director, the immediate supervisor involved in Step 3 has (1) one working day to deliver the original EGF to department director.
- 5.5. **Step Five: Director’s Solution**
- 5.5.1 The supervisor has (1) one working day to deliver the original Form EGF to the Director. The Director discusses the grievance/complaint with the


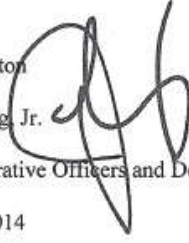
- employee and investigates within (10) ten working days from receipt of the Form EGF. The Director, or designee, provides a written solution and meets with the employee to discuss.
- 5.5.2 The department director, or designee, should investigate the matter, gather all facts, and make a sincere attempt to resolve the grievance to mutual satisfaction.
- 5.5.3 The department director, or designee, is responsible for completion of the Directors Response section of the EGF, and for providing this response to the grieving employee.
- 5.5.4 The grieving employee has (5) five working days to accept the solution offered, or to request the grievance be continued to the sixth step of the process. The grieving employee must complete the "Employee's Response" section and return the EGF to the department director, or designee, within this (5) five day period.
- 5.6. **Step Six: Employee Accepts/Does Not Accept Director's Solution**
- 5.6.1: The employee indicates in writing whether he accepts or does not accept the Director's solution.
- If solution accepted, process stops and copies of grievance form distributed.
 - If solution not accepted, Director immediately forwards grievance to Human Resource Management for review and possible investigation.
- 5.6.2 If the employee accepts the department director's or designee's resolution, this concludes the grievance process, and the EGF paperwork is immediately disbursed as follows:
- The original remains in the department;
 - One copy goes to the employee;
 - One copy goes to Human Resources;
 - One copy goes to the Director of the department where the grievance originated.
- 5.6.3 If the grievance is not resolved, the department director or designee is responsible for forwarding the original EGF to the Department of Human Resource Management. This task must be completed within (1) one working day from date department director receives EGF back from the grieving employee.
- 5.6.4 Upon receipt of the EGF from the department director, the Human Resource Director will have the grievance logged-in; review the grievance/complaint for subject matter and completeness; assign a Fact Finder; and an investigation into the matter will begin.
- 5.6.5 The Fact Finder may meet with the grieving employee, the supervisor, witnesses, (and/or others who have some knowledge of the circumstances which are being grieved), and, if necessary, the department director. After the Fact Finder determines that all relevant information has been gathered, a concise report of the facts and findings of the case will be prepared and submitted to the Director of Human Resource Management.
- 5.6.6 A formal binding resolution will be issued by the Director of Human Resource Management within five (5) working days after the completion of the fact-finding inquiries. All affected parties will take necessary action to ensure the resolution is implemented and adhered to.
- 5.6.7 If, at any step in the process, the deadline for a response has passed and no response or explanation has been issued, the grieving employee, the immediate supervisor, or the department director should contact the Department of Human Resource Management to request that someone check

on its progress. Time periods specified may be amended based upon mutual consent from all parties.

- 5.6.8 The Department of Human Resource Management reserves the right to suspend the grievance process at any step if the grievant simultaneously seeks a resolution through other means (i.e., EEOC, appeal, notice of intent to file a lawsuit, or filing of a lawsuit).
- 5.6.9 When grievances are directed toward an appointing authority or department director, the Director of the Department of Human Resource Management may be a fact finder along with a designated Human Resource Manager to facilitate discussion and resolve the grievance/complaint. If grievance/complaint is not resolved, the Director of Human Resource Management will conduct interviews with the particular appointing authority or department director. In the case of a grievance directed toward a member of the Executive Staff, the Parish Attorney, or designee, will act as Fact Finder and handle the investigation. Accordingly, in such cases, the final resolution will be signed and issued by the Parish Chief Operating Officer or Deputy Chief Operating Officer.
- 5.6.10 The Administration is committed to this grievance resolution program, and therefore it is expected that supervisory and managerial personnel will be supportive and responsive.

Appendices

A. Appointing Authority

	PARISH OF JEFFERSON OFFICE OF THE PRESIDENT	JOHN F. YOUNG, JR. PARISH PRESIDENT
To:	Peggy O. Barton	
From:	John F. Young, Jr.	
Cc:	All Administrative Officers and Department Heads	
Date:	August 27, 2014	
Re:	<i>Authorization of Appointing Authority</i>	

As set forth, in part, in Section 3.03 (A) of the Charter, the "Parish President shall be the chief administrative officer of the parish and, as such, responsible...for the administration and supervision of all parish departments, offices, agencies, and special districts."

Further, as set forth in Section 3.03 (B) of the Charter, the "Parish President shall have the power to appoint and remove, subject to the provisions of this Charter, all administrative officers and employees of the parish responsible to him; or may, at his discretion, authorize the head of a department or office responsible to him to appoint and remove subordinates in such departments or office subject to the provisions of this Charter."

Therefore, Chief Operating Officer Jennifer VanVrancken-Dwyer and Deputy Chief Operating Officer Jacques Molaison are authorized to, and shall be the appointing authorities for all other administrative officers, and the employees within all departments, offices, agencies, and special districts of parish government, such as depicted on the Administrative Staff table of organization, but that:

1. Parish Attorney Deborah Cunningham Foshee also shall be the appointing authority for her staff employed within the Department of Law and all classified employees within the Department of Risk Management.
2. Director of Risk Management William E. Fortenberry also shall be the appointing authority for all classified employees within the Department of Risk Management.
3. Director of Finance Timothy J. Palmatier also shall be the appointing authority for all classified employees within the Departments of Finance, Accounting, Budget, and Purchasing.
4. Director of Budget Antoinette Scott also shall be the appointing authority for all classified employees within the Department of Budgeting.

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GENERAL GOVERNMENT BLDG - 200 DERBIGNY ST - SUITE 6100 - GREYNA, LA 70053 - P O BOX 9 - GREYNA, LA 70054 - OFFICE 504.364.2700 - FAX 504.364.2828
JOHN.YOUNG@JEFFPARISH.NET WWW.JEFFPARISH.NET

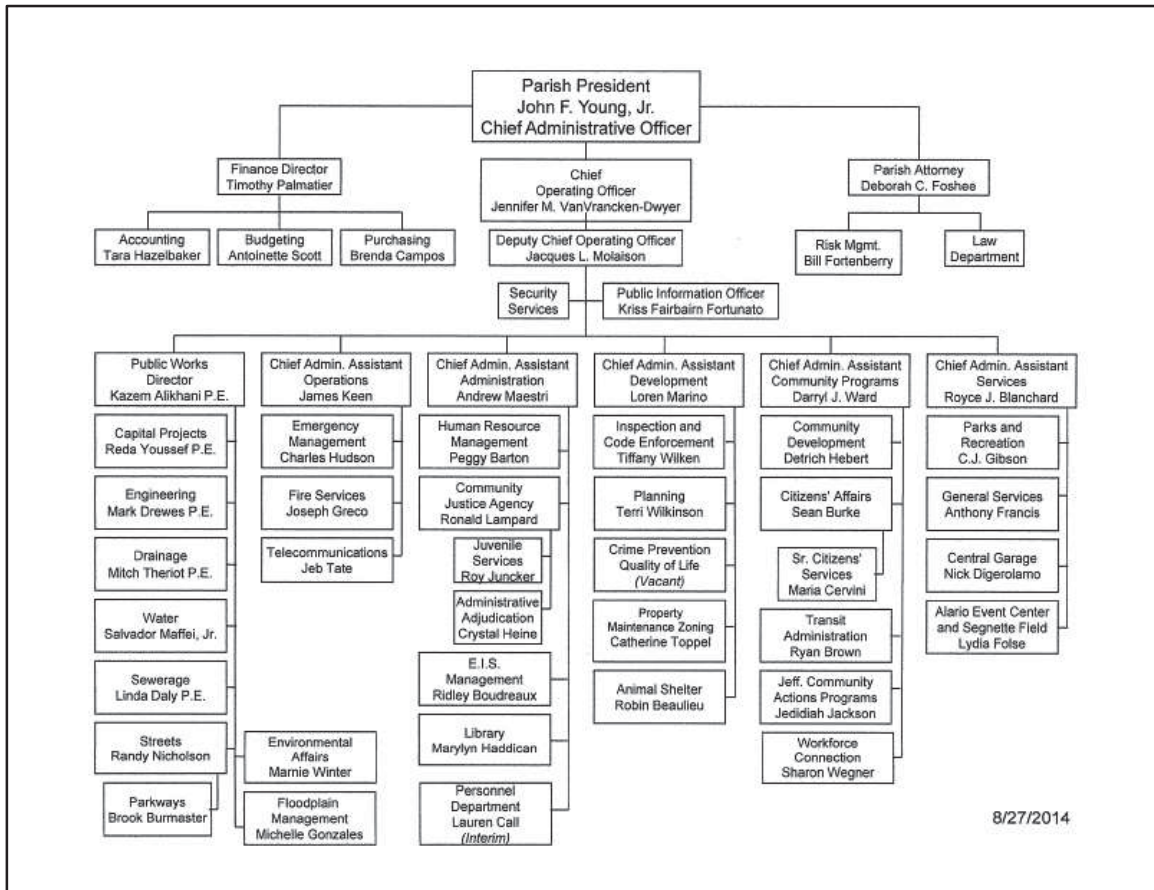
5. Director of Purchasing Brenda J. Campos also shall be the appointing authority for all classified employees within the Department of Purchasing.
6. Director of Accounting Tara Hazelbaker also shall be the appointing authority for all classified employees within the Department of Accounting.
7. Public Works Director Kazem Alikhani also shall be the appointing authority for all classified employees within the Departments of Public Works, Capital Projects, Engineering, Drainage, Water, Sewerage, Streets, Parkways, Environmental Affairs, and Floodplain Management and Hazard Mitigation.
8. Director of Capital Projects Reda M. Youssef also shall be the appointing authority for all classified employees within the Department of Capital Projects.
9. Director of Engineering Mark R. Drewes also shall be the appointing authority for all classified employees within the Department of Engineering and the Department of Floodplain Management and Hazard Mitigation.
10. Director of Drainage Mitch T. Theriot also shall be the appointing authority for all classified employees within the Department of Drainage.
11. **Director of Sewerage Linda J. Daly also shall be the appointing authority for all classified employees within the Department of Sewerage.**
12. **Director of Water Salvador Maffei, Jr. also shall be the appointing authority for all classified employees within the Department of Water.**
13. **Director of Streets Randy P. Nicholson also shall be the appointing authority for all classified employees within the Department of Streets.**
14. **Director of Parkways Brook Burmaster also shall be the appointing authority for all classified employees within the Department of Parkways.**
15. Director of Environmental Affairs Marnie M. Winter shall also be the appointing authority for all classified employees within the Department of Environmental Affairs.
16. Director of Floodplain Management and Hazard Mitigation Michelle Gonzales shall also be the appointing authority for all classified employees within the Department of Floodplain Management and Hazard Mitigation.
17. Chief Administrative Assistant for Operations James H. Keen also shall be the appointing authority for all classified employees within the Department of Emergency Management, the Office of Fire Services, and the Office of Telecommunications.

18. Director of Emergency Management Charles M. Hudson also shall be the appointing authority for all classified employees within the Department of Emergency Management.
19. Director of Fire Joseph R. Greco also shall be the appointing authority for all classified employees within the Office of Fire Services.
20. Director of Telecommunications Jeb S. Tate also shall be the appointing authority for all classified employees within the Office of Telecommunications.
21. Chief Administrative Assistant for Administration Andrew M. Maestri also shall be the appointing authority for all classified employees within the Community Justice Agency and the Department of Juvenile Services, Human Resource Management, Library, Personnel, Administrative Adjudication (the appointment of Hearing Officers excepted), Electronic Information Systems Management.
22. Director of Community Justice Agency Ronald E. Lampard also shall be the appointing authority for all classified employees within the Community Justice Agency and the Department of Juvenile Services.
23. Director of Juvenile Services Roy L. Juncker, Jr. also shall be the appointing authority for all classified employees within the Department of Juvenile Services.
24. Director of Human Resource Management Peggy O. Barton also shall be the appointing authority for all classified employees within the Department of Human Resource Management.
25. Director of Library Marylyn P. Haddican also shall be the appointing authority for all classified employees within the Department of Library.
26. Director of Electronic Information Systems Management Ridley J. Boudreaux shall also be the appointing authority for all classified employees within the Department of Electronic Information Systems Management.
27. Chief Administrative Assistant for Development Loren C. Marino also shall be the appointing authority for all classified employees within the Departments of Inspection and Code Enforcement, Planning, Crime Prevention and Quality of Life Enforcement Coordinator, Property Maintenance Zoning/Quality of Life, and Animal Shelter.
28. Director of Inspection and Code Enforcement Tiffany Scot Wilken also shall be the appointing authority for all classified employees within the Department of Inspection and Code Enforcement.
29. Director of Property Maintenance Zoning/Quality of Life Catherine M. Toppel also shall be the appointing authority for all classified employees within the Department of Property Maintenance Zoning/Quality of Life.

30. Director of Planning Terri A. Wilkinson also shall be the appointing authority for all classified employees within the Department of Planning.
31. Director of the Animal Shelter Department Robin C. Beaulieu also shall be the appointing authority for all classified employees within the Animal Shelter Department.
32. Chief Administrative Assistant for Community Programs Darryl J. Ward also shall be the appointing authority for all classified employees in the Departments of Community Development, Citizens Affairs, Senior Citizen Services, Transit Administration, Jefferson Community Action Programs, and Workforce Connections.
33. Director of Community Development Programs Detrich D. Hebert also shall be the appointing authority for all classified employees within the Department of Community Development Programs.
34. Director of Citizens' Affairs Sean P. Burke also shall be the appointing authority for all classified employees within the Department of Citizens' Affairs, including the Office of Senior Citizens' Services.
35. Director of Transit Administration D. Ryan Brown also shall be the appointing authority for all classified employees within the Department of Transit Administration.
36. Director of Jefferson Community Action Programs Jedidiah B. Jackson also shall be the appointing authority for all classified employees within the Department of Jefferson Community Action Programs.
37. Director of Workforce Connection Sharon K. Wegner also shall be the appointing authority for all classified employees within the Department of Workforce Connection.
38. Chief Administrative Assistant for Services Royce J. Blanchard also shall be the appointing authority for all classified employees of the John A. Alario, Sr. Events Center and Bayou Segnette Sports Complex, and the Departments of Parks and Recreation, General Services, and Central Garage (Fleet Management).
39. The John A. Alario, Sr. Events Center General Manager Lydia S. Folse also shall be the appointing authority for all classified employees of the John A. Alario, Sr. Events Center and Bayou Segnette Field.
40. Director of Parks and Recreation C.J. Gibson also shall be the appointing authority for all classified employees within the Department of Parks and Recreation.

41. Director of General Services Anthony L. Francis also shall be the appointing authority for all classified employees within the Department of General Services.
42. Director of Central Garage (Fleet Management) Nicholas F. DiGerolamo also shall be the appointing authority for all classified employees within the Department of Central Garage (Fleet Management).


B. Parish Government Organizational Chart



C. Exit Interview Form


Jefferson Parish Exit Interview Form				
Employee Information				
Employee Name: <input style="width: 100px;" type="text"/>	Date: <input style="width: 100px;" type="text"/>			
Department: <input style="width: 100px;" type="text"/>	Position: <input style="width: 100px;" type="text"/>			
Date hired: <input style="width: 100px;" type="text"/>	Date of Separation: <input style="width: 100px;" type="text"/>			
Employee Informed of Restrictions				
<input type="checkbox"/> Code of Ethics, Post Employment Information	<input type="checkbox"/> Removing parish property	<input type="checkbox"/> Damaging, destroying parish property or documents		
Employee Returned To Parish				
<input type="checkbox"/> Building Keys	<input type="checkbox"/> Car keys, equipment keys	<input type="checkbox"/> Parish ID/Access Cards		
<input type="checkbox"/> Equipment and tools	<input type="checkbox"/> Computer, software, radios	<input type="checkbox"/> Credit cards		
<input type="checkbox"/> Parking passes	<input type="checkbox"/> Other: _____			
Reasons for Leaving (To be completed by employee)				
Reasons for leaving: <input style="width: 100px;" type="text"/>	Describe the main reason you are leaving parish employment.			
Job Satisfaction: <input style="width: 100px;" type="text"/>	Describe what you enjoyed most about your job and what you enjoyed least.			
Supervisors: <input style="width: 100px;" type="text"/>	Describe whether you received adequate supervision by responding to below.			
	Almost Always	Usually	Sometimes	Never
Responsive to complaints and concerns				
Was generally fair				
Clearly communicated expectations and assignments				
Provided coaching and training				
Recognized accomplishments				
Ethics: <input style="width: 100px;" type="text"/>	Did you receive training on Code of Governmental Ethics? ___ Yes ___ No. Did you witness or have knowledge of any unethical conduct or practices engaged in by parish employees. If so, please describe.			
Acknowledgement of Receipt of Warning				
<i>By signing this form, you confirm that you have been informed of the above restrictions regarding separation from parish employment, including but not limited to Code of Ethics -- Post Employment Restrictions. You confirm that you have returned or arranged for the return of all parish property including but not limited to computers, software, equipment, tools, vehicles, credit cards, keys, parking passes, work orders, other parish documents in your possession. You confirm the accuracy of the response to questions provided above.</i>				
_____ Employee Signature		_____ Date		
_____ Interviewer's Signature		_____ Date		
_____ Interviewer's Name		_____ Interviewer's Position		

D. "Post-Employment" Information Sheet



POST EMPLOYMENT

A summary of the post employment restrictions contained in
Louisiana's Code of Governmental Ethics



Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

Revised: February 2009 Information Sheet #5

The provisions restricting post employment options for public servants are found in §1121 of Louisiana's Code of Governmental Ethics. (LSA-R.S. 42:1101 et seq.) Generally there is a two year waiting period before a former public servant can render services relating to his former state agency to or for another. The purpose of this information sheet is to outline the post employment restrictions which exist as to public servants and to highlight some common misconceptions and related issues regarding §1121 of the Code.


AGENCY HEADS AND ELECTED OFFICIALS

- No former agency head or elected official shall, for a period of two years following the termination of his public service, assist another person, for compensation, in a transaction or in an appearance in connection with a transaction, involving his former agency.

AND

- No former agency head or elected official shall render any service on a contractual basis to or for his former agency for two years following the termination of his public service.

"Agency Head" is defined by §1102(3) of the Code as "the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency."



Example #1: You are the director of a state agency. You are about to retire from state service and accept a position as a consultant with a company which is regulated by your state agency. Once you retire, may you represent your new employer in connection with an issue which comes before your former state agency?

Answer: No. Because you classify as an agency head, once you terminate your public service, you are strictly prohibited by §1121A(1) of the Code for a period of two years, from assisting another person for compensation, in connection with any appearance involving a transaction before your former agency. Representing your new employer on an issue before your former agency would classify as an appearance in connection with a transaction. You may perform other services for the company that do not involve your former agency.

Example #2: You were the director of a state agency. Two months ago you terminated your public service as the agency head. Now your former agency approaches you about rendering computer services to the agency. You did not render any computer services while you were employed as the agency head of this state agency. May you provide the computer services?



Answer: No. Because you were the agency head, you would be prohibited for a period of two full years following the termination of your public service, from rendering any service to your former agency on a contractual basis. It does not matter that the services you would render are not the same type of services that you provided to the agency while you were employed there. You are permitted to be rehired, but you may not be contracted to perform any service for your former agency.

- **No former member of a board or commission shall, for a period of two years following the termination of his public service, contract with, be employed in any capacity by, or be appointed to any position by his former board or commission.**



Example #3: You are an appointed member of a parish water board. The executive director of the board is retiring. The board would like you to resign and accept the executive director position. May you?

Answer: No. Your former water board may not appoint you to any position for a period of two years following the termination of your board membership.

NOTE: Police juries, parish or municipal councils, selectmen, boards of aldermen, school boards and like bodies have been interpreted to be included within the meaning of “boards and commissions” for purposes of Section 1121A(2) of the Code. The Board has said that a collective group of people who act as one body and who share responsibility for the actions of the group as a whole, may classify as a board or commission.

OTHER PUBLIC EMPLOYEES

- **No former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction or in an appearance in connection with a transaction in which the former public employee participated* at any time during his public employment and which involves his former public employer.**

AND

- **No former public employee shall, for a period of two years following the termination of his public employment, render on a contractual basis to or for the agency with which he was formerly employed, any service he rendered to the agency during his public employment.**

Example #4: Six months ago, you were employed by the city government as a personnel director, however, you did not classify as an agency head. You have ceased your public employment and now want to contract with the city to provide maintenance services. May you do this without violating the Ethics Code?



Answer: Yes. Because the services you would provide on a contractual

basis with the city are not services you had previously provided while employed by the city, you would not be prohibited by §1121B of the Code from entering into such a contract. Further, the maintenance department would appear to be a separate agency from the Personnel Department.

Example #5: You recently retired from a state agency where your official duties included reviewing applications for grant monies administered by your agency. For purposes of the Code, you were not an agency head in your agency. Now a person who has submitted applications in the past for grant monies administered by your agency wants to hire you to handle all of the paperwork for all of his grant applications involving your former agency. May you accept this employment opportunity?



Answer: Because you are not any agency head, the answer depends on your level of involvement with the applications. If the applications for grant monies your potential employer wants you to handle were in the process of being handled by your office when you retired, then you would be prohibited by §1121B of the Code from assisting the potential employer in the completion of those applications. However, if the potential employer is submitting new applications for grant monies, then these applications are new transactions in which you did not participate while still employed by your former agency, therefore, you would not be prohibited by §1121B of the Code from assisting the potential employer in the submittal of these new applications.

OTHERS RESTRICTED

- No legal entity in which the former public servant is an officer, director, trustee, partner or employee shall, for a period of two years following the termination of the public servant's service, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which the former public servant participated* at any time during his public service and which involves the agency with which he was formerly employed or in which he formerly held office.



Example #6: You just left your public position with a state agency where you reviewed applications for various permits. You now own Consulting Firm, Inc. which aids companies in the preparation and submission of applications for various permits to various state agencies. ABC Company, Inc. is a potential client which currently has an application pending before your former state agency and you had begun reviewing that application before you left public service. May your company, Consulting Firm, Inc., assist ABC Company, Inc. in finalizing its application with your former agency?

Answer: According to §1121C, your company would be prohibited from being hired by ABC Company, Inc. for such a task. Because you began reviewing the ABC Company, Inc. application while still employed by the state agency, your new company would be prohibited from rendering any compensated service to ABC Company, Inc. which deals with that application. If your company was to provide compensated services to ABC Company, Inc. concerning a different application, then no violation of this section would appear to occur.

COMMON MISCONCEPTIONS AND RELATED ISSUES

A common misconception concerning §1121 of the Code is that if you classified as an agency head in your former public agency, then you may provide contractual services to your former agency as long as the services to be rendered are not the same services nor are they related to the services you provided as the agency head. This is simply not the case. Agency heads are strictly prohibited from rendering any contractual services to their former agency for a two-year period. Other former public employees do not have such a strict restriction.





Another common misconception surrounding §1121 of the Code is that if as a public employee you did not have direct involvement in a specific matter while employed by your former agency, then once you leave public service, you may provide services relating to that matter to a private employer. This is not entirely true. Former public employees are prohibited from rendering services to a private employer in connection with a transaction in which they participated* while employed by their former agency.

* §1102(15) of the Code defines "participate" to mean:

To take part in or to have or share responsibility for action of a governmental entity or a proceeding, personally, as a public servant of the governmental entity, through approval, disapproval, decision, recommendation, the rendering of advice, investigation or the failure to act or perform a duty.

Therefore, actual "hands on" involvement is not the only means by which a public employee may be considered to have "participated" in a certain transaction. Questions to ask yourself: Did you make any recommendations as to the matter? Did your department have any supervision over the matter? Who had ultimate responsibility for the matter? The answers to these questions will help you determine if you participated in a particular circumstance.

 The Board encourages public servants to seek advice from the Board as to how the law applies to their specific situation(s) by writing and requesting an advisory opinion. Advisory opinions are not issued as to past conduct, but can provide crucial advice on how to avoid problems in the future. If you wish to obtain an advisory opinion, please send your request to the address provided at the beginning of this fact sheet. You may call our staff which is available to provide informal advice over the telephone at (225) 219-5600 or toll free 1-800-842-6630. 

The Board has a web site located at: www.ethics.state.la.us

This information sheet is only a summary of the financial disclosure provisions contained in §1121 of the Code of Governmental Ethics. If interpretations of this information sheet conflict with the provisions of the Code, the Code will control.

E. Request for DOT Drug and Alcohol Testing From Previous Employer Form

RELEASE OF INFORMATION FORM -- 49 CFR Part 40 Drug and Alcohol Testing

Section I. To be completed by the new employer, signed by the employee, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR, Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: _____ Date: _____

I-A.

New Employer Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:

II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing ~

- | | |
|---|------------------------|
| 1. Did the employee have alcohol tests with a result of 0.04 or higher? | YES ___ NO ___ |
| 2. Did the employee have verified positive drug tests? | YES ___ NO ___ |
| 3. Did the employee refuse to be tested? | YES ___ NO ___ |
| 4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? | YES ___ NO ___ |
| 5. Did a previous employer report a drug and alcohol rule violation to you? | YES ___ NO ___ |
| 6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? | N/A ___ YES ___ NO ___ |

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

II-B.

Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____

F. Essential Workforce Directive



WWW.JEFFPARISH.NET

JOHN F. YOUNG, JR.
PARISH PRESIDENT

To: Designated Employee
From: John F. Young, Jr.
Date: May 5, 2011
Re: Designation as Essential Workforce Directive

1. As used in this directive, the term "emergency" means the actual or threatened condition which has been or may be created by a disaster.
2. As used in this directive, the term "disaster" means the result of a natural or man-made event which causes loss of life, injury, and property damage, including but not limited to natural disasters such as hurricane, tornado, storm, flood, high winds, and other weather related events, forest and marsh fires, and man-made disasters, including but not limited to nuclear power plant incidents, hazardous materials incidents, oil spills, explosion, civil disturbances, public calamity, acts of terrorism, hostile military action, and other events related thereto.
3. Pursuant to the provisions set forth in the Louisiana Homeland Security and Emergency Assistance and Disaster Act, you are designated as an employee possessing important skills and training in emergency mitigation, preparedness, response, and/or recovery. Accordingly, you are not subject to a mandatory evacuation order and, whenever directed by proper authority, shall report for duty and remain on-duty until properly relieved of any such duty assignment. That is, if a voluntary evacuation, advisory evacuation or mandatory evacuation is declared, you i) must be available for assignment, ii) likely will be required to report for duty, and iii) must work whenever assigned before, during and after an emergency.
4. Working in your official capacity before, during and after an emergency, you shall give due regard to your safety and the safety of others as a fundamental consideration in every work-related decision.
5. Working in your official capacity before, during and after an emergency, you shall promptly obey and execute each and every lawful order that is communicated to you, even if the order does not come from someone within your chain-of-command. As used in this directive, the term "lawful order" means any order, directive or instruction sanctioned by law, rule or policy, that may be constituted verbally, in a text format or by depiction, signal or gesture, typically, but not necessarily, by supervisory staff, or other duly authorized entity or person.
6. Whenever you are given a lawful order that is in conflict with a previous lawful order, you shall call attention to the conflict in an appropriate and respectful manner to the supervisor or other duly authorized person who gave the conflicting lawful

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GENERAL GOVERNMENT BLDG - 200 DERBIGNY ST - SUITE 6100 - GRETNA, LA 70053 - P O Box 9 - GRETNA, LA 70054 - OFFICE: 504.364.2700 - FAX 504.364.2828
E-MAIL: JOHN.YOUNG@JEFFPARISH.NET

order. If such supervisor or other duly authorized person does not retract or alter the conflicting lawful order, then the conflicting lawful order, as may be amended, shall prevail as the lawful order with principal standing.

7. If due to illness or injury you are unable to report for duty as contemplated by this directive, you shall notify your supervisor immediately, or ensure such notification is made to your supervisor. Such notification shall include the nature of the illness or injury, the location where you will be recuperating and the expected date and time of return to duty. Whenever there is a change in the information that was provided in the notification, you shall communicate such immediately to your supervisor. If you are taken ill or injured while on-duty, you shall report such promptly to your supervisor and comply with the provisions of other relevant policies, directives and plans. As such relates to your fitness for duty, you shall not feign or attempt to perpetrate deception of illness or injury.

8. If due to physical limitation or medical condition, or any other mitigating circumstance, you cannot report for duty as contemplated by this directive, you must report such immediately to the appropriate authority in writing on the particular form required for such exemption. Whenever there is a change in the information that was reported, you shall communicate such immediately to your supervisor, and also shall comply with any and all related lawful orders, directives or instructions.

9. The provisions of this directive are not intended to be definitive of every action or behavior which may be required of you before, during and/or after an emergency or, otherwise, of every offending act or failure to act that may constitute a breach of a provision of this directive. Consequently, each and every provision of this directive shall be given a genuine construction, according to the fair import of its words, taken in its usual context, and with reference to the purpose of the provision.

10. Consistent with the purpose of the provisions of this directive and the fair and reasonable application thereof, the Parish President, Chief Operating Officer, Parish Attorney, Public Works Director, Chief Administrative Assistants, and the Directors of Finance, Human Resource Management, and Emergency Management, whenever necessary to provide for the operational effectiveness of parish government before, during and/or after an emergency, may provide for the interpretation or may affix the relevance of any provision herein with respect to any circumstance, condition or situation, and may issue verbally or in written form a lawful order, directive or instruction to supplement the provisions herein, and you shall obey such.

11. If at any time you require clarification of any provision set forth herein, you have an affirmative duty to make such inquiry to your supervisor.

12. Please complete, sign and date the duplicate original of this directive to you as set forth below, and return such in the manner you are instructed to perform.

Thank you for your service to the citizens of Jefferson Parish.

Print Name _____ Signature _____ Date _____

G. Secondary Employment Form

Jefferson Parish Secondary Employment Notice and Request for Approval		Date: _____
Part A: Employee Information		
Employee Name: _____	Supervisor Name: _____	
Employee Number: _____	Date of Hire: _____	
Part B: Parish Employment Information		
Department: _____	Position: _____	
Work Days: <input type="checkbox"/> Mon <input type="checkbox"/> Tues <input type="checkbox"/> Wed <input type="checkbox"/> Thurs <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun		
Regular Hours/Shift: _____		
Description of parish job duties, areas of regulation, and/or supervision: _____		
Part C: Other Employment Information		
Employer Name: _____	Supervisor Name: _____	
Employer Address: _____	Employer Telephone: _____	
Position: _____	Date of Hire: _____	
Work Days: <input type="checkbox"/> Mon <input type="checkbox"/> Tues <input type="checkbox"/> Wed <input type="checkbox"/> Thurs <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun		
Regular Hours/Shift: _____		
Description of area of business, location of job, job duties: _____		
Part D: Employee Attestation and Acknowledgement		
<input type="checkbox"/> Other employment will not violate the Louisiana Code of Governmental Ethics or create a conflict of interest. <input type="checkbox"/> Other employment will not impair operational efficiency or effectiveness of parish department. <input type="checkbox"/> Other employment will not conflict or interfere with parish work schedule, regular, on-call, stand-by, emergency. <input type="checkbox"/> Other employment will not compromise or tend to compromise employee's judgment or actions relative to employees obligations to the parish. <input type="checkbox"/> Other employment will not result in use of parish property or equipment, including by way of example vehicles, office space, computers, telecommunication systems. <input type="checkbox"/> Other employment will not cast the parish in unfavorable light or otherwise mislead public relative to employee's duties and responsibilities to the parish.		
<i>By checking the above boxes and signing below, I acknowledge that I have been made aware of the parish policy regarding secondary employment. I understand it is my responsibility to comply with the policy, and failure to comply may result in disciplinary action. I know that I have an obligation to keep current the information provided on this form.</i>		
_____ Employee Signature	_____ Date	
Part E: Confirmation of Decision		
Status: <input type="checkbox"/> APPROVED <input type="checkbox"/> DECLINED	_____ Supervisor Signature	_____ Date
Copy of decision received: _____	_____ Employee Signature	_____ Date

H. Employee Grievance Form

Employee Grievance Form			
STEP 1: Employee discussed complaint/problem with supervisor on _____ (date).			
STEP 2: Name _____		Work Phone: _____	
Department: _____		Position Title: _____	
Immediate Supervisor/Title: _____			
Date Incident First Occurred: _____		Date Notified Supervisor: _____	
Describe the problem: _____			

What solution do you suggest? (You may not request disciplinary action be taken against another employee)			

I understand that only matters contained in this grievance may be discussed at any step in this grievance procedure. I understand that the final resolution will be binding.			
_____		_____	
Date		Employee's Signature	

STEP 3: Supervisory Response			
Date Received: _____			
Supervisor's Name: _____		Work Phone: _____	
Date first aware of employee problem/grievance: _____			
Solution offered: _____			

_____		_____	
Date		Supervisor's Signature	

Step 4: Employee's response			
_____ I accept the solution offered _____ Resolved; distribute copies			
_____ I do not accept the solution and wish to continue my request to the Director/AA			

_____		_____	
Date		Employee's Signature	

Step 5: Director's/AA Response			
Director: _____		Date Grievance Received: _____	
Decision/solution offered:			

_____		_____	
Date		Director's/AA's signature	

STEP 6: Employee's Response			
_____ I accept the solution offered _____ Resolved; distribute copies			
_____ I do not accept the solution and wish to continue my grievance to the Human Resource Dept.			

_____		_____	
Date		Employee Signature	

Original: Department file		CC: Employee	
CC: Human Resource Mgt.		CC: Dept. Director	

Supplemental Policies

A. Substance Use Policy Manual

<http://www.jeffparish.net/modules/showdocument.aspx?documentid=174>

B. Employee Safety Manual

<http://jpnet/home/DepartmentPages/HumanResourceManagement/employeesafetymanual.pdf>

Revisions to the Administrative Management Policies Manual

Policy 104: Development and Review of Policies

Amended 4/30/2014; Section 3. Review of policies.

Added 4/30/2014; Section 4. Revisions of policies.

Policy 202: Employment Requirements

Amended 4/30/2014; Section 1. Medical Examinations/Drug Screening; Subsection 1.4. Procedure for Unclassified Employees; 1.4.4.

Amended 4/30/2014; Section 1. Medical Examinations/Drug Screening; Subsection 1.5. Procedure for Classified Employees; 1.5.4.

Amended 4/30/2014; Section 2. Department of Transportation (DOT) Safety sensitive positions.

Policy 204: Separation from Employment

Amended 4/30/2014; Section 1.2.

Policy 403: Attendance, Leave and Absence

Amended 4/30/2014; Section 4. Notification to Supervisor Required; Tardiness; Subsection 4.1.

Policy 501: General Provisions

Amended 4/30/2014; Section 5. Work-related decisions.

Amended 4/30/2014; Section 6. Conformance to law.

Added 4/30/2014; Section 8. Courtesy; Subsection 8.4.

Policy 502: Reporting and Performance of Duty

Amended 4/30/2014; Section 2. Performance of duty; Subsection 2.1.

Amended 4/30/2014; Section 4. Notification of illness or injury; Subsection 4.1.1

Policy 504: Secondary Employment

Amended 4/30/2014; Section 4. Limitations on Secondary or Supplemental Employment; Subsection 4.1.

Amended 4/30/2014; Section 4. Limitations on Secondary or Supplemental Employment; Subsection 4.6. Classified Employees.

Policy 509: Political Activity

Amended 4/30/2014; Section 3. Use of property.

Policy 510: Drugs, Alcohol and Tobacco

Added 4/30/2014; Subsection 9.

Policy 513: Use of Equipment, Vehicles and Information/Communication Resources

Amended 10/17/2014; Section 2. Use Technologies and Communication Systems; Subsection 2.1. Establishment.

Amended 4/30/2014; Section 2. Duty to report; Subsection 2.6. Electronic Mail and Electronic Mail Tampering.

Amended 4/30/2014; Section 2. Duty to report; Subsection 2.8.

Policy 602: Maintaining Standards of Effective Service

Amended 4/30/2014; Section 3. Scope.

Amended 4/30/2014; Section 4. Fines or Restitution; Subsection 4.5.

Amended 4/30/2014; Section 6. Pre-Disciplinary Hearings; Subsection 6.1. Establishment; definition.

Amended 4/30/2014; Section 6. Pre-Disciplinary Hearings; Subsection 6.2. Purpose.

Amended 4/30/2014; Section 6. Pre-Disciplinary Hearings; Subsection 6.4. Appointing authority responsibility; 6.4.1.

Amended 4/30/2014; Section 6. Pre-Disciplinary Hearings; Subsection 6.6. Notice: 6.6.1.

Amended 4/30/2014; Section 6. Pre-Disciplinary Hearings; Subsection 6.7. Procedure; 6.7.1

Policy 603: Grievance Policy Procedures

Amended 4/30/2014; Section 4. Definitions; Subsection 4.1.



Response to Combined Reports

E. “Ben” Zahn. III

Council District #4



E. "BEN" ZAHN, III
COUNCILMAN, DISTRICT 4
JEFFERSON PARISH

SUITE 1015
1221 ELMWOOD PARK BLVD.
JEFFERSON, LOUISIANA 70123
OFFICE: (504) 736-6622
FAX: (504) 736-6639

November 4, 2014

VIA HAND DELIVERY

Mr. David McClintock
5401 Jefferson Highway
Suite C
Jefferson, Louisiana 70123
dmcclintock@jpoig.net

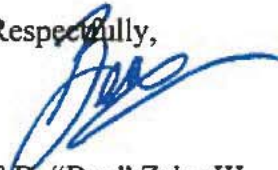
RE: Investigation #2014-0023
Handling of Confidential Information – Electronic information Policy

Dear Mr. McClintock:

Attached is my response to Investigation #2014-0023, which was initiated by my Administrative Aide Mr. Jeff Zapata, as a self-reported incident. I trust that this response will be forwarded accordingly, to members of the "entity" along with your final unamended report.

Should you have any additional questions, please contact my office.

Respectfully,


E.B. "Ben" Zahn III
Councilman, District 4
Jefferson Parish

EBZ/bh

Finding 1 – Forwarding of Official Parish E-mail to Non-Parish Email Account

Mr. Zapata, Aide to Councilman Zahn, received the confidential memorandum from the Parish Attorney; the communication(s) received from the Parish Attorney was automatically forwarded to a non-Parish e-mail account.

I would like to note at the outset, Mr. Zapata has not done anything illegal or unethical. He acknowledges that forwarding Parish business to his private account may not be the best practice, but it does not violate any law or policy in place at the time of the transmission. I would also like to note, in certain circumstances, it may be necessary and reasonable to transmit Parish business to a private account.¹ District 4 recognizes it may be the best practice to have a policy in place regarding the transmission of public documents to personal email accounts to avoid confusion when and if a public records request is made for the document in question. However, the transmission of the memorandum to a personal account is not in and of itself a violation of the Public Records Act or Parish policy.

Additionally, I would like to note that on more than one occasion, your memorandum was transmitted to a non-Parish email account or to a person who may not have been the proper recipient. This is evidenced by documents requested via PRR No. 624-14 attached as Exhibit A. I believe this shows a lack of due diligence as your investigative memorandum does not even mention that fact and focuses on an isolated self-reported incident in District 4.

Moreover, it is abundantly clear that District 4 triggered your investigation from Mr. Zapata's self-reporting. Considering your position of confidentiality, I question why the memorandum was sent to all Councilmembers and President Young before my Office had a chance to respond or review. Therefore, it appears to me that this investigation is absolutely

¹ For instance, it was previously reported to you (although there has been no response) that an apparent data breach occurred whereby another Council Office was able to access District 4 documents and information. I believe this situation justifies the transmission of Parish business to private emails until resolved.

politically motivated as opposed to corrective in nature. This is unquestionably a targeted attempt to embarrass the District 4 Office and Staff, as well as myself.

Finding 2 – Forwarding of Official Parish E-mail to Unauthorized Person

Mr. Zapata forwarded the communication received from the Parish Attorney to the media from the non-Parish email account.

The policy of District 4, while unwritten, is to work with the media whenever possible and provide them with information that is not confidential or prejudicial to the Parish. Ben Myers, reporter for the Times-Picayune, requested the e-mail that transmitted the memorandum, not the attached memorandum. As you note in your report, Mr. Zapata's intent was to transmit the e-mail, not the attachment to Ben Myers. The transmission of the memorandum was inadvertent and self-reported. The e-mail did not contain any confidential information that would have prejudiced another's right to respond. As stated above, the transmission of the e-mail, while admittedly not best practice, does not violate any law or policy in place at the time. Please see attached opinion marked as Exhibit B.

In conclusion, neither the transmission of the memorandum to a private e-mail account nor the accidental transmission of the memorandum to the media were a violation of the law or Parish policy. As a representative of District 4, Mr. Zapata was properly in possession of the memorandum and as it was a record obtained and prepared by your office, i.e. a memorandum, audit, report, etc., there is no affirmative duty for him to maintain the confidentiality. The law imposes a duty on your Office to maintain the confidentiality of obtained records in order to preserve the investigation process and protect persons whose information may be in your possession.

Recommendation 1 – Media Communications: Forwarding Legal and/or Confidential Communications to the Media

“The JPOIG recommends that the Council District #4 consider and establish, policies and procedures regarding the receipt, reproduction or dissemination of material of a sensitive, privileged or confidential nature and/or implement such policies and procedures to ensure integrity and control of such material.”

Recommendation 2 – Use of Private E-Mail For Parish Communications

“The JPOIG recommends that Council District #4 adopt a policy addressing the use of private e-mails to conduct Parish business.”

In response to Recommendation 1 & 2, District 4 looks forward to working with other Council Offices, Human Resources, the Department of Ethics and Compliance, and the Parish Attorney’s Office on the development and implementation of policies and procedures relative to media requests and use of private e-mail. Additionally, District 4 would like to work with your Office on a document recovery system to ensure documents are not inadvertently altered by your Office when attaching them to reports and memoranda. Please see attached Exhibit C.



Response to Combined Reports

E. “Ben” Zahn. III

Council District #4

Attachment “A”

Results of Public Records Request

78. FW: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: "nhartfield@jpoig.net" <nhartfield@jpoig.net>
Cc: ACampo <ACampo@jeffparish.net>, BZahn <BZahn@jeffparish.net>, BHaydel <BHaydel@jeffparish.net>
Sent Date: Tue Apr 29 11:48:25 CDT 2014
Processed Date: Tue Apr 29 11:48:26 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum

Nick, finally found it.
Thanks for your patience.

Jefz

From: JZapata
Sent: Wednesday, April 09, 2014 3:24 PM
To: DFoshee
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

Deb,
I did not get an attachment. The TO is calling for a comment.

Jefz

Sent from my iPad

Jeff Zapata,
Administrative Aide/Assistant
Office of Councilman E. "Ben" Zahn IV
Jefferson Parish Council, District 4
(504) 736-6622 Office
(504) 736-6619. Direct

On Apr 9, 2014, at 7:41 AM, "DFoshee"
<DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>> wrote:
FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

A¹⁸

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLeesheng@jeffparish.net<mailto:CLeesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum
All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

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Begin forwarded message:

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<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLeesheng@jeffparish.net<mailto:CLeesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
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<Draft Memo Hospital Lease 04082014.pdf>

80. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: JZapata <JZapata@jeffparish.net>
Sent Date: Wed Apr 09 17:25:47 CDT 2014
Processed Date: Wed Apr 09 17:25:48 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
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81. FW: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: [REDACTED] <[REDACTED]>
Sent Date: Wed Apr 09 17:25:48 CDT 2014
Processed Date: Wed Apr 09 17:25:48 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

From: DFoshee
Sent: Wednesday, April 09, 2014 5:25:47 PM (UTC-06:00) Central Time (US & Canada)
To: JZapata
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmclintock@jpoig.net<mailto:dmclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
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<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
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82. Re: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: DFoshee <DFoshee@jeffparish.net>
Sent Date: Wed Apr 09 15:24:18 CDT 2014
Processed Date: Wed Apr 09 15:24:18 CDT 2014
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

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I did not get an attachment. The TO is calling for a comment.

Jefz

Sent from my iPad

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<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
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<Draft Memo Hospital Lease 04082014.pdf>

83. FW: JPOIG Hospital Lease Supplemental Memorandum

From: RDChristiana <RDChristiana@jeffparish.net>
To: "Cassagne, Nancy R." <Nancy.Cassagne@WJMC.ORG>
Sent Date: Wed Apr 09 14:36:12 CDT 2014
Processed Date: Wed Apr 09 14:36:13 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)

Robin Daldegan Christiana
Administrative Assistant to
Councilman Elton Lagasse
Jefferson Parish Council Chairman
(504) 364-2624 Phone
(504) 364-2657 Fax
rdchristiana@jeffparish.net

From: ELagasse
Sent: Wednesday, April 09, 2014 2:35 PM
To: RDChristiana
Subject: JPOIG Hospital Lease Supplemental Memorandum

From: David N. McClintock [mailto:dmcclintock@jpoig.net]
Sent: Tuesday, April 08, 2014 5:06 PM
To: CRoberts; ELagasse; RTemplet; PJohnston; MSpears; BZahn; CLeesheng
Cc: DFoshee
Subject: JPOIG Hospital Lease Supplemental Memorandum

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5401 Jefferson Highway, Suite C

Office: 504-736-8962

Fax: 504-736-8963

Cell: 504-301-8023

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84. JPOIG Hospital Lease Supplemental Memorandum

From: ELagasse <ELagasse@jeffparish.net>
To: RDChristiana <RDChristiana@jeffparish.net>
Sent Date: Wed Apr 09 14:35:04 CDT 2014
Processed Date: Wed Apr 09 14:35:05 CDT 2014
Subject: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)

From: David N. McClintock [mailto:dmcclintock@jpoig.net]
Sent: Tuesday, April 08, 2014 5:06 PM
To: CRoberts; ELagasse; RTemplet; PJohnston; MSpears; BZahn; CLeesheng
Cc: DFoshee
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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contained in any correspondence, regardless of its source, may be a public record subject to public inspection and reproduction in accordance with the Louisiana Public Records Law, La.Rev.State. 44:1 et seq.

85. FW: JPOIG Hospital Lease Supplemental Memorandum

From: DLancaster <DLancaster@jeffparish.net>
To: ELagasse <ELagasse@jeffparish.net>
Sent Date: Wed Apr 09 14:32:09 CDT 2014
Processed Date: Wed Apr 09 14:32:11 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)

Dee Dee Lancaster
Office Of Councilman Elton M. Lagasse

From: David N. McClintock [mailto:dmcclintock@jpoig.net]
Sent: Tuesday, April 08, 2014 5:06 PM
To: CRoberts; ELagasse; RTemplet; PJohnston; MSpears; BZahn; CLeesheng
Cc: DFoshee
Subject: JPOIG Hospital Lease Supplemental Memorandum

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86. FW: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: [REDACTED] <[REDACTED]>
Sent Date: Wed Apr 09 12:42:48 CDT 2014
Processed Date: Wed Apr 09 12:42:48 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

From: DFoshee
Sent: Wednesday, April 09, 2014 12:42:46 PM (UTC-06:00) Central Time (US & Canada)
To: JZapata
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmclintock@jpoig.net<mailto:dmclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLeesheng@jeffparish.net<mailto:CLeesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

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Inspector General
Office of Inspector General
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Jefferson, LA 70123
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87. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: JZapata <JZapata@jeffparish.net>
Sent Date: Wed Apr 09 12:42:46 CDT 2014
Processed Date: Wed Apr 09 12:42:47 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

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David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
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88. RE: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: DFoshee <DFoshee@jeffparish.net>
Cc: BHaydel <BHaydel@jeffparish.net>
Sent Date: Wed Apr 09 12:18:45 CDT 2014
Processed Date: Wed Apr 09 12:18:44 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

Can you please forward the attachment for the below email.

Thanks,

From: DFoshee
Sent: Wednesday, April 09, 2014 7:42 AM
To: RDChristiana; ACallais; DBonano; BJLawson; TJTalamo; BSTCyr; CJumpiere; JZapata; GGiangrosso; AGandolfi; JDwyer
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmclintock@jpoig.net<mailto:dmclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum
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Jefferson Parish
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Jefferson, LA 70123
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<Draft Memo Hospital Lease 04082014.pdf>

89. RE: JPOIG Hospital Lease Supplemental Memorandum

From: AGandolfi <AlanGandolfi@jeffparish.net>
To: DFoshee <DFoshee@jeffparish.net>
Sent Date: Wed Apr 09 09:02:22 CDT 2014
Processed Date: Wed Apr 09 09:02:23 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

Deborah:

The attachment from the IG didn't come with your e-mail.

Alan M. Gandolfi
Research Director
Office of Research & Budget Analysis
Jefferson Parish Council
Phone no.: (504) 364-2711
Fax no.: (504) 364-2648

Office address:
General Government Building, Suite 6600
Gretna, LA 70053

Mailing address:
P.O. Box 9
Gretna, LA 70054

e-mail: agandolfi@jeffparish.net<<mailto:agandolfi@jeffparish.net>>

From: DFoshee
Sent: Wednesday, April 09, 2014 7:42 AM
To: RDChristiana; ACallais; DBonano; BJLawson; TJTalamo; BSTCyr; CJumpiere; JZapata; GGiangrosso; AGandolfi; JDwyer
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:
From: "David N. McClintock" <dmclintock@jpoig.net<<mailto:dmclintock@jpoig.net>>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<<mailto:croberts@Jeffparish.net>>>, <elagasse@jeffparish.net<<mailto:elagasse@jeffparish.net>>>,<

<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum
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Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
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Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

90. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: JYoung <JYoung@jeffparish.net>
Cc: JVanVrancken <JVanVrancken@jeffparish.net>, JMolaison <JMolaison@jeffparish.net>
Sent Date: Wed Apr 09 08:27:32 CDT 2014
Processed Date: Wed Apr 09 08:27:32 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

FYI

I a meeting with IG re: this at 8:30.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLeesheng@jeffparish.net<mailto:CLeesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

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91. Re: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: ACallais <ACallais@jeffparish.net>
Cc: RDChristiana <RDChristiana@jeffparish.net>, ELagasse <ELagasse@jeffparish.net>
Sent Date: Wed Apr 09 08:18:56 CDT 2014
Processed Date: Wed Apr 09 08:18:57 CDT 2014
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

Acknowledged.

Sent from my iPhone

On Apr 9, 2014, at 8:13 AM, "ACallais" <ACallais@jeffparish.net<mailto:ACallais@jeffparish.net>> wrote:

Deborah, please share with the Parish President. Elton has approved. Thx, A

Angela D. Callais
Councilmanic Aide to Council Chairman At Large Division B
Elton M. Lagasse
Office 736-6016
Fax 736-6598
acallais@jeffparish.net<mailto:acallais@jeffparish.net>

From: DFoshee
Sent: Wednesday, April 09, 2014 7:48 AM
To: RDChristiana; ACallais
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

Sent only to Council. I can't produce to JY unless authorized by a Council person. Please see what Elton wants me to do. Thanks Ladies.

Sent from my iPhone

Begin forwarded message:

From: DFoshee <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Date: April 9, 2014 at 7:41:49 AM CDT
To: RDChristiana <RDChristiana@jeffparish.net<mailto:RDChristiana@jeffparish.net>>, ACallais <ACallais@jeffparish.net<mailto:ACallais@jeffparish.net>>, DBonano

<BJLawson@jeffparish.net<mailto:BJLawson@jeffparish.net>>, TJTalamo
<TJTalamo@jeffparish.net<mailto:TJTalamo@jeffparish.net>>, BSTCyr
<BSTCyr@jeffparish.net<mailto:BSTCyr@jeffparish.net>>, CJumpiere
<CJumpiere@jeffparish.net<mailto:CJumpiere@jeffparish.net>>, JZapata
<JZapata@jeffparish.net<mailto:JZapata@jeffparish.net>>, GGiangrosso
<GGiangrosso@jeffparish.net<mailto:GGiangrosso@jeffparish.net>>, AGandolfi
<AlanGandolfi@jeffparish.net<mailto:AlanGandolfi@jeffparish.net>>, JDwyer
<JDwyer@jeffparish.net<mailto:JDwyer@jeffparish.net>>

Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>

Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>

Subject: JPOIG Hospital Lease Supplemental Memorandum

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<Draft Memo Hospital Lease 04082014.pdf>

92. RE: JPOIG Hospital Lease Supplemental Memorandum

From: ACallais <ACallais@jeffparish.net>
To: DFoshee <DFoshee@jeffparish.net>, RDChristiana <RDChristiana@jeffparish.net>
Cc: ELagasse <ELagasse@jeffparish.net>
Sent Date: Wed Apr 09 08:13:07 CDT 2014
Processed Date: Wed Apr 09 08:13:09 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

Deborah, please share with the Parish President. Elton has approved. Thx, A

Angela D. Callais
Councilmanic Aide to Council Chairman At Large Division B
Elton M. Lagasse
Office 736-6016
Fax 736-6598
acallais@jeffparish.net

From: DFoshee
Sent: Wednesday, April 09, 2014 7:48 AM
To: RDChristiana; ACallais
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

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Date: April 9, 2014 at 7:41:49 AM CDT
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<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum
All,

Please find attached a supplement to the first Hospital Monitoring Report made public on
November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

93. RE: JPOIG Hospital Lease Supplemental Memorandum

From: ACallais <ACallais@jeffparish.net>
To: DFoshee <DFoshee@jeffparish.net>, RDChristiana <RDChristiana@jeffparish.net>
Sent Date: Wed Apr 09 08:11:47 CDT 2014
Processed Date: Wed Apr 09 08:11:48 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

I will get back to you shortly. I am waiting to hear from the Councilman.Thx,A

Angela D. Callais
Councilmanic Aide to Council Chairman At Large Division B
Elton M. Lagasse
Office 736-6016
Fax 736-6598
acallais@jeffparish.net

From: DFoshee
Sent: Wednesday, April 09, 2014 7:48 AM
To: RDChristiana; ACallais
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

Sent only to Council. I can't produce to JY unless authorized by a Council person. Please see what Elton wants me to do. Thanks Ladies.

Sent from my iPhone

Begin forwarded message:

From: DFoshee <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Date: April 9, 2014 at 7:41:49 AM CDT
To: RDChristiana <RDChristiana@jeffparish.net<mailto:RDChristiana@jeffparish.net>>, ACallais <ACallais@jeffparish.net<mailto:ACallais@jeffparish.net>>, DBonano <DBonano@jeffparish.net<mailto:DBonano@jeffparish.net>>, BJLawson <BJLawson@jeffparish.net<mailto:BJLawson@jeffparish.net>>, TJTalamo <TJTalamo@jeffparish.net<mailto:TJTalamo@jeffparish.net>>, BSTCyr <BSTCyr@jeffparish.net<mailto:BSTCyr@jeffparish.net>>, CJumpiere <CJumpiere@jeffparish.net<mailto:CJumpiere@jeffparish.net>>, JZapata <JZapata@jeffparish.net<mailto:JZapata@jeffparish.net>>, GGiangrosso <GGiangrosso@jeffparish.net<mailto:GGiangrosso@jeffparish.net>>, AGandolfi <AlanGandolfi@jeffparish.net<mailto:AlanGandolfi@jeffparish.net>>, JDwyer <JDwyer@jeffparish.net<mailto:JDwyer@jeffparish.net>>

Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>,
<elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>,
<rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>,
<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>

Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>

Subject: JPOIG Hospital Lease Supplemental Memorandum

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Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
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<Draft Memo Hospital Lease 04082014.pdf>

94. RE: JPOIG Hospital Lease Supplemental Memorandum

From: "David N. McClintock" <dmcclintock@jpoig.net>
To: DFoshee <DFoshee@jeffparish.net>
Sent Date: Wed Apr 09 07:49:26 CDT 2014
Processed Date: Wed Apr 09 07:49:27 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

See you there.

-----Original Message-----

From: DFoshee [mailto:DFoshee@jeffparish.net]
Sent: Wednesday, April 9, 2014 7:49 AM
To: David McClintock
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

8:30 Yenni?

Sent from my iPhone

> On Apr 9, 2014, at 7:47 AM, "David N. McClintock"
> <dmcclintock@jpoig.net> wrote:

>

> I am in. Let me know when and where you would like to meet.

>

> -----Original Message-----

> **From:** DFoshee [mailto:DFoshee@jeffparish.net]
> **Sent:** Wednesday, April 9, 2014 7:21 AM
> **To:** David McClintock
> **Subject:** Re: JPOIG Hospital Lease Supplemental Memorandum

>

> If possible, I would appreciate the opportunity to explore this with
> you before the Council meeting. The only opportunity for the Council
> as a whole to meet and discuss your supplemental recommendations is
> during an Executive Session. Individual contacts with councilmen
> seeking to obtain a consensus, even where not violative of the Open
> Meetings Law, leads to some of the same types of uncoordinated
> response you have identified in your recommendations. An Executive
> Session today would require unanimity and some Council members have
> publicly expressed their opposition to further Executive Sessions on
> hospital issues.

>
> Sent from my iPad
>
> On Apr 8, 2014, at 5:06 PM, "David N. McClintock"
> <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>> wrote:
>
> All,
>
> Please find attached a supplement to the first Hospital Monitoring
> Report made public on November 22, 2013. The attached supplement
> address time specific concerns.
>
> Most Respectfully.
>
> David N. McClintock
> Inspector General
> Office of Inspector General
> Jefferson Parish
> 5401 Jefferson Highway, Suite C
> Jefferson, LA 70123
> Office: 504-736-8962
> Fax: 504-736-8963
> Cell: 504-301-8023
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> Louisiana Public Records Law, La.Rev.State. 44:1 et seq.
> <Draft Memo Hospital Legee 04082014.pdf>

95. Re: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: David McClintock <dmcclintock@jpoig.net>
Sent Date: Wed Apr 09 07:48:44 CDT 2014
Processed Date: Wed Apr 09 07:48:45 CDT 2014
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

8:30 Yenni?

Sent from my iPhone

> On Apr 9, 2014, at 7:47 AM, "David N. McClintock" <dmcclintock@jpoig.net> wrote:

>

> I am in. Let me know when and where you would like to meet.

>

> -----Original Message-----

> From: DFoshee [mailto:DFoshee@jeffparish.net]

> Sent: Wednesday, April 9, 2014 7:21 AM

> To: David McClintock

> Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

>

> If possible, I would appreciate the opportunity to explore this with you
> before the Council meeting. The only opportunity for the Council as a
> whole to meet and discuss your supplemental recommendations is during an
> Executive Session. Individual contacts with councilmen seeking to obtain a
> consensus, even where not violative of the Open Meetings Law, leads to
> some of the same types of uncoordinated response you have identified in
> your recommendations. An Executive Session today would require unanimity
> and some Council members have publicly expressed their opposition to
> further Executive Sessions on hospital issues.

>

>

> Sent from my iPad

>

> On Apr 8, 2014, at 5:06 PM, "David N. McClintock"

> <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>> wrote:

>

> All,

>

> Please find attached a supplement to the first Hospital Monitoring Report

> specific concerns.

>

> Most Respectfully.

>

> David N. McClintock

> Inspector General

> Office of Inspector General

> Jefferson Parish

> 5401 Jefferson Highway, Suite C

> Jefferson, LA 70123

> Office: 504-736-8962

> Fax: 504-736-8963

> Cell: 504-301-8023

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>

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> Public Records Law, La.Rev.State. 44:1 et seq.

> <Draft Memo Hospital Lease 04082014.pdf>

96. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: RDChristiana <RDChristiana@jeffparish.net>, ACallais <ACallais@jeffparish.net>
Sent Date: Wed Apr 09 07:47:55 CDT 2014
Processed Date: Wed Apr 09 07:47:56 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

Sent only to Council. I can't produce to JY unless authorized by a Council person. Please see what Elton wants me to do. Thanks Ladies.

Sent from my iPhone

Begin forwarded message:

From: DFoshee <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Date: April 9, 2014 at 7:41:49 AM CDT
To: RDChristiana <RDChristiana@jeffparish.net<mailto:RDChristiana@jeffparish.net>>, ACallais <ACallais@jeffparish.net<mailto:ACallais@jeffparish.net>>, DBonano <DBonano@jeffparish.net<mailto:DBonano@jeffparish.net>>, BJLawson <BJLawson@jeffparish.net<mailto:BJLawson@jeffparish.net>>, TJTalamo <TJTalamo@jeffparish.net<mailto:TJTalamo@jeffparish.net>>, BSTCyr <BSTCyr@jeffparish.net<mailto:BSTCyr@jeffparish.net>>, CJumpiere <CJumpiere@jeffparish.net<mailto:CJumpiere@jeffparish.net>>, JZapata <JZapata@jeffparish.net<mailto:JZapata@jeffparish.net>>, GGiangrosso <GGiangrosso@jeffparish.net<mailto:GGiangrosso@jeffparish.net>>, AGandolfi <AlanGandolfi@jeffparish.net<mailto:AlanGandolfi@jeffparish.net>>, JDwyer <JDwyer@jeffparish.net<mailto:JDwyer@jeffparish.net>>
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmclintock@jpoig.net<mailto:dmclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <templet@jeffparish.net<mailto:templet@jeffparish.net>>

<pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears
<mspears@jeffparish.net<mailto:mspears@jeffparish.net>>,
<bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>,
<CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

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Most Respectfully,

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

97. RE: JPOIG Hospital Lease Supplemental Memorandum

From: "David N. McClintock" <dmclintock@jpoig.net>
To: DFoshee <DFoshee@jeffparish.net>
Sent Date: Wed Apr 09 07:47:14 CDT 2014
Processed Date: Wed Apr 09 07:47:43 CDT 2014
Subject: RE: JPOIG Hospital Lease Supplemental Memorandum

I am in. Let me know when and where you would like to meet.

-----Original Message-----

From: DFoshee [mailto:DFoshee@jeffparish.net]
Sent: Wednesday, April 9, 2014 7:21 AM
To: David McClintock
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

If possible, I would appreciate the opportunity to explore this with you before the Council meeting. The only opportunity for the Council as a whole to meet and discuss your supplemental recommendations is during an Executive Session. Individual contacts with councilmen seeking to obtain a consensus, even where not violative of the Open Meetings Law, leads to some of the same types of uncoordinated response you have identified in your recommendations. An Executive Session today would require unanimity and some Council members have publicly expressed their opposition to further Executive Sessions on hospital issues.

Sent from my iPad

On Apr 8, 2014, at 5:06 PM, "David N. McClintock" <dmclintock@jpoig.net<mailto:dmclintock@jpoig.net>> wrote:

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David N. McClintock

Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

98. Re: JPOIG Hospital Lease Supplemental Memorandum

From: BJLawson <BJLawson@jeffparish.net>
To: CRoberts <CRoberts@jeffparish.net>
Cc: DBonano <DBonano@jeffparish.net>
Sent Date: Wed Apr 09 07:43:21 CDT 2014
Processed Date: Wed Apr 09 07:43:21 CDT 2014
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

As an FYI. Deborah has forwarded this to ALL the council aides as of this morning.

Sent from my iPhone

On Apr 8, 2014, at 7:17 PM, "CRoberts"
<CRoberts@jeffparish.net<mailto:CRoberts@jeffparish.net>> wrote:

I am sending this to you all for purposes of being informed. Do not forward this report or make a copy available to anyone.

Thanks,

Chris Roberts
Councilman at Large
Jefferson Parish

Joseph Yenni Building
1221 Elmwood Park Blvd Ste 1016
Jefferson, LA 70123

Phone 504-736-6615

General Government Building
200 Derbigny Street Suite 6200
Gretna, LA 70053

Phone 504-364-2616

Support Our Fisherman
Ask for Louisiana Seafood

Sent: Tuesday, April 08, 2014 05:05 PM

To: CRoberts; ELaGasse; RTemplet; PJohnston; MSpears; BZahn; CLeesheng

Cc: DFoshee

Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

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<Draft Memo Hospital Lease 04082014.pdf>

99. FW: JPOIG Hospital Lease Supplemental Memorandum

From: JZapata <JZapata@jeffparish.net>
To: "jeffzapata@yahoo.com" <jeffzapata@yahoo.com>
Sent Date: Wed Apr 09 07:41:51 CDT 2014
Processed Date: Wed Apr 09 07:41:51 CDT 2014
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee
Sent: Wednesday, April 09, 2014 7:41:49 AM (UTC-06:00) Central Time (US & Canada)
To: RDChristiana; ACallais; DBonano; BJLawson; TJTalamo; BSTCyr; CJumpiere; JZapata; GGiangrosso; AGandolfi; JDwyer
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

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Most Respectfully.

David N. McClintock
Inspector General

Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
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100. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: RDChristiana <RDChristiana@jeffparish.net>, ACallais <ACallais@jeffparish.net>, DBonano <DBonano@jeffparish.net>, BJLawson <BJLawson@jeffparish.net>, TJTalamo <TJTalamo@jeffparish.net>, BSTCyr <BSTCyr@jeffparish.net>, CJumpiere <CJumpiere@jeffparish.net>, JZapata <JZapata@jeffparish.net>, GGiangrosso <GGiangrosso@jeffparish.net>, AGandolfi <AlanGandolfi@jeffparish.net>, JDwyer <JDwyer@jeffparish.net>
Sent Date: Wed Apr 09 07:41:49 CDT 2014
Processed Date: Wed Apr 09 07:41:50 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

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Office of Inspector General
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Fax: 504-736-8963

Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

101. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: RBuckley <RBuckley@jeffparish.net>, ERapier <ERapier@jeffparish.net>, Liz Lambert <JLambert@jeffparish.net>
Sent Date: Wed Apr 09 07:38:15 CDT 2014
Processed Date: Wed Apr 09 07:38:16 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963

Cell: 504-301-8023

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102. Re: JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee <DFoshee@jeffparish.net>
To: David McClintock <dmcclintock@jpoig.net>
Sent Date: Wed Apr 09 07:20:55 CDT 2014
Processed Date: Wed Apr 09 07:20:56 CDT 2014
Subject: Re: JPOIG Hospital Lease Supplemental Memorandum

If possible, I would appreciate the opportunity to explore this with you before the Council meeting. The only opportunity for the Council as a whole to meet and discuss your supplemental recommendations is during an Executive Session. Individual contacts with councilmen seeking to obtain a consensus, even where not violative of the Open Meetings Law, leads to some of the same types of uncoordinated response you have identified in your recommendations. An Executive Session today would require unanimity and some Council members have publicly expressed their opposition to further Executive Sessions on hospital issues.

Sent from my iPad

On Apr 8, 2014, at 5:06 PM, "David N. McClintock"
<dmcclintock@jpoig.netmailto:dmcclintock@jpoig.net>> wrote:

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

103. JPOIG Hospital Lease Supplemental Memorandum

From: CRoberts <CRoberts@jeffparish.net>
To: DBonano <DBonano@jeffparish.net>, BJLawson <BJLawson@jeffparish.net>
Sent Date: Tue Apr 08 19:17:01 CDT 2014
Processed Date: Tue Apr 08 19:17:02 CDT 2014
Subject: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)

I am sending this to you all for purposes of being informed. Do not forward this report or make a copy available to anyone.

Thanks,

Chris Roberts
Councilman at Large
Jefferson Parish

Joseph Yenni Building
1221 Elmwood Park Blvd Ste 1016
Jefferson, LA 70123

Phone 504-736-6615

General Government Building
200 Derbigny Street Suite 6200
Gretna, LA 70053

Phone 504-364-2616

Support Our Fisherman
Ask for Louisiana Seafood

From: David N. McClintock [mailto:dmcclintock@jpoig.net]
Sent: Tuesday, April 08, 2014 05:05 PM
To: CRoberts; ELagasse; RTemplet; PJohnston; MSpears; BZahn; CLeesheng
Cc: DFoshee
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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104. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: PJohnston <PJohnston@jeffparish.net>
To: BSTCyr <BSTCyr@jeffparish.net>
Sent Date: Tue Apr 08 18:20:11 CDT 2014
Processed Date: Tue Apr 08 18:20:12 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
To: "CRoberts" <CRoberts@jeffparish.net<mailto:CRoberts@jeffparish.net>>, "ELagasse" <ELagasse@jeffparish.net<mailto:ELagasse@jeffparish.net>>, "RTemplet" <RTemplet@jeffparish.net<mailto:RTemplet@jeffparish.net>>, "PJohnston" <PJohnston@jeffparish.net<mailto:PJohnston@jeffparish.net>>, "MSpears" <MSpears@jeffparish.net<mailto:MSpears@jeffparish.net>>, "BZahn" <BZahn@jeffparish.net<mailto:BZahn@jeffparish.net>>, "CLEesheng" <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: "DFoshee" <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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105. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: CLeesheng <CLeesheng@jeffparish.net>
To: GGiangrosso <GGiangrosso@jeffparish.net>
Sent Date: Tue Apr 08 17:32:08 CDT 2014
Processed Date: Tue Apr 08 17:32:08 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
Date: April 8, 2014 at 5:05:54 PM CDT
To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLeesheng@jeffparish.net<mailto:CLeesheng@jeffparish.net>>
Cc: 'DFoshee' <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

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Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8022

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106. Fwd: JPOIG Hospital Lease Supplemental Memorandum

From: BZahn <BZahn@jeffparish.net>
To: "drs@chehardy.com" <drs@chehardy.com>
Sent Date: Tue Apr 08 17:29:32 CDT 2014
Processed Date: Tue Apr 08 17:29:33 CDT 2014
Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock" <dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>
To: "CRoberts" <CRoberts@jeffparish.net<mailto:CRoberts@jeffparish.net>>, "ELagasse" <ELagasse@jeffparish.net<mailto:ELagasse@jeffparish.net>>, "RTemplet" <RTemplet@jeffparish.net<mailto:RTemplet@jeffparish.net>>, "PJohnston" <PJohnston@jeffparish.net<mailto:PJohnston@jeffparish.net>>, "MSpears" <MSpears@jeffparish.net<mailto:MSpears@jeffparish.net>>, "BZahn" <BZahn@jeffparish.net<mailto:BZahn@jeffparish.net>>, "CLEesheng" <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: "DFoshee" <DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully,

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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107. JPOIG Hospital Lease Supplemental Memorandum

From: "David N. McClintock" <dmcclintock@jpoig.net>
To: croberts@Jeffparish.net, elagasse@jeffparish.net, rtemplet@jeffparish.net, pjohnston@jeffparish.net, Mark Spears <mspears@jeffparish.net>, bzahn@jeffparish.net, CLeesheng@jeffparish.net
Cc: 'DFoshee' <DFoshee@jeffparish.net>
Sent Date: Tue Apr 08 17:05:54 CDT 2014
Processed Date: Tue Apr 08 17:06:07 CDT 2014
Subject: JPOIG Hospital Lease Supplemental Memorandum
Attachment: [Draft Memo Hospital Lease 04082014.pdf](#)

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully,

David N. McClintock

Inspector General

Office of Inspector General

Jefferson Parish

5401 Jefferson Highway, Suite C

Jefferson, LA 70123

Office: 504-736-8962

Fax: 504-736-8963

Cell: 504-301-8023

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Response to Combined Reports

E. “Ben” Zahn. III

Council District #4

Attachment “B”

Memorandum from Parish Attorney Deborah C.
Foshee

MEMORANDUM

To: Deborah C. Foshee
From: Angela M. Heath
RE: JPCO 2-155.10(8) v. La. R.S. 33:9614
Date: August 11, 2014

Question Presented: Is the subject of the inspector general's investigation obligated to maintain confidentiality of the preliminary report?

Answer: No. The duty to not disclose preliminary report applies only to the office of the inspector general. The subject has no duty to maintain the confidentiality of the preliminary report under local or state law, with the exception of any documents or records that are otherwise privileged.

I was asked to review your previous opinion regarding the confidentiality of inspector general preliminary reports and consequences for disclosure. First, JPCO 2-155.10(8) only pertains to the disclosure of records by the office of the inspector general. Specially, JPCO 2-155.10(8) provides:

Unauthorized disclosure of information by the inspector general or any employee of the office of inspector general is subject to review and disciplinary action by the appointing authority.

The local statute does not address the disclosure of such records by others outside the office of the inspector general, whether the subject of his investigation or otherwise.

However, regarding La. R.S. 33:9614, you wrote:

Preliminary reports are exempt from production in response to a public records request. One portion of the State law provides that records prepared or obtained by the Inspector General may not be disclosed. Later in the same paragraph, a misdemeanor punishment of \$2000 and/or one year in jail is set for anyone releasing records obtained by the Inspector General. Oddly, the misdemeanor provision does not use the word prepared. My take away on this is disclosure of the preliminary report is prohibited under state law but the punishment therefor is unspecified. (emphasis in original).

My reading of this statute differs. La. R.S. 33:9614(C) provides:

Except for the completed reports, findings, advisories, letters, and recommendations of investigations, audits, inspections, performance reviews, qualitative assurance reviews, peer reviews, annual operating budgets, and annual office reports, the records prepared

or obtained by the ethics entity, ethics review board, or office of inspector general shall be deemed confidential and privileged and protected from disclosure pursuant to R.S. 44:3. In order to maintain the confidentiality of such materials, the ethics entity, ethics review board, or office of inspector general may meet and make decisions in executive session. **No privilege established by law shall be deemed waived on any record obtained by the ethics entity, ethics review board, or office of inspector general in connection with the performance of duties established by this Chapter. Any record or information obtained by the ethics entity, ethics review board, or office of inspector general which is confidential or privileged pursuant to any other provision of law shall remain confidential or privileged, and it shall be a misdemeanor punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for the ethics entity, ethics review board, or office of inspector general or any designated staff member or any other public official, corporation, or individual to make public any such information or record:** (emphasis added).

In my view, La. R.S. 33:9614(C) concerns two separate rules applicable to the office of the inspector general's records. First, it sets forth the general rule that all records "*prepared or obtained*" (with the exception of completed reports, etc.) are exempt from production pursuant to a public records request. It then goes on to address records or information "*obtained*" (but not prepared) by the inspector general "*which [are] confidential or privileged pursuant to any other provision of law.*" Records or information that are confidential or privileged pursuant to other provisions of law would include attorney-client communications, medical records, personal financial records, etc. As you noted in your original opinion, the misdemeanor provision applies only to the unauthorized disclosure of any otherwise confidential or privileged record or information obtained by the office of the inspector general, not to the records *prepared* by the office of the inspector general, such as the preliminary report. However, under my reading of the statute, paragraph (C) provides for the treatment of two different types of records and information: those obtained and prepared by the office of the inspector general, which are exempt from public records disclosure during the course of his investigation and over which his office must maintain confidentiality; and those obtained by the office of the inspector general

that are otherwise privileged or confidential by provision of law, the act of disclosure of which by anyone, including public officials, corporations, etc., is criminalized.

Additionally, I believe my reading is supported by the general rules of statutory construction; that is, to ascertain and enforce the intent of the Legislature.¹ The text of the law is the best evidence of legislative intent.² Accordingly, the omission of the word “prepared” in the second half of La. R.S. 33:0614(C) should be seen, in my view, as a deliberate act. In my view, there is no bar for anyone other than the office of inspector general from disclosing the records prepared by his office. It is only those records that are confidential or privileged by other provision of law that cannot be disclosed by the office of the inspector general, or “any other public official, corporation, or individual.”

Therefore, I conclude, reading La. R.S. 33:9614 as a whole, the intent of the statute appears to be two-fold. First, given the sensitivity of the information obtained and prepared by the inspector general, to exempt the records and information obtained and prepared by his office from disclosure via public records requests and to prevent anyone in the office of the inspector general from disclosing such records and information during the course of an investigation. Second, to preserve the confidentiality and privilege in those records obtained by the office of the inspector general for which privilege would normally be waived upon their disclosure to a third-party, such as attorney-client communications, medical records, personal financial records, etc., by criminalizing the disclosure of such otherwise privileged records by anyone – including “any other public official, corporation, or individual.” Accordingly, no duty exists under state law for the subject of an inspector general’s investigation to maintain the confidentiality of the preliminary report.

¹ See generally, *Black v. St. Tammany Parish Hospital*, 08-2670 (La. 11/06/09) ; 25 So. 3d 711; *Colvin v. La. Patients’ Comp. Fund Oversight Bd.*, 06-1104 (La. 01/17/07); 947 So.2d 15.

² *Black*, 08-2670 at 7; 25 So.3d at 717.



Response to Combined Reports

E. “Ben” Zahn. III

Council District #4

Attachment “C”

A copy of the JPOIG’s Confidential Draft

Attachment #1 & #2

Attachment #1

**JPOIG Draft
Memorandum of
09/19/2014**



From: [REDACTED]@jeffparish.net
Subject: FW: JPOIG Hospital Lease Supplemental Memorandum
Date: April 9, 2014 at 7:41 AM
To: [REDACTED]@yahoo.com

From: DFoshee

Sent: Wednesday, April 09, 2014 7:41:49 AM (UTC-06:00) Central Time (US & Canada)

To: RDChristiana; ACallais; DBonano; BJLawson; TJTalamo; BSTCyr; CJumpiere; JZapata; GGiangrosso; AGandolfi; JDwyer

Subject: Fwd: JPOIG Hospital Lease Supplemental Memorandum

FYI - received last evening.

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock"

<dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

To: <croberts@Jeffparish.net<mailto:croberts@Jeffparish.net>>, <elagasse@jeffparish.net<mailto:elagasse@jeffparish.net>>, <rtemplet@jeffparish.net<mailto:rtemplet@jeffparish.net>>, <pjohnston@jeffparish.net<mailto:pjohnston@jeffparish.net>>, Mark Spears <mspears@jeffparish.net<mailto:mspears@jeffparish.net>>, <bzahn@jeffparish.net<mailto:bzahn@jeffparish.net>>, <CLEesheng@jeffparish.net<mailto:CLEesheng@jeffparish.net>>
Cc: 'DFoshee'

<DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>
Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
Inspector General
Office of Inspector General
Jefferson Parish
5401 Jefferson Highway, Suite C
Jefferson, LA 70123
Office: 504-736-8962
Fax: 504-736-8963
Cell: 504-301-8023

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<Draft Memo Hospital Lease 04082014.pdf>

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Attachment #2

**JPOIG Draft
Memorandum of
09/19/2014**



From: [REDACTED]@yahoo.com
Subject: Fwd:JPOIGHospitalLease SupplementalMemorandum
Date: April 9, 2014 at 3:22 PM
To: BenjaminMyers Benamin Myers@nola.com

No attachment

[REDACTED]

Sent from my iPad

[REDACTED]

[REDACTED]

[REDACTED]

Begin forwarded message:

From: [REDACTED]@jeffparish.net>
Date: April 9, 2014 at 12:42:48 PM CDT
To: '[REDACTED]@yahoo.com' [REDACTED]
Subject: FW:JPOIG Hospital Lease Supplemental Memorandum

From: DFoshee
Sent: Wednesday, April 09, 2014 12:42:46 PM (UTC-06:00) Central Time (US & Canada)
To: [REDACTED]
Subject: Fwd:JPOIG Hospital Lease Supplemental Memorandum

Sent from my iPhone

Begin forwarded message:

From: "David N. McClintock"

<dmcclintock@jpoig.net<mailto:dmcclintock@jpoig.net>>

Date: April 8, 2014 at 5:05:54 PM CDT

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Cc: 'DFoshee'

<DFoshee@jeffparish.net<mailto:DFoshee@jeffparish.net>>

Subject: JPOIG Hospital Lease Supplemental Memorandum

All,

Please find attached a supplement to the first Hospital Monitoring Report made public on November 22, 2013. The attached supplement address time specific concerns.

Most Respectfully.

David N. McClintock
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Office of Inspector General
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