

Jefferson Parish Office of Inspector General



**East Bank Consolidated Fire
Department Emergency Pay
Investigative Report 2024-0003
February 13, 2025**

Kim Raines Chatelain, Inspector General

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EXECUTIVE SUMMARY

The Jefferson Parish Office of Inspector General (JPOIG) initiated an investigation after receiving an anonymous complaint. Based upon information received, the JPOIG investigated the following allegation: Jefferson Parish (“Parish”) paid East Bank Consolidated Fire Department (EBCFD) employees Emergency Pay for a weather event without legal authority. The JPOIG considered whether Civil Service rules for the EBCFD provide for Emergency Pay.

The Parish paid EBCFD employees Emergency Pay without legal authority to do so. The JPOIG substantiated the allegation that Jefferson Parish paid Emergency Pay totaling \$27,550 to 71 EBCFD employees who worked the winter weather event on 01/16/2024 without legal authority. The JPOIG further substantiated that fire civil service rules do not provide for Emergency Pay.

The EBCFD “Green Book” policy exceeded legal authority under Personnel Rules. The JPOIG considered the efficacy of the Rules and Regulations of the East Bank Consolidated Fire Protection District (“Green Book”) departmental policy dated 01/01/2023 purporting to authorize Emergency Pay to EBCFD employees. The JPOIG substantiated an allegation that the policy exceeded the legal authority under the Louisiana Constitution and fire civil service rules.

Based upon the findings, the JPOIG recommends:

1. Jefferson Parish should not pay Emergency Pay to EBCFD members without a specific, legal basis to do so, such as authorization in the Pay Plan of the Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”).
2. The EBCFD Fire Chief should review all Green Book policies to ensure that they are within the authority of the Fire Chief as authorized by the Red Book.

On 02/06/2025, the Parish President responded to the report writing:

After consultation with the Parish Attorney’s Office the Fire Chief confirmed that the ‘Green Book’ Emergency Pay policy is not prohibited.

The Parish President’s response offers only a conclusive assertion devoid of any supporting rationale or references. This statement directly contradicts Louisiana law, specifically Article 10, Part I, §10(4)(C) of the Louisiana Constitution, which unequivocally provides that **any rule affecting wages shall have the effect only after approval of the appropriate government authority, here the Parish Council**. By suggesting that the Fire Chief can unilaterally alter wages without Parish Council approval, the Parish President’s response disregards this constitutional requirement and undermines the role of appropriate governing authorities.

Further compounding the issue, the Parish President’s response fails to acknowledge the Administration’s role in the unlawful payment of Emergency Pay. Specifically, the Chief Operating Officer directed the Parish Payroll Officer, through the Finance Director, to issue these unauthorized payments. The absence of accountability in this response leaves the risk of future unlawful payments unaddressed.

BACKGROUND

Acronyms

The Jefferson Parish Office of Inspector General used the following acronyms in this report:

EBCFD	East Bank Consolidated Fire Department	JPOIG	Jefferson Parish Office of Inspector General
COO	Chief Operating Officer	JPCO	Jefferson Parish Code of Ordinances

This investigation was initiated based upon information received concerning payment of “Emergency Pay” to members of the East Bank Consolidated Fire Department (EBCFD) for the winter weather event of 01/16/2024. The Jefferson Parish Office of Inspector General (JPOIG) emailed the Parish President, Chief Operating Officer, Finance Director, and Fire Chief on 02/07/2024 raising concerns regarding the legal basis of Emergency Pay to employees of EBCFD.¹ “Emergency Pay” for purposes of this investigation means pay in addition to regular pay for actual hours worked during a declared emergency.²

East Bank Consolidated Fire Department (EBCFD)

EBCFD is a department within Jefferson Parish government, and EBCFD employees are Jefferson Parish (“Parish”) employees. EBCFD is responsible for providing rescue, fire prevention, and fire suppression services on the East Bank of the Mississippi River. EBCFD is supervised by a Fire Chief who is appointed by the Parish President.³

EBCFD employs full-time paid fire personnel. The fire personnel work three shifts consisting of 24 hours on duty, 24 hours off duty, for five rotations, and then six days off.⁴ EBCFD also employs individuals who are non-fire services personnel.

Jefferson Parish Fire Civil Service

The Louisiana State Constitution authorizes civil service, including the fire civil service.⁵ This mandate is reflected in state statute. La. R.S. 33:2535 creates a classified civil service system for Parish government and fire protection districts:

... a classified civil service embracing the positions of employment the officers, and employees of the fire and police services...the classified civil service shall be known as “The Fire and Police Civil Service.”⁶

¹ Appendix A: JPOIG Email to Administration on 02/07/2024.

² See Jefferson Parish Department of Personnel, Rule IV Pay Plan, Section 5, Overtime Pay.

³ La. R.S. 33:2541.2A(1)

⁴ <https://www.jeffparish.gov/327/East-Bank-Consolidated-Fire-Department>

⁵ The Louisiana Constitution Article 10 Part II, §16 provides for the establishment and creation of system for Fire and Police Civil Service, applicable to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department, and to all parishes and fire protection districts operating a regularly paid fire department.

⁶ La. R.S. 33:2535.

Pursuant to state law, Jefferson Parish established a fire civil service system. The Jefferson Parish Fire Civil Service was created by Ordinance No. 18226 on 03/13/1991.

Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”)

When the Parish Council created the Fire Civil Service, the Parish Council adopted the Personnel Rules for the East Bank Consolidated Special Service Fire District.⁷

The Fire Chief and firefighters’ terms of employment is governed by the Personnel Rules of the East Bank Consolidated Fire Protection District (commonly referred to as the “Red Book”). These are rules to “carry out the policies, procedures, and administration of paid fire fighters of the Parish of Jefferson in the classified civil service under the provisions of LSA- R.S. 33:2531 (Fire and Police Civil Service Law for Small Municipalities and for Parishes and Fire Protection Districts).” **These rules are local laws and any amendments to the Red Book shall be adopted by the Jefferson Parish Council after a public hearing.**⁸

Relatedly, the Jefferson Parish Fire Civil Service is governed by the Jefferson Parish Fire Civil Service Board. The Parish Council passed an ordinance providing:

Any action taken by the fire civil service board shall be within the framework of and in conformity with the fire civil service laws of the parish. No rule, regulation or order shall be contrary to or in violation of any provisions, purpose or intent of any applicable parish ordinance.⁹

Rules and Regulations of the EBCFD (“Green Book”)

Fire Civil Service allows for the Fire Chief/Superintendent of Fire to adopt policies:

The Rules and Regulations are issued and promulgated under the authority and power granted to the Superintendent of Fire for Jefferson Parish in the Code of Ordinance #16884 of the Parish of Jefferson and applicable state law.¹⁰

These policies are commonly referred to as the “Green Book.” The “Rules and Regulations” are for the “general guidance of each member of the Jefferson Parish Fire Department, and they are

⁷ JPCO §23-42. The Jefferson Parish Fire Civil Service is established under The Louisiana Constitution Article 10 Part II, §16. It is further authorized and defined under Louisiana Revised Statutes 33:2531 through 33:2589. In 1991, the Parish Council passed an ordinance creating the fire civil service system, establishing the Fire Civil Service Board, and adopting personnel rules. “There is hereby established a system of fire civil service or “classified fire civil service” for all offices, positions of trust or employment in the East Bank Consolidated Special Service Fire Protection District of Jefferson Parish which as its primary duty one of the functions specifically set forth to be included in the classified service by the provisions of Part III, Chapter 5 of Title 33 of the Louisiana Revised Statutes (LSA R.S. 33:2531 et seq.)”.

⁸ Personnel Rules of the East Bank Consolidated Fire Protection District Rule III §2.1-2.

⁹ JPCO §23-50.

¹⁰ Rules and Regulations for Jefferson Parish Fire Department, p. 1.

not intended to cover every specific act or duty.”¹¹ Examples of policies include: general duties of uniformed personnel, fire station cleaning, apparatus handling and maintenance, daily activities required, and conduct and behavior expectations and standards. The Green Book became effective 01/01/1993. These rules are policies.

The Green Book provides under Article IX, POSITIONS OF RESPONSIBILITIES, SECTION 1:00 SUPERINTENDENT, SECTION 1:03, PERSONNEL:

- A. In accordance with the Fire and Police Civil Service Law, LSA: R. S. 33:2531 et seq., the Superintendent of Fire shall direct, request hiring and promotional list, permanent status for promoted personnel, promote, transfer and assign employees of the Fire Department; he shall determine the methods, the means, the materials and the personnel by which operations are to be conducted; he shall assign supervisory functions to supervisory personnel, and shall request Civil Service to maintain a list for all Civil Service positions. He shall direct the establishment of standards of job performance, and require employees to meet the standards; he shall have the right to introduce and to apply new techniques, new procedures and equipment.
- B. He shall exercise full control over all divisions and activities, including Fire Suppression, Fire Prevention, and Fire Training, Hazardous Material and all support groups. He shall prescribe action required to effect new, or to revise current policies.

Issuance of 01/01/2023 EBCFD Green Book Policy

Based upon the authority provided to the Fire Chief, as cited above, a former EBCFD Fire Chief issued a new Green Book policy on 01/01/2023; however, the new policy provided for Emergency Pay even though Emergency Pay was not authorized by law under the Personnel Rules for the East Bank Consolidated Special Service Fire District (“Red Book”).¹² The policy authorized EBCFD personnel to receive Emergency Pay. The policy provided:

When the Parish Departments are closed at the direction of the Parish President during a declared emergency day or a partial declared emergency day, such essential employees shall be paid at a straight time rate of pay in addition to pay for actual hours worked (“Declared Emergency Pay”) ...

This policy substantially mirrors the Jefferson Parish Personnel Rules of the Classified Service.

¹¹ Rules and Regulations of the East Bank Consolidated Fire Protection District ARTICLE II SECTION 1:00, p. 2.

¹² Appendix B: EBCFD Green Book Policy Regarding Emergency Pay 01/01/2023.

Jefferson Parish Civil Service and Personnel Rules of the Classified Civil Service

Like Fire Civil Service, the Louisiana Constitution requires a Parish Civil Service system but expressly excludes paid firemen from such a civil service system.¹³ Jefferson Parish employees, other than EBCFD fire personnel covered by Fire Civil Service, are part of the Parish Civil Service System. Jefferson Parish Charter §4.03 establishes the “Personnel Administration” and states:

(A) It shall be the policy of the parish to employ those persons best qualified to perform the functions of the parish and to foster effective career service in parish employment. All appointments and promotions in the service of the parish and each of its departments, offices, agencies, and special districts shall be made on the basis of merit and fitness, which shall be determined, insofar as practicable, by competitive test except that the following shall not be subject to the provisions of Section 4.03 regarding appointment, promotion, and dismissal:

- (1) The Parish President.
- (2) The directors of departments and heads of principal offices provided that the procedures prescribed in Section 4.03E(2) shall apply to the appointment of the Personnel Director.
- (3) The Parish Clerk.
- (4) Members of advisory boards and other unpaid bodies who are not parish employees.
- (5) Organizations and their employees and other persons who are engaged by the parish on a contractual basis.
- (6) The Parish Attorney and his legal assistants.
- (7) The Inspector General and his assistants.

Some examples of these employees in Parish Civil Service include employees in Accounting, Drainage, Building Permits, Fleet Management, Library, Transit Administration, Sewerage, and Emergency Management Departments.

The Personnel Administration consists of a Personnel Director and a Personnel Board to carry out the administration of the civil service system.¹⁴ The terms of employment for employees of Jefferson Parish Civil Service is governed by the Personnel Rules of the Classified Service. These rules are local laws, and any amendments to the Personnel Rules of the Classified Service shall be adopted by the Jefferson Parish Council after a public hearing.¹⁵

¹³ The Louisiana Constitution Article 10 Part I, §15.

¹⁴ Jefferson Parish Charter, Section 4.03.

¹⁵ Personnel Rules of the Classified Service, Rule II §2.

The Personnel Rules of the Classified Service provide for Emergency Pay in Rule Number IV Pay Plan Section 5.9:

Certain employees may be designated as essential duty personnel and may be required to report to duty on their regular day(s) off or on day(s) or partial days on which Parish departments are closed by direction of the Parish President during declared natural disasters or other declared emergencies. During a Declared Emergency, such essential duty personnel shall be paid in addition to pay for actual hours worked, under the following conditions:

- A. On days when the essential duty employee would normally be scheduled to work, he shall receive Declared Emergency Pay equivalent to actual hours worked. In cases where the essential duty employee works less than his normal daily base hours, then he shall receive Emergency Pay for the remainder of his normal daily base hours.¹⁶

January 2024 Winter Event

On 01/13/2024, the Jefferson Parish President signed Proclamation No. 2 CLS 2024 declaring a state of emergency due to the anticipated severe winter weather, effective 01/13/2024 – 02/11/2024.¹⁷ Under state law, the Parish President is granted the authority to declare a state of emergency. This authority comes with certain powers and privileges.¹⁸

¹⁶ Jefferson Parish Department of Personnel, Rule IV Pay Plan, Section 5.9.

¹⁷ Appendix C: Emergency Proclamation No. 2 CLS 01/13/2024.

¹⁸ La. R.S. 29:727, Power of parish president; penalties for violations provides:

A. Each political subdivision within this state shall be within the jurisdiction of and served by the Governor's Office of Homeland Security and Emergency Preparedness for purposes of homeland security and emergency preparedness and by a parish homeland security and emergency preparedness agency responsible for emergency or disaster mitigation, preparedness, response, and recovery.

B. Each parish president is hereby authorized and directed to establish an office of homeland security and emergency preparedness for the respective parish....

D. (1) A local disaster or emergency may be declared only by the parish president, except as otherwise provided in this Chapter. In that event, the state of emergency shall continue until the parish president finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist. However, no state of emergency may continue for longer than thirty days unless extended by the parish president, and no continuous state of emergency may continue for a period of more than ninety days unless approved by the parish governing authority.

(2) The state of emergency may be terminated by executive order or proclamation. The state of emergency or disaster may be terminated by the governor, by a petition signed by a majority of the surviving members of either house of the legislature, or by a majority of the surviving members of the parish governing authority. The document terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued....

On 01/15/2024, Jefferson Parish issued a press release captioned, “Jefferson Parish Prepares for Risk of Winter Weather.”¹⁹ In the press release, the Parish reported the following:

According to the National Weather Service, temperatures will plummet on Monday, January 15, 2024 with the potential of hard freezes and dangerous wind chills on Tuesday, January 16, 2024 and Wednesday, January 17, 2024... Jefferson Parish buildings will be open only for essential employees working this weather event. Libraries, Head Start centers and JPRD facilities will be closed on Tuesday (January 16) due to the potential of dangerous conditions on the roads.²⁰

On 01/16/2024, due to the anticipated severe winter weather, all non-essential Jefferson Parish Government employees were off from work, and only essential employees were required to work. Parish buildings remained open, with the exception of libraries, Head Start Centers, and Jefferson Parish Recreational Department facilities. Terrytown Playground and Johnny Bright Playground were open as warming centers throughout the duration of the event.

¹⁹ Appendix D: Press Release for Winter Weather 01/15/2024.

²⁰ <https://jefferson-parish-government-staging.azurewebsites.net/press-releases/jefferson-parish-prepares-for-risk-of-winter-weather/01-12-yyyy>

ALLEGATIONS & FINDINGS

An allegation is an assertion or a suspicion of behavior, action or incident of fraud, waste, or abuse involving Parish government, its employees, its officials, or other individuals and entities who have a financial relationship with the Parish. Allegations can originate from information provided to the JPOIG or developed by the JPOIG. Following an investigation, allegations are resolved as: sustained, not sustained, or ungoverned. “Sustained” means there is sufficient, credible evidence to validate the allegation. “Not sustained” means there is no credible evidence or insufficient credible evidence to validate the allegation. “Ungoverned” means there is sufficient, credible evidence to validate the allegation, but there are no specific criteria addressing the behavior, action, or incident. Allegations which are “sustained” or “ungoverned” can result in a finding while allegations which are “not sustained” do not. Allegations of behavior or action which may violate a law or regulation under the authority of a local, state, or federal law enforcement or regulatory agency are “Referred” to the agency for action or disposition.

Allegation #1: The Parish paid East Bank Consolidated Fire Department employees Emergency Pay without legal authority. SUSTAINED

The JPOIG received information that the Parish paid Emergency Pay to East Bank Consolidated Fire Department employees for a winter weather event without specific authority. Relatedly, the JPOIG considered whether laws, rules, regulations, policies, and procedures authorize Emergency Pay for EBCFD.



Finding #1: The Parish paid 71 EBCFD employees Emergency Pay totaling \$27,550 during the winter weather event on 01/16/2024 where there was no legal authority to do so.

Relevant Information:

Because the Parish President declared an emergency, Jefferson Parish Civil Service employees (regular employees and not Fire Civil Service employees) were due Emergency Pay under the Personnel Rules of the Classified Service, Rule Number IV Pay Plan Section 5.9. Jefferson Parish paid Civil Service employees between 0.25 – 7 hours of Emergency Pay compensation for the 01/16/2024 winter weather event.

Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”) does not provide for Emergency Pay; therefore, EBCFD firefighters were not authorized to receive Emergency Pay. However, Jefferson Parish paid EBCFD employees between 5 – 17 hours of Emergency Pay compensation for the 01/16/2024 winter weather event.

The JPOIG obtained relevant Parish emails and reviewed all policies, procedures, laws, rules, and regulations pertaining to pay for EBCFD.

On 01/01/2023, a former EBCFD Fire Chief issued a new Green Book policy allowing EBCFD personnel to receive Emergency Pay.²¹

On 01/16/2024, the EBCFD Chief emailed the Chief Operating Officer (COO), the Finance Director, Accounting Director at the time, and Internal Services CAA, inquiring about Emergency Pay for fire department personnel that worked the event and referenced the former EBCFD Fire Chief's policy. The same day, the COO responded to the email stating there would be no Emergency Pay as the Joseph S. Yenni and General Government Buildings were not closed.²²

On 01/18/2024, the Personnel Assistant Director emailed the Payroll staff with instructions for paying employees who worked on 01/16/2024. It stated that essential duty employees called into work on 01/16/2024 shall be paid for time worked, any stand-by time, and declared Emergency Pay.²³

On 01/18/2024, the EBCFD Fire Chief emailed the Parish COO, a senior Parish attorney, and the Payroll Officer stating that EBCFD employees who worked 01/16/2024 should be paid Emergency Pay considering the Personnel Department's 01/18/2024 email and the former Chief's Emergency Pay policy.²⁴

On 01/29/2024, the Parish Finance Director emailed the COO asking for clarification on whether EBCFD should be paid Emergency Pay, and he referenced a verbal approval from the COO to the EBCFD Chief stating he approved the Emergency Pay. The same day, the COO responded stating, "Personnel has interpreted the rules otherwise so they should get the Emergency Pay." Also on this day, the Finance Director forward this email chain to the former Accounting Director and the Payroll Officer.²⁵

Jefferson Parish paid EBCFD fire personnel between 5 – 17 hours of Emergency Pay compensation for the 01/16/2024 winter weather event amounting to \$27,550.18 under payroll pay code 488.

Criteria:

Louisiana Constitution Article 7, Section 14 provides that "things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private." This provision is violated whenever the state or political subdivision seeks to give up something of value when it is under no legal obligation to do so.²⁶

²¹ Appendix B: EBCFD Green Book Policy Regarding Emergency Pay 01/01/2023.

²² Appendix E: Emergency Pay Email Chain #1.

²³ Appendix F: Emergency Pay Email Chain #2.

²⁴ Appendix F: Emergency Pay Email Chain #2.

²⁵ Appendix E: Emergency Pay Email Chain #1.

²⁶ *Bates v. City of Denham Springs*, No. 2022-0853 (La.Ct.App. 1 Cir. 4/18/2023), 367 So.3d 102.

The Attorney General has opined that the public purpose for alienation, use, or transfer of public things of value must be mandated by legal obligation or duty and accomplished by lawful means.²⁷

Conclusion:

Based upon information gathered, the JPOIG concluded that Jefferson Parish officials directed the Payroll Officer to authorize Emergency Pay of \$27,550 to members of the EBCFD during the winter weather event on 01/16/2024, without the legal authority because the Pay Plan of the Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”) does not authorize Emergency Pay.

The Administration conflated the rules between two different civil services systems: Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”) and Personnel Rules for the Classified Service. Jefferson Parish COO originally stated EBCFD members would not receive Emergency Pay after Parish buildings did not close. However, upon further correspondence from the Personnel Director, the COO informed the Finance Director to pay the Emergency Pay. This directive conflicts with the Louisiana Constitution and the Red Book.

The COO referred to the advice of the Personnel Director of the Parish Civil Service System and failed to respect the separateness of the fire civil service system. The Parish Civil Service system allows for Emergency Pay; however, the fire civil service system does not.

Allegation #2: EBCFD departmental policy, “Green Book” policy, exceeded legal authority under Personnel Rules of the East Bank Consolidated Fire Protection District, the “Red Book.” SUSTAINED

EBCFD departmental policy purports to authorize Emergency Pay.



Finding #2: The EBCFD departmental policy regarding Emergency Pay, “Green Book” policy, exceeded authority under Personnel Rules of the East Bank Consolidated Fire Protection District, the “Red Book.”

Relevant Information:

The JPOIG obtained relevant Parish emails and reviewed all policies, procedures, laws, rules, and regulations pertaining to pay for EBCFD.

On 01/01/2023, a former EBCFD Fire Chief issued a new Green Book policy that allows EBCFD personnel to receive Emergency Pay.²⁸ The JPOIG found no evidence of this policy going before the Parish Council for approval.

²⁷ LA Attorney General Opinion No. 90-651, 2/4/1991.

²⁸ Appendix B: EBCFD Green Book Policy Regarding Emergency Pay 01/01/2023.

Criteria:

Louisiana Constitution Article 10 Part I §10(4)(C) Wages and Hours states “Any rule or determination affecting wages or hours shall have the effect of law and become effective only **after approval by the governor or the appropriate governing authority.**” (Bold supplied)

Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”) Rule III §2.1-2 provides that **any changes to the Fire Personnel Rules must go before the Jefferson Parish Council for approval.**

Conclusion:

The Green Book policy issued on 01/01/2023 provided employees of EBCFD receive Emergency Pay during declared emergency events.

Emergency Pay is a “rule or determination affecting wages” which must be approved by the governing authority. The governing authority is the Parish Council. The Parish Council did not approve EBCFD firefighters to receive Emergency Pay.

Emergency Pay is a Fire Personnel Rule. Fire Personnel Rules must go before the Parish Council. The Fire Personnel Rules do not provide for Emergency Pay.

The EBCFD, through its Fire Chief, exceeded its authority by issuing a policy which purports to authorize Emergency Pay because pay must be authorized by the Parish Council.

RECOMMENDATIONS

Recommendations are suggestions or proposals for corrective actions to the Parish, individual, or entity which is the subject of the finding to address issues identified in the report. Based upon the above findings, the JPOIG recommends:

1. Jefferson Parish should not pay Emergency Pay to EBCFD members without a specific, legal basis to do so, such as authorization in the Pay Plan of the Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”).
2. The EBCFD Fire Chief should review all Green Book policies to ensure that they are within the authority of the Fire Chief as authorized by the Red Book. Any recommended and needed changes to the Red Book should be brought before the Fire Civil Service Board and/or the Jefferson Parish Council for approval.

OBJECTIVES, SCOPE, & METHODOLOGY

Objectives, Scope & Methodology

The JPOIG initiated an investigation. The objectives were to compile relevant information in an unbiased manner to fairly assess the probability of the alleged impropriety, violations of policies, or violations of laws.

The scope or relevant time period was 01/16/2024 to 01/16/2024.

The JPOIG relied upon the following methodologies and techniques to ensure that information gathered was sufficiently reliable:

1. Conducted interviews.
2. Researched The Louisiana Constitution, Louisiana State Laws, Parish Code of Ordinances, Parish and EBCFD Personnel Rules, and Parish and EBCFD Policies.
3. Researched Parish budgets and Council ordinances, resolutions, and meeting minutes.
4. Requested records from the Parish.

Summary of Investigative Actions

The JPOIG obtained and reviewed the Personnel Rules of the East Bank Consolidated Fire Protection District (“Red Book”), the Rules and Regulations of the East Bank Consolidated Fire Protection District (“Green Book”), and the Jefferson Parish Personnel Rules of the Classified Service.

The JPOIG requested the payroll records of members of the EBCFD during the period of 01/16/2024.

The JPOIG requested Parish email records.

Investigative Standards

We conducted this investigation in accordance with the Principles and Standards for Offices of Inspector General.²⁹ These standards require that we plan and perform the investigation to obtain sufficient, competent, and relevant evidence to afford a reasonable basis for our findings and conclusions. We believe that the evidence obtained affords a reasonable basis for our findings and conclusions.³⁰

Legal Authority

The authority to perform this investigation is established in Jefferson Parish Code §2-155.10 and La. R.S. 33:9613.

²⁹ “Quality Standards for Investigations by Offices of Inspector General,” *Principles and Standards for Offices of Inspector General* (Association of Inspectors General, 2014).

³⁰ “Quality Standards for Investigations by Offices of Inspector General,” *Principles and Standards for Offices of Inspector General* (Association of Inspectors General, 2014).

RESPONSES: PARISH & NON-PARISH ENTITY COMMENTS

Pursuant to the Jefferson Parish Code of Ordinances (JPCO), the JPOIG must provide a draft of the report or recommendations to the person or entity being reported. JPCO §2-155.10(9)(c) provides the following for all Parish individuals or entities:

...person in charge of any parish department, agency, board, commission, the parish president, the parish council, or any member of the parish council or person in charge of any parish department [and these persons] shall have 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.³¹

On December 19, 2024, the JPOIG provided the Draft Report to the following Parish individuals:

Parish President Cynthia Lee-Sheng

Copies were also provided to the Chief Operating Officer, Finance Director, and the EBCFD Fire Chief.

The Parish response was due on 02/06/2025. On 02/04/2025, the Parish President, through the Chief Operating Officer, requested an extension of time until 02/07/2025, which was granted. However, on 02/06/2025, the JPOIG received the following response from the Parish President:

After consultation with the Parish Attorney's Office the Fire Chief confirmed that the 'Green Book' Emergency Pay policy is not prohibited.

This response fails to adequately address the investigative findings and lacks the depth and consideration expected of a response from a public office after reviewing serious and well-documented concerns.

The JPOIG investigation made two critical findings:

1. The Parish paid East Bank Consolidated Fire Department (EBCFD) employees Emergency Pay without legal authority to do so.
2. The EBCFD 'Green Book' policy exceeded the legal authority granted under the Personnel Rules of the East Bank Consolidated Fire Protection District ('Red Book').

Instead of providing a substantive legal analysis, the Parish President's response offers only a conclusive assertion devoid of any supporting rationale or references. This statement directly contradicts Louisiana law, specifically Article 10, Part I, §10(4)(C) of the Louisiana Constitution, which unequivocally states:

³¹ JPCO §2-155.10 (9)(b).

Any rule or determination affecting wages or hours shall have the effect of law and become effective only after approval by the governor or the appropriate governing authority.

By suggesting that the Fire Chief can unilaterally alter wages without Parish Council approval, the Parish President's response disregards this constitutional requirement and undermines the role of appropriate governing authorities.

Further compounding the issue, the Parish President's response fails to acknowledge the Administration's role in the unlawful payment of Emergency Pay. Specifically, the Chief Operating Officer directed the Parish Payroll Officer, through the Finance Director, to issue these unauthorized payments. The absence of accountability in this response leaves the risk of future unlawful payments unaddressed.

Comments received follow this page.



JEFFERSON PARISH

OFFICE OF THE PARISH PRESIDENT

CYNTHIA LEE SHENG
PARISH PRESIDENT

February 6, 2025

Via Electronic Mail

Kim Raines Chatelain
Jefferson Parish Inspector General
990 N. Corporate Drive, Suite 300
Jefferson, LA 70123

Re: Administration Response to Office of Inspector General-Jefferson Parish-
Confidential Draft Report 2022-0003-East Bank Consolidated Fire Department
("EBCFD") Emergency Pay

Ms. Chatelain:

In accordance with Jefferson Parish Code Section 2-155.10(9), the Administration respectfully submits this response to the above-referenced JPOIG Confidential Draft Report. In connection with the above-referenced matter, my staff met with the various Departments responsible for oversight of the East Bank Consolidated Fire Protection District.

The findings identified in the draft evaluation report are addressed in detail below.

Finding No. 1: The Parish paid 71 EBCFD employees Emergency Pay totaling \$27,550 during the winter weather event on 01/16/2024 where there was no legal authority to do so.

After consultation with the Parish Attorney's Office the Fire Chief confirmed that the "Green Book" Emergency Pay policy is not prohibited.

Thank you for your assistance, and for providing us an opportunity to respond.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cynthia Lee Sheng", is written over the printed name and title.

Cynthia Lee Sheng
Parish President

JOSEPH S. YENNI BUILDING-1221 ELMWOOD PARK BLVD - SUITE 1002 - JEFFERSON, LA 70123 - PO BOX 10242 JEFFERSON, LA 70181-0242
OFFICE 504.736.6400

GENERAL GOVERNMENT BUILDING-200 DERBIGNY ST - SUITE 6100 - GRETNA, LA 70053 - PO BOX 9 - GRETNA - LA 70054
OFFICE 504.364.2700

WWW.JEFFPARISH.NET

cc: Mr. Steve LaChute, Chief Operating Officer
Ms. Cherreen Gegenheimer, Deputy Chief Operating Officer
Honorable Jennifer Van Vrancken, Councilwoman at Large, Div. A
Honorable Scott Walker, Councilman at Large, Div. B
Honorable Joseph Marino III, Councilman, Dist. 1
Honorable Deano Bonano, Councilman, Dist. 2
Honorable Byron Lee, Councilman, Dist. 3
Honorable Arita Bohannon, Councilwoman, Dist. 4
Honorable Hans Liljeberg, Councilman, Dist. 5
Charles M. Hudson, Fire Chief-EBCFD

REPORT FRAUD, WASTE, OR ABUSE

BY INTERNET:

Visit our website at www.jpoig.net, click
"Report Waste, Fraud or Abuse"

BY PHONE:

Call our tip line at (504) 528-4444

BY MAIL:

990 N. Corporate Drive, Suite 300
Jefferson, LA 70123

IN PERSON:

Contact us at (504) 736-8962 to schedule an appointment

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