

Jefferson Parish Office of Inspector General



**East Bank Consolidated Fire
Department Emergency Pay
Investigative Report 2024-0003**

Appendix

February 13, 2025

Kim Raines Chatelain, Inspector General

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Appendix A

JPOIG Email to Administration 02/07/2024



From: [Kim Chatelain](#)
To: [Timothy Palmatier](#)
Cc: [Lee-Sheng, Cyntia](#); [Steve Lachute](#); charles.hudson@jeffparish.net
Subject: URGENT "Declared Emergency Pay" to EBCFD for 1/16/2024
Date: Wednesday, February 7, 2024 4:43:07 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
Importance: High

We are concerned about the legal basis regarding the Parish's intent to compensate firemen with the East bank Consolidated Fire Department (EBCFD) working on February 16th during the ice event with "Declared Emergency Pay." As we have on-going matters involving pay to EBCFD firemen, and based upon knowledge gained, we are lacking any understanding of the legal basis for this decision. While we have opened an inquiry into this matter internally and have requested relevant documents, we wish to avoid a full investigation. For that reason, we are reaching out to you for any legal basis for providing compensation which is not otherwise provided for in Rule V Pay Plan of the Personnel Rules of the East bank Consolidated Fire Protection District ("Red Book"). These rules do not provide for, thus permit, "Declared Emergency Pay" for firemen.

Preliminarily, it is our understanding that the compensation will be paid based upon a "Green Book" policy. However and under the Red Book, the authority to pay and set pay appears to be exclusively the authority of the governing authority of the district, e.g. the Council, and not something which may be unilaterally amended upon the will of an appointee of the Parish President, e.g. Chief of the EBCFD.

Given our concerns, we would ask that you pause on proceeding with these payments until such time as our concerns can be resolved. Your prompt response is appreciated. As always, I can be reached directly at (504) 390-5200 to discuss.



Kim Raines Chatelain | Inspector General
| Jefferson Parish Office of Inspector General
| **mobile:** 504-390-5200
| **phone:** 504-736-8962 ext.222
| **email:** kchatelain@jpoig.net
| **site:** www.jpoig.net
| **address:** 990 N. Corporate Dr. Suite 300 Jefferson, LA 70123



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EBCFD Green Book Policy Regarding Emergency Pay 01/01/2023





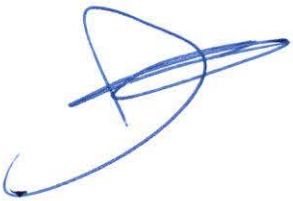
JEFFERSON PARISH

EAST BANK CONSOLIDATED SPECIAL SERVICE FIRE PROTECTION DISTRICT

CYNTHIA LEE SHENG
PARISH PRESIDENT

BRYAN J. ADAMS
FIRE CHIEF

To: All Personnel
From: Fire Chief Bryan Adams
Effective: January 1, 2023
Expiration: None
Policy: 1 – 2023



The following provisions are to apply for East Bank Consolidated Fire Department employees during declared emergency events.

Essential employees:

Essential employees, because of the necessity for continuous service, may be required to report to duty on their regular day(s) off or on the day(s) or partial day(s) on which Parish Departments¹ are closed by direction of the Parish President during declared natural disasters or other declared emergencies. 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 worked² ("Declared Emergency Pay"), under the following conditions:

- A. On days when the essential employee would normally be scheduled to work, or is scheduled off but is ordered to work, they shall receive Declared Emergency Pay equivalent to actual hours worked during the period of time covered by the closure of the Parish Departments during a declared emergency.
- B. In cases where the essential employee works less than their normally scheduled hours, they may receive paid leave, subject to the discretion of the Fire Chief, for the leave hours covered by the closure of the Parish Departments during a declared emergency ("Declared Emergency Leave").
- C. Only actual hours worked shall be used in the computation of overtime pay. Declared Emergency Pay³ and Declared Emergency Leave hours shall not be counted as hours worked for overtime pay computations purposes.
- D. This provision shall not apply when Parish departments, buildings or work locations are closed by the Parish President or delegated authority, due to non-declared local emergency events, or during declared natural disasters or other declared emergencies which occur on a holiday for which employees are compensated under Red Book Rule V, Section 5 and Rule X, Section 1, Subsection 1.3, Sub-

¹ Specifically, the Yenni Building and General Government Building.

² Declared emergency pay shall be based on actual hours worked and shall not be included in the calculation of the rate for guaranteed overtime.

³ Declared emergency pay shall always be calculated at straight time rate of pay.

subsection 1.1.

- E. An employee who works during a declared emergency and does not have appropriate supervisory authority approval to perform such work may be subject to discipline in accordance with Red Book Rule XII.

Non-essential employees:

An employee who was available for work and otherwise scheduled to work may be placed on Declared Emergency Leave, at the discretion of the Fire Chief, and given time off without loss of pay on the day(s) on which Parish Departments are closed by direction of the Parish President because of a declared natural disaster or other declared emergency subject to the following:

- (a) This subsection shall not apply to employees who are on leave without pay or absence without leave immediately prior to and immediately subsequent to day(s) involved. Employees on suspension shall remain suspended for the designated suspension period unless called into work for that period.
- (b) Employees who had pre-approved Sick Leave, Annual Leave, Compensatory Time, Funeral Leave, and/or Military Leave with Pay scheduled may submit a request to cancel such leave. Employees who were scheduled to be on Family Medical Leave shall have any Declared Emergency Leave counted towards the Family Medical Leave entitlement. Employees on Parental Leave shall remain on Parental Leave period, but may be eligible for Declared Emergency Leave following that period;

All payments anticipated under this policy shall be subject to the availability of funds and as such, they may be increased, reduced or discontinued by appropriate authority at any time that it is determined that the Parish's financial condition will in the case of increased payments, support such increase or in the case of decreased or discontinued payments will not support continued payments or that continued payments would or could adversely impact the ability to provide essential services.

Emergency Proclamation No 2 CLS 01/13/2024





OFFICE OF THE PRESIDENT

PROCLAMATION No. 2 CLS 2024

STATE OF EMERGENCY -
WINTER WEATHER

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, confers upon the President of the Parish of Jefferson powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that the preparations of this parish will be adequate to respond to such emergencies or disasters and to preserve the lives and property of the people of the Parish of Jefferson; and

WHEREAS, La. R.S. 29:727(D)(1) empowers the President of the Parish of Jefferson to declare a local disaster or emergency, which shall continue until the President finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist, but 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 beyond ninety days unless approved by the parish governing authority; and

WHEREAS, The National Weather Service is monitoring a winter mix to impact the State Sunday through Wednesday, and wind chills in the teens are expected on Monday through Wednesday.

WHEREAS, on January 12, 2024, Governor Jeff Landry issued Executive Order JML 24-04, which declared a state of emergency to exist statewide as a result of the wintry weather which will impact the State Sunday through Wednesday; and

WHEREAS, the Parish of Jefferson could potentially experience the risk of freezing temperatures and dangerous wind chill due to persistent wintry weather over the next several days, which threaten the safety, health, and security of the citizens of the Parish, along with damage to private property and public facilities; and

WHEREAS, to timely and effectively meet the dangers presented by the emergency, it is necessary to immediately effectuate measures to detect, prevent, prepare for, investigate, respond to, or recover from the emergency, and generally to preserve the lives and property of the people of the Parish of Jefferson.

NOW THEREFORE, I, CYNTHIA LEE SHENG, President of the Parish of Jefferson, by virtue of the authority vested by the laws of the State of Louisiana, do hereby order and direct as follows:


- SECTION 1:** Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist within and throughout the Parish of Jefferson which will be impacted by the wintry weather, which present an imminent threat of emergency conditions that threaten the lives and property of the citizens of this Parish.
- SECTION 2:** That the provisions of Division 2 and Division 3.1 of Article VII of Chapter 2 of the Code of Ordinances of Jefferson Parish, Louisiana are hereby suspended with respect to the procurement of labor, materials, supplies,



SECTION 3:

equipment, services and public works necessary to respond to this emergency.
This proclamation shall be effective upon signature and shall remain in effect from January 13, 2024 to February 11, 2024, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand
officially on this 13th day of January 2024.


PRESIDENT, PARISH OF JEFFERSON

EFIL: 01/13/2024 2:46 PM JEFF PAR 7796166 david \$0.00 ::: 12401597 MORTGAGE BOOK 5058 PAGE 462



Appendix D

Press Release for Winter Weather 01/15/2024





NEWS RELEASE

JEFFERSON PARISH, LOUISIANA

January 15, 2024

FOR IMMEDIATE RELEASE

JEFFERSON PARISH PREPARES FOR RISK OF WINTER WEATHER

Residents should plan now for extreme and prolonged freezing conditions

JEFFERSON, LA - Jefferson Parish is actively monitoring the risk of a blast of arctic air. 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.

Residents should begin preparing now for the likelihood of extreme and prolonged freezing conditions. All are reminded to protect the 4 Ps: people, pets, pipes and plants – check on elderly neighbors and family; bring pets indoors or make sure they have a warm shelter with access to unfrozen water; wrap exposed pipes and; and protect sensitive vegetation.

Jefferson Parish buildings will be open only for essential parish 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.

These conditions could result in significant damage to unprotected pipes. The Jefferson Parish Water Department recommends customers do not run their faucets, unless the residence is raised off the ground. Although this is a common practice to aid against pipes freezing under the home, it places a strain on the entire system and increases the chance for a boil water advisory. Homes that sit on a concrete slab have added protection from the concrete and soil and do not require running taps for an extended period of time. Any exposed pipes should be wrapped with adequate insulating material.

Jefferson Parish will open two warming centers for residents on Monday, January 15, 2023 at 12 p.m. at Terrytown Playground (641 Heritage Ave. in Terrytown, LA 70056) and Johnny Bright Playground (3401 Cleary Ave. in Metairie, LA 70002). These centers will remain open throughout the duration of this weather event for people and pets in need of a warm place during the cold. Residents with pets are asked to bring a pet carrier. The Jefferson Parish Human Services Authority will also assist individuals living outdoors seek temporary shelter. Those in need can contact the Jefferson Parish Emergency Operations Center at 504-349-5360.

Residents are urged to keep space heater and generator safety in mind during this weather event. According to the [National Fire Protection Association](#), heating equipment is one of the leading causes of home fire deaths. Residents using portable space heaters should always place the unit on a hard, level nonflammable floor. It is also important to keep it at least three feet away from anything that could burn and maintain clearance around the heater so that adults, children and pets won't bump into it. Should freezing temperatures cause power outages, it is critical that residents use generators safely because carbon monoxide is deadly. Residents should only use a generator in a well-ventilated area and place it away from structures, at least 20 feet away from a home, windows and doors. Turn off generators and let them cool down 15-20 minutes before refueling and never refuel a generator while it is hot.

The Jefferson Protection & Animal Welfare Services (JPAWS) is reminding residents that it is cruelty to not provide pets with proper shelter that prevents exposure to the elements. According to the [Jefferson Parish Code of Ordinances 7-128 \(B\) 7](#), shelter for all animals must provide protection from the wind and cold, which includes insulation such as a blanket, hay or newspaper when temperatures reach or fall below thirty-two (32) degrees Fahrenheit.

The Jefferson Parish Emergency Management Department is working closely with the National Weather Service and will update residents should local impacts from winter weather increase. Hour-by-hour forecasts for specific locations can be accessed at www.weather.gov/neworleans by using the point-and-click map in the middle of the page. Residents should have multiple ways to receive weather alerts and make sure to charge mobile devices and keep them nearby.

For more information about Jefferson Parish, visit www.JeffParish.net. Residents can also receive regular updates by following the Parish on [social media](#) (@JeffParishGov) or by texting JPALERT or JPNOTICIAS to 888-777.

###

Appendix E

Emergency Pay Email Chain #1



Sent: 1/29/2024 12:00:00 AM
From: Timothy Palmatier <Palmatier
To: "Eric" "Linda"
Cc:
Bcc:
Importance: Normal
Subject: Fwd: Emergency pay for JPFD
Attachments: [image001.png](#), [image002.png](#)

See below as to payment of Emergency Pay.

Sent from my iPhone

Begin forwarded message:

From: Steve Lachute <SLachute@jeffparish.net>
Date: January 29, 2024 at 1:34:37 PM CST
To: Timothy Palmatier <TPalmatier@jeffparish.net>
Subject: Re: Emergency pay for JPFD

Personnel has interpreted the rules otherwise so they should get the emergency pay.

Sent from my iPhone

On Jan 29, 2024, at 11:45 AM, Timothy Palmatier <TPalmatier@jeffparish.net> wrote:

Steve: The below indicates EBCF should not receive Emergency Pay for 1/16/24 as the GGB and Yenni buildings were open and the attached indicates you have verbally approved the Emergency Pay per Charlie Hudson. Please let me know whether Emergency Pay is to be paid. Thank you.



Timothy J. Palmatier, JD, CPA

Finance Director
[Jefferson Parish Government](#)
200 Derbigny St., Gretna, LA 70053
O: 504-364-2767 | E: tpalmatier@jeffparish.net
Follow us on [Facebook](#), [Twitter](#), [Instagram](#) & [Youtube](#)

From: Steve Lachute <SLachute@jeffparish.net>
Sent: Tuesday, January 16, 2024 12:59 PM
To: Charles M. Hudson <Charles.Hudson@jeffparish.net>; Victor LaRocca <VLarocca@jeffparish.net>; Timothy Palmatier <TPalmatier@jeffparish.net>; Eric Chi <Eric.Chi@jeffparish.net>
Subject: RE: Emergency pay for JPFD

I responded to Charlie, no emergency pay as Yenni and GB are not closed. Call if you have any questions.

From: Charles M. Hudson <Charles.Hudson@jeffparish.net>
Sent: Tuesday, January 16, 2024 12:53 PM
To: Steve Lachute <SLachute@jeffparish.net>; Victor LaRocca <VLarocca@jeffparish.net>; Timothy Palmatier <TPalmatier@jeffparish.net>; Eric Chi <Eric.Chi@jeffparish.net>
Subject: FW: Emergency pay for JPFD

Good afternoon Gentleman,

I received the below email from staff asking about emergency pay. Is this an emergency pay event? I shared the attached email in which all users should have received but I still get questioned and I am still learning the rules of this department. Chief Adams explain that emergency pay was recently changed for the FD personnel on duty but did not clarify if this event fits that basis. I need some clarification and information for coding payroll, if so.

Thanks,

Charles M. Hudson



B.S. Fire Admin, A.S. Fire Science
Provisional Fire Chief
Jefferson Parish Eastbank
Consolidated Fire Department
834 S. Clearview Pkwy.
Jefferson La. 70123
504 736-6204
Charles.Hudson@jeffparish.net

From: [REDACTED]
Sent: Tuesday, January 16, 2024 10:53 AM
To: Charles M. Hudson <Charles.Hudson@jeffparish.net>
Cc: [REDACTED]
Subject: Emergency pay

Chief Hudson, I was told you had to ask someone about us being paid due to the offices being closed. Is there someone else we should contact for this answer?

Thank You,
[REDACTED]
<mime-attachment>

Appendix F

Emergency Pay Email Chain #2



Sent: 1/18/2024 12:00:00 AM
From: Charles M. Hudson <Charles.Hudson@jeffparish.net>
To: "Steve"
Cc: "Stacie" "Linda"
Bcc:
Importance: Normal
Subject: FW: Payroll Instructions regarding Declared Emergency for Tuesday, January 16, 2024
Attachments: [image001.png](#), [Emergency Leave Policy 1-2023.pdf](#), [Winter Weather Event 2024W Disaster Project.msg](#)

Chief,

In light of this recent correspondence and the emergency pay policy Chief Adams put into effect, I think we have to post emergency pay for the fire suppression and communications employees that worked.



Charles M. Hudson
B.S. Fire Admin, A.S. Fire Science
Provisional Fire Chief
Jefferson Parish Eastbank
Consolidated Fire Department
834 S. Clearview Pkwy.
Jefferson La. 70123
504 736-6204
Charles.Hudson@jeffparish.net

From: John Dumas <JDumas@jeffparish.net>
Sent: Thursday, January 18, 2024 2:26 PM
To: Directors <Directors@jeffparish.net>
Cc: Steve Lachute <SLachute@jeffparish.net>; Cherreen Gegenheimer <CGegenheimer@jeffparish.net>
Subject: FW: Payroll Instructions regarding Declared Emergency for Tuesday, January 16, 2024

Good Afternoon,

Please see the email below sent to Department Payroll Clerks concerning employee pay for the weather event on Tuesday, January 16, 2024. The instructions are based on language detailed in Personnel Rule IV, Section 5 and Personnel Rule IX, Section 4. If there are any questions, please let me know.

Regards,
John G. Dumas, MPA, SPHR, SHRM-SCP
Personnel Director
Jefferson Parish Personnel Department
Office 504-364-2730
Fax 504-365-3320
jdumas@jeffparish.net

From: Lauren Call <LCall@jeffparish.net>
Sent: Thursday, January 18, 2024 1:58 PM
To: PRclerks [REDACTED]; PAYROLL [REDACTED]; Kronos Users [REDACTED]
Cc: [REDACTED]
Subject: Payroll Instructions regarding Declared Emergency for Tuesday, January 16, 2024

[To all of those who administer Payroll:](#)

Here are the instructions for payroll administration for the Winter Freeze Event (Tuesday, January 16, 2024 – 12 AM to 11:59 PM):

I. Employees that were scheduled to work, but **DID NOT** work on Tuesday, January 16, 2024 are to be paid **EMERGENCY LEAVE** (Payroll Code: AS-400 381 or Kronos EMLV) **UNLESS**:

- a. Employee is “essential-duty” (see IV - Personnel Rule IV, § 5.9)
- b. Employee was on LWOP immediately prior to and immediately subsequent to the day(s) involved in the declared emergency.

c. Employee was on a pre-approved leave of absence (i.e. Sick Leave, Annual Leave, Compensatory Time, Funeral Leave, and/or Military Leave with Pay). (Personnel Rule IX, § 4.6(b))

i. Employees who worked during the event on day which the pre-approved leave was scheduled are no longer considered on leave and that leave should be removed.

ii. Employees who did not work during the event may submit a request to cancel such leave.

iii. Employees on Parental Leave shall remain on Parental Leave.

d. Employee was not scheduled to work.

II. Stand-by

a. Employee **NOT** called in to work

i. Employee shall be paid one-hour for each six-hour's non-working stand-by. (Personnel Rule IV, § 5.6 and 5.11)

b. Employee called in to work

i. Employee shall be paid for time worked, any stand-by time, AND Declared Emergency Pay (as outlined in III below) for Tuesday, January 16, 2024.

ii. Stand-by pay **stops** once the employee was required to remain on Parish premises on stand-by. Stand-by pay would resume once the employee is released to go home and remain on Stand-by. (Personnel Rule IV, § 5.6)

c. Example:

i. Employee A placed on stand-by (verbally or in writing) for 24 hours but **not** called to report to duty shall receive 4 hours pay. (Rule IV, § 5.6)

ii. Employee B placed on stand-by (verbally or in writing) for 24 hours and called to work for 6 hours shall receive 6 hours regular pay, 3 hours stand-by pay, and 6 hours declared emergency pay. Employee B may receive additional Emergency Leave (1 hour for 7-hour employee or 2 hours for 8-hour employee) if they were originally schedule to work a normal shift on Tuesday. (Rule IV, § 5.11 and § 5.12)

III. Essential Duty (Declared Emergency)

a. Personnel Rule IV, § 5.9

i. Employee shall receive regular pay for hours actually worked, **PLUS** Declared **EMERGENCY PAY** for equivalent hours to those actual hours worked. If an employee worked less than their normal shift in the day, they should get regular pay for hours work, emergency pay should match the hours worked, and emergency leave for the remaining hours that would bring them to their normal schedule hours. ALL HOURS worked and the Emergency Pay should be coded to the 2024W.001 project.

1. Example – Employee A is an 8-hour employee. Employee was scheduled to work their normal shift that day. Employee worked 5 hours. Employee will receive 5 hours regular pay, 5 hours Emergency Pay, and 3 hours of Emergency Leave.

2. Example – Employee B is an 8-hour employee. Employee was NOT originally scheduled to work that day. Employee worked 5 hours. Employee will receive 5 hours regular pay and 5 hours Emergency Pay.

3. Example – Employee C is an 8-hour employee. Employee was scheduled to work their normal shift that day. Employee worked 12 hours. Employee will receive 12 hours regular pay and 12 hours Emergency Pay.

Notes:

For those that worked on Monday, January 15th, 2024 the Holiday Rule (Personnel Rule IV, § 5.8) takes precedent over Emergency Rules.

Thank you and let me know if you have any questions

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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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990 N. Corporate Drive Suite 300

Jefferson, LA 70123

Phone (504) 736-8962