

# **City of Lander**

## **POLICY AND PROCEDURE MANUAL**

This manual replaces all previous manuals and supersedes all earlier oral or written materials about City of Lander policies and procedures. The City of Lander reserves the right to changes, add or delete benefits and policies as necessary.

**Acknowledgement**

I acknowledge that I have received the City of Lander Policy & Procedure Manual and that I have read and understand the policies.

I understand that this manual represents only current policies and benefits, and that it does not create a contract of employment. The City of Lander retains the right to change these policies and benefits, as it deems advisable.

I understand that the information I come into contact with during my employment is proprietary to the City of Lander and accordingly, I agree to keep it confidential, which means I will not use it other than in the performance of my duties or disclose it to any person or entity outside the City of Lander. I understand that I must comply with all of the provisions of the Manual to have access to and use City of Lander resources. I also understand that if I do not comply with all provisions of the Manual, my access to City of Lander resources may be revoked, and I may be subject to disciplinary action up to and including discharge.

I understand that my employment with the City of Lander is a voluntary one and is subject to termination by myself or the City of Lander at will. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of the City of Lander employees.

This policy of employment-at-will may not be modified by any officer or employee and shall not be modified in any publication or document.

These personnel policies are not intended to be a contract of employment or a legal document.

I further understand that I am obligated to familiarize myself with the City of Lander’s safety, health, and emergency procedures as outlined in this Manual and the City of Lander Health and Safety Program.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please Print Your Name

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## **Confidential Information & Conflict of Interest**

### **Confidentiality**

It is the policy of the City of Lander that Council members and employees of the City of Lander may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the City of Lander to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom the City of Lander has authorized disclosure.

Council members and employees shall use confidential information solely for the purpose of performing services as a trustee or employee for the City of Lander. This policy is not intended to prevent disclosure where disclosure is required by law.

Council members, employees, volunteers and contractors shall exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations at work or in public places, such as restaurants, elevators, and public transportation, should be limited to matters that do not pertain to information of a sensitive or confidential nature. In addition, Council members and employees should be sensitive to the risk of inadvertent disclosure and should for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speaker phones to discuss confidential information if the conversation could be heard by unauthorized persons.

At the end of a Council member's term in office or upon the termination of an employee's, volunteer's or contractor's relationship with the City of Lander, he or she shall return, at the request of the City of Lander, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his or her possession.

### **Conflict of Interest**

No employee must engage in any activity or enterprise which conflicts with his/her duties as a City of Lander employee or with the duties, functions, and responsibilities of the department in which he/she is employed.

Anyone with a conflict of interest must provide written notice to their supervisor 72 hours advance of the conflict to the governing body. Failure to disclose a conflict of interest may result appropriate discipline, up to and including termination.

## **Anti-Discrimination & Harassment**

### **Equal Opportunity Policy**

The City of Lander follows federal guidelines provided in the Equal Employment Opportunity Commission (EEOC). The City of Lander provides equal opportunity in all of our employment practices to all qualified employees and applicants without regard to race, color, religion, gender, national origin, age, disability, marital status, military status or any other category protected by federal, state and local laws. This policy applies to all aspects of the employment relationship, including recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, training and social, and recreational programs. All such employment decisions will be made without unlawful discrimination on any prohibited basis.

### **Policy Prohibiting Harassment and Discrimination**

The City of Lander strives to maintain an environment free from discrimination and harassment, where employees treat each other with respect, dignity and courtesy. This policy applies to all phases of employment.

### **Prohibited Behavior**

The City of Lander does not and will not tolerate any type of harassment of our employees, applicants for employment, or our customers. Discriminatory conduct or conduct characterized as harassment as defined below is prohibited.

The term harassment includes, but is not limited to, slurs, jokes, and other verbal or physical conduct relating to a person's gender, ethnicity, race color, creed, religion, sexual orientation, national origin, age disability, marital status, military service status or any other protected classification that unreasonably interferes with a person's work performance or creates an intimidating, hostile or offensive work environment.

Sexually harassing behavior in particular includes unwelcome conduct such as:

- sexual advances
- request for sexual favors
- offensive touching, or other verbal or physical conduct of a sexual nature
- repeated sexual flirtations, advances or propositions
- continued and repeated verbal abuse of a sexual nature, sexually related comments and joking, graphic or degrading comments about an employee's appearance or displaying sexually suggestive objectives or pictures including cartoons and vulgar email messages
- any uninvited physical contact or touching, such as patting, pinching or repeated brushing against another's body
- is made an explicit or implicit condition of employment

- is used as the basis for employment decisions
- unreasonably interferes with an individual's work performance, or
- creates an intimidating, hostile or offensive working environment

### **Harassment by Non-employees**

The City of Lander will also endeavor to protect employees, to the extent possible, from reported harassment by non-employees in the workplace, including customers, clients and suppliers.

### **Complaint procedure and Investigation:**

An employee may select the procedure under which the harassment complaint will be filed. The variety of ways which allow an employee to file such a complaint are due to the sensitivities associated with the conduct described as sexual harassment.

Employees who wish to report a possible incident of sexual harassment or other unlawful harassment or discrimination should first notify the harasser if possible. If that person is not available, or you believe it would be inappropriate to contact the person, contact your supervisor immediately or other appropriate member of management if your supervisor is not available.

The City of Lander will conduct a prompt investigation as confidentially as possible under the circumstances.

Any employee who becomes aware of possible sexual harassment or other illegal discrimination against others should promptly advise their supervisor or human resources.

Any employee that files a false complaint will be subject to appropriate disciplinary action up to and including termination.

Anyone found to have engaging in such wrongful behavior will be subject to appropriate discipline, which may include termination.

### **Retaliation**

Employees who raise concerns and make reports of harassment in good faith can do so without fear of reprisal; at the same time, employees have an obligation to cooperate with the City of Lander in enforcing the policy and investigating and remedying complaints. Any employee who files a complaint of sexual harassment or other discrimination in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint. In addition, we will not tolerate retaliation against any employee who, in good faith, cooperates in the

investigation of the complaint. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

## **Compensation & Work Schedule**

### **Attendance & Punctuality**

Every employee is expected to attend work regularly and report to work on time.

If you are unable to report to work on time for any reason, telephone your supervisor as far in advance as possible. If you do not call in an absence in advance, it may be considered unexcused.

Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, up to and including discharge.

### **Breaks**

Employees may be allowed a **15-minute break** for rest twice each day at the discretion of their supervisor.

Employees may have up to a 60-minute unpaid break for meals during each 8 hour work period.

Breaks may be scheduled to staggered times to allow department coverage.

### **Overtime**

At the discretion of the supervisor, reasonable **limited** overtime may be required of employees. In most cases, non-exempt classified employees who work more than their regularly scheduled 40 hours per week shall be paid at the rate of 1 ½ times their regular pay.

### **Call-In Pay**

When an employee is called to a call-out by their supervisor that requires the employee to physically go to a work location and perform work related tasks, two (2) hours pay shall be guaranteed to the employee at a minimum. A call-out requiring more than two hours will be paid based on actual hours worked. A call-out is defined as the employee having to come from home or elsewhere in order to report physically to work. During a call-out, the employee may be assigned other work related duties by their supervisor which shall

either be paid for by either the guaranteed two (2) hours of pay or by actual hours worked if the duties exceed two (2) hours. ONLY when the employee returns home and is out of service and called out again does he accrue another minimum two (2) hours of guaranteed pay.

Non-salaried employees who receive phone calls or text messages pertaining to work outside of normal working hours shall be entitled to compensation for the actual time spent as a result of the phone calls or text messages. Compensation shall be put on the employees timesheets at quarter hour increments with the minimum reimbursement being 15 minutes. Employees shall document the text messages or phone calls appropriately and are required to get approval from their supervisor when submitting the request for reimbursement.

### **On-Call Status**

- A. All City employees may be assigned by their Supervisor to On-Call Status.
- B. The Supervisor will make an attempt to give adequate notice when requiring the employee to be On-Call.
- C. Employees hours at home as non-restricted conditions, where the employee is free to use the time however he or she wishes.
- D. When On-Call, an employee shall be available to respond to emergency calls during his off work hours and be accessible by phone. The employee must be physically and mentally able to perform assigned duties when called, and be able to arrive at the location within forty (40) minutes after responding to the call thereby limiting personal activities.
- E. On-Call employees shall follow the City's Drug and Alcohol policy while on-call. This includes that they refrain from drinking alcohol or using non-prescription drugs.
- F. Employees shall be compensated at the On-Call rate for On-Call time for each hour they are On-Call and not scheduled to work. This payment for On-Call shall be in addition to payments made to an employee for actual time worked and shall not be included as hours worked.
- G. On-call hours shall not be billed for hours an employee is on the premises working.
- H. Any employee who does not follow these on-call requirements will be subject to appropriate discipline, up to and including termination.

## **Pay Schedule**

Employees will be paid on the last working day of each month. If the regular payday falls on a holiday, payday will be the last regular workday before the holiday.

## **Performance Evaluations**

Supervisors and employees are strongly encouraged to discuss job performance and goals informally any time.

Additional formal performance reviews may be conducted to provide both supervisors and employees with the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

All continuing employees may have their performance evaluated annually by their supervisor.

## **Probationary Evaluation**

Probationary employees shall be evaluated after twelve months if working for the Police Department or six months if working for any other department. After the evaluation the probationary employee will either be removed from the probationary period, have the probation extended or will be terminated or demoted.

## **Work Hours**

Except as otherwise specifically provided, the normal work week of City employees shall consist of a forty (40) hours of work per week. The supervisor may employ alternate schedules. Changes in scheduling may be made by appropriate supervisors as working situation and conditions require.

## **Conduct Standards**

### **The City of Lander Equipment and Vehicles**

When using the City of Lander property, including computer equipment or hardware, exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

Notify your supervisor if any equipment machines appear to be damaged, defective or in need of repair. This prompt reporting could prevent the equipment's deterioration and

could also help prevent injury to you or others. Should you have any questions about the maintenance and care of any workplace equipment, ask your supervisor.

If you use or operate equipment improperly, carelessly, negligently or unsafely, you may be disciplined or even discharged. In addition, you may be held financially responsible for any loss to the City of Lander because of such mistreatment.

### **Tools And Equipment**

No city employee shall use, borrow or convert to his own personal use or to the use of members of his immediate family or friends or acquaintances, any city property. Except the temporary use of city property generally available for the use by the public upon such terms and conditions as such property is available for public use.

The personal use of a City owned vehicle is a taxable fringe benefit, unless the vehicle meets the IRS requirements of a qualified non-personal vehicle (clearly marked police and fire vehicles, unmarked vehicles used by law enforcement officers, any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds) personal use includes the value of commuting to and from work in a city vehicle. The value of this benefit must be included in wages and is subject to income and employment taxes.

City employees who are provided with City owned vehicles and are allowed to take the vehicle home because they are “on-call” are responsible for determination of the valuation rule used to determine the value of the personal use of said vehicle. Employees may use either: the Automobile Lease Rule (IRS Publication 15-B), the Cents per Mile Rule or the Commuting Value Rule, which provides for a set amount per day as non-cash, taxable fringe benefit includable in gross income.

Employees utilizing the Commuting Value Rule are designated and required to commute in said vehicle and City vehicle may be used only for the purposes of commuting to and from work and for de minimis personal use. Employees shall not use such vehicle for any other personal purposes.

Employees traveling on City business are to use city vehicles. If the employee elects to use their own personal vehicle when a city vehicle is available the city will only reimburse fuel. If a City vehicle is not available and the employee must use their own vehicle, the City will reimburse mileage from the City of Lander to the destination and return for the shortest route to the destination at the current standard IRS mileage rate.

General Use - Employees shall obey all traffic laws and rules of the road unless exempted by state law. **While operating any city owned vehicle or equipment the seat belt/shoulder harness shall be fastened** as defined in the Health and Safety Program

Hands free devices will be used in all City vehicles otherwise the employee will pull to

the side of the road and stop the vehicle to use a cell phone. Unacceptable usage of cell phones may be cause for disciplinary action, up to and including termination.

Reporting an Accident - Any employee involved in an accident with a city vehicle will contact the Lander Police Department and obtain a written statement to be given to their supervisor. The Supervisor will contact the City Clerk so that the insurance agent can be notified.

### **Computer, Email and Internet Usage**

The City of Lander provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other City of Lander-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of City of Lander computer, phone, or other communication tools. All communications made using City of Lander - provided equipment or services including email and internet activity are subject to inspection by the City of Lander. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the City of Lander's systems.

Employee use of City of Lander-provided communication systems, including personal e-mail and internet use, should also be aware that information transmitted through e-mail and the internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the City of Lander's. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown. It also is against City of Lander policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on City of Lander computers. Violations of this policy may result in termination for a first offense. The City of Lander encourages employees to use e-mail only to communicate regarding City of Lander business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements (FOIA) as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the City of Lander.

All use of City of Lander-provided communications systems, including e-mail and internet use, should conform to our City of Lander guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge

confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

Because e-mail, telephone and voice mail, and internet communication equipment are provided for City of Lander business purposes and are critical to the City of Lander's success, your communications may be accessed without further notice by Information Technology department administrators and City of Lander management to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Unacceptable usage of the Internet may be cause for disciplinary action, up to and including termination.

### **Drug and Alcohol Policy**

The City of Lander is a drug and alcohol free workplace. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our customers and customers' confidence in our entity. For the full drug policy refer to the City of Lander Health and Safety Program.

#### **Alcohol**

Employees are prohibited from using or being under the influence of alcohol while performing company business for the City of Lander, while operating a motor vehicle or any machinery in the course of business or for any job-related purpose, while on-call status, or while on company premise or a worksite.

#### **Illegal Drugs**

Employees of the City of Lander are prohibited from using or being under the influence of illegal drugs while performing company business or while on a company facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug while in any city facilities, while operating a motor vehicle for any job-related purpose or while on the job, or while performing company business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited.

#### **Disciplinary Action**

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described in the City of Lander Health and Safety Program

## **Searches**

The City of Lander may conduct searches for illegal drugs or alcohol on company facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully.

Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search.

An employee's consent to search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

## **Drug Testing**

The City of Lander retains the right to randomly test for alcohol and illegal drugs on employees, who are involved in a safety sensitive position or are suspected in engaging in illegal substances as employee, as defined in the Health and Safety Program. The City of Lander may require a blood test, urinalysis, hair test or other drug or alcohol screening of employees suspected of using or being under the influence of drugs or alcohol or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, including termination.

## **Smoking Policy**

Smoking is prohibited inside the City of Lander facilities and vehicles.

All employees, clients and other visitors are expected to comply with this policy, and employees who violate it may be disciplined.

**Political Activity** - The following political activities are prohibited:

- A. An employee shall not use official authority or influence for the purpose of interfering with or affecting the result of a nomination or election to office.
- B. An employee shall not directly or indirectly coerce, attempt to coerce command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee organization, agency or person for political purposes.
- C. A regular employee shall not hold an elected municipal office.

**Failure To Maintain Certification Or License** - certain positions require various certifications or licenses, including driver's licenses. It shall be a condition of employment that such employees maintain such license or certification. Failure to do so shall result in disciplinary action. The department head, if the circumstances permit, may allow the employee a reasonable period of time to obtain such license or certification. Such extension shall be at the department heads discretion.

**Contracts** - Except through his employment with the city, no city employee shall enter into any contract with the city whereby the employee is to receive any remuneration unless:

- A. The contract is covered by Wyoming Statute 15-1-113 and there is strict compliance with said statute; and
- B. The Governing Body is fully apprised of the nature and terms of the contract and approves it.

### **Leave**

#### **Jury Duty**

Regular employees shall be granted leave with pay to serve required jury duty.

#### **Military Leave**

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the City of Lander prohibits discrimination against persons because of their service in the Armed Forces, the Army National Guard and the Air Force National Guard when engaged in active duty for training, inactive duty training or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency.

Employees who are members of the U.S. reserves or National Guard are entitled to 15 days of paid leave annually for military duty or training.

If an employee is inducted, or is recalled to active duty for a period as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) such leave will protect the employee's service for the City of Lander. Employees are required to notify their supervisor immediately after receiving orders for active duty.

Upon satisfactory completion of employee's military service and timely notice of intent to return to work, the employee will be reinstated to a job comparable to the one left, provided employee is qualified and the City of Lander circumstances have not changed to the extent that it would be impossible or unreasonable to provide re-employment.

Employees called to active duty will continue to have their participating medical/life insurance policy paid by the City of Lander for a period not to exceed 12 months.

### **Time Off To Vote**

Any person entitled to vote at any primary or general election or special election to fill a vacancy in the office of representatives in the congress of the United States is, on the day of such election, entitled to absent himself from any service or employment in which he is then engaged or employed for a period of one (1) hour, other than meal hours, the hour being at the convenience of the employer, between the time of opening and closing of the polls. Such elector shall not, because of so absenting himself, lose any pay, providing he actually casts his legal vote.

This section shall not apply to an employee who has three (3) or more consecutive non-working hours during the time the polls are open.

### **General Employment**

#### **Employee Classifications**

Employees at the City of Lander are full-time, part-time or temporary/seasonal. The City of Lander may on occasion hire temporary or seasonal employees.

Part-time employees work no more than 30 hours per week.

Your supervisor will verify whether you are a full-time or part-time employee, and also whether you are exempt or non-exempt. Exempt employees are not entitled to overtime under the Fair Labor Standards Act, while non-exempt employees can qualify for this pay.

#### **Employee Records**

A master file and HIPAA file will be kept in the Clerk's office.

It is the employee's responsibility to notify their Department Head and/or Supervisor or HR of any changes in name, address, telephone number, marital status, number of dependents, military status, beneficiaries or person to notify in case of an accident.

Misrepresentation of any fact which you have provided information for your application, in your personnel file, or any other documents is sufficient reason for dismissal. Personnel records are the property of the City of Lander. Employees may review their files under supervision.

#### **Employment of Relatives**

The City of Lander may hire relatives of employees where there are no potential problems of supervision, safety, security, morale or potential conflict of interest. Relatives include an employee's parent, child, spouse, domestic partner, sibling, cousin, in-laws and step relationships.

Employees who marry or become related will be permitted to continue to work as long as there are no substantial conflicts. Reasonable accommodations will be made when possible in the event a conflict arises.

### **Job Postings & Promotions**

The City of Lander has a job posting program to inform employees of available staff positions. Job vacancies will be first advertised within the City and, whenever possible, may be filled by promoting qualified employees from within the City of Lander.

To apply for a posted position, an employee must:

- have completed any mandatory introductory period at a satisfactory performance level
- meet the minimum requirements for the position, and
- not received written correction counseling within the past 90 days; employees who have a verbal warning may also be prohibited from applying.

Employees interested in applying for a posted position should submit a memorandum with an updated resume to the HR indicating interest in the position. Qualified employees must inform their Supervisor that they have applied for the job. Candidates will be judged on individual performance, conduct, experience, and potential. Length of service, although considered, shall not be the sole determining factor in selecting candidates for promotion.

The City of Lander has the discretion to fill job vacancies from outside if we consider that circumstances call for outside recruitment.

### **Pre-Employment Drug Test**

All successful applicants for positions with the City of Lander will be required to undergo drug and alcohol testing prior to their employment. All job applicants will be informed of the City of Lander's alcohol and drug testing policy, and a copy of the policy will be made available upon request. All applicants will be informed in writing prior to any drug and alcohol testing that these tests are required and that their employment is conditioned upon passing the test and conditioned upon any and all future test administered pursuant to this policy.

### **Reference/Background Checks**

The City of Lander conducts reference and background checks on all new employees. Employees who have falsified information on their employment applications will be disciplined, which could include termination. Applicants who have provided false information may be eliminated from further consideration for employment.

### **Termination, Resignation and Discharge**

An employee who wishes to voluntarily resign from his position with the city is **asked** to provide a written letter of resignation to his supervisor ten (10) working days in advance of the anticipated resignation date. The letter of resignation shall remain a part of the employee's personnel file. Failure by an employee to provide sufficient notice may result in his not being eligible for reinstatement privileges.

The supervisor or administrator will, if possible, conduct an exit interview with the employee.

### **Safety & Emergency**

#### **Safety**

The City of Lander is committed to maintaining a safe and healthy environment for all employees. The full safety program is found in the City of Lander Health and Safety Program.

Report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues immediately to your Department Head and/or Supervisor. Seek help from outside emergency response agencies, if needed.

An Employee shall complete an Employee's Claim for Worker's Compensation Benefits Form if you have an injury that requires medical attention. If your inquiry does not require medical attention, you must still complete a Supervisor and Employee Report of Accident Form within 72 hours of the injury in case medical treatment is later needed and to ensure that any existing safety hazards are corrected. You can obtain the required forms from your Department Head and/or Supervisor.

A federal law, the Occupational Safety and Health Act, requires that we keep records of all illnesses and accidents that occur on the job. OSHA also provides for your right to know about any health hazards which might be present on the job.

In addition, the state Workers' Compensation Act also requires that you report all illness or injury caused by the workplace, no matter how slight. If you do not report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits.

You can get the required reporting paperwork from your Department Head and/or Supervisor or from the Health and Safety Program.

## **Security**

The City of Lander is committed to ensuring employees' security. If you have a security concern, contact your Department Head and /or Supervisor.

## **Employee Benefits**

### **Longevity Pay**

#### **For Employees hired prior to July 1, 2018**

ELIGIBILITY - In order to be eligible for longevity payments a regular employee shall have a minimum of five (5) years continuous service.

1. This service may have been served with more than one city department.
2. For each year starting at five (5) complete years of continuous service a regular employee is entitled to \$10.00 per month additional pay.
3. The first payment shall be made on the beginning of the sixth (6) year.
4. For subsequent longevity payments, the anniversary date established in number 3 above serves as the date for eligibility.

#### **For Employees hired after July 1, 2018**

ELIGIBILITY - In order to be eligible for longevity payments a regular employee shall have a minimum of five (5) years continuous service.

1. This service may have been served with more than one city department.
2. For each five years starting at five (5) complete years of continuous service a regular employee is entitled to \$30.00 per month additional pay.

5-10 years - \$30.00

10-15 years - \$60.00

15-20 years - \$90.00

20-25 years - \$120.00

25-30 years - \$180.00

3. The first payment shall be made on the beginning of the sixth (6) year.
4. For subsequent longevity payments, the anniversary date established in number 3 above serves as the date for eligibility.

### **Medical Insurance**

The City of Lander may provide employee and family coverage in group medical, dental and vision insurance to all eligible employees.

All employees carried on leave without pay status, must bear the full cost of all benefits, thirty (30) calendar days after going on leave without pay status.

### **Retirement Savings Plan**

The City of Lander full-time employees are provided with a retirement savings plan through the Wyoming State Retirement Plan. The plan includes a provision for employee tax deferred compensation contributions.

### **Travel & Expense**

The Managerial Handbook outlines the provisions for travel expenses for City of Lander employees. The City of Lander will pay in advance all reasonable travel expenses to the City of Lander employees. The employee must give the accounting department a minimum of one week notice for the preparation of a travel advance on the required form. Per Diem rates will be paid for travel in accordance with the U.S. General Services Administration (GSA). If mileage is paid it will be in accordance with the IRS allowable reimbursement.

### **Worker's Compensation**

The City of Lander provides workers compensation insurance to compensate for any illness or injury an employee might suffer while working on company premises, traveling on official company business, or attending an activity officially sponsored by the City of Lander. If you become ill or injured, please get medical attention at once.

You must also report the details to your supervisor immediately. You must complete a report within 72 hours for every injury, no matter how small, to keep the coverage in force and to get any benefits or other compensation to which you may be entitled.

## Holidays & Vacation

### Holidays

The City of Lander will grant holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. All employees are eligible to enjoy holidays.

The City of Lander reserves the right to require employees to report to work on designated holidays if the City of Lander or the Department Supervisor deems such workday necessary to serve the immediate or emergency needs of the Entity.

Compensation related to Holiday pay, if any, shall be adopted by written policy and provided to the affected employees, and may be amended, modified or replaced without consideration at the discretion of the City of Lander.

Holiday Designation - The following days and such other holidays as the Mayor may designate, shall be observed by all employees:

- A. New Year's Day - January 1st
- B. President's Day - Third Monday in February
- C. Memorial Day - Last Monday in May
- D. Independence Day - July 4th
- E. Labor Day - First Monday in September
- F. Columbus Day - Second Monday in October
- G. Veteran's Day - November 11th
- H. Thanksgiving Day - Fourth Thursday in November
- I. Friday after Thanksgiving Day
- J. Christmas Day - December 25th

In addition, any day declared by the governor or any date appointed by the President of the United States as an occasion of national mourning, rejoicing or observance of national emergency and approved by the Governing Body.

### Sick Leave

All eligible employees may use sick days at their Department Head and/or Supervisor's discretion. **Sick days are not intended to be used as a substitute for vacation days,**

**but sick days may be used if an employee needs to provide care for a family member who is ill. Sick days may also be used if an employee needs time off for scheduled medical procedures as defined in the Managerial Handbook.**

Employees who are unable to return to work due to illness or other related reasons shall be granted all accrued sick leave first, then compensatory time earned and finally vacation leave.

Any employee who has 96 hours or more sick leave accrued may, with the approval of the administrator, donate up to five days (40 hours) of his/her sick leave per case to another employee who has used all of his sick and annual leave.

#### Sick Leave Accrual

- A. Effective on appointment, all regular full-time employees shall accrue sick leave at the rate of eight hours per month and all regular part-time employees shall accrue sick leave at the rate of four hours per month.
- B. Employees who are in service for less than a full calendar month because of the date of appointment, or absent from duty without pay, shall accrue sick leave as follows:
  - 1-5 work days, 2 hours;
  - 6-15 work days, 4 hours;
  - 16 work days and over, full rate.
- C. There shall not be a maximum number of sick leave hours that can be accumulated and accrued. Compensation for accrued sick leave upon retirement shall be as set forth in the City policy and these guidelines and any excess shall be forfeited. If an employee terminates his employment for other than bona fide retirement or is terminated by the City for cause, all accumulated sick leave shall be forfeited. If an employee must terminate his employment due to a terminal illness, upon written diagnosis by a physician, full accrued sick leave will be paid.
- D. An employee must work or be on approved leave for all scheduled work days in a month to earn sick leave for that month

#### **Vacation**

Paid annual vacation is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. All full-time employees are eligible to earn and use vacation time as shall be written and provided to the affected employees, and may be amended, modified or replaced without consideration at the discretion of the City of Lander. **Vacation time is not to be used for sick time unless the employee has no sick leave accrued.**

Should a City of Lander holiday occur during your vacation, you may add an additional day either at the beginning or the end of the vacation period, with your Department Head and/or Supervisor's approval.

The City of Lander reserves the right not to approve a vacation request if it will interfere with the City of Lander operations or adversely affect coverage of job and staff requirements. Whenever possible, employees' request for vacation will be accommodated, but where scheduling conflicts arise, seniority will prevail.

An employee must be *permitted*, upon request, to use any accrued vacation, annual leave, or compensatory time during the period of Military service in order to continue his or her civilian pay. The employer *may not require* the employee to use accrued vacation, annual, or similar leave during a military service. The employee is not entitled to use sick leave that accrued with the employer during a period of service in the uniformed services

Accrual of Annual Leave - All regular employees shall earn and accrue annual leave as follows:

<u>Years in Service</u>	<u>Hours Earned Per Month</u>	
	Full-Time	Part-Time
0 through 4	8	4
5 through 9	10	5
10 through 14	12	6
15 through 19	14	7
20 and greater	16	8

A. Employees who are in service for less than a full calendar month because of the date of appointment shall receive credit for annual leave as follows:

1-5 days: 1/4 of the monthly accumulative rate;

6-10 days: 1/2 of the monthly accumulative rate;

11-15 days: 3/4 of the monthly accumulative rate;

16-over full accumulative rate.

B. Employees eligible for annual leave must work or be on approved leave for all scheduled working days in a month to earn annual leave for that month.

- C. Employees shall earn and accrue annual leave from their dates of initial employment.
- D. No employee shall lose accrued annual leave when promoted, demoted or transferred.
- E. It shall be the responsibility of each department head and the employees working under them, to ensure that each such employee shall have scheduled for that calendar year no less than the number of hours of vacation time to ensure that the employee will have no more than 380 hours of accrued vacation each month. Nonetheless, each employee shall schedule no less than a cumulative two weeks vacation time each year. Once an employee has selected his vacation time, he shall thereafter, with the consent of his department head, be allowed to make changes in the time selected, provided that such change does not result in his having more than 300 hours of accrued vacation time at the end of the calendar year. No employee will accrue additional vacation time if their balance is over the 300 hour mark. This change in policy will only affect new hires after June 2018, all previously hired employees will stay at the 380 hour cap.
- (F) Each employee shall, when submitting vacation time, list his first three choices for up to two weeks in vacation. When two or more employees choose the same time period, the conflict shall be resolved by granting the requested leave to the person with the most years of service with the City.
- (G) Forfeiture of accrued leave as a disciplinary action shall not be authorized.

Conversion of Annual Leave - If, during the period an employee is on annual leave, a condition occurs that allows the employee to take sick leave or other justifiable leave, the employee shall not be allowed to convert said annual leave.

Granting of Annual Leave

- A. An employee shall normally request annual leave from the department head at least one week in advance of its use. If such prior notice is not possible due to unusual circumstances, the department head may, at his discretion approve the request.
- B. An employee shall take annual leave only when authorized by the department head. When evaluating annual leave requests, the department head shall consider the wishes of the employee as well as the needs of the department. The department head may deny leave requests if absence of the employee will unduly affect the operation of the department.
- C. An employee shall not request to use more annual leave than he has accrued.
- D. An employee who takes annual leave without authorization shall be subject to disciplinary action.

- E. Department heads may set up annual leave schedules where the efficiency of the service dictates.
- F. Holidays that fall during annual leave shall not be charged against annual leave.

### **Family Medical Leave Act**

Employees who have been employed by the City of Lander for at least one year and for at least 1250 hours over the previous 12 months are entitled to 12 weeks of unpaid leave under the Family Medical Leave Act (FMLA).

If the need for leave under FMLA is foreseeable, the employee must try to schedule treatment so as not to unduly disrupt the operations of the City of Lander, and the employee must provide notice 30 days in advance to Human Resource. If the need for leave is unforeseeable, the employee must notify Human Resource as soon as possible.

While on leave under the FMLA, the City of Lander requires that an employee substitute accrued paid sick leave and paid vacation prior to taking the balance of the 12 weeks as unpaid leave.

The City of Lander will continue to pay health benefits while the employee is on paid leave. The employee must, however, continue to pay his/her share of the premiums while on unpaid leave (if the employee is required to pay premiums).

Please see your Department Head and/or Supervisor for further information.

An employee who is unable to work due to an injury suffered during the course of his/her employment or in the performance of his/her assigned duties with the City shall file a claim form for disability benefits under the Wyoming Workers' Compensation Act within seventy-two (72) hours of being injured. If such employee qualifies for temporary total disability benefits, he/she shall receive compensation under the act.

An additional supplemental payment for a period of time as set forth hereinafter can be added to Workers' Compensation temporary total disability payments or to payments from other insurance in addition to Workers' Compensation received by an injured employee except when the employee is under the Family and Medical Leave Act. Such use shall include an employee being allowed to use the above said benefits for first three (3) days as is addressed in W.S. §27-14-404(d). Commencing the first day of the third month while the employee is receiving workers' compensation, the employee's FMLA 12-week leave entitlement shall then run concurrently with the workers' compensation absence when the injury is one that meets the criteria for a serious health condition and the employee will not be entitled to receive any disability pay from the City or use annual leave or sick leave while on FMLA leave.

“Employee” is defined as a full or part time employee of the City of Lander. Members of the Lander Volunteer Fire Department are not considered employees of the City which would entitle them to the increased benefits of sick leave, annual leave or disability pay from the City but they would be considered employees of the City only to receive Wyoming Workers’ Compensation benefits.

A full or part time employee on injury leave will be credited with time in service for annual salary increases, increased earnings of annual leave or any other benefits allowed by the City while on FMLA.

### **Leave without Pay**

Granting of Leave Without Pay - When recommended by the department head and approved in advance by the administrator, an employee may be granted leave without pay for justifiable personal reasons for a period not to exceed six (6) months.

#### Conditions and Limitations

1. Leave without pay shall not be granted until all accrued annual leave has been exhausted.
2. Approved leave without pay shall be credited as service for annual salary increases, increased earnings of annual leave or any other benefits, if the period of approved leave without pay does not exceed thirty (30) calendar days.