TOWN OF BAR NUNN
EMPLOYEE HANDBOOK

TOWN OF BAR NUNN EMPLOYEE HANDBOOK

EMPLOYEMENT-AT-WILL:

This Handbook is intended as a guide for the efficient and professional performance of your job. All employees, unless otherwise defined by statute or contract, are considered at- will employees, whose employment may be terminated with or without cause. Nothing contained herein shall be construed to be a contract for employment, either express or implied. Additionally, this handbook should not be construed by any employee as containing binding terms and conditions of employment. The Town of Bar Nunn retains the absolute right to terminate any employee at any time, with or without cause. The employee retains the absolute right to quit or resign at any time, with or without cause.

Designated Police Department employees, as defined by W.S. § 18-3-611 (2007 LexisNexis) are exceptions to employment-at-will.

The Town of Bar Nunn retains the right to change or modify the contents of this Handbook at any time, with or without notice.

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RECEIPT OF THE TOWN OF BAR NUNN EMPLOYEE HANDBOOK

I have received a copy of the_____,2025, edition of the Town of Bar Nunn Employee Handbook, which supersedes all previous editions. I understand it is my responsibility to read and become familiar with this information, as doing so will acquaint me with the Town's personnel practices, rules, employee benefits and basic organizational philosophy.

It is important to understand that these policies and any other Town administrative or department policies and procedures do not create an express or implied employment contract or a guarantee of employment of any specific duration between myself and the Town and either of the parties may decide to terminate the employment relationship at any time. Further, I understand that:

□ **I have the right to end my work relationship with the organization, with or without advance notice for any reason or no reason at all. The Town has the same right.**

□ **The language used in this handbook and any verbal statements of management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration.**

□ **These policies are general guidelines only and are not all-inclusive but are intended to provide me with a summary of some of the Town's guidelines.**

This edition replaces all previously issued handbooks. The need may arise to change the guidelines described in the handbook. The Town therefore reserves the right to interpret them or to change them without prior notice.

I understand that no Supervisor, Department Head, or representative of the Town, other than the Town Council, has the authority to make any written or verbal statements or representations to enter into a contract or agreement of employment for any specified period. Such agreements must be in writing, approved by the Governing Body and signed by the Mayor at a public hearing and myself. We have not entered into such an agreement.

As the Town grows and changes, personnel policies may also change. The Town, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Governing Body.

If I have questions about these policies or any other policies of the Town, such questions should be directed to a Supervisor, Department Head, the Governing Body, Town Attorney's Office or the Town Clerk.

_____ _____

Employee's Signature Date

POLICE DEPARTMENT
SWORN PERSONNEL

I understand it is the responsibility of the employee to read and become familiar with the policies and rules in the Employee Handbook and to contact management for explanation of any policy or rule. I agree that, if I do not return certain items which have been issued to me, the Town's assigned cost may be deducted from my final paycheck.

I understand that the Employee Handbook is available to employees in the following ways:

- Copies issued to the employee
- Copies kept in the Town Clerk's Office

I hereby acknowledge receipt of the 2025 Town of Bar Nunn Employee Handbook and the Town of Bar Nunn Police Office Policies and Procedures Manual.

_____ _____

Employee's Signature Date

EMPLOYEE HANDBOOK TOWN OF BAR NUNN, WYOMING RESOLUTION

IT IS HEREBY RESOLVED by the Town Council, the Town of Bar Nunn, Wyoming, in accordance with applicable federal and state statutes, the following Employee Handbook standards, guidelines, rules, and regulations are adopted to govern all employees of the Town of Bar Nunn. These policies replace all prior policies, resolutions, and practices governing all employees of the Town of Bar Nunn.

Approved and adopted this_____day of _____2025, by the Town of Bar Nunn Council.

_____
, Mayor

SEAL

_____
Vice Mayor

_____
, Council Member

_____
, Council Member

_____
, Council Member

_____
, Town of Bar Nunn Clerk

INTRODUCTION

All Town employees are considered Employees at Will, whose employment may be terminated at any time, with or without cause, unless specifically modified by a written contract of employment or statutory provision.

INTENT OF POLICIES

This Employee Handbook is not a contract of employment. Nothing contained in this handbook or in any other statements of Town philosophy, including statements made in the course of performance evaluation and wage reviews, should be construed as constituting a contract or an express or implied promise of continuing employment. Employees must understand that no Supervisor, Department Head, or other representative of the Town, other than the Governing Body, has the authority to enter into any contract or agreement with an employee for employment for any specified period or to make any written or verbal commitments contrary to the foregoing. The Town of Bar Nunn has the right to modify its policies and procedures at any time at its discretion, with or without notice.

SCOPE OF EMPLOYEE HANDBOOK

This Employee Handbook applies to all Town employees with the following exceptions:

- Contract employees are exempt from the at-will provisions of the Employee Handbook.
- Police Officers, should the town come to employe them, are exempt from at-will provisions of the Employee Handbook, pursuant to Wyo. Stat. Ann. §18-3-611.

EMPLOYEE HANDBOOK REVISIONS / INTERPRETATION

The Governing Body may, at their sole discretion, modify these policies. The Governing Body, through the Town Attorney's Office and the Town Clerk shall be charged with interpreting these policies, in the event of a conflict among provisions of this Handbook. The Town may deviate from these policies under emergency circumstances, in order to achieve the primary mission of serving the Town's citizens.

ADMINISTRATION

Each Department Head shall have the duty and responsibility to administer their offices in conformance of these policies, to the extent that they apply to their office. The Town of Bar Nunn, having formally

written and adopted policies governing personnel, requires all levels of management and staff is familiar and cognizant of all policies.

(a) The Governing Body, Department Head or Supervisor, shall:

- **(i)** administer the personnel policies in accordance with the terms and conditions herein set forth;
- **(ii)** make the policies available to all employees; and
- **(iii)** discuss or explain the policy as necessary to generate understanding of the policies among employees.

Employees are expected to read and be aware of the policies, and to request assistance with, or explanation of, any policy or policies, which may not be understood.

DEFINITIONS

Board: The group of persons appointed to sit in council for management of a Town organization (i.e., Fair, Hospital, etc.)

Compensatory Time, Non-Exempt: Paid Time off in lieu of wages**,** which may be taken with pay for overtime worked by a non-exempt employee, figured at time and one half for each hour worked in excess of forty (40) hours in one work week. (SEE: Non-exempt)

Contract Employee: An employee whose work is performed pursuant to an individual personal services contract must be approved by the Governing Body.

Demotion: Changing an employee from one position to a position of less responsibility, at a lower pay range based upon performance.

Department: Division of Town government which may be statutorily mandated, usually delineated by specific service function, and supervised by a Department Head, or Supervisor.

Department Head or Supervisor: Appointed Department Head or Supervisor of a Town department, responsible for normal daily office procedures and workflow, employee training, appraisal, direction and proficiency, departmental supplies and equipment; having the authority to exercise management rights, develop management policies or to effectively make such recommendations requiring the use of independent judgment not of a routine nature. Supervisors are responsible to and under the direction of a specific Department Head. A Department Head is an employee who is responsible for managing, supervising and directing one or more departments and reports directly to the Governing Body.

Disciplinary/Corrective Action: Actions or communications (formal or informal, verbal or written) taken by a Supervisor, Department Head, or the Governing Body toward an employee for the employee's failure in the performance of their duties, for the employee's conduct or as an attempt to change the employee's behavior or job performance.

Elected Official: An individual elected by popular vote to administer statutorily mandated responsibilities and duties on a Town level; regularly exercises discretionary powers.

Emergency Leave: Paid leave as a result of inclement weather/emergency closure of Town facilities.

Exempt Employee: An employee who is not eligible for overtime pay. The Town classifies exempt employees through the guidelines established by the Fair Labor Standards Act.

Full-time Employee: An employee who is normally scheduled to work forty (40) hours per week (or in the case of sworn Police Deputies, one hundred and sixty-five (165) hours in a twenty-eight (28) day period). Full-time employees are eligible for Town benefits as outlined in this Employee Handbook.

Governing Body: The elected Town Council of the Town of Bar Nunn, five in number, consisting of a Mayor, vice-Mayor, and three Council Members, and designated by statute as the governing of Town of Bar Nunn.

Layoff: The involuntary separation from employment because of lack of work, lack or reallocation of funds, changes in budgetary priorities, reorganization or other reasons.

Non-exempt Employee: An employee eligible for overtime pay. Non-exempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of forty (40) hours per workweek or, the case of sworn Police Deputies, one hundred and sixty-eight (168) hours over a twenty-eight (28) day period. The Town classifies non-exempt employees through the guidelines established by the Fair Labor Standards Act.

Part-time Employee: An employee who is normally scheduled to work less than a forty (40) hour work week. Part-time employees are eligible for participation in Town benefits on a pro- rated basis as outlined in this Employee Handbook.

Position: A group of duties and responsibilities requiring the employment of one person on a regular or temporary basis. Position is used interchangeably with the term "job" in this Employee Handbook.

Position Description: The summary of the primary duties, responsibilities and minimum qualifications assigned to a position.

Regular Employee: A part-time or full-time employee hired for an indefinite period of time to fill a regularly budgeted position.

Temporary or Seasonal Employee: An employee who is hired in a job established for a temporary period or for a specific assignment or group of assignments. Temporary employees are not eligible for participation in Town benefits.

Transfer: A lateral change of an employee from one position to another position of equivalent responsibility and pay grade with no component related to performance.

GENERAL PROVISIONS

Authority: This Town of Bar Nunn Employee Handbook is promulgated by the Governing Body in accordance with internal procedures and applicable State and Federal laws.

Employment-at-Will:

1. **This Handbook is intended as a guide for the efficient and professional performance of your job. All employees, unless otherwise defined by statute or contract are considered at-will employees, whose employment may be terminated with or without cause. Nothing contained herein shall be construed to be a contract for employment, either express or implied. Additionally, this handbook should not be construed by any employee as containing binding terms and conditions of employment. The Town of Bar Nunn retains the absolute right to terminate any employee at any time, with or without cause. The employee retains the absolute right to quit or resign at any time, with or without cause.**
2. **Designated Police Department employees, as defined by W.S. § 18-3-611 (2007 LexisNexis) are exceptions to employment-at-will.**
3. **The Town of Bar Nunn retains the right to change the contents of this Handbook at any time, with or without notice.**

Coverage: These policies apply to all employees of Town of Bar Nunn Government and replace all previous versions of the Town of Bar Nunn Employee Handbook. The Governing Body and Department Heads may establish policies particular to their own offices, as specified herein. **Exception:** The policies and procedures of the Town of Bar Nunn Employee Handbook shall apply to all employees of the Town of Bar Nunn Police Department, except as specified in the Police Department Personnel Policy. Where conflict arises, the Police Personnel Policy and Procedure shall be applied and followed.

Interpretation: Upon request, the Town Clerk and Town Attorney shall assist in providing interpretations of these policies in cases of internal conflicts between policies, or when questions arise about application to specific situations, procedures, or policies.

Enforcement and Agency Responsibility: Town of Bar Nunn Governing Body, Department Heads and the offices of Town Clerk and Town Attorney shall work together in ensuring the Personnel Policies in the Employee Handbook Manual are administered and applied uniformly by all departments. The Governing Body or Department Heads may have interdepartmental policies that deviate from these policies herein.

(a) Department Heads and Supervisors are responsible for the actions of management employees to whom they have delegated authority to act on their behalf or in a supervisory capacity. Department Heads and Supervisors have the responsibility to complete departmental employee orientation and to discuss and explain the policy as necessary to generate employee understanding.

(b) The Town Clerk /Payroll Department provides all Department Heads, Supervisors, and employees with copies of the Town of Bar Nunn Employee Handbook. The Town Clerk / Payroll Department is responsible for new employee enrollment and sign-up.

(c) All Town of Bar Nunn Employees are responsible for familiarizing themselves with Personnel Rules in the Town of Bar Nunn Employee Handbook, and are expected to contact their Supervisor, Department Head or the Town Clerk's Office for explanation of any rule.

(d) The Town Clerk shall distribute any revisions or added policies to the Town of Bar Nunn Employee Handbook to Department Heads, Supervisors, and to all Town of Bar Nunn employees, once approved by the Board of Town Council.

Equal Opportunity Employer: Equal employment opportunity shall be provided in the administration of all personnel practices to include recruitment, appointment, promotion, performance appraisal, discipline, retention, training, compensation and other benefits. Terms and conditions of employment are administered in a manner which does not discriminate on the basis of age (40 or older), color, political affiliation, race, religion, handicap, citizenship, national origin or ancestry, sex (including pregnancy), genetic information, disability, (except where disability is a bona fide occupational disqualification), or any other legally protected status in accordance with applicable local, state, and federal laws.

Americans with Disabilities Act and its Amendment (ADAA): The Americans with Disabilities Act and its Amendment (ADAA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of Town of Bar Nunn to comply with all federal and state laws concerning the employment of persons with disabilities. To see the complete Town ADAA policy please see appendix #1.

Family Medical Leave Act (FMLA) Policy: The Family and Medical Leave policy of the Town of Bar Nunn shall be in accordance with Public Law 103-3 Family and Medical Leave Act 1993 and regulations as revised, effective 1-16-2009 and 10-28-2009. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. For the complete Town of Bar Nunn policy on FMLA please see appendix #2.

Alcohol & Drugs – Drug Free Workplace Policy: Employees of the Town of Bar Nunn are its most valuable resource and, therefore, their health and safety is of primary importance. This policy has been developed to provide a clear set of rules and procedures to provide a drug-free workplace for Town employees. This policy is consistent with the provisions of the Drug-Free Workplace Act of 1988. The intent of the policy is to promote a work environment free from the effects of drugs and alcohol by:

- Screening applications for all Town positions.
- Providing for a screening of substances when a supervisor has reasonable suspicion that an employee is impaired by drugs or alcohol.
- Requiring appropriate discipline for employees who violate the Town of Bar Nunn' policies on the use and/or the distribution of controlled substances at the work site.

For the complete Town of Bar Nunn policy on Alcohol and Drugs – Drug Free Workplace Policy please

see appendix #3.

Conflicts of Interest: Employees shall not enter into any financial or other relationship with another Town government or other government agency, private business, or other organization, which would constitute a conflict of interest with their Town employment. Employees shall not permit themselves to be placed under any personal or other obligation, which could lead any person, group, or organization to expect official favors.

Personnel Forms: The Town Clerk's Office shall make available standardized forms which shall be used by all Town Departments in personnel administration, i.e., FMLA notification and request, workers safety and compensation report of injury, ADA request for accommodation, and related personnel forms.

ANTI-VIOLENCE & WORKPLACE HARASSMENT POLICY

The Town of Bar Nunn is committed to doing everything possible to protect the life, safety, and health of its employees by preventing an unsafe work environment., The Town of Bar Nunn has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

Anti-Violence: The Town takes the safety of its employees very seriously. As a result, the Town will not tolerate any form of violence in the workplace. The Town considers violence to include, but not be limited to domestic violence, property damage, physical harm, shoving, pushing, harassing, intimidating, or coercing another person. In addition, threatening, talking, or joking about violence is considered violence as well. It includes acts of violence committed by employees, members of the public, relatives, acquaintances, or strangers against a Town employee in the workplace, without regard to location. Town employees have a role in preventing violence as well. If you believe a co-worker may become violent or you see a violation of this policy, you must immediately report this to your Supervisor or other management official with whom you feel comfortable.

If you are threatened or witness a threat and you believe there is immediate danger, call 911 to get emergency assistance. All threats or actual violence, both direct and indirect, should be reported as soon as possible to your immediate Supervisor or Department Head, and then the Town Clerk. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

The Town of Bar Nunn will promptly and thoroughly investigate all reports of threats or actual violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the Town of Bar Nunn may suspend employees, either with or without pay, pending investigation.

Violent conduct while not at work may also be grounds for disciplinary action, up to and including dismissal if there is a potential adverse impact on a Town employee's ability to perform their assigned duties and responsibilities.

Anyone determined to be responsible for threats or actual violence or other conduct that is in violation of these guidelines, will be subject to prompt disciplinary action up to and including termination of employment.

See the next section on how to formally report a claim and how the investigation process may be handled.

Sexual Harassment and Other Unlawful Forms of Harassment: The Town of Bar Nunn is committed to offering employment opportunities based on ability, merit, and performance, and in a productive environment, free of discrimination and harassment. The Town is opposed to and prohibits any employee from harassing another employee for any reason. These protected statuses include harassment on the basis of:

- age (40 or older)
- color
- race
- religion
- handicap
- disability
- citizenship
- national origin or ancestry
- sex (including pregnancy)
- genetic information
- sexual orientation.

Prohibited harassment includes but is not limited to ethnic or racial slurs or the types of behavior that interfere with an employee's work performance or create an intimidating, hostile or offensive work environment. Harassment in any form by Supervisors, Department Heads, the Governing Body and/or co-workers will not be tolerated.

The Town of Bar Nunn will not tolerate any form of harassment or discrimination from outside contractors, the general public, or any other individuals coming in contact with the Town's employees while engaged in the scope of their employment regardless of their location.

Sexual Harassment: Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000E (a) (1). The Equal Employment Opportunity Commission (EEOC) has adopted the following definition of sexual harassment:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Each Supervisor, Department Head, the Governing Body and employee has a responsibility to maintain the workplace free of any form of sexual harassment. Such conduct includes, but is not limited to:

- Sexual flirtations, touching, advances, or propositions;
- Verbal abuse of a sexual nature;
- Graphic or suggestive comments about an individual's dress or body;
- Sexually degrading words to describe an individual;
- The display of sexually suggestive objects or pictures, including nude and provocative photographs.

Workplace Harassment: is defined as unwelcome speech or conduct based upon race, sex, gender, religion, national origin, age, color, or disability or other protected status that creates a hostile work environment or constitutes quid pro quo harassment. Prohibited behavior may include, but is not limited to, the following:

- Written form such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs or jokes, innuendos, or insults.

- Physical conduct such as unwanted physical contact, threatening behavior, assault, blocking an individual's movements or other negatively perceived nonverbal conduct.

Hostile Work Environment: is defined as unwelcome speech or conduct that unreasonably interferes with job performance or creates an intimidating, hostile or offensive working environment. Whether a hostile work environment exists may depend upon, among other things, the following factors: (i) whether the harassment was verbal or physical or both; (ii) how frequently the harassment was repeated; (iii) how hostile and clearly offensive; (iv) the identity of the harasser (co-worker or Supervisor); (v) whether other people joined in the harassment; and (vi) whether the harassment was aimed at more than one person. In addition to actual verbal or physical behavior, some examples of things that could contribute to a hostile work environment include posted written materials and/or cartoons, radio or recorded audio played and computer images or websites that another person could find offensive based on one of the protected statuses listed above.

Quid Pro Quo Harassment: is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

You have the responsibility to report harassment to an appropriate authority as soon as possible. You may report to your Supervisor, Department Head, Elected Official or the Town Clerk. Your complaint of harassment must be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible. You will be advised of the findings following the investigation.

Retaliation: Any retaliation against an employee who, in good faith, reports the behavior described in this section will be strictly prohibited. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat, harassment or act of violence. Information will only be released on a need-to-know basis.

The Town of Bar Nunn encourages its employees to report any acts of discrimination, violence and/or harassment. It is our policy that an individual may not be discharged, demoted, harassed, or otherwise "retaliated" against for filing a charge of discrimination, participating in a discrimination proceeding (as a witness, etc.), or otherwise opposing discrimination. Retaliation occurs when an employer or other employees take an adverse action against a covered individual because he/she engaged in a protected activity.

Covered individuals are individuals who have opposed unlawful practices or participated in proceedings based on age (40 or older), color, race, religion, handicap, disability, citizenship, national origin or ancestry, sex (including pregnancy) and genetic information. Individuals with a close association with the person who has engaged in such protected activity may also be covered individuals (e.g., spouse). Individuals who report or refuse to participate in what they believe is unlawful behavior are also protected under Federal law.

Protected activities include, but are not limited to, the following:

- Complaining to anyone about alleged discrimination against oneself or others;
- Threatening to file a charge of discrimination;

- Refusing to obey an order reasonably believed to be discriminatory;
- Filing a charge of employment discrimination;
- Cooperating with an internal investigation of alleged discriminatory practices;
- Serving as a witness in an EEO investigation or litigation;
- Requesting a reasonable accommodation based on religion or disability.

You have the responsibility to report harassment to an appropriate authority as soon as possible. You may report to either your Supervisor, Department Head, Elected Official or the Town Clerk.

Police Office Employees: All Police Department employees, sworn and unsworn, are subject to the same sexual harassment and workplace violence policies as all other Town of Bar Nunn employees.

Discrimination, Harassment, Retaliation, or Workplace Violence Reporting & Investigation Procedure: In order to exercise reasonable care to promptly prevent and correct any harassing behavior occurring in or at the workplace, the Town must be informed of the offensive behavior. Incidents of offensive behavior must be brought to the attention of the employee's Supervisor, or those parties listed below. The employee subject to the unwelcome behavior must take advantage of the preventive or corrective opportunities provided by the Town of Bar Nunn in an effort to stop the harassing behavior. In order for sexual harassment to be actionable, the behavior must be unwelcome.

Each Supervisor, Department Head and the Governing Body is responsible for creating and preserving an atmosphere free of discrimination, harassment, retaliation or violence.
Further, employees are responsible for respecting the rights of their co-workers and others, including the citizens they serve. The following procedure outlines the steps to follow if an employee believes they have experienced conduct which may violate the Harassment, Discrimination or Anti-Violence policies stated above, including the provisions in those policies prohibiting retaliation.

The employee has the option to describe the behavior to the person responsible for the behavior and request that it stop. In the event such informal direct communication is either ineffective or impossible, or the employee is uncomfortable with such an approach, the employee should discuss their concern immediately with their Supervisor or with their Department Head. If the employee does not feel that any other reporting option is appropriate, the employee should discuss their concern with those parties listed below.

Any employee who has been subjected to unwelcome behavior must immediately report the behavior to one of the persons below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- The employee's immediate Supervisor, or
- The employee's Department Head, or
- The Town Clerk, or The Town Attorney

Employees have the right to ignore the normal chain of command in selecting which person to whom to make a complaint, provided there is a valid reason to do so

Reports received by any Supervisor or any observation by a Supervisor of conduct which may violate these policies, shall immediately be brought to the attention of the Town Clerk who is responsible for coordinating the investigation of such reports. Supervisors may not promise any employee that a report will remain confidential, or that the Supervisor or the Town will not take action in response to a report.

The Town Clerk, or another person designated by the Town Clerk and Town Attorney, shall investigate all reports or observations of conduct which may violate the policies stated above. All such investigations shall be conducted as confidentially as possible recognizing the need to interview witnesses, the employee making the report and the employee accused of misconduct. All complaints will be thoroughly investigated and will be treated with the utmost confidence consistent with resolution of the problem. If the allegations are found to be true following an investigation, recommendations to the Department Head or the Governing Body will be made concerning the appropriate corrective and/or disciplinary action. Recommendations may include the discharge of offending employee and/or employees, as well as a recommendation for criminal prosecution of the individuals or individuals responsible.

The Town Clerk shall follow up with employees who make reports or participate in investigations under this procedure to ensure that no retaliatory conduct is occurring, and any reports of retaliatory conduct will be investigated and resolved according to this procedure. Retaliation against anyone who complains of unwelcome behavior or who participates in an unwelcome behavior investigation will not be tolerated; appropriate corrective and/or disciplinary action may be initiated, up to and including the discharge of the offending employee(s) (retaliators).

Risk Management will respond to all workplace violence incidents, communicate with law enforcement agencies, as appropriate, and provide training and assistance to departments on workplace violence incident prevention and response. If evidence of false reporting is found during an investigation, appropriate corrective and/or disciplinary action may be initiated, up to and including the discharge of the offending employee(s).

ON – THE – JOB

General Rules of Conduct and Business Ethics: Town of Bar Nunn will comply with all applicable laws and regulations and expects its Department Heads, Governing Body, Supervisors and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises that is difficult to determine the proper course of action, the matter should be discussed openly with your immediate Supervisor and, if necessary, the Department Head for advice and consultation.

You are required to maintain the highest ethical standards in the conduct of your official duties. This also applies to non-work situations when you identify yourself as a Town employee (i.e., wearing a Town identification badge, distributing a Town business card, wearing a Town uniform, driving a Town vehicle, etc.).

The proper conduct of all employees is necessary to ensure a safe, productive and pleasant working environment. **Notwithstanding any statement in this Employee Handbook describing specific misconduct which may lead to discipline or termination, the Town reserves the right to terminate the employment of any employee at any time, with or without reason or cause**. The following actions are not permitted. Any employee discovered committing any of the following offenses while on duty is subject to disciplinary action up to and including dismissal. This list is not all inclusive:

- Displaying disrespect toward or refusing to carry out the instructions of a Supervisor or other authorized person.
- Repeatedly disappearing from the work area without permission or without an acceptable reason.
- Intentionally falsifying Town records.
- Using internet access, e-mail, the telephone, a facsimile machine or any other means to view, generate, send or receive materials that could be construed as fraudulent, illegal, harassing, obscene, indecent, profane or intimidating.
- Fighting or provoking a fight on Town property; using abusive, obscene, profane or threatening language; or engaging in immoral conduct while on duty.
- Falsification of any timekeeping records or repeated failure to record time appropriately.
- Behavior or attitude which affects the efficiency or effectiveness of the operations of the Town.
- Tampering with, posting or removing notices from bulletin boards contrary to Town policy.
- Falsification of employment application or misrepresentation of facts in obtaining employment.
- Participation in, or involvement (other than as a victim) with a serious crime, on or off duty, without regard to whether or not the employee's conduct results in a criminal conviction.
- Insubordination or other disrespectful conduct.
- Violation of safety or health rules.

- Unauthorized absence from the workstation during the workday.
- Sleeping on the job or gross inattention to duties.
- Walking off the job or leaving the facility without notifying your Supervisor.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.

As an "at will" employer, the Town of Bar Nunn is not required to give causes of disciplinary action, either in these polices or at the time of the adverse personnel action or is the Town of Bar Nunn required to dismiss only for "just cause." These reasons are neither mutually exclusive nor collectively exhaustive. The Town of Bar Nunn may discipline for any combination of reasons, for reasons not listed or for non-communicated reasons at any time as long as the employee's constitutional protected liberty interests are not violated.

Outside Employment: Within certain limitations, Town employees may hold second jobs. The Town of Bar Nunn employment shall be the principal employment of regular full-time employees, but an employee may engage in outside employment subject to the following conditions:

- It does not interfere with efficient job performance, scheduling, attendance or any other issue;
- It does not conflict with the interests of the Town of Bar Nunn; the interests of the Town will prevail;
- It is not a type of employment which would reasonably give rise to criticism or suspicion of conflicting interests or duties;
- Under no circumstances should a Town employee use Town property, equipment or material in the conduct of approved secondary employment;

If, in the Town's sole determination, an employee's outside employment is or becomes inconsistent with his/her employment with the Town, the employee may be asked to choose between his/her employment with the Town and his/her outside employment.

If you work another job, you must notify your Department Head either verbally or in writing. This job cannot conflict with your primary job at The Town of Bar Nunn.

Customer Service: The Town expects all employees to be courteous and helpful to the public. Maintaining high moral standards and abiding by the law, guard the privacy, personal, and legal rights of others and be fair and scrupulously honest in all dealings with and for the people.

If a complaint is received, regard it as an opportunity to help the Town improve its standing with the public.

Advice to Customers: No employee of the Town of Bar Nunn is authorized to give legal advice to any member of the public. Any employee doing so is acting outside the scope of his/her employment and job

duties.

Personal Appearance: Personal appearance on the job is important. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image the Town of Bar Nunn presents to customers and visitors. No matter the assignment, it is important that every employee project a neat, professional appearance appropriate to the work being done. Exceptions may be granted by the Governing Body, Department Heads for participation in designated events, activities or celebrations.

Each Department Head determines the policy for personal appearance to be followed for his/her department: However, in the absence of a specific departmental policy the following policy will apply. If a supervisor feels an employee's personal appearance is inappropriate, the employee may be asked to leave the workplace until he or she returns properly dressed or groomed. Under such circumstance, the employee will not be compensated for the time away from work. Consult the appropriate supervisor or Department Head if there are questions as to what constitutes appropriate appearance. Where it is necessary, reasonable accommodation may be made to a person with a disability. It is also important that appearance, clothing and/or shoes not constitute a safety hazard.

Disclosure of Confidential Information: Town employees may be in a position to receive confidential information about Town residents or other employees, such as details about the conditions of someone's finances or health. It is vital to preserve and protect confidentiality of the information received through employment with the Town. Disclosure of confidential information or documents by an employee is prohibited unless such disclosure is with the prior approval of the Department Head or the Governing Body

Employees Driving Personal Vehicle on Town Time: Certain persons are authorized to use their privately owned vehicle on Town business if a Town vehicle is not available. Reimbursement to the employee is provided at a rate designed to cover cost of operation. Authorization is provided by the Department Head to use a private vehicle, after proper verification of Wyoming Driver's License is provided by the employee. Any employee operating a vehicle must maintain a valid Wyoming Driver's license which authorizes operation of the vehicle and is in compliance with Wyoming Statutes on the maintenance of insurance on the personal vehicle.

If an employee's personal vehicle is involved in an accident while conducting Town business, the damages to the vehicle or bodily injury to the employee will be the responsibility of the employee's personal insurance as the primary insurance policy. The Town's insurance would be secondary. For the Town's Driving Policy see the appropriate section.

Non-Smoking Policy: In keeping with the Town of Bar Nunn intent to provide a safe and healthful work environment, smoking in the workplace is prohibited except in those locations that have been specifically designated as smoking areas by a Department Head. Smoking is prohibited inside the Town of Bar Nunn facilities or vehicles. All employees, volunteers, public, and other visitors are expected to comply with this policy. Employees who violate it may be disciplined.

- Employees shall observe all "No Smoking" signs and shall not smoke in proximity to flammable material or gases, whether on property occupied by the Town or on the premises of others.
- Employees at gasoline filling stations shall not smoke, or permit others to smoke, or allow flame of any kind near a motor vehicle while it is being filled.
- Matches, cigars, cigarettes, and pipe ashes shall not be discarded while still burning, unless placed in a proper receptacle or otherwise disposed of safely.
- Smoking is defined as a lighted cigar, cigarette, pipe, electronic cigarette, or any lighted tobacco product.

Employees are protected from retaliatory action or from being subjected to any adverse personnel action for exercising or attempting to exercise his/her rights under the smoking policy. Any violation of this policy may result in disciplinary action, up to and including release from employment.

Possession of Firearms: The carrying of any concealed or unconcealed firearm, ammunition, or articles of a similar nature by any employee in any building owned by the Town of Bar Nunn or in any vehicle owned by the Town of Bar Nunn will only be permitted if he/she is a Police Officer, or has a valid license/permit to carry a weapon and the written authorization of his/her Department Head or Elected Official.

Attendance / Punctuality / Dependability: Absenteeism and tardiness place a burden on other employees and on the Town of Bar Nunn. The Town is committed to providing the highest level of government services and functions to better serve the community. In order to accomplish this, prompt and regular attendance is required. Department Head may have department guidelines and may treat occasional tardiness by allowing the employee to make up the lost time during the same workday, or if this is not possible, record reduction in pay or charge sick or vacation leave for the time lost that workday in 15-minute increments. The Department Head or Supervisor may have a specific departmental policy that governs how and when to report when an employee is going to be late or absent for work. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

You must report to your Supervisor (or Department Head or Elected Official) to give notification of absence or tardiness.

Anti-Nepotism: Pursuant to Wyoming State Statute 9-13-104, no Elected Official, Department Head, Supervisor or Town employee shall advocate or cause the employment, appointment, promotion, transfer or advancement of a family member to an office or position of the state, a Town, municipality or a school district. No Elected Official, Department Head, Supervisor or Town employee shall supervise or manage a family member within the same department. No Town employee shall participate in any matter related to the employment or discipline of a family member. **Family Member Definition** – a person who is the spouse, parent, sibling, child, grandparent, grandchild, or is a member of the individual's household

The family member, or persons living in the same household, of current Town employees and the Governing Body members shall not be employed by the Town where:

- One party would handle confidential material, including payroll and personnel records, that creates improper or inappropriate access to that material by the other;
- One party would be responsible for auditing, verifying, receiving or entrusted with money handled by the other; or
- Other circumstances exist that might lead to potential conflict between the interest of one or both parties and the best interest of the Town, as determined by the Town.

Personal Relationships in the Workplace: Each Department Head determines the policy for personal relationships to be followed for their department. However, in the absence of a specific departmental policy the following policy will apply. (Each Department Head shall notify their employees if they have adopted a departmental policy that differs.)

No employee may directly supervise another employee with whom they are involved in a dating relationship.

By its discouragement of romantic and sexual relationships, the Town does not intend to inhibit the social interaction (such as lunches, dinners or attendance at entertainment events) that are or should be an important part or extension of the working environment.

Any employee, who believes that he or she has been adversely affected by such a relationship, is encouraged to make his or her views about the matter known to the Department Head, Elected Official, or Town Clerk.

Solicitations / Distributions / Bulletin Boards: Employees may not solicit any other employee during working time, nor may employees distribute literature in work areas during work time.
Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

In order to protect employees from unwanted interruptions, it is the policy of the Town of Bar Nunn that solicitation by outsiders must be approved by the Department Head. Solicitation by co-workers should only be done with the prior approval of the Department Head. With approval of the Department Head, fundraiser brochures may be left in a central area or break room for co-workers to view during breaks and lunch hours. This policy does not apply to any Town Council-approved events or community activities such as the United Way and Blood Drives.

Bulletin boards maintained by the Town of Bar Nunn are to be used only for posting or distributing material of the following nature: notices containing matters directly concerning the Town of Bar Nunn business and community announcements which are equally applicable and of interest to employees.

Political Rights: Every employee has the right to register and vote on all political issues. As employees of the Town of Bar Nunn there are certain limits on your political rights because of your special position as a public employee.

Those limits include but are not limited to:

- A Town employee may not engage, nor may Supervisors allow other Town employees to engage in campaign activities of any sort, including soliciting political contributions, while on Town property. Employees are not permitted to use Town property, such as copiers, printers, fax machines, computers or telephones for political activities.
- An employee may not campaign or participate in political activities while in uniform. This includes wearing of political buttons or signs when at work and/or on duty, and placing signs on Town property. However, this does not exclude an employee's right to display a bumper sticker on an employee's personal vehicle. Political activity is to be kept separate from the job and away from the workplace.

ACCIDENTS, EMERGENCIES & INJURIES

Accidents and Emergencies: The Town of Bar Nunn is committed to maintaining a safe and healthy environment for all employees. All accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues are to be reported immediately to your Town of Bar Nunn Department Head and/or Supervisor. Seek help from outside emergency response agencies, if needed. A Worker's Compensation Wyoming Report of Injury Form must be completed for all injuries, regardless of whether the injury requires medical attention. The Wyoming Workers' Compensation Act also requires that you report all illness or injury caused by the workplace, no matter how slight. Failure to report an injury may jeopardize an employee's right to collect Wyoming Workers' Compensation payments as well as health benefits. The required forms can be obtained from the Town Clerk.

Town Vehicle Accidents / Driving Personal Vehicle on Duty: If an employee is involved in an accident while driving a Town vehicle, the employee shall follow these instructions:

- Stop immediately and investigate, regardless of how minor the accident may appear. Do not move any vehicle until authorized by law enforcement. Check for any injuries to self, passenger, persons in other vehicle(s), and pedestrians.
- Prevent further accidents by warning other drivers with a light, flag or similar device when appropriate.
- Call 911 for any assistance needed, including ambulance service. The appropriate law enforcement agency MUST be called immediately to investigate all accidents. Follow the directions of the law enforcement officer. Do not discuss the accident with anyone except law enforcement, the proper representative of the Town of Bar Nunn (Department Head, Supervisor, Town Attorney, Risk Manager), or a properly identified claim representative of the Town's insurance company. Do not discuss liability with anyone.
- When driving a personal vehicle, give the other driver(s) involved your name, address, license number, and insurance agent; getting the same information from the other driver(s).
- The Town's insurance agent is:

Local Government Liability Pool (LGLP)
6844 Yellowtail Rd. Cheyenne, WY 82009 Phone 307-638-1911

Employees will be required to submit to a post-accident drug test and will be directed to report to the collection site so that a drug test may be performed. The employee involved may not consume alcohol for (8) eight hours after the accident or until he/she has taken an alcohol test, whichever comes first. The employee must remain readily available for such testing and may not take any action to interfere with the testing or the results of testing.

In all cases where there is injury or death or significant property damage, a post-accident drug test shall be done.

Report the accident as soon as possible to the Town Risk Manager and to your Supervisor or Department Head.

Observe and record all information in a written accident report to the Risk Manager, attaching a copy of the police report. If the damage is estimated to be $1,000 or more, or in case of death or bodily injury, a Wyoming Traffic Accident Report SR21 must be submitted to the Wyoming Department of Transportation and the Risk Manager within ten (10) days of the incident.

You must report workplace accidents, incidents, or injuries to your direct Supervisor as soon as possible. You will also have to complete a report and return it to the Risk Management Department.

Medical Emergency or Injury to the Public/Employee: If an employee or member of the public experiences a medical emergency or injury on Town property, the employee witness must notify the Town Risk Manager as soon as possible.

If an employee is injured on the job, his/her Supervisor or Department Head must be informed, and a Wyoming Workers Compensation

Report and Incident Accident Report filed with the Town Risk Manager.

Failure to report accidents is a serious matter that may preclude an employee's coverage under Wyoming Worker's Compensation Insurance.

Safety: It is the Town's intent to provide a safe workplace for an employee's protection. All employees are expected to participate in safety programs and meetings, promote safety awareness, submit safety suggestions, wear protective equipment as provided, and follow safety rules. Safe work practices protect employees, their families, fellow employees, and the Town.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns or suggestions for improved safety in the workplace are encouraged to raise them with their Supervisor, Department Head, Elected Official or Risk Management. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate Supervisor. Employees, who cause hazardous or dangerous conditions, fail to report such conditions or where appropriate, remedy such conditions, may be subject to disciplinary action, up to and including termination of employment.

Security: All Town employees share a responsibility to take precautions to ensure that their work area is free from danger. All files, disks, and documents should be locked in a secured area each night before an employee leaves. Unauthorized persons are not allowed into work areas.
Questionable situations or suspicious-looking individuals should be called to the attention of the appropriate Supervisor, Department Head.

While at work, care should be taken to secure any personal items or valuables, such as purses or money,

in desks and cabinets. When traveling to or from a vehicle, employees are encouraged to pay attention to their surroundings and report suspicious activity to the appropriate authority (supervisor, security, etc.). If an employee must work late, the employee is encouraged to move his or her vehicle closer to the work site, if possible, and/or arrange for an escort when leaving the building.

COMPUTER & TELEPHONE SYSTEMS POLICIES

Acceptable Use Policy: The Town of Bar Nunn Acceptable Use Policy specifies policy for the use of information resources and information technology systems. The Town of Bar Nunn provides information technology resources and systems to assist Town employees in performing their job duties and to communicate business related matters quickly and effectively. The purpose of this policy is to establish guidelines for the appropriate and responsible use of information technology resources and information technology systems.

Scope: All information transmitted by, received from or stored in these systems are the property of the Town of Bar Nunn and should be used solely for job-related purposes. In addition, all technology equipment is Town property and is provided for the use of Town employees for conducting Town business. Information technology resources and systems shall be interpreted to include all the Town of Bar Nunn computing and telecommunications equipment, hardware, software, networks, services and data which are used for the support of the Town's business activities. This includes but is not limited to:

- Personal computers, laptops, PDAs, GPS devices, digital cameras, removable media cards, and other related items
- Internet
- E-mail
- BLOGS
- Instant Messaging (IM)
- Telephones, cell phones, cell phone text messages, and other cellular data transmissions including video, applications and pictures
- Internet enabled PDAs and Smartphone's such as Blackberries, Droids or iPads
- Software applications including data management systems, financial management systems and office applications such as Microsoft Office
- Social Media (Facebook, Twitter, Myspace, LinkedIn, etc.)

Policy: This policy is mandatory for all Elected Officials, Department Heads, Supervisors, employees, and contractors of the Town. This policy applies to all the Town of Bar Nunn' information technology resources, systems and data that are used for the Town of Bar Nunn business regardless of its location.

- Users shall protect the physical and electronic integrity of equipment, networks, software, and accounts on any equipment that is used for the Town of Bar Nunn business in any location.
- Employees of each office are responsible for the proper care and the use of Town property assigned to them and property in their department.
- Every employee will promptly report to their Supervisor any loss, damage, destruction or defect of Town property.
- Sending, displaying, circulating, or storing inappropriate, illegal, or sexually explicit material is prohibited. Your Supervisor should be notified of unsolicited, offensive materials received by any employee on any of these systems.
- Users must not harass other users using computer resources or make repeated unwelcome contacts with other users.

- Do not use information technology resources and systems for unlawful purposes, including political campaigning, copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, soliciting for illegal pyramid schemes, and computer tampering (i.e., spreading of computer viruses).
- Users shall not knowingly introduce worms or viruses or other malicious code into the information technology systems nor disable protective measures (i.e., antivirus, spyware, firewalls).
- Employees may not use the information technology resources or systems to operate a privately owned business, solicit funds, disseminate political causes or promote religion/personal beliefs to others.
- Software or hardware installed or downloaded on Town computers is prohibited. Installation requests will be considered and performed at the discretion of the Information Technology Department.
- Users shall not connect or install unauthorized equipment or media, which includes but is not limited to personal computers, laptops, USB thumb drives, digital cameras, removable drives, wireless access points, printers, PDAs, iPods, and MP3 players or other USB devices. These devices can carry viruses and malicious software that pose a threat to the security of the network.
- No software or hardware shall be deleted from the Town information technology systems without first consulting the Information Technology Department.
- The copying of software for personal or non-work-related activity is prohibited.
- Playing computer games that are required to be installed, are online or played via a social network such as Facebook, on Town computers is prohibited during working hours.
- Employees shall not provide internal network access to unauthorized users.
- Users shall not use their account or Town information technology property to gain unauthorized access to external networks and systems.
- The Town has the right to monitor any and all of its computers with or without its employees' consent. This includes, but is not limited to:
- Monitoring Internet usage,
- Reviewing any downloaded or uploaded material,
- Reviewing e-mails sent or received by employees, and/or,
- Monitoring the content of stored files on employee computers.

Network Monitoring: The Town of Bar Nunn employs monitoring software for the purpose of enforcing The Acceptable Use Policies. This includes blocking access to certain websites for which access is deemed to be a contravention of this policy.

E-mail Monitoring: The e-mail systems and services used at the Town of Bar Nunn are owned by the Town and are therefore its property. This gives the Town of Bar Nunn the right to monitor any and all e-mail traffic passing through its e-mail system. This monitoring may include, but is not limited to, inadvertent reading by Information Technology staff during the normal course of managing the e-mail system, review by the Town Legal Department during the e-mail discovery phase of litigation, observation by management in cases of suspected abuse or to monitor employee efficiency.

Privacy: Information technology resources, systems and data are the property of the Town. User files and communications may be subject to access by authorized employees of the Town of Bar Nunn during the course of official business. **No employee should have any expectation of privacy in his/her use of any files, data, information transmitted or received, stored or otherwise maintained, using the Town's equipment and systems.**

- The Town may monitor the use of information technology resources and systems at any time and at its discretion.
- E-mail has been determined by the courts to be subject to discovery by plaintiff's attorneys, similar to written material, and may be entered into evidence in a lawsuit. Employees should assume their messages may be saved and that they may end up as a poster size exhibit in a court of law.
- E-mail, instant messages, and text messages sent and received on Town-issued equipment may be considered public records and must be made available upon request and upon payment of reasonable costs for reproduction to members of the public.
- Employees who are terminated, laid off or placed on administrative leave pending disciplinary action have no right to the contents of their electronic communications and are not allowed access to the Town's electronic communications tools or information systems.

Confidentiality and Restricted Access:

- Users must not attempt to access restricted files or portions of operating systems, security systems or administrative systems to which they have not been given authorization.
- Users must not access without authorization: e-mail, data, programs, or information protected under state and federal laws.

Users must not release another person's restricted information. Restricted information pertains to information, which is not public information, but can be disclosed to or used by organization representatives to carry out their duties, so long as there is no legal bar to disclosure.

- Users shall not send restricted or confidential data over the Internet or via e-mail or other information technology resources unless appropriately encrypted and is generally discouraged.
- Employees are prohibited from accessing any Town records for personal reasons.
- Users shall not access confidential information that they are not authorized or privileged to see.
- Public use shall be restricted to all computers with the exception of those set aside for public use.

Security:

- All login and passwords are the property of the Town. Sharing or publishing these confidential items with unauthorized personnel, Town or otherwise, are strictly prohibited.
- Login and passwords are not to be openly displayed.
- Users must not use other users' passwords, logins or accounts or attempt to capture or guess other users' passwords.
- Do not use your Town password for any personal accounts, websites, PINs or any non-Town use.
- Users must not hide their identity for malicious purposes or assume the identity of another user.

Backup:

- Users should use network locations to store data, files and e-mail archives to insure files are included in the nightly backups.

Reporting Misuse: Information Technology shall immediately limit access to the equipment in situations where there is illegal activity, or the integrity of the resources and systems are at risk. In the event access is limited, the Department Head shall be immediately notified.

Users shall report suspicious, unauthorized or illegal activity to their Supervisor, Department Head and the Information Technology Department.

Disclaimer: The Town of Bar Nunn assumes no liability for direct and/or indirect damages arising from the user's use of the Town of Bar Nunn' e-mail system and services. Users are solely responsible for the content they disseminate. The Town of Bar Nunn is not responsible for any third-party claim, demand or damage arising out of use of the Town's e-mail systems or services.
The Town of Bar Nunn does not accept liability for any loss or damage suffered by an employee as a result of that employee using the Town's Internet connection for personal use.

Failure to Comply: The Information Technology Department will notify Department Heads, and/or Supervisors of infractions for further action, if any.

Violations of this Policy will be retained in the employee's personnel file.

Each Department Head shall determine the punishment for violations on a case-by-case basis. In case of disputes between departments, the Governing Body shall be the ultimate arbitrators. Punishment for violation of this Policy may include oral or written reprimand, suspension of employment and/or dismissal from employment.

Sanctions for inappropriate use of the information technology resources or systems may include, but are not limited to, one or more of the following:

- Temporary or permanent revocation of access to some or all computing and networking resources and facilities;
- Disciplinary action according to applicable Town of Bar Nunn Policies;
- Termination of employment; and/or
- Legal action according to applicable laws and contractual agreements.

Authorized Use: Individuals at the Town of Bar Nunn are encouraged to use information technology resources and systems to further the goals and objectives of the Town of Bar Nunn. It is expected that all employees will communicate professionally with colleagues, partners, and the public at all times. The types of activities that are encouraged included:

- Communicating with fellow employees, partners of the Town of Bar Nunn, and within the context of an individual's assigned responsibilities.
- Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
- Users are restricted from using information technology resources and systems for personal

use. Some limited personal use is acceptable as detailed in the next section.
- Communication with, and providing service to, the public.

Limited Personal Use: Authorized users of the Town of Bar Nunn information resources and information technology systems are for business purposes and use of these resources and systems for personal business is prohibited. Using Town information resources, property and systems for personal business can abuse your position as a Town employee, may be unethical, and, in some case, illegal. This is defined as any personally initiated activity (such as e-mail and Internet usage) that is conducted for purposes other than those listed above. It is **limited** by the following considerations:

- It shall not cause any additional expense to the Town.
- It shall be infrequent and brief.
- It shall not have a negative impact on overall employee productivity.
- It shall not interfere with the normal operation of your department.
- It will not compromise your department or the Town in any way.
- It will be ethical and not contravene the Acceptable Use Policy of the Town.

Examples of Limited Personal Use: Personal use is, by definition, up to the individual. These examples are offered only to illustrate the kinds of situations where it is hoped employees would exercise their good judgment.

Limited Personal Use	**Access Abuse**
Alice keeps in touch with a circle of friends from high school via e-mail. Occasionally she will take a few minutes to read and respond to an e-mail from one of those friends.	Rob is the convener of a local amateur sports association. He has given his work e-mail out as his main contact. During the sports season, he spends up to 90 minutes each morning responding to queries and complaints, and otherwise conducting league business.
Rodney is a big fan of international cricket. During the world championships, he takes a few minutes every morning to check a website that carries the overnight scores from Asia.	Allen frequents websites that are clearly prohibited by the Town's Acceptable Use Policy. Co-workers have been offended by some of the images clearly displayed on Allen's computer.
Mary reads a review of a new novel by Stephen King. While at work the next day, she logs onto Amazon.com and purchases the book for delivery to her home address.	Todd needs a new fishing rod and spends over an hour browsing different models at a sporting goods website.
Jeremiah takes a few minutes to contact his spouse using Instant Messaging to make arrangements to meet for lunch.	Jeremiah uses Instant Messaging all day long chatting with his spouse and friends about personal issues distracting him from his work-related tasks.

Ralph checks Facebook in the morning to touch base with his son who is away attending college.	Ralph has Facebook open all day and is constantly checking on his 'friends' status, making comments and participating in social media activities.
Mary is interested in baking and checks her favorite BLOG for a few minutes each morning to pick up any newly posted tips.	Mary spends hours discussing recipes and baking tips with members of her favorite BLOG.
During her break Jessica uses her Town cell phone to call her daughter to make sure she made it home from school.	Jessica is using her Town issued cell phone to communicate with her children, siblings, parents, friends, and spouse frequently throughout the day.

Detailed Parameters for Specific Information Technology Resources and Systems: Specific information technology resources and systems have certain details that require additional requirements and are included in the following sections.

Users should recognize that computing resources are limited, and user activities may have an impact on the entire network. To that end, the following parameters are in place.

E-mail:

- Users shall not misuse e-mail by spreading e-mail widely (chain letters, recipes and jokes) and without good purpose or flood an individual, group or system with numerous or large e-mail messages. Nor shall users send unreasonably large e-mail attachments that are not work related.
- Users shall not open e-mail from unknown senders or e-mail that seems suspicious.
- Users shall not open e-mail attachments from unknown or unsigned sources or click on embedded Internet links. Attachments and embedded Internet links are the primary source of computer viruses and Malware and should be treated with utmost caution.
- E-mail users are expected to remember that e-mail sent from the Town's e-mail accounts reflects on the Town. Please comply with normal standards of professional and personal courtesy and conduct.
- Use extreme caution when communicating sensitive information via e-mail. Keep in mind that all e-mail messages sent outside of the Town of Bar Nunn become the property of the receiver. A good rule is to not communicate anything that you wouldn't feel comfortable being made public. Demonstrate particular care when using the "Reply" command during e-mail correspondence to ensure the resulting message is not delivered to unintended recipients.
- Be aware that e-mail messages are not entirely confidential. They can be forwarded to others without the original sender's knowledge. E-mail can be viewed by others who may improperly use a password to breach the security of the system. In addition, disclosure of e-mail messages may be required in lawsuits against the Town. As a rule of thumb, nothing should be sent by e-mail if you would not put the information in a formal memo or would not like the information to become public knowledge.
- Town e-mail may not be used to solicit or to conduct personal business ventures.
- E-mail taglines shall not include personal, political, religious remarks, puns, comical notations, icons or quotes or other non-sanctioned phrases.
    - If you send or forward e-mails with any libelous, defamatory, offensive, racist or obscene remarks, you or the Town might be held liable.
- If you are unlawfully forward confidential information, you and/or the Town might be held liable.

- If you unlawfully forward or copy messages without permission, you and/or the Town might be held liable for copyright infringement.
- If you send an attachment that contains a virus, you and/or the Town might be held liable.
- If email is used for commercial purposes, you and/or the Town might be held liable.
- The Town of Bar Nunn uses email and other methods to communicate with its' employees; as such employees should check their email on a regular basis.
- By following the guidelines in this policy, the email user can minimize the legal risks involved in the use of email. If any user disregards the rules set out in this policy, the user will be considered as acting outside the scope of and not within the course of the user's employment. Users violating these rules will be considered solely liable for the consequences of their actions. Also, in use of email or voicemail for Town purposes, you should be aware that such messages are not entirely confidential. They can be forwarded to others without the original sender's knowledge.

Internet: Internet access is provided to employees of the Town of Bar Nunn for the purpose of conducting the Town's business and providing services to the public as well as for professional development and the education or training of employees. This must always be the primary rationale for Internet use.

Internet use is a privilege, not a right, and may be removed at any time by your Supervisor, Department Head, or the Town of Bar Nunn Information Technology Department.

Instant Messaging: Instant Messaging (IM) is currently being use by the Town of Bar Nunn as a form of real-time communication with individuals both inside and outside the organization. IM carries some security risks that must be addressed.

- Using non-sanctioned IM services may be restricted by available bandwidth.
- Users shall use caution when opening attachments from unknown or unsigned sources.
- Many IM services support the transmission of attached files. These attached files may carry viruses. If an employee receives an attachment via IM, he or she must save the file to disk and scan the disk using anti-virus software.
- Some IM services allow automatic execution of attached files. This feature must be disabled immediately, as it offers no protection against viruses. If the introduction of a virus to the network can be traced to an individual user's use of IM, that individual's IM privileges may be suspended. For assistance in disabling this feature, please do not hesitate to contact the Information Technology Department.

Cellular Telephones: Cell phones may be issued to Town employees when use of a cell phone is necessary for the performance of duties and approved by the Department Head or Elected Official. Town issued cell phones should be used and reported according to the following policies:

- Cell phones are for the conduct of Town business;
- Minimal personal use of a Town-issued cell phone is permitted or on an occasional basis;
- Cell phone records can be reviewed randomly by the Department Head and employees will be required to account for any inappropriate use if apparent or overage in minutes is reported.
- There is to be no downloading of applications that have associated costs.
- Use of a cell phone while driving is dangerous and specifically prohibited while on working

time. Employees are prohibited from using a cell phone at any time while driving a Town vehicle or while on Town business in a personal vehicle. If an employee must use a cell phone for an emergency purpose while driving, he or she should pull to the side of the road and stop before using the cell phone.

- Cell phones should be silenced at work related meetings.

Social Media: The role of technology in the workplace is constantly expanding and now includes social media communication tools that facilitate interactive information sharing, interoperability, and collaboration. Commonly used social media websites, such as Facebook, Twitter, MySpace, YouTube, Flickr, Blogger, and LinkedIn, have large, loyal user bases and are increasingly important outreach and communication tools for government entities.

- All social media sites posted by and representing a Town of Bar Nunn Department will be subject to review and approval by the Board of Town Council.
- Employees shall use social media sites following the acceptable use and limited personal use requirements as stated in this policy.
- Playing games on social media sites is prohibited during work hours.
- Uploading pictures, videos and other content via Town information resources and systems to a social media site for personal benefit or enjoyment is prohibited.
- Employees shall not use their current Town of Bar Nunn login, e-mail, or password when accessing and using social media sites for personal use.
- Employees shall not represent the Town on their personal social media site.

Limited Personal Use: Employees who have personal social networking sites must ensure that these sites remain personal in nature and be used to share personal opinions or non-work-related information. This helps ensure a distinction between sharing personal and Town views. In addition, employees should never use their Town e-mail account or password in conjunction with a personal social networking site. During normal business hours, employees may use personal social networking for limited family or personal communications so long as those communications do not interfere with their work and follow the Limited Personal Use requirements set forth in this Policy.

Social media policies may continually evolve as new technologies and social networking tools emerge.

Personal Communications/ Personal Cell Phones: The Town of Bar Nunn realizes we all have personal matters that need to be attended to from time to time while at work. However, personal communications can be a disruption in the workplace and should always be kept short. Personal communications include personal use of the Town's or a personal cell phone, computer, texting device or any other electronic equipment. Cellular phones have become a common convenience to many employees. However, such convenience should not interrupt work for the Town. Therefore, except in emergency situations, employees are encouraged not to use their cell phones during working time.

EMPLOYMENT POLICIES

This subsection does not apply to Elected or Appointed Officials whose term is set by statute or to employees who have an express written contract with the Town or an agency thereof.

Selection of employees is based on various personal qualifications and work experience.

Decisions to employ or promote an individual are vested solely with the Governing Body or Department Head. Salaries and the total number of persons employed will not be increased to cause the annual budget for personnel to be exceeded except with the explicit consent of the Governing Body

Recruiting Policy: The Town of Bar Nunn recruiting practices shall be conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, color, religion, national origin, sex, disability, age or any other characteristic protected by state or local law.
Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace, the Town's official application form.

Any employee who has been found to have submitted false or misleading information on their application form or resume is subject to immediate termination.

Internal Posting / Vacancy Announcements: The Town encourages promotion from within the organization whenever possible. All openings may be posted so that employees may become aware of opportunities and apply for positions in which they are interested.

Notices of job vacancies, which provide promotional opportunities, may be posted on the Town website, at the same time as the position is advertised to the general public. Posting will include a brief job description and job requirements. Regular employees are encouraged to apply, and requests for consideration will be directed to the Department Head. The Department Head retains the management right of selection. Applications shall be retained for at least two (2) years.

Hiring Manager: Department Heads and Supervisors shall be the hiring managers for filling vacancies within their departments.

Department Heads and Special Employees: Department Heads, and employees how have unique specialized skills such that they are effectively their own departments, shall be required to enter into a contract with the Town of Bar Nunn in order that the Town may depend upon their long-term institutional knowledge to the maximum extent possible. This contract shall place them in a modified at will status and shall provide for a Term to which it is applicable. At the expiration of the contract, a new contract such as then in place shall be required to be executed. Entry into the contract shall be a requirement for being a Department head. The contract shall be in the form appended to this Contract and may be modified from time to time by the Town Council, provided however that the terms of the contract may not be modified without consent of the Department Head during the term of any contract which they have signed. Upon promotion to the position of Department Head the employee must sign the contract within three business days or they shall revert to their prior status, unless excusable neglect is demonstrated. Accepting an appointment as Department Head and remaining in that position without action to remove the employee form the position shall be deemed acceptance of the then current Department Head contract.

Temporary Employees: Department Heads and Supervisors may use temporary employees to replace regular employees who are on annual leave or other leave, to meet peak workload needs or to temporarily fill a vacancy until a regular employee is hired. All hiring processes must comply with state and federal laws.

Temporary employees shall not receive retirement, annual leave, sick leave, health insurance or any other benefits during their employment. Temporary employees may be paid holiday pay as long as they meet the established requirements set forth for full-time employees.

Reference and Pre-Employment Background Checks: The Town of Bar Nunn conducts pre-employment background screenings which may include criminal background checks, credit checks, and employment verification on all job applicants. The Department Head will determine the level of background check required for the job opening.

Application Procedures: Application for employment is made on Town application forms. A separate application form is submitted for each position for which application is made.
Applications are to be filed with the Department Head on or before any specified final filing dates.

Examinations: The Town Clerk and other Town Departments use such forms and professionally acceptable examination techniques as may be appropriate for the classification. Specific departments may have separate testing policies.

References and Verifications: Only the Town Clerk shall be authorized to provide employment verifications on current or former Town employees, except that the Police or their designee shall have the authority to provide employment verifications for current or former Police Department employees.
Employees shall refer requests for references to their Department Head. References shall be limited to verification of employment and salary unless the employee has completed a written waiver and release.

Termination / Reappointment / Rehire: Any employee reappointed or rehired to a position with Town of Bar Nunn after termination shall not retain seniority and shall accrue leave benefits at the level of a new employee, and not at the levels attained at termination. Length of service gained before any break in service shall not be counted toward any vesting requirement regarding sick leave payout.

Resignation / Reappointment / Rehire: Former full-time employees who were employed in a regular position for two or more years and who resigned in good standing, may be considered for re-employment provided their qualifications are suitable for a vacant position. A former employee who is re-employed will be considered as either a new hire or a reinstatement. Re-instatement will occur if re-employment occurs within six-months of the termination date. A re-hire will occur if re-employment occurs after six-months of the termination date.

A **Reinstatement** Means:
• Vacation entitlement will be established based on the re-instalment date, adjusted by the full months of the absence.
• Sick leave shall be at the discretion of the Department Head upon return.

A **Rehire** Means
• Employee returns to work with a new date of hire and new effective dates for all benefits.
Employees who were not in good standing at the time of their termination of service with the Town may reapply for a position in the Town after 3 years have passed from the date of the termination. However, their past conduct will be taken into consideration when determining whether it is in the best interests of the Town to re-hire the former employee. Such an employee shall be treated the same as a new hire. All benefits must be re-earned and the required initial 6-month evaluation period must be completed satisfactorily as with any new employee.

Transfers: An employee may voluntarily transfer to another position through application via the job posting process if they have the skills needed for the position. Due to specific needs, an Elected Official may, in cooperation with affected Department Heads, initiate an involuntary transfer.

Promotions: It is the policy of the Town to promote from within whenever possible. Promotions must involve a definite increase in duties and responsibilities and shall not be made merely to affect an increase in the employee's compensation.

Position Status: The status of each position shall be designated, on the basis of authorized funding, as one of the following types:

Regular Full-Time; Regular Part-Time (20-29); ½ Time Seasonal/Temporary; Regular Part-Time (30-39); ¾ Time Contractual

Regular Full-Time, ¾ Time, and ½ Time status employees are eligible Holidays.

All contracts with employees, volunteers and interns should be reviewed by the Town Attorney and Town Clerk, and approved by the Governing Body when required, prior to the person beginning work.

Position Descriptions: All Town of Bar Nunn employees shall have Job Descriptions stating the duties, responsibilities and requirements of each position for which an employee is hired. Such job descriptions shall be on file in the Town Clerk's office. Department Heads and Supervisors may administrate more detailed job-related tasks on a departmental basis.

Revised or new descriptions shall be prepared when there are substantial and permanent changes in tasks performed by the incumbent, or when required by restructure.

Department Heads and Supervisors have the authority and responsibility to assign tasks as necessary to accomplish the program goals of the department. Class specifications do not prohibit the assignment of job-related tasks not specifically listed.

Resignation: Employees are requested to submit written notice of resignation as far in advance of the resignation date as possible.

Full-time employees leaving the Town are encouraged to discuss their experience with the Department Head or Town Clerk. This "exit interview" is intended to provide the Town with valuable, objective separating employee input.

Retirement: "Retire," "retired" or "retirement" means the termination of an employee's working career as a Town employee for a salary and the fulfillment of the requirements for eligibility to receive either a retirement or disability benefit under the Wyoming Retirement System. The Wyoming Retirement System is governed by the Wyoming Retirement Act, Wyo. Stat. Ann. § 9- 3-401 *et seq*.

Employees seeking to retire should contact the Wyoming Retirement Systems to determine if they meet the current eligibility requirements for retirement.

For purposes of retirement, disability means the mental or physical incapacitation of any employee including:

(A) "Total disability," a disability condition that renders an employee unable to engage in any occupation for which he is reasonably suited by experience or training, and which is reasonably expected to last at least twelve (12) months; and

(B) "Partial disability," a disability condition which renders an employee unable to perform the occupation for which he is reasonably suited by training and experience but still allows him to function in other employment and which is reasonably expected to last at least twelve (12) months.

An employee who meets any of the qualifications for retirement and chooses to retire from employment with the Town must indicate at the time of separation of employment his/her desire to be retired from service.

COMPENSATION

Salary Schedules: Salary and wage schedules for offices and departments are established by Department Heads in accordance with Wyoming Statutes and with the concurrence of the Governing Body.

No employee shall be paid salary or wage by any one department of the Town while on paid leave from any other department of the Town, except with the express approval of the Governing Body.

Employee Compensation and Salary Structure

Full-time employees are paid on a salary basis unless otherwise provided for by the council by resolution. The accompanying salary schedule combines office, Public Works, and janitorial positions for review and separate Council approval.

1. Salary Ranges

The Town maintains minimum and maximum base salaries for established employee positions. Department head positions have a maximum salary equal to 40% above the established minimum. Other positions have a maximum salary equal to 35% above the established minimum.

Salary ranges shall be maintained in a separate salary schedule approved by the Town Council. Changes to position minimums, maximums, or classifications require Council approval.

2. Annual Cost of Living Adjustment

Full-time employees shall receive an annual cost-of-living adjustment (COLA) to their current base salary equal to the annual COLA percentage announced by the Social Security Administration. The most recently announced percentage available when the annual budget is adopted shall apply to the upcoming fiscal year.

The COLA shall take effect at the beginning of the Town's fiscal year. If the announced COLA is zero, no cost-of-living increase shall apply.

Employees remain eligible for the annual COLA after reaching or exceeding their position's maximum salary. A COLA may increase an employee's compensation above the established maximum.

3. Merit Increases

In addition to the annual COLA, employees whose base compensation is below their position's maximum may be considered for an annual merit increase of 0% to 5% of their current base salary.

Merit increases require a recommendation from the employee's department head and approval by the Town Council during the annual budget process. The Mayor shall make merit recommendations for department heads, including the Clerk/Treasurer, subject to Council approval.

Recommendations shall be supported by an evaluation of the employee's performance, quality of work,

fulfillment of job responsibilities, and contributions to the department. Merit increases are discretionary and are not guaranteed. A recommendation does not constitute approval or a commitment to an increase.

4. Calculation and Salary Maximum

The annual COLA and any approved merit percentage shall each be calculated using the employee's base salary immediately before the annual adjustment. The percentages shall be added together rather than compounded.

An approved merit increase shall be reduced, when necessary, so that the employee's compensation after both adjustments does not exceed the position's maximum. The annual COLA shall not be reduced because of the salary maximum.

Once an employee reaches or exceeds the maximum for their position, the employee shall receive annual COLA increases only and shall no longer be eligible for merit increases within that salary range. Merit eligibility may resume if the Council increases the position's maximum or approves the employee's placement in a different position with a higher maximum.

5. Position Qualifications and Advancement

Office positions include Clerk/Treasurer, Deputy Clerk/Treasurer, Utility Billing Clerk, and Administrative Assistant. Each position shall have an established minimum and maximum salary in the Council-approved salary schedule.

The Clerk/Treasurer's maximum salary shall equal 40% above the established minimum. Maximum salaries for the Deputy Clerk/Treasurer, Utility Billing Clerk, and Administrative Assistant shall equal 35% above their respective minimums. Office employees are subject to the annual COLA, merit increase, and salary maximum provisions of this policy.

Public Works and janitorial classifications shall reflect the following minimum qualifications:

Position	Minimum qualification
Public Works Director	Appointment
Operations Supervisor	Appointment
Public Works 1	No additional experience or license requirement
Public Works 2	At least one year of experience
Public Works 3	One applicable license
Public Works 4	Two applicable licenses
Public Works 5	Three applicable licenses
Janitorial	No additional license requirement
Janitorial 2 – Pool Operator	Pool operator license

Applicable licenses include CDL, water operator, sewer operator, and pool operator credentials relevant to assigned duties. Required credentials must remain current.

Meeting a qualification or receiving additional responsibilities does not automatically result in advancement or a wage increase. Classification changes and related compensation adjustments require

Council approval.

6. Companion Salary Schedule

For separate Council approval and maintenance outside the handbook. Amounts below are annual base salary ranges drawn from the supplied worksheets; they are not individual employee salaries, and reflect those salaries established prior to the adoption of this handbook. The may be modified as set forth above, or according to the Town Code of the Town of Bar Nunn, or as provided for in Wyoming's law.

Position	Minimum	Maximum	Range above minimum
Clerk/Treasurer	$63,300	$88,620	40%
Deputy Clerk/Treasurer	$47,000	$63,450	35%
Utility Billing Clerk	$37,500	$50,625	35%
Administrative Assistant	$37,500	$50,625	35%
Public Works Director	$65,900	$92,260	40%
Operations Supervisor	$55,900	$75,465	35%
Public Works 1	$36,900	$49,815	35%
Public Works 2	$39,900	$53,865	35%
Public Works 3	$44,900	$60,615	35%
Public Works 4	$47,900	$64,665	35%
Public Works 5	$50,900	$68,715	35%
Janitorial	$35,900	$48,465	35%
Janitorial 2 – Pool Operator	$37,900	$51,165	35%

Source: 2025–2026 Salaries–Approved and Office Salary Proposal. Janitorial 2 uses the position range listed in the salary structure section of the approved worksheet.

7. Items for Review Before Adoption

This policy applies to full-time salaried employees. Positions without ranges in the supplied worksheets will need a Council-approved maximum before the merit cap can be applied.

Paydays: The Town has a pay period as designated by the Mayor and the Town Clerk. There are 26 pay periods in each work year. Pay periods are two weeks in duration. Pay days will be every two weeks. Time will go in on Mondays and checks will be direct deposited into your account on Thursdays. When or if a pay day falls on a holiday, the Town will attempt to pay employees the day before the holiday if possible. If you have questions regarding the Town's current pay period and pay day, please contact the Town Clerk's office, payment is made by direct automatic bank deposit. No salary advances will be given.

Longevity Incentive: Eligible full-time employees receive an annual longevity incentive of $150 for each completed year of service with the Town, up to a maximum of ten years. The incentive is paid through payroll during the employee's anniversary month. The maximum annual payment is $1,500.

Compensation after Separation: Pursuant to Wyoming State Statute 27-4-104, an employee will be issued a final paycheck within five (5) working days of separation from Town employment. Upon separation, if an employee has not returned Town owned equipment or property issued to them, the value

of said equipment or property and/or reimbursement shall be deducted from their final compensation.

- Vacation Leave. A separated, regular-status employee shall receive payment for the current balance of unused vacation leave, computed using the employee's hourly compensation rate at the time of separation.
- Sick Leave. When separation of employment occurs, no payment for sick leave will be made unless an employee has reached 20 continuous years of service. An employee with 20 years or more of continuous service will be paid for 50% of their unused sick leave. No more than 240 hours of sick leave will be paid upon separation
- Compensatory Time. A separated employee shall receive payment for the current balance of unused time, computed using the employee's hourly compensation rate at the time of separation.

Official Town Work Week: Each workweek will begin at 12:01 a.m. Monday, continue for seven (7) consecutive days (173.33 hours) and end at 12:00 a.m. on Sunday.

Interdepartmental Appointments: An employee who is appointed to a position in a different department shall not lose any unused vacation leave, compensatory time, or sick leave as a result of the interdepartmental transfer, promotion, or reappointment.

Overtime and Compensatory Time: The overtime policy of Town of Bar Nunn shall be in accordance with the provisions of the Federal Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 *et seq*.

Management Responsibility:

1) Authorization of overtime work and approval of premium payments which do not exceed funding.

2) Enforcement of overtime policies to insure that overtime work is not performed if such work has not been officially authorized.

3) Weekly documentation for each non-exempt employee of the actual hours worked and verification, by employee and supervisor signature, that the hours are correct.

4) Management of overtime worked so it is not excessive, or the opportunity for available overtime disproportionately distributed.

Non-Exempt employees receiving payment for overtime worked shall be paid at one and one- half times the compensation rate for all hours worked in excess of forty (40) hours per workweek (Police's work week may differ). Overtime hours are calculated on the basis of hours worked.
Vacation, sick, compensatory, and other leave time shall not be included as hours worked for overtime calculation. Overtime earned in a particular workweek should be paid on the regular payday for the period in which such work was performed. Non-exempt employees may request compensatory time off in lieu of salary, calculated at one and one-half the regular hourly rate.

A Compensatory Time Agreement must be completed and submitted with each time sheet, indicating the employee's request for compensatory time for all overtime hours worked during that pay period.

- Comp Time is available to qualifying municipal employees of the Town of Bar Nunn at the rate of one and one-half hours of compensatory time for each hour of overtime worked.
- Employees may accrue up to 240 hours of compensatory time (160 hours actual overtime worked), unless employed in public safety. Public safety activities, emergency response activities and seasonal activities may accumulate up to 480 hours of comp time (320 hours actual overtime worked).
- An employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a 'reasonable period' after making the request if it does not 'unduly disrupt' the operations of the agency."
- An employee has a right to use the compensatory time earned and must not be coerced to accept more compensatory time than an employer can realistically, and in good faith, expect to be able to grant.
- An employee may choose to trade his comp time for overtime compensation at the legal rate. This determination must be made biannually by the employee. No more than 50 hours of comp time may be exchanged for overtime pay biannually by any one employee.
- No more than 40 hours of comp time may be accrued biannually, and no more than 80 hours in a year, at which point an employee must receive overtime compensation at the legal rate.

An employee may request to use accrued compensatory time and shall be allowed to use such time within a reasonable period after the request, if the use does not unduly disrupt the operations of the office, department, or Town. The reasonable period will be determined by considering the customary work practices of the office, department, or Town, including the normal schedule of work, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff.

Exempt employees are not eligible for overtime compensation or compensatory time accrual. See definition of exempt employee on page 7.

Overtime shall be calculated only on the basis of hours worked.

Holidays are counted as hours worked toward the calculation of overtime. When a non- exempt regular status employee works a designated Holiday, the employee is paid for the Holiday at the regular rate of Holiday Pay.

Holiday hours are not banked or accrued. Holiday Pay is included in the paycheck for the month in which it is recorded on the time sheet submitted for that pay period.

The Town of Bar Nunn intends to comply with the salary basis requirements of the FLSA. Improper deductions from the salaries of exempt employees are prohibited. If an exempt employee believes an improper deduction has been made, it should be reported immediately to the Elected Official, Department Head or the Town Clerk and if founded, the employee will be reimbursed.

Breaks and Meal Periods: Although the Fair Labor Standards Act does not require employers to provide

breaks, full-time employees may be allowed a fifteen (15) minute discretionary break every four hours. All breaks shall be approved by the immediate Supervisor so that they do not interfere with Town business or service to the public.

Breaks are not to be tacked on to the end of the workday if they are not taken during the day. Breaks are a privilege not a requirement.

Meal periods shall be at least sixty (60) minutes in length and shall be unpaid unless the employee is required by their Department Head or Supervisor to work during the meal period. Discretionary breaks shall not routinely be used as meal periods.

PAYROLL REPORTING

Employee Responsibility: Employees are required to maintain and regularly submit accurate records reflecting the exact hours and days worked and all leave taken during each pay period as established by the Town Clerk. Exempt status employees are required to submit accurate records reflecting only all types of leave taken each pay period.

On the last working day of each pay period, all employees are required to complete a Daily Time Sheet reporting all hours of work and leave on a form prescribed by the Town Clerk. Exempt status employees are required to record only all hours of all types of leave on the Daily Time Sheet. The Daily Time Sheet shall be submitted to the Department Head, or Supervisor for approval and signature.

Management Responsibility: Department Head or Supervisor shall review and sign the payroll voucher, verifying hours worked, leave hours are correct, and any additional required forms are attached and submit original payroll voucher to the Town Clerk.

You will be subject to immediate dismissal if you willfully falsify your time record. The same consequence applies if you falsify, or interfere with, the time record of any other employee.

Time Sheet Error: Each department is responsible for devising procedures for both the individual employee and management to verify information on the Daily Time Sheet and for reporting errors to the Town Clerk by the deadlines established by that office.

The information to be verified includes the following:

- Total hours of sick, vacation, and compensatory time used.
- Total hours worked.
- Rate of compensation.

Any errors on the payroll voucher noted by the Town Clerk will be reported to the employee and the Department Head or Supervisor.

Any errors on paychecks or direct deposit slips shall be reported to the Town Clerk.

Status Change Record: The following Status Change Records shall be submitted by Management to the Town Clerk immediately upon any change in the employee's status:

- Leave status indicated including Workers' Compensation.
- Change in classification.
- Employee on leave without pay.
- The following shall be submitted directly to the Town Clerk:

- Hours worked in the first month if partial month for new hires.
- The following shall be submitted simultaneously to the Town Clerk in writing:
- Terminations – Town Clerk receives copy of termination letter and original Daily Time Sheet.

Departments shall notify the Information Technology Department immediately of a status change that involves computer system access.

ATTENDANCE

Every employee is expected to report for work in accordance with the work schedule, and request leave according to the Town of Bar Nunn Leave Policy.

Employee Responsibility: Whenever an employee is unable to report to work due to illness or emergency, the employee shall call the Supervisor as far in advance of the shift as possible and no later than fifteen (15) minutes prior to the expected arrival time at work. The employee should explain the circumstances and give an expected time of arrival. If the Supervisor is absent, the employee should notify the next Supervisor in authority. Employees are expected to report to work whenever scheduled and be at their workstations at the starting time and again after any breaks at the prescribed time. Failure to provide proper notification of, or obtain a Supervisor's approval for, an absence or lateness, unexcused absence, late arrival or early departure from work may result in disciplinary action. Department Heads may have interdepartmental policies that deviate from these policies herein.

Management Responsibility: Department Heads may treat occasional tardiness by allowing the employee to make up the lost time during the same workday, or if this is not possible, record reduction in pay, or charge sick or vacation leave for the time lost that workday in fifteen (15) minute increments.

Excessive Tardiness: Excessive tardiness is unacceptable conduct which may result in disciplinary action. Department Heads may have department guidelines and may judge whether tardiness is excessive.

Unscheduled Absences: Town of Bar Nunn recognizes sudden illness or emergencies may result in unscheduled absences, and each case shall be handled on an individual basis. Refer to the Leave Policy section. Unscheduled absences are those for which there is no prior approval, and are generally due to sudden illness or emergency. A Supervisor may excuse these absences by accepting the reason given and approve the use of leave applicable in the Leave section. Whether unscheduled absences are excused or unexcused, the Supervisor may apply department guidelines regarding an unacceptable number of unscheduled absences, which may result in disciplinary action.

Excessive Absences: In general, more than ten (10) unscheduled absences in a calendar year, whether excused or unexcused, may be considered excessive. Excessive absence may impact performance and the effective operations of the department, and may result in disciplinary action.

Constructive Resignation: Any employee who fails to report to work at the designated time, and fails to contact their Department Head may have such actions construed as a constructive resignation from the employee's position with the Town of Bar Nunn. (Refer to the Leave Policy)

LEAVE

Employee Responsibility: Failure to provide notification of absence for three (3) consecutive workdays may result in removal from the payroll with the employee being deemed to have resigned without notice unless extraordinary circumstances can be provided. Employees who resign under such circumstances are not eligible for rehire.

Department Responsibility: It shall be the responsibility of the Department Head or Supervisor to authorize; document and report at the end of each pay period any leave hours used by employees during the pay period.

Annual Leave: You are provided with annual leave that you may take subject to the approval of your supervisor. Annual leave shall be earned by all full-time and regular part-time employees from the date of their initial employment. Temporary employees will not accrue sick leave or annual leave. Leave will be accrued as follows:

Years of Service	Vacation accrual in week/hours	
0 - 4 years	**3 weeks = 120 hours**	**3.34 hours per pay period**
5 - 9 years	**4 weeks = 160 hours**	**5.22 hours per pay period**
10 – 20 years	**5 weeks = 200 hours**	**6.67 hours per pay period**
20 – Separation	**6 weeks = 240 hours**	**9.23 hours per pay period**

For employees who work a schedule other than the typical 40 hour per week schedule, or who work an atypical schedule, vacation accrual shall be based on the years worked so as to equate to the equivalent years worked for other employees.

Annual Leave Scheduling: You may take your annual leave at any time of the year as long as you have accumulated the time, and the needs of the department are met. You must submit your annual leave request to your Supervisor and receive approval prior to taking the leave. A Town of Bar Nunn Leave Request Form, Department Leave Request Form, or other written documentation should be used for all leave records in all departments. A leave record shall be signed by the employee and supervisor, and be kept on file in the department, for all leave taken. Your department may have a special form or a procedure for requesting use of annual leave.

Authorized Use: Department Head and Supervisors shall consider the needs of the employee and the staffing requirements of the department in approving vacation leave. Vacation leave should be prior approved and requested according to the individual department policy. Vacation leave is not to be used for sick leave purposes unless sick leave is not available.

Availability: Vacation leave shall become available upon accrual at the end of each pay period, and may not be used before accrual.

Compensation: While on vacation leave, pay shall be calculated based on the employee's current pay rate.

Maximum Accrual: The maximum accrual of unused vacation leave shall not exceed the employee's yearly accrual amount. If an employee has reached the maximum accrued hours allotted they will stop accruing hours until their bank falls below the maximum hours. After falling below, the maximum the employee will begin accruing hours again in their vacation bank.

Sick Leave: Sick leave shall be accumulated and earned by regular full-time and part-time status employees, according to the number of hours worked, based upon 173.33 hours per calendar month worked. This policy applies to employees whose work schedules change.

Monthly Accrual Rates: Regular status employees shall accrue eight (8) hours of sick leave per month, based upon working 173.33 hours per month. The number of hours of sick leave is prorated depending on the actual number of hours worked in a month.

Authorized Use: Accrued sick leave may be used during scheduled work hours when an employee is incapacitated by illness or injury; for pregnancy, childbirth, or related medical or mental health conditions; for medical, dental, optical or mental health examinations or treatment; for illness or injury of a parent, spouse, dependents or child, or when an employee has been exposed to a contagious disease requiring quarantine. If an employee reports to work ill or injured, the Department Head or Supervisor shall have the authority to send the employee home with that day charged against his/her sick leave.

Negative Leave: Sick hours shall not be advanced to any employee. In the event an employee has received advanced sick time and the employee leaves employment with the Town before the advanced sick time is paid back, the amount owed shall be deducted from the employee's final paycheck. This amount shall be calculated using the employee's regular hourly wage at the time of separation with the Town.

Notice and Documentation: Employees requesting sick leave shall notify their immediate Supervisor as soon as possible of any absence or anticipated absence, at least within fifteen (15) minutes of the beginning of a shift. If such notification is not given, the absence may be charged to sick leave, vacation leave or leave without pay, and disciplinary action may be considered.
Medical certificates may be required by the Department Head or Supervisor for any absence chargeable to sick leave. Leave Request Forms shall be on file for sick leave absences.

Availability: Sick leave hours are accrued at the end of each pay period, and may not be used before accrual.

Compensation: While on sick leave, pay shall be calculated based on the employee's current pay rate.

Maximum Accrual: Regular status employees may carry forward a balance of sick leave hours not to exceed 480 hours, at the end of each calendar year.

Workers' Compensation: In the event of absence resulting from an injury compensable under the Wyoming Workers' Compensation Act, the time away from work, while receiving workers' compensation payments will count towards the employee's Wyoming Retirement System experience. The Town will continue to make contributions on behalf of the employee, including the Town's and the employee's portions, as set by Wyoming State Statutes.

- An employee will receive a full paycheck from the Town so long as the employee turns in

any workers' compensation payments received to the Town Clerk. An employee turning in workers' compensation payments will be required to sign a form or acknowledgment before receiving a full paycheck.

- An employee turning in any workers' compensation payments to the Town Clerk will accrue vacation time at the usual and customary rate, but the employee shall not accrue sick time while absent.
- An employee receiving workers' compensation payments shall not use accrued paid leave while absent for a compensable injury or illness.

An employee who is receiving Wyoming Workers' Compensation for injury/illness is not eligible for donated leave.

Return to Work: An employee returning to work after a sick leave absence or any absence due to illness or injury may be required to provide a physician's release stating whether or not he/she may perform the essential functions of the position.

PTO Donation;

Eligibility to Receive and Request for Donations: Eligible employees who have exhausted all paid leave may apply for donated leave for an employee's own qualified health condition or for an immediate family member's qualified health condition. An employee receiving Wyoming Workers Compensation for the same injury/illness is not eligible for donated leave.

When requesting PTO donations, or at any time during the use of sick leave donations, an employee may be required by the Department Head or Town Clerk to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition of the employee or immediate family member is serious, extreme, or life-threatening and keeps the employee from performing regular work duties. If the employee fails to provide the required evidence, the use of shared leave may be denied or terminated by the Department Head.

Process to Request Donations: The employee submits the Request for Donated PTO Form found in appendix #4 to the Department Head or Town Clerk.

The Department Head or Town Clerk shall send the request to the Payroll Department. The Payroll Department shall verify eligibility. If eligibility is established, Payroll Department shall notify the Department Head or Town Clerk. The Town Clerk or Department Head shall approve or deny the request based on the criteria established. If the Request is approved, the Town Clerk or Department Head may then post a notice of the request or transmit the request to other Town departments.

Eligibility to Donate:

- An employee who has accrued in excess of two hundred forty (240) hours of sick leave may donate up to forty (40) hours of sick leave in eight (8) hour increments, to another Town employee who has an immediate and reasonable need for such assistance.
- The minimum number of hours of vacation time that can be donated is 8 hours. Employees may donate up to 50% of their accrued vacation balance as of the date of the donation.
- The minimum number of hours of comp-time that can be donated is 4 hours. Employees may

donate up to 50% of their accrued comp-time balance as of the date of the donation.

- Department Heads may donate 100% of their administrative leave balance as of the date of the donation.
- Employees on an approved Leave of Absence are eligible to donate PTO hours.
- Donors contribute PTO hours, not salary.

Donor(s) shall give their Department Head, who must approve or disapprove the donation, a completed Request to Donate PTO Form found in appendix #4 specifying the number of hours donated and the name and department of the employee to whom the donation is being made. A copy of this form and the Department Head approval shall be filed in both the donor(s) and the recipient(s) individual file in the Town Clerk.

The total amount of donated leave for an employee to receive is set at a maximum of twelve weeks (480 hours) for full-time employees (or prorated for regular part-time employees) during the course of their employment with the Town.

Periods of leave during which donated leave is used shall continue to be classified as Family and Medical Leave Act (FMLA) if the recipient's leave was previously designated FMLA leave.

Recipients who return to work on intermittent FMLA leave may use donated leave for doctor visits, treatments and periods of convalescence associated with the serious illness or injury.

The PTO Donation Program does not supplant or modify any established employee policies or procedures, nor shall an employee's eligibility to receive PTO donations guarantee employment for any period of time.

Shared leave shall not be transferable to any employee other than the employee for which it was requested and donated.

Bereavement / Funeral Leave: In the event of the death of a member of the immediate family, each employee that is full-time or part-time and upon completion of six (6) months of continual employment, will be granted time off and entitled to three **(3)** days leave with pay for funeral arrangements and attendance. Under extraordinary circumstances this leave may be extended, but without pay.

Immediate family is to include spouse, children, grandchildren, stepchildren, parent or stepparent, grandparent, brother or sister, stepbrother or sister, father-in-law, mother-in-law, brother-in-law and sister-in-law or other close relative or significant other who resides in the employee's household.

When a funeral for a death in the employee's immediate family occurs and the distance to the funeral is in excess of 1,000 miles, or at the discretion of the Department Head or Mayor in other circumstances, two (2) days of accrued sick leave may be approved in addition to the regular three (3) day bereavement leave.

Employees may be granted two (2) hours to attend the funeral of a fellow Town employee or an employee's spouse or child or close friend at the discretion of the Department Head or Elected Official.

Funeral leave shall not be granted for settlement of estates, nor any other reason, except as necessary to make arrangements, and for time to travel to, attend, and return from a funeral. For funerals of other relatives or friends, employees may take annual leave, compensatory time off, or unpaid leave upon the approval of their Supervisor.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Upon returning to work, the employee must record his/her absence as Bereavement Leave on his/her attendance record.

Temporary and part-time employees working less than 20-hour periods are not eligible for holiday pay. Part-time employees working over 20 hours per week are eligible for holiday pay on a prorated basis.

Holiday Leave: Paid holidays shall be observed by all Town employees except where observance is impossible because of the duties of the office or department. An official list of holidays will be published in January of each year by the Town Council and included in its minutes of the meeting establishing such holidays.

The Town of Bar Nunn observes the following holidays:

- New Year's Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day

When any holiday falls on Saturday, the preceding Friday will be observed as a legal holiday. When the holiday falls on Sunday, the following Monday will be observed as a legal holiday.

Overtime

Holidays are considered a day worked for purposes of calculating overtime. Employees must work or be on an authorized vacation or sick leave the day before and the day after a holiday in order to receive pay

for the holiday.

Rate of Pay for Holidays:

- Double time will be allowed for the Fourth of July, the day after Thanksgiving, and Christmas Eve if worked.
- The rate of two- and one-half times will be paid for New Year's Day, Thanksgiving Day and Christmas Day, if worked.
- The rate of one- and one-half times will be paid for President's Day, Good Friday, Memorial Day, Labor Day and Veteran's Day.

Religious Holiday Leave: If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with their Department Head or Elected Officials approval, take the day off using annual leave, compensatory time or leave without pay.

Family Medical Leave Act (FMLA) Policy: The Family and Medical Leave Act policy of the Town of Bar Nunn shall be in accordance with Public Law 103-3 Family and Medical Leave Act 1993 and regulations as revised, effective 1-16-2009 and 10-28-2009. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. For the complete Town of Bar Nunn policy on FMLA please see appendix #2.

Voting Leave: Wyoming State Statute § 22-2-111 states that employees who do not have three (3) Consecutive non-working hours while the polls are open are entitled to one (1) paid hour leave (excluding mealtimes) to vote. The employer can set the time for leave to vote.

No employee will be penalized or retaliated against for requesting time off to vote.

Jury and Witness Leave: Town of Bar Nunn supports employees in fulfilling their civic responsibilities by serving jury duty or as a witness when required. Employees must show the jury duty summons or other court papers to their Department Head as soon as possible so that arrangements can be made to accommodate their absence.

Notify your Supervisor if you must appear for jury or witness duty.
Witness duty must be job-related in order to receive your regular pay.

You will be expected to report for work during your service whenever the court schedule permits. This requirement does not apply to an employee who is excused from duty within the last working hour of their workday.

Either Department Head or Supervisor may request an excuse from jury duty if, in their judgment, the employee's absence would create serious operational difficulties. The Town of Bar Nunn will continue to provide health insurance benefits for the full term of the jury duty absence.

If an employee is required to attend a court or administrative tribunal hearing during off duty periods, the employee shall be compensated for a minimum of two (2) hours. If total hours worked for the work period exceed forty (40) hours, the employee will be compensated at one and one-half times their hourly rate of pay for the excess hours.

Employees may be requested to provide written verification of your attendance from the court clerk.

Administrative Leave:

a. Annual and granted Administrative Leave.

Department Heads are given Forty (40) hours of leave annually. Administrative Leave can be granted to other employees only with written permission from the Mayor. This time cannot be carried over from year to year from the date of an employee's most recent hiring or promotion

b. Other Forms of Administrative Leave

The employee can be sent on an administrative leave for a variety of reasons, including:

- To prevent disruption in the workplace and maintain a professional environment.
- To conduct a pending investigation or ongoing investigation without any disruption or alteration in possible evidence.
- To protect and preserve sensitive information and resources.

If an employee has to be investigated due to an allegation or has been causing some disruption in the workplace, their supervisor may request the Mayor or his designee to analyze the situation and determine whether or not approved for investigative leave for the employee should be taken. However, before requesting approval, it must be established that either the employee's presence in the workplace is hampering the investigation or their behavior is causing significant disruption for other people around them.

Administrative leave qualifies as paid leave employees will receive their full, regular pay. The employee would not, however, be eligible for premiums. The employee is still associated with the organization and so the employer can ask them to remain available for recall at all times.

The amount of time that an employee can be put on ***administrative leave*** is not set. The length depends on the situation. If an investigation is being conducted, the employee will be required to comply and participate fully in the Town's investigation efforts. They should remain in their home during work hours and ready to return to work whenever notified. The employee on leave shall remain separated from all Town of Bar Nunn employees and governing council members until the investigation is completed.

Legislative Leave: Full-time employees who have been duly elected and certified as members of the Wyoming Legislature are given leave to attend regularly called sessions of the legislature, special sessions of the legislature, or such other official meetings of the legislature.
Time taken to seek election or reelection to the legislature is not eligible for legislative leave consideration.

Military Leave: Town of Bar Nunn supports employee participation in the United States Armed Forces.

It has done so by enacting rules and regulations consistently more advantageous for the employee than federal and state requirements.

A Military Leave of Absence will be extended to any Town of Bar Nunn employee who:

- Is inducted (drafted) into military service.
- Voluntarily enlists for active military service.
- Is a member of the National Guard or U.S. Military Reserve and is called to military service?

Any employee of the Town of Bar Nunn who is a member of the National Guard, Reserve Forces or any other component of the United States Military Forces or who is inducted into the military service of the United States, is entitled to an unpaid military leave of absence without loss of seniority, status, vacation, sick leave, or other benefits while engaged in active military training or service ordered or authorized by proper authority pursuant to law. This leave is in addition to any other military leave or vacation to which the employee may be entitled by law if the required military service is satisfactorily performed, which is presumed unless the contrary is established.

When an employee is placed on an unpaid military leave, the employee has the option to continue their participation in the Town of Bar Nunn health and life insurance plans. Employees on unpaid military leave will be required to pay their portion of the monthly premium for health and life insurance coverage.

Military personnel returning from Active Duty will be reinstated under our health insurance plan with no initial "waiting period" or exclusion for pre-existing conditions. Coverage will begin upon notification to resume Town employment, assuming that he or she is at that time ready to return to work. This ensures that our returning service people are covered in the event that the Town cannot provide them with a position immediately. Coverage will initially be based upon the status (i.e., single or family coverage) in effect at the time the employee was placed on military leave. It should be noted that our plan will not cover services or supplies required as the result of disease or injuries due to war or acts of aggression, as determined by the Secretary of Veterans Affairs.

Retirement: The Town of Bar Nunn, and employees placed on military leave, will continue participation in the Wyoming Retirement System (WRS), based upon the requirements and policy set by the WRS.

Notice of Leave: Notice of military leave and orders must be given to the employee's immediate Supervisor as soon as they are available to the employee. Providing advanced notice (either written or verbal) is a requirement that may affect re-employment eligibility. The Supervisor will forward this notice to the Department Head or his/her designee, who will route it to the Town Clerk for processing. When the employee is ready to return to work, the immediate Supervisor will inform to the Department Head or his/her designee and then on to the Town Clerk.

Active-Duty Job Provisions: The Town of Bar Nunn will provide a job for an employee returning from Active Duty for up to four (4) years from his or her date of activation unless the period beyond four (4) years (up to an additional year) is at the request and/or convenience of the federal government. Said job shall not be available if he or she receives a dishonorable discharge. A copy of the discharge orders shall be required. If an employee can no longer be placed in the position he or she vacated, a position may be found in an equivalent salary range. If in the employee's vacated position, promotions are given

automatically due to tenure, then an employee on military leave will receive the applicable promotion upon his or her return. If in the employee's vacated position promotions are based upon merit, then an employee on military leave of absence is not entitled to an automatic advancement upon his or her return.

Employees returning from an Unpaid Military Leave: Employees must notify the Town of Bar Nunn in accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994, as it may, from time to time be amended (copy available in the Town Clerk's office). This is to inform the Town that the unpaid military leave has been completed, and the returning employee is ready to resume a position with the Town of Bar Nunn. Once reapplication has been made, the employee must be ready, willing, and able to report for work, at the date and time set by the Town.

To the extent that Federal law or State Statutes grant employees other or greater rights, such rights shall be recognized by the Town.

If a Supervisor perceives an employee's military leaves to be excessive, he or she should discuss the situation with the employee. If this does not yield satisfactory results, the Supervisor should contact the Town Clerk who will interface with the military unit commander.

Private Litigation: Absence of a Town employee to appear in any un-subpoenaed capacity in private litigation is charged to annual leave or to leave without pay. An employee subpoenaed to appear in court in private litigation in which the employee has no personal interest may receive leave with pay for a maximum of five calendar days per year. Any fees paid for such services may be retained by the employee.

Travel Time Pay:

- Home to Work: ordinary situations generally, commuting from home to work is not considered working time and is not paid. (29 CFR 785.35)
- Home to Work-Emergency Situations: during emergency situations, travel from home to work is work time and will be paid. (29 CFR 785.36).
- Home to Work special assignment: a non-exempt employee will be paid for time spent traveling to a seminar, training session or work assignment that lasts for a day. Plus, they will be paid for all time spent at the seminar or training session, or while working on the assignment. However, the employee's normal commute time to work and any meal periods not spent performing work or in the seminar will be deducted. (29 CFR 785.37)
- Travel as part of the day's work: all travel of non-exempt employees except for law enforcement personnel beyond a radius of 150 miles shall be approved by the Department Head with the consent of the Council Members. Time an employee spends traveling as part of their principal activity, such as travel from job site to job site during the workday, will also be counted as hours worked and paid as such. In addition, if an employee must report at a meeting place to receive instructions, perform other work, or pick up certain items for work, the travel from the meeting place to the work site is part of the day's work and counts as hours worked.
- Overnight travel: Department Heads shall approve non-exempt employee overnight travel. Department Heads shall advise the Governing Body of overnight travel. If a non-exempt employee travels to a seminar, training session or work assignment and leaves the day before the seminar or work begins, they will be paid for travel time. Travel time on non-

working days is also considered work time. Again, meal periods will be deducted from travel time as long as the employee doesn't perform work during the meal period. (29 CFR 785.39)

Note-Item 5 reflects Town policy and is more than is required by 29 CFR 785.39.

Education Leave: The Town of Bar Nunn supports staff development through required and encouraged training and education.

- Job related seminar/workshops/continuing education/college credit classes attended during normal working hours are considered a Town expense and are subject to the
- Reimbursable Expenses Policy and Procedures, and the approval of the Department Head or Supervisor.
- Non-Job-related seminars/workshops/continuing education/college credit classes attended during working hours may be approved by the Elected Official, Department Head or Supervisor. Time away from work for this purpose is subject to policies on Leave with Pay, Leave of Absence without Pay, Vacation Leave, or Flex Time. Non-Job-related training expenses do not qualify for Town reimbursement.
- An employee requesting reimbursement for training/classes/seminars may be required to provide documentation of passing grades to the Department Head or Supervisor, to receive reimbursement.

Emergencies or Inclement Weather Leave: At times, emergencies such as severe weather, fires, power failures or civil disturbances, can disrupt Town operations. In extreme cases, these circumstances may require the closing of the work facility. The Town of Bar Nunn is closed only when the Mayor makes an official notification. Essential public safety and emergency response personnel as defined by the Department Head may still be required to report to work. In the event that such an emergency occurs during nonworking hours, local radio, Town website and TV stations will be asked to broadcast a closing notification.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. If an employee does not report to work because of inclement weather or other emergency and Town operations remain open despite that condition, the lost work time will be vacation, sick time or without pay. Unexcused time as a result of natural disasters/inclement weather must be compensated with accrued vacation, or compensatory time, or otherwise shall be docked as unpaid leave. Employees who work on a day when operations are officially closed will receive regular pay though this is not encouraged. The essential public safety and emergency response personnel who are required to work on those days shall be paid at the overtime rate of
1.5 times their regular rate of pay.

This policy has no application to Town employees who are otherwise on normal days off or on excused leaves of absence, such as annual leave, sick leave, maternity leave or military leave during periods of operations closure.

Volunteers: The Town of Bar Nunn Government believes that, in addition to being employees, we are citizens and members of our respective communities. To encourage and support positive contributions to communities, the Elected Official or Department Head may grant leave to pursue approved volunteer activities.

The Elected Official or Department Head may provide regular full-time and part-time employees serving as volunteers with paid leave provided the employee makes every effort to give advance notification to his/her Supervisor and so long as the leave will not adversely affect the operations of the Elected Official or Department Head. The Elected Official or Department Head reserves the right to determine the length of the paid leave.

Unpaid Leave of Absence: Sometimes you may find it necessary to take time off other than sick leave or vacation. The Town provides for such leave, but it must be taken without pay. Leave of absence, without pay for reasons other than employment elsewhere, may be granted by an Elected Official or Department Head upon written request by an employee and must indicate the reasons for your request for leave, the beginning date, and the date of your return, if such leave is not in conflict with the best interest of the Town. Approval of such request shall be forwarded to the Town Clerk so that resumption of benefits can be made upon the return of the employee. Employees granted leaves of absence who desire to keep their medical insurance in force must sign a request for such with Town Clerk and make arrangements to pay their insurance premiums during the time they are on leave of absence.

Leave of absence without pay will not be granted for a period in excess of ninety (90) days. During the first thirty (30) days, the employee may return to his or her previously assigned position with no loss in pay. During the second thirty (30) days, the employee may return at no loss in pay but may be reassigned to other duties. During the final thirty (30) days, the employee may return to work but may be reassigned and may be paid at the rate of newly hired employees. Employees who are granted leave of absence without pay may be allowed such time off in addition to any sick or annual leave accumulated, which must be used first.

Regardless of the reason for the leave, it is essential that the Town Clerk be notified to ensure that benefits are properly administered.

While on a personal unpaid leave of absence employee's medical coverage will end on the first day of the month following the start of such leave. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.

An Elected Official or Department Head may or may not approve a request for a leave of absence. The decision is at his/her discretion unless the leave qualifies under the Family Medical Leave Act. Some of the matters considered in approving the request are length of employment, employment record, and the reason for the absence. If your request is denied, you may appeal that decision.

If an employee fails to return to work at the conclusion of a leave of absence, the employee will be terminated from employment. If an employee is unable to return to work, the employee is responsible for requesting an extension (in advance) from his or her Department Head or Supervisor.

Suspension of Leave: Any leaves or holidays provided for in this section may be suspended during any period of emergency declared by the Town Council.

Termination - Preservation of Benefits: If an employee's employment is terminated for any reason and

subsequent to termination the employee desires to again work for the Town, said employee is entitled to no more privileges or benefits than any other individual who is obtaining employment with the Town for the first time, other than time in service.

LAWSUITS AGAINST EMPLOYEES & THE TOWN

Town employees are expected to function only within the scope of their jobs and duties, and to perform such duties with the standard of care and caution required by the job. Town and department policies and procedures must be studied, understood, and observed. Failure on an employee's part to carry out duties properly may expose the Town to liability and lawsuits. In the event an employee knowingly or willfully violates Town and/or department rules and procedures, that employee may be exposed to personal liability.

Employee Responsibility: All Town employees are expected to work in accordance with good safety practices. All Town employees are expected to continually be aware of situations where they may reduce liability to the Town. Any employee having knowledge of events or occurrences which may give rise to liability allegations against him/her or against the Town shall immediately notify the Department Head, Supervisor or Town Attorney and the Mayor of the pertinent facts.

Wyoming Governmental Claims Act: The Town retains all immunities and limitations on its liability as afforded under Wyoming law and as afforded by the Wyoming Governmental Claims Act, and no waiver of such immunities or limitations is intended.

The Wyoming Governmental Claims Act, Wyo. Stat. Ann. 1-39-104, provides a governmental entity and its public employees while acting within the scope of duties immunity from liability for any tort except those acts of negligence specifically described in Wyo. Stat. Ann. 1-39-105 through 112.

- The Act also states: When liability is alleged against any public employee, if the governmental entity determines the employee was acting within the scope of his duty, whether or not alleged to have been committed maliciously or fraudulently, the governmental entity shall provide a defense at its expense.
- A governmental entity shall assume and pay a judgment entered under this act against any of its public employees, provided the act or omission upon which the claim is based has been determined by a court or jury to be within the public employee's scope of duties.

Management Responsibility: The Town will assist in providing appropriate legal protection for the Town and its employees if determined they were acting in the scope of their duties.

If the Town provides legal counsel for an employee and the employee has a counterclaim or other claim arising out of the incident which may result in recovery by the employee, the Town is not obligated to represent the employee on the claim if the employee was found to be not acting in the scope of their duties.

This section of the manual is designed to acquaint you with some of the significant features of the Town's benefit programs. However, it is important to remember that more detailed information is set forth in the official plan and other legal documents that govern benefits. Accordingly, if there is any conflict between the brief summaries contained in this manual and the terms, conditions or limitations of the official plan or other legal documents, the provisions of those documents govern. Employees who wish to inspect those documents should contact their immediate Supervisor.

EMPLOYEE BENEFITS

This section of the Employee Handbook describes in general terms the benefit plans available to Town employees. In most cases, benefits are described in more detail in the actual plan documents themselves. If there is a conflict between the description of benefits in the Handbook and the plan documents, the description in the plan documents will control.

Some benefit programs require contributions from the employee, while others are fully paid by Town of Bar Nunn.

Eligible employees at the Town of Bar Nunn are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The following benefit programs are available to eligible employees:

Heath / Dental / Vision: Cigna is the current administrator for the Town's health insurance plan. Temporary employees, seasonal employees, and interns are not eligible for health, dental or vision coverage.

The Town currently provides group health insurance benefits for its employees. Regular full- time employees and their dependents, shall be eligible to participate in the Town's various insurance programs beginning on the first day of the month following the first thirty (30) days of employment.

The day benefits become effective for new hires will be on the 31st consecutive calendar day of employment. For coverage to begin, a completed enrollment form with all required attachments (e.g., marriage certificate, birth certificates, or other documents) must be submitted to the Town Clerk on the date of hire.

Employees are required to enroll in the Town health benefits unless they have other group health insurance and timely sign a declination form certifying that other coverage. All employees will be enrolled in health benefits and enrolled in all three components (medical, dental and vision). Individual component participation is not allowed. The cost of health coverage depends on the number of dependents.

Contact the Town Clerk to make payment arrangements for insurance premiums if you miss a paycheck because of absence.

Most routine questions about health insurance coverage can be answered by referring to the plan document. For questions not answered by this handbook, visit the Cigna website or call their customer service department at 1-800-442-2376. Questions can also be directed to the Town Clerk.

When Health Benefits End: Benefits will end on the last day of the Month. Benefits will also end on the due date of any unpaid employee contribution.

If an employee misses a paycheck due to work absence or unpaid time, the employee is responsible to contact the Town Clerk to make payment arrangements.

Health Benefits for Dependents: The Town pays 100% of the insurance premiums for eligible employees and 50% of the premiums for eligible dependent coverage; this includes a legal spouse and unmarried children (natural, adopted, foster and stepchildren). Employees are responsible for the remaining 50% of dependent premiums through payroll deductions. Dependent children certified with a disability prior to reaching the limiting age may continue to be covered regardless of age. For information about adding and deleting dependents from health insurance, see the "Making Changes to Health Insurance" section.

Employees are responsible to review their paychecks to ensure the appropriate benefit deductions have been taken.

Payment in Lieu of Health Insurance: Eligible employees who decline the Town's health insurance coverage because they have qualifying coverage elsewhere may elect to receive a stipend in lieu of Town-provided coverage. The current stipend is $650 per month and is paid through payroll as additional taxable income, subject to applicable withholding. Employees must complete the required waiver and provide documentation of other coverage.

Making Changes to Health Insurance: The Town of Bar Nunn Government has established a Section 125 Benefit Plan allowable by the IRS, which allows you to ***avoid paying*** state, federal and FICA taxes

on your portion of the health premiums. All full-time employees are entitled to enroll

in this pre-tax premium plan. You must request and sign a waiver if you do not want to pay your premiums with pre-tax dollars.

In exchange for this tax-favorable treatment, the IRS requires that an employee have a valid family status change in order to change the amount of the pre-tax premium or reimbursement account. Any change requested must also be consistent with the actual family status change that has occurred. Valid family status changes, as defined by the IRS, include:

- Change in legal marital status (marriage, divorce, legal separation, annulment, death of spouse).
- Change in number of tax dependents (birth, adoption, or placement for adoption, death).
- Change in work schedule (including reduction or increase in hours by employee, spouse, or dependent).
- Dependent satisfies or ceases to satisfy dependent eligibility requirement (attainment of age, student status, etc.).
- Change in residence or worksite of employee or dependent.
- Termination or commencement of employment by employee, spouse, or dependent.
- Change in coverage of a spouse under another employer's plan.
- Receipt of a legal court order specifically requiring insurance coverage for a dependent child.

If an employee wishes to make a change to health coverage, he or she must complete and sign the appropriate paperwork within 30 days of one of the valid family status changes listed above. In most cases the employee will be required to provide written proof of the family status change.

To add or delete dependents from your insurance, you must notify the Town Clerk within 30 days of the qualifying event.

Because health premiums are deducted in advance, if the required paperwork is not completed at least one month in advance, the employee will be required to pay missed premiums.

During the annual open enrollment for Section 125 benefits, dependents may be added or deleted without a valid family status change. (See Annual Open Enrollment for Section 125 Benefits section.)
Annual Open Enrollment for Section 125 Benefits: The annual open enrollment period for Section 125 benefits is normally held during the first few weeks of June. For health changes made during open enrollment, the new premium is deducted from the June paychecks with coverage changes effective July 1st.

Health Plans, Benefit Designs, Eligibility Rules, and Premiums: Plans subject to change each year based on the previous year's claims experience. Announcements concerning changes for the upcoming plan year are made during annual enrollment/transfer period each June. Employees are required to review notices, home mailings, and department memos for information about the benefits for the upcoming year.

The Town Clerk accommodates those needing assistance and information regarding benefit changes. It is the employee's responsibility to stay informed of benefit changes.

Retirement Benefits / Pension Plan: Retirement benefits are provided through the State of Wyoming Retirement System (WRS). The Town will pay the Town's and the employee's portion of contributions into the WRS, as set by Wyoming State Statutes. The employee shall pay his or her portion of contributions into the WRS, as set by Wyoming State Statutes.

You are required to review your notices, home mailings, and department memos for information about benefits for the upcoming year. Failure to do so may result in no coverage for the new year.

If an employee leaves Town service to work at another public agency within Wyoming, reciprocity may be available, under certain conditions. Reciprocity means that money may be left on deposit with WRS, when an employee enrolls in the new retirement system, and upon retiring, the employee can utilize benefits from both agencies.

For questions regarding retirement plans, refer to the WRS web site at http://retirement.state.wy.us/ or contact WRS by telephone at (307)777-7691.

Life Insurance: Life insurance offers employees and their families' important financial protection. The Town of Bar Nunn provides a basic life insurance plan for eligible regular fulltime employees. Additional supplemental and/or dependent life insurance coverage may also be purchased.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the Town of Bar Nunn and the insurance carrier. Contact the Town Clerk for more information about life insurance benefits.

Life insurance is provided for Town employees in an amount of $15,000.

Deferred Compensation: The plans are offered to all Town employees. Employees may participate in these compensation plans provided they have been employed by the Town of Bar Nunn.

The Town of Bar Nunn offers plans which are designed to help employees save systematically and conveniently to supplement retirement income. However, the plan offers employees the opportunity to shelter contributions and earnings from taxes until funds are withdrawn at retirement or when an employee leaves employment.

Employees may enroll in or make changes to retirement plans at any time during the year. More detailed information about enrollment in each of the plans is available from the Town Clerk.

Once enrolled, employees may contact the plans directly at:

WRS 457 Plan.....307-777-3325

AFLAC (American Family Life Assurance Company) / Washington National: Offers supplemental insurance to Town employees. Employees can elect to enroll in AFLAC/Washington National supplemental insurance at the next benefit open enrollment period. Participation includes a payroll deduction for coverage amounts. Employees can choose from several types of plans. Contact the Town Clerk for more information.

Service Awards: Upon achieving a specified number of years of service, permanent employees are eligible to receive a recognition award which is symbolic of their achievement, and which demonstrates the Town's appreciation for their service. Awards are provided in conjunction with the following service anniversaries: 5, 10-year, 15-year, 20-year, 25-year, 30 year, and 35 year.

Direct Deposit: Direct deposit of paycheck to any banking institution is available to all Town employees. Employees may contact the Town Clerk to obtain an application.

Patient Protection and Affordable Care Act: Enacted March 23, 2010, the patient Protection and Affordable Care Act requires employers subject to the Fair Labor Standards Act to provide unpaid, reasonable break time for an employee to express breast milk for a year after her child's birth. This provision of the act becomes effective immediately.

The Town of Bar Nunn is committed to the families of its employees and work environments that are family friendly.

- Town employees will be allowed time to express milk while at work.
- A private area will be made available for breastfeeding employees to express milk, other than a bathroom.

Worker's Compensation Benefits: Town employees are protected under the State of Wyoming's Workers' Compensation Law for injuries and occupational diseases that result "out of and in the course of employment." This includes injuries that take place when employees are performing tasks they were hired to perform at times and in places where they were hired to work. When an injury is sustained while at work, it must be reported immediately to the employee's Supervisor, who in turn will notify the Town Clerk of the incident.

Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

If an employee experiences an on-the-job injury or illness he or she is required to:

1) Report the incident to a Supervisor.
2) Provide written notification of the injury within 72 hours.
3) Complete a Town of Bar Nunn Incident/Accident Report and a Wyoming Workers Compensation Report of Injury. It is the employee's responsibility to send or fax it to the Risk Management Office or Town Clerk's Office.
4) Keep all appointments with physicians as scheduled.
5) Be aware that the Town of Bar Nunn has a Return to Work/ Light Duty Program for

employees, see more information below.

6) Notify Risk Management or Town Clerk and a Supervisor if the physician directs an employee to not return to work, to work with restrictions, and when an employee is released to full duty.
7) Give a Supervisor a copy of Return-to-Work forms received from the physician.

If the authorized treating physician releases an employee to return to work with specific temporary restrictions (i.e., light duty) and the Town of Bar Nunn can provide a job within the recommended restrictions, the employee must return to work and attempt the light duty. The authorized physician determines what light duty work is appropriate. If clarification of light duty restrictions is needed, contact Risk Management or Town Clerk. Failure to report for light duty may result in termination of disability benefits. Employees may qualify for benefits if the Town of Bar Nunn cannot provide a job within the restrictions given by the authorized physician.

You must return to work and attempt light duty if authorized by your treating physician. Failure to report for light duty may result in termination of disability benefits.

The Town may require a fitness for duty examination at its own expense, performed by a physician of the Town's choosing, to determine when the employee is capable of returning to work and if they will be capable of performing the duties of the position.

Return to Work / Light Duty Program: The Town of Bar Nunn has a Return-to-Work Policy which assists employees in returning to work when they are unable to perform regular job duties due to injury. The Town, Wyoming Workers' Compensation Services, and the treating physician will work with employees to provide a temporary limited work assignment that is within the particular medical restrictions. Employees receive regular salary while on limited duty.
Temporary limited work assignments normally do not exceed six (6) months.

If the employee is permanently unable to return to his or her regular job, the department will determine whether or not it is possible to permanently modify the job, consistent with the essential functions required for that position, in order to accommodate the employee's permanent medical restrictions. If the Elected Official or Department Head determines that permanent modification of the job is not possible, the Elected Official or Department Head will research other vacant jobs within the department for which the injured employee is qualified and will place the employee in an alternate position whenever possible.

Contact the Risk Management Office or Town Clerk at 307-234-6679 for questions regarding a Wyoming Worker's Compensation issue.

COBRA:

Rights as an Employee: Employees of the Town of Bar Nunn, covered by one of the Town's group health plans, have the right to choose continuation coverage for up to 18 months if:

- An employee is terminated for any reason other than gross misconduct.
- An employee's work hours are reduced, causing ineligibility under the terms of the plan.

EXCEPTION: The maximum continuation period may be extended to 29 months if the Social Security Administration determines an employee was totally disabled under Title II or XVI of the Social Security Act on the day of the qualifying event. If an employee qualifies under these conditions a copy of the Social Security Determination Notice must be provided the Town Clerk before the end of the initial 18-month period. This copy must be sent to the Town Clerk within 60 days of the date of the determination notice.

Under the law, an employee, an employee's spouse, or another family member has the responsibility to inform the Town of Bar Nunn Town Clerk within 60 days of the event if a dependent becomes ineligible for coverage for any reason (e.g., divorce, legal separation, aging out, marriage, becoming eligible for Medicare at any age, etc.).

Cost of Continuation Coverage under COBRA: Employees do not have to provide evidence of insurability to elect continuation coverage. However, if continuation coverage is elected, the employee will be responsible for paying 100% of the premium rates (including any portion that the Town of Bar Nunn now pays for you). This will include an additional 2% administrative charge. Premium rates are subject to change whenever Town of Bar Nunn premiums change.

Termination of Continuation Coverage under COBRA: Continuation coverage may be terminated for any of the following reasons:

- The Town of Bar Nunn no longer provides group health coverage for its employees.
- The premium for the continuation coverage is not paid within the required time frame.
- The continuing person becomes entitled to Medicare.
- The continuing person becomes covered by another group health plan due to their employment, remarriage, etc.

NOTE: If a continuing person becomes covered by another group health plan which has a waiting period for pre-existing conditions, that person will be allowed to remain on the Town's group health plan until their new plan covers pre-existing conditions.

USE OF TOWN PROPERTY

Town property is purchased with taxpayer money for use in conducting the Town's business. Excessive use of Town property for personal reasons is unethical and, in some cases, illegal.

No employee, Department Head or Elected Official shall use or permit the use of Town property for other than official activities, and shall protect and conserve Town property, equipment, and supplies entrusted to them. Theft or misuse of Town property or services (e.g., mailing personal items, personal use of a Town vehicle, extensive use of office phone for personal calls, making personal long distance phone calls at the Town's expense, personal use of tools or supplies, using Town digital cameras, projectors and GPS devices for personal use, etc.) may be grounds for dismissal.

Employees who use or operate equipment improperly, carelessly, negligently or unsafely, may be subject to disciplinary action, up to and including discharge. In addition, employees may be held financially responsible for any loss to the Town of Bar Nunn because of such mistreatment. The examples given above do not include all possible misuse of these tools. Requests made for the personal use of Town property will be considered on a case-by-case basis by the appropriate Department Head, or Supervisor.

Town Materials and Equipment: Materials and equipment are essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Notify a Supervisor or Department Head if any equipment or 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. Questions about the maintenance and care of any workplace equipment should be directed to a Department Head or Supervisor.

Town Owned Vehicles: All travel within the state should use a Town vehicle when possible. The following is the Town of Bar Nunn policy concerning use of Town owned vehicles. This policy shall apply to all vehicles purchased with public funds allocated by the Town Council. Enforcement of this policy shall be the responsibility of the Department Heads. Violation of any part of this policy could result in the loss of the privilege. Violation of this policy may also result in personal liability to the driver.

Use of Town Vehicles:

- Town owned vehicles shall be used only for official Town business.
- The Town has the right to search any Town vehicle at any time. Therefore, employees have no reasonable expectation of privacy with respect to Town vehicles.
- Any employee operating a Town vehicle under the influence of drugs or alcohol or in an unsafe or negligent manner will be immediately terminated.
- Town vehicles shall only be used by Town employees, reserve deputies, volunteers, or other individuals that are authorized by the Department Head or Elected Official. Operators must hold a valid driver's license, be subject to a motor vehicle report check and meet the driving criteria to be authorized to use vehicles for official Town business. Violation of this policy may result in personal liability to the driver.

- If required to use a Town vehicle on the job or if allowed by management to take a Town vehicle home on an evening, weekend, or holiday, remember that the vehicle is to be used only for transportation to and from work and is not to be used for personal business.
- As a condition of continued employment, each Town employee whose job requires a valid drivers' license must notify their Supervisor prior to reporting for their next scheduled shift of their conviction of any offense that causes their license to be revoked or suspended.
- Fines for traffic or parking violations against a Town vehicle are the responsibility of the employee to whom the vehicle is assigned, unless an emergency condition exists, is justified, and approved by the Department Head or Elected Official. Traffic violations must be reported to the Department Head, Elected Official or Supervisor, and then to the Town Risk Manager.

Proof of Insurance: State law requires that any person operating a vehicle have proof of insurance. Certificates of insurance are provided for all Town owned vehicles. Employees who operate these vehicles are responsible for having this proof of insurance in their possession while operating the vehicle. Employees are responsible to pay any fine incurred for not having proof of insurance.

Vehicle Damage or Maintenance: Whenever a Town vehicle is damaged or involved in an accident, the Supervisor, Department Head or Elected Official must be notified immediately. The Risk Management Office or Town Clerk must be contacted. If an employee is involved in an accident while using a Town vehicle, the employee must immediately file a report with the local police, highway patrol, or other appropriate law enforcement agency in accordance with the law.
Information regarding the proper process for reporting an accident is located in the glove compartment of the vehicle along with proof of insurance.

If during a trip the vehicle experiences a mechanical breakdown or defect, the vehicles should be taken only to an authorized dealer for that brand of vehicle. If further assistance is needed on the road, the Road and Bridge Department should be notified during regular working hours.

Unacceptable/Acceptable Personal Use Examples:
Unacceptable:

- Taking the Town vehicle to a drinking establishment after or during work hours.
- Taking the Town vehicle on evening or weekend trips for non-Town business.
- Going home to pick up the kids or spouse to run errands.

Acceptable:

- Leaving work and stopping by the grocery store on the way home.
- Picking up or dropping off the kids on the way to or from work and only if children are in proper child safety restraint systems.

Driving Criteria Guidelines: Drivers of Town vehicles must abide by the Town of Bar Nunn Driving Criteria guidelines, in order to qualify for employment and for continued employment. Guidelines are listed in appendix #5. Driving records are verified at pre-employment and annually, for those employees assigned to drive Town vehicles or their own vehicles for Town purpose.

Town Purchased Clothing: Any clothing purchased by the Town for employees to wear at work, or on official Town business, is Town property. When an employee leaves employment, the clothing must be returned.

Leaving Employment: Upon leaving employment with the Town, all Town materials and property will be returned to the respective Elected Official or Department Head. This would include any keys, laptops, cameras, cell phones and/or cards, as necessary.

EMPLOYEE REIMBURSEMENT AND/OR PAYMENT OF TRAVEL EXPENSES

Education / Training Expenses: Continuing education which is directly job related and described as a seminar, workshop, or designations other than college credit classes must be approved by a Department Head, Elected Official or Supervisor to be reimbursable.

Travel Expenses: Department Heads, Elected Officials or employees required to travel on overnight trips for official Town business are eligible to receive reimbursement for transportation expenses, lodging expenses, meal and incidental expenses submitted according to the following sections.

Definitions:

- "Destination" means the location of the employee at midnight, or if still traveling at midnight, the location where lodging is secured.
- "Incidental expense" means fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships and hotel servants within reason.
- "Meal" means expenses for breakfast, lunch, dinner, snacks and related tips and taxes, but does not include expenses incurred for alcoholic beverages, entertainment or any expenses incurred for other persons.

Approval: All travel must be pre-approved by a Department Head, Elected Official, or Supervisor. Out-of-state travel and travel beyond a 150-mile radius of Casper or travel with a non-Town employee, such as a spouse or friend, requires a Town of Bar Nunn Travel and Credit Card Policy form signed by the employee and Department Head, Elected Official, or Supervisor.

Meal Expenses: Meals included in registration, seminar and conference fees paid by the Town on behalf of the official or employee are considered part of the meal and incidental expense reimbursement and no duplicate meal reimbursement will be allowed.

Travel for a one-day meeting, seminar, or conference not in excess of a 150-mile radius of Casper does not meet the Internal Revenue Service standards requiring an overnight stay or "substantial rest or sleep", any reimbursement made for meals incurred under such travel will be reimbursable only if you are out of Town during the lunch hour.

Employees traveling out of the Town for a period over twenty-four (24) hours shall receive an allocation for all meals and incidental expenses but said allowance shall not exceed the published federal travel regulation rates in effect at the time of travel.

Reimbursement will not be allowed for per diem or other subsistence expenses incurred on the premises of a traveler's own residence or other non-commercial establishment.

A traveler shall be allowed reimbursement for actual cost of meals in accordance with these rules but not to exceed the per diem allowance rates. When a traveler is entitled to a full day's allowance, the amount expended for any particular meal is left to the discretion of the individual, but the total for all meals in one

day shall not exceed the maximum per diem allowance. The amount claimed for meals in any one day may be shown on the Travel Expense Report in a lump sum.

Meal periods and allotted amounts are as follows:

- Half Day….$25.00
- Full Day…..$50.00

Transportation Expenses: If rented, chartered or contracted vehicle transportation is used; reimbursement is limited to reasonable rates for necessary use with official receipts submitted for audit and payment. Shuttle service or public transportation is to be used when available.

- Reimbursement for rental cars will be made only with justification, only for business use, and only with prior approval by the Department Head or Elected Official through completion and processing of the Town of Bar Nunn Travel and Credit Card Policy form. The form provides a specific section for written justification and approval for use of a rental car.

All travel within the state should use a Town vehicle when possible. If a Town-owned vehicle is used, the driver must hold a valid driver's license and be authorized to use Town vehicles for official Town business by the Risk Management Office or Town Clerk's Office. Reimbursement is limited to actual expense of fuel purchased and parking costs, if any. Fines for traffic or parking violations against a Town vehicle are the responsibility of the employee to whom the vehicle is assigned, and all violations must be reported to the Elected Official, Department Head or Supervisor, and then to the Town Risk Manager or Town Clerk.

If a personal vehicle is used, reimbursement is based on mileage allowance, otherwise known as mileage reimbursement, not to exceed the maximum nontaxable rate set by the Internal Revenue Service. The beginning and ending odometer readings are required with an approved expense report and voucher and other documentation for reimbursement. Reimbursement will consist of mileage reimbursement only and not reimbursement for fuel bought either with a Town Credit Card or personal credit card. If a Town Credit Card is used to purchase fuel for a personal vehicle used for Town business, the amount of the fuel purchase will be deducted from the amount allotted for mileage reimbursement. Employees traveling out-of-state may choose to take their personal vehicle instead of flying; the Town will reimburse for actual mileage or economy airfare to the destination Town, whichever is less. See appendix #7 for a copy of the Expense Report.

All mileage is based on the nearest practical highway route as indicated on official state maps, plus a reasonable amount of travel within the destination vicinity.

If a personal vehicle is used on Town business, the driver must hold a valid driver's license and be authorized to use Town vehicles for official Town business; it is the responsibility of the employee to maintain insurance on the vehicle. Mileage reimbursement is intended to reimburse the employee for all expenses incurred when using a personal vehicle for Town business.

Lodging Expenses: Lodging will be reimbursed or paid directly to the vendor on the basis of a single occupancy rate unless two (2) or more Town employees share accommodations.

If an employee is approved to travel with a non-Town employee, such as a spouse, any amount over the single occupancy rate will be the responsibility of the employee.

Lodging reimbursements are limited to the night preceding, the night(s) of, and in some cases the night following the seminar, meeting or conference. No reimbursement will be made for additional stays preceding the start or following the conclusion of the seminar, meeting or conference. Unless additional night's stay results in lower airfare that will create a net savings for the Town, no meals will be reimbursed during these additional nights.

If the meeting, seminar or conference is held at a facility which includes lodging or recommends other lodging facilities, lodging reimbursement will not exceed the standard room rates at such facilities.

Legal and Miscellaneous Reimbursements: Hiring legal counsel other than already retained by Town of Bar Nunn (Town Attorney, Deputy Town Attorney or Wyoming Association of Risk Management) requires the pre-approval by the Elected Official, Department Head or Supervisor and formal approval by the Board of Town Council.

Occasional, miscellaneous reimbursements such as for purchases of office supplies will be made to Town employees upon submission of itemized receipts, and with Supervisor, Department Head or Elected Officials approval.

Procedure for Reimbursement and/or Payment: In order for the Town of Bar Nunn to maintain an "Accountable Reimbursement Plan" as defined by the Internal Revenue Service and to meet requirements set forth in state statute, all claims submitted for payment or reimbursement must be properly dated and itemized and the value of each item specifically described. No payment for traveling expenses will be made unless itemized receipts for all monies expended are properly submitted. Reimbursements must be based on what was actually spent as proven by concurrent receipts. All payments made under this section will require vouchers pursuant to the requirements of Wyo. Stat. Ann. 18-3-510 signed by an authorized Department Head, Elected Official or Supervisor under the conditions of Wyo. Stat. Ann. 6-5-303 (b).

Expenses requiring pre-approval will be paid upon submission to the Town Clerk's Office of the Town of Bar Nunn Travel and Credit Card Policy form with original, required signatures with the enrollment form, seminar or conference registration or other documentation attached.

Registration fees required to be paid prior to the start of the class, seminar, conference or meeting will be paid directly to the vendor. If the employee who is approved for the expense fails to attend, he/she is responsible for reimbursing the Town for the fee unless the class, seminar, conference or meeting is cancelled by the vendor or an approved, substitute Town employee attends.

Transportation costs, such as airfare, will be reimbursed to the Town employee or paid directly to the vendor upon submission to the Town Clerk's Office of an official fare receipt by the transportation company. Any payment or reimbursement made in advance of travel will require employee reimbursement to the Town in the event the employee fails to travel in accordance with the pre-approval unless a reason for the failure is documented, substantiated and approved.

Lodging costs will be paid to the vendor or reimbursed to the Town employee upon submission of an itemized billing from the lodging facility. Costs for meals charged to the room must be substantiated by itemized meal receipts attached to the billing invoice.

Meal costs, mileage reimbursement for use of personal vehicles, and reimbursement for fuel purchased for Town-owned vehicles will be reimbursed to the Town employee upon submission of itemized receipts and mileage statements to the Town Clerk's Office attached to an expense report prescribed by the Town Clerk's Office found in appendix #7.

SEVERABILITY

If any provision of this Employee Handbook is found invalid or inapplicable by a court of competent jurisdiction, such determination shall not affect the remaining provisions. Any provisions in conflict with Federal or State law are considered as having no effect.

AMENDMENTS

The Town Council reserves the right to amend any portion of this Employee Handbook and may change any term of its policies at any time during a public meeting for any reason.

The Town Council realizes that this Employee Handbook may not specifically apply in all instances for the entire various departments and Elected Official's departments. In order to satisfy all concerns, written exceptions shall be granted to those Department Heads and/or Elected Officials needing such exceptions.

This Employee Handbook, with any exceptions granted, supersedes all prior Town, Department, Agency, and Board personnel policies and procedures.

APPENDIX

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AMERICANS WITH DISABILITIES ACT and its AMENDMENT (ADAA)

The Americans with Disabilities Act and its Amendment (ADAA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the Town of Bar Nunn to comply with all federal and state laws concerning the employment of persons with disabilities.

It is our Town policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The Town of Bar Nunn will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job.

An individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for that position as any other applicant.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace—when such threat cannot be eliminated by reasonable accommodation—will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until decision has been made in regard to the employee's immediate employment situation.

The HR department is responsible for implementing this policy, including resolution of reasonable accommodation, safety and undue hardship issues.

If you have a disability and need an accommodation to perform your job duties or to receive any regular benefit or condition of employment, you should make the request to your Department Head, Elected Official or supervisor verbally, in a written note or memo, or by using a special form. Any other person may assist in making this request.

Definitions As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to the ADAA policy.

"Disability" means a physical or mental impairment that substantially limits one or more major life activities of the individual; a record of such an impairment; or being regarded as having such an impairment. Major life activities include the following:

- In general—Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.
- Major bodily functions—A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

"Direct threat" means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

"Qualified individual" means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

"Reasonable accommodation" may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

"Undue hardship" means an action requiring significant difficulty or expense by the Town.

In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include, but are not limited to:

- The nature and cost of the accommodation.
- The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources or the impact of such accommodation upon the operation of the facility.
- The overall financial resources of the employer; the number, type and location of facilities.
- The type of operations of the Town, including the composition, structure and functions of the workforce; relationship of the particular facility to the Town.

"Essential functions of the job" refers to those job activities that are determined by the Town to be essential or core to performing the job; these functions cannot be modified.

FAMILY MEDICAL LEAVE ACT (FMLA) POLICY

The Family and Medical Leave policy of the Town of Bar Nunn shall be in accordance with Public Law 103-3 Family and Medical Leave Act 1993 and regulations as revised, effective 1-16-2009 and 10-28-2009. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Definitions For the purpose of this section only, the following definitions apply:

- **Child.** A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child shall be under eighteen (18) years of age, or older than 18 years of age if incapable of self-care because of a mental or physical disability, as described under the Americans with Disabilities Act.
- **Spouse.** A spouse is a husband or wife.
- **Parent.** A **parent** is an employee's biological parent, or someone who stood in loco parentis (in place of a parent) to an employee.
- **Serious health condition.** An illness, injury, impairment, or physical or mental condition that involves inpatient care at a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.
- **Health care provider.** A Doctor of Medicine or osteopathy who is authorized to practice medicine or surgery in the State of Wyoming, or state of residence of the afflicted family member(s).
- **Exigency leave.** An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty, or who is already on active duty, may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) childcare and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities, and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave. *The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.)
- **Military caregiver leave (also known as covered service member leave).** Time taken to care for an ill or injured service member. This leave may extend to up to 26 weeks in a single12-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.
- **Key employee.** Are defined by the FMLA as salaried, eligible employees who are among the Town's highest paid 10 percent of all workers within 75 miles of the facility where they are employed.

Eligibility Employees must have been employed by the Town of Bar Nunn for at least twelve (12) months and have worked at least 1,250 hours in those 12 months preceding the date the employee is seeking to

begin Family and Medical Leave. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Under this policy, the Town of Bar Nunn will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12- month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Types of Leave Covered To qualify as FMLA leave under this policy; the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for the newly placed child.
- To care for a spouse, child or parent with a serious health condition(described above).
- The serious health condition (described above) of the employee.
- Exigency leave for families of service members (described above).
- Military or service member caregiver leave (described above).

FMLA Leave Time Availability An eligible employee can take up to 12 weeks for the FMLA circumstances (i) through (v) above under this policy during any 12-month period. The Town will measure the 12-month period as a rolling 12-month period from the date an employee uses any leave under this policy. Each time an employee takes leave, the Town will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (vi) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the Town will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the Town and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in- law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the Town and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Employee Benefits During Leave Taking leave under this policy shall not result in a loss of benefits. The Town will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If the employee’s spouse or family is covered by the Town’s health insurance plan, the Town shall continue to provide health insurance during FMLA leave on the same basis as during regular employment. After the paid leave is exhausted, the employee must then make arrangements with the Town Clerk to make their premium payments for the remaining unpaid portion.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Town will require the employee to reimburse the Town the amount it paid for the employee's health insurance premium during the leave period.

When your circumstance qualifies for FMLA, you may not first use your accrued leave and then start FMLA leave. These two types of leave run concurrently – you are required to use them at the same time.

Employee Status After Leave An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The Town may choose to exempt certain key employees from this requirement and not return them to the same or similar position. Key employees are not excluded from FMLA coverage, but at the end of the leave the Town may deny the employee restoration to their job if restoration would cause "substantial and grievous economic injury" to the Town.

Employee Using Paid or Unpaid Leave An employee who is taking FMLA leave because of the qualifying reasons above, (i) through (v), must use all paid vacation, sick leave and compensatory time prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.
An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation sick leave and compensatory time leave prior to being eligible for unpaid leave.

An employee using FMLA military caregiver leave, (vi) above, must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the Town's sick leave policy) prior to being eligible for unpaid leave.

Intermittent Leave or a Reduced/Restricted Duty The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The Town may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. Instances where intermittent leave may be necessary include when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition, or to care for a child after birth, or placement for adoption or foster care. If an employee is unable to return to full duty work, but is able to return to work in a restricted duty capacity, the time spent performing "light duty" work doesn't count against an employee's FMLA leave entitlement.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the Town before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

Certifications The Town may require certification for any of the above, (i.) through (vi.), circumstances that may qualify for FMLA leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labors (DOL) Certification forms as follows:

- DOL Certification of Health Care Provider for Employee's Serious Health Condition (http://www.dol.gov/esa/whd/forms/WH-380-E.pdf)
- DOL Certification of Health Care Provider for Family Member's Serious Health Condition (http://www.dol.gov/esa/whd/forms/WH-380-F.pdf).
- DOL Certification of Qualifying Exigency for Military Family Leave (http://www.dol.gov/esa/whd/forms/WH-384.pdf).
- DOL Certification for Serious Injury or Illness of Covered Service member (http://www.dol.gov/esa/whd/forms/WH-385.pdf).

The Town has the right to ask for a second opinion if it has reason to doubt the certification. The Town will pay for the employee to get a certification from a second doctor, which the Town will select. The Town may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Town will require the opinion of a third doctor. The Town and the employee will mutually select the third doctor, and the Town will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Recertification The Town may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the Town receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the Town may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The Town may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

Procedure for Requesting or Being Designated Under FMLA All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Elected Official or Department Head who is then responsible for providing the employee with the Town "FMLA leave of Absence Request Form." When the need for the leave is foreseeable, the employee must provide the Town with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Town's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice or the Town has become aware of a qualifying event for FMLA leave, the Elected Official or Department Head will then complete and provide the employee with the Town "FMLA Notification Letter" and "Notice to Employees of Rights under FMLA." Town of Bar Nunn must, according to law, designate FMLA leave for an eligible employee with or without an employee request, and give notification to the employee the leave will be counted as FMLA leave.

Return from Leave Upon return from leave, an employee may resume his or her job, consistent with pertinent law and depending upon his/her ability to perform the essential functions of the job, with or without reasonable accommodation. The employee may be required to provide a doctor's release or fitness test to return back to work.

When an employee has exhausted their twelve (12) weeks of FMLA leave, the Elected Official or Department Head will contact the employee to discuss the employees ability to perform the essential functions of his/her position with or without reasonable accommodations. If, in the Town's determination, the employee is not able to perform those functions, a recommendation for termination from their current position will be made to the Elected Official or Department Head. If an employee fails to return to work on the first workday following the expiration of their FMLA leave entitlement, their employment with the Town may be terminated.

Couples Employed by the Town If a married couple works for the Town and they request leave for the birth, adoption or foster care placement of a child, to care for a new child, or to care for a sick parent, the total annual FMLA leave available to them as a couple for those purposes is twelve (12) weeks. This limitation does not apply however, to leave taken by either spouse to care for the other who is seriously ill and unable to work, to care for a child with serious health condition, or for the employees own serious illness.

Leaves Related to Pregnancy If an employee takes leave for the disability phase of pregnancy or childbirth while they are physically unable to work, this time shall be counted against their annual twelve (12) week FMLA leave allowance. For example, if an employee takes six (6) weeks of FMLA leave for the disability phase of pregnancy, they are entitled to only six (6) weeks of FMLA leave after childbirth to care for their new child. If an employee is eligible for FMLA leave to care for the child, their time off shall be counted against both the employee's and the child's FMLA entitlement.

ALCOHOL AND DRUGS DRUG FREE WORKPLACE POLICY

Employees of the Town of Bar Nunn are the most valuable resource and, therefore, their health and safety are a serious concern. This policy has been developed to provide a clear set of rules and procedures to provide a drug-free workplace for Town employees. This policy is consistent with the provisions of the drug-free workplace Act of 1988, which was signed into law in November 1988. The intent of the policy is to promote a work environment free from the effects of drugs and alcohol by:

- Screening applications for public safety and other at-risk Town positions.
- Providing for a screening of substances when a supervisor has reasonable suspicion that an employee is impaired by drugs or alcohol.
- Requiring appropriate discipline for employees who violate Town of Bar Nunn policies on the use and/or the distribution of controlled substances at the work site.

Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. Town of Bar Nunn Government and its employees share a commitment to create and maintain a drug-free workplace. It is not the Town's intent to intrude into the private lives of employees. However, the effect of drug and alcohol abuse on safety and work quality require a drug-free workplace policy.

The Town has a dual responsibility – provide a safe, healthful workplace for its employees and protect the safety and health of the public. So, a Town employee under the influence of illegal drugs creates a potentially dangerous situation not just for other Town employees but for the public as well. To help prevent such a situation from occurring, the Town established a Drug Free Workplace Policy. The policy states that:

- The abuse of drugs, including alcohol, by Elected Officials, Department Heads, employees or contract personnel is unacceptable because it adversely affects health, safety, security and productivity as well as public confidence and trust.
- Use, swallowing, inhaling, injecting, attempt to possess or use, manufacture, distribute, dispense, or participate in the transfer, sale, offering, or possession of unauthorized alcohol, illegal drugs, prescription drugs, or other controlled substances while on the job or on Town premises is dangerous and is absolutely prohibited at the workplace.
- Employees who are off duty and have been drinking or under the influence of drugs are obligated to refuse any emergency calls.
- It is a violation of Town policy for any employee to report to work under the influence of or while possessing in his or her body, blood or urine, illegal drugs in any detectable amount.
- It is a violation of Town policy for any employee to report to work under the influence of or impaired by alcohol.
- It is a violation of Town policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a

purpose other than as prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

- As a condition of employment, Town employees must abide by the drug free workplace policy.
- Violation of any element of this policy shall result in disciplinary action up to and including termination.

All employees are responsible for their own compliance with the Drug Free Workplace Policy and with all related federal, state, and local laws and regulations. The Town Clerk is responsible for dealing with violations or related matters by employees. Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor, Department Head, Elected Official or the Town Clerk without fear of reprisal.

It is the responsibility of Town of Bar Nunn' supervisors, Department Heads and Elected Officials to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug or alcohol problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment with the Town of Bar Nunn.

The Town of Bar Nunn offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. Employees are encouraged to use this resource file, which is located in the Town Clerk's office. In addition, we will distribute this information to employees for their confidential use.

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative – depending on the determination of the observed impairment – and accompanied by the supervisor or another employee if necessary. A drug and alcohol test will be required. An impaired employee will not be allowed to drive.

Law enforcement personnel drug testing policy. The Police's Department has a separate drug use and drug testing policy which has been communicated to those affected by the policy.

Definitions

- Under the influence – For use in this policy the term "under the influence" means the use or misuse of any drug or controlled substance, or alcohol that result in a positive drug/alcohol test.
- Illegal drugs - As used in this policy, the term "illegal drugs" means a controlled substance included in Schedule I or II, as defined by section 802(6) of Title 21 of the United States Code, and as further defined in Regulation 21 CFR 1308.11- 1308.15, the possession of which is unlawful under Chapter 13 of that Title or the Wyoming Controlled Substances Act, Wyoming Statutes Sections 35-7-1001 through 35-7-1060. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law, however, it does include: (1) any drug which is legally obtainable but has not been legally obtained by the employee; (2) any prescribed drug not legally obtained by the employee; and (3) any prescribed drug not being used for the prescribed purpose or not being used at the prescribed dosage. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.
- Convictions - For use in this policy "convictions" means a finding of guilt (including a plea of nolo contendere), diversion or imposition of sentence or any combination of these, by any judicial body charged with the responsibility to determine violations of the Federal of State criminal drug statutes.
- Reasonable Suspicion - For the purpose of this policy, "reasonable suspicion" means a suspicion based on objective facts significant enough to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, slurred speech, the odor of alcohol, problems with physical balance or other erratic conduct indicative of impairment may be examples of "reasonable suspicion" situations.

A consequence of violating the Town's Alcohol and Drug Policy may include automatic dismissal.

Required Types of Substance Abuse Testing

Pre-employment Effective on the date of approval, the Town will require pre-employment drug and alcohol screening to all applicants who have received a conditional offer of employment. Current screening will be conducted by urinalysis, but may be conducted by blood testing, saliva testing or other reliable methods which might evolve in the future. The Town will be responsible for testing methods and procedures. Changes to this policy will cover any new changes required by Department of Transportation regulations for Commercial Driver's License (CDL) holders and for those in safety sensitive positions. (Amended May 6, 2014, by Resolution 17-14).

After a conditional offer of employment and before an employee is hired, or, if the applicant has begun employment, the applicant's employment shall be immediately terminated if a positive test result is found. The conditional offer shall be withdrawn if the test indicates a positive result or if the testing facility staff, physician, or lab personnel believe the sample was tampered with or altered.

Town of Bar Nunn will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or abuse of alcohol, preventing employees from performing their jobs properly, that Town of Bar Nunn will not tolerate.

Suspected Impairment/Reasonable Suspicion When there is reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol. Among other things, such reasonable suspicion may be based upon, but not limited to, the following:

- Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- A report of substance abuse provided by a reliable and credible source;
- Evidence that an individual has tampered with any substance abuse test during his or her employment with Town of Bar Nunn;
- Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on Town of Bar Nunn' premises or while operating Town of Bar Nunn' vehicles, machinery or equipment;
- Presence of observable symptoms consistent with drug or alcohol use; including but not limited to, glassy or bloodshot eyes, alcohol odor, slurred speech, poor coordination and/or reflexes;
- Involvement in an on-duty accident or incident. Town employees who are involved in an on-duty accident or incident resulting in any of the following shall be subjected to drug and/or alcohol testing;
- Loss of life;
- Employee injury or injuries to others requiring medical treatment away from the place of the accident or incident. Provided however, this specific provision shall not apply to a sworn police officer who is the only individual injured;
- Damage, estimated to be greater than or equal to $1,000.00, to property or vehicles while operating a Town vehicle;
- Employee cited at the time of the accident/incident by a state or local law enforcement officer for a moving traffic violation; or
- Any factor, from which it is reasonable to infer that further investigation of the accident or incident, or the employee's behavior, is warranted.

Supervisors shall reasonably detail, in writing, the specific facts, symptoms, and/or observations, as well as any corroboration, which formed the basis for their determination that reasonable suspicion existed. This documentation shall be on the backside of the "Consent to Test and Release of Information" form, available through the Town Clerk, or on a separate piece of paper attached to the consent form. In addition, this documentation is to be forwarded to the Department Head or Elected Official and the Town Clerk.

The facts and documentation underlying the determination of reasonable suspicion shall be disclosed to the employee at the time the demand for testing is made.

An employee, pending a drug/alcohol test, shall be temporarily removed from his or her job duties pending an investigation, and shall be placed on unpaid administrative leave until the results of the drug/alcohol tests are received. The employee shall not be allowed to drive to or from the testing site, and the employee will be escorted to the testing facility and home by the supervisor, Department Head, Elected Official and/or the Town Clerk. Employees who are required to submit to drug and/or alcohol testing due to reasonable cause will not be allowed to drive Town vehicles until they have been released to do so by the Town Clerk.

If an alcohol test is not administered within eight hours or if a required controlled substance test is not administered within thirty-two hours of the determination of its necessity, attempts to administer such test shall be abandoned and the reasons why the test was not administered shall be documented. Copies of this documentation shall be supplied to the Town Clerk and maintained in a secure file.

Post-Accident The Town will conduct drug and alcohol screens for all employees involved in an accident while in the line of duty, when one of the following circumstances exists:

- If the accident involved loss of human life;
- Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene or the accident;
- If the driver received a citation under State or local law for a moving traffic violation;
- One or more motor vehicles incurring disabling damages as result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle; or
- Town equipment or property is damaged.

All exceptions must be authorized by the immediate supervisor in consultation and agreement with the Town Clerk, or his/her designee at the time of accident.

Searches Employees and their personal property may be searched when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Employees are expected to cooperate fully.

Refusal to Test Any employee who refuses to consent to drug or alcohol testing as required under this policy, tampers with a sample, or otherwise violates this policy may be placed on leave with or without pay until an appropriate corrective action is determined provided, however, that refusal to consent to testing is considered grounds for termination of employment.

Review of Drug Test Results The Town will not rely on a positive drug test unless the confirming drug test results have been reviewed by a (Drug Test Policy Coordinator designated by the Town. The Drug Test Policy Coordinator shall be a licensed physician or doctor of osteopathy. The Drug Test Policy Coordinator shall review all confirmed positive drug results and interview individuals tested positive to verify the laboratory report. The Drug Test Policy Coordinator shall contact the employee within 48 hours of receiving the test results and offer an opportunity to discuss the confirmed test result. The Drug Test Policy Coordinator will inform the employee that he or she has 72 hours to request a retest of the sample. A retest is an analysis of an aliquot of the original sample. The retest will be performed by a laboratory approved or certified by the Substance Abuse and Mental Health Services Administration or of the employee's choice. The employee will be responsible for the cost of the retest and will be reimbursed by the Town only if the sample comes back negative. If the Drug Test Policy Coordinator determines that there is a legitimate medical explanation for the positive test result, the Drug Test Policy Coordinator shall report the test as negative. Tests results that have been caused by legitimate use of prescription medication will be reported as negative.

The Town Clerk or his/her designee shall inform an employee's supervisor of a confirmed positive test result.

Confidentiality of Results and Records Retention The Town Clerk or her/his designee shall maintain records of alcohol, controlled substance, and drug misuse in a secure location with access restricted to the employee, the Town Attorney, the Town Clerk, the employee's supervisor, Department Head or Elected Official. The following records shall be retained for five years:

- Records of alcohol test results showing blood alcohol content.
- Records of verified positive controlled substance/drug test results.
- Documentation of refusals to take required alcohol or controlled substance/drug tests.
- Consent to test and release information forms.

The employee's test results shall be available for inspection by the employee. Records relating to an employee's drug/alcohol testing or misuse of drugs/alcohol may be used and disclosed in any and all termination or disciplinary actions or proceedings by the Town. Such records shall not be released to other third parties without the employee's consent absent a court order.

The confidentiality of an employee's drug/alcohol testing and the records related thereto shall be waived for purposes of hearings and further proceedings if the employee appeals his/her termination, or brings or commences an action against the Town in any court or administrative agency which is based on, or in any way related to the employee's drug/alcohol test. The Town shall have the right to disclose and use the employee's drug/alcohol records and documentation only in the defense of, and in the course of any such appeal, court, or administrative action.

Prescription Drugs or Over The Counter – Medications You must not use or take prescription drugs above the level recommended by your prescribing physician and must not use prescribed drugs for purposes other than those for which they are intended. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees who are under a physician's care and taking

medication that may affect their ability to work safely are responsible for informing their supervisor, Department Head or Elected Official of their condition before beginning work.

If an employee is taking a prescribed medication that may impair their ability to perform job functions safely and efficiently, the employee is required to provide their supervisor, Department Head or Elected Official prior notice of such use, and may be requested to obtain documentation from their physician confirming their ability to perform the functions of their position while taking the prescribed medication safely and efficiently. An employee who is unable to perform their position safely and efficiently due to a prescribed medication may be entitled to paid or unpaid leave under other Town policies.

Supervisors and Employee Training Employees with questions arising under this policy may contact the Town Clerk. Also, the Town Clerk can provide employees with educational materials regarding drug and alcohol use, treatment and rehabilitation. Employees may be eligible for paid or unpaid time off for the purposes of obtaining such treatment.

To inform employees about important provisions of this policy, Town of Bar Nunn has established a Drug-Free Workplace class. The class identifies the hazards of drugs and alcohol use in the workplace, identify the symptoms that may indicate drug or alcohol use in the workplace, discuss drug testing, how it works and its' role in a drug-free workplace, and re-view of Town of Bar Nunn drug policy.

Testing Costs The Town will pay the costs of all drug tests to which the Town requires an employee to submit. Any additional testing requested by the employee will be at that employee's expense.

Rehabilitation Programs There are currently a number of Drug and Alcohol Rehabilitation facilities in Natrona County and a list of current providers is available in the Town Clerk's office.

Voluntary Rehabilitation Town of Bar Nunn intends to provide a drug-free environment for all its employees. Alcohol and drug addiction are illnesses, which, under many circumstances, can be successfully treated. The Town encourages any employees with an alcohol or drug dependence problem to voluntarily enter a rehabilitation program.

If an employee self-discloses a drug and/or alcohol problem to their Department Head and/or the Town Clerk before being suspected of being under the influence of drugs or alcohol, or before being selected for a random test for drugs/alcohol pursuant to this policy, no disciplinary action will be taken against the employee for the act of self-disclosure. Such an employee will be advised that he or she may access the Family Medical Leave Act (FMLA) policy to seek help from a substance abuse professional.

Any employee who feels that he or she has developed a problem, addiction, or dependency on a drug, including alcohol, is encouraged to seek assistance.

Employees Driving Town Vehicles Those employees chosen for employment (or employed) in Town positions for which driving a Town vehicle or Town equipment is required, may be subject to drug testing as: pre- employment, reasonable suspicion, and post-accident. Those positions requiring a Commercial Drivers' License are subject to provisions of the regulations of the United States Department of Transportation. Compliance with the minimum requirements of the U.S. Department of Transportation and its minimum consequences does not guarantee an employee will be returned to work following a violation of Town of Bar Nunn Policy. Employees driving Town vehicles are required to maintain an acceptable driving record and a valid driver's license. Any Town driver whose status is in violation of the Town of Bar Nunn Safety Manual driving record criteria guidelines, and/or whose driver's license becomes suspended or revoked, may not drive any vehicle on Town business, and may be subject to duty reassignments, discipline or termination.

Disciplinary Action The Town may take disciplinary action when an employee's job performance is impaired because they are under the influence of drugs or alcohol on the job. The Town may also discipline or terminate an employee who reports for duty or works under the influence of alcohol or controlled substances.

Disciplinary action shall at all times be appropriate to the infraction committed and generally progressive in nature. However, some conduct may be serious enough to warrant more serious discipline without progression. Actions which may be considered to warrant disciplinary action, are illegal use of drugs or being under the influence of illegal drugs while on duty or at the workstation. Employees that have failed or refused a drug or alcohol test and put on probation will be subject to follow-up testing scheduled by the drug testing lab throughout the term of the employee's probation period.

The Town shall notify all state and federal grantors/contracting agencies of such employee convictions as required by the federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

Access to Policy The Town shall attempt to distribute to all present employees a copy of this policy. Additional copies of this policy are available upon request to the Town Clerk. By continuing to work, the employee agrees that he/she will abide by the policy as a condition of employment.

Testing Procedures

1. Employees shall sign a "Consent to Test and Release of Information Form," located in the Town Clerk's office, allowing the breath, hair and/or urine test to take place and permitting release of test results to the Town and for the Town's use in any and all employment disciplinary or termination actions or proceedings.
2. Employees, who refuse to sign the form, to be tested, or to otherwise cooperate in the testing process, shall be deemed to have tested positive and a recommendation for termination of employment shall be made.
3. Testing for drugs and alcohol and test sample verification shall be performed by certified personnel selected by the Town. The test specimen for alcohol will consist of a breath sample. The test specimen for drugs shall be urine or other means deemed necessary.
4. Confirmation for a positive alcohol test shall be done by a second breath test. The employee may request, at their expense, a blood test as confirmation.

5. Confirmation for a positive drug test shall be by testing the urine specimen that tested positive, on the initial screen, by using a technologically different method from the initial screening method, such as gas chromatography/mass spectrometry. All positive drug test results shall be reviewed and interpreted by the Town's appointed Drug Test Policy Coordinator before they are otherwise reported to the employer. If the testing laboratory reports a positive result to the Drug Test Policy Coordinator, the Drug Test Policy Coordinator shall contact the employee, in person or by telephone, and shall conduct an interview to determine if there is an alternative medical explanation for the drugs found in the employee's urine specimen. If the Drug Test Policy Coordinator determines that there is a legitimate medical use of the prohibited drug, after taking whatever steps may be necessary to determine the same, the drug test result shall be reported as negative to the employer.
6. Each test specimen for drug testing shall be subdivided into two bottles labeled as a "primary" and a "split" specimen. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of a controlled substance, the employee, at her/his expense, has 72 hours to request the split specimen be sent to another certified laboratory for analysis. The employee will be reimbursed if the confirmation shows a negative result. The Drug Test Policy Coordinator initiates this procedure.
7. The Town shall pay the cost of all tests, which it requires. If an employee is required to submit to an examination or test, or await test results (except for reasonable suspicion testing) the employee shall be paid his or her normal rate of pay during the testing and waiting period.
8. In the event that an individual to be tested for drugs appears unable to provide a urine specimen at the time of the test, he or she shall be permitted no more than three (3) hours to give a specimen, during which time the individual shall remain in the testing area, under observation. The individual shall be given no more than 40 ounces of water to drink over the course of the three hours. Whenever there is a reason to believe that a specimen may have been altered or a substitution made, a second specimen shall be immediately provided by the employee. The testing facility will provide documentation to the Town Clerk explaining the reasons for a second specimen. Failure to submit a specimen shall be considered a refusal to submit to a drug and/or alcohol test unless a physician provides a documented medical reason. A refusal to submit to the drug/alcohol test shall be deemed to be a positive test and a recommendation for termination shall be made.
9. The Town Clerk or his/her designee shall be advised of the results of the drug and/or alcohol test by the Drug Test Policy Officer.

DONATION OF PAID TIME OFF FORMS

DONOR INFORMATION:

Name:	Employee ID#:
Department:	Position:

Per the Town policy, the following employee has exhausted all personal leave available and has qualified to receive donation of annual sick leave from another Town employee as the result of a family health related emergency or other personal crisis.

RECIPIENT INFORMATION:

Name:	Employee ID#:
Department:	Position:

THIS SECTION IS FOR THE DONOR OF LEAVE:

I request to donate [00] hours of PTO to the above listed employee. I understand this leave will not be returned to me unless the donor is in excess of what is needed by the recipient.

Employee (donor) Signature Date

****

THIS SECTION REQUIRES DEPARTMENT HEAD APPROVAL:

I certify that the employee-donating sick leave has the minimum of 240 hours of accrued sick leave and has not donated more than 40 hours in a one-year period per Town policy.

☐ ***Sick Leave*** ☐ ***Vacation Accrual*** ☐ ***Comp-Time Bank*** ☐ ***Administration Leave***

Department Head of donor Signature Date

The completed form will be returned to the Human Resource Officer and sick leave will be adjusted for the employees listed above.

A copy of this form will be kept in the personnel files of applicable employees.

TOWN OF BAR NUNN, WYOMING, COMP TIME ACCRURAL FORM.

I_____, am familiar with the Town of Bar Nunn's Comp Time policy. I have made the following decision regarding comp time that I may accrue, and I understand that I may change this at any time. I understand that I can choose to accrue compensation time. My understanding is:

- Comp Time is available to qualifying municipal employees of the Town of Bar Nunn at the rate of one and one-half hours of compensatory time for each hour of overtime worked.
- Employees may accrue up to 240 hours of compensatory time (160 hours actual overtime worked), unless employed in public safety. Public safety activities, emergency response activities and seasonal activities may accumulate up to 480 hours of comp time (320 hours actual overtime worked).
- An employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a 'reasonable period' after making the request if it does not 'unduly disrupt' the operations of the agency."
- An employee has a right to use the compensatory time earned and must not be coerced to accept more compensatory time than an employer can realistically, and in good faith, expect to be able to grant.
- An employee may choose to trade his comp time for overtime compensation at the legal rate. This determination must be made biannually by the employee. No more than 50 hours of comp time may be exchanged for overtime pay biannually by any one employee.
- No more than 40 hours of comp time may be accrued biannually, and no more than 80 hours in a year, at which point an employee must receive overtime compensation at the legal rate.

Having read the policy, I am making the following election regarding comp time (choose only one):

1. I choose to receive compensation rather than comp time_____

2. I choose to accrue compensation time, providing that it does not exceed 240 hours_____

Dated this _____day of _____20__

_____
Printed name_____

Town of Bar Nunn, Wyoming Department head Employment Agreement

THIS AGREEMENT, signed this ____ day of _____, 20____between the Town of Bar Nunn, Wyoming, a municipal corporation organized under the laws of the State of Wyoming and _____, Department Head for the Town of Bar Nunn, (hereinafter "Department Head") for the _____Department (hereinafter "Department").

RECITALS

WHEREAS, The Town of Bar Nunn, Wyoming, in order to preform its role as a municipal corporation, has formed departments in order to do the same; and

WHEREAS, The Town of Bar Nunn, Wyoming, seeks to employ and retain capable individuals to oversee the various departments of the Town government; and

WHEREAS, Employing and retaining qualified individuals necessarily means recruiting and retaining individuals for an extended period of time in order to attract and retain the same, and to preserve institutional memory for service to the Town of Bar Nunn; and

WHEREAS, It is recognized that Department Heads for the Town must, by nature of their employment, possess professional and managerial skills that are unique to their departments, and must, further work hours that are different than regular employees; and

WHEREAS, WS Sec. 15-2-102 provides, as to Towns:

15-2-102. Officers; election, appointment and removal; conditions for appointive office or position.

(a) The officers of a town are a mayor and four (4) councilmen, all of whom shall be elected. **Unless otherwise provided by ordinance, the clerk, treasurer, marshal, attorney, municipal judge and department heads as specified by ordinance shall be appointed by the mayor with the consent of the governing body and may be removed by the mayor for incompetency or neglect of duty.** All other appointments, except the appointment of members of a board or commission, and removals shall be made by the mayor without consent of the governing body, unless consent is required by separate statute. The governing body shall determine the method of appointing members of a board or commission, unless the method of appointing such members is specified by separate statute.

(b) The governing body, by ordinance or resolution, may specify conditions for any office or position to which a person is appointed under this section including:

(i) Level or range of salary;

(ii) A description of the duties and responsibilities of the office or position;

(iii) Term of appointment;

(iv) Requirements for:

(A) Promotion;

(B) Suspension; and

(C) Hearing of appeals from decisions of the mayor to remove or discharge an appointee other than members of a board or commission, after which the governing body may affirm, modify or reverse the mayor's decision; and

(v) Other mtters which are part of the personnel policies of the town.

And provides as to Town's at WS Sec. 15-3-204

15-3-204. Appointed officers; removal; conditions for appointive office or position.

(a) **Unless otherwise provided by ordinance, the clerk, treasurer, engineer, attorney, fire chief,**

police chief, municipal judges and department heads as specified by ordinance shall be appointed by the mayor with the consent of the governing body and may be removed by the mayor. All other appointments, except the appointment of members of a board or commission, and removals shall be made by the mayor without consent of the governing body unless consent is required by separate statute. The governing body shall determine the method of appointing members of a board or commission, unless the method of appointing such members is specified by separate statute. The mayor has the power to remove any officer appointed under W.S. 15-1-101 through 15-10-117 for incompetency or neglect of duty.
(b) The governing body, by ordinance or resolution, may specify conditions for any office or position to which a person is appointed under this section including:
(i) Level or range of salary;
(ii) A description of the duties and responsibilities of the position;
(iii) Term of appointment;
(iv) Requirements for:
(A) Promotions;
(B) Suspension; and
(C) Hearing of appeals from decisions of the mayor to remove or discharge an appointee other than members of a board or commission, after which the governing body may affirm, modify or reverse the decision of the mayor; and
(v) Other matters which are part of the personnel policies of the Town.
WHEREAS, The Governing body of the Town of Bar Nunn wishes to create a situation in which department heads can only be removed by the mayor with the approval of the town council and, moreover, restricts the removal of a department head that occurs within the first year of the election or appointment of a new mayor so as require a hearing before that removal, which in that cause may only be for cause, including incompetency, neglect of duty, or negligence is effective; and
WHEREAS, This modifies those provisions which are found in State Statute and, accordingly are undertaken pursuant to the self-rule provisions of the State of Wyoming in regard to municipalities.
AGREEMENT
NOW, THEREFORE, in exchange of the covenants and provisions set forth below, the parties Agree as follows:

1. **Employment and duties.**

The Town hereby employs the Department Head and the Department Head hereby accepts such employment for the terms and compensation provided in the following provisions of this Agreement. The Department Head agrees that Department Head will perform to the Town's satisfaction, such reasonable duties as may from time to time be determined by and assigned to Department Head by the executive management of the Town, and that the Department Head further warrants that Department Head has been advised of the nature of Department Head's duties and agrees to the same. If an addendum describing Department Head's duties are attached hereto, Department Head agrees that said addendum accurately describes Department Head's Duties.
The Department Head represents that Department Head has the necessary and adequate competency and ability to perform the duties as may be assigned to Department Head by the executive management of the Town. The Department Head also expressly agrees as a condition of Department Head's employment during the term of this Agreement that Department Head will devote Department Head's entire assigned working time, energies and skill to the exclusive service of the Town and to the satisfactory performance of Department Head's duties in the course of the Town's interests and agrees to accept and perform such other reasonable duties that may be assigned to Department Head from time

to time by the executive management of the Town. Town agrees that Department Head may have outside businesses and duties, including those of elective office, provided that they do not interfere with Department Head's duties for the Town.
The Town may offer special training in techniques and methods and management, and the Town may publicize the Department Head's association with the Town and if appropriate, the fact that the Department Head has such special training or other qualifications.
The Department Head agrees to work an average of 40 hours per week. The Department Head understands that due to the nature of his employment, hours will vary from one week to the next and from day to day.

2. Compensation

Compensation for Department Head's services shall be the initial amount of $_____per annum, plus such further regular and ordinary benefits extended to employees of the Town of Bar Nunn, as provided by the Town Council from time to time.
Payment for professional services will be paid in monthly installments in the manner and on the timetable in which the Town's payroll is customarily handled. Payment will be made no less frequently than monthly.
The parties to this Agreement further provide that the Town Council for the Town of Bar Nunn may, from time to time, by resolution, raise the aforementioned compensation without the necessity of this Agreement being re-executed, and that the amount then set by the Town shall be considered the contractual compensation amount.

3. Term

The term of this Agreement shall be five years from the date of execution, providing however that should the term expire during an election year, the term shall automatically extend for one full year into the following year.
No less than thirty days prior to the expiration date of this Agreement, the Town of Bar Nunn shall provide to Department Head a new agreement. Should the Town choose or fail to do so, this Agreement shall be deemed to have been extended by the parties for an additional five-year term, provided however at no point shall the Agreement be read to have caused a reduction in compensation by operation of its extension.
No Agreement shall be presented to Department Head which contains terms that substantially depart from those contained in this Agreement except as authorized by the Town Council of the Town of Bar Nunn, Wyoming.

4. Separation

A. Modified At Will Status.

The Town of Bar Nunn utilizes an at will employment system for its employees. In recognition that longevity and security of position are necessary for the effective administration's departments, this agreement modifies the at will arrangement, but only to the extent which is specifically set forth herein.

B. Involuntary Separation.

Department Heads can only be involuntarily separated from employment with the Town of Bar Nunn, Wyoming by initiation of the Mayor with approval of the Town Council. Should the Mayor be within the first year of the Mayor's having been elected or appointed, such removal may only be for cause, including incompetency, neglect of duty or negligence, and which only becomes effective following a hearing on the same. The hearing in such an instance shall be before one council member designated by the Town Council, one Department Head chosen by the Department Head who is sought to be terminated, and the Town's Municipal Judge.

C. Voluntarily Separation.

Except in the case of an emergency justifying a departure from this provision, Department Heads can choose to separate their employment with the Town of Bar Nunn after providing (30) thirty days' notice of their intent to do so. During that (30) day period, Department Heads shall remain in their employment and assist the Town in finding a replacement for the Department Head.

Examples of such voluntarily separations are voluntarily retirement by Department Head and voluntary separation by the Department Head.

Department Heads are encouraged to provide as much notice of their intent to voluntarily separate their employment as is practicably possible.

D. Nothing in this agreement is intended to bind Department Head to a term of months or years for which Department Head must serve, but rather to provide for security of Department Head's position for the effective administration of the Town's departments.

5. Variance from Town of Bar Nunn Handbook

The parties to this Agreement warrant that where this Agreement varies from the provisions of the Town Handbook for the Town of Bar Nunn, this Agreement shall be controlling. This shall be the case irrespective of the edition or version of the handbook which is in place either at the time that Department Head first entered into this agreement, or what edition or version of the handbook may be in place at any time thereafter.

6. Waiver

A waiver by either party or a breach of any provision of the Agreement shall not operate as or be construed as a waiver of any subsequent breach thereof.

7. Entire Agreement

This Agreement constitutes the entire agreement between the parties hereto with respect to the employment of the Department Head by the Town and no change in the terms hereof shall be binding unless in writing and duly executed by the parties hereto. Should any part of this Agreement be determined to be void by a competent judicial or legislative authority, the remainder hereto shall remain valid and enforceable.

Should addendums to this Agreement exist, the same are noted here, and are incorporated herein:

8. Governing Law

This Agreement shall be governed by the laws of the State of Wyoming.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate on the ___ day of _____, 20___.

TOWN:

_____

_____

_____

By: ___

DEPARTMENT HEAD:

_____

_____

_____

ATTACHMENTS
Note any attachments to this Agreement here.

TOWN OF BAR NUNN
UNACCEPTABLE DRIVING RECORD CRITERIA

Town of Bar Nunn shall not permit any of their Employees, Volunteers, Department Heads or Elected Officials to operate a motor vehicle in the course and scope of their duties for that entity if the employee, volunteers, department head or elected officials MVR, driving record information, reflects any of the following unacceptable driving criteria:

1) Three (3) or more on-duty or off-duty moving violations, on-duty, or off-duty at-fault accidents within the previous 36 months (three separate, individual incidents);

2) Two (2) or more on-duty or off-duty moving violations, on-duty, or off-duty at-fault accidents within the previous 12 months (two separate, individual incidents); or

3) An Administrative Suspension of a drivers' license, a conviction, or any form of deferred prosecution, within the previous 36 months. The following are examples of violations which may result in an administrative suspension, conviction or deferred prosecution:

    a) Driving under the influence of drugs or alcohol;

    b) Leaving the scene of an accident;

    c) Fleeing to avoid arrest;

    d) Reckless Driving;

    e) Homicide or assault by motor vehicle; and

    f) Driving without auto insurance [only for employees driving personal vehicles for Town business].

If a department head or elected official permits one of their employees, volunteers to operate a motor vehicle in the course and scope of their duties in violation of the unacceptable driving criteria listed above, the LGLP Board may modify the Town of Bar Nunn liability coverage by eliminating liability coverage for future occurrences arising out of motor vehicle accidents involving an employee, volunteer or elected official that meets any of the unacceptable driving criteria.

TOWN OF BAR NUNN
TRANSPORTATION REQUEST FORM

All trip requests need to be received by the Town Clerk's office five (5) days prior to trip date.
Person requesting transportation:

_____Department:_____

Contact number:_____Trip date(s):_
_____

Pick-up time:_____Pick-up location: _
_____

Drop off time:_____Drop off location: _
_____

Number of passengers: _____Number of wheelchairs: _
_____

Destination(s) address:

_____ _____
_____ _____
_____ _____

Reason for trip

_____

Signature of Department Head or Elected Official for approval

_____

Town Clerk Use Only

· Request granted · Request denied Date approved_____

Driver_____Driver's signature upon checkout_
_____

Pick up time_____Return time_____Passenger count_____
Odometer upon check out_____Odometer upon check in _____
Total trip miles _____

Special instructions or notes about the vehicle being taken. Be sure to note any flaws seen before leaving on trip. And note any flaws that occurred when on the trip.

TOWN OF BAR NUNN TRAVEL AND CREDIT CARD POLICY

NAME:_____ **DESTINATION:** _____

REASON FOR TRAVEL: _____

DATES OF TRAVEL: _____

- For all personnel traveling, there is a daily meals and incidental rate that is set by location by the federal government (www.gsa.gov).The daily per diem rate for your destination is$_ _____ for travel days and $_____ for non-travel days. Please do not exceed this amount for meals and incidentals each day. The per diem rate includes all meals, tips or additional transportation such as shuttle tickets, bus fares, etc. (with the exception of shuttles to and from the airport upon arrival and departure.) Any purchase in excess of the daily meals & incidentals rate is your responsibly to pay. Please remember that this amount includes any tips left for meals purchased.

INITIALS _____

- We ask that you do not exceed a 20% tip amount for any meal purchased. Any tip left in excess of 20% is your responsibility to pay.

INITIALS _____

- As per the Town auditors, we are required to produce itemized meal receipts for any and all meals being purchased with Town funds. This includes reimbursements for meals paid out of your own pocket, cash purchases, credit card purchases and debit card purchases.
-

This is an example of an itemized receipt.

Old Chicago Restaurant
Tamarac #0056
7717 East Hampden Ave.
Denver, CO 80231
303-695-5511

Server: Susan 04/27/2009
Table 110/1 10:21 PM
Guests: 2
#20049
Reprint #: 1

STEAK & SHRIMP COMBO PLAT	13.99
SIRLOIN STEAK	11.99
Complete Subtotal	25.98
Subtotal	25.98
Tax	2.10
Total	28.08
Balance Due	**28.08**
FOOD:	25.98

****
Win an Appetizer or Dessert!
Take our Guest Survey today~
Online @ www.pizza-n-beer.com
****

This is <u>NOT</u> an itemized receipt.

Old Chicago Restaurant
Tamarac #0056
7717 East Hampden Ave.
Denver, CO 80231
303-695-5511

Server: Susan DOB: 04/27/2009
10:23 PM 04/27/2009
Table 110/1 2/20049

VISA 1048607
Card #XXXXXXXXXXX5879
Magnetic card present: SHERIFFS OFF NATRONA
Approval: 020058

Amount: 28.08
+ Tip: 6.00
= Total: 34.08

[redacted]

Guest Copy

<u>PLEASE TURN IN BOTH RECEIPTS!!!</u>

DRAFT

INITIALS _____

TOWN OF BAR NUNN TRAVEL AND CREDIT CARD POLICY CONTINUED

- Please note that if you charge a meal to your hotel room, you must get an itemized receipt from the restaurant before you leave the restaurant.

INITIALS _____

- If you order room service, you must get an itemized receipt for the meal ordered from the room service carrier. If a charge appears on your bill, we must have the itemized receipt to back up that charge.

INITIALS _____

- **If an itemized meal receipt is not turned in for the meal you purchased, the Town will have to ask for the cost of the meal to be paid by you personally.** The Clerk can no longer accept receipts that are not itemized.

INITIALS _____

- If upon receipt of the credit card statement, we find charges were incurred that we do not have a receipt for, you will be responsible for personally paying for those charges. All receipts must be turned into the Town Clerk's office within 5 days upon your return Receipts turned in late may not be accepted and you will be personally responsible for those charges incurred.

INITIALS _____

- The purchase of alcoholic beverages is not an allowable travel expense. If you choose to purchase an alcoholic beverage with your meal, please ask your server to put the purchase on a separate receipt. Most restaurants are very understanding in regard to business travel and have no problems with this request.

INITIALS _____

- Per Town auditors, Town credit cards are for Town expenses only and should not be used for any expenses that are not related to Town business. If you choose to travel with your spouse or other family member/friend, you may not at any time purchase meals or any other items for that person using the Town credit card or any other form of Town funds. **Please be sure to get separate checks and pay separately!** In the event that charges are made to the Town credit card in error, you will be required to write a check to VISA for those charges. The check will then be forwarded to the Town Clerk's office to be sent with the monthly VISA payment.

INITIALS _____

DRAFT

TOWN OF BAR NUNN TRAVEL AND CREDIT CARD POLICY CONTINUED

- Reimbursement for rented vehicles will be made only with justification, only for business use, and only when prior approval has been received from your Department Head or Elected Official. The section below is where you can put your written justification for the use of a rental vehicle. If a rented vehicle will not be used during your travels put an N/A on the first line.

_____

_____

_____

_____

_____

_____

I have read and understand the above outlined guidelines regarding travel policy. In the event that I violate any part of the travel policy, I understand that I will have to have to pay the balance of any purchase in violation personally. I also acknowledge that I have received a copy of this policy in my travel packet, and I understand the policy in full.

Signed_____
Employee

Signed_____
Department Head

Date _____

Date_____

DRAFT

TOWN OF BAR NUNN FRAUD POLICY

RESPONSIBLE OFFICE: Internal Audit

AUTHORITY: Rules of the State of Wyoming 6-3-402. If any portion of this policy conflicts with applicable state or federal laws or regulations, that portion shall be considered void. The remainder of this policy shall not be affected thereby and shall remain in full force and effect.

PURPOSE: To establish policy related to fraud investigations affecting the Department.

APPLICATION: All employees of the Town of Bar Nunn and elected officials

DEFINITIONS:
Fraud – An intentional deception for personal benefit. It is usually accomplished by means of deception and utilizing one's position.

SCOPE: This policy applies to any suspected fraud involving Department employees, contractors, consultants, vendors, grantees, or other outside entities doing business with the Town of Bar Nunn.

POLICY: All Town of Bar Nunn related fraud investigations are to be coordinated through the Office of Internal Audit. Any allegation of fraud received from any source, whether employees or outside citizens, received via telephone, fax, e-mail, mail, or personal conversations or knowledge, is to be reported to the Office immediately upon receipt or acknowledgement. If you are unsure whether information, allegations, or accusations you receive are fraudulent, contact the Office and we will help you make this determination.

Do not contact informants or attempt to investigate these matters yourself as any attempts to conduct inquiries or investigation on your own may compromise the official investigation.

Copies of any audit or investigation reports of any office or division the Department receives, other than from Internal Audit, are to be forwarded to the Office of Internal Audit upon receipt. This includes audits or investigations by regulatory authorities, other state or federal agencies, or others.

Investigation Responsibilities: The Office of Internal Audit has the primary departmental responsibility for investigation of all suspected fraudulent acts within or affecting the Town. If the investigation substantiates fraudulent activity has occurred, the Office will issue a report to the Commissioner upon completion of the investigation. Reports will also be released to the state Comptroller's Office and law enforcement authorities as necessary

Employee Responsibilities: It is an employee's official job duty to cooperate fully with any investigation conducted by the Office of Internal Audit. *Failure to do so may result in discipline up to and including termination.* Rules of the Town of Bar Nunn states, "Refusal to accept a reasonable and proper assignment

from an authorized supervisor (insubordination)." In addition, it states "If any Employee in the Town shall willfully refuse to fail to appear before any … body authorized to conduct any … inquiry, the person shall forfeit such position and shall not be eligible for appointment to any position in the Town service.

Management Responsibilities: Any disciplinary or management actions resulting from an investigation will be taken by Senior Management.

The Internal Audit Office has free and unrestricted access to all Department records and premises. The Office also has the authority to examine, copy, and/or remove all or any portion of the contents of Department owned offices, storage facilities, files, desks, work stations, trucks or other vehicles, computers, or any other item as determined by the Director of Internal Audit without prior knowledge or consent of any individual who might have use or custody of any such items or facilities when it is within the scope of the investigation.

There should be no expectation of privacy in relation to these or other Department owned assets.

The Office treats all information received with appropriate discretion. Information concerning the status of an investigation will not be given to anyone except to whom the Commissioner so directs. Inquiries from the news media will be directed to the Public Information Officer. Investigation results should not be disclosed or discussed with anyone other than those who have a legitimate need to know in order to participate in taking official administrative action. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Department.

FRAUD POLICY
EMPLOYEE ACKNOWLEDGEMENT STATEMENT

I, _____, an employee of the Town of Bar Nunn, hereby certify that I have received a copy of the Town of Bar Nunn policy regarding fraud. I further certify that I have read the policy and understand that as a condition of employment, I must abide by the terms of the policy. I realize that violation of the policy can subject me to disciplinary action up to and including termination.

_____
_____
Employee Signature
Date

Date _____

Date_____

DRAFT