

**CITY OF LARAMIE**  
**EMPLOYEE HANDBOOK**

**August 1, 2016**

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## **Welcome to the City of Laramie**

We're honored that you have decided to join the City of Laramie team! This employee handbook has been prepared to introduce you to the City of Laramie and acquaint you with the policies and benefits that apply to all staff. It is important that employees familiarize themselves with our personnel policies and practices. I hope you will spend some time reviewing this document and, should you have any questions, please follow up with the Human Resources Department or the City Manager's Office.

The City of Laramie is an Equal Employment Opportunity employer and committed to a workplace that is free of sexual and other types of harassment. You will find these policies outlined in the front of the handbook and we urge you to keep them at the forefront of your mind when performing your job and engaging with the public.

The success of city government depends upon the quality of our relationships with residents. It is the goal of the City of Laramie team to provide the best possible services to our community with dignity and courtesy. As a city employee, the interactions you have with Laramie residents will be rewarding and will shape how citizens feel about municipal government. The more goodwill you promote, the more our citizens will respect and appreciate you and our beautiful community. I hope you will refer frequently to our mission statement throughout your career of public service with the City of Laramie.

***“Building Our Community through Respect, Integrity,  
Teamwork and Stewardship.”***

Janine Jordan  
City Manager

## **DISCLAIMER**

**THIS HANDBOOK DOES NOT INCLUDE ALL POSSIBLE SITUATIONS THAT WILL BE ENCOUNTERED AS AN EMPLOYEE, BUT IS INTENDED TO PROVIDE GENERAL GUIDANCE ABOUT PERSONNEL PROCEDURES, EXPECTATIONS AND BENEFITS AVAILABLE TO CITY EMPLOYEES. THIS EDITION REPLACES ALL PREVIOUS EDITIONS.**

**NOTHING IN THIS HANDBOOK IS TO BE CONSTRUED TO BE A CONTRACT FOR EMPLOYMENT WITH THE CITY OF LARAMIE BY ANY EMPLOYEE. ALL CITY OF LARAMIE EMPLOYEES, REGARDLESS OF CLASSIFICATION OF THEIR POSITION OR TITLE FOR OTHER PURPOSES, WITH THE EXCEPTIONS OF CIVIL SERVICE EMPLOYEES AND BARGAINING UNIT EMPLOYEES, ARE “AT-WILL” EMPLOYEES. “AT-WILL” MEANS THAT THE EMPLOYEE, OR THE CITY, CAN TERMINATE THAT EMPLOYMENT AT ANY TIME, WITH OR WITHOUT REASON, OR NO REASON GIVEN. THIS IS NOT A CHANGE FROM ANY PREVIOUS HANDBOOK OR EMPLOYMENT CONDITION, BUT IS INTENDED TO CLARIFY THE EMPLOYMENT SITUATION OF ALL AFFECTED EMPLOYEES. THIS STATUS CANNOT BE ALTERED BY SUPERVISORS OR OTHER CITY EMPLOYEES.**

**ALL EMPLOYEES ARE SUBJECT TO THE DRUG AND ALCOHOL POLICIES CONTAINED IN THIS HANDBOOK.**

**THE CITY RESERVES THE RIGHT TO UNILATERALLY AMEND, MODIFY OR ALTER THE POLICIES, OR ANY OF THEM, CONTAINED IN THIS HANDBOOK AT ANY TIME, WITH OR WITHOUT PRIOR NOTICE TO THE EMPLOYEES.**

## **GENERAL PROVISIONS**

### **Authority**

The City Manager has the authority to issue policies and procedures that complement or supplement these rules. Such policies and procedures shall be communicated to all employees and should be considered part of this handbook. They take precedence over all personnel rules issued by any City Departments or Divisions.

The City Manager may deviate from the Employee Handbook in a civil or other emergency in order to achieve the primary mission of serving the City's citizens. These personnel rules are promulgated by the City of Laramie.

### **Coverage**

**THIS HANDBOOK APPLIES TO ALL CITY EMPLOYEES EXCEPT THOSE LISTED BELOW:**

- **ELECTED OFFICIALS**
- **MEMBERS OF CITY BOARDS OR COMMISSIONS**
- **NON-CLASSIFIED EMPLOYEES**
- **INTRODUCTORY EMPLOYEES ARE COVERED BY CERTAIN BENEFITS AS NOTED WITHIN THE HANDBOOK BUT NOT COVERED AS A CLASSIFIED EMPLOYEE**
- **DULY SWORN POLICE AND FIRE DEPARTMENT ARE EXEMPT FROM ONLY THOSE PROVISIONS IN THIS HANDBOOK WHICH ARE IN CONFLICT WITH THE CIVIL SERVICE COMMISSION RULES AND REGULATIONS AND/OR A COLLECTIVE BARGAINING AGREEMENT**
- **PROFESSIONAL STAFF APPOINTEES SUCH AS MUNICIPAL JUDGE, CITY MANAGER AND CITY ATTORNEY**
- **PERSONS ENGAGED BY THE CITY ON A CONTRACTUAL BASIS TO SUPPLY EXPERT, PROFESSIONAL, OR TECHNICAL SERVICES**
- **BONA FIDE VOLUNTEERS AND PERSONNEL APPOINTED TO SERVE WITHOUT PAY**
- **ASSISTANT CITY MANAGER AND CITY DEPARTMENT DIRECTORS ARE COVERED WITH THE EXCEPTION OF THE DISCIPLINE, GRIEVANCE, AND APPEALS SECTIONS**

**ALL EMPLOYEES, INCLUDING THOSE LISTED ABOVE, ARE SUBJECT TO THE CITY'S POLICIES CONCERNING EEO/HARASSMENT, DRUG AND ALCOHOL USAGE AND WORKPLACE VIOLENCE.**

## **Interpretation**

Human Resources is responsible for providing official interpretations of these rules in cases of potential conflicts between rules, or when questions arise about their application to specific situations, procedures or policies.

## **Enforcement**

The Human Resources department is responsible for ensuring that these rules are applied uniformly and fairly by all departments.

City department directors are responsible for applying these rules within their department and shall ensure that all employees are notified of and comply with their provisions. Department Directors are responsible for the action of department management employees to whom they have delegated, in writing, authority to act in their behalf in any or all aspects of personnel administration. Department Directors shall provide all employees with reasonable access to these rules.

Employees are responsible for familiarizing themselves with these rules and are expected to contact their supervisor or Human Resources for explanation of any rule they do not understand.

## **Personnel Policies**

Human Resources may issue written policy statements concerning the interpretation or application of these rules, procedures for carrying out personnel functions, and other matters necessary for implementation of City policy and procedures. Department Directors shall distribute and comply with these statements.

Additional written policies concerning the interpretation or application of accurate report of hours worked and/or accurate payment of employee wages may be written and administered equally between the City Manager, Human Resources, and Administrative Services. None of these policies shall override handbook policies or federal law.

## **Personnel Forms**

Human Resources shall prescribe the forms and procedures for use by City departments in matters of personnel administration.

## **Personnel Records**

Human Resources shall maintain the official personnel files and shall have access to all department personnel records. Employees may review their official City personnel files under the supervision of Human Resources.

## **Responsibility for Department Functions**

Department Directors shall ensure that the following functions are performed:

- Establishment and maintenance of internal departmental personnel policies and procedures which are consistent with City policy and procedures and which do not conflict with the City rules.
- Documentation of personnel actions such as hiring, step increases, changes in status, and disciplinary actions which shall be forwarded to Human Resources to be retained in the official personnel files.
- Designation of reports and other information required by Human Resources and/or City policy and/or regulations.

### **Savings Clause**

If any provision of this handbook or its application to any person or circumstance is held invalid or in conflict with any other provision of this handbook, the invalidity shall not affect other provisions or applications of this handbook which can be given effect without the invalid provision or application, and to this end the provisions of this handbook are severable.

## **EMPLOYMENT POLICIES**

***Copies of City policies can be found on the City of Laramie intranet or by contacting your department's Administrative Assistant.***

### **Equal Employment Opportunity**

Equal Opportunity Commitment – The City is committed to the concept and the practice of equal employment opportunity regardless of race, color, national origin, religion, sex, age, disability, or sexual orientation, and any other status protected by federal, state or local law.

ADA Accommodation - The City will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the City. This policy governs all aspects of employment, including selection, job assignment, fulfillment of the essential functions of the position, compensation, discipline, termination, and access to benefits and training.

It is the intent of the City to provide a workplace free from discrimination based on age, race, color, religion, sex, national origin, disability, or sexual orientation.

The City prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. Employees who perceive retaliation for making a complaint or for participation in the investigation should follow the complaint procedure outlined in Section 4, "Reporting Incidents".

## Harassment

This policy applies to all forms of harassment, although, due to its unique nature, some parts are written in terms of sexual harassment. The policy applies equally to any conduct which is unwarranted, unwanted, unwelcome, or unsolicited, when the conduct is based upon a person's membership in any protected class, including sex, race, color, national origin, religion, disability, age or sexual orientation; with respect to compensation, terms, conditions, or privileges of employment; or which creates a hostile work environment.

Sexual harassment is a form of sex discrimination. Harassment of a person because of his/her membership in a protected class is also a form of illegal discrimination.

Conduct which amounts to sexual or other harassment, is not a part of any employee's job duties.

Protected classes under federal law are sex, race, color, national origin, religion, disability, genetic information, and age. Although sexual orientation has not been recognized in Wyoming as a protected class, harassment because of a person's perceived or actual sexual orientation is included within this policy.

## Harassment Defined

Sexual Harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are sexual harassment when:

- Submission to the conduct is made explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting the individual;
- The conduct has the purpose or effect of unreasonably interfering with an individual's ability to do his/her job or creating an intimidating, hostile or offensive working environment.
- Sexual harassment may be conducted by a supervisor or other management employee who is in a position to make decisions affecting a subordinate's employment. This is referred to as tangible job benefit harassment.
- Sexual harassment may take any of the following forms. These examples are not meant to be an exhaustive list.
  - (1) Verbal, such as propositions, pressure for dates, sexually explicit language, threats or insults, offensive jokes or teasing, suggestive

notes or e-mail messages, whistles or catcalls, and notes or e-mails containing sexually offensive materials.

- (2) Nonverbal, such as suggestive gestures, staring or leering, or displaying posters, photos or drawings, or keeping written materials of a sexual nature in the work place.
- (3) Physical, such as pinching, grabbing, patting, touching, hugging, kissing, cornering or trapping, rape or attempted rape.
- (4) Unwelcome sexual advances.
- (5) Threatening someone who rejects unwelcome sexual advances.

Tangible job benefit harassment occurs when:

- Acceptance or rejection of the sexual conduct is a condition of hiring.
- Submission to the sexual conduct is a condition of promotion or continued employment.

Harassment is prohibited by any fellow employee, member of the public or business associate of the City, including conduct by persons not in a position to make employment decisions, which creates a hostile work environment.

A hostile work environment occurs when:

- The conduct has the purpose or effect of unreasonably interfering with the ability to do one's job.
- The conduct creates an intimidating, hostile or offensive work environment. Such conduct is considered offensive by the person(s) exposed to such conduct.

Examples: Verbal or physical conduct which denigrates or shows hostility or aversion toward an individual because of his/her membership in a protected class.

This includes, but is not limited to, epithets, slurs, and negative stereotyping; threatening, intimidating or hostile acts; written or graphic material which shows hostility or aversion; materials or information posted or circulated in the workplace which denigrate or show hostility; and any other conduct that creates an intimidating, hostile, or offensive work environment:

- Acts of verbal, non-verbal, or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature, may be a form of sex discrimination if they are sufficiently severe, persistent, or pervasive and directed at individuals because of their sex.
- Individuals who are not the direct target of harassment when the conduct is sufficiently severe, persistent, or pervasive to limit a person's ability to do his/her job or to create a hostile or abusive working environment. Workplace harassment by a third party who is not an employee, or offensive behavior that is witnessed by a third party, including someone who is neither the actor nor recipient of such conduct, when that behavior rises to the level of workplace harassment.

This policy emphasizes the City's position that all employees must refrain from exhibiting or promoting harassment or discrimination in the workplace. All employees are expected to interact with co-workers, supervisors, and the public in a professional, respectful manner. This includes refraining from any type of behavior, action or language that could be perceived as hostile, discriminatory, intimidating, violent or abusive.

The term "hostile work environment" does not cover simple rudeness and unprofessional conduct or environments that are unpleasant or unfair unless the action involves severe or pervasive discriminatory behavior. However, the City intends to provide a work environment free from behavior, action, or language which may be perceived by others, including third party witnesses to the behavior, as hostile, discriminatory, intimidating, violent or abusive and one in which all individuals are treated with dignity and respect. Therefore, continued behaviors of the sort described above will not be tolerated when they impact negatively on the morale of the work force and the respectfulness of the work environment.

### **Harassment Prohibited**

The City prohibits any conduct which constitutes harassment, sexual and otherwise. Any employee who violates this policy will be disciplined up to and including termination of employment. The City will discipline any supervisor who is aware of any action that may be discriminatory or harassing in nature, toward City employees, by employees or non-employees, who does not take immediate action to report or correct the situation.

### **Reporting Incidents**

Any employee who believes that he or she has been sexually harassed or otherwise harassed because of membership in a protected class is encouraged to directly inform the offending person(s) that such conduct is offensive and must stop. If the offending person(s) persist in such behavior or if the recipient of such conduct does not wish to communicate directly with the offending person(s), then the recipient(s) shall report the incident at once. The report may be oral or written.

- The employee may report the incident to his/her supervisor, Department Director, City Manager, Human Resources, or City Attorney. The employee need not observe any particular chain of command. If the report is oral, the person receiving the report shall make a written summary of the allegations for use in the investigation.
- If the City Manager, Human Resources staff, the Municipal Judge, the City Attorney, or a City Council Member is the subject of the complaint, the report may be made to a Department Director or the Assistant City Manager who is not a subject of the complaint.
- The complainant should be prepared to provide:
  - (1) His/her name, department, and position title.
  - (2) The name of the person or persons who allegedly engaged in prohibited conduct.
  - (3) The specific nature of the harassment, how long it has gone on, any adverse employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against him or her as part of the harassment, and any other threats made against him or her as a result of the harassment.
  - (4) Names of witnesses to the harassment, if any.
  - (5) Whether he or she has previously reported the harassment and if so, when and to whom.
- An employee who makes a sexual or other harassment complaint should understand that the City will investigate the complaint by interviewing the parties and witnesses before taking any other action.
- Employees who report harassment in good faith will not be disciplined or retaliated against for making the report.
- Employees who have witnessed harassment will not be disciplined or retaliated against for cooperating in an investigation.
- Sexual and other harassment complaints shall be held as confidential except to the extent necessary to investigate them. They will not be placed in any employee's personnel file unless the charge is substantiated and results in discipline.

The City will not be held liable if harassment occurs which is not reported to or otherwise known by members of the management. Thus, it is imperative that an employee who is being harassed report the incident(s) of harassment.

Supervisors and other employees in positions of authority, who become aware of any alleged harassment, shall report it to an appropriate management person.

### **Investigation**

Upon receipt of a complaint, the person receiving the complaint shall report it immediately to Human Resources. No person other than Human Resources who receives a complaint is to perform a screening or investigation unless designated as an investigator by the Human Resources director. Failure of any supervisor or other employee to forward any report of alleged sexual or other harassment to the appropriate person will result in discipline. If a complaint involves a member of the Human Resources department, the complaint should be forwarded to the City Attorney, City Manager or Assistant City Manager.

All complaints will be acknowledged in writing by Human Resources and shall be investigated promptly, effectively and impartially.

## **WORKPLACE VIOLENCE POLICY**

The City strives to provide a workplace free from violence. Therefore, all employees should know what will not be tolerated and the importance of reporting any behavior that may lead to violence. Perpetrators of violence or threats of violence will be held accountable. Victims will be provided assistance and support.

Prohibited workplace violence includes, but is not limited to, intimidation, threats, physical attack, or property damage.

It includes acts of violence committed by employees, clients, relatives, acquaintances or strangers against a City employee in the workplace. Violent conduct while not at work may also be grounds for disciplinary action, up to and including dismissal, if there is a potentially adverse impact on a City employee's ability to perform his or her assigned duties and responsibilities.

Incidents of workplace violence may result in criminal charges being filed.

When it is reasonable to suspect potential for violence exists, an employee may be required to undergo an assessment coordinated by the Employee Assistance Program to determine the risk of danger. Compliance with recommended treatment will be mandatory.

Employees who are victims of workplace violence will be offered all available security measures. Victims may want accommodations such as an adjustment to their work schedule, location, or a leave of absence for a period of time to enhance their safety. All victims will be encouraged to use the services of the Employee Assistance Program.

It is important for all employees to be alert to the possibility of violence by employees, former employees, clients and strangers. Safety should be the highest concern. All acts and threats of violence must be reported immediately to a supervisor. If a supervisor is not available, Human Resources or the Assistant City Manager should be contacted. If the situation warrants emergency response, 9-1-1 should be contacted immediately.

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 of employees who come forward with concerns about a threat or act of violence. Information will only be released on a need-to-know basis.

## **DRUG AND ALCOHOL POLICY**

All employees of the Police and Fire departments are subject to the Drug and Alcohol Policy. A copy of the Police and Fire Employees Drug and Alcohol policy is available in Human Resources.

All City employees who are required by their job function or job description to have a Commercial Driver's License (CDL) are subject to the U.S. Department of Transportation regulations and the City "Drug and Alcohol Policy for Commercial Drivers Licensed employees." A copy of this policy is available in Human Resources.

The City is committed to maintaining a drug-free work environment. All City employees are required to comply with the Drug and Alcohol Policy. All provisions of this policy are subject to applicable federal, state and local laws.

The City has established a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the City's policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

Employees are prohibited from reporting to work under the influence of alcohol or illegal drugs. Employees may not use alcohol or illegal drugs during working hours. Police Department employees may be exempt from this policy (concerning alcohol only) when given express permission by the Chief of Police, while working undercover. This policy also applies to employees who are being compensated for carrying pagers. In addition to random drug tests required by the U.S. Department of Transportation, employees may also be subject to a drug test at a qualified testing facility due to reasonable

suspicion, a serious incident/accident and/or upon employment with the City, without prior notification. Any supervisor may send an employee for a drug/alcohol test due to reasonable suspicion, even if they are not the immediate supervisor of that employee. Results of all drug and alcohol tests are reported to the Human Resources department, but are not included in an employee's personnel file.

Employees are advised that manufacturing, distributing, dispensing, possessing or using illegal controlled substances on or off the job is prohibited; furthermore, there are job-related penalties for violations, up to and including termination.

If convicted of any criminal drug statute for a violation occurring in the workplace, employees shall notify their Department Director or his or her designee no later than five calendar days after such conviction.

The City may take sanctions against any employee who violates this policy. Appropriate disciplinary action will be taken, up to and including termination of employment. If completion of a substance abuse assistance or rehabilitation program is mandated, successful completion of the program will be a condition of continued employment.

An employee using prescription or over-the-counter medication is required to inform his or her supervisor if the employee believes the medication may impair his or her ability to properly perform required duties. It is the employee's responsibility to consult with his or her doctor regarding the nature of his or her duties and the interaction with the prescribed drug.

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. The Employee Assistance Program (EAP) is available to all employees on a confidential basis, and information may be obtained through Human Resources.

### **Return to Work**

Upon confirmation that an employee has violated this policy, an employee may be referred to the Employee Assistance Program for the purpose of obtaining assessment, counseling, and/or rehabilitation. The employee's participation in, and successful completion of, this program or a similar program approved by Human Resources, is required and may be a condition of continued employment.

Upon returning to work, the employee will be required to submit to a minimum of six unannounced drug and/or alcohol tests for a period of 12 months.

### **Confidentiality and Records Retention**

The release of information regarding drug or alcohol abuse is handled in accordance with City procedures on release of confidential medical information. Testing results

and EAP records are not to be part of the personnel file. Any voluntary request by an employee for assistance with an alcohol or substance abuse problem will remain confidential.

## **RECRUITMENT AND SELECTION**

### **Announcement of Vacancies**

The Human Resources Department prepares and approves job announcements using appropriate publicity and outreach methods to reach prospective applicants for the vacancy being filled. Depending on the job and the needs of the City, a job may only be announced and posted internally. All job announcements state that the City is an Equal Employment Opportunity/Americans with Disabilities Employer and that the City is a smoke-free environment.

### **Application**

The City requires a completed application from all interested applicants. Resumes may be submitted to supplement an application. Unsolicited applications and resumes may not be considered. Per Civil service rules, PD and Fire are allowed to receive applications at any time.

### **Selection**

Vacancies will be filled with the most suitable, qualified applicants available using approved methods as determined by Human Resources. Any selection criterion that has the effect of disqualifying an individual with a disability from employment based on the disability must be job-related and consistent with business necessity.

### **Employment of Relatives**

No person will be hired, promoted, or transferred into a position in which an immediate family member (at the time of the employment action) occupies a position at any level (higher or lower) in the same line of authority that may affect the review of employment decisions. If two City employees in the same department become immediate family members through marriage, they may both continue in the City's employ, provided there is no line of authority or reporting involved.

### **Residency**

Employees may be required to live within the City limits or close enough to be able to report to work as needed. Department Directors will make the determination based on the needs of the department.

### **Introductory Period**

The introductory period is considered an integral part of the selection and evaluation process. This period is designed to give employees time to learn the job and to give

the supervisor time to evaluate whether the match between the employee and job is appropriate.

The normal introductory period is six (6) months from the employee's date of hire. The Human Resources director along with the Department Director may extend the introductory period for up to an additional six (6) months. Sworn police officers are required to serve an 18-month introductory period, dispatchers, a 12-month introductory period, as per Civil Service mandate.

A performance appraisal is required to document successful completion of the introductory period. Classified status is only granted by a written personnel action form signed by the Department Director and Human Resources. In no case will failure to make a recommendation or issue a personnel action form be considered a grant of classified employment status.

### **Promotion**

A promotion is the advancement of an employee to a higher position, classification, and salary grade. Typically, an employee who is promoted is placed at the step in the new grade that provides a minimum increase of 5 percent. Employees who are promoted serve a new six-month introductory period. Successful completion of this new introductory period will be documented by an evaluation. At the end of the twelve months in the new position, a performance appraisal will be prepared and the employee may be eligible for an annual increase. If the employee has not successfully completed the introductory period, an extension may be granted, or the employee may be reinstated to the position held prior to the promotion if such position is vacant; if one is not available, the employees will be separated from employment.

Temporary promotions may be approved by the City Manager to meet temporary needs. Temporary appointments may be made based on business needs for up to 12 months with the City Manager's approval. An employee who is temporarily promoted may receive an increase in pay of at least five percent for the duration of the temporary promotion. This may also be referred to as Acting Pay.

### **Transfer**

A transfer involves placing an employee in a comparable position in another department or division. It may involve a change in classification. The employee's salary and review date generally remain the same. Employees who initiate a transfer serve a six-month introductory period. If the introductory period is not successfully completed, the employee may be transferred back to the original department, if the former department agrees and the position is still vacant. Employees who are transferred by management without initiating a transfer are not required to serve an introductory period.

## **Classification Plan**

Classification Plan. The purpose of the Classification Plan is to organize the positions in the City into an overall system based on job descriptions, internal equity and market considerations. The Classification Plan consists of:

- job titles that are used in all personnel, budget appropriations, and financial records;
- job descriptions which define the essential functions, and the required level of education, and/or experience recommended to perform the essential job functions;
- grouping similar positions of equivalent complexity, difficulty, authority, and responsibility, extent of supervisory control, and qualifications into the same pay grade.

Each job title with the City shall be classified by the Human Resources director and approved by the City Manager into the pay plan.

## **Classified Status**

Classified employees include all employees who are placed in positions within the Classification Plan and who have successfully completed their introductory period.

## **Unclassified Status**

Unclassified employees include contract employees and employees who serve at the discretion of the City Manager as at-will employees. Such employees may serve in positions that are not included in the Classification Plan.

Unclassified employees include:

- Elected and appointed officials.
- Department Directors and Assistant City Manager.
- Provisional, seasonal and temporary employees.

# **COMPENSATION**

## **Pay Plans**

There are separate pay plans for general, supervisory, management, and provisional/seasonal/temporary employees. The salary schedule for Fire Contract employees is negotiated through collective bargaining. All changes to the pay plans are subject to approval and the fiscal conditions of the City.

## **Salary Increases**

Salary increases are considered annually based upon the most recent performance appraisal. Performance appraisals correspond with review dates. Salary increases for recruit police officers and recruit dispatchers are linked to completion of the field training program. Salary increases may also be granted for achieving certification in a limited number of positions. Department Directors and division managers are eligible for merit salary increases that may be higher or lower than a typical salary increase.

## **Overtime Compensation and Comp Time**

Normally, any time worked by a non-exempt employee in excess of 40 hours in a seven day week is compensated with time off or pay at the rate of time and one-half of the regular rate of pay. Overtime is to be pre-approved by the supervisor before the hours are worked.

Police and Fire personnel may have different rules under the Fair Labor Standards Act.

For the purpose of calculating overtime, hours worked are a matter of City administrative policy and may be accessed at City Manager's discretion.

Employees may choose to receive compensatory time rather than paid overtime before the hours are worked. Once the choice is made, it cannot be changed by the employee.

The limit on the number of comp time hours that any employee may accumulate is 80 (or shift equivalent) calculated by multiplying the actual hours worked by 1.5. Comp time hours that exceed the 80-hour cap or equivalent of two weeks work will be converted to the overtime rate and paid on the next regular pay check.

If an employee promotes to an exempt position and has any comp time hours accrued employee will be required to use comp time prior to using any other accrued leaves. Comp time may not be traded or given from one employee to another.

## **Flex Time**

Flex time is a managerial tool designed to allow employees flexibility in hours and for supervisors to control unnecessary overtime expense. Flex time may be used at the discretion of the supervisor.

Non-exempt employees are eligible for time off in exchange for time worked outside regularly schedule hours, on an hour-for-hour basis. The hours must be exchanged within the same seven-day work week.

## **Performance Appraisal**

The purpose of a performance appraisal is to determine and document an employee's work performance. The employee and supervisor have the opportunity to establish

and set goals, identify areas of strength and work on development areas using training and actions plans. Appraisal meetings are also an ideal opportunity to discuss any work-related concerns or issues.

Performance appraisals are normally completed at the end of the introductory period, and once a year thereafter. The employee may attach a statement to the appraisal if there is any disagreement with the supervisor's appraisal.

Management may or may not recommend an annual increase, depending on the outcome of the performance appraisal.

### **Premium Pay**

Premium Pay is additional pay earned by employees who meet certain criteria. The types of Premium Pay include: On-Call and Training Pay.

### **On-Call Pay**

On-Call Pay is paid to non-exempt employees whose movement and activities are restricted after normal working hours. On-Call employees are required to respond to calls within 30 minutes. Non-exempt employees are compensated at the rate of \$2.00 per hour for on-call time.

Employees who are called into work are compensated a premium rate as defined by administrative policy. Employees shall earn premium pay at the overtime rate when reporting to work for specific duties as defined by administrative policies. Employees are eligible for this premium pay regardless of total hours worked.

### **Training Pay**

Training Pay is paid to employees who provide specialized training for new employees and who are designated as trainers by the Department Director.

## **BENEFITS**

***Contact Human Resources for more information regarding all benefits.***

### **Health/Dental Insurance**

Health insurance coverage is currently available for eligible City employees including dependent coverage.

The City contracts with an outside organization to administer the City's insurance plan, which is self-funded. City employees, through an elected Health Insurance Committee, participate in an advisory role in the plan's design and operation. It is very important

that employees become familiar with these guidelines in order to most effectively utilize their insurance benefits.

### **Continuing Your Group Health Insurance Coverage (COBRA)**

Employees who resign or are dismissed from the City may have the right to continue to participate in the City's group health insurance plan for up to 18 months if they pay the premiums. COBRA may be extended up to 36 months in certain situations. Eligible dependents may continue coverage at an additional expense.

When employees leave employment, or their work hours are reduced, they are contacted by the third-party administrator with respect to the options through COBRA.

### **Deferred Compensation**

Employees have the option of enrolling in one or more 457 Deferred Compensation retirement plan(s). Contributions are through payroll deduction and are tax-deferred.

### **Employee Assistance Program**

Employees are encouraged to seek assistance from a professional counselor if they are experiencing difficulties that may interfere with their ability to perform their best at work. The Employee Assistance Program is available on a confidential basis. Employees have access to professional assistance through a toll-free phone number to use on a 24-hour basis. Professional counselors will assist employees who need to meet face-to-face for assistance. There is no cost for the first three visits. Contact Human Resources for more information.

### **Life Insurance**

Term life insurance is currently provided for City employees at an amount equal to two times their annual salary, to a maximum of \$100,000. Supplemental life insurance and dependent coverage are available through the Wyoming Retirement System at a nominal cost.

### **Long-Term Disability Insurance**

Disability insurance is designed to ensure income continuation during a period of disability.

A group insurance policy for long-term disability is currently provided by the City at no cost to employees. It ensures employees of receiving 40% of their pre-disability income. Employees may purchase additional coverage to ensure receiving up to 60% of their pre-disability income. The benefit waiting period for long-term disability is 180 days of continued disability.

## **Retirement Benefits**

Retirement benefits are provided through the State of Wyoming Retirement System (WRS). Participation is mandatory for all eligible employees. Sworn employees of the Police Department and Law Enforcement/Fire Dispatchers are required to participate in the Law Enforcement Officer Plan. Members of the Fire Department are required to participate in the Paid Fire Pension Plan. Employees contribute a portion of their salaries through payroll deduction.

## **Tuition Reimbursement**

Classified employees may apply for tuition reimbursement for job-related college courses. This benefit is subject to the availability of funds which may fluctuate from one fiscal year to another. Contact Human Resources for more information.

## **Voluntary Supplemental Benefits**

Employees have the option of enrolling in supplemental benefits, which are paid through payroll deduction. Contact Human Resources for more information.

## **Workers' Compensation**

Employees injured while in the performance of their assigned responsibilities may receive benefits as provided by the Workers' Compensation Act. It is the responsibility of the injured employee to file for all Workers' Compensation benefits at the City of Laramie Workers' Compensation office located in Human Resources. Failure to report an accident to a supervisor within 72 hours, and/or to the Workers' Compensation office within 10 days may result in denial of benefits.

# **LEAVE POLICIES**

## **Leave**

This section explains paid time off for classified employees, Department Directors, and the Assistant City Manager.

Classified part-time employees receive paid leave time in proportion to their scheduled hours of work. Employees who work less than twenty (20) hours per week do not receive paid leave. Provisional, seasonal, and temporary employees are not eligible for paid leave.

## **Administrative Leave**

An employee may be placed on administrative leave with pay by a Department Director in consultation with the Human Resources director and approved by the City Manager. The employee will be provided with a written notice specifying the reason(s) for the administrative leave and the effective date. The purpose of administrative leave is to remove an employee from the work environment if it is deemed to be in the best interest

of the employee or the City. An employee may be placed on administrative leave with pay if:

- it is deemed to be appropriate by a member of management; or
- the employee has been charged with or is under investigation for the commission of a crime which would raise reasonable doubt concerning the employee's suitability for continued employment; or
- the employee's presence may be detrimental to the department's operations, if allegations of misconduct have been made and must be confirmed, or if an investigation is being conducted; or
- as a matter of administrative policy other circumstances may warrant an employee being placed on administrative leave.

### **Bereavement Leave**

In the case of death in the immediate family, employees may use a maximum of 40 work hours of paid bereavement leave. This paid leave is intended for bereavement activities including travel if necessary.

Employees may request additional time off from their supervisor, if approved, vacation or comp time may be used.

### **Family and Medical Leave (FMLA)**

The City provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care of child birth;
- To care for the employee's child after birth, or placement for adoption or foster care; To care for the employee's spouse, son or daughter, or parent, who has a serious health conditions;
- Serious health condition that makes the employee unable to perform the employee's job.

Note: If both the mother and father are employed by the City of Laramie, the total amount of FMLA that may be taken by both parents is twelve (12) weeks combined.

### **Military Family Leave Entitlements**

Eligible employees with a spouse son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal

arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty. The injury or illness must make the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### **Benefits and Protections**

During FMLA leave, the City maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the City for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, bereavement leave, jury duty and voting leave are not granted on unpaid leave. Accruals of vacation and sick leave will continue during FMLA leave which is being paid (the employee is using paid leave). Accruals will cease once an employee is in an unpaid FMLA status.

### **Eligibility Requirements**

Employees are eligible if they have worked for the City for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at

least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

The maximum time allowed for FMLA Leave is either 12 weeks in the 12-month period as defined by the City, or 26 weeks as explained above. The City uses the 12-month period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the City's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

**Substitution of Paid Leave for Unpaid Leave** The City requires employees to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave policies. If an employee fails to follow the City's leave policies for this incident, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted. If the FMLA leave is for medical reasons, employees are required to use all accrued sick leave while on FMLA leave. Employees may also use additional paid leaves while on FMLA leave. If the FMLA leave is for military (non-medical) reasons, employees are required to use all accrued vacation leave while on FMLA leave. Employees who exhaust vacation leave may then use other paid leaves while on FMLA leave. By definition, any employee who is out due to a worker's compensation claim has a serious health condition. The absences are also charged as FMLA leave.

### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include the employee's inability to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need

for military family leave. Employees also must inform the City if the requested leave is for a reason which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The City may require second and third medical opinions at the City's expense. Documentation confirming family relationship, adoption or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the City's attendance guideline. Employees on leave must contact Human Resources at least two days before their first day of return.

### **The City's Responsibilities**

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

### **Unlawful Acts**

FMLA makes it unlawful for the City to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the City.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

The City reserves the right to terminate an employee who has exhausted his/her FMLA leave.

Nothing in this policy is intended to prohibit the employee from applying for any other benefits for which he/she is eligible (short/long term disability, retirement, etc.).

## **Holidays**

Annually the City of Laramie will determine the holidays observed for the calendar year. City holidays that fall on a Saturday are observed on the preceding Friday, and City holidays that fall on a Sunday are observed on the following Monday. All employees receive 1/5<sup>th</sup> of their normal work week pay for each holiday. If a holiday occurs on an employee's regularly scheduled day off, the employee receives 1/5<sup>th</sup> of his/her normal work week hours of compensatory time to use on another date that is approved by the supervisor.

Non-exempt employees who work on an observed holiday may receive premium pay or additional leave hours as a matter of City administrative policy and may be accessed at City Manager's discretion in addition to the regular 1/5<sup>th</sup> of their normal work week holiday pay. Employees who work the actual holiday and the observed holiday may only receive holiday pay for one of those days.

## **Injury Leave**

An employee of the City who is entitled to receive Worker's Compensation benefits in the event of an injury and who suffers an injury resulting in Temporary Total Disability as defined by Wyoming Worker's Compensation Act shall be entitled to receive an Injury Leave Benefit from the City. Such employee shall be required to file a claim for Temporary Total Disability as required by Wyoming Statute as soon as possible after the injury and notify Human Resources that they are requesting Injury Leave. Injury Leave Benefit shall consist of the employee's normal salary less the amount received by the employee from the Temporary Total Disability benefits for one (1) month, the amount received shall be reduced to 80% of the employee's normal salary less the amount received by the employee from the Temporary Total Disability benefits for the second month of leave and then will cease entirely after second month. Injury Leave benefits paid by the City shall be paid until such a time Temporary Total Disability benefits are ceased or for two (2) months from the date of accidental injury, whichever is shorter.

When a licensed health care provider releases an injured employee to light duty, the City may make a light duty offer. Should the employee refuse the light duty offer, the City will discontinue the injury leave supplement (i.e., the difference between the employee's normal salary and the amount received in Temporary Total Disability (TTD) benefits.

## **Jury Duty Leave**

The City encourages employees to fulfill their civic duty when summoned to serve on a jury. A copy of the summons should be given to the supervisor. Employees will receive paid jury duty leave and keep any monies paid them by the court for jury duty up to a maximum of 25 working days in a 12-month period. Employees excused from jury duty during regular working hours must report back to work promptly.

## **Military Leave**

Employees having a reserve status in any branch of the U.S. Armed Forces or the Wyoming National Guard or National Reserves are paid up to 15 working days (defined as three regular weeks) of military leave, annually, to attend training programs. Any leave to fulfill military obligations beyond that may be vacation, personal leave, or leave without pay.

A military leave of absence will be granted to classified full-time employees who are ordered to active duty. Notice of military leave and orders must be given to the supervisor as soon as they are available. During the period of active duty, the employees are paid and re-employed in accordance with the laws governing veteran's re-employment rights. Paid sick, vacation and military leave continue to accrue during unpaid Military Leave.

## **Parental Leave**

In the event of birth or adoption of his or her child, an employee may receive 40 work hours of paid parental leave, this is not increased based on multiple births. Parental leave is available to fathers and mothers.

## **Personal Leave**

On January 1 of each year, employees are given one day of personal leave to use by the following December payroll cutoff date. As with holidays, a day is defined as 1/5<sup>th</sup> of the normal work week. New employees are given one day of personal leave on their date of hire to be used by the December payroll cutoff date. Use of personal leave must be approved by the supervisor.

Employees who do not use their personal day by December payroll cutoff forfeit the day and there is no compensation for unused personal leave. When an employee leaves employment, there is no compensation for unused personal leave. It may not be donated to other employees.

## **Sick Leave**

Sick leave is used for medical and dental appointments, as well as any illness or medical condition that precludes an employee from working. Sick leave is permitted when the illness, injuries, or medical and dental appointments of an immediate family member (as defined in the Glossary) necessitates an employee be away from work. Exempt employees are only required to use sick leave in full day increments unless on FMLA intermittent leave.

Employees accrue eight hours of sick leave for each month of service to the maximum of 960 work hours.

Employees may be required to provide medical verification to be eligible to use sick leave. Inappropriate or fraudulent use of sick leave will result in disciplinary action, including termination.

When returning to work after use of sick leave, employees may be required to provide a back-to-work release from a medical professional if the supervisor has concerns about work-related restrictions. The back-to-work release must be related to the ability to perform the essential functions of the job.

Employees who have exhausted all of their vacation, sick leave and comp time may request donations of sick leave from other City employees. Requests may be made when an employee has 80 hours (or fewer) of paid leave time available and it appears that the employee will not be able to return to work before exhausting that time.

Employees with sick leave in excess of 240 hours may make donations of up to 24 hours per month. Contact Human Resources to donate sick time.

Employees who are receiving worker's compensation benefits are not eligible to use sick leave for the same injury except during the waiting period.

## **Vacation**

Employees begin accruing vacation time on their date of hire. All vacations must be scheduled in advance with appropriate supervisor's approval.

Vacation accrues according to the following schedule based on years of service for employees hired prior to September 30, 2006. The accrual rate is expressed in terms of hours earned per month.

Service	Accrual rate
1st-3 <sup>rd</sup> years	11.34/month
4th-6th years	13.34/month
7th-10 <sup>th</sup> years	14.67/month
11th-14th years	16.00/month
15th-17th years	18.00/month
18 <sup>th</sup> -20 <sup>th</sup> years	19.34/month
21 <sup>st</sup> and beyond	21.34/month

Effective July 1, 2007 an employee's vacation accrual may not exceed the following caps at any time.

- Employees with less than 15 years of service may carry up to 240 hours in a given month. The maximum is prorated appropriately for part-time benefited employees.

- Employees with 15 or more years of service may carry up to 320 hours in a given month. The maximum is prorated appropriately for part-time benefited employees.
- Vacation hours above these caps will not be allowed and forfeited.
- Employees should use their accrued vacation in order to maintain a balance below the cap.

For employees hired after October 1, 2006, the following schedule applies:

Service	Annual	Monthly
Less than 2 years	104.04 hours	8.67 hours
2 <sup>nd</sup> – 5 <sup>th</sup> years	120.00 hours	10 hours
6 <sup>th</sup> – 10 <sup>th</sup> years	140.04 hours	11.67 hours
11 <sup>th</sup> and above	159.96 hours	13.33 hours

Upon leaving City employment, employees will receive a lump sum payment for all unused (within the caps) vacation at the employee’s regular rate of pay.

**Voting Leave**

Employees will be allowed one hour of leave with pay for the purpose of voting in an official public election. The time off will be coordinated with their supervisors.

## **EMPLOYEE CONDUCT**

Employees are expected to conduct themselves in a professional and business-like manner. Violations of the following employee conduct policies are causes for disciplinary action, including termination. The policies in this section are not intended to be all-inclusive.

### **Attendance**

Regular attendance is an essential requirement of City employment. Employees are required to arrive prepared to begin work duties at the specified time.

Employees who are unable to report to work are required to notify their immediate supervisor prior to the start of a work shift or as designated by specific departmental regulations. Employees who are excessively absent or tardy or who abuse sick leave may be disciplined, including termination.

An employee who does not report to work for three consecutive work days and does not notify their immediate supervisor is considered to have abandoned the position. The employee's employment will be terminated, unless there is proof of emergency circumstances that precluded the employee from notifying the supervisor.

### **Code of Ethics**

Employees must maintain a high standard of conduct and be free from the influence of personal considerations when conducting City business. The appearance of impropriety can be just as damaging as actual impropriety and should be avoided. Employees may not use their positions to gain financially for themselves, any household member, or any relative. Employees may not accept gifts, favors, considerations, discounts or gratuities offered because of their employment. No employee may benefit personally from utilizing City purchasing contracts and relationships, City equipment or other City resources, nor may employees receive any kind of rebate or anything of value except where given for the use and benefit of the City, even when no City cost is incurred.

### **Inappropriate Conduct**

There are a number of behaviors or actions that are unacceptable and may lead to disciplinary action, including termination. The list is not intended to be all-inclusive, but merely to illustrate some actions that may warrant discipline.

- Use of computer, e-mail, telephone, and Internet information systems that violate the Information Technology Division Policies.
- Conviction of a felony or violation of a City ordinance when the conviction impairs an employee's ability to effectively perform one or more functions of the job.

- Refusal to perform a job assignment or to follow instructions from a supervisor
- Negligence
- Falsification of City records, including a job application and/or timesheet(s)
- Unsatisfactory work performance
- Violation of any of the provisions of City policies, procedures, administrative regulations, or any department rules.
- Fighting or using obscene, abusive or threatening language or gestures.
- Excessive or patterned absences or tardiness.
- Possessing unauthorized firearms on City premises or while on City business
- Violating safety or security regulations or misuse of City property
- Reporting to work under the influence of drugs or alcohol
- Soliciting or accepting gratuities from the public or vendors

## **Outside Employment**

If an employee wishes to engage in outside employment it must not interfere with their job performance. If a conflict arises between the interests of the City and employee, the interest of the City will prevail.

## **Politics**

Employees shall not use official authority or influence to interfere with or influence the result of an election or nomination for office; coerce a City employee or employee to pay, lend or contribute anything of value to a party, committee, organization, department, or person for political purposes; or conduct any political activity on City time. Should a City employee hold a public office and a conflict of interest arises with his/her duties as an employee, the employee will comply with State laws governing ethics and conflicts of interest and if applicable, Federal law.

If an employee becomes a candidate for the City Council or any other public office, whether partisan or not, he or she may apply for, and may receive a leave of absence. If the primary job function performed by the employee is in connection with an activity which is financed in whole or in part by federal loans or grants received by the City, the employee may not be employed by the City and be a candidate for any partisan political office. Any employee who is elected to a full-time public office shall resign employment prior to holding office. Any employee who took a leave of absence and is unsuccessful in the election shall be reinstated.

Discrimination against any person in recruitment, examination, appointment, retention, discipline or any other aspect of personnel administration because of political opinion or affiliation is prohibited. No questions shall be asked on any application, examination or interview which would directly or indirectly require the disclosure of a person's

political affiliation, preferences or opinions. Employees are prohibited from using political influence as an advantage in securing or making appointments or for other personal benefit for themselves or others in personnel matters.

### **Safety**

The City is committed to providing a safe work environment for City employees. All employees are expected to be aware of and follow safety requirements as part of their jobs. Careless violations of the City's safety rules and policies are not acceptable. Unsafe working conditions should be reported to an employee's supervisor as soon as possible.

### **Smoke-Free Environment**

The City is committed to providing a smoke-free environment for all employees. Smoking is strictly prohibited in all City facilities and vehicles.

### **Travel Expenses**

Employees who incur expenses when traveling on behalf of the City will be reimbursed, subject to the City policy and approval process. Contact the Administrative Services Department, Human Resources, or the City intranet for more information.

### **Use of City Property**

No employee shall use or permit the use of City property for other than official activities. Employees shall protect and conserve City property, equipment, and supplies entrusted or issued to them.

## **DISCIPLINE**

### **Purpose**

All employees are expected to meet the reasonable expectations of their supervisors and perform satisfactorily at all times. There may be occasions, however, when employees perform unsatisfactorily, violate a policy, or act inappropriately, in management's judgment.

### **Pre-Disciplinary Hearing**

Prior to a suspension without pay exceeding 2 days, disciplinary demotion, or dismissal, the employee will be afforded the opportunity to present his or her views at a pre-disciplinary hearing. The employee, management, and Human Resources will be present for the pre-disciplinary hearing.

The purpose of the hearing is to provide the employee the opportunity to be heard and present additional information concerning the proposed discipline.

Following the hearing, management will determine the disciplinary action to be taken. A written decision will be provided to the employee and a copy will be placed in the employee's personnel file. The employee may provide a written response to the disciplinary action, which will also be placed in the employee's personnel file.

## **Types of Disciplinary Action**

Disciplinary actions include oral reprimand, written reprimand, and suspension from duty (with or without pay), demotion, and dismissal. Note: It is not necessary to follow these actions in this order; i.e. a written reprimand may be issued without an oral reprimand being given first.

**Oral Reprimand** – Supervisors may issue oral reprimands that describe the improper conduct, clarify the expectations for improvement, and let the employee know that further disciplinary action may be taken if there is no immediate and sustained improvement. The supervisor will keep a written record of an oral reprimand.

**Written Reprimand** – Supervisors may issue written reprimands to employees whose conduct or job performance has been unsatisfactory. The written reprimand shall clearly describe the details of the conduct, clarify the expectations for improvement, and let the employee know that further disciplinary action will be taken if there is no immediate and sustained improvement. Written reprimands are maintained in the employee's official personnel file in Human Resources.

**Suspension from Duty** – Immediate suspension may be imposed by the City Manager, Department Director, or Human Resources Director when there is a need to remove an employee from the work place promptly because of a possibility of violence, disruption of work, insubordination, damage to property or persons, due to reasonable suspicion the employee is under the influence of alcohol or illegal drugs, or any other just reason. The employee will be placed on administrative leave with pay until there has been adequate time to investigate and determine what action is necessary.

- A suspension without pay may be imposed by the City Manager in response to a serious offense or failure to comply with the directive(s) of a written reprimand. A non-exempt employee may be suspended without pay up to a maximum of 30 calendar days. Department Directors have the authority to suspend employees without pay two days or less. They are required to conduct a pre-disciplinary hearing prior to suspension exceeding two days. Suspensions without pay that exceed two days require approval of the City Manager. Exempt employees may not be suspended without pay unless the action is approved in consultation with Human Resources.

**Demotion** – An employee may be demoted to a position of less responsibility and lower pay in response to misconduct or continued poor work performance. Demotions must be made in consultation with Human Resources and the City Attorney.

**Dismissal** – An employee may be dismissed due to serious misconduct or continued unsatisfactory work performance. Dismissals must be made in consultation with Human Resources and approved by the city manager.

- Dismissal of classified employees – if previous disciplinary action has not served to achieve corrective results, or if the nature and extent of the employee’s behavior is such that other disciplinary action is not appropriate, the Department Director may recommend dismissal of a classified employee. In addition to conducting a pre-disciplinary hearing, the following procedures are required.
- Prior to the dismissal, the Department Director shall provide to the employee written notification specifying:
  - (1) The reason(s) and summary of the evidence for dismissal; an opportunity for the employee, within three (3) working days, to respond in writing to the charge(s).
  - (2) The Department Director shall have three (3) working days to consider the response. If the Department Director perceives that the employee’s presence on the job may be detrimental to the operation of the department, the Department Director may place the employee on administrative leave with or without pay, pending the dismissal review period.
- After the dismissal review period, if the Department Director determines dismissal is appropriate, he or she shall refer the dismissal notice to the City Manager for approval. The Department Director shall provide, personally or by return receipt requested certified mail, written notification to the employee specifying:
  - (1) The reason(s) for the dismissal;
  - (2) The effective date of the dismissal; and
  - (3) The right to an appeal hearing pursuant to these rules.
- A copy of the notice of dismissal shall be sent to Human Resources.
- Failure to comply with the procedural steps in this section by the department terminates the dismissal procedure without prejudice.

Parties shall be restored to the previous status held prior to the disciplinary action.

## **GRIEVANCES**

All classified employees may use the grievance process. Introductory, provisional, temporary, seasonal, and unclassified employees are not eligible to exercise the grievance process. Whenever an employee believes he/she has been adversely affected by working conditions, personnel practices, or interpretation or improper implementation of policies or procedures, a grievance may be filed. The time frames may be extended by agreement of both parties. City council decisions, reclassifications, salaries, performance appraisals, budgetary matters and reductions-in-force are not subject to the grievance process. Grievances should be handled in the following manner:

### **Informal Discussion**

The employee is responsible for presenting a complaint to the supervisor. The discussion must be requested by the employee as soon as practical. Most complaints can be resolved at this level. If the issue is not resolved, the employee may file a written grievance.

### **Written Grievance**

The employee may submit a formal written grievance to the Department Director. The Department Director shall deliver a written decision to the employee within ten (10) days of receipt of the written grievance. If the issue is not resolved to the employee's satisfaction, he or she may proceed to the next step.

### **Consultation with Human Resources**

If the matter has not been satisfactorily resolved, the employee may make an appointment to discuss the matter with Human Resources within ten (10) days. Human Resources will attempt to resolve the issue. A written decision will be rendered within ten (10) days of the meeting with Human Resources. If the issue is not resolved to the employee's satisfaction, he or she may proceed to the next step.

### **Appeal to the City Manager**

If the matter has not been satisfactorily resolved, the employee may submit a written appeal to the City Manager within ten days of receipt of the written decision from Human Resources. The City Manager will review all of the written materials presented with the grievance, including the decisions made by the Department Director and input from Human Resources. The City Manager will meet with the employee, Department Director, and Human Resources before rendering a written decision. The City Manager will make the final determination within ten days of the meeting with the employee, Department Director and Human Resources.

## **SEPARATION FROM EMPLOYMENT**

Classified employees separating are encouraged to discuss their employment experience with Human Resources by having an exit interview.

### **Resignation**

The City requests the courtesy of a minimum two (2) week written notice of resignation. The respective Department Director or Human Resources will formally accept the resignation in writing.

### **Retirement**

Employees who are planning to retire are encouraged to contact the Wyoming Retirement System (WRS) as early as possible. Employees who leave City employment before qualifying for retirement have the option of leaving the funds in the plan until they fulfill the requirements for retirement, or withdrawing the money they have contributed, plus interest. The City's contributions are not refunded.

In addition to the Wyoming State Retirement System, designated employees participate in Social Security and Medicare, and the City of Laramie shall participate in accordance with existing legislative requirements.

Employees who contribute to a tax-deferred retirement account (457) may obtain information on an estimated benefit. Contact Human Resources for more information.

### **Reduction in Force**

The City Manager may adjust compensation or reduce the workforce of a department or class of positions due to lack of work, lack of funds, to increase operating efficiency or any other business operational just reason. Positions selected for elimination may be determined by work unit, geographic location, or individual position as determined by the City Manager. Factors to be considered will include, but are not necessarily limited to, time in service, performance, knowledge, skills, and abilities.

Employees occupying positions affected by a reduction in force will be considered for other available City positions.

### **Medical Separation**

An employee may be separated from employment if the employee is incapable of performing the essential functions of the position. The City may make accommodations in the work environment that do not modify the essential functions of the position or cause undue hardship to the City. The employee will be required to cooperate by attending appointments with physicians or other medical personnel and further by participating in other assessments that are deemed necessary to determine his or her capabilities. Employees who have contributed to the Wyoming Retirement System for at least 10 years may be eligible for Disability Retirement benefits.

## **Separation - Introductory Period**

An employee may be dismissed at any time during the introductory period.

## **Employee Reference Policy**

All requests for references, written or verbal, should be forwarded to Human Resources. Human Resources will respond to requests for references once it has obtained a signed release by the former employee. Human Resources will give out the following information:

1. The title of the current or most recent position held by the employee.
2. The dates the employee was employed by the City
3. Current or most recent salary

With respect to “letters of recommendation,” a distinction is made between personal recommendations and those perceived to speak on behalf of the City. No letters of recommendation are to be written for an employee or co-worker utilizing City letterhead; or which give the appearance that they are being provided by the City; or actually written within the course of his or her employment with the City; or in a representative capacity for the City.

## GLOSSARY

**At-Will Employee** - Serve at the discretion of the City Manager. Employment may be terminated with or without notice, by the City or the employee.

**Civil Service Board** - A three-member board appointed by city council serves as the Civil Service Commission for civil services employees.

**Classified Position** - A position in the classification plan, which may be exempt or nonexempt, full-time or part-time.

**Classification Plan** - The organization of positions into an overall system based on job descriptions, internal equity and market considerations.

**Compensation** - Salaries, wages, allowances and all other forms of valuable consideration earned or paid to an employee for services in a position.

**Compensation Plan**-The schedule of pay grades and pay ranges for all regular jobs. The salary ranges are established based on job duties, internal equity and market considerations.

**Compensatory Time** - Time off in lieu of pay for overtime hours for non-exempt employees.

**Conflict of Interest** - Any personal, property, or pecuniary interest or any other private interest held by an individual which may directly or indirectly affect, or which may reasonably be perceived by the public as directly or indirectly affecting, judgment or actions in the conduct of public duties.

**Exempt Position** - A position that is not eligible for overtime according to the Fair Labor Standards Act. These positions are exempt due to their executive, administrative or professional duties.

**Fire Contract Employees** - Employees of the Fire Department who are subject to the conditions established by the Collective Bargaining Agreement. The section on paid leave time in this handbook does not apply to Fire Contract employees.

**Immediate Family** - Individuals related to an employee in the following manner: parent, grandparent, sibling, child, grandchild, spouse, step-parent or step-child and equivalent relationships by marriage.

**Non-Exempt Position** - Position is eligible for overtime provisions according to the Fair Labor Standards Act.

**Pay Period** - Employees are paid on the last working day of the month. Payroll cutoff dates apply to overtime earned and leave time used.

**Pay Rate** - The specific dollar amount established for each step within a pay grade for a specified period of time (i.e., annual, monthly and hourly).

**Reclassification** - The change of a position from one class to another deemed more appropriate in terms of duties, authority, responsibility and working conditions.

**Review Date** - First of the month following completion of the introductory period in the current position. This date corresponds to performance appraisal due dates on an annual basis after completion of the introductory period. Exceptions are allowed for Police Officers who must complete field training in order to establish the review date.

**Step Increase** - An increase in salary based on satisfactory work performance.

**Unclassified Position** - Employees who serve at the discretion of the City Manager as at-will employees, contract employees, provisional, and seasonal employees.

**Work Period** - A work period, as defined by the Fair Labor Standards Act (FLSA), applies only to law enforcement and fire protection employees, and can be any period of time from seven to 28 days.

**Work Week** - The hours of 12:01 a.m. Saturday morning until midnight Friday night. These hours are for the purpose of computing overtime.

## ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the City of Laramie 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 City's personnel practices, rules, employee benefits and basic organizational philosophy.

I also understand that nothing in this handbook shall be construed to be an employment contract between myself and the City. Further, I understand that these policies are general guidelines only and are not all-inclusive, but are intended to provide me with a summary of some of the City's personnel procedures, expectations, and benefits available at the City.

As the City grows and changes, personnel policies may also change. The need may arise to change the guidelines described in the handbook. I understand that the City explicitly reserves the right to unilaterally modify, revoke, suspend, terminate, eliminate, or change any or all of these plans, policies or procedures, in whole or in part, at any time, with or without notice by the City and without further payment.

No supervisor or representative of the City, other than the City Manager, has the authority to make any written or verbal statements or representations that are inconsistent with these policies or to enter into an agreement for any specified period.

If I have questions about these policies or any other policies of the City, I understand that such questions should be directed to a supervisor, department head or the Human Resources Department.

I acknowledge receipt of the "City of Laramie Employee Handbook" dated August 1, 2016.

I further acknowledge that this Employee Handbook will replace all prior handbooks or Personnel Policy and Procedure manuals as they have been variously called and modified over the years.

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Employee Signature

Date