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Section 1 - General Provisions

1.1 Welcome Statement

For those of you who are commencing employment with Goshen County ("Goshen County" or the "County"), on behalf of Goshen County Commissioners, welcome. We hope you will enjoy your work here. We are glad to have you with us.

For those of you who have been with us, thank you for your past and continued service.

Goshen County understands that its ability to serve the public is dependent upon the employees who are dedicated, professional, and courteous.

1.2 Equal Employment Opportunity

Goshen County is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation or any other characteristic protected by applicable federal, state or local laws. Goshen County is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

The County will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of the County. If you need assistance to perform your job duties because of a physical or mental condition, please advise the Elected Official or Department Supervisor.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Elected Official or Department Supervisor. The County will not allow any form of retaliation against individuals who raise issues of equal employment opportunity.

1.3 Non-Harassment

It is Goshen County's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to the Elected Official or Department Supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact County Attorney or County Sheriff. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the County will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Employees shall not make complaints in bad faith.

1.4 Sexual Harassment

It is Goshen County's policy to prohibit harassment of any employee by any Supervisor, employee, customer or vendor on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within the County. It is to ensure that at the County all employees are free from sexual harassment. While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mails and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, improper conduct also can include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to Elected Official or Department Supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact County Attorney or County Sheriff. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the County will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Employees shall not make bad faith complaints.

(See also Section 8)

1.5 Drug and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect County property, and to ensure efficient operations, the County has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the County.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on County premises, while on County business (whether or not on County premises) or while representing the County, is strictly prohibited. Employees and other individuals who work for the County also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work.

The County maintains a policy of non-discrimination and will endeavor to make reasonable accommodations, unless the accommodations would impose an undue hardship on the operation of the County, to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. The County encourages employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any County employee, including themselves.

(See also Section 7)

1.6 Workplace Violence

Goshen County is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to County and personal property.

The County does not expect you to become an expert in psychology or to physically subdue a threatening or violent individual. Indeed, the County specifically discourages you from engaging in any physical confrontation with a violent or potentially violent individual. However, the County does expect and encourage you to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work

performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in County policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or Supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

Prohibited Conduct. Threats, threatening language or any other acts of aggression or violence made toward or by any County employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation.

Procedures for Reporting a Threat. All potentially dangerous situations, including threats by co-workers, should be reported immediately to the Elected Official, Department Supervisor, County Attorney, County Sheriff, or law enforcement. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy. If the County determines, after an appropriate good faith investigation, that someone has violated this policy, the County will take swift and appropriate corrective action.

If you are the recipient of a threat made by an outside party, please follow the steps detailed in this section. It is important for the County to be aware of any potential danger in its offices. Indeed, the County wants to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

1.7 Authority

These Goshen County Personnel Policies are promulgated by the Goshen County Commissioners in accordance with internal procedures and applicable State and Federal laws.

1.8 Coverage

These policies apply to all employees of Goshen County Government and replace all previous versions of the Goshen County Personnel Policies. Exception: The policies and procedures of the Goshen County Personnel Policy and Safety Manual shall apply to all employees of the

Goshen County Sheriff's Department except as specified in the Sheriff's Department Personnel Policy. Where conflict arises, the Sheriff's Personnel Policy and Procedure shall be applied and followed.

1.9 Interpretation

The County 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.

1.10 Enforcement and Agency Responsibility

Goshen County Government Elected Officials and the office of the County Attorney shall work together in ensuring the Personnel Policies in the Personnel Policy Manual and Safety Manual are administered and applied uniformly by all departments.

Elected Officials and Department Directors and Managers are responsible for applying these policies within the departments, and ensuring the Personnel Policies in the Personnel Policy Manual and Safety Manual are administered uniformly to all employees. Elected Officials and Department Directors and Managers are responsible for the actions of management employees to whom they have delegated authority to act on their behalf or in a supervisory capacity. Elected Officials and Department Directors and Managers have the responsibility to complete departmental employee orientation and to discuss and explain the policy as necessary to generate employee understanding.

The County Clerk's office shall provide all Elected Officials, Department Supervisors, and employees with copies of the Personnel Policy Manual and Safety Manual. The County Clerk's office is responsible for employee entry enrollment and sign-up.

All Goshen County Employees are responsible for familiarizing themselves with Personnel Rules in the Personnel Policy Manual and Safety Manual, and are expected to contact the Elected Official, Department Supervisors, or County Attorney for explanation of any rule.

The County Clerk's office shall distribute any revisions or added policies to the Goshen County Personnel Policy Manual or Safety Manual to all Elected Officials, Department Supervisors, and to all Goshen County employees.

Section 2 - Employment

2.1 Vacancy Announcements

The Elected Official or Department Supervisor announces and recruits to fill a vacant position. The position must be authorized by the Board of County Commissioners, and funded in the respective department budget.

Official vacancy announcements shall be posted in such places known by and available to all employees of the County and may be distributed to county departments. Official vacancy announcements may be advertised in publications and through other employment resources, as requested by the Elected Official or Department Supervisor.

Application for employment is made on departmental forms or through requirements set forth by each office or department and must be submitted before any specified filing dates. Applications and resumes are accepted for current position openings only.

The Elected Officials and Department Supervisors may use professionally acceptable examination techniques as may be appropriate for the position.

2.2 Hiring and Employment Duties

The Elected Official or Department Supervisor shall assign duties to each employee as needed to accomplish the obligations and business of the office or department. The Elected Official or Department Supervisor shall administer policy in accordance with the terms and conditions of this employee handbook. An employee shall not be required to perform duties in violation of law or duties which are not considered official business of the County. If any employee is required to perform illegal or unofficial duties, the employee may file a complaint with the County Commissioners, Sheriff or County Attorney.

2.3 Employee Classifications

For purposes of this handbook, all employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 35 hours per week who were not hired on a short-term basis.

Part-Time Employees - Employees who regularly work fewer than 35 hours per week who were not hired on a short-term basis.

Short-Term Employees - Employees who were hired for a specific short-term project, or on a

short-term freelance, interns, per diem or temporary basis. Short-Term Employees generally are not eligible for County benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Exempt employees do not receive overtime pay; they generally receive the same monthly salary regardless of hours worked. You will be informed of your classifications upon hire and informed of any subsequent changes to your classifications.

2.4 Employment Service Credit

"Length of service" refers to the length of time that our employees spend as active full-time or part-time employees with Goshen County. Service begins on the day you become a full-time or part-time employee. Length of service may be used in determining certain employee benefits, such as time-off benefits.

Termination/Reappointment/Rehire. Any employee reappointed or rehired to a position with Goshen County 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.

Employees will not lose credit for service with the County provided their last day of service was within thirty (30) days of again becoming an active employee.

2.5 Employment Records

Goshen County, through the Office of the Clerk, maintains an official personnel file on each employee, which shall contain the originals of the job application, resume, documentation of salary changes, classification and status changes, sign-up forms W-4, I-9, copies of training, and required licenses and credentials. Elected Officials and Department Supervisors keep an official employee file which contains performance appraisals, disciplinary actions and other official personnel actions.

Personnel files are the property of Goshen County, and access to the information they contain is restricted to the Elected official and/or Department Supervisor and the County Clerk. The personnel file may be subject to disclosure to necessary County Officials in the event of any litigation regarding employment. Employees may review their own personnel file in presence of the custodian of those files. If an employee desires copies of any record of his/her personnel file, copies shall be provided at regular copy fee.

Any records not contained in the official personnel files are not official personnel records of Goshen County Employees. The official personnel files are “personnel files” covered by W.S. 16-4-203(d) (iii) of the Wyoming Public Records Act. The custodian shall maintain Personnel Records according to W.S. 16-4-201 through 16-4-205 of the Public Records Act.

Please keep your personnel file up to date by informing the Goshen County Clerk of any changes. Unreported changes of address, marital status, etc. can affect your withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach you in a crisis could cause a severe health or safety risk or other significant problem.

2.6 Working Hours and Schedule

The Goshen County Courthouse is normally open for business from 7:30 am to 4:00 pm, Monday through Friday. You will be assigned a work schedule and you will be expected to begin and end work according to the schedule. To accommodate the needs of Goshen County, you may be assigned a schedule which is different than the normal business hours. Each workweek will begin at 12:00 a.m. Monday, continue for seven (7) consecutive days and end at 11:59 p.m. on Sunday.

Employees will be provided meal and rest periods as required by law. Your Supervisor will provide further details.

2.7 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason.

Altering, falsifying or tampering with time records is prohibited and may subject the employee to discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

On the last working day of each month, the employee must submit a time record of all hours worked during the pay period. The employee must sign the time record to certify the accuracy of all time recorded. The employee shall report to the elected official or department Supervisor, within two (2) pay periods, any errors in the time record. An employee shall report immediately any errors in the employee’s paycheck. Failure to timely report any errors may result in the corrections being denied.

2.8 Compensation Policy

Goshen County compensates employees in accordance with decisions made by the Goshen County Commissioners as budgets are set. Pay for any given position is subject to increase, reduction, or status quo maintenance for any time period. The supervising Elected Official or Department Supervisor may make suggestions about salary compensation, but the final decision regarding compensation levels rests with the Goshen County Commissioners during the budgeting process.

Compensation may be adjusted based upon job performance and the availability of funds to maintain a solvent county budget.

Compliance with State and Federal Pay Acts. Goshen County will comply with all State and Federal pay acts regarding compensation of employees for services performed.

Pay Schedule. Employees are paid on a monthly basis throughout the year. Paychecks are issued by the Office of the County Clerk. Paychecks compensate employees for work performed in the month preceding the day the check is issued. Paychecks are distributed at the workplace prior to 4:00 p.m. on the first working day of each month after pay has been earned.

Deductions. No payroll deductions will be made from an employee paycheck unless authorized by the employee or required by law. Deductions include social security, taxes, court ordered child support, garnishments, deferred compensation plans, life insurance and supplemental insurance. Employees are required to report changes in family status, address or other information that could affect the amount of deductions withheld.

Overtime compensation. Overtime work must be approved or when absolutely necessary, in cases of emergency or special conditions. Overtime hours are generally the hours worked by an employee in excess of forty (40) hours during the workweek. The overtime policy of Goshen County shall be in accordance with the provisions of the Federal Fair Labor Standards Act of 1938, as amended.

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. Daily and weekly documentation for each non-exempt employee of the actual hours worked and verification, by employee and Supervisor signature, the hours are correct.
4. Management of overtime worked so it is not excessive, or the opportunity for available overtime disproportionately distributed.

Calculation of overtime and compensation time.

Non-exempt employees receiving payments 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. Overtime hours are calculated on the basis of hours worked. Vacation, sick, 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.

Compensatory time off in lieu of salary shall be calculated at one and one-half the regular hourly rate.

Holiday pay.

If a non-exempt employee works a designated holiday, the hours worked by the employee are counted as hours worked in the calculation of overtime.

Compensatory Time.

Non-exempt employees may request compensatory time off in lieu of salary. Such request 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. Such time must be approved by the Department Head. All Compensatory time must be used prior to the end of the next pay period. The County may require salary to be paid for specific overtime worked, but may not require compensatory time-off to be given in lieu of salary earned for overtime worked.

Exempt employees.

Certain employees are exempt from receiving overtime pay even though they are expected to work extra hours. Employees should visit with the elected official or Supervisor to determine the status of the employee.

Policy for Exempt Employees.

It is Goshen County's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly and that no improper deductions are made, you must review your pay stubs promptly to identify and report all errors.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours you may work for the County.

This salary will be established at the time of hire or when you become classified as an exempt employee and may be modified from time to time, such as during salary review times.

Under federal and state law, the salary of an exempt employee is subject to certain deductions. For example, the exempt employee may have a deduction in salary for the following reasons:

Full-day absences for personal reasons.

Full-day absences for sickness or disability, which are not covered by the County's sick leave policy.

Full-day disciplinary suspensions for infractions of our written policies and procedures.

Family and Medical Leave absences (either full- or partial-day absences).

To offset amounts received as payment for jury and witness fees or military pay.

The first or last month of employment in the event you work less than a full month.

Any full work week in which you do not perform any work.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan. In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

Partial day absences for personal reasons, sickness or disability.

Your absence on a day because your employer has decided to close a facility on a scheduled work day.

Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.

Any other deductions prohibited by state or federal law. However, deductions may be made to your accrued leave for full or partial-day absences for personal reasons, sickness or disability. If you believe you have been subject to any improper deductions, you should immediately report the matter to the Elected Official, Department Head/Manager or the Goshen County Clerk.

2.9 Compensation upon Separation

Pursuant to Wyo. Stat. §27-4-104, an employee will be issued a final paycheck at the next regularly scheduled pay date. The paycheck will cover any wages earned by the employee during the current pay period.

Vacation Leave. A separated employee shall receive payment for the current balance of unused leave, computed on the employee's hourly compensation rate.

Sick Time. A separated employee, vested with four continuous years of employment with Goshen County, shall receive payment for unused sick leave time at the rate of one-half (1/2) of the total accrued hours not to exceed 320 hours total payout, computed using the employee's hourly compensation rate at the time of separation. If separation occurs before four continuous years of employment, the employee is not eligible to receive payment for any accrued sick leave hours.

Compensatory Time. A separated employee shall receive payment for the current balance of unused compensatory time, computed using the employee's hourly compensation rate at the time of separation.

2.10 Separation from employment

Termination. Goshen County is an at-will employer and as such Goshen County or the employee can terminate employment at any time for any reason or no reason.

Resignation. An employee intending to voluntarily separate from county employment shall submit written notification to the immediate Supervisor and the County Clerks office specifying the effective date of the intended resignation.

Retirement. "Retire" "retired" or "retirement" means the termination of an employee's working career as a county employee for a salary and the fulfillment of the requirements for eligibility to receive a retirement or disability benefit under the County's retirement program. Employees separating from county employment by retirement shall follow procedures established by the Wyoming Retirement System.

Employees separating from county employment who are eligible for retirement benefits shall follow procedures established by the Wyoming Retirement System. WRS8 and 8A are completed by the employee and returned to the County Clerk's Office which provides the forms. Wyo. Stat. § 9-3-401 et. seq. governs all retirement benefits and procedures. Any employee who as questions about eligibility, procedure, and benefits should contact the County Clerk.

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

2.11 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.

2.12 Insurance

Full-time employees and part time employees regularly working thirty (30) or more hours a week, and their families may be eligible for health insurance benefits which are provided through the County. The benefit level of health insurance is dependent upon the County's financial ability and will be evaluated annually. In the event of any changes, the County will promptly notify employees to allow employees the opportunity to seek other coverage. Full-time employees are eligible for insurance not more than ninety (90) days after beginning employment. Health Insurance will begin on the first of the month closest to the ninety day period.

Please contact the Goshen County Clerk for enrollment forms and eligibility requirements.

2.13 Retirement

Full Time & Regular Part Time (25 or more hours per week) employees of Goshen County are eligible to receive retirement benefits which are administered through the State of Wyoming. Goshen County currently pays both the employee and employer shares of the contribution. The payment of both shares is dependent upon the financial ability of the County and will be evaluated on an annual basis. The terms and conditions of the retirement program are governed by Wyoming Statute.

Please contact the Goshen County Clerk for enrollment forms and eligibility requirements.

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Section 3 - Leave

3.1 Department Responsibility

The Elected Official or Department Supervisor shall authorize, document and report at the end of each pay period any leave hours used by employees during the pay period. A leave record shall be signed by the employee and kept on file in the department, for all leave taken.

3.2 Vacation Leave

Vacation Leave shall be accumulated and earned by employees, according to the number of hours worked and years of continuous service, based upon 173.5 hours per calendar month worked.

Accrual Base Rates:

(Counted from most recent date of employment)

0 through 12 months (0 to 1 year)	-	4 hours per month
13 through 108 months (1 to 9 years)	-	7 hours per month
109 months or more (9+ years)	-	10 hours per month

Monthly Accrual Rates:

(Based on regularly scheduled work hours)

160 or more hours	-	100% of base rate per month
120 through 159 hours	-	75% of base rate per month
80 through 119 hours	-	50 % of base rate per month
79 or less hours	-	0 hours per month

Authorized Use. Elected Officials, Department Directors and Managers shall consider the needs of the employee and the staffing requirements of the department in approving vacation leave. Vacation leave shall be prior approved, and requested with reasonable advance notice.

Availability. Vacation Leave shall become available upon accrual at the end of each pay period, and may not be used before accrual. Exception: December accruals, which may need to be used by end of calendar year.

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

Maximum Accrual. Employees may carry forward a balance of vacation hours not to exceed 80 hours.

Vacation Bonus Hours. Employees who have used no more than forty (40) hours sick leave in a continuous service calendar year shall receive twenty-four (24) hours additional vacation leave, available January 1 of the subsequent year.

Payment in Lieu of Vacation. If a regular status employee has been denied vacation requests throughout a calendar year, the employee is eligible to receive payment at the employee's regular rate of pay. Documentation shall include written requests for vacation leave, which have been denied.

3.3 Sick Leave

Sick leave shall be accumulated by employees according to the number of hours worked per pay period (calendar month).

Monthly Accrual Rates

160 or more hours	8 hours per month
120 through 159 hours	6 hours per month
80 through 119 hours	4 hours per month
79 hours or less	0 hours per month

Road and Bridge will accrue 10 hours per pay period due to a full time 10 hour work day. The accrual rate shall be reduced by the same percentages as the above table.

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 and mental health conditions; for medical, dental, optical or mental health examinations or treatment; for illness or injury of a parent, spouse, 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 Elected Official or Department Supervisor shall have the authority to send the employee home with the day charged against the employee's sick leave.

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 15 minutes of the beginning of the scheduled work time. If notification is not given, the absence may be charged to vacation time and disciplinary action taken. The Elected Official or Department Supervisor may require documentation to support the medical leave.

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 rate.

Maximum Accrual. Regular Status Employees may carry forward a balance of Sick Leave not to exceed 800 hours, at the end of each calendar year.

Workers' Compensation. In the event of absence resulting from an injury compensable under Workers' Compensation Act, the employee may receive Sick Leave benefits at the discretion of Goshen County, to supplement payments made under the Workers' Compensation Act, with charges made against sick leave accruals until accrued sick leave is exhausted.

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 he/she may perform the essential functions of the position.

3.4 Sick Leave Donation

Regular status employees with a minimum of eighty (80) hours accrued sick leave may donate ten (10) hours to the sick bank at any time. After the first donation, no further donation is needed until such time as donations are solicited. An employee who has donated may request to borrow a maximum of eighty (80) hours, and is required to repay the sick bank. Hours donated to the sick bank are no longer considered belonging to the employee or a part of the employee's accrued leave and may not be considered so at termination. Hours granted from the sick bank are withdrawn only as they are used.

Procedure. An employee may apply in writing to the County Commissioners, along with a physician's statement of appropriate medical facts and approximate length of time away from work. This should be submitted to the County Clerk's office.

- (a) The employee may not borrow from the sick bank until accrued paid leave has been exhausted.
- (b) Leave is to cover catastrophic illness or extenuating circumstances due to the serious health condition of employee, spouse, parent, or child.
- (c) The employee agrees in writing to repay the borrowed leave to the sick bank. The agreement is filed in the County Clerk's office. If the employee leaves Goshen County employment, any remaining sick leave may be deducted from the final paycheck.
- (d) The County Clerk's office processes requests, collects donation forms and agreements to repay sick leave. The County Clerk's office maintains the sick bank hours.

3.5 Bereavement Leave

Employees who regularly work a minimum of ninety (90) hours per month are eligible to request up to five (5) days leave with pay, proportionate to the number of hours they are regularly scheduled to work, upon the death of an immediate family member.

Notification. The employee should notify the Elected Official or Department Supervisor as soon as possible and requesting bereavement leave.

Immediate Family Defined. Immediate Family is defined for this purpose as: Spouse; Parent; Grandparent; Step Grandparent; Grandchild; Step Grandchild; Child; Sibling or Step Sibling; Son-in-Law or Daughter-in-Law; Mother-in-Law or Father-in-Law.

3.6 Holiday Leave

Regular Status Employees who work a minimum of ninety (90) hours per month are eligible to receive holiday leave with pay proportionate to the number of hours they are regularly scheduled to work.

Eligible employees shall be granted paid holiday leave from regularly scheduled work hours occurring on holidays, designated by the Board of County Commissioners at the first regular meeting in January of each year. When a recognized holiday falls on Saturday, the proceeding Friday may be designated as the holiday; when a recognized holiday falls on Sunday, the following Monday may be designated as the holiday.

Employees on leave without pay the day before and the day after the holiday shall not be entitled to paid holiday leave. Employees on leave with pay, either the day before or after the holiday, or both, shall not be required to count the holiday as leave used.

3.7 Family and Medical Leave

You are eligible to take up to twelve (12) weeks of unpaid family/medical leave within any 12-month period and be restored to the same or an equivalent position upon your return from leave, subject to the terms of the Family and Medical Leave Act, provided you have worked for the County for at least twelve (12) months, and for at least 1,250 hours in the last twelve (12) months. The 12-month period is a rolling 12 months and will be measured backward from the date an employee uses any FMLA leave.

Reasons for Leave. You may take family/medical leave for any of the following reasons:

- a) the birth of a son or daughter and in order to care for such son or daughter;
- b) the placement of a son or daughter with you for adoption or foster care and in order to care for the newly placed son or daughter;
- c) to care for a spouse, son, daughter or parent (called a "covered relation") with a serious health condition; or
- d) due to your own serious health condition which renders you unable to perform any of the essential functions of your position. Leave because of reasons (a) or (b) must be completed within the 12-month period beginning on the date of birth or placement. In addition, spouses employed by the County who request leave because of reasons (a) or (b) or to care for an employee's parent with a serious health condition may only take a combined total of twelve (12) weeks leave during any 12-month period.

Notice of Leave. If your need for family/medical leave is foreseeable, you must give the County at least thirty (30) days prior written notice. If this is not possible, you must at least give notice as soon as practicable (within two (2) business days of learning of your need for leave). Failure to provide such notice may be grounds for delay of leave. Additionally, if you are planning a medical treatment you must consult with the County first regarding the dates of such treatment. Where the need for leave is not foreseeable, you are expected to notify the County within two (2) business days of learning of your need for leave, except in extraordinary circumstances.

Medical Certification. If you are requesting leave because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate medical certification. Employees requesting Family Care Leave may be required to present a medical certification from a health care provider containing the date the serious health condition commenced, the probable duration of the condition, the appropriate medical facts regarding the condition, and information regarding the need for the employee's assistance. When you request leave, the County will notify you of the requirement for medical certification and when it is due (at least fifteen (15) days after you request leave). If you provide at least thirty (30) days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided.

Goshen County, at its expense, may require an examination by a second health care provider designated by the County, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the County, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The County may require subsequent medical re-certification. Failure to provide requested certification within fifteen (15) days, if such is practicable, may result in delay of further leave until it is provided.

Reporting While on Leave. If you take leave because of your own serious health condition or to care for a covered relation, you must contact the County on the first and third Tuesday of each month regarding the status of the condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

Leave Is Unpaid. Family/medical leave is unpaid leave, although you may be eligible for short or long-term disability payments and/or workers' compensation benefits under those insurance plans or policies. If you are entitled to receive money from these sources, your leave will be considered "paid leave" for the period during which you receive that money. If your leave is "unpaid" leave, you will be required to substitute paid time off (vacation, sick days, personal days) for "unpaid" FMLA leave as described below. If you request leave because of a birth, adoption or foster care placement of a child, any accrued paid vacation first will be substituted for unpaid family/medical leave. If you request leave because of your own serious health condition, or to care for a covered relation with a serious health condition, any accrued paid vacation and sick days first will be substituted for any unpaid family/medical leave. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. Further, in no case can the substitution of paid leave time for unpaid leave time result in your receipt of more than 100% of your salary. Your family/medical leave runs concurrently with other types of leave (i.e., paid vacation and sick time).

Medical and Other Benefits. During an approved family/medical leave, Goshen County will maintain your health benefits as if you continued to be actively employed. If paid leave is substituted for unpaid family/medical leave, the County will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium. Your health care coverage will cease if your premium payment is more than thirty (30) days late. If your payment is more than fifteen (15) days late, we will send you a letter to this effect. If we do not receive your payment within fifteen (15) days after the date of this letter, your coverage may cease. If you elect not to return to work for at least thirty (30) calendar days at the end of the leave period, you will be required to reimburse the County for the cost of the health benefit premiums paid by the County for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

Intermittent and Reduced Schedule Leave. Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If leave is unpaid, the County will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave, the County may temporarily transfer you to an available alternative position which better accommodates your recurring leave and has equivalent pay and benefits.

Returning From Leave. If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required to provide medical certification that you are fit to resume work.

No Work While on Leave. Employees shall not take another job while on family/medical leave or any while on other authorized leaves of absence.

Accrual of Benefits. An employee shall not accrue benefits while in an unpaid leave status.

3.8 Voting Leave

Employees shall, at the time specified by the Elected Official or Department Supervisor, be allowed one (1) hour of leave with pay for the purpose of voting in an official public election.

3.9 Jury Leave

An employee shall be granted leave of absence for required jury duty or witness duties under the following conditions:

- (a) An employee shall present to the Elected Official or Department Supervisor, the summons from the court activating jury or witness duty; and
- (b) An employee should, while serving the required jury or witness duty, submit payment for jury duty or witness fees to the Elected Official or Department Supervisor, who shall then submit the payment to the County Treasurer. The employee is then paid a regular amount for the time period by the county, so that retirement contributions remain consistent. If the receipt is not submitted, the employee's county salary for the time period is reduced by the amount of jury duty payment or witness fee amount.
- (c) An employee who is called but released by the court shall return to normal county duties for the balance of the workday.
- (d) An employee who chooses to use annual leave or is not scheduled to work at the same time as he serves is not required to submit jury pay.

3.10 Military Leave

Employees serving with the Military, Military Reserve and National Guard are entitled to certain protections and benefits as set forth in Wyoming's Military Service Relief Act, Wyo. Stat. §§19-11-101 through 19-11-124 and other governing laws. Employees called to active/training duty or to Reserve or National Guard training, or who volunteer for the same, should submit copies of their military orders to their Supervisor as soon as possible

Unpaid Military Leave. If an employee is called into active military service or enlists in the uniformed services, the employee will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, the employee must provide management with advance notice of the service obligations unless the employee is prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the employees absence does not exceed applicable statutory limitations, the employee will retain re-employment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Please ask the Elected Official or Department Supervisor for further information about your eligibility for Military Leave.

Paid Military Leave. Any member of the Wyoming national guard or United States military forces reserve who is an officer or employee of this state or any political subdivision, municipal corporation or any public agency or entity of the state, shall be given a military leave of absence with pay at the regular salary or wage which the employee normally receives, not to exceed fifteen (15) calendar days in any one (1) calendar year to attend duly authorized encampments, training cruises and similar training programs in addition to any other leave or vacation time to which the person is otherwise entitled.

3.11 Personal Leave

If an employee is ineligible for any other County leave of absence, Goshen County, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and the employee is not eligible for FMLA and CFRA, medical certification also must be submitted. An employee request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as the employees performance and attendance records. A leave of absence may be granted for a period of up to four (4) weeks. Under unusual circumstances, a personal leave may be extended if, prior to the end of your leave, you submit a written request for an extension to management and the request is granted. During your leave, you will not earn vacation, personal days or sick days. Goshen County will continue health insurance coverage during the leave if the employee submits monthly premium payments to the County in a timely manner, subject to the terms of the plan documents.

When an employee anticipates return to work, the employee shall notify the Elected Official or Department Supervisor of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the employee's personal leave of absence, the County will attempt to return the employee to the original job, or to a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of your availability to return to work, failure to return to work when notified, or your continued absence from work beyond the time approved by the County, will be considered a voluntary resignation of your employment.

3.12 Educational Leave

Goshen County supports staff development through encouraged and required training and education.

Job related and required seminars/workshops/continuing education/college credit classes attended by the employee during normal working hours are considered a county expense and are subject to the Reimbursable Expenses Policy and Procedures, and the approval of the Elected Official or Department Supervisor.

Non-Job Related seminars/workshops/continuing education/college credit classes attended during working hours may be approved by the Elected Officials, Department Director or Manager. 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 county reimbursement.

An employee requesting reimbursement for training/classes/seminars may be required to provide documentation of passing grades to the Elected Official, Department Director or Manager, to receive reimbursement.

3.13 Inclement Weather Leave

The Board of County Commissioners may, in consultation with the Emergency Management Agency, declare County offices closed due to dangerous weather conditions. Local media will be advised of closings. Employees may expect direction from the Elected Official or Department Supervisor.

Employees who are scheduled to work shall be paid for Inclement Weather Leave declared by the County Commissioners at their regular rate of pay. If Inclement Weather Leave occurs during authorized leave, Inclement Weather Leave may not be substituted for, or in addition to, other leave taken.

Designated weather-vital personnel (Sheriff's Department, Road and Bridge, Emergency Management Agency/911, are not eligible for Inclement Weather Leave.

3.14 Flex Time

Elected Officials, Department Directors or Managers may approve flex hours at the request of an employee, if such flex hours do not jeopardize the efficiency of the department in productivity or public service.

3.15 Absence Without Leave

Any unauthorized leave shall be leave without pay, and may result in disciplinary action or be considered the employee's constructive resignation.

Section 4 - Reimbursable and Payable Expenses

4.1 Reimbursable Expenses

Employees may be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the Elected Official or the Department Supervisor and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the Elected Official or Department Supervisor, and the Goshen County Clerk along with the receipts in a timely manner. No reimbursement or payment is made without proper original receipts.

Employees are expected to exercise restraint and good judgment when incurring expenses. You should contact your Supervisor in advance if you have any questions about whether an expense will be reimbursed.

4.2 Non-reimbursable Expenses

Non-reimbursable expenses are expenses which are incurred outside of the parameters of employment and which are not related to official county business. These expenses include personal supply items, personal phone calls, alcoholic beverages, and expenses which do not have required approval prior to being incurred or which lack proper documentation. Charge card slips without itemized receipts are not considered proper receipts and will not be reimbursed.

4.3 Travel

Use of County Vehicle. County vehicles shall only be used by authorized employees of Goshen County, with valid driver's licenses, for conducting authorized county business and shall not be used at any time for personal business. If this policy is violated, the employee may be responsible for any liability incurred. Fines for traffic or parking violations against a county vehicle are the responsibility of the employee to whom the vehicle is assigned. Traffic violations must be reported to the Elected Official or Department Supervisor and then to the County Clerk's office.

Vehicles not classified as emergency vehicles, and not individually assigned to an employee, shall remain on county property when not in use for official business. Use of county vehicles for travel to and from the work site or other purposes unrelated to official county business may be included in determining compensation pursuant to the Federal Tax Reform Bill of 1986 or those exceptions as provided by IRS Regulations.

Use of Private Vehicle. If a private vehicle is used for county business, reimbursement is based on mileage allowance not to exceed the rate set by the State of Wyoming. 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. The reimbursement shall not exceed commercial economy airfare.

If a county vehicle is available to an employee and the employee chooses to use a private vehicle for normal daily course of duties for Goshen County, mileage shall not be allowed.

If a personal vehicle is used on county business, it is the responsibility of the employee to maintain insurance on the vehicle. Mileage reimbursement is for all expenses in using a personal vehicle.

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Section 5 - General Standards of Conduct

5.1 Workplace Conduct

Goshen County endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play. Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the County's sole discretion. Notwithstanding any statement within these policies, Goshen County reserves the right to terminate the employment of any employee at any time, with or without cause. In order to dismiss an employee, Goshen County is not required to give the employee any prior disciplinary warning, verbal or written, or to otherwise provide any advance notice of dismissal.

The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing County property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Dishonesty.
5. Violation of safety rules and policies.
6. Violation of Goshen County's Drug and Alcohol-Free Workplace Policy.
7. Fighting, threatening or disrupting the work of others or other violations of Goshen County's Workplace Violence Policy.
8. Insubordination or disobedience of a lawful management directive.
9. Use of foul or inappropriate language.
10. Loitering or loafing during work time, or leaving a work area without the permission of management.
11. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
12. Gambling on County property.
13. Stopping work prior to the end of any shift without management's permission.
14. Willful or careless destruction or damage to County assets or to the equipment or possessions of another employee.
15. Wasting work materials.
16. Performing work of a personal nature during working time.
17. Violation of Goshen County's Harassment or Equal Employment Opportunity Policies.
18. Unsatisfactory job performance.
19. Any other violation of County policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Goshen County reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The County will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5.2 Punctuality and Attendance

Employees are hired to perform an important function at Goshen County. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on your fellow employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

Goshen County does recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify your Elected Official or Department Supervisor as early as possible, but no later than the start of your work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Please call, stating the nature of your illness and its expected duration, every day that you are absent.

Any employee who fails to report to work at the designated time and fails to contact the Elected Official or Department Supervisor may have such actions construed as a voluntary resignation of employment with the County.

5.3 Use of Communication and Computer Systems

Goshen County's communication and computer systems are intended for business purposes and may be used only during working time; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other County policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the systems.

Goshen County may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the County deems it appropriate to do so. The reasons for which the County may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that County operations continue appropriately during an employee's absence.

Further, Goshen County may review Internet usage to ensure that such use with County property, or communications sent via the Internet with County property, are appropriate. The reasons for which the County may review employees' use of the Internet with County property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that County operations continue appropriately during an employee's absence.

The County may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The County's policies prohibiting harassment, in their entirety, apply to the use of the County's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Since the County's communication and computer systems are intended for business use, these systems may not be used to solicit for religious or political causes or outside organizations.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited. No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

All users and devices attaching, by any means, to the Goshen County network must abide by the rules set forth by the Information Technology Department and must have prior written approval.

5.4 Inspections

Goshen County reserves the right to require employees while on County property, to agree to the inspection of their work areas. This includes lockers, desks, cabinets, work stations, or places of concealment. Employees are expected to cooperate in the conduct of any search or inspection.

5.5 Personal Visits and Telephone Calls

Disruptions during working time can lead to errors and delays. Therefore, Goshen County asks that personal telephone calls be kept to a minimum, and only be made or received after working time, or during lunch or break time.

5.6 Confidential Information

During the course of work, an employee may become aware of certain information of the County, public or fellow employees which may be confidential in nature. It is extremely

important that all such information remain confidential and not be disclosed. Employees shall not improperly copy, remove (whether physically or electronically), use or disclose confidential information to anyone outside of the County. Employees may be required to sign an agreement reiterating these obligations.

5.7 Conflict of Interest and Ethics

Goshen County Government employees shall conduct themselves in a manner above reproach, and shall not use their positions for personal gain or in such a way as to violate public trust. No employee shall receive, directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to his/her position, other than the compensation allowed by law. No employee shall engage in any business or transaction, have a financial or other interest, or render services for private interests, which is in conflict with the proper discharge of duties.

5.8 Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often 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.

Please notify your Supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the County's intellectual property, such as audio and video tapes, print materials and software.

Further, the County is not responsible for any damage to employees' personal belongings unless the employee's Supervisor provided advance approval for the employee to bring the personal property to work.

5.9 Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Goshen County may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of the County. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The County generally will attempt to identify other available positions, but if no alternate position is available, the County retains the right to decide which employee will remain with the County.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. Relationship is more fully defined by WS § 9-13-102.

5.10 Employee Dress and Personal Appearance

You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your Supervisor for specific information regarding acceptable attire for your position. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well groomed and wearing the proper attire.

5.11 Legal Advice to Public

No employee of Goshen County is authorized to give legal advice to any member of the public. Any employee doing so is acting outside the scope of his/hers employment and job duties. Exception: The County Attorney and any deputies may provide legal advice in the performance of their duties.

5.12 Employees Driving County Vehicles

Employees who drive county vehicles are required to maintain a clean driving record and a valid driver's license. Any county driver whose status becomes uninsurable according to the Goshen County Safety Manual or insurance guidelines, and/or whose driver's license becomes suspended or revoked, may not drive any vehicle on county business, and may be subject to duty reassignments or termination. Unless a separate agreement is in force, County employees shall not drive State of Wyoming or other non-County vehicles while performing work for Goshen County, except when use of a personal vehicle is approved. Transporting anyone who is not a County employee is prohibited and may subject the user to full personal liability unless a separate agreement is in force.

5.13 Non-Smoking Policy

County employees and guests must be provided an environment free from the hazards of tobacco smoke. To protect the health of the public and county employees, smoking is not permitted in any county building, any building space leased by the county for conducting county business, or in any vehicle owned by Goshen County. Smoking is defined as a lighted cigar, cigarette, pipe, or any lighted tobacco product or “e-cigarette” type of smoking device.

5.14 Possession of Firearms

Unauthorized possessions of a firearm in the workplace, on County property, or while driving a county vehicle or equipment, is prohibited. Any observance of violation of this policy shall be reported to the Elected Official or Department Supervisor.

5.15 Outside Employment

Employees are permitted to engage in employment outside their employment with Goshen County so long as the outside employment does not create a conflict of interest with Goshen County or the employee’s position with Goshen County.

5.16 References

Goshen County will respond to reference requests through the Goshen County Clerk. The County will provide general information concerning the employee such as date of hire, date of termination, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Goshen County Clerk.

5.17 If You Must Leave Employment with Goshen County

Should you decide to leave the County, we ask that you provide your Supervisor with at least two (2) weeks advance notice of your departure. Your thoughtfulness will be appreciated.

All County property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc. must be returned at separation. Employees also must return all of the County's confidential information upon separation. To the extent permitted by law, employees will be required to repay the County (through payroll deduction, if lawful) for any lost or damaged County property.

As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

Section 6 - Lawsuits Against Employees and the County; Service of Process

6.1 Employee Responsibility

All County employees are expected to work in accordance with good safety practices. All County employees are expected to continually be aware of situations where they may reduce liability to the County. Any employee having knowledge of events or occurrences which may give rise to liability allegations against the employee or against the County shall immediately notify the Elected Official, Department Supervisor, or County Attorney of the pertinent facts.

6.2 Wyoming Governmental Claims Act

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

The act also states that when liability is alleged against any public employee, if the governmental entity determines the employee was acting with 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.

6.3 Determination of Employee Acting Within Scope of Duties

The Board of County Commissioners shall, in consultation with other Elected Officials and Department Supervisors as necessary, determine whether an employee was acting within the scope of the employee's duties. The County Attorney will assist in providing legal advice, and appropriate legal protection for the County and its employees.

If the County provides legal counsel for an employee and the employee has a counter-claim or other claim arising out of the incident which may result in recovery by the employee, the County is not obligated to represent the employee on the claim.

6.4 Court Service of Process

Wyoming Statute §18-2-110 provides that in all proceedings against the County, process shall be served upon the Board of County Commissioners or any member thereof. Service of Process refers to the writs, warrants, summons, subpoenas and other orders of judicial officers, served commonly as hand delivered, or certified mail, to the person being served.

Summons are served at the commencement of a suit and are a notice to the person that he/she has been sued and that he/she has a right to appear and defend. A subpoena can be issued anytime and is a command to the person to appear and give testimony and/or produce documents.

Employees should not accept service of process on behalf of Goshen County, or any officer, deputy or employee, unless specifically authorized by the County Commissioners; nor should an employee accept service of process by registered or certified mail addressed to other persons. Neither should any process server be allowed to leave process with an employee for delivery or pick up by the county employee named.

If a process server arrives at the workplace, the employee should notify the Supervisor, who should ask the person to be served to come forward. The process server should not be hindered from accomplishing delivery of process.

If an employee is served with process as the person named, or is unable to avoid being served with a process on someone else, that employee should immediately notify the person named, the employee's Elected Official, Department Supervisor, the County Attorney, and the County Clerk if pertaining to Goshen County. The process should be hand delivered as soon as possible.

Section 7 - Substance Abuse

Goshen County Government believes a drug free workplace is important for the safety of employees and the public. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcoholic beverages is prohibited while performing any job functions for Goshen County.

7.1 Suspected Impairment

In cases where a Supervisor has reasonable suspicion to believe an employee is under the influence of controlled substances, the Supervisor may require the employee to immediately go to a medical clinic to provide both urine and blood specimens for laboratory testing. The employee shall be driven to the clinic by the Supervisor, or transportation arranged for the employee by the Supervisor. If an employee reports to work and there is reasonable suspicion of alcohol use, the employee may be driven to the Goshen County Sheriff's Department for a breathalyzer test.

A refusal to provide either urine or blood specimens, or to take a breathalyzer test, shall constitute a presumption of substance abuse/intoxication. The employee may be immediately dismissed from employment with Goshen County.

Reasonable Suspicion. Reasonable suspicion means suspicion based on specific personal observations which the Supervisor can describe concerning erratic and/or negligent job performance, a consistent pattern of absences in attendance, obvious changes in appearance and behavior, slurred speech or suspicious breath odor of the employee. The Supervisor shall document specific details of these incidents which shall be placed in the employee's personnel file. The Supervisor shall also make a written statement within twenty-four (24) hours documenting these observations and submit this statement to the County Clerk's office.

When requested, the employee shall sign a consent form authorizing a designated clinic to draw a specimen of blood and/or urine and release the results of the laboratory testing to his/her employer. The accepted laboratory standards will be utilized in determining when an employee tests positive for substance abuse or alcohol. A blood alcohol level equal to or exceeding .08% is indicative of legal intoxication. Lesser amounts of blood alcohol may result in impairment. An employee found positive for alcohol or drugs may be terminated, or may be asked to participate in a rehabilitation program or face discipline or dismissal for refusal to do so.

7.2 Rehabilitation Program

A rehabilitation and return to work program may be offered, but is not guaranteed. If an employee participates in a rehabilitation program, he/she may utilize sick leave benefits, vacation leave and personal leave, if approved. The cost of the treatment program shall be borne by the employee. The employee must contact the Elected Official or Department Supervisor on a weekly basis throughout the employees' participation in the rehabilitation program. If the employee refuses to participate in a rehabilitation program after testing positive for alcohol or an illegal substance, the employee shall immediately be disciplined or discharged.

Upon completion of a rehabilitation program, the Elected Official or Department Supervisor, shall assist the employee as he/she returns to the workplace. If the employee again tests positive for alcohol or substance abuse following his/her return to the workplace, he/she shall be immediately discharged. All test results provided to Goshen County shall be treated with confidentiality and will generally be released only to the employee's Supervisor, the County Commissioners and the Goshen County Attorney.

7.3 Voluntary Rehabilitation

Any Goshen County Employee who considers himself to have a substance abuse problem either in or out of the workplace may approach the Elected Official or Department Supervisor and request voluntary entrance into a rehabilitation program. Voluntary participation does not preclude termination if the employee is subsequently found to be in violation of the substance abuse policy.

7.4 Criminal Conviction

Every employee shall notify, within five (5) calendar days, the Elected Official or Department Supervisor, of any and all convictions for a violation of a criminal drug statute or alcohol offenses, whether such violation or offense occur on or off County property. Such convictions may result in termination.

7.5 Employees Driving County Vehicles or driving a personal vehicle for business purposes or on the Worker's Compensation Insurance

Those employees chosen for employment (or currently employed) in County positions for which driving a County vehicle or equipment is required, driving a personal vehicle for business purposes, or on the Worker's Compensation Insurance may be subject to drug/alcohol testing as: pre-employment; reasonable suspicion, random and post-accident. Those positions requiring a Class A Commercial 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 return to work following a violation of Goshen County policy. Employees driving County vehicles are required to remain insurable through the County Property Insurance and be in compliance with the Goshen County Safety Manual.

7.6 Prescription Medication

This policy is not meant to exclude the legal and appropriate use of prescription medication. If any employee has been prescribed a medication which they have been informed has the potential to impair job performance, the employee shall advise the Supervisor of the known side effects of such medication and length of time for which it is prescribed. The Supervisor, in consultation with the employee's physician, and the County Clerk's office may adjust the employee's work duties. No employee shall ingest any prescribed or over-the-counter medication in amounts exceeding the recommended dosage.

Section 8 – Discrimination and Harassment

It is the intent of Goshen County to provide a workplace free from discrimination, harassment and violence.

8.1 Procedure for Complaint Process

An employee who believes he/she is a victim of sexual harassment, other harassment or violence, threat of harassment or violence, whether physical or verbal, shall report the incident(s) to the Elected Official or Department Supervisor as soon as possible so that steps may be taken to protect the employee from further harassment. The Supervisor shall conduct an immediate and appropriate investigation and notify the County Clerks office of the incident. If reporting the incident(s) directly to the Supervisor is not practical due to perceived insensitivity, intimidation or involvement, a complaint may instead be filed directly with the County Attorney or Sheriff, who will initiate investigation measures. All complaints, investigations, and actions shall be completely documented and appropriately stored, and should be coordinated through the County Clerk's office.

The complaint may be handled one of two ways:

- a. Informally, if counseling of the alleged violator will stop the harassment; or
- b. Formally, if counseling is insufficient, counseling has previously failed or the allegations of harassment are of a severity requiring discipline, termination or criminal prosecution.

Under no circumstances shall the victim be required to confront or contact the violator about the incidents(s).

Under no circumstances shall the violator be allowed to contact the victim about the incident(s).

There shall be no retaliation against any employee acting in good faith in the lodging of a harassment complaint, or assisting, testifying or participating in the investigation of such complaint.

Employees shall not knowingly lodge a complaint without foundation.

The complainant has an absolute right to file a complaint at any time with the Wyoming Department of Employment or the Equal Employment Opportunity Commission.

Section 9 - Accidents and Injuries

9.1 County Vehicle Accidents

If an employee is involved in an accident while acting within the scope of his or her duties as a Goshen County employee and/or while driving a Goshen County vehicle, the employee shall follow these instructions:

- (a) Stop immediately and investigate, regardless of how minor the accident may appear. Do not move any vehicle until told by law enforcement. Check for any injuries to self, passenger, persons in other vehicle(s), and pedestrians.
- (b) Prevent further accidents by warning other drivers with a light, flag or similar device, when appropriate.
- (c) 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 Goshen County (Elected Official, Department Supervisor, County Attorney), or a properly identified claim representative of the County's insurance company. Do not discuss liability with anyone.
- (d) 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).

When driving a County vehicle, give as the insurance agent:

Goshen County Clerk's Office
2125 East A Street
P.O. Box 160
Torrington, WY 82240 Phone (307) 532-4051

- (e) Report the accident as soon as possible to the County Clerk's office, and to your Supervisor, Elected Official, Department Director or Manager. When driving a County vehicle, you will report to the Sheriff's Department for post accident drug testing immediately or as soon as reasonably practical.
- (f) Observe and record all information in a written accident report to the County

Clerk, attaching a copy of the police report. If the damage is estimated to be \$500 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 through the County Clerk's office within ten(10) days of the incident.

- (g) Refer to the Goshen County Safety Manual.

9.2 Medical Emergency or Injury/Public/Employee

If an employee or member of the public experiences a medical emergency or injury on County property, the employee witness should call 911 and request an ambulance, and notify the County Clerk as soon as possible.

If an employee is injured on the job, his/her Supervisor, director or manager should be informed, a Workers Compensation Report filed with the County Clerk's office if the employee is covered under Workers Compensation Insurance, and an injury report submitted to the County Clerk's office. Refer to the County Safety Manual.

Section 10 - Complaint Resolution

10.1 Process

The complaint Process provides an immediate and orderly process for problem resolution. Employees are encouraged to resolve complaints by using the following procedure.

- Step A. A complaint may be discussed initially between the persons involved. Many problems are reduced or resolved on a one-to-one basis.

- Step B. If the complaint is not resolved in Step A, the employee may define the complaint to the immediate Supervisor for discussion. If the complaint involves the immediate Supervisor, the employee is to present the complaint to the next level Supervisor. The Elected Official or Department Supervisor is responsible for evaluating the employee complaint considering applicable County policies, in an attempt to resolve the complaint. Any decisions or resolutions made by the Elected Official or Department Supervisor shall be considered final.

- Step C. If the Elected Official or Department Supervisor is involved, or can not be presented at the department level for any reason, the complaint may be presented to the County Attorney or Sheriff. (Also refer to Chapter 13 Discrimination and Harassment)

Section 11 - ADA Grievance Procedure

11.1 Procedure

This grievance procedure is established in order to meet the requirements of the Americans with Disabilities Act. This procedure is in place to resolve complaints alleging discrimination on the basis of employment practices and policies, or in services, activities, programs, or benefits offered by Goshen County Government.

The establishment of this procedure is not intended to preclude other remedy offered by local, state, and federal law. Employment of this procedure is not required before a complainant may employ these alternative remedies.

Unless otherwise indicated, agreed to by all parties, or as required by other law, Goshen County will not make public information relating to complaints alleging discrimination where information about a complainant's disability or identity is a result of an employee relationship with the County.

The complaint should be offered in writing unless an alternative accessible format is required. Goshen County shall provide reasonable assistance to the complainant in the filing of a complaint by providing the accessible alternative format. The complaint shall include: detail information on the alleged discriminatory act(s), the address where the problem occurred, the name of the complainant and such information that is required to contact the complainant.

The complaint should be submitted to: Goshen County Attorney
2125 East A Street
Torrington, WY 82240
Phone (307)532-4223

as soon as possible, but no later than sixty (60) calendar days after the alleged incident.

The County Attorney will meet with the complainant, or a designee, in an accessible location to discuss details of the alleged incident and possible remedies within fifteen (15) days of receipt of the complaint.

Within fifteen (15) days of this meeting, the County Attorney will provide the complainant, or designee, with a written (in accessible format when required) response to the allegation(s). The response will include the position of Goshen County and will offer the options for substantial resolution where these options are reasonable or required by the Act.

If the response is not satisfactory to the complainant and does not, in the view of the complainant, resolve the issue, the complaint may, within 15 days of receiving the recommendations, appeal the decision of the County Attorney to the Goshen County Commissioners. Within 15 days of receipt of appeal, the Commissioners will meet with all

parties (complainant and County Attorney) in an attempt to resolve unsettled issues. Within fifteen (15) days of appeal, the Commissioners who conducted the appeal will respond in writing, and in any required accessible format, the findings and recommendations of the appeal containing a final recommendation.

Should this procedure fail to answer an alleged complaint to the complainant's satisfaction, the County Attorney will offer to contact the Department of Justice and arrange for Alternative Dispute Resolution sessions that are provided by the D.O.J. Should the complainant refuse any additional assistance, the County Attorney will provide the complainant with the complaint procedures and contact offices for the appropriate federal agencies. (Department of Justice or E.E.O.C.)

All documentation related to the procedure will be maintained by Goshen County in the County Attorneys office for a minimum of five years.

Section 12 – Whistleblower Policy

The Company strives to operate in an ethical, honest, and lawful manner and expects all its employees to conduct their activities in accordance with Company policies and applicable law. The Company strongly encourages all employees to report suspected or actual wrongful conduct by any other employee, supervisor, manager, department, etc. through channels that the Company establishes for such reporting. No Company employee may interfere with the good faith reporting of suspected or actual wrongful conduct; no individual who makes such a good faith report shall be subject to retaliation, including harassment or any adverse employment consequence, as a result of making a report. The Company will take whatever action is necessary and appropriate to address violation of this policy.

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