

# The City of Lander Employee Manual



06/19/2026



Wyoming

## ABOUT THIS MANUAL/DISCLAIMER

The City of Lander retains the absolute right to terminate any employee at any time. The City of Lander retains the right to unilaterally change the contents of this document at anytime without prior notice or consideration, upon compliance with the Wyoming Administrative Procedures Act and in accordance with law.

Violations of this policy by active employees may result in disciplinary action up to and including termination. The city reserves the right to take additional steps to recover overpayment and related collection fees, if necessary, as permitted by applicable law.

We prepared this manual to help employees find the answers to many questions that they may have regarding their employment with The City of Lander. Please take the necessary time to read it.

We do not expect this manual to answer all questions. Human Resources also serve as a major source of information.

Neither this manual nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. The City of Lander adheres to the policy of employment at will, which permits The City of Lander or the employee to end the employment relationship at any time, for any reason, with or without cause or notice. Designated law enforcement personnel employment and employment related activities shall be in accordance with W.S. 15-5-101 et seq. Appointed personnel employment and employment related activities shall be in accordance with W.S. 15-3-204.

No City of Lander representative other than Governing Body may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this manual, such as benefit plan descriptions, are also described in separate City of Lander documents. These City of Lander documents are always controlling over any statement made in this manual or by any person.

This manual states only general The City of Lander guidelines. The City of Lander may, at any time, in its sole discretion, modify or vary from anything stated in this manual, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and Governing Body.

This manual supersedes all prior manuals. This document applies to all employees regardless of hire date.

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## Section 1 - Governing Principles of Employment

### 1-1 INTRODUCTION

Welcome to The City of Lander! We are excited that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further The City of Lander's goals.

With your active involvement, ideas, and support, The City of Lander will continue to achieve its goals. We sincerely hope you will take pride in being an important part of The City of Lander's community service.

Please take time to review the policies contained in this document. If you have questions, feel free to ask your supervisor or to contact the Human Resources (HR) department.

For employees who are commencing employment with The City of Lander ("The City of Lander" or "The City of Lander"), on behalf of The City of Lander, let me extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at The City of Lander. We believe that it is our employees who provide the services that our residents rely upon, and who will enable us to create new opportunities in the years to come.

### 1-2 EQUAL EMPLOYMENT OPPORTUNITY

The City of Lander is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. The City of Lander's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Human Resources and/or the employee's supervisor. The City of Lander will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees believe they have been subjected to any such retaliation, they should contact the Human Resources and/or the employee's supervisor. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

### **1-3 REASONABLE ACCOMMODATIONS & INTERACTIVE DIALOGUE**

The City of Lander is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA). To that end, The City of Lander will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom The City of Lander has notice may require such an accommodation, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Reasonable accommodations can take many forms. For example, reasonable accommodations for pregnancy, childbirth, or related medical conditions include but are not limited to things such as the ability to carry or keep water near and drink, as needed; allowing the employee additional restroom breaks; allowing the employee whose work requires standing to sit and whose work requires sitting to stand; allowing the employee breaks, as needed, to eat and drink; accommodations related to lactation; time off to recover from childbirth; modification of equipment; appropriate seating; temporary transfer to a different position that the employee is able to perform; restructuring job duties; light duty; or a modified work schedule. The City of Lander will work with the employee to determine what accommodation is appropriate for the employee, given the employee's unique circumstances, that does not impose an undue hardship on The City of Lander.

Any employee who would like to request an accommodation based on any of the reasons set forth above should contact the Human Resources and/or the employee's supervisor.

Accommodation requests can be made in writing using a form which can be obtained from the Human Resources and/or the employee's supervisor. If the employee who has requested an accommodation has not received an initial response within five (5) business days, they should contact the Human Resources.

Unless otherwise required by law, The City of Lander may request that the employee provide supporting documentation. Cooperating with The City of Lander by returning requested information in a timely fashion is required.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, The City of Lander will engage in an interactive dialogue with the employee.

Even if the employee has not formally requested an accommodation, The City of Lander may initiate an interactive dialogue under certain circumstances, such as when The City of Lander has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event The City of Lander initiates an interactive dialogue, it should not be construed as The City of Lander's belief the employee requires an accommodation, but will serve as an invitation for the employee to share with The City of Lander any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, The City of Lander will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how The City of Lander may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, The City of Lander will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. The City of Lander is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

The City of Lander will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

The City of Lander will not allow any form of retaliation against employees who have requested an accommodation, for whom The City of Lander has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact the Human Resources and/or the employee's supervisor.

## **1-4 NON-HARASSMENT**

It is The City of Lander's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, department head, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information ,or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by The City of Lander.

The purpose of this policy is not to regulate any employee's personal morality, but to ensure that no one harasses another individual in the workplace, including while on the City of Lander premises, while conducting City of Lander business (whether or not on The City of Lander premises) or while representing The City of Lander in any fashion. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

### **Harassment Defined**

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

## **Sexual Harassment Defined**

Sexual harassment can include all the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

1. Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
2. Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. Obscene or vulgar gestures, posters, or comments;
4. Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. Propositions or suggestive or insulting comments of a sexual nature;
6. Derogatory cartoons, posters, and drawings;
7. Sexually explicit e-mails, text messages, or voicemails;
8. Uninvited touching of a sexual nature;
9. Unwelcome sexually related comments;
10. Conversation about a person's own or someone else's sex life;
11. Conduct or comments consistently targeted at a single gender, even if the content is not sexual; and
12. Teasing or other conduct directed toward a person because of the person's gender.

## **Reporting Procedures**

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Employee's Supervisor. If the employee is unable for any reason to contact this person or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Human Resources. If

the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

### **Investigation Procedures**

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. All employees must cooperate with all investigations conducted pursuant to this policy.

### **Retaliation Prohibited**

In addition, The City of Lander 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. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## **1-5 DRUG-FREE AND ALCOHOL-FREE WORKPLACE**

To help ensure a workplace free from recognized hazards likely to cause death or serious physical harm, as well as a healthy and productive work environment for our employees and others, to protect The City of Lander property, and to ensure efficient operations, The City of Lander 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 City of Lander.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale, or distribution of controlled substances (including medical marijuana), drug paraphernalia, or alcohol by an individual anywhere on The City of Lander premises, while conducting City of Lander business (whether or not on The City of Lander premises) or while representing The City of Lander, is strictly prohibited. Employees and other individuals who work for The City of Lander also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, 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. However, this exception does not extend any right to report to work under the influence of lawful recreational or medical marijuana or to use such as a defense to a positive drug test, to the extent the

employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law and the City of Lander Health and Safety Program, which includes a standalone policy that discusses the City of Lander's drug and alcohol testing program. This policy requires all employees to review and sign that they have received and understand the policy.

Violation of this policy will result in disciplinary action, up to and including discharge.

The City of Lander maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage 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 The City of Lander employee, including themselves.

Employees must notify The City of Lander within five (5) calendar days if they are convicted of a criminal drug violation in the workplace. Within ten (10) days of such notification or other actual notice, The City of Lander will advise the contracting agency of such conviction.

All employees are hereby advised that full compliance with the foregoing policy shall be a condition of employment at The City of Lander.

Any employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate discharge.

In the discretion of The City of Lander, any employee who violates the drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to The City of Lander's satisfaction in an approved drug assistance or rehabilitation program.

In order to maintain a drug-free workplace, The City of Lander has established a drug-free awareness program to educate employees on the dangers of drug abuse in the workplace, our drug-free workplace policy, the availability of any drug-free counseling, rehabilitation and employee assistance programs and the penalties that may be imposed for violations of our drug-free workplace policy. (Such education may include: (1) distribution of our drug-free workplace policy at the employment interview; (2) a discussion of our policy at the new employee orientation session; (3) distribution of a list of approved drug assistance agencies, organizations, and clinics; (4) distribution of published educational materials regarding the

dangers of drug abuse; (5) reorientation of all involved employees in cases in which a drug-related accident or incident occurs; (6) inclusion of the policy in employee handbooks and any other personnel policy publications; (7) lectures or training by local drug abuse assistance experts; (8) discussion by The City of Lander's safety experts on the hazards associated with drug abuse; and (9) video tape presentations on the hazards of drug abuse.)

## 1-6 WORKPLACE VIOLENCE

The City of Lander 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 The City of Lander and personal property.

The City of Lander does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, The City of Lander specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, The City of Lander does expect and encourage employees 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 The City of Lander policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or department head; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats (virtual, online including social media or in person), threatening language or any other acts of aggression or violence made toward or by any The City of Lander employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any direct or veiled 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**

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All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management, or Human Resources, with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede The City of Lander's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. 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 City of Lander determines, after an appropriate good faith investigation, that someone has violated this policy, The City of Lander will take swift and appropriate corrective action, up to and including termination.

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

## Section 2 - Operational Policies

### 2-1 EMPLOYEE CLASSIFICATIONS

Employee is defined as a full or part-time employee of The City of Lander. Elected members of the City Council are entitled to health insurance benefits pursuant to the City of Lander Municipal Code. Members of the Lander Volunteer Fire Department are not considered employees of the City entitled to any City benefits with the exception of statutory benefits required by law. For purposes of this manual, all The City of Lander employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis. Full-Time employees are eligible for city benefits and statutory benefits.

**Part-Time Employees** - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis. Generally, part-time employees work no more than 19 hours per week assessed over a six-month period. Part-time employees are not eligible for city benefits, but are eligible to receive statutory benefits.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, seasonal, per diem or temporary basis. Short-Term employees generally are not eligible for The City of Lander benefits, but are eligible to receive statutory 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. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

### 2-2 WORKING HOURS AND SCHEDULE

The City of Lander work week for non-law-enforcement employees, the City's standard workweek begins at **12:00 a.m. Saturday** for seven consecutive days and ends at **11:59 p.m. Friday**, unless the City adopts a different workweek in a written policy or departmental schedule applicable to a specific position or department. Sworn law enforcement employees may be scheduled under a 28-consecutive day work period or "tour" pursuant to section 13207(k) FLSA. The normal work week for full-time employees shall be eight hours per day, for a total of forty hours in a seven-consecutive day workweek. An administrator may allow alternate schedules. Employees will be assigned a work schedule and will be expected to

begin and end work according to the schedule. To accommodate the needs of the city, at some point The City of Lander may need to change individual work schedules on either a short-term or long-term basis.

No compensatory time shall be allowed for nonexempt employees. For the purpose of managing overtime, a discretionary allowance, or “flex time” allowance, may be made by a supervisor for an employee to work a prescribed forty-hour work week at times other than the employee’s regular work schedule. All time MUST be completed within the regular work week, or the employee must enter time and be monetarily compensated for overtime.

Exempt employees have more flexibility in their work schedules, exempt employees are expected to be present and work a minimum of 40 hours per week during their scheduled work times in order to perform work that is essential to the operations of the City. Exempt employees may ‘flex’ or ‘float’ their time, including holidays, within the calendar year, given prior authorization from their supervisor. Exempt employees are subject to the same sick, bereavement and vacation policies as outlined in this document. A Leave Request must be submitted to the supervisor for approval for any time the employee plans to use vacation or sick leave.

While the Fair Labor Standards Act contains no requirement for employers to offer rest periods, full-time staff may receive a fifteen-minute discretionary break for every four hours of work. The immediate Supervisor must approve all such periods to ensure they do not disrupt City operations or public service.

Meal periods, lasting up to sixty minutes during an eight-hour shift, are generally unpaid unless a Supervisor requires the employee to remain on duty. These periods are distinct from discretionary breaks and may not be combined. Sworn law enforcement personnel and other specified roles are exempt from this provision. To maintain appropriate department coverage, management may schedule these breaks at staggered intervals.

## **2-3 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, on forms as prescribed by management on a daily basis.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including 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 on a daily basis.

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

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a department head, who will attempt to correct legitimate errors. Timesheets must be submitted and approved by the established deadline provided by payroll.

## **2-4 COMPRESSED WORKWEEK**

On occasion, the City may allow a non-law enforcement, nonexempt, employee to choose, as their regular schedule, a forty-hour workweek completed in fewer than five full eight-hour days by increasing the number of hours worked on certain days. All compressed workweeks require Compressed Workweek approval, signed by the non-law enforcement, nonexempt, employee and approved by their supervisor and are subject to the following: (law-enforcement schedules shall be as scheduled within the police department)

### Compressed Workweek

1. Employees normally subject to a traditional schedule may request approval for a compressed workweek, in which scheduled work hours are completed in fewer than five days by increasing the number of hours worked per day.
2. Compressed workweek options include a four-day workweek of ten-hour days or a five-day workweek of four, nine and a half to ten (9.5-10) hour days and one, four and a half to five (4.5- 5) hour day. Compressed workweek schedules must include a meal period of at least 30 minutes per day.
3. Holidays. For non-law enforcement, nonexempt employees on a Compressed Workweek, eight (8) hours is the maximum number of hours allowed for holiday leave and employees shall be required to use accrued vacation, compensatory time or other available paid leave to make up the difference in scheduled work hours (e.g., regularly scheduled to work 10 hours on the holiday, employee would receive eight hours holiday leave and use two hours vacation leave to equal the 10 hours). Alternatively, if approved by their supervisor, employees may flex the time and make up the missing holiday hours on another regularly scheduled day, so long as total hours scheduled in a single day do not exceed twelve. Employees shall float the holiday within the same workweek if it falls on their day off.

4. For employees on a Compressed Workweek, use of leave will require charging a like number of hours as the employee is regularly scheduled to work.

5. Conditions for Approval. Compressed workweek schedules may be approved only when the following conditions are met:

a. Compressed workweek schedules shall meet the business needs of the City, as well as the business needs of the specific Office, Department, or Division.

b. Employees on compressed workweek schedules must work forty (40) hours per week within the City's defined workweek.

c. Approval of a compressed workweek schedule or schedules shall not diminish a department, division, or elected office's level of service to the public. Sufficient staffing shall be scheduled to serve the public at all times during regular business hours.

d. Employees on compressed workweek schedules are responsible for maintaining satisfactory work performance. Declining or unsatisfactory work performance may result in cancellation of the Compressed Workweek and return to a traditional schedule or disciplinary action.

e. Compressed Workweeks shall be approved by the employee's supervisor.

f. Compressed workweek schedule hours will be specified as a part of the Compressed Workweek approval.

g. The Compressed Workweek approval is not an employment contract and may be canceled by the City at any time and the city has the right to instruct the employee to resume traditional work hours at any time.

h. At a minimum, Compressed Workweek approvals shall be reviewed annually as a part of an employee's performance review.

## 2-5 OVERTIME

At the discretion and direction of the supervisor, reasonable overtime may be required of nonexempt employees. Overtime will be calculated and paid in accordance with the provisions of the Federal Fair Labor Standards Act of 1938, as amended, 29 USC 201 et seq. As with other types of authorized work, all time spent by nonexempt employees using electronic communications for work purposes will be considered hours worked; the time is compensable and will count toward overtime eligibility as required by law. Therefore, to

avoid incurring unnecessary expenses, electronic communications should not be used outside regularly scheduled work hours unless required by management. This includes all types of work-related communication. Nonexempt employees should not check for, read, send or respond to work-related e-mails, voicemails or other messages outside their normal work schedules unless specifically authorized based on job duties or direction by management to do so. Nonexempt employees using electronic communications for work-related correspondence during unauthorized times may be subject to discipline for violating this policy. Supervisors requiring nonexempt employees to use electronic communications for work-related correspondence at unauthorized times are also subject to discipline up to and including termination.

When The City of Lander experiences periods of extremely high activity, additional work may be required. Department heads are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt, non-sworn law enforcement employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular hourly wage for all time worked in excess of 40 hours each workweek, unless otherwise required by applicable law. **Overtime pay is calculated based on actual hours worked and shall be recorded in 15 minute increments. Paid time off, holidays, or any leave of absence will be considered hours worked for purposes of performing overtime calculations.**

No compensatory time shall be allowed for nonexempt employees. For the purpose of managing overtime, a discretionary allowance, or "flex time" allowance, may be made by a supervisor for an employee to work a prescribed forty-hour work week (or 28 day tour for law enforcement) at times other than the employee's regular work schedule. All time MUST be completed within the regular work week, or the employee must enter time and be monetarily compensated for overtime.

All overtime must be reported during the pay period in which it is earned, using the approved time record currently in use by the City of Lander. Premium pay is not used in the calculation of overtime wages.

Sworn law enforcement employees are subject to the §207(k) exemption of the Fair Labor Standards Act and can fall under a different formula for calculating overtime. Pursuant to section 207(k) of the FLSA and 29 CFR Part 553, employees engaged in law enforcement activities, whose overtime is determined on the basis of work periods longer than one-week

and up to 28 days. Overtime pay is determined and paid out at the end of the 207(k) work period.

For purposes of calculating overtime, non-exempt, sworn law enforcement officer's overtime will be based upon the **hours worked over 160 hours in a 28** consecutive day work period or "tour". Personnel subject to the §207(k) exemption of the Fair Labor Standards Act shall be paid overtime compensation at the rate of one and one-half (1.5) times their regular hourly rate only after the employee's work hours **exceed the 160 hours in a 28-day** tour defined herein.

For purposes of calculating overtime for all non-law enforcement, non-exempt employees, the City's designated workweek, begins at **12:00 a.m. Saturday** and ends at **11:59 p.m. Friday**.

## 2-6 TRIAL PERIOD

**The first six months** of employees' (excluding appointed positions and Councilmembers) employment is an introductory period. This is an opportunity for The City of Lander to evaluate the employee's performance. It also is an opportunity for employees to decide whether they are happy being employed by The City of Lander. The City of Lander may extend the introductory period if it desires. This introductory trial period may include current employees who are demoted, promoted or transferred within the City of Lander. Completion of the introductory period does not alter the employee's at-will status.

The City of Lander will conduct a formal performance review at the end of the introductory period.

## 2-7 YOUR PAYCHECK

All employees shall be paid once a month. City Councilmembers are paid quarterly based upon the number of meetings attended in that quarter. City Councilmembers may elect to waive their compensation in accordance with Wyoming State law.

All full-time City employees are paid an annual salary based on working forty hours per work week and divided into 12 equal monthly payments (based on an average of 173.33 hours per pay period for each monthly payment). However, in months when employees are onboarding, utilizing leave without pay, or separating service, they may be treated as hourly employees in the event they do not work a full-pay period. All non-exempt employees shall be paid overtime in accordance with state and federal labor laws.

Employees will be paid monthly for all the time worked during the past pay period. Overtime shall be paid during the period in which it is earned.

Payroll stubs itemize deductions made from gross earnings. By law, The City of Lander is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of the Director of Payroll immediately so The City of Lander can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

## **2-8 YOUR EMPLOYMENT RECORDS**

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing the Human Resources and/or the Director of Payroll of any changes. Employees also should inform the Human Resources and/or the Director of Payroll of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

## **2-9 REMOTE WORK/TELECOMMUTING**

The City may approve remote work arrangements on a case-by-case basis where job duties, performance, operational needs, security requirements, and other relevant factors support such an arrangement. Remote work is not an entitlement, is not appropriate for all positions, and may be modified or discontinued at any time at the City's discretion, subject to applicable law.

Employees approved for remote work must comply with their written remote work agreement, including work hours, availability expectations, timekeeping rules, equipment requirements, security requirements, confidentiality obligations, and any other conditions established by the City.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by The City of Lander at any time and at the discretion of The City of Lander. Employees also may discontinue the arrangement but may not be guaranteed office space at The City of Lander's location.

### **At-Will Employment**

This policy and any individual agreement addressing this work arrangement do not create a contract of employment and are not intended to be considered or construed as a promise of continued employment. Employment is at will and may be discontinued at any time by The City of Lander or employee without notice, cause, or liability.

### **Hours of Work**

Scheduled hours of work will be set by the employees' manager or department head. Employees should maintain regular contact with their department heads and managers. If allowed to work remotely, scheduled hours should result in a full work week.

Nonexempt employees must accurately record all hours worked pursuant to The City of Lander's timekeeping system and take rest and meal breaks as if in The City of Lander's workplace and as required by law. Nonexempt employees may not work beyond scheduled working hours (including working more than 40 hours in a workweek) without prior, written authorization from their manager or department head.

### **Location**

Employees will provide, at their expense, a secure, dedicated work area. Employees are responsible for maintaining the work area in a safe, secure, and nonhazardous condition at all times. Employees will maintain security devices and procedures necessary to prevent use by unauthorized persons, including by preventing the connection of any The City of Lander-furnished computer system, network, or database to any computer, network, or database other than a computer, network, or database to which connections are provided or authorized by The City of Lander.

### **Duties**

Employees are expected to follow all existing The City of Lander policies and procedures. The duties, obligations, responsibilities, and conditions of employment with The City of Lander remain unchanged. Employees must stay engaged with work throughout the workday and be fully available during normal business hours. If employees do not successfully perform their job duties remotely, this arrangement will be revoked. Employees are expected to follow existing The City of Lander policies with respect to scheduled and unscheduled time off, including the obligation to speak with their manager or department head before the scheduled start time in the event of an unscheduled absence, tardy, or early departure.

### **Accidents and Injuries**

Employees agree to maintain safe conditions in the remote work space and to practice the same safety habits and rules applied on The City of Lander premises. If employees incur an injury arising out of the course and scope of the assigned job duties while working in the remote work space, the workers' compensation provisions in place for the state in which the employees are working will apply. Employees must notify their department head or manager immediately and complete all necessary and/or requested documents regarding the reported injury. The City of Lander assumes no responsibility for injuries occurring in the remote work space outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote work space.

### **Equipment**

Employees agree to use electronic equipment that has been encrypted and meets all of The City of Lander's security requirements. If The City of Lander provides equipment for home use, employees agree to provide a secure location for The City of Lander-owned equipment and will not use, or allow others to use, such equipment for purposes other than The City of Lander business. Employees have no expectation of ownership in such equipment, linkages, property, or other items installed or provided by The City of Lander. The City of Lander will bear the expense of removal of any such equipment, linkages, and installations provided by The City of Lander upon the termination of the remote work/telecommuting arrangement but not modification of or repairs to the work location. Employees hereby release The City of Lander from any damage or liability incurred in the installing or removal of the equipment provided by The City of Lander.

### **Return of The City of Lander Property**

All equipment, records, and materials provided by The City of Lander will remain The City of Lander property. Employees agree to return The City of Lander equipment, records, and materials upon request. All The City of Lander equipment will be returned by employees for inspection, repair, or replacement as needed or requested or immediately upon termination

of the remote work/telecommuting arrangement. All equipment must be returned within five (5) business days of written notice to the employees.

### **Expenses**

Upon presentment of receipts and in accordance with the Business Expense Reimbursement policy, The City of Lander will reimburse employees for certain preapproved expenses.

Regular household utility charges, such as electricity, water, phone, Internet service, auto, homeowners' insurance, etc., are not reimbursable unless state law requires reimbursement.

### **Confidentiality**

Employees agree that they are subject to The City of Lander's policies prohibiting the nonbusiness use or dissemination of The City of Lander's confidential business information. Employees will take all appropriate steps to safeguard The City of Lander's confidential business information, including segregating it from personal papers and documents, not allowing nonemployees to access such information, and keeping such information in locked drawers or file cabinets when not in use. Employees will maintain confidential information, including, but not limited to, information regarding The City of Lander's products or services, processing, marketing and sales, resident lists, resident e-mail addresses and mailing addresses, resident data, orders, memoranda, notes, records, technical data, sketches, designs, plans, drawings, trade secrets, research and development data, experimental work, proposals, new product and/or service developments, project reports, sources of supply and material, operating and cost data, and financial information.

### **Contact**

If employees have any questions concerning this policy or would like to apply to work remotely, they should contact the Human Resources.

## **2-10 TRAVEL TIME FOR NON-EXEMPT EMPLOYEES**

### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

### **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half (1.5) times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

## **2-11 TRAVEL APPROVAL AND EXPENSES**

A travel approval form shall be required to be completed and signed by department supervisor prior to any employee incurring expenses on behalf of the City of Lander. If a variance exists reimbursement may be made after approval of the additional expense. Pursuant to State Statute, the City of Lander reimburses and pays actual expenses for travel. Hotel/motel expenses should be paid using a City of Lander credit card. Meals will be paid only if not included in the travel plans (i.e. dinner will not be paid if you are attending a conference that provides dinner as part of the registration). Meals will be reimbursed in the actual amount incurred, but shall not exceed the federal General Service Administration (GSA) amounts for the destination including any Tip, nor shall any receipt include alcoholic beverages. Any expenses over the allowable amounts shall be reimbursed to the City by the employee. Employees shall submit detailed or itemized receipts for all meals requesting reimbursement or purchased with a City of Lander credit card. Items not substantiated by sufficient receipts may not be reimbursed or allowed. Airline or car rental expenses may be charged to the City credit card if approved in the Travel Approval Form. The City of Lander requires that municipal vehicles be utilized for travel purposes whenever such assets are accessible. In the event a City-owned vehicle is unavailable, employees may be permitted, following supervisor approval, to operate their private automobiles for official City business. Such authorized travel will be subject to mileage reimbursement consistent with prevailing General Services Administration (GSA) rates.

**Same-day meal reimbursements.** Meals incurred during same-day travel are generally considered a personal expense and are not reimbursable unless approved in advance by the Department Head and Finance Director for a documented municipal business purpose. Any approved same-day meal reimbursement will be treated as taxable wages unless the Finance Department determines that a specific legal exclusion applies.

Whenever possible, air travel should be purchased competitively and economy class. Cancellation charges or fees will be considered employee expenses and said funds should be reimbursed to the City absent circumstances beyond the employees' control.

## 2-12 SAFE HARBOR POLICY FOR EXEMPT EMPLOYEES

It is The City of Lander's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for The City of Lander. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last pay periods of employment in the event the employee works less than a full pay period; and

- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a 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 the employee performed any work, salary will not be reduced for any of the reasons as set forth by law. However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a department head. If the department head is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Payroll or any other department head in The City of Lander with whom the employee feels comfortable.

## **2-13 DIRECT DEPOSIT**

The City of Lander strongly encourages employees to use direct deposit. Authorization forms are available from the Director of Payroll.

## **2-14 SALARY ADVANCES**

The City of Lander does not permit advances on paychecks or against accrued paid time off.

## **2-15 RECORD RETENTION**

The City of Lander follows the Wyoming Record Retention Schedules and acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Each employee has an obligation to contact the Human Resources Department to inform them of potential or actual litigation, external audit, investigation or similar proceeding involving The City of Lander that may have an impact on record retention protocols.

## **2-16 JOB POSTINGS**

The City of Lander is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the job posting program which is in place for all employees. To be eligible to apply for an open position, the employee must meet the following requirements:

- Be a current, regular, full-time or part-time employee;
- Have been in current position for at least six (6) months;
- Maintain a performance rating of satisfactory or above;
- Not be on conduct/performance-related probation or warning;
- Meet the job qualifications listed on the job posting; and
- Provide their current manager with notice prior to applying for the position.

If employees find a position of interest and they meet the eligibility requirements, a job application and cover letter must be completed in order to be considered for the position. Not all positions are guaranteed to be posted internally. The City of Lander reserves the right to seek applicants solely from outside sources and to post positions internally and externally simultaneously.

## **2-17 OPEN DOOR POLICY**

All employees have the opportunity to express ideas and opinions to management. The City of Lander believes that open communication is essential to a successful work environment, as well as to The City of Lander's success. All employees may express ideas and opinions directly to The City of Lander management. Employees who would like to bring an idea or suggestion to The City of Lander's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to Human Resources.

## **2-18 ON-CALL STATUS**

At times, City employees may be assigned by their supervisor to On-Call Status, where an employee is waiting to be engaged in job-related tasks. On-Call is defined as time employees must be available and be able to report to work within 40 minutes of receiving a call, where liberty is only slightly restricted, and not under the influence of drugs or alcohol, where the employee is free to use the time however he or she wishes.

If the employee must remain on the City of Lander's premises so they cannot use the time freely, time is compensable on an hour-for-hour basis and shall not be considered On-Call time, but rather time worked.

The employee shall record the hours spent in on-call status, and any actual hours worked, on the official time record for the specific date the hours were incurred to be paid. An employee may not record on-call hours and actual hours worked for the same period of time. On-call hours, actual hours worked, and leave hours cannot exceed 24 hours in a day.

The supervisor will try to give adequate notice when requiring the employee to be On-Call. Employees shall be compensated at the On-Call rate for On-Call time for each hour they are On-Call and not scheduled to work. Any employee who does not follow these on-call requirements will be subject to appropriate discipline, up to and including termination.

## **2-19 CALL OUT PAY**

When a nonexempt employee is required to report to a work location and perform work related tasks outside their regular work schedule, two (2) hours pay shall be guaranteed to the employee at a minimum. A call-out requiring more than two hours will be paid based on actual hours worked. ONLY when the employee returns home and is off-duty and is called-out again does he or she accrue another minimum of two (2) hours of guaranteed pay.

Nonexempt employees who receive phone calls, electronic communication requests, or text messages pertaining to work outside of normal working hours shall be entitled to compensation for the actual time spent responding to the phone calls, requests or text messages. Compensation shall be entered on the employees' timesheets at quarter hour increments with the minimum reimbursement being 15 minutes. Employees shall document the text messages, electronic communication requests or phone calls appropriately and are required to get approval from their supervisor when submitting the request for reimbursement.

## **2-20 PERFORMANCE REVIEW**

Depending on the employee's position and classification, The City of Lander endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, The City of Lander encourages employees and department heads to discuss job performance on a frequent and ongoing basis.

## **2-21 ARTIFICIAL INTELLIGENCE**

The City of Lander recognizes that the use of artificial intelligence (AI) tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

**Evaluation of AI tools.** Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees also should review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees must receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

**Protection of confidential data.** In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from a Department Head. This includes data related to members of the public, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

**Access control.** Employees must not give access to any AI tools approved for business use to anyone outside The City of Lander without prior approval from Department Head and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

**Compliance with security policies.** Employees must apply the same security best practices we use for all The City of Lander and customer data. This includes using strong passwords, keeping software up-to-date, and following The City of Lander's data retention and disposal policies.

## 2-22 DISCIPLINARY ACTION

Disciplinary Action.

(1) Department Heads or Supervisors may discipline any employee, up to termination, for any of the following causes or reasons:

(a) noncompliance with these rules, agency or other applicable policies, including safety policies, and workplace policies;

(b) work performance that is inefficient or incompetent;

(c) failure to maintain skills, certifications and adequate performance levels;

(d) misfeasance, malfeasance, or nonfeasance;

(e) any incident involving intimidation, harassment, physical harm, or threats of physical harm against coworkers, management, or the public;