

CONVERSE COUNTY COMMISSION MEETING

January 4, 2023, 8:30 AM - 2:00 PM

107 N. 5TH STREET, SUITE 114, DOUGLAS, WY 82633

Commission Chambers are OPEN to the public.

1. 8:30 A.M. RECONVENE COMMISSION MEETING
CONVERSE COUNTY COMMISSIONERS:
James H. Willox, Chairman
Richard C. Grant, Vice Chairman
Robert G. Short, Board Member
Mike Colling, Board Member
Trent Kaufman, Board Member
2. 9:00 A.M. COUNTY BUSINESS REVIEW - ELECTED OFFICIALS & DEPARTMENT HEADS
Odd Months - All Elected Officials, Department Heads, & Supervisors
3. 10:10 A.M. PREVENTION GRANT PROGRAM UPDATES
Lisa Patterson, Converse County Prevention Alliance Director
4. GENERAL COUNTY BUSINESS
Meeting Minutes, Monthly Warrants, Monthly Reports, Tax Refunds & Cancellations, Void Warrants

Documents:

[12.20.2022 OFFICIAL.PDF](#)
5. ACTION ITEMS
Resolutions, Agreements, Amendments, Permits, County Project Documents, Misc.
 - Resolution 01-23, Approving and Adopting the Converse County Personnel & Procedure Manual;
 - Lease Agreement, Converse County and Central Wyoming Motorsports, Raceway for Summer Series
 - Lease Agreement, Converse County and Wyoming Machinery, Motor Graders
 - Agreement for Services Between Converse County Prosecuting Attorney's Office and Be Sure Consulting, Inc. for Online Juvenile Diversion Program

Documents:

[01-23 ADOPTION OF PERSONNEL POLICY.PDF](#)
[FINAL DRAFT CONVERSE CO PERSONNEL POLICY 01.2023.PDF](#)

6. OTHER UPCOMING EVENTS

- Jan 2, All Day - HOLIDAY, New Year's Day (observed) - County Office Closed

- Jan 3, 9a - Swearing in of ALL Elected Officials, District Court Chambers
- Jan 3 & 4, 8a-5p - Commissioner Meeting (1st Tues/Wed of each month)
- Jan 10, 12p - 2023 Legislative Session Convenes
- Jan 12, 9a - CCJJC JPB Meeting (meeting 2nd Thurs in Jan)
- Jan 16, All Day - HOLIDAY - Equality Day
- Jan 17, 7a - Municipal/County JPB Quarterly Meeting, Plains Restaurant
- Jan 17, 8:30a-5p - Commissioner Meeting (3rd Tues of each month)
- Jan 18 - 20, All Day - WCCA Legislative Meetings, Cheyenne
- Feb 7 & 8, 8a-5p - Commission Meeting (1st Tues/Wed of each month)
- Feb 8, 7a - City/County Breakfast Meeting
- Feb 20, All Day - HOLIDAY, President's Day
- Feb 21, 8a-5p - Commission Meeting (3rd Tues of each month)
- Feb 21, 3p - Planning & Zoning Commission Meeting (3rd Tues of each month)
- Mar 3, 12a - 2023 Legislative Session Adjourns

This agenda is subject to change at any time without notice. Previous versions of this agenda are available on this website at all times.

Unapproved Minutes
Board of Commissioners of Converse County
December 20, 2022

The regular meeting was called to order at 8:15 a.m. on December 20, 2022. Present were Chairman Jim Willox; Commissioners Robert Short, Tony Lehner, and Mike Colling; and County Clerk, Karen Rimmer. Vice-Chairman Rick Grant was excused due to health issues.

Mr. Jason Wilkinson, Road & Bridge Superintendent, and Shawn Kornegay, Foreman, provided departmental updates. The lease options for two new motor graders were discussed; the annual cost of the lease increased by approximately \$6,000 due to higher interest rates. Following discussion, the Commissioners directed Mr. Wilkinson to continue with leasing versus purchasing the equipment. Mr. Short moved to approve a bore permit between Converse County and Thunder Creek Gas Services LLC for a steel 10” poly natural gas pipeline under CR46, Twenty Mile Creek Road; Mr. Colling seconded. Mr. Colling moved to approve the transfer of the Wyoming DEQ storm water discharge authorization permit No. WYR106318 for Mormon Canyon Road; Mr. Lehner seconded; motion carried. Other updates included snow plowing; rig count; upcoming extreme cold; gravel pits; and equipment.

The draft Converse County Personnel Manual was reviewed at length, along with elected officials, department heads, supervisors, and representatives of Employer’s Council, the County’s human resource consulting firm. Question and comments will be taken under advisement to be included a final draft document. It was noted that this policy applies to all County employees regardless of their department, unless alternative policies are approved by the Commissioners. Alternatives are expected for Sherriff, Joint Dispatch and Road and Bridge departments.

Mr. Willox opened a public hearing at 10:03 a.m. to consider an application to transfer the restaurant liquor license from Whitaker Oil Inc. DBA Broken Wheel Restaurant to Stinker Stores Inc. DBA Stinker Store #218, 2332 East Richards Street, Douglas, Wyoming. Clerk Rimmer provided an overview of the application; there were no public or written comments received in favor or opposition of the application, and the application was determined compliant by the Wyoming Liquor Division. Mr. Willox closed the public hearing at 10.04 a.m. Mr. Short moved to approve the transfer of the restaurant liquor license from Whitaker Oil DBA Broken Wheel Restaurant to Stinker Stores Inc. DBA Stinker Store #218 as presented; Mr. Lehner seconded; motion carried.

A draft resolution to allow Pari-mutual wagering at 1793 Muirfield Court, Douglas, for 307 Horse Racing, LLC, was reviewed by the Commissioners, Mr. Quentin Richardson, County Attorney, and Mr. Kyle Ridgeway and Jack Greer, representatives of 307 Horse Racing, LLC (307). Lengthy discussion ensued, including an overview of the transaction; 307’s business model, brand identity, and stringent employee standards and requirements; timeline for operations; election results; gaming license approval process and requirements; language allowing revocation without cause; and liquor law standards and case law. The revocation and

renewal standard of “good cause” versus “gross negligence” was discussed, as were concerns with the term allowed in the resolution; existing regulations; governing authority of the Gaming Commission; renewal language; and state statutes. Mr. Richardson and Mr. Ridgeway concurred for the record that the Commissioners have the final authority to approve or deny any project that comes before them, meaning one decision does not set a precedence for subsequent projects; each must be considered individually. Members of the public in attendance spoke in favor of 307 Horse Racing and the proposed facility, including the benefits to existing employees. Following further discussion and final comments, Mr. Colling moved to approve:

RESOLUTION NO. 20-22

A RESOLUTION APPROVING 307 HORSE RACING, INC. TO CONDUCT PARI-MUTUEL WAGERING ON LIVE HORSE RACING, HISTORIC HORSE RACING, AND SIMULCAST EVENTS WITHIN CONVERSE COUNTY, WYOMING

WHEREAS, the Wyoming State Legislature passed, and the Governor of the State of Wyoming signed into law, changes to Wyoming Statutes, Title 11, Chapter 25, to permit pari-mutuel wagering on historic races; and

WHEREAS, the citizens of Converse County voted to allow pari-mutuel wagering within the County as a result of the General Election on November 8, 2022; and

WHEREAS, the Wyoming Gaming Commission has adopted rules and regulations regulating pari-mutuel wagering on simulcast events, including historic races; and

WHEREAS, 307 Horse Racing, Inc. (f/k/a 307 Horse Racing, LLC) (also referred to as the “Permitee”) currently holds the necessary and appropriate permits issued by the Wyoming Gaming Commission to operate simulcasting facilities, historic horse racing, and live horse racing in the State of Wyoming, including but not limited to in Campbell County, Sheridan County, Natrona County, Carbon County, and Laramie County; and

WHEREAS, the Board of Commissioners of Converse County, Wyoming (Commission) recognizes the economic and community benefits to Converse County through live horse racing, historic horse racing, and simulcasting within Converse County; and

WHEREAS, the Commission recognizes the benefit to the horse industry of Converse County through live horse racing, historic horse racing, and simulcasting within Converse County; and

WHEREAS, the Commission recognizes that it is through revenue derived from simulcasting at locations off the permitted live horse racetrack premises that allows a live horse racing operator to conduct the live racing days required under W.S. 11-25-104(m) and WY Rules and Regulations 038.0001.10 § 3 within the State of Wyoming; and

WHEREAS, 307 Horse Racing, Inc. is a live horse racing operator that is both (i) licensed to conduct the minimum live race days required under W.S. § 11-24-104(m) and Chapter 10 of the Rules and Regulations of the Wyoming Gaming Commission within Campbell County on an annual basis and (ii) is conducting said live horse racing in Campbell County (excepting days that are cancelled for good cause due to weather or other uncontrollable circumstances); and

WHEREAS, Wyo. Stat. Ann. § 11-25-102(a)(vii)(B) provides that “Simulcasting may be conducted off the permitted premises only if the board of county commissioners of the county in which such simulcasting will be conducted grant [grants] its approval.”; and

WHEREAS, said permitted premises is located at 1793 Muirfield Court, Douglas, WY 82633.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Converse County, Wyoming, that:

1. Pursuant to W. S. § 11-25-102(a)(vii)(B), the Board of Commissioners hereby approves 307 Horse Racing, Inc. (“operator”) to conduct pari-mutuel wagering on historic horse racing and simulcast events within Converse County at the permitted premises.

2. This license to operate is issued to 307 Horse Racing, Inc. (f/k/a 307 Horse Racing LLC) and may not be transferred in any manner without the approval of the Converse County Board of Commissioners.

3. This license to operate granted by this resolution shall be for a term of five (5) years from the date of this Resolution.

a. The operator shall submit a renewal application no later than sixty (60) days prior to expiration of this resolution.

b. Renewal applications shall include a presentation of the financial and community benefits of the operation.

c. The Renewal Term shall be for no less than three (3) years if granted.

d. The renewal application may only be denied for good cause.

e. If the Commissioners have intent to deny the renewal, the Commissioners shall provide written notice to the Permittee and provide an opportunity to be heard at a hearing in front of the Commissioners. Any denial shall be supported by specific written findings.

f. During any Term, the Commissioners shall have the right to revoke this or any other subsequent Resolution for the Permittee only for good cause.

g. 307 Horse Racing, Inc. shall update the Commissioners on a semi-annual basis regarding its operations including tax revenue and any operational issues during the initial term of approval.

APPROVED, PASSED AND ADOPTED this 20th day of December 2022.

FOR THE BOARD OF COMMISSIONERS
CONVERSE COUNTY, WYOMING

/s/ James H. Willox, Chairman

ATTEST:

/s/ Karen Rimmer, Converse County Clerk

Mr. Lehner seconded; motion carried.

Mr. Hal Hutchinson, Project Manager for CCJJC Phase 2, and Tim Schenk, GSG Architecture, provided an overview CCJJC Phase 2 Construction project, including the Change Order Requests that comprise Change Order No. 6. Following discussion, Mr. Short moved to approve Change Order No. 6 in the amount of \$184,817 to provide additional snowmelt locations; lighting; modifications to casework layout for District and Circuit Court; and revised

wall expansion joint detail; Mr. Lehner seconded; motion approved. Following an overview of the need for an amendment to Mr. Hutchinson's professional services contract, Mr. Colling moved to approve Amendment No. 1 to the Construction Manager/Owner's Representative Agreement for a three-month time extension to May 22, 2023 with no increase to existing budget; Mr. Short seconded; motion carried. The project is currently on budget and at 57% completion.

The meeting recessed for lunch at 12:03 p.m. and reconvened at 1:30 p.m.

The Commission again reviewed the draft personnel policy for Converse County and made revisions based on staff input received earlier in the meeting. The revised document will be provided to all elected officials, department heads, and supervisors for final review with the intent to adopt in January 2023.

Ms. Dru Palmer, DRU Consulting, provided an overview of various federal agency interactions and ongoing projects, including the Converse County Oil and Gas EIS; Solar Energy PEIS, for which the Commissioners would like to be a cooperating agency; ESA Regulations in relation to the Northern Long-Eared Bat; Thunder Basin National Grasslands (TBNG) and issues with funding, control, and priority of control; WCCA Legislative meetings; upcoming NACO meetings; the HALEU Consortium regarding nuclear energy; and various action items. Mr. Lehner will continue to serve as the Commissioner's representative on the TBNG working group.

The minutes of the December 6 and 7, 2022 regular meeting and the December 7, 2022 Executive Session meeting were approved and ordered filed.

Mr. Colling moved to approve monthly reports for November: Public Health: \$10,337.54; Sheriff: \$2,412.64; Tax Cancellation for Russell Investments (data entry error) \$168.83; VOID warrants #64711 \$200; #64712, \$200; Mr. Lehner seconded; motion carried.

Mr. Lehner moved to approve the amendment to the Agreement for Services for health insurance consulting between Converse County and HUB International Mountain States Limited to extend the contract term from Jan. 1, 2023 to Dec. 31, 2023, in the annual amount of \$30,000; Mr. Short seconded; it was stated for the record that the annual rate did not increase; motion carried.

Mr. Short moved to approve surety bonds for the following election officials for terms from Jan. 1, 2023 to Jan. 1, 2027: Dixie J. Huxtable, Assessor; Heather Meyer, Deputy Assessor; Karen Rimmer, Clerk; Pam McCullough, Clerk of District Court; Trent Kaufman, Commissioner; Robert G. Short, Commissioner; James H. Willox, Commissioner; Roscoe J "Ross" Gorman, Coroner; Clint Becker, Sheriff; Arthur F. Schubert, Surveyor; and Joel Schell, Treasurer; Mr. Colling seconded; motion carried.

The Commission acknowledged a salary revision for a Sheriff's Department Detention Deputy.

The outstanding work and contributions over the past fourteen years of Mr. Tony Lehner, Commissioner, was recognized and acknowledged by the members of the Board, and he was thanked for his tremendous service to the community.

The meeting adjourned at 3:03 p.m.

James H. Willox, Chairman

ATTEST:

Karen Rimmer, County Clerk

Publish: December 28, 2022, Douglas Budget & Glenrock Independent

**RESOLUTION NO. 21-22
OF CONVERSE COUNTY, WYOMING**

**A RESOLUTION APPROVING AND ADOPTING THE CONVERSE
COUNTY PERSONNEL POLICY AND PROCEDURE MANUAL**

WHEREAS, the Board of County Commissioners of Converse County, Wyoming, has seen the necessity for revising the personnel policy, which was initially adopted in 2003 and revised in 2004, 2005, 2007, 2015, and 2017, with the current policy becoming effective on August 1, 2017.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners, in accordance with applicable federal and state statutes, that the following Personnel Policy and Procedure Manual is adopted to govern all employees of Converse County. These policies replace all prior policies, resolutions, and practices governing all employees of Converse County in all County departments.

BE IT FURTHER RESOLVED by the Board of County Commissioners that if any provision of this Resolution or Policy is found invalid or inapplicable by a court of competent jurisdiction, such determination shall not affect the remaining provisions.

BE IT FURTHER RESOLVED by the Board of County Commissioners that the Board reserves the right to amend any portion of the Personnel Policy and Procedure Manual as the necessity arises. The effective date of this Resolution is the ___ day of January, 2023.

APPROVED, PASSED AND ADOPTED this ___ day of January 2023.

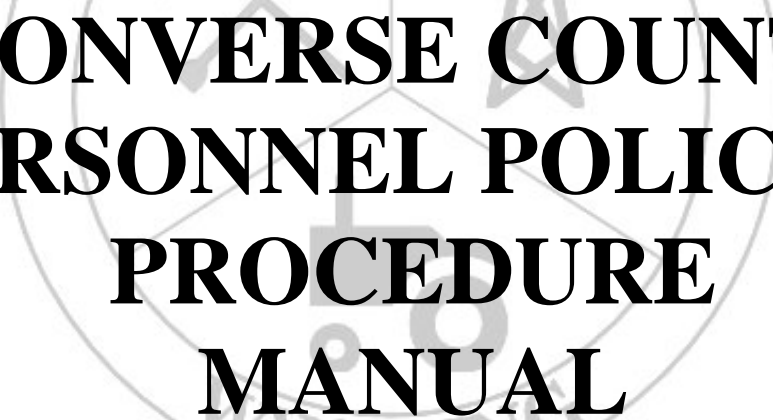
**FOR THE BOARD OF COMMISSIONERS
CONVERSE COUNTY, WYOMING**

James H. Willox, Chairman

ATTEST:

Karen Rimmer, Converse County Clerk

Adopted _____, 2023

The seal of Converse County, Wyoming, is a circular emblem. It features a central five-pointed star. To the left of the star are crossed tools: a pickaxe and a shovel. To the right is a stylized tree. The words "CONVERSE COUNTY" are arched across the top, and "WYOMING" is arched across the bottom.

**CONVERSE COUNTY
PERSONNEL POLICY &
PROCEDURE
MANUAL**

**Revised and Adopted
January ____, 2023**

Important Information About Converse County Personnel Policy & Procedure Manual

This Manual is designed to acquaint employees with Converse County and provide some information about working here. This manual is not all inclusive, but rather is intended to provide employees with a summary of some of the County's guidelines and expectations regarding employee conduct. This edition supersedes and replaces all previously issued editions and any inconsistent verbal or written policy statements issued prior to this -manual.

Except as may be required by state law, employment with Converse County is at-will. Employees have the right to end their work relationship with the County, with or without advance notice, for any reason. The County has the same right.

The language used in this manual, any benefit plan, and any verbal statements are not intended to constitute a contract of employment, either express or implied; nor are they a guarantee of employment for a specific duration. No representative of Converse County, other than the elected official(s) of a County department, has the authority to enter into an agreement of employment for any specified period. Any such agreement must be in writing and signed by the elected official(s) and the employee.

No employee manual can anticipate every circumstance or question. After reading this manual, if you have questions, you should speak with your department head/designee or immediate supervisor. Some questions can also be answered by the County Clerk's office. In addition, the need may arise to revise, delete, or add to the provisions in this manual (and any applicable state supplement). Except for the at-will nature of the employment, the County reserves the right to make such changes with or without prior notice. No oral statements or representations can change the provisions of this employee manual.

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EQUAL EMPLOYMENT OPPORTUNITY/UNLAWFUL HARASSMENT

Converse County is an equal opportunity employer and prohibits unlawful discrimination against applicants or employees based on age (40 years and over); race; sex; sexual orientation; gender identity or expression; color; religion; national origin; disability; military status; pregnancy; genetic information; or any other status protected by applicable state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including department heads or designees, supervisors, co-workers, and non-employees such as customers, clients, vendors, and consultants.

This policy applies to all aspects of the employment relationship, including recruitment; hiring; compensation; promotion; transfer; disciplinary action; layoff; return from layoff; training; and social and recreational programs. All such employment decisions shall be made without unlawful discrimination on any prohibited basis

Americans with Disabilities Act (ADA) and Religious Accommodation

The County shall make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to workplace health or safety. The County shall make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the County. Any employee needing such accommodation is instructed to contact his or her department head or designee immediately.

Providing ADA or Religious Accommodation

The County shall evaluate the accommodation request considering reasonable accommodation for qualified individual with disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to workplace health or safety. The County shall evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available that is reasonable and that would not create an undue hardship on the County's business. An accommodation may include using paid leave or leave without pay; allowing an exception to any dress and appearance code that does not affect workplace safety requirements; or for other aspects of employment.

The department head or designee and the employee shall meet to discuss the request and decision on an accommodation. If the employee accepts the proposed ADA/Religious accommodation, the department head or designee shall implement the decision. If the employee rejects the proposed accommodation, he or she may appeal following County's general grievance policy and procedure.

Prohibited Behavior

The County does not and shall not tolerate any type of harassment of its employees, applicants for employment, or County customers. Discriminatory conduct or conduct characterized as harassment as defined below is prohibited.

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

Sexual Harassment

The County prohibits sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, offensive touching and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of employment;
2. Submission to is used as the basis for employment decisions;
3. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment;
4. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment; and/or
5. Submission to is an aggregation of incidents.

The types of conduct covered by this policy include demands or subtle pressure for sexual favors accompanied by a promise(s) of favorable job treatment, or a threat concerning employment. Sexual harassment can be physical and/or psychological in nature.

Employees are expected to always conduct themselves in a professional and businesslike manner. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

1. Written form, such as cartoons; posters; calendars; notes; letters; and/or e-mails;
2. Verbal form, such as comments; jokes; graphic or degrading comments about an employee’s appearance; foul or obscene language of a sexual nature; gossiping or questions about another’s sex life; or repeated unwanted requests for dates;
3. Physical gestures and other nonverbal behavior, such as unwelcome touching; grabbing; fondling; kissing; massaging; or brushing up against another’s body;

4. Repeated sexual flirtation; advances; or propositions; and/or
5. Retaliation for sexual harassment complaints.

Complaint Procedure

If an employee believes there has been a violation of the EEO policy, or if the employee complaint pertains to illegal harassment (including sexual harassment) based on the protected classes listed herein; discrimination; and/or retaliation, he or she should report the incident immediately and directly to an immediate supervisor or department head or the County Attorney or the County Clerk, who shall investigate the matter and recommend corrective action expeditiously to the Board of County Commissioners. The complaint shall be kept as confidential as practicable.

In all other cases, the employee should present the complaint to their department head or designee. Many concerns can be resolved informally when an employee and department head review the concern and discuss options to address the issue.

If the employee is not satisfied with the results of the informal discussion, the employee may submit a written complaint within ten (10) business days of the initial meeting to his or her department head. The written complaint must include the nature of the grievance; detailed information including evidence of the issue, witnesses, related topics, etc.; and the remedy or outcome desired by the employee. The department head shall then have five (5) business days to respond to the employee in writing.

If the employee is not satisfied with the written response from the department head, the employee may submit a written complaint to County Attorney and County Clerk for review. A copy may also be provided to the County Commissioners. The request for review should include an explanation of the grievance and details of all previous efforts to resolve the issue; a copy of the written complaint submitted to the department head or designee; and a copy of the department head's written response to the employee's complaint. The County expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may be in violation of this policy.

The County prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If any employee believes there has been a violation of our EEO or retaliation standard, please follow the complaint procedure as outlined above.

If the County determines that an employee's behavior is in violation of this policy, disciplinary action shall be taken, up to and including termination of employment.

Harassment by Non-employees

Converse County shall also endeavor to protect employees, to the extent possible, from reported harassment by non-employees in the workplace, including customers, clients, and/or suppliers.

Retaliation

Any employee who files a complaint of sexual harassment or other discrimination in good faith shall not be adversely affected in terms and conditions of employment and shall not be retaliated against or discharged because of the complaint. In addition, the County shall not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of the complaint. Anyone who engages in such retaliatory behavior shall be subject to appropriate disciplinary action, up to and including termination of employment.

CONFIDENTIAL INFORMATION & CONFLICT OF INTEREST

Confidentiality

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

Disclosure of confidential information might seriously damage the County, and therefore, such action shall not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment with the County. Employees shall use confidential information solely for the purpose of performing services as an employee for the County. This policy is not intended to prevent disclosure where disclosure is required by law.

Employees and volunteers must always exercise good judgment and care to avoid unauthorized or improper disclosures of confidential information. Conversations in public places (e.g., restaurants, elevators, social events, etc.) should be limited to matters that do not pertain to information of a sensitive or confidential nature. In addition, employees should be sensitive to the risk of inadvertent disclosure. For example, refrain from leaving confidential information on desks or otherwise in plain view, as well as from the use of speaker phones to discuss confidential information if the conversation could be heard by unauthorized persons.

Upon the dismissal of an employee's relationship with Converse County, he or she shall return, at the request of the County, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his or her possession.

Conflict of Interest

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

Anyone with a conflict of interest must provide 72 hours advance written notice of the conflict to his or her department head or designee. Failure to disclose a conflict of interest may be grounds for disciplinary action, up to and including dismissal. Any Department Head with a conflict of interest must provide written notice as described herein to the appropriate board chairman.

Outside Employment

Employees are permitted to work other jobs so long as it does not interfere with their County job performance or create a conflict of interest with the County. Employees with other jobs are expected to work their County-assigned schedules. Outside employment shall not be considered an excuse for poor job performance; absenteeism; tardiness; leaving early; refusal to travel; or refusal to work overtime or different hours.

Employees may not use County-accrued sick leave to perform work for another employer. Fraudulent use of County sick leave or conflict of interest for the County may result in disciplinary action, up to and including termination of employment.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action, up to and including termination of employment.

GENERAL EMPLOYMENT

Employee Classifications

Converse County employees are considered to be either classified as full-time, half-time, part-time, seasonal contracted (only in relation to Ayres Natural Bridge Park), or temporary. Each department head or designee shall verify the classification of employees within their department, as well as whether an employee is exempt or non-exempt.

<p>Full-time employees</p>	<ul style="list-style-type: none"> • Regularly scheduled to work 30 hours or more per week (130 hours per month); • Receive accrued vacation and sick leave benefits; • Eligible to participate in the County’s Employee Benefit insurance for any of the plans currently available; • Enrolled in the Wyoming Retirement Pension program and eligible to participate in a deferred compensation program.
<p>Half-time employees</p>	<ul style="list-style-type: none"> • Regularly scheduled to work more than 20 hours (87 hours per month) but less than 30 hours per week, and in no event not more than 1,390 hours per year; • Receive vacation and sick leave benefits on a pro-rata basis; • Eligible to participate in the County’s medical insurance plan for employee coverage only; • May elect to have the same medical coverage afforded to full-time employees but shall be responsible for the full cost of the associated premium less the amount of the premium paid by the County for individual coverage of the half-time employee; • Enrolled in the Wyoming Retirement Pension program and eligible to participate in a deferred compensation program.
<p>Part-time employees</p>	<ul style="list-style-type: none"> • Regularly scheduled to work less than 20 hours per week (87 hours per month); • Eligible to receive wages only; • Not eligible to receive any other benefits unless otherwise authorized by the Board of County Commissioners, including any Wyoming Retirement Pension, enrollment in a deferred compensation program, health insurance, and/or accrual of vacation, sick, or holiday leave.
<p>Seasonal contracted employees</p>	<ul style="list-style-type: none"> • Caretaker(s) for Ayres Natural Bridge Park; • Required to be under a 12-month service contract and remain as a W-2 Common Law Employee for the County, regardless of hours worked annually. • Eligible to participate in the County’s Employee Benefit insurance for any of the plans currently available; • Enrolled in the Wyoming Retirement Pension program and eligible to participate in a deferred compensation program.

<p>Temporary employees</p>	<ul style="list-style-type: none"> • Hired into a seasonal position for a specified and temporary period; • The number of required work hours may vary and may include overtime hours; • Not eligible to receive any County benefits including deferred compensation program, Wyoming Retirement Pension, health insurance, and/or accrual of vacation, sick, or holiday leave, unless otherwise approved by the Board of County Commissioners due to allowable FLSA exemptions.
<p>Variable hour employees</p>	<ul style="list-style-type: none"> • Not regularly scheduled to work 30 hours or more per week, and with respect to whom, based on the facts and circumstances at the employee’s start date, the employer cannot reasonably determine whether the employee will average at least 30 hours of service per week (130 hours per month) over the Initial Measurement Period, as defined below because the employee’s hours are variable or otherwise uncertain.
<p>Initial Measurement Period</p>	<ul style="list-style-type: none"> • The period of time beginning on the first day of the calendar month following the employee's start date and ending 12 months later; • Employer hours will be determined during the Administrative Period, and if eligible for coverage, benefits will be provided during the Stability Period. • “Measurement”, “Administrative”, and “Stability” are defined in the County’s Employee Health Insurance Summary Plan document.
<p>Exempt employees</p>	<ul style="list-style-type: none"> • Not entitled to overtime pay or compensatory time as defined by law under the Fair Labor Standards Act.
<p>Non-exempt employees</p>	<ul style="list-style-type: none"> • Can qualify for overtime pay or compensatory time for hours worked in excess of 40 hours in a given workweek as defined by law under the Fair Labor Standards Act, or as otherwise required by applicable state law.

Employee Records

Each department head may maintain a duplicate personnel file on all department employees. The official personnel and Health Insurance Portability and Accountability Act (HIPAA) file of record shall be kept in the County Clerk’s office.

It is the employee’s responsibility to notify his or her department head or designee, as well as the County Clerk’s office, of any changes in personal information, including but not limited to legal name; physical and/or mailing address; telephone number; marital status; number of dependents; military status; beneficiaries; and/or designated emergency contact.

Misrepresentation of any fact or information provided by an employee on his or her employment application, personnel file, or any other document(s) is sufficient reason for dismissal. Personnel records are the property of Converse County. Employees may review their files under supervision. Employees may obtain a copy of their personnel file from the County Clerk’s office.

Employment of Relatives and Conflicts of Interest

The employment of relatives is generally allowed at Converse County with the following exceptions, which may create a conflict of interest:

1. If an employee would be in a position to supervise a relative;
2. If an employee would have access to confidential information, including payroll and personnel records, of a relative; and/or
3. If an employee would be in a position to audit, verify, receive, and/or be entrusted with money handled by the other relative.

County employees who are not related as described herein but who reside with another County employee may create a conflict of interest, in which case, the exceptions above would apply.

Employees who marry or become related during employment with the County shall be permitted to continue to work so long as there are no conflicts of interest. In the event a conflict arises, reasonable accommodations shall be made by the County when possible.

In other cases where a conflict of interest or the potential for a conflict arises, even if a supervisory relationship is not involved, the parties may be separated by reassignment or termination of employment as determined by the department head or designee.

Termination, Resignation, and Discharge

If at any time it is necessary for an employee to resign from his or her employment with Converse County, the County requests at least two weeks' notice prior to separation of employment.

Any employee who is discharged by Converse County shall be paid only wages accrued to the effective date of the separation.

COMPENSATION & WORK SCHEDULE

Attendance & Punctuality

Every employee is expected to attend work regularly and report to work on time. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the County.

Employees who are going to be late or absent must contact their department head or designee as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable unless the employee is otherwise unable to make contact, or such communication has been previously authorized by the department head or designee.

Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, up to and including termination of employment

Failure to call in when absent for 3 consecutive days may result in termination.

Official Work Week

Each workweek shall begin at 12:00 A.M. Sunday and continue for 7 consecutive days ending at 11:59 P.M. on the following Saturday. The Board of County Commissioners must approve all exceptions to this workweek.

Work Hours

Except for certified peace officers and otherwise as specifically provided, the normal work week of Converse County employees shall consist of 40 hours per week of work based upon the County's established work week. Each department head or designee shall determine employee schedules and procedures for employee absences. The County Courthouse shall be open to the public from 8:00 a.m. to 5:00 p.m., and department heads or designees shall ensure coverage of these core hours. Courthouse hours shall only be revised by formal action of the Board of County Commissioners.

Certified peace officers; Road and Bridge employees; and Joint Communications employees may be required to work an altered schedule as determined by the department head or designee and as authorized by the Board of County Commissioners or, in the case Joint Communications, the Converse County Joint Justice Center (CCJJC) Joint Powers Board.

Time spent by any employee traveling on authorized County business shall be considered time worked for the employee.

Pay Schedule

Employees shall be paid on the last working day of the month for regular wages earned during that month. Each employee's base salary covers regular monthly hours earned. If the regular payday falls on a holiday, payday shall be the last regular workday prior to the holiday.

If an employee believes an improper deduction has been made to his or her salary, this information should immediately be reported to the employee's department head or designee, who must report the error to the County Clerk's Office for correction. Reports of improper

deductions shall be promptly investigated by the County Clerk's office, and if it is determined that an improper deduction has occurred, corrections shall be made as quickly as possible.

Overtime

At the discretion of the department head or designee and as authorized through the approved budgetary and payroll processes, reasonable overtime may be required of eligible employees. In most cases, non-exempt classified employees who work more than their regularly scheduled hours per the established work week shall be paid at the rate of 1 ½ times their regular pay.

On-Call

For departments who work an on-call schedule, any on-call time shall be paid per each department's approved on-call policy. Such policy must be approved by the Board of County Commissioners due to budgetary impacts.

Compensatory Time

For non-exempt employees, compensatory time ("comp time") may be accumulated in lieu of overtime for all hours worked over 40 hours within the designated work week at 1 ½ hours for each hour of overtime worked, with a maximum accumulation of 20 hours at any given time. Comp time hours must be used within 60 days of accumulation. If not used, these hours must be paid out to the employee at the same rate as when earned. Any comp time earned by an employee who transfers to another County department shall be paid out in full to the employee at the next payroll cycle from the departing departments' budget.

Pay for Exempt Employees

Exempt employees shall be paid on a salary basis, meaning exempt employees shall regularly receive a predetermined amount of compensation each pay period and are not eligible for additional pay, including but not limited to overtime, compensatory time, additional straight time, grant time, on-call time, or additional holiday pay.

Performance and Wage Reviews

Performance and wage reviews may be conducted annually for each employee. Any authorized salary increases may be based on an employee's review. However, an employee receiving a performance appraisal may not necessarily receive a salary increase. The County's financial condition and ability to offer salary increases to employees should also be a consideration for any salary increase.

EMPLOYEE LEAVE

Compensation related to employee leave, if any, shall be adopted by written policy and provided to the affected employees, and may be amended, modified, or replaced without consideration at the discretion of the County as approved by the Board of County Commissioners.

Vacation

All eligible full-time and half-time employees shall accrue vacation leave hours as follows:

Full-time Employees	Half-time Employees
0-5 years = 8 hours per month	0-5 years = 4 hours per month
6-10 years = 10 hours per month	6-10 years = 5 hours per month
11 years and over = 13.5 hours per month	11 years and over = 6.75 hours per month

To calculate vacation leave, changes in vacation accrual per the table above shall be effective the first day of the month of the work anniversary. Vacation hours shall be accrued on a pro-rated basis during the first and last month of employment.

Vacation leave shall only be accrued monthly unless otherwise authorized by the Board of County Commissioners, and hours shall be considered accrued on the first day of each month following the previous month's work. Employees shall only utilize accrued vacation hours and must maintain a positive balance of vacation leave. Leave shall be unpaid if no accrued hours are available.

Usage of vacation leave shall be based on the employee's regularly scheduled workday.

Vacation leave shall not be counted in the computation of overtime unless otherwise authorized by the Board of County Commissioners.

Duly elected officials shall not be eligible to accrue vacation leave. Part-time and temporary employees shall not be eligible to accrue vacation leave unless otherwise authorized by the Board of County Commissioners. Seasonal employees shall not be eligible to accrue vacation leave unless expressly authorized within approved contractual language.

Effective January 1st annually, the maximum carryover of vacation leave for any employee shall not exceed 160 hours. If this maximum threshold is exceeded, any hours in excess of the allowed 160 shall be forfeited by the employee without compensation.

An employee may not receive pay in lieu of vacation accruals.

Allowed accrued vacation leave shall be paid out to the employee at his or her current wage upon separation of employment with the County.

Whenever possible, employees' request for vacation shall be accommodated. However, Converse County reserves the right for each department head or designee to deny a vacation

request if the request would interfere with County operations or adversely affect coverage of job and staff requirements.

Sick Leave

Sick leave shall be accumulated at the rate of 8 hours per month for full-time employees and 4 hours per month for half-time employees.

Usage of sick leave shall be based on the employee's regularly scheduled workday.

Sick leave shall not be counted in the computation of overtime unless otherwise authorized by the Board of County Commissioners.

All eligible employees may use sick days at the discretion of the department head or designee.

Duly elected officials shall not be eligible to accrue sick leave. Part-time and temporary employees shall not be eligible to accrue sick leave unless otherwise authorized by the Board of County Commissioners. Seasonal employees shall not be eligible to accrue sick leave unless expressly authorized within approved contractual language.

Sick leave shall only be accrued monthly unless otherwise authorized by the Board of County Commissioners, and hours shall be considered accrued on the first day of each month following the previous month's work. Employees shall only utilize accrued sick leave hours, and hours shall not be available for use until fully accrued.

Full-time employees shall be entitled to accumulate a maximum of 720 hours of sick leave at any time, and half time employees shall be entitled to accumulate a maximum of 360 hours of sick leave at any time. Any sick leave accumulated in excess of 720 hours shall be adjusted on a monthly basis. No eligible employee shall be entitled to use more than 720 hours of sick leave, whether accumulated or donated, in any 12-month period, except for approved military FMLA, who are entitled for up to 1,040 hours of sick leave.

When unable to report to work due to illness, an employee must contact his or her department head or designee as soon as possible before the start of their shift.

After 3 consecutive days of absences, or if a department head or designee determines a pattern of absenteeism exists, a department head or designee may request the employee provide a doctor's certificate for any sick days requested. If such a certificate is requested and the employee cannot produce it, the absence may be considered unexcused, and the employee may not be compensated for the time away from work.

Employees who are unable to return to work due to illness, injury, or other related reasons shall be granted all accrued sick leave first, and then vacation leave. Any compensatory time should also be utilized by the employee at this time. Please refer to the Family Medical Leave Act section of this policy for more information regarding employee leave when ill or injured.

Accrued sick leave shall not be paid out upon separation of employment with the County.

Donation of Sick Leave

Converse County allows any qualifying employee to donate accrued sick leave to another qualifying County employee who has expended all of his or her accrued sick and vacation leave

and compensatory time, provided the requesting employee has an immediate and reasonable need for such assistance as determined by his or her department head or designee. Employees receiving donated sick leave shall not accrue any additional leave on donated hours. All recipients of donated sick leave must use said leave for purposes related to the medical emergency, and must return any unused excess leave to the donating employee(s).

Any qualifying employee requesting donated leave or who wishes to donate leave to another qualifying employee must do so in writing on forms prepared by the County Clerk's office. Completed forms must be submitted to the requesting employee's department head or designee, and each department head or designee is responsible to distribute such forms to other departments when seeking donation of sick leave from other departments. All final completed forms for the requesting employee must be presented to the County Clerk's Office for processing through payroll when the donated sick leave is to be utilized. A copy shall also be provided to the donating employee's department head or designee.

Any employee donating sick leave may donate a maximum of 40 hours of accrued sick leave for use during one continuous event to an employee requesting donated sick leave. Any employee donating sick leave may donate a maximum of 80 hours of sick leave in any one 12-month period. Any employee who donates sick leave must be able to maintain a minimum of 120 accrued sick leave hours for his or her own use.

For purposes of participation in the County's Employee Group Health Insurance Plan (Plan), donated sick leave hours do not qualify as hours worked for the employee receiving the donation. The receipt of such donated time shall not relieve an employee from the requirement of transferring to COBRA once the employees' own accrued leave (vacation and sick leave and compensatory time) is exhausted unless and until the employee is currently on approved FMLA leave or can work a minimum of 20 actual hours for half-time employees and 30 actual hours for full-time employees, thereby once again qualifying for participation in the County's Plan.

Holidays

Converse County shall grant holiday time off to all eligible employees upon assignment to an eligible employment classification. The annual holiday schedule shall be determined by the Board of County Commissioners at a public meeting.

All eligible employees shall receive their regular rate of pay for their regularly scheduled hours for each holiday. Half-time employees shall receive holiday pay for their regularly scheduled hours for holidays on which they would normally be scheduled to work.

The County reserves the right to require employees to report to work on designated holidays if the department head or designee deems such workday necessary to serve the immediate or emergency needs of the County. If an employee is required to work on an official observed holiday, the actual hours worked shall be paid at a rate of 1 ½ times the employee's regular rate of pay.

Holiday leave hours shall not count as hours worked in the computation of overtime.

Bereavement Leave

Full-time and half-time employees shall be allowed up to 3 days paid bereavement leave upon the death of an immediate family member, with department head or designee approval. Immediate family includes an employee's parent/stepparent; child/stepchild or legal ward; spouse; domestic partner; grandparent/step grandparent; sibling/step-sibling; and in-law relations.

Jury Duty/Court-Directed Witness

The County supports employees in fulfilling their civic responsibilities by serving on jury duty when required or to act as a court witness. Employees shall not lose regular pay or leave accrual while serving on jury duty. Compensation for such leave shall be limited to the difference between pay received for this service and the employee's regular pay. The employee may either surrender any payment received for jury duty to the payroll department within the County Clerk's office, or may provide proof of all compensation received to the payroll department to be withheld from the employee's next paycheck. The employee shall provide proof of all compensation received to the department head or designee.

Employees must inform their department head or designee as soon as possible after receiving a jury summons or subpoena so that arrangements can be made to accommodate the employee's absence. Employees shall be expected to report for work during their service whenever the court schedule permits.

Employees appearing in their own case (either plaintiff or defendant or non-subpoena) shall not receive paid time off. Annual leave should be used for such instances.

Time Off to Vote

Employees are encouraged to vote outside of working hours but shall be given up to 1 hour to vote during work hours if requested.

Inclement Weather Leave

In the event County offices are closed as determined by the Board of County Commissioners due to an inclement weather event, full-time and half-time employees who are non-essential shall be paid inclement weather leave at their regular rate of pay for regularly scheduled hours. If inclement weather leave occurs during other authorized leave, inclement weather leave may not be substituted for, or taken in addition to, other leave taken.

When the County is officially open for business, inclement weather leave is not applicable. Employees who are unable to report for work due to weather conditions must request other leave according to this policy.

Eligible and essential Road & Bridge employees, as determined by the department head or designee, shall be compensated in the same manner as holiday pay for hours worked during an inclement weather event.

Inclement weather hours not actually worked shall not count as hours worked in the computation of overtime.

Any eligible County employee designated as essential personnel whose hours worked during an inclement weather event result in overtime hours shall be paid at their regular overtime rate, or take the additional hours as compensatory time.

Emergency Paid Leave

The Converse County Board of Commissioners may adopt various emergency paid leave policies from time to time as deemed necessary. Such policies shall be in writing and shared with all department heads upon adoption.

Military Leave

Employees granted a military leave of absence shall be reinstated and paid in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any other laws the laws governing veterans' re-employment rights.

Family and Medical Leave Act

County employees may be eligible for 12 weeks of unpaid, job-protected leave under the Family and Medical Leave Act of 1993 (FMLA). To be eligible to take leave under the FMLA, an employee must meet each of the following requirements:

1. Have worked 1,250 hours during the 12 months prior to the start of leave; on-call time shall count towards the 1,250 hours;
2. Have worked for the employer for a minimum of 12 months prior to taking leave.

As a covered employer, the County must grant an eligible employee up to a total of 12 workweeks of unpaid, job-protected leave in a 12-month period for one or more of the following reasons:

1. For the birth of a child, and to bond with the newborn child. A parent can take leave to care for a newborn child any time in the first 12 months after the birth for time to bond with the child, and this leave must be concluded before the 12-month period is up.
2. For the placement with the employee of a child for adoption or foster care, and to bond with that child. A parent can take leave to care for a newly adopted child any time in the first 12 months after the adoption for time to bond with the child, and this leave must be concluded before the 12-month period is up.
3. To care for an immediate family member with a serious health condition. Immediate family members include spouse, child, or parent.
4. To take medical leave when the employee is unable to work because of a serious health condition, or for convalescence after an employee's own serious health condition; or
5. For qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active-duty status as a member of the National Guard, Reserves, or Regular Armed Forces.

While on leave under the FMLA, the employee may choose to utilize accrued sick leave, vacation time, comp time, and/or donated sick leave simultaneously in order to continue to

receive pay. Any request for FMLA leave must be approved by the employee's department head or designee.

Per this policy, the County allows qualifying employees to donate sick leave to other qualifying employees. An employee on FMLA leave can receive donated sick leave, which shall enable that employee on leave to receive a paycheck. However, employee's on FMLA leave who only utilize donated leave versus their own accrued leave shall not accrue additional leave but shall receive Wyoming Retirement contributions while utilizing donated sick leave.

The County shall provide forms to employees to determine FMLA eligibility. Please refer to the Converse County FMLA Guideline documents for additional information regarding FMLA coverage. FMLA rules and laws shall take precedence over any conflicts of FMLA within this policy.

Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or called to active-duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

1. Attending certain military events;
2. Arranging for alternative childcare;
3. Addressing certain financial and legal arrangements;
4. Attending certain counseling sessions; and/or
5. Attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is:

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment; recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness*; or
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the 5-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment; recuperation; or therapy for a serious injury or illness. *

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."

Benefits and Protections

During FMLA leave, the County shall maintain the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees shall continue to pay their portion of any insurance premium by the 20th day of each month while on leave. Failure to do so may result in the employee being dropped from the County's insurance plan and offered coverage through COBRA. Employees who fail to return from a leave shall be

obligated to reimburse the County for the cost of County-paid health coverage, except when the employee's failure to return is due to the continuation, recurrence, or onset of a serious health condition which would entitle the employee to medical or family leave, or other circumstances beyond the employee's control.

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

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid vacation and sick leave shall not accrue during the unpaid leave except while the employee is utilizing accrued sick, vacation, or compensatory time while on leave. Holidays, bereavement leave, or leave for jury duty shall not be granted on unpaid leave.

Definition of Serious Health Condition

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

Subject to certain conditions, the continuing treatment requirement may be met by:

1. A period of incapacity of more than three (3) consecutive full calendar days combined with at least 2 visits to a health care provider; or
2. One (1) visit and a regimen of continuing treatment (other conditions may also meet the definition of "continuing treatment"); or
3. Incapacity due to pregnancy; or
4. Incapacity due to a chronic condition.

Use of Leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the County or 26 weeks as explained herein under "Military Family Leave Entitlements". Eligibility of the required 12 months of employment shall be based upon the 12-month period immediately preceding the date the employee uses any FMLA leave. The available leave shall be the balance of the 12-week allowance, which has not been used during the preceding 12 months, also referred to as the "12-month look back" method.

Employees are not required to use this leave entitlement all at once as leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees are expected make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment, as well as those taking intermittent or reduced schedule family leave with the County's

agreement, may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Employee Responsibilities

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

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. "Sufficient information" may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment by a health care provider; or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

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

Employees who fail to return from FMLA may be obligated to reimburse the County for the cost of County-paid health coverage, except when the employee's failure to return is due to the continuation, recurrence, or onset of a serious health condition which would entitle the employee to medical or family leave, or other circumstances beyond the employee's control.

Medical Leave – Not FMLA Eligible

Leaves of absence are not granted to employees who have not met the eligibility requirements of the FMLA unless required as a reasonable accommodation for disabled employees.

County Responsibilities

The County, via the department head or designee, shall inform an employee requesting leave whether he or she is eligible under FMLA. If the employee is eligible, the notice shall specify any additional information required as well as the employees' rights and responsibilities. If the employee is not eligible, the County shall provide a reason for the ineligibility in writing in a timely manner.

The County shall inform an employee requesting leave if the leave shall be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County shall promptly notify the employee.

Unlawful Acts

FMLA makes it unlawful for the County to:

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

Enforcement

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

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

Leave of Absence Without Pay

Full-time and half-time employees who have been in continuous employment with the County for a minimum of 1 year may be granted leave without pay for reasons other than illness, disability, vacation, or a leave of absence not otherwise protected under state or federal law.

Leave without pay must be approved by the employee's department head or designee; cannot conflict with the best interests of the County; and shall be consistent with the County's adopted policies and procedures and state and federal law. A request for leave of absence for more than 30 days without pay may be granted and may require Board of County Commissioner approval.

If an employee is granted a leave of absence without pay for 30 days or less, the employee is eligible to return to his or her previously assigned position with no loss in grade, step, or other benefits. Time of service is frozen during the leave period. During this leave period, the County shall continue to carry the employee on its health insurance policy provided the employee has paid their portion of the health insurance premium. If payment for the employee's portion of the health insurance premium is unable to be processed through normal payroll processes, the employee shall be responsible to pay their portion of the premium to the payroll department prior to payroll deadline.

When an employee is granted a leave of absence of 31 to 60 days, the employee may return to the employ of the County at no loss in pay grade, step pay or other benefits, but may be assigned other duties by his or her department head or designee.

If an employee is granted a leave of absence without pay for 61 days or more, the employee is eligible to return to the employ of the County if a position is available and may be reassigned and paid the rate of a newly hired employee.

Any employee granted a leave of absence without pay for a period of more than 30 days understands that participation in the County Employee Group Health Insurance plan shall cease until the employee is able to return to work. The employee may sign up for COBRA health benefits per federal law and shall be responsible for both the employer and employee portions of all premium costs, as well as the two percent (2%) COBRA Administration fee.

All employees who enroll in Employee Group Insurance coverage as provided by the County must bear the full cost of all medical premiums beginning the first day of the month following

30 consecutive calendar days of leave-without-pay status, or on the first day of the month following utilization of 30 consecutive calendar days of donated sick leave hours.

EMPLOYEE BENEFITS

The County Clerk shall maintain a list of the County's benefit programs and the agents for each of those programs. New or current employees who wish to enroll in the County's benefit programs or wish to make changes concerning their participation in those programs must do so through the County Clerk's Office on forms or other means as provided by the County.

Medical Insurance

The County may provide employee and family group coverage to eligible Plan participants for medical, dental, and vision health insurance to all eligible employees. Information and summary communications intended to explain these benefit plans are furnished to all Plan participants on a timely and continuing basis. For specific questions regarding these benefits, employees should contact his or her department head or designee, or the County Clerk's office.

The County reserves the right to amend described benefits from time to time as determined by the County with notice and without compensation to employees. Changes may include but are not limited to revised premium amounts; change in health insurance administrators; revised plan details; and revisions to the amount and scope of coverage.

Employees and eligible legal dependents shall be eligible to participate in the County's benefit programs in accordance with the provisions of each program and described as follows:

1. Employees and eligible legal dependents shall be eligible to participate in the County Employee Group Insurance Plan as outlined in the Employee Benefit Plan document and this County policy.
2. An Eligible Participant shall be defined in the Employee Plan Document. Generally, an eligible employee must be one who has met and exceeded the County's new-hire waiting period, and:
 - i. Works a minimum 30 hours per week or 130 hours per month; or
 - ii. Is considered a half-time employee working at least 87 hours per month but less than 130 hours per month); or
 - iii. Is a variable hour employee who has qualified during the Measurement and Administrative Period for coverage through the Stability Period as defined in the Summary Plan Document; or
 - iv. Is under a 12-month service contract and remains as a W-2 Common Law Employee for the County, regardless of hours worked annually.
3. Generally, Employees shall not be eligible for benefits if classified as part-time, temporary, or Variable Hour (if they do not meet the minimum hours over the Measurement Period).
4. An employee shall be eligible for COBRA benefits (except in the case of gross misconduct) if the employee's workable hours are reduced permanently to less than thirty (30) hours per week for full time employees or less than twenty (20) hours per

week for half-time employees, or if an employment or applicable service contract is terminated or not renewed.

5. If an Employee elects COBRA coverage, the Employee shall be responsible to pay his or her selected entire (both employer and employee portions) insurance premium plus the two percent (2%) COBRA Administration fee. The maximum COBRA eligibility period, typically 18 months total (could be 29 or 36 months depending on qualifying event), shall commence at the time the employee's hours are permanently reduced, employment is terminated, or service contract is terminated or not renewed, and the coverage, if elected, is transferred to COBRA status.

Wyoming Retirement Savings Plan

Full-time and half-time employees shall be provided with a retirement savings plan through the Wyoming State Retirement (WRS) Pension Plan, which follows the WRS Plan's mandatory introductory period and qualifications to participate. The plan includes a provision for employee tax-deferred compensation contributions.

Travel and Expense Reimbursement

Employees shall be reimbursed for all reasonable and necessary expenses incurred while traveling on authorized County business per this policy and other County policies as adopted by the Board of County Commissioners.

Employees shall be required to record all travel and business activities and submit to his or her department head or designee along with original itemized receipts for purchases.

Other Benefits

The County offers other optional benefits to employees. These programs include but are not limited to Washington National; AFLAC; MASA; and legal aid. The employee shall be responsible for the full cost of premiums for coverages for each of these optional benefits. The County reserves the right to make changes to these described benefits with notice and without compensation to employees, and reserves the right to discontinue providing these optional benefits with notice and without compensation to employees.

CONDUCT STANDARDS

Converse County Equipment and Vehicles

County vehicles and equipment shall only be operated by previously authorized employees as determined by each department head or designee, except in the case of repair testing by a licensed mechanic. Any employee who has a driver's license revoked or suspended shall immediately notify his or her department head or designee and immediately discontinue operation of all County vehicles and/or equipment. When using County property, including vehicles; heavy equipment; machinery; computer equipment; computer hardware; computer software; office equipment; and/or department-specific tools, employees shall exercise care; perform required maintenance; and follow all operating instructions, safety standards, and guidelines required of the equipment or vehicle.

Each employee is expected to notify his or her department head or designee if any equipment appears to be damaged, defective, or in need of repairs. Each employee is also expected to direct questions and concerns to his or her department head or designee regarding any questions about the maintenance and care of any workplace equipment.

If an employee uses or operates equipment improperly; carelessly; negligently; or unsafely, he or she may be subject to disciplinary action, up to and including dismissal. In addition, the employee may be held financially responsible for any loss to the County because of such negligence or mistreatment if allowed by law.

No employee shall use County equipment or vehicles for personal use unless authorized by the department head or designee. Employees who are authorized to take vehicles home, including law enforcement, shall adhere to department policies regarding use of vehicles and insurance requirements, and department heads shall ensure that authorized employees are eligible for coverage under the Governmental Claims Act.

Computer, Email, and Internet Usage

The County's computer network; access to Internet; email; and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of Converse County. All information regarding access to the County's computer resources, such as user identifications; modem phone numbers; access codes; and passwords are confidential County information and may not be disclosed to non-County personnel.

The County recognizes that use of the Internet has many benefits for the County and its employees, and employees are expected to use the Internet appropriately. Unacceptable usage of the Internet; email; voicemail; and other electronic communications can place the County and others at risk. Such use may be cause for disciplinary action, up to and including termination of employment.

All computer files, documents, and software created or stored on the County's network and computer systems are subject to review and inspection at any time. This includes web-based

email employees may access through County systems. Employees should not assume that any such information is confidential, including email either sent or received.

Computer equipment shall not be removed from the County premises without written approval from a department head or designee. Upon separation of employment, all communication tools shall be immediately returned to the County. All employees shall adhere to County IT policies as adopted by the Board of County Commissioners.

Personal Use of the Internet

Some employees need to access information through the Internet to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Except for active investigations conducted by law enforcement, the County prohibits the display, transmittal, or downloading of material that is in violation of County guidelines or otherwise is offensive; pornographic; obscene; profane; discriminatory; harassing; insulting; derogatory; or determined to be otherwise unlawful.

Software and Copyright

The County fully supports copyright laws. Employees shall not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees shall comply with all licenses regulating the use of any software and shall not disseminate or copy any such software without authorization. Employees shall not use unauthorized copies of software on personal computers housed in County facilities.

Unauthorized Use

Employees shall not attempt to gain access to another employee's personal file of email messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the County communication systems in ways that are determined to be inappropriate by the employee's department head or designee; the County Attorney; or the Board of Commissioners. If an employee has questions regarding whether certain behaviors would constitute unauthorized use, he or she should contact their department head or designee prior to engaging in such conduct.

Email

County email is to be used during work hours for business purposes only. While personal email is permitted, it is to be kept to a minimum. Personal email should be brief and sent or received as seldom as possible. The County prohibits the display, transmittal, and/or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful, at any time, with the exception of law enforcement only as described above. No one may solicit, promote, or advertise any outside organization, product, or service using email or anywhere else on County premises during working times. Working time does not include breaks or meal periods. Department heads or designees may monitor email from time to time as determined necessary.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages.

Voice Mail

The County voice mail system is intended for transmitting business-related information. Except for the Converse County Joint Justice Center (CCJJC), the County does not monitor voice messages as a routine matter. The CCJJC has a system in place that records all incoming and outgoing calls. For all other County departments, the County reserves the right to access and disclose all messages sent over the voice mail system for any purpose unless otherwise considered confidential by law. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

Telephones, Cell Phones, and Mobile Devices

Employee work hours are valuable and should be used for business. Employees are expected use their break or lunch period for personal phone calls.

Confidential information should not be discussed on a cell phone or via any mobile device. Phones and mobile devices with cameras should not be used in a way that violates other County policies and/or guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees' use of a cell phone or mobile device to access County systems without prior authorization is restricted and prohibited. Such access, once authorized, may subject the employee's personal device to discovery requests, the Wyoming Public Records Act, and/or County action. Employees authorized to access County systems and information using a personal device must immediately inform the County if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving when no hands-free system is available. Employees should park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked, except as authorized under W.S. 31-5-237 for emergency response and personnel.

The County phone system shall not be used for personal long-distance phone calls.

Drug and Alcohol Policy

Converse County maintains a workplace free of drugs and alcohol and discourages drug and alcohol misuse or abuse by its employees.

Employees of the County are prohibited from using, being under the influence of, or possessing any illegal drugs or alcohol, and shall not manufacture; distribute; purchase; transfer; or possess any illegal drugs while:

1. Performing business for Converse County;
2. Operating any County-owned motor vehicle and/or equipment while conducting County business or for any job-related purpose;
3. On any County-owned or operated premise; and/or
4. On any County worksite.

Further, employees are prohibited from performing their duties while taking prescribed drugs that may adversely affect their ability to perform their job duties safely and effectively. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or produce the container when asked. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their department head or designee. Failure to disclose such restrictions may result in disciplinary action, up to and including termination of employment.

The County may conduct unannounced inspections for violations of this policy in the workplace and/or on County facilities or worksites. Such searches may be conducted at any time, and employees are expected to cooperate fully.

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

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

Employees who violate this policy may be disciplined or dismissed. Violations include refusal to consent to and comply with testing and search procedures as described herein and as required by the employee's department head or designee.

Drug Testing

Any department head or designee may, based upon department policies and procedures, require a blood test; urinalysis; hair or hair follicle test; or other drug or alcohol screening of any employee suspected of using or being under the influence of drugs and/or alcohol, or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, up to and including dismissal.

Criminal Background Report

Any department head or designee may, based upon department policies and procedures and/or the requirements of the position, require a criminal background report prior to or contingent upon an offer of employment. The refusal to consent to any such required report by a potential employee shall result in a withdrawal of an offer of employment with the County.

Smoking and Vaping Policy

Smoking and/or vaping is prohibited inside any County-owned or operated facilities, vehicles, and equipment. However, the County may designate a smoking area(s) if there is adequate ventilation and physical barriers to ensure that nonsmokers are not subject to smoke byproducts.

All employees, clients, vendors and suppliers, and other visitors are expected to comply with this policy. Employees who violate this policy may be disciplined, up to and including termination.

Worker's Compensation

Converse County provides insurance to compensate for any illness or injury an employee might suffer while working on County premises, traveling on official County business, or attending an activity officially sponsored by the County. If an employee becomes ill or injured, medical attention should be sought at once.

Any employee who sustains an injury while conducting County work should immediately complete an Employee's Claim for Worker's Compensation Benefits Form for an injury that requires medical attention. If an injury does not require medical attention, the employee should still complete a Supervisor and Employee Report of Accident Form in case medical treatment is later needed and to ensure that any existing safety hazards are corrected. Forms shall be made available to employees by the department head or designee.

SAFETY, SECURITY, AND ANTI-VIOLENCE

Safety and Security

Converse County is committed to maintaining a safe and healthy environment for all employees. Employees should report all accidents; injuries; potential safety hazards; safety suggestions; and/or health and safety related issues immediately to his or her department head or designee. Help from outside emergency response agencies should also be sought, if needed.

Converse County is committed to ensuring employees' security. If any employee has a security concern, he or she should contact their department head or designee as soon as possible.

Anti-Violence

Any action determined to be inappropriate to the workplace by the County, including department heads and elected officials, shall not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct; vandalism; sabotage; arson; use of weapons; and/or bullying. Workplace bullying is defined as repeated mistreatment through verbal abuse, offensive conduct and/or behaviors, and work interference. Any employee who feels he or she has been subjected to workplace bullying should contact his or her department head or designee. Except for active or retired law enforcement personnel, the carrying of weapons onto County property is also prohibited regardless of whether the employee possesses a concealed carry permit.

Employees should immediately report any such occurrences to their department head or designee. The County shall investigate all complaints. When employees are found to have engaged in the above conduct, the County shall take action that it believes is appropriate.

Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves and/or co-workers.

ACKNOWLEDGMENT OF RECEIPT

- I acknowledge that I have received the County’s Personnel Policy & Procedure Manual and that I have read and understand the policies.
- I understand that this manual represents only current policies and benefits, and that it does not create a contract of employment. The County retains the right to change these policies and benefits, as it deems advisable.
- Unless expressly prescribed by statute or contract, my employment is “AT WILL”. I understand that I have the right to terminate my employment at any time, with or without cause, and that the County has the same right. I further understand that my status as an “AT WILL” employee may not be changed except in writing and signed by the governing body.
- I understand that the information I come into contact with during my employment is proprietary to the County and accordingly, I agree to keep it confidential, which means I will not use it other than in the performance of my duties or disclose it to any person or entity outside the County. I understand that I must comply with all of the provisions of the County Personnel Policy & Procedure Manual to have access to and use the County’s resources. I also understand that if I do not comply with all provisions of the County’s Personnel Policy & Procedure Manual, my access to the County’s resources may be revoked, and I may be subject to disciplinary action up to and including termination of employment.
- I further understand that I am obligated to familiarize myself with the County’s safety, health, and emergency procedures as outlined in the County’s Personnel Policy & Procedure Manual or in other documents.
- No representative of Converse County, other than an elected official(s) or other duly authorized representative(s) of the County, has the authority to enter into an agreement of employment for any specified period. Any such agreement must be in writing and signed by an elected official(s) and myself. I hereby agree that no such agreement has been entered into.

Employee printed name

Date

Employee signature