

# Chapter 4

## Compensation and Benefits

### Policy 4.1

#### ***EXEMPT AND NON-EXEMPT STAFF***

Employee classifications are determined by the Fair Labor Standards Act (FLSA). They are “exempt” and “nonexempt.”

“Exempt” employees include the Director and the full-time department heads who are salaried employees. Therefore, they are not subject to the overtime provisions defined by the FLSA. Any employee who does not meet the qualifications for exemption is included in the term “nonexempt.”

“Nonexempt” employees are hourly employees and must comply with the overtime pay provisions of the FLSA, regardless of individual titles or duties. Non-exempt employees may not volunteer within the System.

*Adopted/Revised: 1/21/03*

## Policy 4.2

### **COMPENSATION**

Compensation will be recommended by the Director and presented to the Board for final approval. Total compensation to employees includes salaries or wages, benefits and other compensation.

The Director shall recommend and the Board shall adopt a wage and salary schedule which will be subject to the annual budget and shall reflect the nature of the position and the number of years of experience.

See Appendix for **Salary Schedule**

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.3

### **PAYDAY**

Employees are paid every other Friday for the previous two weeks. Pay periods run Sunday through Saturday. If a payday falls on a holiday, employees will be paid on the preceding day.

See Appendix for **Time Sheets**

*Adopted/Revised: 1/21/03, 10/16/07*

## Policy 4.4

### **HOURS OF EMPLOYMENT**

Specific workday and workweek hours for each employee will be determined by the Director based on the needs of the System. Employees scheduled in public service areas may be required to work evening and weekend hours. Once a schedule has been agreed upon by all concerned, it must be adhered to unless changes are approved by the Director.

Full-time employees are given the opportunity with the approval of the Director to schedule their own working hours to meet the needs, goals and objectives of the System. Employees must work a 40 hour week and must arrive and leave within specified time periods.

Part-time employees cannot work over their regularly scheduled hours without approval of the Director.

Staff members should be on time and ready for work. Those finding they are unable to report to work on time or unable to work that full day must inform the Director as soon as feasible.

Each employee is expected to maintain the full hours of employment assigned by the Director without habitual tardiness, described as "presenting a definable pattern of behavior". Such tardiness will become grounds for dismissal.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.5

### ***EMERGENCY CLOSINGS***

Except for regularly scheduled holidays, the System will be open for business during "Open Hours" approved each fiscal year. The Board recognizes that circumstances beyond its control, such as inclement weather, national crisis, or other emergency, do occur and on such occasions, the system may close for all or part of a regularly scheduled workday. In such event, the Director will endeavor to notify all personnel involved in the closure.

Branch Managers must notify the Director immediately if closure of their library is necessary.

Employees will be paid their normal rate of pay for their regularly scheduled work hours during any closing due to the above circumstances.

*Adopted/Revised: 1/21/03*

## Policy 4.6

### ***COMPENSATORY TIME & OVERTIME***

Only exempt employees are eligible for compensatory time which is accrued on a weekly basis. The Director must approve the accumulation and use of compensatory time.

The workweek is 40 hours which includes actual time worked and any leave time taken. Employees are required to use all compensatory time by June 30th of each year.

Non-exempt employees are paid an hourly wage and are therefore subject to wage and hour laws with regard to overtime compensation. All overtime hours must be pre-approved by the Director.

See also: **Policy 4.1 Exempt and Non-Exempt Staff**

*Adopted/Revised: 1994, 1995, 1996, 1/21/03*

## Policy 4.7

### **PAYROLL DEDUCTIONS**

#### **DEDUCTIONS**

All mandatory and optional deductions will be made from each payroll check as appropriate.

#### **FICA/SOCIAL SECURITY**

FICA/Social Security tax is withheld from each employee's paycheck as required by law. The System also pays an equal amount, which is credited to the employee's account. All employees are required to participate.

Every employee must fill out and sign a federal withholding allowance certificate, IRS Form W-4, on or before his/her first day on the job. The employee may fill out a new W-4 at any time.

#### **RETIREMENT**

Every eligible employee may be included in the Wyoming State Retirement System. The System provides cost-shared coverage via a payroll deduction. Current information regarding eligibility for this retirement plan is available upon request. When an employee terminates his/her employment with the System he/she may request a refund of the contributions made.

#### **DEFERRED COMPENSATION**

Full and part-time employees may be included in the Wyoming Deferred Compensation Plan. Current information is available upon request.

#### **HEALTH INSURANCE**

All employees who are qualified by County Commissioners' standards will be offered the Carbon County Employees Group Health Plan. Current criteria and information on the health plan are available upon request. Health insurance is a cost-shared coverage through a payroll deduction.

See Appendix for corresponding **Forms**

*Adopted/Revised: 1989/ 1994, 1995, 1996, 1/21/03, 3/25/03, 7/23/2009*

## Policy 4.8

# **WORKER'S COMPENSATION AND UNEMPLOYMENT**

### **WORKERS COMPENSATION**

All employees are protected under Wyoming's workers compensation law against loss of income due to injury or death that occurs during work activities. The System pays the entire cost of the Workers Compensation insurance premium. Employees must report all job-related accidents, injuries and illness immediately after experiencing symptoms. The insurance carrier will determine the benefits to which the employee is entitled.

\*REPORTING: Any employee injured on the job will report the injury immediately to the Director, regardless of whether the injury is minor or of no apparent significance.

\*INCIDENT REPORT: An Incident Report will be completed promptly by the Director to ensure documentation and expedite compensation.

Failure of an employee to document job-related injuries may result in disciplinary action, including termination. Reporting job-related injuries protects both the System and the employee.

### **UNEMPLOYMENT**

The System is a reimbursing participant as required by law.

See Appendix for corresponding **Forms**

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.9

### **MEAL AND REST BREAKS**

Breaks may only be taken so as not to interfere with the function of the library. Employee breaks are authorized at the manager's discretion.

Meal breaks are unpaid and not considered "hours worked."

Employees may take a rest break not to exceed 15 minutes if the work schedule is for a period of four hours or more.

Rest break time is not cumulative or combined. It cannot be added to meal time or used to leave early or make up time. Rest breaks are paid.

*Adopted/Revised: 1996, 1/21/03, 9/15/09*

## Policy 4.10

### **USE OF SUBSTITUTES**

All requests for substitutes must be approved by the Director, regardless of the location, and should be made in writing except in the case of an emergency. Any substitute requested to work must have the appropriate forms on file with the System. Substitutes can only be called to work by the Branch Manager or Director. All substitutes are paid minimum wage unless otherwise notified in writing. Substitutes are paid by the hour and receive no fringe benefits other than employer contributions to FICA, unless they also hold a regular part-time position in which case a contribution is also made to the Wyoming State Retirement System.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.11

### **PAID LEAVE**

Paid leave for all employees includes:

- Holidays designated as paid holidays by the Board .....Policy 4.12
- Bereavement leave .....Policy 4.13
- Administrative leave .....Policy 4.14

Paid leave for full-time employees also includes:

- Paid Time Off (PTO) which combines vacation and sick leave .....Policy 4.15
- Extended Sick Leave (ESL) which is used for long term illness .....Policy 4.16

Other paid leave may be granted for the following:

- Jury duty, Subpoenaed leave, and Public Service leave .....Policy 4.17
- Voting leave.....Policy 4.18

Compensation will be paid for regularly scheduled working hours. Refer to individual leave policies for procedure on requesting leave.

*Adopted/Revised: 1/21/03*

## Policy 4.12

### **HOLIDAYS**

To be eligible for holiday pay, employees must be employed the last working day before a holiday and the first working day after a holiday.

Part-time employees working less than 15 hours per week will receive 4 hours pay per holiday. Employees working an average of 15 to 29 hours per week will receive 6 hours pay per holiday. Employees working 30 hours or more per week will receive 8 hours pay per holiday.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03, 6/19/07, 8/21/07*

## Policy 4.13

### ***BEREAVEMENT LEAVE***

In the event of the death of a relative or close personal friend, each employee shall be entitled to five (5) calendar days' leave with pay for funeral arrangements and attendance. Compensation will be paid for the regularly scheduled hours which fall within this time period. Under extraordinary circumstances this leave may be extended, but without pay.

Funeral leave for any other reason may be granted by the Director on an individual basis.

*Adopted/Revised: 1989, 1/21/03*

## Policy 4.14

### ***ADMINISTRATIVE LEAVE***

The System encourages employees to increase their job-related skills and knowledge through participation in library-related workshops, seminars, conferences and meetings. All requests for administrative leave and expenses will be approved at the discretion of the Director.

Time off for the employee's attendance and travel will be paid at the employee's normal rate of pay. Reimbursement will be made upon actual and reasonable receipts for related expenses including registration fees, travel, lodging and meals.

*Adopted/Revised: 1989, 1/21/03*

## Policy 4.15

### **PAID TIME OFF (PTO)**

Full-time hourly employees receive PTO as follows:

Years of Service	PTO	Hours per Month
1-5	160 hours per year	13.33
6-10	184 hours per year	15.33
11 or more	208 hours per year	17.33

Full-time salaried employees receive PTO as follows:

Years of Service	PTO	Hours per Month
1-5	192 hours per year	16
6-10	208 hours per year	17.33
11-15	224 hours per year	18.67
16+	240 hours per year	20

Three-quarter time hourly employees receive PTO as follows:

Years of Service	PTO	Hours per Month
1-5	120 hours per year	10
6-10	138 hours per year	11.50
11 or more	156 hours per year	13

PTO cannot be used as sick time until whatever probationary period assigned has been successfully completed. PTO cannot be used as vacation leave until after one full year of employment. Employees whose employment is terminated before one full year is complete cannot collect PTO pay for the hours they have accumulated.

An employee may not carry more than 240 hours of PTO from one fiscal year to the next. The employee must transfer hours to his/her Extended Sick Leave bank or lose any PTO earned beyond that point.

Except in the case of a medical emergency, all requests for PTO must be made in writing and must be approved by the Director, subject to requirements of library operation. In the case of an emergency, the Director must be notified as soon as feasible.

*Approved/Revised: 1994, 1995, 1996, 1/21/03, 7/23/2009*

## Policy 4.16

### ***EXTENDED SICK LEAVE (ESL)***

Employees may carry unlimited hours in their ESL bank. This leave can only be used for non-vacation purposes.

Requests for extended sick leave must be made in writing and approved by the Director. In the case of an emergency, the Director must be notified as soon as feasible.

*Approved/Revised: 1994, 1995, 1996, 1/21/03*

## Policy 4.17

### ***JURY DUTY, SUBPOENAED LEAVE AND PUBLIC SERVICE LEAVE***

Any employee who is serving as a member of a jury panel, who is subpoenaed as a witness, or who has been elected to public office, and thereby prevented from performing his/her duties, shall be granted a leave of absence with pay, and without loss of PTO. All monies received by the employee for such service shall be deducted from the employee's paycheck.

Employees should notify the Director immediately when called for jury duty and documentation of times and pay must be submitted before the end of the pay period.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.18

### **VOTING LEAVE**

The System encourages all employees to vote at any primary, general or special elections. Employees are entitled to one hour of paid leave during polling hours on Election Day at the convenience of the System and with notice to the Director.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

Policy 4.19

**UNPAID LEAVE**

Unpaid leave includes:

- Leave for part-time employees .....Policy 4.20
- Family leave .....Policy 4.21
- Military leave .....Policy 4.22
- Sabbatical leave .....Policy 4.23

*Adopted/Revised 1/21/03*

## Policy 4.20

### ***LEAVE FOR PART-TIME EMPLOYEES***

Requests for unpaid time off for part-time employees must be made in writing and approved by the Director, subject to requirements of System operation. Exceptions can only be made in the case of illness or family emergency. In each case, an approved substitute must be secured.

*Approved/Revised: 1994, 1995, 1996, 1/21/03*

## Policy 4.21

### **FAMILY LEAVE**

#### **FAMILY AND MEDICAL LEAVE ACT**

Any employee who has worked for at least 12 months and for at least 1250 hours during the year preceding the start of the leave is eligible for unpaid leave under the Family and Medical Leave Act. Eligible employees may take up to 12 weeks of leave during any 12 month period for any of the following reasons:

- The birth of a child to the employee or the employee's spouse.
- The placement of a child with the employee for adoption or foster care.
- The need to care for a spouse, son, daughter, or parent with a serious health condition.
- A serious health condition that makes the employee unable to perform his/her job duties.
- The need to care for a seriously ill family member not listed above (approval of the Library Board required).

A "serious health condition" is one which requires either inpatient care at a hospital, hospice, or residential facility and/or continuing treatment by a health care provider. Any questions concerning the definition of a "serious health condition" should be taken to the Director.

An employee who requests leave is required to give 30 days notice, or if this is not possible, as much notice as is practical. The employee is also required to provide medical certification attesting to the serious health condition. All medical certifications must contain the following information:

- The date on which the serious health condition began
- The probable duration of the condition
- The appropriate medical facts about the condition known by the health care provider

If the employee suffers from a serious medical condition, the certification must also state that the employee is unable to perform the functions of his/her job. If a family member's serious condition is involved, the certification must stipulate that the employee is needed to care for the family member and estimate the amount of time that the employee will be needed to do so.

While on leave, the System will continue to pay health insurance benefits for eligible employees. If the employee chooses not to return to work once the leave has ended (for other than serious health reasons), the employee may be responsible for reimbursing the System or the County for the premiums paid for health insurance.

An employee who takes leave under this Act will be reinstated to his/her previous position or to an equivalent one within the System, with equivalent pay, benefits and other conditions of employment. There is an exception to this statement for certain highly paid key employees. Employees should consult with the Director regarding reinstatement.

If the leave is taken for the birth or placement of a child, leave must be taken within 12 months of the event. Leave taken to care for a family member with a serious health condition may be taken intermittently or on a reduced leave schedule, when medically necessary. In such cases, the employee is required to submit a medical certification and to make reasonable effort to minimize disruption of the System's operations.

Any employee who has accrued PTO or ESL for less than 12 weeks may choose, or the System may require, the employee to use all accrued PTO and ESL prior to taking unpaid leave.

Questions regarding leave under the Family and Medical Leave Act should be taken to the Director.

## Policy 4.22

### **MILITARY LEAVE**

Employees who are indefinitely deployed in active service through draft or Presidential Order to active duty are entitled to military leave. Military leave is leave of absence without pay and terminates either 90 days after the employee's discharge from the service, or one year after the staffer is released from hospitalization continuing after discharge. The employee will be reinstated to his or her former position or to a position of similar seniority, status and pay if the System is informed of discharge within sixty (60) days prior to return.

An employee who is a member of the Wyoming National Guard or the Army, Navy, Air Force, Marine or Coast Guard Reserve shall be given a leave of absence, not to exceed fifteen (15) days in any one calendar year, without pay, to attend duly authorized encampments, training courses and similar training programs in addition to other leave or vacation time to which such persons are otherwise entitled. If the date of such training is optional, leave time must be pre-approved by the Director. Request for such leave must be made to the Director in writing at least thirty (30) days in advance, except in an emergency.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.23

### **SABBATICAL LEAVE**

An employee may be granted a leave of absence without compensation for a period of up to one year by the Board. A request for such leave must be submitted to the Director in writing as far in advance of the need as is known by the employee. Such written request shall state the reasons for requesting the leave, the duration of the requested leave and the date upon which it is requested that the leave begin. All such written requests shall be acted upon within thirty (30) days after receipt by the Director. Scheduled increments, adjustments in salary and other credits are not allowed for such leave.

*Adopted/Revised: 1989, 1994, 1995, 1996, 1/21/03*

## Policy 4.24

### ***CONTINUING EDUCATION***

The System recognizes the need and value of continuing education for its employees, including library-related workshops, seminars, and formal education. Although financial constraints limit the System's ability to pay for fees and travel, time off will be given for such purposes, subject to requirements of System operation, when arranged with the Director and approved by the Board beforehand.

*Adopted/Revised: 1/21/03*

## Policy 4.25

### **PROFESSIONAL MEMBERSHIPS**

The System encourages job related professional growth and development of employees through membership in the Wyoming Library Association, the Mountain Plains Library Association and the American Library Association. Membership dues to any of these organizations may be paid by the System on an individual basis at the discretion of the Director.

*Adopted/Revised: 1/21/03*

## Policy 4.26

### ***REIMBURSEMENT FOR EXPENSES/TRAVEL/MILEAGE***

The System will pay all actual and reasonable library-related expenses incurred by employees in the performance of their job responsibilities. All such expenses must have prior approval of the Director unless unusual circumstances prevent this.

A signed voucher with detailed receipts and/or credit card receipts must be submitted in order to receive reimbursement.

All plans and expenses for employees to travel for the System must have the prior approval of the Director. Lodging, food and other reasonable incidental travel expenses are to be reimbursed at actual cost.

Employees who must use their own vehicle for library purposes will be reimbursed at a rate to be set annually by the Board. In order to receive reimbursement, an employee must complete a voucher showing miles and date traveled, destination, and purpose of travel. Requests for mileage reimbursement must be approved by the Director.

Employees must verify that they have a current driver's license and vehicle liability insurance in accordance with state law.

*Adopted/Revised: 1994, 1995, 1996, 1/21/03*

## Policy 4.27

### ***VOLUNTARY SEPARATION***

Separation date for all employees is the last day of actual work or approved leave. An exit interview with the employee will take place on the job in order to complete paperwork and turn in keys. Regular employees will be paid for all unused PTO time.

Employees will be advised of their rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). This act entitles employees and their dependents to continue their coverage under the System's health insurance plan, at their own expense but at group rates, for 18 months after they leave.

An employee who voluntarily resigns must notify the Director in writing at least 15 calendar days prior to the anticipated date of separation. If proper notification is not given, the employee waives all rights to any accrued benefits unless mutual agreement is reached between the Director and the employee. In lieu of working during the 15 day notice period, the employee may be given two weeks' pay at the discretion of the Director.

A Director who resigns must notify the Board 30 calendar days prior to the anticipated date of separation.

*Adopted/Revised: 1/21/03*

## Policy 4.28

### ***INVOLUNTARY SEPARATION***

Employees who are terminated for any reason shall receive all pay which may be due them up to their separation date. Failure to return equipment, keys, materials or other items will result in delay in payment of final pay until all property is returned. If these items are damaged or missing, their value may be deducted from the final check.

The System expressly reserves the right to discharge any employee "at will" at any time. Some offenses that warrant immediate dismissal include but are not limited to:

- Theft—including, but not limited to, the unauthorized removal of System property or the property of another employee from library premises
- Alcohol/Drugs—illegal manufacture, possession, distribution, sale, purchase or use of controlled substances or alcohol on County property. Also: reporting to work in an alcohol/drug induced condition that adversely affects the employee's ability to safely and effectively perform his/her job functions
- Falsifying or altering library records, including time sheets
- Willfully damaging library property or that of other employees
- Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a supervisor, and/or refusing to carry out the order of a supervisor where personal safety is not a problem
- Absence for two consecutive working days without authorized leave, in which event the employee will be deemed to have resigned
- Sleeping on the job

See also: **At-Will Statement**

*Adopted/Revised: 1/21/03*

## Policy 4.29

### ***RELEASING JOB REFERENCES***

All requests for information about a current, retired or terminated member of the staff must be forwarded to the Director, who may disclose to prospective employers the dates of employment and position held. Further information may be disclosed with written permission from the employee.

*Adopted/Revised: 1/21/03*