WYOMING
JUDICIAL BRANCH

THE GUIDE TO JUDICIAL BRANCH EMPLOYMENT

WYOMING SUPREME COURT, DISTRICT COURTS, CHANCERY COURT, AND CIRCUIT COURTS

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2301 Capitol Ave.
Cheyenne, WY 82002

Welcome

Welcome to the Judicial Branch! We are delighted that you have chosen to join our organization. You are joining an organization that has a reputation for outstanding leadership and expertise. Our Employees use their creativity and talent to formulate solutions, meet new demands, and offer the most effective services to the citizens of the State of Wyoming. We sincerely hope you will take pride in being an important part of our team.

Please take time to review the information contained in this Guide. If you have any questions, feel free to ask your Supervisor or to contact the Human Resources Division at the Supreme Court.

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Disclaimer

ANY INDIVIDUAL MAY VOLUNTARILY LEAVE EMPLOYMENT OR MAY BE DISMISSED BY HIS/HER EMPLOYER AT ANY TIME FOR ANY REASON. ANY ORAL OR WRITTEN STATEMENTS OR PROMISES THAT ARE CONTRARY TO AT-WILL EMPLOYMENT ARE HEREBY EXPRESSLY DISAVOWED AND SHOULD NOT BE RELIED UPON BY ANY PROSPECTIVE OR EXISTING EMPLOYEE.

THIS EMPLOYEE INFORMATION IS SUBJECT TO CHANGE AT ANY TIME AT THE SOLE DISCRETION OF THE WYOMING JUDICIAL BRANCH (WJB). THE WJB RESERVES THE RIGHT TO MODIFY, CHANGE, ADD, OR DELETE ANY PROVISIONS IN THIS GUIDE AT ANY TIME. EMPLOYEES SHALL RECEIVE NOTICE OF CHANGES TO EMPLOYEE INFORMATION, AND AN UPDATED COPY OF THIS GUIDEBOOK SHALL REMAIN AVAILABLE ON THE WJB WEBPAGE.

PURSUANT TO WYO. STAT. ANN. § 5-3-102(b) EACH DISTRICT COURT JUDGE IS AUTHORIZED TO ADOPT AND APPLY POLICIES AND PROCEDURES DIFFERENT THAN THOSE OUTLINED IN THIS GUIDE. THEREFORE, EACH WJB EMPLOYEE EMPLOYED IN A DISTRICT COURT SHALL CONSULT WITH THEIR DISTRICT COURT JUDGE REGARDING THE APPLICABILITY OF ANY OF THE POLICIES AND PROCEDURES IN THIS GUIDE.

Employment At-Will

Employment at the WJB is on an At-Will basis. This means that either the Employee or the WJB may terminate the employment relationship at any time, for any reason, with or without notice.

This Guide does not create an employment agreement, express or implied. Nothing contained in this or any other document provided to the Employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no WJB representative is authorized to modify this policy for any Employee or to enter into any agreement, oral or written, that changes the At-Will relationship.

Any salary figures provided to an Employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and do not create an employment contract for any specific period.

At-Will Employment Acknowledgement

You have been hired as an At-Will Employee. That means you can be terminated at any time for no given cause. No information contained in this Guide gives you any right to continued employment or to any progressive discipline. You may be terminated with or without cause, with or without any notice.

Before you begin your employment, you must sign the acknowledgment below indicating your understanding of your employment status.

I UNDERSTAND THAT I AM AN AT-WILL EMPLOYEE WHICH MEANS MY EMPLOYMENT CAN BE TERMINATED AT ANY TIME FOR NO GIVEN CAUSE OR REASON. I UNDERSTAND THAT MY SUPERVISOR HAS THE RIGHT TO TERMINATE MY EMPLOYMENT AT ANY TIME WHETHER OR NOT I HAVE VIOLATED ANY POLICY AND REGARDLESS OF THE QUALITY OF MY WORK PERFORMANCE.

(SIGNED ORIGINAL IS IN PERSONNEL FILE AT THE HUMAN RESOURCES DIVISION.)

Signature _____

Signed this _____ Day of _____, _____.

Section 1. Definitions.

(a) "Applicant" means a person who has submitted a WJB application for consideration of a vacant position.
(b) "At-Will" means a legal doctrine where an employer has the right to terminate an employee at any time and for any or no reason. It also means that the employee has the right to terminate his or her own employment at any time and for any reason or no reason. There are no predefined legal requirements in terms of notice periods either. This means the termination can be done without any prior notice.
(c) "Base Pay" means a predetermined amount constituting all or part of the employee's compensation each monthly pay period. This monthly salary is referred to as the employee's base pay or base salary and paid on the last business day of the month. Salary paid employees can be non-exempt or exempt.
(d) "Child" means a biological, adopted, or foster child, stepchild, or legal ward who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
(e) "Civility" means the act of showing regard for others by being polite.
(f) "Compensatory Time" means time which may be taken with pay for overtime worked by a non-exempt employee.
(g) "Confidential Information" means information obtained through the course of professional duties that is protected by law from disclosure or is otherwise intended to be held in confidence.
(h) "Conflict of Interest" means a situation in which a person can derive personal benefit from actions or decisions made in their official capacity.
(i) "Courtesy" means a polite remark or respectful act.
(j) "Deferred Compensation" means a deferred compensation plan that is a promise from the employer to pay the deferred funds, plus any investment earnings, to the employee at the time specified, usually upon retirement.
(k) "Disability" means the following as defined by the ADA as a disability: (1) a physical or mental impairment that substantially limits one or more major life activities; (2) and/or the employee having a record of having such impairment (such as an employee who is in recovery from cancer); or (3) being regarded as having an impairment.
(l) "Discrimination" means disparate treatment in a term or condition of employment of any individual not based on legitimate factors but based on a protected class. A term or condition of employment includes but is not limited to hiring, work assignments, promotion or promotion opportunities, classification, transfers, granting or denying privileges, compensation, or performance reviews.
(m) "Dismissal" means involuntary separation from WJB service.
(n) "Diversity" means the practice or quality of including or involving people from a range of different social and ethnic backgrounds and of different genders, sexual orientations, etc.
(o) "Employee(s)" means a person working in and compensated by the WJB of state government, over which management has the right to direct and control the way the person works, both as to the results and as to the details of when, where, and how the work is done.

(p) "Employee's Supervisor" means the person who oversees a group of people or an area of work and who makes sure that the work is done correctly and according to the rules. This includes Judicial Officers, the State Court Administrator, division heads, chief clerks, and others as assigned.
(q) "Essential Job Functions" means those job activities that are determined by the WJB to be essential or core to performing the job.
(r) "Exempt" Means an employee who is not required to receive overtime in accordance with the Fair Labor Standards Act.
(s) "Harassment" means the unwelcome conduct that is based on a protected class and the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
(t) "Healthcare Provider" means physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals and others who by virtue of their education, credentials and experience, are permitted by law to evaluate and care for patients
(u) "Immediate Family Member(s)" means individuals related by blood, marriage or adoption constituting the relationship of spouse; child; brother; sister; parent; grandparent; grandchildren; grandparent-in-law; father-in-law; mother-in-law; son-in-law; daughter- in-law; sister-in-law; brother-in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half-brother; half-sister; aunt; uncle; niece; nephew; any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship; or other person upon approval of the employee's supervisor.
(v) "Judicial Officer" means a justice of the Wyoming Supreme Court, a district court judge, a chancery court judge, a circuit court judge, or a full-time magistrate.
(w) "Leave" means an authorized absence from work during normally scheduled working hours.
(x) "Nepotism" means the practice among those with power or influence of favoring relatives, especially by giving them jobs.
(y) "Non-Exempt" means an employee who is required to receive overtime, compensated as Compensatory Time, in accordance with the Fair Labor Standards Act.
(z) "Parent" means, for FMLA use purposes, a parent is a biological, adoptive, step or foster father or mother. For sick leave purposes, parent also include parents-in-law.
(aa) "Pension" means a regular payment made during a person's retirement from an investment fund to which that person or their employer has contributed during their working life.
(bb) "Political Activity" means any activity related to political campaigns and elections, which includes doing something in active support of or opposition to a political party, a candidate for partisan political office (e.g., President, senator, representative, state or local legislature or office), or a partisan political group (e.g., "Historians for Anderson").
(cc) "Protected Class" means the following are considered protected classes: race, color, religion, sex (including pregnancy), national origin, ancestry, age, Disability, or sexual orientation.
    (1) Sexual orientation includes the coverage of lesbian, gay, bisexual, and transgender individuals.
    (2) Title II of the Genetic Information Nondiscrimination Act of 2008 prohibits genetic information discrimination in employment. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers from requesting, requiring, or purchasing genetic information, and strictly limits the disclosure of genetic information.

(dd) "Qualified Individual" means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

(ee) "Reasonable Accommodation" means any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity. The WJB is not required to provide the "best" or most desired accommodation but is obligated to sufficiently accommodate so the individual can perform the essential job functions unless the accommodation poses an undue hardship.

(ff) "Reduction in Force" means an involuntary termination of an employee from state employment because of a shortfall of funding, lack of work, or organizational changes requiring a reduction in the number of positions in state employment.

(gg) "Resignation" means the voluntary separation from WJB service.

(hh) "Retaliation" means the act of seeking revenge upon another.

(ii) "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility; or continuing treatment by a health care provider.

(jj) "Social Media" means blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, Snapchat, and TikTok, among others.

(kk) "Spouse" means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law marriage or same-sex marriage.

(ll) "Supervisor" means an employee having statutory or properly delegated authority to hire, promote, dismiss, demote, assign work, reward, or direct WJB employees; or to effectively recommend such actions if the exercise of such authority requires the use of independent judgment and is not routine in nature.

(mm) "Termination" means the act of ending employment.

(nn) "Undue Hardship" means a term used in the ADA which describes an action that would require significant difficulty or expense, or that would fundamentally alter the nature or operation of a program, service, or activity. "Significant difficulty" does not include the accommodation's impact on morale.

(oo) "Wyoming Judicial Branch or WJB" means the branch of government responsible for interpreting and enunciating the meaning of the law through the adjudication of disputes. The WJB consists of the Wyoming Supreme Court, district courts, chancery court, circuit courts, and the Administrative Office of the Courts.

Section 2. Payroll and Work Hours.

(a) *Payroll.*

Payday. WJB Employees are paid on the last working day of the month for hours worked within that month. Newly hired Employees may experience some delay if complete information is not received by the Human Resources Division or if the day of hire is after submission of the payroll for a given month.

Direct Deposit. Employees are encouraged to use direct deposit. Any Employee who receives a check, rather than using direct deposit, may experience some minor delay in the receipt of the check.

(b) *Payroll deductions.*

Payroll Deductions. This will be taken in accordance with Wyoming State Auditor's Office direction. Payroll deductions include but are not limited to Federal Income Taxes, Medicare, and Social Security, as well as health insurance premiums, retirement contributions, and approved charity donations. Any court-ordered or federally mandated payroll deductions will be processed in accordance with the order or mandate.

Improper Deductions. If an Employee believes that an improper deduction has been taken from his or her pay, the Employee should immediately report the deduction to the Human Resources Division. The report will be promptly investigated and if it is found that an improper deduction has been made, the Employee will be reimbursed accordingly.

(c) *Employment classification.*

To determine eligibility for benefits and overtime status, and to comply with federal and state laws and regulations, the WJB classifies its Employees as indicated below. The WJB may review or change Employee classifications at any time.

Exempt. Exempt Employees are paid on a salaried basis and are not eligible to receive overtime compensation.

Non-exempt. Non-Exempt Employees are paid on a salary basis and are eligible to receive compensatory Leave for overtime hours worked.

Regular, Full-time. Employees who work a minimum of forty (40) hours weekly and maintain continuous employment status. Generally, these Employees are eligible for the benefits package and are subject to the terms, conditions, and limitations of each benefits program.

Regular, Part-Time. Employees who are regularly scheduled to work fewer than forty (40) hours weekly, and who maintain continuous employment status. Part-time Employees are eligible for benefits offered by the WJB at a pro-rated rate and are subject to the terms, conditions, and limitations of each benefits program.

(d) *Work week, hours of work and work schedules.*

The standard workweek is from Saturday 12:00 a.m. until Friday 11:59 p.m. and generally consists of forty (40) work hours. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Individual work schedules may vary depending on the needs of each court/division. Supervisors will advise Employees of each Employee's work schedule. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be worked each day and week.

(e) *Breaks and rest periods.*

An Employee may be allowed one (1) fifteen (15) minute break (also referred to as a rest period) for each four (4) hour work period. Breaks shall be scheduled with approval of the Employee's Supervisor to ensure adequate coverage of job functions. Breaks shall be counted towards hours worked. Breaks will be scheduled when possible. Missed breaks are forfeited.

Breaks shall not be:

(1) Included in starting/ending workday periods;
(2) Taken consecutively or included in the computation of meal periods; or
(3) Extended beyond fifteen (15) minutes. Taking off more than the allotted break time, fifteen (15) minutes, is not allowed. If an Employee takes an extended break, and the extended break was not authorized, he/she will not be paid for the additional time taken off for the break and will use Leave as appropriate for the circumstances.

Breaks for Nursing Mothers. Nursing mothers may be allowed additional breaks as needed in accordance with the Fair Labor Standards Act (FLSA) and the PUMP Act. Additional breaks or breaks longer than twenty (20) minutes may be unpaid or require Leave usage.

(f) *Meals.*

Meal periods should be scheduled with approval of the Employee's Supervisor to ensure adequate coverage of job functions. Employees shall take at least a half (1/2) hour meal period unless other work schedule has been agreed to by the Employee's Supervisor.

Meal periods are unpaid and shall not be included in the computation of the start or end of the workday. Meal periods shall be considered hours worked when a Non-Exempt Employee performs any duties, whether active or inactive while eating. An Employee doesn't need to be permitted to leave the premises if otherwise completely freed from duties during the meal period.

(g) *Reimbursement for travel to and from work.*

If an Employee is required to travel away from his/her normal work area, such Employee may be reimbursed for mileage regarding such travel. However, an Employee will not be reimbursed for mileage for normal travel between a residence and work location, which is considered commuting time, nor will such time be considered hours worked.

(h) *Travel time.*

In accordance with the Portal-to-Portal Act, Non-Exempt Employees are eligible for compensation for the time they spend traveling from the usual work location to another location, including time spent as a passenger during their normal work hours. Non-Exempt Employees must record any time spent traveling as hours worked on their timesheet. Meal periods, sleeping periods and time spent on non-work-related activities is not work time and cannot be included as hours worked.

(i) *Out-of-state travel.*

Reimbursement for out-of-state travel shall comply with Wyo. Stat. Ann. §§ 9-3-102 and 9-3-103.

Out-of-state travel is limited to individuals who are in positions that would derive job- related benefit from such travel, and the purpose of travel must be directly related to, and benefit, that position.

Exceptions to these policies must be approved in writing by the Chief Justice of the Wyoming Supreme Court, chancery court, and circuit court Employees and by a district court judge for exceptions applicable to his/her staff.

Section 3. Compensation and Benefits.

(a) *Compensation philosophy.*

The WJB believes in paying Employees a competitive salary based on relevant labor markets and service to the WJB over time. Our compensation philosophy is guided by principles of equity and fairness. Economic conditions, budget, and other practical considerations will necessarily affect the extent to which these principles can be applied.

(b) *Job evaluation.*

Job Evaluation. The WJB uses the *Hay Method of Job Evaluation*. This evaluation method measures each job's requirements against the three key job content factors found in every job -- Know-How, Problem Solving, and Accountability.

- Know-How: The sum of every kind of skill, however acquired, required for
- fully competent job performance.
- Problem Solving: The original, self-starting thinking required by the job to identify, define, and resolve problems.
- Accountability: The measured effect of the job on end results.

Job descriptions are measured using these factors and points are assigned based on various components within each of these factors. The total of all points helps determine the appropriate pay grade for each position.

Request for Review. Classification reviews are requested when the duties and responsibilities of a position change due to major additions of job duties or responsibilities. A classification review can also be requested when the Employee, Judicial Officer, or Supervisor believes the Employee is performing work at a classification level above their current classification. Requests are processed as specified in the Classification Review Request form. Employees must complete the Classification Review Request Form to start the review process.

(c) *Salary ranges.*

Pay Ranges. Pay ranges for each pay grade are assigned based on the market pay ranges used by the State of Wyoming Executive Branch.

Hiring Rate. The WJB will establish a hiring range for each position starting at 90% of market, depending on budget availability, so long as the hiring range will not create pay inequities with existing Employees. When determining a hiring rate, the Judicial Officer, or State Court Administrator (SCA) should consider the Applicant's education, training, and/or work experience as it relates to the job.

Premium Pay. There may be some positions for which the market is paying a premium over others in the same job grade. Premium Pay is used to establish an appropriate pay range for a position where the market is paying above the established pay range for that grade level, as determined by the Hay Methodology.

(d) *Compensation structure.*

Base Pay. WJB Employees are paid a monthly salary based on a full-time or part-time status. Non-Exempt Employees receive additional compensation, which may be earned in the form of Compensatory Time, when they work more than their scheduled work hours.

Longevity Pay. WJB Employees are eligible for longevity pay of forty dollars ($40) per month for each sixty (60) months (five (5) full years) of continuous State of Wyoming service. Longevity payments begin the month following the completion of sixty (60) months of continuous service and will increase after each consecutive sixty (60) months of continuous service.

Housing Allowance. The WJB provides a housing allowance to areas of need as determined annually by the State of Wyoming Department of Administration and Information. Any adjustments to the housing allowance are effective July 1 of each year.

Overtime. The WJB follows the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA). Employees of the WJB who are not Exempt from the overtime provisions of the FLSA are entitled to be compensated in the form of Compensatory Time for hours physically worked more than forty (40) hours per workweek at a rate of one and one-half (1½) hours for each overtime hour worked:

- Prior Approval Required: All overtime for Non-Exempt staff must be approved in advance by the Chief Fiscal Officer and Judicial Officer or SCA for Supreme Court, chancery court, circuit court, and AOC Employees or by the district judge for district court Employees, in accordance with the written overtime policy of each district Judge. Any paid Leave such as sick Leave, annual Leave, administrative Leave, an inclement weather day, or time off without pay does not apply toward hours worked. The Employee must physically work forty (40) hours in the week before overtime is earned. Supervisors are strongly encouraged to alter a Non-Exempt Employee's work schedule to avoid overtime.
- Compensatory Time: Compensatory Time is paid time off and is provided to Non-Exempt Employees in lieu of overtime when the Employee physically works more than 40 hours in the workweek. Compensatory Time may also be earned on an hour-for-hour basis for Non-Exempt Employees who work more hours than scheduled for a particular work week but work less than forty (40) hours. This must be approved in advance.

If circumstances arise concerning overtime compensation, which are not specifically addressed by this guidance, the Employee should consult with his/her Supervisor, the Chief Human Resources Officer, or the Chief Fiscal Officer for clarification.

Special Pay.

Special pay includes bonuses and add-on pay. Requests must be approved by the Wyoming Judicial Council (WJC) Human Resources Committee (HRC), unless specified otherwise. These requests are subject to budget availability.

Bonuses. Regular pay increases may not be available to Employees for exceptional performance or as an incentive for their continued employment with the WJB. As such, bonuses may be offered in varying amounts instead of additional salary. Types of bonuses approved include:

- Hiring Bonuses: Offered to new hires as an incentive to join the WJB.
- Discretionary Bonuses: Given to a particular Employee at the discretion of a Judicial Officer or SCA to acknowledge efforts beyond the Employee's normal responsibilities.
- Retention Bonuses: Branch-wide bonuses approved by the WJC given as an incentive to retain WJB Employees.

Add-on Pay. At times, Employees may be asked to do additional work outside their normal job duties for an extended period (one (1) or more months). Judicial Officers or the SCA may recommend additional monthly pay on a temporary basis to acknowledge these extra duties.

(e) *Pay adjustments.*

Legislative Approved Adjustments. Each legislative session, the legislature may appropriate funds to the WJB for pay increases. Allocation of these funds will be decided by the WJC, upon the HRC's recommendation, in accordance with the WJB pay philosophy.

Promotion. Employees moving to a job in a higher pay grade may receive a pay increase. Judicial Officers or the SCA should consider the Employee's education, training, and/or work experience as it relates to the job as well as equity with other Employees in the classification.

(f) *Moving expenses.*

Judicial Officers or the SCA may pay for the actual expenses or a portion of the actual expenses of transporting household goods and effects, not to exceed five-thousand dollars ($5,000). Employees moving to accept a position with the WJB or Employees relocating to another court are eligible for this reimbursement. Judicial Officers or the SCA should consider moving distance and other factors that affect the cost of a move when determining an appropriate amount to offer. The moving expense will be deducted from the applicable court's budget.

The Employee shall reimburse the court in full for all moving expenses if the Employee does not remain employed by the WJB for one year. Reimbursements may be deducted from the Employee's final paycheck.

(g) *Annual training/continuing education.*

Law clerks and staff attorneys may annually attend either the Wyoming State Bar Meeting or another continuing education program upon justice or judge approval. Conference fees and travel cost for attending a program other than the Wyoming Sate Bar Meeting shall not exceed the cost of attending the Wyoming State Bar Meeting. During any year that the Wyoming State Bar Meeting is held in the position's local community, no travel costs will be allowed for attending an alternative program.

Other Supreme Court positions requiring certification may be reimbursed for continuing education if the certification is a requirement of the Employee's position. Non-Exempt Employees must have approval for reimbursement and must record time spent at training or continuing education programs as hours worked.

(h) *Professional organization fees.*

Employees in positions requiring membership in a professional organization, such as membership in the Wyoming State Bar, will receive payment of dues annually to maintain membership. Employees are responsible for submitting invoices for dues payment to the Branch Fiscal office at least thirty (30) days prior to the due date.

(i) *Worker's compensation.*

WJB Employees are covered by workers' compensation. Any on-the-job injury that an Employee suffers should be immediately reported to a Supervisor, and the Supervisor shall assist the Employee in submitting any resulting workers' compensation claim. The Supervisor to whom an on-the-job injury is reported will then report that matter to the Human Resources Division for payroll purposes and to provide assistance with the workers' compensation process. Information and guidance on filing a workers' compensation claim is available from the Workers' Compensation Division.

(j) *Insurance coverage.*

Eligible WJB Employees may participate in term life insurance, retirement plans, and group health and accident insurance in accordance with the established state policies for Employees. Optional dental insurance, vision insurance, short-term or long-term Disability insurance, and additional life insurance are also available. Employees may opt for pre-tax payment of premiums and may establish a pre-tax medical expense and/or childcare account.

(k) *Consolidated Omnibus Budget Reconciliation Act (COBRA).*

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives Employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the state's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are Resignation, Termination of employment, or death of an Employee; a reduction in an Employee's hours, or a Leave of absence; an Employee's divorce or legal separation; and a dependent Child no longer meeting eligibility requirements. Under COBRA, the Employee or beneficiary pays the full cost of coverage at the state's group rates plus an administration fee. Employees' Group Insurance provides each eligible Employee with a written notice describing rights granted under COBRA when Employees' Group Insurance receives notice from the Employee that they may be eligible for coverage under the state's health insurance plan. The notice contains important information about the Employee's rights and obligations.

(l) *Retirement.*

Eligible Employees are enrolled in the Wyoming Retirement System's (WRS) Pension and Deferred Compensation plans.

Pension Plan. The WRS Pension plan is a lifetime monthly retirement benefit upon vesting and meeting the age and service requirements of a particular plan. Vesting represents the length of service required before a member is entitled to a monthly benefit. Vesting and other requirements vary with each plan. A retirement benefit is calculated by applying the multiplier specific to a given plan to a member's earned service credit and highest average salary. In other words, this number multiplied by the member's highest average salary and years of service will

approximate the member's annual benefit at retirement. The multiplier for each plan is set by state statute.

Deferred Compensation. The WRS 457 Plan is a powerful savings tool for retirement. WJB Employees are automatically enrolled in the WRS 457 Plan upon hire. If an Employee does not want to participate, they must opt out of the plan. WJB Employees receive twenty dollars ($20) per month added to their 457 account if they contribute twenty dollars ($20) or more a month.

Section 4. Time off and Leaves of absence.

The WJB recognizes that Employees have diverse needs for time off from work and has established various Leave policies to assist Employees with managing their professional and personal life. Employees are accountable and responsible for managing their own Leave hours to allow for adequate reserves if there is a need to cover vacation, illness or Disability, appointments, emergencies, or other situations that require time off from work. Employees shall request Leave in writing, to their Supervisor, as early as possible. Processes for requesting Leave may vary by court. There is no assurance that any specific dates for Leave will be granted. Time elapsed while an Employee is on any authorized Leave, except a Leave without pay or educational Leave, shall be considered paid time for purposes of this section.

(a) *Annual Leave.*

Annual Leave may be used by an Employee for any purpose. Employees must receive prior approval from their Supervisor to use annual Leave. The Supervisor who approves annual Leave shall consider the needs of the Employee and staffing requirements in approving annual Leave. Annual Leave must be used in fifteen (15) minute increments.

Accrual. Annual Leave accrual rates are determined by the length of completed continuous state service as follows (Some district court staff such as court reporters and some law clerks do not accrue annual Leave. District court law clerks and court reporters should check with their judge regarding the court's accrual policy):

0 months through 48 months	10 hours per month
49 months through 108 months	12 hours per month
109 months through 168 months	14 hours per month
169 months or more	16 hours per month

Proration. Employees accrue annual Leave according to the number of hours worked in the month, as follows:

160 or more hours	100% of accrual
120-159 hours	75% of accrual
80-119 hours	50% of accrual
40-79 hours	25% of accrual
39 or less hours	no accrual

Maximum Accrual of Annual Leave. On December 31st of each year, accrued unused annual Leave more than the carry-over maximum will be reduced to the maximum and the Employee shall forfeit the right to use this excess Leave. The carry-over maximum, which depends upon completed state service and full-time or part-time status, is as follows:

Zero through 108 months	240 hours (30 days)

109 through 168 months	288 hours (36 days)
169 through 228 months	336 hours (42 days)
229 or more months	384 hours (48 days)

Part-time Employee's maximum accrual is prorated based on a percentage of full-time status.

Service Credits to Rehired Employees. Service credits for non-continuous service shall be immediately granted to a rehired Employee claiming prior executive, judicial or legislative branch service followed by a separation in service. Prior service shall be on record with the Wyoming Retirement System or may be otherwise verified by the employing department. Service credits shall be given for any calendar month during which work was performed.

Carryover from the Executive or Legislative Branch. Except when transferring into a judgeship, an Employee transferring to the WJB from the executive or legislative branches may transfer any unused or unpaid annual Leave. WJB Employees transferring to the executive or legislative branches shall be allowed to transfer unused annual Leave. Any state Employee transferring into a judgeship cannot carryover Leave and must be paid by their employing agency in accordance with applicable policy.

(b) *Sick Leave.*

Sick Leave is available for use when an Employee is ill, injured, or disabled; has scheduled medical, mental health, dental, or optical exams or procedures; where the Employee needs to provide care for a Spouse, Parent, Child or someone in the Employee's direct care due to illness, injury, or; or where the Employee needs to assist a Spouse, Parent, Child or someone in the Employee's direct care with medical, mental health, dental, or optical exams or procedures; Disability for death or illness of a member of the Employee's or the Employee's Spouse's family and such other persons as approved by a Supervisor or Judicial Officer, when bereavement Leave has been exhausted or does not apply; or when an Employee has been exposed to a contagious disease such that attendance at work could jeopardize the health of others. Sick Leave is not eligible for use with absences associated with the illness or care of pets.

Sick Leave must be used in not less than fifteen (15) minute increments.

Accrual. Employees accrue sick Leave according to the number of hours worked in the month, as follows. Some district court staff such as court reporters and some law clerks do not accrue annual Leave. District court law clerks and court reporters should check with their judge regarding the court's accrual policy.

160 or more hours	8 hours per month
120-159 hours	6 hours per month
80-119 hours	4 hours per month
40-79 hours	2 hours per month
39 or less hours	no accrual

Sick Leave may be accrued without limit.

Notification. An Employee shall notify a Supervisor as soon as possible when using sick Leave. Requests for sick Leave must be approved by the Employee's Supervisor. A Supervisor with authority to approve sick Leave may at any time require verification of the basis for the Leave. Employees may also be required to provide a return-to-work authorization from their Healthcare Provider.

Donation of Sick Leave. Employees who have been employed for at least six (6) months, exhausted all available paid Leave, and have a legitimate need for additional sick Leave, may request to the Judicial Officer or State Court Administrator donated sick Leave. Judicial Officers or the State Court Administrator will notify the Human Resources Division if the Leave request is approved. In extreme emergency situations, the minimum employment requirement may be waived with Judicial Officer or State Court Administrator approval, as applicable.

Any WJB Employee who has accrued a minimum of eighty (80) hours of sick Leave may donate up to sixteen (16) hours accrued sick Leave per calendar year to an Employee of the WJB or another branch of state government. Immediate Family Members may donate an unlimited amount of sick Leave.

Advance Sick Leave. An Employee who has used all accrued sick Leave, Compensatory Time, and annual time, and who has an immediate and reasonable need for sick Leave, may, at the discretion of the Judicial Officer or State Court Administrator, be advanced sick Leave not to exceed eight (8) hours for each year of continuous service with the state up to fifteen(15) years, and twelve (12) hours for each year beyond fifteen (15) years continuous service. Employees with less than one (1) year of service may receive up to eight (8) hours of advanced sick Leave. Advanced sick Leave will result in a negative Leave balance. Upon return to work, the Employee's monthly accrual will offset the negative balance until the Leave account equals zero. The Employee will be ineligible to use additional sick Leave until the balance returns to a positive accrual amount. If employment is terminated with a negative Leave balance, the Employee will be required to repay the remaining Leave used in advance of accrual.

Carryover from the Executive or Legislative Branch. Except when transferring into a judgeship, an Employee appointed without a separation from the state Executive or Legislative Branch shall be allowed to transfer unused sick Leave. The Employee shall accrue sick Leave according to established policies. WJB Employees transferring to another branch of state government shall be allowed to transfer unused sick Leave. Any state Employee transferring into a judgeship cannot carry over Leave and must be paid by their employing agency in accordance with applicable policy.

(c) *Compensatory Time.*

Employees who request to use Compensatory Time shall be permitted to use such time if the request does not unduly disrupt the operation of the court/division. Compensatory Time may not be used for a length of time that would unduly disrupt the operations of the Employee's court/division.

Requirements for Use of Compensatory Time. Compensatory Time shall be used before taking any annual Leave. Compensatory Time must be used in fifteen (15) minute increments. Compensatory Time must be used no later than December 31st of each calendar year.

Prior Approval. All Compensatory Time must be approved and scheduled by the Employee's Supervisor. When requesting use of Compensatory Time, sufficient notice must be given to allow management to make informed decisions based upon operational considerations, including expected absences and unplanned vacancies.

Unused Compensatory Time. All Employees will be required to use Compensatory Time or receive the pay equivalent for earned Compensatory Time as follows;

(1) Unused Compensatory Time balances as of December 31st of each year shall be paid off during the first available payroll cycle following verification of the Leave balance;
(2) Upon separation from state service;
(3) As of one (1) day prior to a promotion effective date;
(4) Upon transfer to another agency of state government; or
(5) As deemed appropriate by the Chief Justice of the Wyoming Supreme Court, chancery court, and circuit court Employees and by a district judge for his/her staff.

(d) *Administrative Leave.*

Administrative Leave is discretionary paid time off granted by a Judicial Officer or State Court Administrator to an Employee to participate in meetings, training seminars, or for other purposes.

Upon declaration, the Chief Justice may close courts and state offices for the traditional observance of local celebrations or for other reasons deemed necessary. District court, chancery court, and circuit court judges may close offices for their courts in observance or local celebrations or for other reasons deemed necessary.

(e) *Leaves of absence/Leaves without pay/education Leave.*

Leaves of absence, Leave without pay or educational Leave may be granted. For Supreme Court, chancery court, circuit court, and Administrative Office of the Courts Employees, the request must be approved by the Employee's Supervisor and the State Court Administrator. For district court Employees, the request must be approved by the district court judges, with notification to the Human Resources Division for processing.

(f) *Holiday Leave.*

The following are holidays recognized by the WJB:

New Year's Day (January 1)

Martin Luther King, Jr./Wyoming Equality Day (third Monday in January)

President's Day (third Monday in February)

Memorial Day (last Monday in May)

Independence Day (July 4)

Labor Day (first Monday in September)

Veteran's Day (November 11)

Thanksgiving Day (fourth Thursday in November)

Christmas Day (December 25)

Additional Paid Holidays. At times, county buildings are closed for holidays not authorized by the WJB. It is at the judge's discretion whether court Employees will work on those days.

The WJB may also recognize additional holidays as follows:

Upon declaration of the Chief Justice of the Wyoming Supreme Court, any date declared by the President of the United States as an occasion of national mourning, rejoicing, or observance or national emergency.

Such other days as the Chief Justice of the Wyoming Supreme Court may declare to be paid court holidays.

Observed Holidays. Whenever a holiday falls on a Saturday, the preceding Friday shall be the observed holiday, and whenever one falls on a Sunday, the following Monday shall be the observed holiday.

Part-time Employees may take an additional day off during a holiday week when a holiday falls on their regularly scheduled day off. The day off may vary from the observed holiday for a full-time Employee.

Eligibility for Holiday Leave. Employees who work twenty (20) hours or more per week are eligible for holiday Leave. Employees shall receive eight (8) hours of holiday Leave with pay for all recognized holidays. Employees who work less than eight (8) hours per day receive a pro-rated amount.

Employees must work or use available paid Leave on the scheduled day before and after a holiday or observed holiday to be eligible for paid holiday Leave.

Holiday Premium Time Accrual. A Non-Exempt Employee required to work on an official state holiday will be given Compensatory Time at a rate of one and one-half (1½) hours off for each hour worked during the holiday. District Court policies regarding holiday premium pay may vary. District Court Employees should check with their judge regarding the court's holiday premium pay policy.

Holiday Base Time Accrual. A Non-Exempt, full-time Employee required to work more than thirty-two (32) hours during a week that includes a holiday will receive additional Compensatory Time on an hour for hour basis for each hour worked above thirty-two (32) hours up to forty (40) hours in the week. Any hours worked over forty (40) hours will be earned as Compensatory Time at a rate of one and one-half (1½) hours off for each hour worked over forty (40). Part-time Employees may also earn Compensatory Time during a holiday week if they work more than their regularly scheduled hours. District Court policies regarding holiday pay may vary. District court Employees should check with their judge regarding the court's holiday pay policy.

(g) *Jury/witness duty.*

An Employee subpoenaed as a witness, except as a witness in their own case, or summoned for jury duty shall be on administrative Leave with pay. Each Supervisor shall require appropriate documentation prior to the start of jury duty. The Employee may retain any witness or juror fees received. Employees are expected to report for work whenever the court schedule permits.

(h) *Military Leave.*

The WJB conforms to the Leave and other requirements set out by Wyo. Stat. Ann. §§ 19-11-106, 19-11-107, and 19-11-108. Employees in need of military Leave should contact Human Resources Division to discuss the Leave available.

(i) *Bereavement Leave.*

Employees receive up to forty (40) hours of bereavement Leave upon the death of an Immediate Family Member as defined in Section 1, Definitions of this Guide. Employees may use Leave time immediately following the death or at another time within twelve (12) months should memorial services be delayed.

An Employee may be required to submit substantiating evidence of the need for Leave. Bereavement Leave is not authorized for absences related to the death of a pet(s).

(j) *Inclement weather Leave.*

If the Chief Justice or other Judicial Officer declares that inclement weather, or any other unanticipated work interruption, requires the closure of a court or courts, a scheduled Employee's time away from work is treated as Leave and the Employee's pay will not be reduced to cover the absence. Employees who are on approved Leave when the court closes for inclement weather or are not otherwise scheduled to work are not eligible for this leave. Their time will be treated as the Leave already approved. Employees who are unable to work due to inclement weather when the Chief or other Judicial Officer has not declared a closure will be required to use compensatory and/or annual Leave to cover the absence.

(k) *Voting Leave.*

Each Employee is allowed one (1) hour away from work to vote in any statewide or local election if the Employee's work schedule does not provide for a three (3) hour window while voting polls are open (Wyo. Stat. Ann. § 22-2-111(b)).

(l) *Administrative review Leave.*

A Judicial Officer may place an Employee on administrative review Leave with or without pay. Chancery and circuit court judges and magistrates must consult with the State Court Administrator prior to placing an Employee on administrative review Leave. An Employee may be placed on Leave for no more than thirty (30) days, subject to extension as provided below, when:

(1) The Employee is charged with or is under investigation for the commission of a crime which would raise reasonable doubt concerning the Employee's suitability for continued employment;
(2) Allegations of misconduct have been made and, if confirmed, the Employee's presence on the job may be detrimental to the operation of the court/division; or

(3) A formal workplace investigation has commenced and removing a witness or complaining party from the workplace is needed to conduct a full investigation.

Employees placed on administrative review Leave will receive written notice of such Leave. Employees are not entitled to administrative review Leave. Administrative review Leave will be granted at the discretion of the Employee's Supervisor **and does not affect the Employee's At-Will status.**

Extension. The Chief Justice or Judicial Officer may extend an administrative review Leave beyond thirty (30) days if the circumstances warrant such an extension. Chancery and circuit court judges and magistrates must consult with the State Court Administrator prior to extending administrative review Leave.

Return to Work. If the reason for Administrative Review Leave is resolved and it is determined the Employee can return to work, the Employee shall be granted pay for any lost wages incurred during the Leave.

(m) *Family and Medical Leave Act (FMLA).*

The Family Medical Leave Act (FMLA) provides unpaid, job-protected Leave to assist eligible Employees when they are unable to work because of a qualifying reason. All terms of this section shall be interpreted in accordance with the Family and Medical Leave Act of 1993 (FMLA) of the United States.

Eligibility. The Human Resources Division will verify the Employee is eligible for Leave under the FMLA. To be eligible, the Employee must:

(1) Be employed by the State of Wyoming for twelve (12) months prior to the need for FMLA Leave (this time is not required to be consecutive);
(2) Have worked a minimum of one thousand two hundred fifty (1,250) hours within the last twelve (12) months; and
(3) Have a qualifying reason for the Leave as defined by the FMLA.

Qualifying reasons include the following:

(1) An Employee's own Serious Health Condition;
(2) A need to care for a Parent, Spouse, or Child with a Serious Health Condition;
(3) The birth of a Child and to bond with the newborn Child;
(4) Adoption of a Child or foster care placement to bond with the Child;
(5) For certain qualifying exigencies when an Employee's Spouse, Child, or Parent is on covered active duty or called to covered active duty in the Armed Forces, including the National Guard or Reserves; or
(6) In certain situations, to care for a current service member or veteran of the Employee's family with a serious injury or illness, in which case twenty-six (26) weeks of unpaid Leave will be allowed.

Employees who are absent for more than three (3) days due to illness, injury, Disability or to care for a Parent, Spouse or Child may qualify for FMLA. Please contact the Human Resources Division to discuss.

Paid FMLA Leave. Effective January 1, 2026, eligible Employees may receive paid FMLA Leave equal to one-half (50%) of their available FMLA entitlement (up to six (6) weeks of paid Leave within the twelve (12) week FMLA period). Paid FMLA Leave will be compensated at the Employee's regular base rate of pay. This paid benefit will run concurrently with FMLA Leave and is not in addition to the statutory twelve (12)-week allotment. The remaining one-half (50%) of the FMLA Leave entitlement (up to six (6) weeks) will be unpaid unless the Employee has other earned paid Leave (such as annual Leave, sick Leave, or compensatory time). Some district court staff such as some court reporters and some law clerks do not accrue annual Leave. District court law clerks and court reporters should check with their judge regarding the court's paid FMLA policy.

Use of Earned Paid Leave. The WJB requires Employees to use any earned sick Leave, annual Leave, compensatory time, or other available Leave while on unpaid FMLA Leave, unless the medical condition is a result of a workers' compensation injury or illness. Paid Leave is used along with unpaid FMLA Leave so the Employee continues to receive a paycheck.

Short Term Disability Benefits. Employees with Short Term Disability benefits may apply for benefits after all paid FMLA and earned Leave has been used.

Sick Leave Donations. Employees may request sick Leave donations in accordance with the sick Leave provisions in this Guide (Section 4(b)).

Workers' Compensation. Eligible Employees on FMLA Leave who are receiving workers' compensation benefits (e.g. Temporary Total Disability) will be placed on unpaid FMLA Leave and are not required to use available earned Leave while receiving paid benefits from Workers' Compensation.

Use of FMLA Leave. Leave may be taken all at once, intermittently or on a reduced schedule for health conditions, if needed. Intermittent or reduced schedule Leave is determined based upon health needs as specified by the Healthcare Provider. For planned health treatments or procedures, the Employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt business operations. Leave for birth, bonding or placement of a Child shall not be taken intermittently or on a reduced Leave schedule unless the Employee and his/her Supervisor agree or unless it is medically necessary.

Advance Notice. To take FMLA Leave, Employees must provide their Supervisor with advance notice in writing. Planned events such as surgery or childbirth require at least thirty (30) days advance notice. If an Employee learns of a need for Leave less than thirty (30) days in advance, the Employee must notify their Supervisor as soon as possible (generally either the day they learn of the need or the next workday). When the need for FMLA Leave is unexpected (for example, if a family member is injured in an accident), the Supervisor must be informed as soon as possible.

Notice of FMLA. When a Supervisor is put on notice that an Employee is experiencing an issue that could qualify for Leave under the FMLA, the Supervisor must notify the Human Resources Division. Employees may also notify Human Resources Division directly of the need for FMLA Leave. Once a Supervisor is aware an Employee may be eligible for FMLA,

even if the Employee does not request it directly, the Human Resources Division is required to provide the Employee with FMLA information and request completion of FMLA forms.

FMLA Forms. The Human Resources Division must provide the Employee with a Notice of Eligibility and Rights and Responsibilities form within five (5) working days of notification of the need for Leave. Employees will be required to return an appropriate medical certification form completed by a health care provider or, in the instance of military or Child placement reasons, documentation of the need for Leave. Employees who fail to return certification or documentation may be denied FMLA. Once all forms are received and FMLA is approved, the Human Resources Division will provide a Designation Notice form to the Employee informing them of their placement on FMLA.

Employees are responsible for providing information regarding the reason for FMLA Leave. While Employees do not have to provide a diagnosis, they do need to provide information indicating that the Leave is due to an FMLA-qualifying condition. If enough information is not provided to know that the Leave may be covered by the FMLA, the Employee may not be entitled to job-protected Leave.

FMLA Leave shall not exceed twelve (12) weeks (or four hundred eighty (480) hours for intermittent Leave) in a twelve (12) month period for family and health reasons or twenty-six (26) weeks for military-related health reasons.

Health Insurance Coverage. An Employee will be retained on the state's health plan under the same conditions that applied before the FMLA Leave commenced. To continue health coverage, the Employee must continue to make any contributions that he/she made to the plan before taking Leave. If the Employee has used all Leave and is currently on unpaid Leave while under FMLA protection, the Employee must independently contribute to his/her health insurance. This payment will not be made by the employer or the Human Resources Division on behalf of the Employee. Failure of the Employee to pay the required share of the health insurance premium may result in loss of coverage.

If the Employee fails to return to work after the expiration of the Leave, the Employee will be required to reimburse the State of Wyoming for payment of health insurance premiums during the FMLA Leave, unless the reason the Employee fails to return is the existence of a Serious Health Condition which prevents the Employee from performing the Employee's job or other exigent circumstances beyond the Employee's control.

Return to Work. Once the Employee no longer needs FMLA Leave, the Employee must notify the Human Resources Division or the Employee's Supervisor on the ability to return to work. If an Employee wishes to return to work prior to the expiration of an FMLA Leave of absence, notification must be given to the Employee's Supervisor at least five (5) working days prior to the Employee's planned return. Employees who return to work prior to exhausting FMLA Leave will be returned to their previous position or to a position with equivalent pay, benefits, and other terms and conditions of employment. Employees on Leave for their own health condition will be required to submit a release to return to work from their Healthcare Provider to the Human Resources Division or the Employee's Supervisor. The release should also indicate if the Employee has any work-related restrictions. The failure of an Employee to

return to work upon the expiration of an FMLA Leave of absence may result in the Termination of employment.

Unable to Return to Work. Employees unable to return to work after using all available FMLA Leave must contact the Human Resources Division and the matter will be reviewed to determine available options with the Employee depending on the specific circumstances of their need for continued Leave. An Employee may request an extension of unpaid Leave due to the continuation, recurrence, or onset of the Employee's own Serious Health Condition, or of a Serious Health Condition of the Employee's Spouse, Child, or Parent, and must submit a request for an extension, in writing, to the Employee's Supervisor, who will report that matter to the Human Resources Division. This written request shall be made as soon as the Employee realizes that he/she will not be able to return at the expiration of the Leave period.

If circumstances arise concerning FMLA, which are not specifically addressed by this policy statement, the Employee should consult with his/her Supervisor or the Human Resources Division for clarification.

Section 5. Conduct of Judicial Employees.

It is essential that all WJB Employees observe high standards of conduct to maintain professionalism in the workplace and public confidence in the integrity and in- dependence of the judicial system. WJB Employees must discharge their duties in a manner that creates confidence ensuring the judicial system is fair and impartial; and court decisions, rules, and policies are made through established procedures. WJB Employees will be discreet, and safeguard privileged and Confidential Information by keeping case-related information secure and discussing it only with authorized individuals. WJB Employees will not misuse their positions to obtain unauthorized benefits. Employees shall avoid conduct that could compromise or appear to compromise the impartiality of the judiciary, including abstaining from discussing cases, court matters, or judgments outside of official duties. The Code of Judicial Conduct prohibits bias or prejudice and Harassment based upon race, sex, gender religion national origin, ethnicity, Disability, age, sexual orientation marital status socioeconomic status, or political affiliation.[1] Each Employee is expected to read and understand the Wyoming Code of Judicial Conduct. Questions related to the Code should be directed to the Employee's Supervisor.

It is also important that WJB Employees foster respect and credibility within their communities by adhering to high standards of conduct in the areas of customer service, job performance, personal integrity, and professional responsibility. As public servants, WJB Employees are expected to be approachable, professional, non-discriminatory, respectful, and courteous.

(a) *Equal employment opportunity.*

All Employees and Applicants shall be recruited, selected, trained, promoted, retained, and terminated without regard to race, national origin, religious creed, age, gender, or Disability, unless such is related to a bona fide occupational qualification.

(b) *Commitment to Diversity.*

The WJB is committed to creating and maintaining a workplace in which all Employees have an opportunity to participate and contribute to the success of the Branch and are valued for their skills, experience, and unique perspectives.

(c) *Americans with Disabilities Act (ADA).*

The WJB fully complies with the Americans with Disabilities Act (ADA). To ensure equal employment opportunities to Qualified Individuals with a Disability, the WJB will make Reasonable Accommodations for the known Disability of an otherwise Qualified Individual, unless Undue Hardship on the operation of the business would result. Employees who may require a Reasonable Accommodation should contact the Human Resources Division.

(d) *Harassment and Discrimination.*

The WJB's policy is to provide a work environment free of sexual and other Harassment or Discrimination. To that end, Harassment of Employees by management, Supervisors, coworkers, or nonemployees who are in the workplace is prohibited. Further, any Retaliation

[1] Code of Judicial Conduct, Rule 2.3.

against an individual who has complained about sexual or other Harassment or Retaliation against individuals for cooperating with an investigation of a Harassment complaint is similarly unlawful and will not be tolerated. The WJB will take all steps necessary to prevent and eliminate unlawful Harassment.

Unlawful Harassment. "Unlawful Harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a Protected Class.

Unlawful Harassment includes but is not limited to, epithets; slurs; jokes; pranks; innuendo; offensive comments; written or graphic offensive material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, Disability, veteran status, or other characteristic protected by state or federal law.

Sexual Harassment is unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
(2) Submission to or rejection of such conduct is used as a basis for employment decisions affecting such individual; or
(3) Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Discrimination. "Discrimination" is disparate treatment in a term or condition of employment of any individual, not based on legitimate factors, but based on a Protected Class. A term or condition of employment includes but is not limited to hiring, work assignments, promotion or promotion opportunities, classification, transfers, granting or denying privileges, compensation, or performance reviews.

Complaint Procedure. Although staff members can file complaints at any time with the HR Manager, they are encouraged to file their complaints as quickly as possible following the act. Complaints of Discrimination or Harassment may be made verbally or in writing. Whenever possible, Employees are encouraged to report allegations of Harassment or Discrimination in writing. Complaints shall include the following:

(1) Name of the complainant; and
(2) Name(s) of person(s) alleged to have engaged in prohibited conduct; and a specific and detailed description of the conduct which the staff member believes violates this policy including when the conduct occurred.

Perceived violation(s) of the Harassment and Discrimination policy may be reported to the complainant's immediate Supervisor, other management personnel, or the Human Resources Division. If a person reports a perceived violation of this policy to a Supervisor, the Supervisor

is required to report it to a Judicial Officer or the Human Resources Division and does not have the discretion to keep the matter confidential, even if requested to do so by the reporting party.

Use of the chain of command is encouraged when the staff member is comfortable reporting to their immediate Supervisor. However, staff may report to the Human Resources Division or the State Court Administrator and need not observe any particular chain of command.

The Chief Human Resources Officer shall review all complaints of Harassment, Discrimination, and Retaliation at the time of receipt. The Chief Human Resources Officer shall promptly notify the Chief Justice, the appropriate district court judge or the Chairman of the District Court Judges Conference, a chancery court judge, or the appropriate circuit court judge of the complaint. The Chief Human Resources Officer shall ensure the complaint is addressed.

Each complaint shall be reviewed by the Chief Human Resources Officer to determine whether any alleged violations of policy occurred. Following review of the complaint, an investigation may be recommended to determine the facts of the matter. A full investigation of the complaint may not be necessary but instead referred to appropriate management staff to resolve the concerns. The Employee filing the complaint will be notified of any conclusions.

Confidentiality. All complaints and investigations are confidential to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant(s) is usually revealed to the party involved during the investigation, and steps will be taken to ensure the complainant is protected from Retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files with the Human Resources Division.

Nothing in this policy precludes a person from filing a formal complaint with the Wyoming Department of Workforce Services Division of Labor Standards or the Federal Equal Employment Opportunity Commission (EEOC).

(e) *Conflicts of interest.*

Every Employee shall avoid conflicts of interest. A Conflict of Interest exists when the Employee's objective ability or independence of judgment in the performance of the Employee's duties is impaired or may reasonably appear to be impaired, or when an Employee, or the Employee's immediate family or business interest would derive financial gain because of the Employee's position within the court system.

Even though misuse or abuse of office is not involved, a Conflict of Interest can undermine the community's confidence and trust in the court system. Therefore, every Employee is required to exercise diligence in becoming aware of conflicts of interest, disclosing conflicts to the appropriate judicial authority, and ending them when they arise.

Employees shall not enter into any financial or other relationship with another entity of state government, private business, or other organization, which would constitute a Conflict of Interest with WJB employment. Employees shall not permit themselves to be placed under

any personal or other obligation, which could lead any person, group, or organization to expect favors.

(f) *Personal/romantic relationships*

The WJB strongly supports a work environment where Employees maintain clear boundaries between personal and professional interactions. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish boundaries as to how relationships are conducted within the work environment.

Employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate while at work. If a personal relationship between Employees becomes romantic, intimate, or sexual in nature, and impacts the workplace or causes a Conflict of Interest, then it is the responsibility and obligation of the Employees involved to disclose the existence of the relationship to their Supervisor and/or the Human Resources Division.

Judges, Supervisors and Managers. Employees in Supervisory or managerial roles, and those with authority over others are subject to more stringent requirements due to their status as role models, their access to sensitive information, and their ability to affect the terms and conditions of employment of individuals in subordinate positions.

Section 6. Workplace Expectations.

(a) *Use of state property.*

Employees shall protect and conserve state property, equipment, and supplies entrusted or issued to them. Employees can use office telephones for personal, non-commercial, non-political communications on their personal time, as long as such use does not involve any additional cost to the state (e.g., long-distance charges) or interfere in any way with office business. This same policy applies to the personal use of fax machines. Fax machines may be used to send local call faxes but may not be used to send long-distance faxes.

(b) *Use of computer and branch-provided technology.*

The WJB provides a wide variety of communication tools and resources to Employees for use in running day-to-day business activities. Whether it is the computer, telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other WJB-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Office telephones, WJB supplied cell phones, and other electronic resources provided by the WJB are intended for business purposes. Use of electronic resources provided by the WJB for activities relevant to an Employee's personal life or family are permitted to the extent they do not distract from the dignity of the WJB or interfere with the performance of the Employee's normal work duties or equipment.

Employees do not have any expectation of privacy in their use of WJB computer, phone, or other communication tools. All communications made using WJB provided equipment or services including email and internet activity, are subject to inspection by the WJB. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the WJB's systems.

Employee use of state-provided communication systems, including personal e-mail and internet use, that are not job-related have the potential to drain, rather than enhance, productivity and system performance. No user shall intentionally or negligently damage or interfere with the operation of, or prohibit authorized access to, court information or other technology-related resources.

The WJB encourages use of WJB e-mail accounts for work-related communication only. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the WJB. Data on the WJB's network will be protected from unlawful disclosure. It is important for each user, however, to understand that all information on the WJB network housed in the Supreme Court and on court computer assets belong to the WJB. Authorized users shall not allow or facilitate another Employee, contractor, volunteer, or the public to access internal court resources using their authorized account or personally assigned credentials, such as a username or password. This includes email, case management, data warehouse (Statewide Court Information Store (SCIS)) resources, etc.

Information Technology (IT) Division Employees may periodically audit, inspect, and monitor any user's network activity, and all data stored on state-issued equipment for the purpose of safeguarding the WJB's network or in the performance of their duties. This includes but is not limited to monitoring sites visited by Employees on the Internet, chat groups, newsgroups, blogs, and reviewing material downloaded from or uploaded to the Internet from personal equipment. In addition, the IT Division may limit or block access to specific online resources not required for conducting court business, such as streaming audio or video. Investigating specific inappropriate Employee access to, or use of, electronic resources by the IT Division must be explicitly requested and approved by the State Court Administrator or district judge and if evidence of abuse is identified by the IT Division, it shall be furnished to the appropriate Judicial Officer and the Chief Justice.

Inappropriate Conduct or Use of Court Technology. Any of the following activities will be considered inappropriate:

(1) Use of Internet or electronic mail that violates federal or state laws, including the unauthorized storage or distribution of copyrighted material;
(2) Use of Internet or electronic mail to transmit or obtain threatening, obscene, harassing, or malicious materials;
(3) Use of abusive or objectionable language either in public or private messages;
(4) Misrepresentation of oneself or the WJB;
(5) Activities or uses that may cause congestion or disruption of networks or systems;
(6) Using WJB electronic services for the downloading of personal software, screensavers, or third-party software that puts any court resource or information at risk or system malfunction;
(7) Downloading, copying, distributing, or storing movies, music, software, books, etc. in violation of copyright laws;
(8) Using WJB resources for viewing or distributing content, which is considered violent, offensive, graphic, or sexually explicit;
(9) Using WJB resources to post or transmit any message or material which is libelous, defamatory, or which discloses private, confidential, or personal matters concerning any person, case, or group;
(10) Using the Internet service provided by the WJB for running a private business, operating a personal web site, or actions to avoid or side-step violations of this policy; and
(11) Using the Internet service provided by the WJB to participate in partisan Political Activities.

(c) *Confidentiality.*

No Employee shall disclose to any unauthorized person, for any purpose, Confidential Information acquired in the course of employment, or through the unauthorized disclosure by another. Confidential Information includes, but is not limited to, information on pending cases that is not already a matter of public record, as well as information concerning the work product of any judge, law clerk, staff attorney or other Employee. However, in assuring the integrity of the judicial system, Employees are not prohibited from reporting Confidential

Information to the appropriate authority when the Employee reasonably believes that the information is, or may be, evidence of a violation of law or of unethical conduct.

(d) *Nepotism.*

The WJB supports administrative appointments based on merit and avoids Nepotism, favoritism, and unnecessary appointments. As such, no Applicant may be appointed, or Employee remain in a position in the WJB if a member of his/her immediate family is Employed under the direction of the same Supervisor or will supervise an Immediate Family Member.

(e) *Courtesy and Civility.*

Employees shall always be courteous, civil, considerate, and impartial in dealing with one another, as well as with the public and users of the court system. Behavior that violates this guideline is detrimental to morale, as well as harmful to a safe and stable work environment free of hostility and animosity.

(f) *Professional appearance.*

Employees of the WJB are expected to dress appropriately in accordance with their court's expectations. Business casual attire is preferred and includes suits, pants, jackets, shirts, skirts, and dresses that, while not formal, are appropriate for the business environment. Maintaining well-kept hair, good personal hygiene, and general neat grooming is expected.

(g) *Legal advice.*

Employees are not authorized to give legal advice or recommend the names of private attorneys to the public or users of the court system.

(h) *Political Activity.*

It is important for public confidence in the WJB that our Judicial Officers are perceived as independent and impartial. This is eroded if the judiciary is perceived as being subject to political influence. As such, Employees of the WJB must understand the need to ensure their own political views do not influence the public perception of the judiciary.

Each Employee retains the right to vote as the Employee chooses. Employees wishing to participate in political campaigns during non-working hours must discuss their activities with their Judicial Officer or Supervisor to ensure there is no violation of the Code of Judicial Conduct regarding Political Activity and campaign activities. Such activity includes, but is not limited to, membership and holding office in a political party, campaigning for a candidate in a partisan election by making speeches and making contributions of time or money to individual candidates, political parties or other groups engaged in Political Activity. An Employee who is approved to participate in Political Activity during off-duty hours shall not use the Employee's position or title within the court system in connection with such Political Activities.

Employees shall not use any office or courtroom equipment including but not limited to phones, computers, copiers, scanners, fax machines or supplies to assist in Political Activities or campaigns. Employees shall not use official authority or influence to interfere with or influence the result of an election or nomination for office; directly or indirectly coerce a state officer or Employee to pay, lend or contribute anything of value to a party, committee,

organization, agency, or person for political purposes; or conduct any Political Activity on state time.

An Employee serving as a member of a partisan or non-partisan, elected or appointed office shall be required to take Leave without pay for the performance of all such duties. However, an Employee's participation as a member of a partisan or non-partisan elected or appointed office shall not conflict or reasonably give the appearance of conflicting with the interests of the WJB, and satisfactory job performance must be maintained by such Employee.

Discrimination against any person in recruitment, examination, appointment, retention, discipline, or any other aspect of personnel administration because of political opinion or affiliation is prohibited. No questions shall be asked on any application, examination or interview which would directly or indirectly require the disclosure of a person's political affiliation, preferences, or opinions. Applicants and Employees are prohibited from using political influence as an advantage in securing or making appointments or for other personal benefit for themselves or others in personnel matters.

(i) *Outside employment.*

Each full-time Employee's position with the WJB must be the Employee's primary employment. Outside employment is permissible only if it can be accomplished outside of the normal working hours, does not require the practice of law, does not conflict, or reasonably give the appearance of conflicting with interests of the WJB, does not bring undue attention to the Branch, satisfactory job performance is maintained, and the outside employment has been approved in writing by the Supervisor.

(j) *Social Media.*

Social Media provides inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the WJB has established the following guidelines for Employee participation in Social Media.

Off-duty use of Social Media. Online communication may be perceived by court litigants, vendors, and the public generally as a representation of a person's character, judgment, and values and could have an adverse effect on the confidence of the public in the integrity, propriety, and impartiality of the judiciary regardless of intent. Employees may maintain Social Media profiles, personal websites or weblogs on their own time using their own facilities. Employees must ensure that Social Media activity does not interfere with their work. In general, the WJB considers Social Media activities to be personal endeavors, and Employees may use them to express their thoughts or promote their ideas.

When posting on a Social Media network an Employee **shall not** post information or express opinions regarding Employees, managers, judges, court cases, policies, or procedures of the WJB.

Employees are responsible for regularly viewing the Social Media they create or host and promptly removing third-party posts that:

(1) Compromise court security or the safety of judges, Employees, attorneys, or litigants;

(2) Reveal non-public court records or other confidential judicial information; or
(3) Contain information that the Employee could not have posted personally under this policy.

Employees should keep in mind the risks of Social Media activity. Social Media posts should be presumed public and permanent. Social Media posts can be copied, forwarded, and subpoenaed. Posts are easily reproduced, can be difficult to eradicate, and may be seen by wide and unintended audiences. Once posted, there is little to no control over a post's dissemination or ultimate use. Posting some types of information on Social Media may be misleading (even though it is not so intended) and may jeopardize the person's professional image or reputation. Employees should be especially careful when posting or sharing photographs and personal information, and be similarly cautious when sharing political, religious, or social opinions.

Employees are personally responsible for comments posted on Social Media and can expose themselves to personal liability or work-related consequences for comments that are defamatory, obscene, discriminatory, or otherwise offensive or unlawful.

On-duty use of Social Media. Employees may engage in Social Media activity during work time provided it is directly related to their work and approved by their Supervisor. The IT Division monitors Employee use of WJB computers and the Internet, including Employee blogging and social networking activity.

Prohibited Activities. WJB Employees are prohibited from engaging in the following Social Media activities, whether the activity is done on or off duty and whether the activity is using personal or WJB technology resources and regardless of whether WJB employment is identified:

(1) Confidential or Non-Public Court or Probation Information: Disclosure of sensitive, confidential, or non-public court information, including photos, for any purpose not connected with official duties, including disclosure of information relating to a pending case is prohibited;
(2) Comment about Public Information: Posting about a case or matter before the courts; making statements which create, or give the appearance of, a Conflict of Interest; and making comments which negatively reflect on the professionalism of the courts or which otherwise have an adverse effect on the confidence of the public in the integrity, propriety, and impartiality of the judicial system is prohibited;
(3) Political Activities: Making statements on Social Media that violate the WJB's restrictions on Political Activities is prohibited;
(4) Seal and Logos: The seal, logos, trademarks, or service marks of the Wyoming courts collectively, and any individual court or judicial department or committee, may not be used in any manner;
(5) Judicial Process: Employees must refrain from discussing any of the court's internal processes and procedures, whether they are of a non-confidential or confidential nature, including scans, photos, or reproductions of emails or text messages;
(6) Dishonest Communications: Employees must avoid deceptive behavior and misrepresentations online, including false and defamatory statements and communicating electronically or creating websites or accounts while employing a

misleading alias or suggesting that the Employee is someone else. This provision does not apply to the routine and accepted practice on the internet of employing a nickname or other opaque username to create an account or make a posting, provided the username is not misleading or deceptive in the context used or would not otherwise violate any provision of this Guide had the Employee's true identity been disclosed;

(7) Harassment: Employees must not engage in harassing or discriminatory behavior that targets other Employees or individuals. Even if a message is posted anonymously, it may be possible to trace it back to the sender; and

(8) Applicable Laws: Employees must comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and Harassment laws, and follow the rules of the social network site.

The WJB reserves the right to visit and monitor public Social Media sites to ensure Employees are not violating this Guide or other WJB policies. As a condition of continued employment, the WJB may request Employees to cooperate in any investigation regarding the alleged violation of this policy.

(k) *Law enforcement contact.*

Any Employee who is arrested and/or formally charged with any criminal offense, including driving while intoxicated or under the influence, shall notify his/her Supervisor (or appropriate Judicial Officer) of the charges by the next business day (i.e., Monday through Friday, excluding holidays). The Supervisor shall advise the Human Resources Division of any such charges within a reasonable time thereafter but no later than forty-eight (48) hours after receipt of initial notification.

(1) Minor traffic violations received in a personal vehicle are not required to be reported, minor traffic violations include but are not limited to parking, speeding, and moving violations.

(2) Minor traffic violations received while in a state-owned vehicle shall be reported to the Employee's Supervisor.

(3) Offenses related to reckless driving, and other serious misdemeanors must be reported.

(4) The Employee shall notify his/her Supervisor upon final disposition of the case as to whether he/she was convicted in a court of law. Such notice shall be made by the next business day after the final disposition.

Criminal Charges. Formal charges may constitute grounds for administrative action or Dismissal. An Employee may be placed on administrative review Leave pending disposition of formal charges.

Incarceration. Employees who are incarcerated are not eligible to use any form of paid Leave to cover the absence. Absences from work due to incarceration are unexcused and the Employee is subject to Dismissal from employment.

Criminal Convictions. A conviction may constitute grounds for Dismissal.

Section 7. Workplace Safety.

(a) *Commitment to safety.*

Protecting the safety of our Employees and visitors is imperative. All Employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying their Supervisor when any health or safety issues are present.

In the event of an emergency, notify the appropriate emergency personnel by dialing nine (9) for an outside line, then dial nine-one-one (911) to activate the medical emergency services.

The courts and their respective justices or judges may enact policies, at their discretion, or in accordance with public health directives, to protect Employees and the public related to public health matters. Employees shall comply with any orders or their respective Judicial Officer(s).

(b) *Drug-free and alcohol-free workplace.*

The WJB supports a drug- and alcohol-free work environment that is safe and productive for Employees as well as the citizens we serve.

The unlawful use, possession, purchase, sale, or distribution of any illegal drug and/or misuse of legal drugs while on state or county premises or while performing services for the WJB is strictly prohibited. The WJB also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours.

(c) *Smoke-free workplace.*

Smoking is not allowed in state or county buildings or work areas at any time. Smoking includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly.

(d) *Workplace violence prevention.*

The WJB is committed to providing a safe, violence-free workplace for our Employees. Due to this commitment, we discourage Employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any Employee will not be tolerated. A threat may include any verbal or physical Harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This Guide covers any violent or potentially violent behavior that occurs in the workplace.

All WJB Employees bear the responsibility of keeping the work environment free from violence or potential violence. Any Employee who witnesses, or is the recipient of, violent behavior shall promptly inform their Supervisor, manager, or the Chief Human Resources Officer. All reported violence or threats of violence will be promptly investigated. No Employee will be subject to Retaliation, intimidation, or discipline because of reporting in good faith under this Guide.

Section 8. Separation and Reduction in Force.

(a) *Resignation.*

An Employee intending to voluntarily separate from WJB service shall submit written notification to the Employee's Supervisor specifying the effective date of the intended Resignation. Notification is requested as far in advance as possible and should provide no less than fourteen (14) days' notice prior to the date of intended Resignation. A copy of any notice of Resignation immediately shall be forwarded to the Human Resources Division. An Employee who has provided a Resignation notice and wishes to change the effective date or rescind the notification may be allowed to do so with the written approval of the Judicial Officer or division Supervisor.

An Employee who is absent from work for three (3) consecutive workdays without proper notification and authorization may be considered to have voluntarily separated from the Branch.

(b) *Retirement.*

Employees separating from WJB service due to retirement shall follow procedures established by the Wyoming Retirement System and shall give at least fourteen (14) days written notice of the intent to retire to an immediate Supervisor who immediately shall forward a copy of the notice to the Human Resources Division.

(c) *Reduction in Force.*

A Reduction in Force is an involuntary Termination of an Employee from state service due to a legislative mandate, shortage of funds, lack of work, organizational changes, or other reasons of business necessity which require a reduction in staff. Separation by a Reduction in Force shall not be used to discipline an Employee for unsatisfactory work performance or undesirable conduct.

Procedures - Supreme Court, Chancery and Circuit Courts. If a Reduction in Force is deemed necessary, the Supreme Court in collaboration with the Circuit Court Conference shall determine the court where reductions will be made. The State Court Administrator shall notify, in writing, the Supervisor and the affected Employee at least thirty (30) days in advance of the separation date.

Procedures - District Courts. If a Reduction in Force is deemed necessary, the judge shall determine who is to be separated within the court affected.

Rehiring of Employees Separated through a Reduction in Force. If an Employee who was separated due to a Reduction in Force is rehired within twelve (12) months by the court from which the Employee was originally separated, the Employee shall retain rights to Employee status, anniversary date, Leave accrual rates, longevity benefits, and continuous service credits held at the time of separation.

(d) *Compensation upon Termination.*

Annual Leave. A separated Employee or the beneficiary of a deceased Employee shall receive payment for the current balance of unused annual Leave. Such payments shall be computed

using the Employee's hourly compensation rate. Court reporters do not accrue Leave. Some district court law clerks do not accrue Leave, in accordance with individual district judge policies.

Sick Leave. A separated Employee or the beneficiary of a deceased Employee shall receive payment for one-half of the current balance of unused sick Leave not to exceed four hundred eighty (480) hours, for those Employees who accrue Leave. Such payments shall be computed using the Employee's hourly compensation rate.

Compensatory Time. A separated Employee or the beneficiary of a deceased Employee shall receive payment for the current balance of unused Compensatory time. Such payments shall be computed using the Employee's hourly compensation rate. District court reporters and law clerks balances would be according to the applicable court's policies.

Restrictions. A separated Employee who has been paid for accumulated annual and/or sick Leave, and who is rehired by the State of Wyoming within thirty-one (31) days of the separation, shall reimburse the state for all sick or annual Leave payments within thirty-one (31) days after being rehired. Accumulated balances of sick or annual Leave at the time of separation shall be restored to the Employee. Any Employee failing to reimburse the state for such payments may be subject to Termination.

The Guide to Judicial Branch Employment

Acknowledgment of Receipt

I,_____, hereby acknowledge that I have received a complete copy of The Guide to Judicial Branch Employment employee handbook. I understand and agree that it is my responsibility to read and comply with the information in The Guide.

Signed:_____ Date:_____

Witness:_____ Date:_____

Copy for Employee

Original in Personnel File