



**WYOMING SUPPLEMENT**

**2023**

**ComplianceHR**

**Note:** This Employee Handbook is not intended to apply to any particular employer or to provide legal advice or opinion. Such advice may only be given when related to specific handbooks and specific fact situations. In no circumstances should any employee handbook be adopted and issued to employees before the final draft has been approved by Littler Mendelson attorneys or other experienced labor counsel. Littler's employee handbook templates generally include policies prompted by federal and state laws in the employee policy context, as well as leave of absence and scheduling policies intended to comply with local laws in major municipalities (i.e., those with 100,000 residents or more). The handbook templates do not include the following: social media policies; drug-testing policies; policies related to municipal laws other than those specified above; or policies specific to government contractors or certain industries. Generally, the templates do not address industry-specific requirements, except where indicated.

Copyright 2022 © ComplianceHR

## TABLE OF CONTENTS

GENERAL INFORMATION .....	1
About This Wyoming Supplement .....	1
COMMITMENT TO DIVERSITY .....	1
Equal Employment Opportunity .....	1
TIME OFF AND LEAVES OF ABSENCE .....	1
Military Leave .....	1
Crime Victim / Witness Leave .....	3
Jury Duty Leave .....	4
Time Off to Vote .....	4
SAFETY AND SECURITY .....	5
Cell Phone Use / Texting While Driving .....	5

# GENERAL INFORMATION

## About This Wyoming Supplement

**Dahl Consulting (“The Company”)** is committed to workplace policies and practices that comply with federal, state and local laws. For this reason, Wyoming employees will receive the Company’s national handbook (“National Handbook”) and the Wyoming Supplement to the National Handbook (“Wyoming Supplement”) (together, the “Employee Handbook”).

The Wyoming Supplement applies only to Wyoming employees. It is intended as a resource containing specific provisions derived under Wyoming law that apply to the employee’s employment. It should be read together with the National Handbook and, to the extent that the policies in the Wyoming Supplement are different from, or more generous than those in the National Handbook, the policies in the Wyoming Supplement will apply.

The Wyoming Supplement is not intended to create a contract of continued employment or alter the at-will employment relationship. **Only the President/Owner of the Company or that person’s authorized representative has the authority to enter into an agreement that alters the at-will employment relationship and any such agreement must be in writing signed by the President/Owner of the Company or an authorized representative.**

If employees have any questions about these policies, they should contact their DAHL representative.

## COMMITMENT TO DIVERSITY

### Equal Employment Opportunity

As set forth in the National Handbook, the Company is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Wyoming law, which prohibits discrimination and harassment against any employees or applicants for employment based on race, color, creed, national origin, ancestry, sex, pregnancy (including childbirth), disability, age (40 or older), military status and use of tobacco products outside of work. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

## TIME OFF AND LEAVES OF ABSENCE

### Military Leave

In addition to the military leave rights set forth in the National Handbook, Wyoming employees who are members of the uniformed services, including the United States

armed forces, reserves, National Guard (of any state), commissioned corps of the Public Health Service and any other category designated by the President in time of war or emergency, may take a military leave of absence for any of the following types of service:

Active duty;  
Active duty for trainings;  
Initial active duty for training;  
Inactive duty training;  
Full-time National Guard duty;  
Engaging in examination to determine fitness to perform any of these duties;  
Service under a Presidential proclamation; and  
Active state service by members of the National Guard of any state pursuant to a call of that state's Governor.

Leave under this policy will be unpaid except that employees may elect to use any accrued vacation, annual leave, paid military leave or compensatory leave. During the period of military leave, employees will continue to accrue sick leave, annual leave, vacation leave or military leave on the same basis as if the employee was continuously employed.

Employees who have coverage under the Company's health, life or accident insurance plan will be able to continue such coverage while on military leave so long as they continue to make payments for their contribution to the coverage costs. Employees must notify the Company of their election to continue insurance or plan coverage at the time when they enter service.

The Company will reemploy employees returning from military leave unless reemployment is impossible or unreasonable because of changed circumstances, reemployment presents an undue hardship for the Company or the position the individual held before leaving to serve was for a brief, nonrecurrent period. Unless one of these exceptions applies, the Company will reinstate employees within 10 days of receiving written notice of their intention to return to work, provided that the employee returning from military leave meets the following conditions:

The cumulative length of the absence for uniformed service duty does not exceed five years;  
The employee was honorably discharged from service;  
The employee provided advance written or verbal notice of the obligation or intention to perform military service; and  
The employee timely notified the employer in writing of their intent to return to work. Employees must notify the Company of their intent to return to employment following military service in accordance with the following timing requirements:

For individuals whose period of service was less than 31 days or was for the purpose of an examination to determine the person's fitness to perform service in the uniformed services, not later than the beginning of the first full regularly scheduled work period on

the first calendar day following the completion of the period of service, safe transport to the individual's residence and an additional eight hour period;

For individuals whose period of service was more than 30 but less than 181 days, not later than fourteen days after completion of the period of service;

For individuals whose period of service in the uniformed service was for more than 181 days, not later than 90 days after the completion of the period of service;

For individuals hospitalized for, or convalescing from, an illness or injury incurred in or aggravated during the period of military service, not later than the end of the period necessary to recover (generally not to exceed two years).

Exceptions to the above timing requirements will apply when providing notice is either impossible or unreasonable through no fault of the person. In those cases, notice must be provided as soon as possible.

Employees returning from military leave must provide the Company with the following documentation:

Proof that the employee's application is timely;

Proof that the employee's service has not been terminated by reason of dishonorable discharge; and

Proof that the employee has not exceeded the maximum amount of leave available.

The Company will not deny reemployment to employees who fail to meet the documentation requirements if the failure occurs because such documentation does not exist or is not readily available at the time of the request. If, however, documentation becomes available subsequent to reemployment establishing that the requirements outlined above were not met, the Company may terminate the employment relationship and any benefits provided. Additionally, if the employee's leave lasted for more than 90 days, the Company may require documentation before treating the employee as having no break in employment for pension purposes.

The Company will not terminate employees returning from leave under this policy, without cause, within one year following the date of reemployment

Upon return, employees will be provided with the seniority and the [rights and benefits](#) determined by seniority that they had on the date that the military leave began plus the additional seniority and [rights and benefits](#) that they would have attained but for the leave.

Upon reemployment, employees will be entitled to receive creditable service for the period of military leave for purposes of vesting and calculating retirement benefits. However, no employee will receive more than five years of military service credit in the retirement plan.

## **Crime Victim / Witness Leave**

Eligible employees who are crime victims or witnesses in a criminal proceeding may take time off from work to respond to a subpoena from either the prosecution or defense in a criminal case.

Employees are eligible for time off under this policy if they: (1) are witnesses called to testify in a criminal proceeding; (2) have suffered direct or threatened physical, emotional or financial harm as the result of the commission of a criminal act; (3) are a family member of a victim who is a minor or incompetent; or (4) are a surviving family member of a homicide victim.

Time off under this policy will be without pay except that exempt employees will not incur any reduction in pay for a partial week's absence for leave to appear as a witness.

## **Jury Duty Leave**

The Company encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service or serve as a juror. Under no circumstances will employees be terminated, threatened, intimidated or coerced because they request or take leave in accordance with this policy.

Employees who are absent for jury duty will be considered to be on a leave of absence during jury service and will be entitled to participate in insurance or other benefits to the same extent as other employees on a leave of absence. Employees returning from leave will be reinstated to their prior position without loss of seniority.

Employees should provide their supervisor with notice of any jury summons or subpoena within a reasonable amount of time after receipt and before their appearance is required. Verification from the court clerk of having served may also be required.

Time spent engaged in attending court for prospective jury service or for serving as a juror is not compensable except that exempt employees will not incur any reduction in pay for a partial week's absence due to jury duty.

## **Time Off to Vote**

The Company encourages all employees to fulfill their civic responsibilities and to vote in public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Any employee who has less than three hours outside of working hours to vote while the polls are open may take up to one hour off from work, without loss of pay, to vote. Time off to vote will be in addition to any meal break.

Employees should provide reasonable advance notice of the need for time off to vote to their supervisor so that the time off can be scheduled to minimize disruption to normal work schedules. The Company may specify the particular time during which the employee may be absent to vote.

Proof of having voted may be required. Time off to vote may not be paid, if the employee does not use the time to vote.

# **SAFETY AND SECURITY**

## **Cell Phone Use / Texting While Driving**

As set forth in the National Handbook, the Company prohibits employees from using cellular phones for business reasons while driving or for any reason while driving for work-related purposes or while driving a company-owned vehicle. Employees should also be aware that texting while driving is a violation of Wyoming law, in addition to being a violation of company policy.