

CHAPTER 9
COMPENSATION

Section 1. **Compensation Plan.**

(a) The Human Resources Division shall establish and administer a consistent, equitable and flexible Compensation Plan covering all state executive branch employees. The Compensation Plan shall consist of:

- (i) The official classification listing,
- (ii) One or more pay tables,
- (iii) The State Compensation Policy

(b) All employees shall be paid within the pay rates established by and in accordance with the Compensation Plan and the State of Wyoming Personnel Rules. The State Compensation Plan shall utilize both fixed and variable compensation as well as non cash reward and recognition programs.

(c) The Compensation Plan may be adjusted to reflect changes in the appropriate labor market made by comparable and/or competing employers as defined by The Human Resources Division.

(d) All agencies shall comply with the State Compensation Policy established by the Human Resources Division.

(i) All pay actions shall be in accordance with the State Compensation Policy established by the Human Resources Division.

(ii) Agency heads shall be responsible for administering the compensation policy in accordance with these rules.

(iii) All agency pay actions shall be subject to audit by the Human Resources Division

(e) Revisions to the State Compensation Policy shall be made by a committee selected by the Human Resources Division consisting of a cross representation of agencies and others requested by the Governor.

(f) An employee shall not be paid below the minimum or above the maximum rate of pay for an assigned classification, unless such payment has been pre-approved in writing by the Human Resources Administrator.

Section 2. **Salary Surveys.**

(a) Data on the defined and relevant labor market that is representative of public and private sector employees will be gathered regularly by the Human Resources Division.

(i) Data analysis shall be used to identify salary ranges for each classification with minimum and maximum dollar limits.

(ii) Additional surveys may also be conducted by the Human Resources Division.

(iii) Labor market data analysis will be provided by the Human Resources Division for review and evaluation by the Governor.

(A) The official pay table(s) shall be posted on the Human Resources Division web site.

Section 3. **Pay Rates.**

(a) The following information shall be established and set forth in the state compensation policy:

(i) Hiring rates.

(ii) Re-employment.

(iii) Return from leave without pay.

(iv) Reinstatement.

Section 4. **Compensation Adjustments.**

(a) The following criteria applies to all pay adjustments unless otherwise specified:

(i) All pay adjustments shall have written justification and shall be submitted to the Human Resources Division.

(ii) Sequences affecting base pay adjustments will be established and set forth in the State Compensation Policy.

(b) Pay adjustments - An employee's pay may be adjusted in accordance with the State Compensation Policy for the following reasons:

(i) Pay Adjustments authorized by the Legislature.

(ii) Base pay adjustments:

- (A) Compensation Adjustments.
- (B) Educational Compensation.
- (C) Holiday Premium.
- (D) Promotions.
- (E) Reclassifications.
- (F) Interim Assignment.
- (G) Voluntary/Involuntary Reappointments.
- (H) Leave without pay.
- (I) Merit adjustments.

(iii) Non-base pay adjustments:

- (A) Bonus Payments.
- (B) Call-Back Pay.

(C) Longevity Pay - An employee shall be compensated at the established longevity rate for each sixty (60) months of continuous State service in the Executive, Legislative or Judicial Branch. Longevity payments shall begin the month following the accrual of sixty (60) months continuous service.

(I) Service credits shall be granted for previous State Executive, Legislative or Judicial Branch service to a rehired employee upon completion of twenty-four (24) months of continuous service since the most recent entrance to state employment. Such prior service shall be on record with the Wyoming Retirement System or otherwise be verified by the employing agency or branch. Service credits shall be given for any calendar month during which work was actually performed.

- (D) On-Call Pay.

(E) Personal Moving Expenses - When an employee is permanently reassigned from one geographical area to another at the request of and for the benefit of the State, the employing agency shall pay the actual

expenses of transporting the household goods and effects of such employee (W.S. 9-3-104).

(F) Shift Differential.

(G) Supplementary Compensation.

(H) Training Expenses.

(I) Employee Requested Training.

(II) Agency Required Training.

(I) Geographic differential

(J) Merit

(iv) Other types of compensation adjustments may be implemented by the Human Resources Division based upon identified needs.

Section 5. **Overtime.**

(a) The overtime policy of the State of Wyoming shall be in accordance with and no more stringent than the provisions of the "Federal Fair Labor Standards Act of 1938," as amended 29 U.S.C. 201 et seq., also known as the Act, as set forth in the state compensation policy.

(b) The Human Resources Division shall provide assistance to agencies regarding overtime policy interpretations.

(c) Agency heads shall be responsible for administering the overtime policy in accordance with the Act and these rules. These responsibilities include, but are not limited to:

(i) Determination and periodic review of employee overtime compensation exemptions as authorized by the Act.

(ii) Enforcement of overtime rules to insure that overtime work is not performed if such work has not been officially authorized. The mere promulgation of a rule against unauthorized overtime work is insufficient enforcement.

(d) Official State Workweek.

(i) The following areas will be established and set forth in accordance with the state compensation policy:

(A) Official State Workweek.

(B) Workweek Standard.

(C) Exception to the Workweek Standard.

(D) Law Enforcement/Fire Protection Exceptions - Agencies who employ personnel primarily engaged in the following activities may establish a special overtime standard:

(I) Law Enforcement, including employees defined as Peace Officers pursuant to W.S. 7-2-101.

(II) Fire Protection, including employees who are engaged in or concerned with the prevention, control and extinguishment of fires.

(III) Security in correctional institutions including employees who have responsibility for controlling and maintaining custody of inmates or for supervising such functions.

(IV) Adoption of this standard shall not be authorized until the Human Resources Division has approved and provided written notification to the State Auditor and the agency head. Agency heads shall be responsible for notifying affected employees.

(e) Non-exempt employees.

(i) The following areas will be established and set forth in accordance with the State Compensation Policy:

(A) Hours of Work Defined.

(B) Meal Periods.

(C) Rest Periods.

(D) Sleeping Time.

(E) Special Activities.

(F) Travel Time.

Section 6. **Compensation upon Separation.**

(a) The following areas will be established and set forth in accordance with

the State Compensation Policy:

- (i) Vacation Leave.
- (ii) Sick Leave.
- (iii) Longevity.
- (iv) Compensatory Time.

(b) A separated employee who has been paid for accumulated vacation or sick leave and who is rehired, within thirty-one (31) days of the separation, shall reimburse the State for all sick or vacation leave payments within thirty-one (31) days after being rehired.

(i) Accumulated balances of sick or vacation leave at the time of separation shall be restored to the employee.

(ii) Any employee failing to reimburse the State for such payments shall be terminated in accordance with W.S. 9-2-1022.

Section 7. Executive Compensation.

(a) Compensation for at-will directors, deputies and division administrators will be covered under the State Compensation Policy.