

Regular Town Council Workshop

February 18, 2025

1:30 PM

Town Council Chambers

Chair: Arne Jorgensen

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING.

I. ZOOM LINK FOR PUBLIC PARTICIPATION

The Town reserves the right to close Public Comment via Zoom at any time. In-person comment will continue to be taken and written comments can always be submitted to Town Council by emailing electedofficials@jacksonwy.gov.

To join, click link or copy it to your browser: <https://us02web.zoom.us/j/83728103320?pwd=VDIQh5yZXJobOpWj40MbfcwLG5Ypvz.1>

Or join at zoom.com with Webinar ID: **837 2810 3320** and Password: **83001** or by phone: **+1 346 248 7799**

II. CALL TO ORDER AND ROLL CALL

III. WORKSHOP ITEMS

- A. Housing Authority Board Interviews (Riley Hovorka, 60 mins)
- B. Wildlife Feeding and Bear Resistant Trash Update (Tanya Anderson, 30 mins)
- C. Policy Manual Update (Roxanne Robinson, 30 mins)
- D. User Fees for Electric Vehicle Charging (Tanya Anderson, 60 mins)

IV. MATTERS FROM MAYOR AND COUNCIL

V. ADJOURN TO EXECUTIVE SESSION

Adjourn to executive session pursuant to Wyoming Statute §16-4-405(a)(ii) to consider appointments to volunteer boards, specifically the appointment of a board member as a public officer.

Please note that at any point during the meeting, the Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

STAFF REPORT



Meeting Date:	February 18, 2025	Meeting Title:	Regular Town Council Workshop
Submitting Department:	Internal Services	Presenter:	Riley Hovorka
Agenda Item:	Housing Authority Board Interviews	Public Comment:	Yes

Purpose & Policy Considerations.

There is a vacancy on the three-member Housing Authority Board that must be filled by the Town Council. One of the other two seats is filled by the County Commission, and the final is filled by the two appointed Housing Authority Board members.

Existing members on the Housing Authority Board are as follows:

Henry	Justin	Housing Authority Board - County	Expires: 2/1/2026
Droppert	Annie	Housing Authority Board - HAB	Expires: 2/1/2029
Vacant	Vacant	Housing Authority Board - Town	Expires: 2/1/2030

There were five qualified applicants who expressed interest before the January 24 deadline:

Eliska Garcia
Timothy Koski
Meghan Leidy
Sheryl Newton
Brian Tanabe

Requested Action.

Staff requests that Council interview Housing Authority Board applicants and consider making an appointment to fill the vacancy.

Recommendations.

Staff recommends that Council interview all five applicants, then adjourn to executive session after the workshop to deliberate. Council has the option to hold an executive session during/after a different (future) meeting and make an appointment during Matters from Mayor and Council at any regularly scheduled meeting.

Background.

N/A

Analysis & Key Policy Questions.

Does Council want to appoint one of the applicants that applied prior to the January 24 deadline?

Possible Alternatives.

1. Appoint one of the applicants.
2. Make no appointment and ask the Clerk to re-advertise for the vacancy.
3. Conduct a secondary round of interviews with select applicants.

Comprehensive Plan & Priority Alignment.

Appointments to the Housing Authority Board relate to Section 5 of Common Value 3 of the Comprehensive Plan related to local workforce housing opportunities so that 65% of those employed locally also live locally.

Fiscal Impact.

Housing Authority Board members are volunteers. There is no direct fiscal impact to making an appointment to the Housing Authority Board.

Staff Impact.

Staff spent approximately 4 hours coordinating interviews.

Attachments or Links.

None.

Suggested Motion.

I move to appoint _____ to the Housing Authority Board for a 5-year term expiring February 1, 2030.

STAFF REPORT



Meeting Date:	February 18, 2025	Meeting Title:	Town Council Workshop
Submitting Department:	Administration	Presenter:	Tanya Anderson
Agenda Item:	Update on Bear Resistant Trash and Wildlife Feeding Ordinances	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to update Town Council on progress since the Town ordinances regarding wildlife feeding and bear resistant trash containers went into effect April 1, 2023.

Requested Action.

This is primarily an informational item and no action is needed. Council could choose to direct staff to take an action.

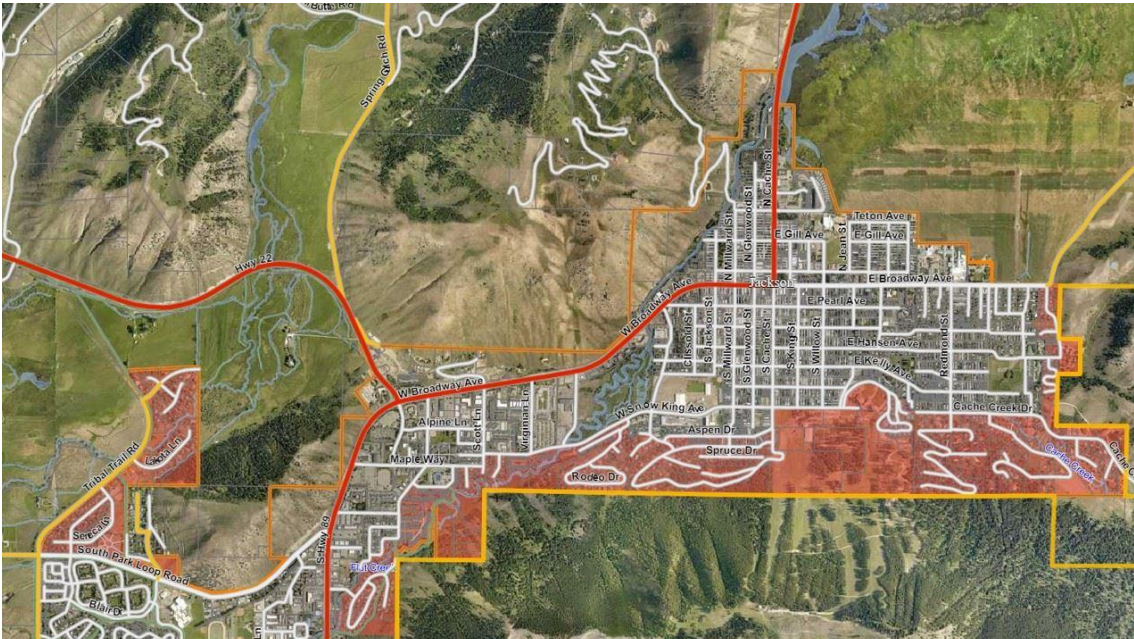
Recommendations.

Staff does not have recommendations for additional actions in 2025.

Background.

At the October 3, 2022, Regular Town Council meeting, Council approved updates to Wildlife Feeding and Bear Resistant Trash Ordinances within the Town of Jackson. The requirement for bear-resistant trash containers for residential and commercial properties within the designated Bear Conflict Zone went into effect on April 1, 2023. Staff engaged in multiple public education and outreach efforts, including bilingual flyers in water bills, bilingual door hangers delivered to every residence within the Bear Conflict Zone, radio interviews and ads, press releases, e-newsletters and social media posts, website updates, booths at community events, and classroom programs in which bilingual flyers were distributed to students to take home to their families. The Town continues to provide seasonal reminders when bears emerge from hibernation and when bears enter hyperphagia, a period of intense eating prior to hibernation.

Figure 1: Town of Jackson Bear Conflict Zone (in red)



In February of 2024, staff provided an update on the effectiveness of the ordinances. At that time, compliance with the Bear-Resistant Trash regulations was around 70%, and some residents and businesses were still waiting to get Bear-

Resistant Cans. Council approved staff's plan to purchase and install bear-resistant trash containers with educational decals at public parks, bus stops, and downtown Jackson, and directed staff to return to Council with an update in 2025. Council did not expand the Bear Conflict Zone in 2024, following staff's recommendation to allow more time for bear-resistant trash cans to arrive and be distributed.

On July 1, 2024, Council approved the Town Sustainability Plan, which includes a target for 100% of Town-owned trash containers to be bear-resistant by 2026, and a strategy to expand the Bear Conflict Zone to the entire town by 2030.

On October 22, 2024, Grizzly 399, who had passed through the Town Hall parking lot and Town Square with her four cubs in the fall of 2021, catalyzing stronger regulations to prevent wildlife-human conflicts, was fatally struck by a vehicle on Highway 89 in the Snake River Canyon. Her cub survived.

On December 16, 2024, at the Regular Town Council meeting, Council approved the 3rd reading of the Pay As You Throw ordinance. The ordinance requires haulers to provide service for at least two different sizes of bear-resistant trash containers, and at least three different frequencies of pickup. Smaller containers and less frequent pickup cost less than larger containers and more frequent pickup, incentivizing waste reduction and recycling. These savings can help offset the increased cost of switching to bear-resistant containers, which typically costs about \$10 more per month for service. Waste Hauler Franchise Agreements were amended to include Pay As You Throw, and to clearly state that waste haulers shall only provide bear-resistant trash containers to customers within the Bear Conflict Zone.

Compliance

In February of 2025, an estimated 73% of residences and businesses within the Bear Conflict Zone in the Town of Jackson have bear-resistant trash containers. This is a slight improvement from the estimated 70% that were in compliance in February of 2024. However, compliance varies greatly by neighborhood. The Cache Creek and Upper Cache Creek areas have an estimated 88% compliance rate, while Snow King Drive only has a 62% compliance rate. Pine, Spruce, and Aspen lanes have an estimated 72% compliance rate. Despite the improvement in compliance, 10-20% of bear-resistant cans were not properly closed. This was almost always due to excess trash pushing the lid of the can up. Some residents may also have broken locking mechanisms. JH Bear Solutions is a nonprofit organization that provides bear-resistant trash containers to residents and support maintenance of cans with broken locking mechanisms. In the past 3 years, they have delivered approximately 1300 bear-resistant trash containers in Teton County, including the Town of Jackson, providing discounts to residents if needed.

The Town of Jackson Code Enforcement Officer received 24 calls for service in 2024 regarding bear resistant trash containers, one regarding a bird feeder, and one regarding the intentional feeding of deer. Some calls involved multiple residences. In 2023, the officer only received 5 calls for service. Upon receiving a complaint, the officer visits the site to confirm non-compliance, speaks with the resident to educate them about the ordinance, and returns a few weeks later to see if they are in compliance. Many of the households that were contacted converted to the proper cans. The officer reported that some residences that were out of compliance were either new to the area or had moved to the Bear Conflict Zone from another part of Town and were unaware of the ordinance. The officer reported challenges contacting the responsible parties, as some residences are employee housing, rentals, or are inhabited by partial-year residents.

Wildlife-Human Conflicts

Wyoming Game and Fish Department (WGFD) reported that in 2024 there were 168 bear conflicts in the WGFD Jackson Region, which includes Teton County to the southern border of Yellowstone and extends east to the Continental Divide and south to Salt Pass. National Park data is recorded separately and is not included in this report. 148 conflicts involved black bears, and 20 involved grizzly bears. This is much higher than the average of 89 conflicts annually. The increase may be attributed to a dry summer followed by a poor berry crop. Most conflicts occurred during the months of September and October, when bears enter hyperphagia, a period of intense eating to prepare for hibernation. 127 of the conflicts involved bears accessing garbage. 12 involved a pet, livestock, or birdfeed. The majority of the conflicts occurred along

the West Bank and in Wilson. 18 bears (16 black bears and 2 grizzly bears) were captured due to conflicts. 11 of the captured bears were relocated, and 7 were euthanized.

Within the Town of Jackson, there were 2 bear conflicts in 2024, a decrease from 2023, when 4 black bear conflicts were reported. One bear conflict occurred along Pine Drive, an area that is within the Bear Conflict Zone, while the other occurred in the Cottonwood subdivision, which is not in the Bear Conflict Zone and where residents are not required to have bear-resistant trash containers. WGFD captured two black bear groups within the Town of Jackson, a female with 3 cubs and a female with 1 cub, as well as one orphaned cub. All bears captured within the Town of Jackson were relocated. The orphaned cub went to a rehabilitation center and will be released this spring. Ornamental apple trees continue to be a major bear attractant in Town. Both of the black bear family groups hit dozens of apple trees in Town prior to switching to garbage. WGFD invested a lot of staff time trying to work with homeowners to reduce fruit tree attractants, and the bears were only captured and relocated after they moved to garbage. A grizzly sow and cub also came into Town near Cache Creek in the fall and attempted to access garbage but was unable to open the bear-resistant trash container and did not obtain a food reward. They exited town without conflict.

Intentional feeding of ungulates continues to occur annually in the winter. Feeding is harmful to ungulates whose guts adapt to a different winter diet, and whose presence in Town makes them more prone to vehicle collisions and may attract carnivores to areas densely populated by humans.

Conversion of Town-owned trash containers to bear resistant ones:

In 2024, staff took steps to convert Town-owned trash containers to bear-resistant ones. In June of 2024, the Jackson Hole Travel and Tourism Board (JHTTB) provided \$26,061.40 in funding for Bear-Resistant Trash and Recycling Containers at mobility hubs, including the Miller Park transit Center, the Home Ranch Parking Lot, and the Deloney Parking lot. Several of the trash cans have artistic wraps, which have been received well by the community and have become a photo opportunity for tourists. All cans have an educational decal about bear safety with a QR code to the Bear Wise Jackson Hole website. Staff have noticed less trash strewn about by wind or birds in the areas that have bear-resistant cans. Because the first replacements were located near parking lots, there is also less damage to vehicles caused by birds that accessed food from the old trash cans. Because ravens also raid songbird nests, reducing raven access to trash has long-term benefits for songbirds. Bear-resistant recycling bins were also added at two locations.

Figure 2: Bear Resistant trash can near the Home Ranch Building.



\$20,000 has been granted by the Teton Conservation District (TCD) and an additional \$60,000 has been granted by the JHTTB to purchase more bear-resistant cans. With the \$10,000 allocated by Town Council from the general fund on January 21, 2025, staff will purchase enough cans to replace all of the current trash cans in the downtown core, including Town Square. They will be installed in the spring and summer. Staff is currently seeking funding to support the purchase of bear-resistant trash containers in public parks and at bus stops in Fiscal Year 2026. The total cost, not including installation, is estimated at \$30,000 - \$40,000.

Analysis.

Compliance with the wildlife feeding and bear-resistant trash ordinances is increasing, albeit slowly. While there was a flurry of bear activity within Town in the fall, people were able to see the success of the ordinance when a grizzly sow and cub left town after they were unable to get a food reward from a bear-resistant trash container. Overall, the number of bear conflicts within Town is much lower than in other parts of Teton County. However, the risks are also higher due to the Town's population density.

In 2025, staff plans to continue working on securing funding, purchasing, and installing bear-resistant trash containers downtown, in parks, and at bus stops. Staff will also continue to work towards increased compliance within the Bear Conflict Zone and improving education related to bear-resistant trash cans, harvesting or securing ornamental fruit trees, and securing other attractants.

The Pay As You Throw ordinance provides an opportunity to encourage residents to voluntarily convert to a bear-resistant trash container. However, it also strains waste haulers as they adapt their products and services. Staff does not recommend expanding the Bear Conflict Zone in 2025. Council can consider an expansion in 2026. Staff will continue to work on compliance in the Bear Conflict Zone, increasing awareness of Pay As You Throw trash pricing, and converting Town-owned trash cans to bear-resistant ones.

Possible Alternatives.

- Council could direct staff to return with a plan to expand the Bear Conflict Zone in 2025.
- Council could direct staff to take different actions to reduce human-wildlife conflicts.

Comprehensive Plan & Priority Alignment.

Principle 1.1—Maintain healthy populations of all native species.

For future generations to enjoy the ecosystem that exists today the community must manage our impacts to wildlife, wildlife habitat, and wildlife movement corridors on private and public land. The prevalence of wildlife that is central to our ecological, social, and economic character requires an intact ecosystem that supports all native species. Therefore, efforts to protect wildlife must extend to all native species.

Policy 1.1.d: Limit human/wildlife conflicts

Limiting impacts to wildlife, wildlife habitat, and wildlife movement corridors include limiting wildlife/human conflicts. Designing for wildlife permeability is necessary but attracting wildlife into the built environment can be dangerous for both wildlife and humans. Human/wildlife conflicts, especially those involving large predators, can result in human injury and/or relocation or killing of the animal. The tiered system of protections described in Policy 1.1.b should consider measures to limit wildlife attractants near the built environment, such as palatable vegetation and accessible trash.

Town Sustainability Plan

- Municipal Strategy: Convert Town-owned trash receptacles to bear-resistant ones
 - Target: 100% of Town-owned trash containers will be bear-resistant by 2026
- Community Strategy: Expand Bear Conflict Zone to the entire town

Rights of Nature Resolution

Fiscal Impact.

The purchase of bear-resistant cans for the downtown Core is estimated to cost \$116,000, of which the Town will pay approximately \$10,000. Bear-resistant cans for public parks and START is estimated to cost at least \$30,000. Staff are seeking funding for 50% of that cost; the Parks and Recreation Departments and START will be responsible for the remaining 50%. It costs \$1.50 more to empty a bear-resistant container than a non-bear-resistant one. JHTTB funding covered the increased cost of service for Fiscal Year 2025. However, the Town will need to take on that cost in the future. Because bear-resistant cans are larger than the non-bear resistant cans, the total number of cans downtown will be reduced to minimize the fiscal impact of servicing the cans.

Staff Impact.

It takes time to install new bins, primarily by Public Works or Parks and Recreation staff. Any increase in enforcement will take the time of the code enforcement officer. Additional outreach will add workload to the Ecosystem Stewardship and External Affairs departments.

Actions taken by the Town to reduce human-wildlife conflicts reduce the amount of time that staff at WFGD spend managing bears and mitigating conflicts.

Attachments or Links.

N/A

Suggested Motion.

N/A

STAFF REPORT



Meeting Date:	February 18, 2025	Meeting Title:	Town Council Workshop Mtg
Submitting Department:	Internal Services	Presenter:	Roxanne Robinson
Agenda Item:	Policy Manual Update	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to explain updates to the Policy Manual. Staff will follow up with a staff report on adoption of the Policy Manual and associated documents at an upcoming meeting. The Policy Manual update was identified at the 2024 Council retreat. The Policy Manual establishes the broad policies related to employment and, in some cases, more specific operational and procedural elements recommended for inclusion due to best practices or human resources legal advice.

Requested Action.

Staff requests Council gain an understanding of the Policy Manual. Staff is currently researching options for adoption of the Policy Manual and associated documents and will present information at an upcoming Council meeting as necessary.

Recommendations.

Staff recommend Council gain an understanding of the Policy Manual.

Background.

The Policy Manual is a document that combines various policies protecting and affecting employees related to multiple areas including harassment, accommodation, resolution of complaints, paid and unpaid leave, pay, attendance and remote work, discipline, use of facilities, social media, communication and network systems, and similar types of policies. The Policy Manual has not had a significant update since approximately 2006. As a result, there are areas in the current Policy Manual that do not reflect best practices, supplemental policies that should be incorporated into the Policy Manual, and areas where language should be updated.

The Policy Manual is being updated to:

1. Follow best practices to separate policies from operational guidelines,
2. Reflect current policies of the organization that have evolved,
3. Streamline and simplify language based on human resources legal counsel,
4. Incorporate supplemental policies into one policy document,
5. Improve/tighten up leave policies leading to potential for increased capacity and better service to the public
6. Eliminate unnecessary spending,
7. Provide small benefit enhancements with potential to increase retention, job satisfaction, and inclusiveness, and
8. Address areas to potentially reduce liability, security risks, or potential for damage to equipment or facilities.

Staff began work on updating the Policy Manual in February of 2023. In addition to the work involved with researching issues, drafting the updated policy, working through the human resources legal review, and preparing information for employee meetings, staff spent time gathering input on the notable changes from Department Directors on multiple occasions, and conducted full departmental listening sessions with each team in the organization as well as several open listening sessions. Input was also gathered from employees in the organization in one-on-one sessions and through emails submitted.

During staff's work with Employer's Council, our contracted human resources legal counsel, and policy requirements necessary to comply with our federally grant funded programs of START and Victim Services, staff learned that slight

variations in policy were needed for these two employee groups. As a result, staff will be developing slightly different Policy Manuals for START and Victim Services and will determine the appropriate method for adoption when they are ready.

The Town is required to have drug and alcohol testing policies in place for all Commercial Driver's License (CDL) holders pursuant to Department of Transportation (DOT) rules. The Town has also voluntarily maintained and enforced a drug free workplace policy as a way to maintain a 10% discount on our Wyoming Worker's Compensation premiums since approximately 2007. Due to the detail associated with drug and alcohol testing, Employer's Council recommended a separate policy for the Town's Drug Free Workplace Policy, which was previously encompassed within the Policy Manual. The Town's required Department of Transportation (DOT) Federal Transit Authority (FTA) drug and alcohol testing policy, as well as the DOT Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol policy, were already separate policies signed for by employees and these are merely being updated to reflect current titles. Staff will present these policies for Council consideration as appropriate.

Analysis.

Policy Manual Notable Updates		
Policy Item	Current	Proposed
Paid Time Off (PTO) Expiration	June 30	Hire date anniversary
Sustainment & Dependent Leave	Eligible if PTO is exhausted	Eligible only if employee has 24 hrs PTO
PTO Cash in on Holidays	Only eligible on the holiday or the observed holiday	Eligible for full shift if shift crosses over midnight the day prior or the day after holiday
Working Holidays	Employees with approval can work all holidays and be off another day	Employees with approval can only work 6 of 11 holidays and be off another day
PTO Cash in for Intended Use	PTO is netted for employees if they work extra hours during a week they intended to take PTO	Employees have option to be paid for full intended use of PTO if they worked extra hours during that week
PTO Use During Family and Medical Leave Act (FMLA) Leave	While on FMLA, must use PTO down to 1/2 the balance and remainder of FMLA can be unpaid	While on FMLA, must use all of PTO except for remaining holidays + max of 40 hours
Paid Holiday Hours for Full-Time Transit Operators	Full-Time Transit Operators only paid matching holiday wages when holiday falls on their scheduled workday	Full-Time Transit Operators paid 8 hours of holiday wages regardless of whether they worked or not
Partners Added	Partners not included in definition of family for use of Dependent Leave, Funeral Leave, FMLA	Partners included in the definition of family for use of Dependent Leave, Funeral Leave, FMLA
Reserve & Guard Duty and Jury Duty	Reserve & Guard Duty and Jury Duty limited to 112 hours annually	Reserve & Guard Duty increased to 250 hours and Jury Duty increased to unlimited
Reimbursement for College Courses	Reimbursement dependent upon budget authorization and fixed at 75% for courses related to government and 50% for non-government courses	Reimbursement dependent upon budget authorization, no reimbursement for non-government, and no fixed percentage for government courses.
Performance Reviews	Due December 31	Due on hire date anniversary
Disciplinary Procedures	Fixed procedure including pre termination meeting with Town Manager and Director of Internal Services	Open procedure to allow flexibility in addressing performance that falls short of expectations
Wash Bay and Exercise Facility for County Employees, and Dependents	Facility privileges available to all County employees + spouses + dependents 14 and up	Facility privileges limited for County employees to employees only of Sheriff's Office, Fire/EMS, Search & Rescue, County Attorney's Office, local judges, and staff of court offices.
Conflicts of Interest	Not addressed	Addressed through ordinance covering service on boards, outside employment, and other conflicts.

Because the Town is updating the Policy Manual and creating Operational Guidelines that clarify and address many issues in the Jackson Police Department Policy Manual, staff also proposes amendments to Section 2.32.080 of the Jackson Municipal Code addressing Rules and Regulations in the Police Department. A draft ordinance accomplishing these changes will be presented in the future.

Next Steps:

- Staff is researching requirements for adoption of the Policy Manual and associated documents and will present information at an upcoming meeting.
- Once policies have been adopted, the Operational Guidelines will be finalized and approved by the Town Manager and any departmental policies will be updated as well. The Police Department policy manual is extensive and updating this departmental manual will include additional work with the Police Department.
- Upon completion, the updated Policies will be distributed and extensive education and training will be provided to employees.

Key Policy Question #1. Does the Town Council have questions or input on the updated Policy Manual for General Employees?

Staff welcomes Council questions and input into the Policy Manual. The current Town of Jackson Policy Manual remains in place and effective until changed.

Possible Alternatives.

Staff is researching requirements for Council adoption of the Policy Manual and associated documents. The current policies remain in place and effective until changed.

Comprehensive Plan & Priority Alignment.

The ability of the Town of Jackson to implement and take actions aligned with the Comprehensive Plan depends on the ability to recruit and retain an effective workforce. Establishing policies that create a positive working environment that leads to recruitment and retention of employees is aligned with Common Value #3, Quality of Life, and directly relates to Section 8, Quality Community Service Provision.

Fiscal Impact.

There is no direct fiscal impact related to updating the Policy Manual document. There will be fiscal impacts associated with holiday wages for Full Time Operators and there may be some fiscal impacts to several changes in policy and those impacts would be dependent on employee choices. Those include:

1. Expanded Use of PTO Cash In On Holidays. A Police Officer or a Transit Operator working through midnight could choose to cash in an additional 8-12 hours of PTO resulting in the Town paying out additional PTO hours in addition to the wages earned by the employee for hours worked.
2. Expanded PTO Use During Weeks with Required Overtime. An employee that worked additional hours on a given day during a week with intended PTO use could choose to cash in their intended PTO use at regular wages resulting in the Town paying out additional PTO hours at the employee's regular rate.
3. Holiday Hours Paid to All Full Time Operators. Full Time Operators will be paid 8 hours for each holiday whether they worked that holiday or not resulting in the Town paying out additional holiday wages to these employees.

The fiscal impact associated with the Drug Free Workplace testing policy is a savings to the Town of approximately \$29,000 annually.

Staff Impact.

The staff impact of this project has been approximately 450 hours with the bulk of that time spent by the Director of Internal Services with additional time spent by Department Directors, the Town Attorney, and employees. Staff impact expected prior to adoption is estimated at an additional 40-50 hours. Staff impact after adoption is estimated at an additional 115 hours including conducting training with employees and distribution.

Attachments or Links.

The Draft Town of Jackson Policy Manual for General Employees

Suggested Motion.

No motion necessary.

**TOWN OF JACKSON
POLICY MANUAL**

GENERAL EMPLOYEES

Adopted by Town Council on _____, 2025

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- IMPORTANT NOTICE -

THIS POLICY MANUAL IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE TOWN OF JACKSON AND SOME INFORMATION ABOUT WORKING HERE. THE POLICY MANUAL IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES. THIS EDITION REPLACES ANY PREVIOUSLY ISSUED EDITIONS.

AT THE TOWN OF JACKSON, NEITHER THE EMPLOYEE NOR THE TOWN IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH THE TOWN IS AT-WILL. EITHER THE EMPLOYEE OR MANAGEMENT HAS THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON. THE LANGUAGE USED IN THIS POLICY MANUAL AND ANY VERBAL STATEMENTS BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION.

NO REPRESENTATIVE OF THE TOWN OF JACKSON, OTHER THAN THE MAYOR AND COUNCIL HAVE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT WITH ANY EMPLOYEE OTHER THAN THE TOWN MANAGER, THE TOWN ATTORNEY, OR THE MUNICIPAL JUDGE FOR ANY SPECIFIED PERIOD, AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE MAYOR AND THE EMPLOYEE.

THE CONTENTS OF THIS POLICY MANUAL ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE ARE NOT ALL INCLUSIVE. THIS POLICY MANUAL SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE TOWN OF JACKSON RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET, OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF THE TOWN OF JACKSON. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

SECTION 1 – INTRODUCTION

This Policy Manual was developed by the Town of Jackson (hereinafter referred to as ‘Town’) to describe some of the guidelines, programs, and benefits for employees. Employees should familiarize themselves with the contents of this Policy Manual, because it may answer many questions about employment with the Town. Employees receive this Policy Manual upon hiring. This Policy Manual is available for inspection by any employee or applicant for employment upon request and is also made available to the general public.

The information provided in this Policy Manual is subject and subordinate to federal law, state law, local law, and promulgated rules of Court. In the event of a conflict between the terms of these policies and any applicable rule of law, or rule of order of court, the rule of law or order of court shall prevail. Employees shall follow federal, state, and local laws.

This Policy Manual and any amendments to it are approved by the Town Council. The Town Manager:

- Is authorized to interpret policies in this Policy Manual when necessary or appropriate,
- Shall approve operational guidelines for application of policies in this Policy Manual or any other operational guidelines and any amendments to those operational guidelines as necessary, and
- Shall approve any emergency or temporary Town policies not covered by this Policy Manual until such emergency or temporary policy is presented to Town Council for action.

Departmental policies are subordinate to this Policy Manual and shall comply with this Policy Manual.

SECTION 2 - EMPLOYMENT

201. Appointment and Removal

The Town Council approves, through budget adoption or amendment, the number of full-time and part-time employees in the organization, funding for variable hour positions, and the overall staffing budget and any amendments. The Town Manager is authorized to reorganize, reassign, transfer, retitle, classify, reclassify, or change approved positions, and wages paid for those positions to best serve the operational needs of the Town within budget parameters or amendments.

Employees, except for the Town Manager, Town Attorney, and Municipal Judge, are appointed, promoted, advanced, demoted, or transferred by the Town Manager or the Director of Internal Services and are removed by the Town Manager. Authorization to fill a vacancy must be presented to the Director of Internal Services and requires approval from the Town Manager.

The Director of Internal Services is responsible for recruitment, examination, selection processes, and appointment recommendations. Applicants are treated in a uniform manner without regard

to any protected status. Immediate family are not employed in a supervisory relationship or where there is a probability of close personal interaction between immediate family in the course of their duties. All vacancy announcements include information regarding required drug and alcohol testing applicable to the position.

202. Equal Employment Opportunity (EEO) and Unlawful Harassment

The Town is committed to the principles, concept, and practice of equal employment opportunity and to treating all applicants and employees with dignity, respect, and equity. As an equal opportunity employer, the Town strives to have a workforce that reflects the community served and is committed to administering policies to overcome the effects of any past discrimination on minorities and women.

The Town Manager is responsible and accountable for the Town's compliance with EEO policies and programs and has delegated day-to-day management, monitoring, and complaint investigation to the Director of Internal Services reporting directly to the Town Manager and serving as the Town's EEO Officer. Town Department Directors, managers, and supervisory personnel share the responsibility for implementation and monitoring within their respective areas to ensure compliance is achieved. The performance of those same personnel will be evaluated on their performance in this area.

The Town prohibits unlawful discrimination applicable to all employment actions including but not limited to recruitment, hiring, selection for training, promotion, transfer, reclassification, demotion, layoff, termination, rates of pay or other forms of compensation, and use of facilities for employees on the basis of age 40 and over, race, sex, sexual orientation, pregnancy, color, religion, ancestry, creed, national origin, gender identity, gender expression, disability, military status, veteran status, genetic information, or any other status protected by applicable federal, state, or local law. Any job postings shall state that the Town is an EEO employer. The Town's practices are periodically reviewed to ensure that movement between positions occurs without regard to any protected status.

This prohibition includes unlawful harassment based on any of the listed protected classes including in job descriptions. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as volunteers, elected and appointed board, committee and task force members customers, clients, vendors, consultants, etc.

203. EEO Harassment

The Town strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's)

membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over electronic media, such as Zoom or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written form, such as cartoons, emails, posters, drawings, or photographs.
- Verbal conduct, such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct, such as assault or blocking an individual's movements.

This policy applies to all employees, including managers, supervisors, coworkers, and non-employees, such as elected or appointed boards, volunteers, customers, clients, vendors, consultants, etc.

204. Sexual Harassment

The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to, or rejection of such conduct is used as a basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and business-like manner at all times. Conduct which violates this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, and emails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

205. ADA, Pregnancy and Religious Accommodation

The Town is committed to providing reasonable accommodations to qualified applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship to the Town or if it will cause a direct threat to health or safety. Employees who are otherwise qualified for a position may request a reasonable accommodation related to

pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. The Town makes reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses an undue hardship on the Town. Employees needing such accommodation are to contact the Director of Internal Services immediately.

206. Complaint Procedure

If a violation of the EEO policy or harassment based on protected classes listed in this Policy Manual, including sexual harassment, is believed to have occurred, employees may file a complaint and are asked to use the following complaint procedure. The Town's policies are designed to prevent harassment, deter future harassers, and protect employees from harassment. The Town takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The Town also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. The Town expects employees to make a timely complaint to enable the Town to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Director of Internal Services, who will investigate the matter and take corrective action. Complaints will be kept as confidential as practicable. If an employee prefers not to go to this individual with their complaint, they should report the incident to the Town Manager.

The Town prohibits retaliation against an employee for filing a complaint under this policy or assisting in a complaint investigation, any retaliation will not be tolerated. If there is a perception that retaliation for making a complaint or participating in the investigation has occurred, employees are asked to follow the complaint procedure outlined above.

If the Town determines that an employee's behavior violates this policy, disciplinary action will be taken, which may include termination of employment.

207. Job Descriptions

Job descriptions are approved by the Director of Internal Services with input from the Town Manager and Department Directors and are periodically reviewed and evaluated to ensure that they are job related, in compliance with this policy, and that they comply with equal employment opportunity.

SECTION 3 - EMPLOYEE CATEGORIES

Employees of the Town are classified as either exempt or non-exempt under federal and state wage and hour laws. Positions are assigned a pay band/grade on either the exempt, non-exempt, or public safety title and grade structure charts which, when combined, constitutes the Town's classification plan. Changes to the Town's classification plan require review by the Director of Internal Services and approval by the Town Manager, and any requests for changes must be

submitted to the Director of Internal Services.

The following categories are used throughout this Policy Manual.

Exempt Employees. Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and who are exempt from minimum wage and/or overtime pay requirements.

Non-Exempt Employees. Non-exempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are not exempt from minimum wage and/or overtime pay requirements. Non-exempt employees shall be paid time and one-half of their base rate of pay for any work in excess of 40 hours per workweek, and for sworn law enforcement employees on a 7k exemption plan, in excess of 80 hours in a two week pay period.

Full-Time Employees. Full-time employees are those authorized as full time by Council approval of the budget or special approval at a Council meeting. Full-time employees are normally scheduled to work a schedule of at least 40 hours in one week, and for sworn law enforcement employees on a 7k exemption plan, a schedule of 80 hours in a two week pay period. Full-time employees are eligible for Town benefits.

Part-Time Employees. Part-time employees are those authorized as part time by Council approval of the budget or special approval at a Council meeting. Part-time employees are those who are normally scheduled to work fewer than 40 hours but 32 or more hours per week. Part-time employees are eligible for Town benefits with PTO benefits proportional to the number of budget authorized hours.

Variable Hour Employees. Variable hour employees may have hours authorized in the budget for specific departments or areas or may be temporarily authorized by the Town Manager. Variable hour employees are those who are employed for short-term or on-going seasonal assignments, or who are regularly scheduled for less than 32 hours per week. Variable hour employees are generally hired to temporarily supplement the workforce, assist in the completion of a specific project, or work a reduced schedule on a regular basis. Variable hour employees may be classified as exempt or non-exempt based on job duties and compensation. Variable hour employees may be eligible for specific Town benefits pursuant to the Affordable Care Act.

SECTION 4 - EMPLOYEE BENEFITS AND LEAVE

401. Benefits Overview

The Town's comprehensive benefits package includes several different benefit plans, automatic deductions, retirement, paid leaves, use opportunities, and other benefits for employees. Benefits described in this Policy Manual, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the Town's discretion as permitted by law. The Town and its designated benefit plan

administrators reserve the right to determine eligibility, interpretation, and administration of issues related to benefit plans offered by the Town. The benefit programs are designed and periodically reviewed to ensure equal treatment is provided to all employees, that programs are non-discriminatory, and are administered without regard to any protected status.

Employees have an opportunity to make changes to their benefit plan selections during the Town's annual open enrollment period. Employees who experience a qualifying life event such as marriage, divorce or the birth of a child are also allowed to make a change in their benefit plan selection when that event occurs, in accordance with the terms of the plan document.

In the event a leave of absence is taken, employees are asked to consult the Director of Internal Services to determine the impact the leave may have upon benefit plans, including eligibility and/or making any required premium payments.

The Town complies with all federal, state, and local laws governing the provision of benefits. Some benefit plans offered by the Town are defined in legal documents, such as insurance contracts and summary plan descriptions. In the event information in this Policy Manual or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. For more information about these plans, including the terms, conditions, or eligibility requirements, please contact or obtain a copy of any Summary Plan Document from the Finance Department.

Full and Part-Time Employees. The Town currently offers these benefit, matching funds, automatic deductions and retirement plans to full and part-time employees:

- *Medical Insurance Plan* – provides employees and their eligible dependents with medical coverage at group rates.
- *Health Savings Account Matching Contributions* – matches funds contributed by employees up to the maximum authorized in the annual budget or separate approval by Council.
- *Dental Insurance Plan* - provides employees and their eligible dependents with dental coverage at group rates.
- *Vision Insurance Plan* – provides employees and their eligible dependents with vision coverage at group rates.
- *Life Insurance Plan* - provides certain insurance coverage at group rates.
- *Short-Term Disability (STD) Plan* - helps replace the employee's salary if they suffer a covered disability for a limited period of time.
- *Long-Term Disability (LTD) Plan* - helps replace employee's salary if they suffer a covered disability for an indefinite period of time.
- *Wyoming Retirement System (WRS) Pension Plan* – program provides retirement income for eligible employees after employment ends.

- *Wyoming Deferred Comp Matching Contributions* – matches funds contributed by employees up to the maximum authorized in the annual budget or separate approval by Council.

Variable Hour Employees. Pursuant to the Affordable Care Act, the Town currently offers these benefit plans to variable hour employees that have averaged 30 hours/week either in the 12 months since their hire date or as measured during the previous measurement period. Eligible family members are also offered coverage.

- *Medical Insurance Plan* – provides employees and their eligible dependents with medical coverage at group rates. In addition to the plan document, the following additional points apply to this coverage for variable hour employees:
 - The administrative period is June of each year.
 - The measurement period is 12 months and runs from June 1 to May 31 of each year.
 - The stability coverage period is 12 months and runs from July 1 through June 30.
 - Once coverage is obtained, the employee is covered for 12 months regardless of the number of hours averaged.
 - Once coverage is obtained, coverage is terminated at the end of the stability period if the 30 hour/week average has not been maintained as calculated during the administrative period for the measurement period.
 - Coverage is terminated as a result of voluntary separation of employment.
 - Coverage is terminated the last day of the month in a calendar month if the employee has not worked a minimum of 1 hour.
 - Rehired employees must begin a new measurement period.
- *Health Savings Account Matching Contributions* – matches funds contributed by employees up to the maximum authorized in the annual budget or separate approval by Council.
 - Employees eligible for Medicare will instead be provided a dollar-for-dollar match into deferred comp.

402. Paid Leave Table

Paid Leave Table	
Paid Time Off (PTO) for Positions with Holiday, Vacation, & Sick Combined	Hours
First Year	240
1 Year Completed	240
2 Years Completed	240
3 Years Completed	240
4 Years Completed	240
5 Years Completed	296
6 Years Completed	306
7 Years Completed	306
8 Years Completed	306
9 Years Completed	306
10 Years Completed	316
11 Years Completed	316
12 Years Completed	316
13 Years Completed	316
14 Years Completed	316
15+ Years Completed	336
Paid Time Off (PTO) for Positions with Vacation & Sick Combined + Separate Holiday Wages	Hours
First Year	152
1 Year Completed	152
2 Years Completed	152
3 Years Completed	152
4 Years Completed	152
5 Years Completed	208
6 Years Completed	218
7 Years Completed	218
8 Years Completed	218
9 Years Completed	218
10 Years Completed	228
11 Years Completed	228
12 Years Completed	228
13 Years Completed	228
14 Years Completed	228
15+ Years Completed	248
Other	Hours
PTO Use Required for Dependent Leave or Sustainment Leave Eligibility	24
PTO Buyout Maximum	40
PTO Paid for Cancellation of Pre Approved PTO	40
Dependent Leave	80
Funeral Leave Regular/Extensive Travel/Death of a Child 21 or Under	24/40/80
Injury Leave Prior to Worker's Comp	24
Emergency Service Leave	250
Reserve and Guard Duty Leave	250

403. Paid Time Off (PTO)

The Town of Jackson combines holidays, vacation, and sick leave into Paid Time Off (PTO) for full-time and part-time employees, except for full-time transit operators. Full-time transit operators receive combined vacation and sick leave into PTO as noted in the paid leave table and 8 hours of paid holiday wages for each holiday as it occurs regardless of time worked during that week or on that holiday. All paid leave, whether PTO or other, is provided at the employee's base rate of pay.

PTO provision, expiration, and scheduling. PTO is provided on the employee's hire date and each year thereafter on their hire date anniversary. References to 'year' in the employee benefits section, unless specified, refers to the year between hire date anniversaries. PTO expires the day prior to the employee's hire date anniversary. Part-time employees are currently eligible for PTO benefits proportional to the number of budget authorized hours.

PTO is granted in a manner that minimizes interruptions to the operations of the Town. PTO days are to be planned and scheduled in advance whenever possible. Employees showing up for work are required to be physically and mentally able to work and are required to notify their supervisor if they are not physically or mentally able to perform their full duties. Employees that come to work obviously ill or injured or their obvious illness or injury may lead to others getting ill or injured, may be sent home at the discretion of their Department Director and required to utilize PTO. In the event the employee is absent for 4 or more workdays due to an illness or injury, medical certification may be required. The Town reserves the right to send an employee to a doctor of the Town's choosing at the Town's expense. The Town does not retaliate against an employee for utilizing unplanned PTO for an injury or illness.

PTO approval and use. Employees are encouraged to meet with their supervisor on their hire date anniversary to discuss and receive approval for planned PTO throughout the coming year. Use of PTO for full or partial days requires Department Director pre-approval except in the instance of utilizing PTO for unplanned instances. Employees must notify their supervisor each day at the beginning of their shift when they cannot come to work because of unplanned PTO use including illness, injury, birth of their child, medical care or other similar unplanned situation. Employees utilizing unplanned PTO shall inform their supervisor when they expect to return to work. PTO use during an employee's last 80 hours of work requires approval from the Director of Internal Services and the Town Manager.

The Town Manager may send staff home on a temporary basis for operational reasons and require staff to utilize PTO.

Net Pay. Full-time non-exempt employees that do not work 40 hours in a week (or 80 hours in a 2-week period for 7k exemption employees) are required to utilize PTO hours necessary to bring their hours to 40 (or 80 for 7k exemption employees). Part time non-exempt employees that do not work their regular schedule of hours in a week are required to utilize PTO hours necessary to bring their hours to their regular schedule of hours. Employees are only paid PTO hours necessary

to bring their paid hours to their full schedule unless the employee indicates 'No Net Pay' on their time sheet during a 40/80 hour pay period where they intended to take PTO and ended up working extra hours on other days in that period. In that instance, a non-exempt employee will be paid for a full scheduled day of PTO time in addition to their hours worked during that period.

PTO buyback. The Town pays employees their unused PTO existing the day prior to their hire date anniversary up to the maximum noted in the paid leave table, unless they have used a portion of hours of other paid leave during the year, except for emergency service leave or reserve and guard duty. The Town pays employees up to the maximum hours of PTO noted in the paid leave table, if their pre-approved PTO was cancelled by the Town Manager due to operational needs. There is no PTO payout upon separation of employment.

Additional provisions. Upon the death of a Town employee, the Town pays a maximum of 40 hours of any remaining PTO.

Employees on a period of approved, planned PTO are not authorized to work during that period without specific director pre-approval, and for directors, without Town Manager pre-approval. The exception to this rule is if there is an emergency situation.

404. Holidays Observed

Town Offices are closed on the following observed holidays:

- | | |
|--|--------------------------|
| • New Year's Day | January 1 |
| • Martin Luther King, Jr./Wyoming Equality Day | 3rd Monday in January |
| • President's Day | 3rd Monday in February |
| • Memorial Day | Last Monday in May |
| • Juneteenth | June 19 |
| • Independence Day | July 4 |
| • Labor Day | 1st Monday in September |
| • Veteran's Day | November 11 |
| • Thanksgiving Day | 4th Thursday of November |
| • Friday after Thanksgiving | Day after Thanksgiving |
| • Christmas Day | December 25 |

When a holiday falls on a Saturday, it is observed on the preceding Friday. When the holiday falls on a Sunday, the following Monday is observed.

Working on holidays. With their supervisor's approval, positions identified by the Town Manager not regularly scheduled to work on holidays have the option to take an alternate day of PTO on 6 of the 11 holidays in exchange for working those 6 holidays. Any hours worked on more than 6 holidays will result in an equivalent deduction of hours from their PTO balance. All other positions may swap each holiday and may also cash in an equivalent number of PTO hours for hours worked

on those holidays on either the holiday or the day the holiday is observed, but not both, except for a shift that begins or ends on the holiday. Employees whose scheduled shift begins or ends on a holiday, may cash in an equivalent number of PTO hours for hours worked on the holiday as well as hours worked from a connected shift prior to midnight of the holiday, and a connected shift that continues after midnight the day after the holiday.

Employees that do not work on a holiday are required to utilize PTO hours necessary to bring their hours to their full work schedule.

All full time Transit Operators are paid 8 hours of holiday wages for each holiday as it occurs regardless of time worked during that week or on that holiday.

405. Sustainment Leave

Eligible employees are provided paid sustainment leave after the use of PTO hours as noted in the paid leave table, due to an illness or injury. Employees may only receive sustainment leave up through eligibility for short term disability insurance or the 15th day of the absence, whichever occurs first. Employees may decline sustainment leave retroactively up to 30 days prior to the end of the year, and in that instance, PTO will be deducted for that period of leave instead of sustainment leave.

406. Dependent Leave

Eligible employees can use paid dependent leave each year after the required use of PTO noted in the paid leave table, due to the need to care for an ill or injured immediate family member or to care for their newborn child or placement of a newborn child for foster care, or adoption of a newborn child. For the purposes of this supplemental leave, immediate family is defined as spouse, siblings, parents, children, grandparents, and eligible partners as defined in an Affidavit of Domestic Partnership for health care coverage. Dependent leave may be used intermittently after the required initial use of PTO if it is for the same illness or injury. Employees electing dependent leave may change that leave to PTO up to 30 days prior to the end of the year, and in that instance, PTO will be deducted for that period of leave instead of dependent leave.

407. Funeral Leave

In the event of a death in their immediate family, full- and part-time employees are granted paid funeral leave noted in the paid leave table to attend a funeral or memorial service. If extensive travel is required or in the event of the death of a child 21 or younger, additional hours are granted as noted in the paid leave table. For the purposes of this supplemental leave, immediate family is defined as spouse, siblings, parents, children, grandparents, grandchildren, mother and father in-law, and eligible partners as defined in an Affidavit of Domestic Partnership for health care coverage. In the event of the death of a near relative, full and part-time employees are granted up to one paid day to attend a funeral. Near relatives include the employee's aunts, uncles, nieces, nephews, and their spouse's or partner's grandparents, brothers, sisters, and

other close relatives. For funerals of friends, employees may take PTO or unpaid leave with approval of their Department Director.

408. Jury Duty Leave and Court Appearances

The Town 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 shall immediately inform their Department Director if they receive a subpoena to appear as a defendant or witness in any action related to any circumstance arising from the performance of their duties. Employees must 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.

Full and part-time employees receive paid jury duty leave for the duration of their juror service if they were scheduled to work and they provide confirmation of juror service. If the employee is excused from jury duty during their regular work hours, they are required to report to work promptly. Employees returning from jury duty leave are reinstated to their prior position without loss of seniority.

Leave for an employee required to appear in court for reasons other than a personal case or an expert witness or the like, shall be addressed on a case-by-case basis by the Town Manager or their designee.

409. Work Related Injury Leave

For work related injuries where a doctor's note is provided and the employee has completed requisite worker's comp documentation, full and part-time employees are provided paid injury leave. Employees may decline injury leave retroactively 30 days prior to the end of the year, and in that instance, PTO will be deducted for that period of leave instead of injury leave. Employees utilizing injury leave must present a medical provider's statement indicating ability to return to work.

410. Emergency Service Leave

The community relies on volunteers to respond to fire and emergency medical situations as well as search and rescue situations through the Fire/EMS Department and Teton County Search and Rescue, and the Town supports employees serving as volunteers in these critical roles. Employees are eligible to utilize paid emergency service leave each year for time spent serving or training as an active volunteer with Teton County Wyoming Fire/EMS and Teton County Search and Rescue as noted in the paid leave table when the service or training cuts across their regular work schedule. Emergency service leave beyond this time is unpaid leave from the Town. Use of emergency service leave does not impact the PTO buyback.

411. Active Military Leave

Employees granted a military leave of absence are re-instated and paid in accordance with the laws governing veteran's re-employment rights. Active military leave is unpaid, and employees have the option of utilizing PTO prior to unpaid leave.

412. Reserve and Guard Duty Leave

The nation relies on reservists and national guard personnel to serve our country, and the Town supports employees serving in these critical roles. The Town complies with all laws governing reserve and guard duty including the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees may utilize paid reserve and guard duty leave each year for time spent serving or training as a reservist or a member of the national guard as noted in the paid leave table when the service or training cuts across their regular work schedule. Reserve and guard duty beyond this time is unpaid leave from the Town. Employees have the option to utilize PTO prior to unpaid leave. Use of reserve and guard duty leave does not impact PTO buyback.

413. Voting

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees shall arrange with their Department Director no later than the day prior to election day. The Town follows all federal and state laws related to paid leave time to vote.

414. Gifted PTO

The Town Manager may grant permission for an employee to receive gifted PTO from other employees to supplement unpaid and unplanned Family and Medical Leave Act (FMLA) leave in instances involving catastrophic illness or injury on a case-by-case basis and when the employee has exhausted their own PTO.

415. Unpaid Leave (Leave of Absence)

Normally, unpaid leave is not granted. If, on rare occasions, management deems the circumstances warrant approval and after exhaustion of PTO and/or FMLA, or ineligibility for FMLA, the Town Manager may grant an employee an unpaid leave of absence upon recommendation by the employee's Department Director and the Director of Internal Services or if leave is needed as a reasonable accommodation for a disability.

If the leave is for a medical reason, the Town may require a written opinion from a medical provider, or a medical provider of the Town's choosing, outlining the reason for the leave and the estimated time needed.

An employee ready to return to work from unpaid leave for a medical reason must present a medical provider's statement indicating ability to return to work. If an employee is unable to return to work at the end of the unpaid leave, the employee may be entitled to additional accommodation under the Americans with Disabilities Act (ADA) or other law. The employee must supply sufficient information from their medical provider indicating that they are unable to return due to a disability and the likely date the employee will be able to return to work with or without reasonable accommodation. The employee must qualify for coverage under the ADA, and any accommodation provided must be reasonable and not result in any undue hardship for the Town. The scope and duration of the potential accommodation will be determined after an interactive dialogue between the employee and the Town.

The Town may reinstate an employee ready to return from unpaid leave for medical reasons, when, in the opinion of the Town, it is practical to do so or as reasonable accommodation under the ADA. The Town does not guarantee reinstatement of an employee to their former job. When the employee is available to return to work, the employee is free to apply for any vacancy available and may be considered along with other applicants.

The Town continues medical and life insurance benefits for an employee on unpaid leave as long as the employee is eligible under the plan document and the employee continues to pay any employee portion of the premium required of other full- or part-time employees. Paid leave, other than jury duty leave or reserve and guard duty leave, is not granted during the unpaid leave. Variable hour employees are not eligible for a leave of absence under these guidelines except as may be required by the ADA. Also see guidelines for Family and Medical Leave Act (FMLA) leave.

Employees failing to return at the expiration of their unpaid leave may be terminated.

Unless otherwise protected under federal or state law, unpaid leave does not exceed 90 calendar days.

416. Administrative Leave/Suspension

Paid Administrative Leave/Paid Suspension. Employees may be placed on immediate paid administrative leave/paid suspension by their supervisor or Department Director. Supervisors must immediately notify their Department Director if they place an employee on paid administrative leave/paid suspension. Any occurrence must be followed up with timely documentation to the Director of Internal Services. The duration of the paid administrative leave/paid suspension requires approval by the Director of Internal Services.

Unpaid Administrative Leave/Unpaid Suspension. Unpaid administrative leave or unpaid

suspension is a separate type of leave and is considered a disciplinary action.

417. Family and Medical Leave Act (FMLA) Leave

The Town provides up to 12 weeks (e.g. 480 hours if intermittent for 40 hour/week employee) of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, partner, child, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

Intermittent FMLA to care for the employee's child after birth, or placement for adoption or foster care must be taken in 8-hour or more increments.

Military Family Leave Entitlements

Eligible employees with a spouse, partner, child, or parent on active duty or called to active-duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

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

Benefits and Protections

During FMLA leave, the Town maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee reimburses the Town for payment of insurance premiums during leave.

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

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for the Town for at least 12 months and for 1,250 hours over the previous 12 months.

Definition of Serious Health Condition

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the Town or 26 weeks, as explained above. The Town uses a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary or when approved by the Town. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Town's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Town's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

FMLA leave is without pay and runs concurrently with any paid leave or insurance benefits. Employees are paid PTO while on FMLA until their PTO is exhausted with the exception of 8 hours

per month remaining in the year (up to a max of 40 hours), plus 8 hours for each holiday remaining in the year. Should the FMLA period cross over into the next year, employees are paid PTO while on FMLA until their new PTO balance is exhausted except for 8 hours per month remaining (up to a max of 40 hours) in the year plus 8 hours for each holiday remaining in the year. Employees are required to supplement worker's compensation benefits and short/long term disability insurance benefits with PTO during FMLA. Within 15 days of return to work from FMLA, employees shall meet with their supervisor to specifically plan their PTO use for the remainder of the year.

Employee Responsibilities

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

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

Employees may be required to provide a certification and periodic recertification supporting the need for leave. FMLA for the birth of a child or placement of a child in foster care does not require certification or recertification. The Town may require second and third medical opinions at the Town's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the Town's attendance guideline. Employees on leave must contact the Director of Internal Services at least two days before their first day of return.

The Town's Responsibilities

The Town informs employees requesting leave whether they are eligible under FMLA. If they are, the notice specifies any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the Town provides a reason for the ineligibility.

The Town informs employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Town determines that the leave is not FMLA-protected, the Town notifies the employee.

Unlawful Acts

FMLA makes it unlawful for the Town to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.

- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

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

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

418. Employee Housing

Town owned or controlled rental housing is offered to eligible employees under certain circumstances with eligibility, preference, and selection determined by the Town Manager. Town held rights of first purchase are offered to full-time employees with preference provided to employees that have completed 2 consecutive years of employment immediately preceding a weighted drawing. The number of entries into the weighted drawing are based on years of employment completed with the Town.

419. Childcare Placement Preference

Town held childcare rights of first placement are offered to full-time Town employees, Town elected officials, and other groups through a fair and transparent process approved by the Town Manager with preference given according to the number of full-time years of employment completed.

420. Temporary Light Duty

Temporary light duty is not guaranteed, may change at any time, and may end at any time. Recommendations for temporary light duty are made by a Department Director to the Director of Internal Services when the employee is medically unable to perform the full duties of their position for a temporary period but able to perform alternative assignments. Recommendations for light duty must be accompanied by a description of the recommended departmental duties and a doctor's authorization indicating the temporary work restrictions. Temporary light duty offers are only made if there is funding available and if there are light duty tasks or assignments available providing benefit to the Town. Preference for light duty assignments is given to employees injured or otherwise disabled in the line of duty. Any temporary light duty offer requires approval from the Director of Internal Services and the Town Manager.

This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards, Americans with Disabilities Act, or other federal or state laws.

421. Additional Benefits

With Town Manager and budget approval as appropriate, additional benefits may be offered including, but not limited to, reimbursement for college courses and materials from an accredited college or university, health savings account contribution match, Wyoming deferred compensation contribution match, use of ski vouchers, ski pass discounts, discounted bus passes, and discounted Rec Center memberships.

SECTION 5 - PAY

501. Wages

Wage offers and wage changes require the approval of the Director of Internal Services, and, in some cases, the Town Manager. Employees are paid for hours worked pursuant to the Fair Labor Standards Act (FLSA) and other applicable federal and state law unless additional pay is authorized pursuant to this Policy Manual.

502. Overtime

Non-exempt employees must record all time worked on departmental timesheets. From time to time, non-exempt employees may be required to work overtime. In these instances, as much advance notice as practical is given. All overtime must be approved in advance by the employee's supervisor. Overtime at the rate of time and one-half the employee's base rate is paid to non-exempt employees when work is performed in excess of 40 hours in one week and for sworn law enforcement employees on a 7k exemption plan, in excess of 80 hours in a two week pay period. For purposes of calculating overtime, the workweek begins at 12:01 a.m. Monday and ends at 12:00 a.m. Sunday. The 40/80 hours threshold is based on actual hours worked during the designated period. Therefore, paid time off, or other paid or unpaid leave time used does not count towards hours worked for the purposes of overtime.

The Town does not offer compensatory time off in lieu of cash payment.

503. Call-Out Pay

Non-exempt employees may be called-out to perform unanticipated work outside of their work schedule. Two hours of call-out, at the rate of two times the employee's base rate, is paid regardless of whether the work exceeds 40/80 hours. Any work performed in excess of 2 hours is paid at the overtime rate regardless of whether the work is in excess of 40/80 hours or whether the work is related or unrelated to the call-out. Employees dismissed from duty after being called-out, may again be called-out and if so, receive call-out pay and overtime pay as outlined.

504. Standby Pay

Non-exempt employees may be engaged to wait in certain circumstances. While engaged to wait, employees are paid standby pay. Standby pay, at the minimum wage rate set by the federal

government, is paid for time worked while being engaged to wait.

505. Call-In Pay

Employees are compensated for their call-in time. Failure to respond to a call or message during the employee's designated on-call time may result in discipline. Non-exempt called-in employees are paid at their regular rate of pay for any time worked while on-call, as specified in this policy. Employees are paid any applicable overtime rate if the time spent carrying out assigned duties during the call-in time qualifies as overtime hours.

506. Compensable Travel Time

Employees, including passengers are compensated for travel pursuant to the time frame requirements of the FLSA. Employees receive pay for time spent if that travel cuts across the employee's workday on nonworking days if the employee is a passenger on an airplane, train, boat, bus, or vehicle.

507. Paydays

Employees are paid every other Friday. If the regular payday occurs on a holiday, the payday is the last working day prior to the holiday. We encourage all employees to receive their pay through direct deposit.

On each payday, employees receive an electronic statement showing gross pay, deductions, and net pay. Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through the Finance Department.

508. Pay for Exempt Employees

Exempt employees are paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a bi-weekly basis. The Town is committed to complying with salary basis requirements, which allow properly authorized deductions.

If an employee believes an improper deduction has been made to their salary, they should immediately report this information to the Director of Internal Services. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

509. Time Reporting

Non-exempt employees are required to complete a time sheet daily or at the conclusion of each pay period as directed by their Department Director and on time sheets in a format directed by their Department Director. At the conclusion of each pay period, employees must sign their time

sheet and submit it to their immediate supervisor for signature and approval. It is necessary for non-employees to indicate whether the recorded hours are for time worked or leave.

Exempt employees are required to complete a time sheet in a format directed by their Department Director at the conclusion of each pay period recording any leave taken during the pay period in full day increments.

These records are the only ones used by the Town to calculate employee pay and PTO balances. It is very important that they are accurate and complete. Non-exempt employees are expected to submit accurate and complete time records reflecting all time worked. Employees who also choose to keep their own personal time records must provide them to the Town if they find a discrepancy between the Town's records and their records. Employees should contact their supervisor or the Finance Manager with any questions about how their pay is calculated. Employees must promptly notify their supervisor or the Finance Manager of any mistakes in their time records or pay. Employees also must notify the Director of Internal Services if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports are investigated, and appropriate corrective action is taken. The Town does not tolerate retaliation against employees for making a report or participating in an investigation.

510. Meal Periods

Non-exempt employees who work 8 or more consecutive hours are provided with at least one unpaid 30-minute meal break. During the break, employees are relieved of all duties and permitted to pursue personal activities. If the nature of the business activity or other circumstances exist that makes an uninterrupted meal break impracticable, the employee is allowed to consume an on-duty meal without any loss of time or compensation.

Notification to the employee's supervisor is required if the employee's lunch break deviates from their regularly approved schedule. Non-exempt employees must take a full 30-minute uninterrupted meal period and must notify their supervisor immediately, if their lunch break is shorter than 30 minutes or if their lunch is interrupted by work.

511. Stipends

To address special circumstances or provide incentives, the Town provides specific stipends to eligible employees in positions and amounts approved by the Town Manager.

Spanish interpretation stipend amounts are based on testing results and employees receiving this stipend are expected to interpret and/or translate in situations directly related to their job duties or field of work. Employees receiving this stipend may receive requests to interpret or translate in situations not directly related to their job duties or field of work and those requests are at the discretion of their Department Director and shall not unduly disrupt regular work.

512. Shift Differentials

To address specific purposes or provide incentives, the Town provides the following types of hourly shift differentials to eligible employees in amounts approved by the Town Manager.

Police Officers – Driving Under the Influence (DUI), Enforcing Underage Drinking Laws (EUDL), and Highly Visible Enforcement (HVE)

Law enforcement work related to alcohol compliance and violations is of particular importance to the Wyoming Department of Transportation and the Wyoming Association of Sheriffs and Chiefs of Police and they are therefore incentivizing local governments to perform extra work in these areas by providing grant funds. Police Officers are provided a shift differential for work performed under this grant when marked on their time sheet as such.

Police Officers – Airport Duty

Airport duty is specialized work for Police Officers that requires a sworn officer be present but that is at a very different pace than regular law enforcement work in the Town of Jackson. Police Officers are provided a shift differential for work performed at the Jackson Hole Airport.

Transit Operators – Commuter Route Driving

Operation of a START Bus through the Snake River Canyon and over Teton Pass, in heavy traffic and frequently in poor driving conditions can be hazardous and treacherous. Transit Operators are provided a shift differential for routes driven through the Snake River Canyon and over Teton Pass.

513. Bonuses

To recruit and retain employees in certain positions that have historically been challenging to fill and retain, the Town provides bonuses to eligible employees in positions and amounts approved by the Town Manager.

SECTION 6 - WORK ENVIRONMENT

601. Performance Reviews, Values, and Recognition

Employee performance is integral to the efficient and effective management of the Town organization and is reviewed by management on an ongoing basis which may include a written review when deemed appropriate and/or a written review on a schedule determined by the Town Manager.

Organizational values exist to assist in defining expectations for employee behavior and establishing a positive cultural baseline for working together. Town values are updated on a periodic basis as determined by the Town Manager. Employees are evaluated on working in alignment with the Town values as well as other areas of performance as determined by the Town Manager.

Employees are formally recognized for notable or exceptional behaviors in alignment with the Town values or for other reasons on a schedule and in a manner determined by the Town Manager.

602. Work Schedule

The workweek begins at 12:01 a.m. Monday and ends at 12:00 a.m. Sunday. The standard work schedule is 8am-5pm Monday-Friday which includes 1 hour for lunch. Any work schedule that deviates from the standard work schedule for a department, division, or position requires the Town Manager's approval.

The standard hours that Town offices are open to the public are 8am – 5pm Monday-Friday except for holidays as noted in Section 404. Any office hours that deviate from the standard hours for a department, division, or position requires the Town Manager's approval. The Town Manager may temporarily close Town offices, cease operations, and/or send staff home for occasional employee meetings; for health, safety, and welfare reasons; or other reasons.

Employees are generally expected to be at work during the standard hours offices are open to the public or an approved deviation from standard hours.

Shift scheduling is conducted pursuant to established procedures approved by the Town Manager and applicable law.

603. Remote Work

Certain job descriptions, work tasks, or essential functions in the Town may be able to be conducted remotely on a regular basis, a temporary basis, a project-by-project basis, or to attend meetings. Remote work authorization is not granted due to lack of childcare, lack of elder care, or other similar types of situations where the employee is not able to fully focus on work tasks. Remote work authorization is not granted for positions with tasks that are unable to be performed remotely. Authorization for remote work, other than one or two days very occasionally that can be approved by the Department Director, requires the Town Manager's approval.

Due to operational needs or for health reasons, the Town may mandate remote work on a temporary basis. Remote work authorizations are temporary and may be rescinded by the Town Manager.

604. Exempt Employee – Absences and Timekeeping

As a public entity, the Town has a duty to taxpayers for public accountability in its actions. All employees are expected to be at work during their scheduled work hours whether exempt or non-exempt. Pre-planned absences for exempt employees require pre-approval from the employee's supervisor. Exempt employees working a partial day are not required to take PTO for

that day. An exempt employee that does not work on one of their regularly scheduled workdays must take a full day of PTO. If an exempt employee is absent and their PTO is exhausted, pay will be docked from the employee's salary as authorized by law.

605. Accommodation for Nursing Employees

Private space will be provided, and reasonable time will be permitted for nursing employees to express milk during the workday for up to two years following the birth of a child. The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, the Director of Internal Services and the employee agree upon a schedule that might include the employee using PTO, arriving at work earlier, or leaving later. In the event leave is used, the employee is relieved of all work-related duties during any unpaid break.

Employees are provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The Town will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Employees may store expressed breast milk in designated Town refrigerators. The employee must clearly label each container with their name and the date the milk was collected. Unlabeled containers and containers left for more than three days may be disposed of without warning. Alternatively, employees may bring in their own cooler for the temporary storage of breast milk.

Nursing employees are responsible for using anti-microbial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, or milk is stored.

The Town does not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodation and break time described in this policy.

606. Alcohol and Drugs

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the use of alcohol, a controlled substance or abuse of any other substance is prohibited. Furthermore, the possession, purchase, or consumption (use), or sale of a controlled substance or alcohol on Town premises or while conducting Town business is prohibited.

Drug and alcohol abuse policies and procedures for testing including pre-employment, reasonable suspicion, post-accident, and random testing are set forth in separate policies provided to applicable employees, available on the Town's intranet, and from the Director of Internal Services.

A list of resources, programs, professionals and organizations designed to assist employees with personal or behavioral problems is available from the Director of Internal Services or on the Town's intranet.

607. Anti-Violence and Weapons

Any action or behaviors that, in management's opinion, are inappropriate to the workplace are not tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidation, threatening or violent conduct, vandalism, sabotage, arson, use of weapons outside of law enforcement purposes, and bullying.

Employees should immediately report any such actions or behavioral occurrences to their supervisor or to the Internal Services Department. The Town investigates complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

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

If an employee is a victim of domestic violence, they are asked to contact a sworn law enforcement officer for assistance.

Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors, and work interference. If an employee feels they are subjected to workplace bullying, they are asked to contact the Internal Services Department.

Weapons in the workplace are controlled by Wyoming Statute.

608. Appearance and Attire

Our work environment encourages employees to dress comfortably for work. Good judgment is the main guideline to follow. This includes being clean, neat, and sized appropriately, with appropriate attire that meets reasonable grooming standards including appropriate length and coverage. Uniforms required of employees must be clean, neat, and serviceable when worn. So long as clothing does not conflict with any required uniforms, employee attire may be based on their gender identity. For employees that frequently meet with members of the public and for presentations at public meetings, business casual attire is expected. To respect coworkers or members of the public that may have smell sensitivities, excessive use of perfume/cologne/after shave are not permitted.

Employees required to wear uniforms shall adhere to the uniform standards set by their Department Director and approved by the Town Manager.

Employees shall not wear a Town uniform when representing personal opinions at meetings,

gatherings, or similar types of events.

609. Attendance and Punctuality

All employees are expected to be on time and prepared to begin work at the start of their shift at their assigned post. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the Town.

Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable. Failure to call in when absent may result in termination.

610. Political Participation

The Town encourages employees to participate in matters of responsible citizenship. The Town does not interfere with the conduct of Town employees engaged in political activity, if the activities are confined to hours when the employees are not on duty, they are not campaigning in their official Town uniforms, and if the activities do not impair the employee's job efficiency or that of others. Employees are prohibited from electioneering while on duty or at Town events. Employees subjected to electioneering while on duty or at Town events by fellow employees or Town elected officials are asked to contact the Director of Internal Services.

Employees whose principal employment is in connection with federally financed activities are subject to the following federal requirements as a condition of such employment:

- They may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.
- They may not coerce, attempt to coerce, command, or advise other covered employees to pay, lend, or contribute anything of value to a party, committee, Town, agency, or person for political purposes.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities. No employee of the Town can directly or indirectly coerce or command any other employee to pay, lend, or contribute salary, compensation, service, or anything else of value to any political party, group, Town, or candidate.

Any Town employee may be a candidate for a partisan political office provided that the involvement does not interfere or present a conflict of interest with their job. If involvement is necessary during normal working hours, the individual must request and receive approval for PTO. Employees whose salary comes in part or in whole from federal government sources are subject to the Federal Hatch Act and its revisions.

No employee will be forced to pay any contributions to any political organization whatsoever.

Employees are not required to work for or participate in the support of any Town political candidate during their on-duty or off-duty hours.

611. Confidential Information and Records

Confidential Information and Securities. Employees of the Town have access to confidential information of the Town, the public we serve, and Town employees. Confidential information includes, but is not limited to, information concerning mailing addresses and phone numbers, attorney/client privileged information, social security numbers, dates of birth, drug and alcohol testing records, protected public records, financial information and similar subjects. If uncertain if information is confidential, contact the Town Attorney.

Employees are prohibited from purchasing or selling securities based on information not generally available to the public.

Employee Records. Employee records are maintained by the Director of Internal Services except for employee records related to payroll and benefits which are maintained by the Finance Director or their designee until employment is separated. All records are retained pursuant to the Wyoming records retention schedules established by the Wyoming State Archives. The Town follows federal law, the Wyoming Public Records Act, and local fee schedules governing the release and availability of employee records and fees charged for such records except that current employees are not charged for their own reasonable employee records requests.

Non-Disclosure Prohibition. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, distributing, publishing, posting or releasing of confidential information, employee records, or other Town records in any manner must be authorized by the Town Attorney. Confidential information, employee records and Town records remain the property of the Town and in the custody and control of the Town.

612. Employee Ethics and Conflicts of Interest

Employees are held to a high ethical standard and expected to act accordingly. Employees are subject to Wyo. Stat. Ann. Title 9, Administration of Government, Chapter 13 Government Ethics as well as conflicts of interest addressed in the Jackson Municipal Code. Employees can obtain a copy of these documents on the Town's intranet, the internet, or from the Internal Services Department.

Employees are expected to protect Town information and avoid outside activities or relationships that do or could improperly influence their decisions or actions on the job.

Employees are required to comply with prohibitions related to interest in contracts as set forth in Wyoming Statute. Other examples of conflict of interest could be serving as a board member or director of a firm, holding financial interest in a business, or being self-employed in an

occupation that provides goods or services to the Town, or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to Town business.

If employees have any questions about whether a situation is an ethical concern or a conflict of interest, they should refer the matter to the Director of Internal Services and/or the Town Attorney for final determination.

613. Discipline/Discharge

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management will take action that, in its opinion, seems appropriate. Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances. Notification by Department Directors for thorough investigations into performance that falls short of standards and/or expectations, that includes a description of the performance or behavior, shall be submitted to the Director of Internal Services in a timely manner. Disciplinary actions beyond a formal discussion require submission and review by the Director of Internal Services and approval of the Town Manager.

614. Inspections

The Town may question employees and other persons entering and leaving our premises in the event of unusual loss or reasonable suspicion of misuse of company property. Entry onto the Town's premises constitutes consent to searches or inspections.

This process includes the inspection of items such as packages, parcels, purses, handbags, briefcases, lunch boxes, or other possessions or articles carried to and from Town property. In addition, the Town reserves the right to search Town property used by employees, such as an employee's locker, office, desk, files, computer, email, voice mail, and Internet files. Inspections may be conducted at any time at the discretion of the Town.

A Town-initiated search does not necessarily imply an accusation of theft or that an employee has broken a rule. Refusal to cooperate with or submit to a search will not be tolerated.

Employees do not have a reasonable expectation of privacy in lockers, desks, cabinets, file drawers, or similar locations, all of which are keyed by the Town and copies of those keys are kept by the Town.

615. Job-Related Concerns

Employees who disagree or are dissatisfied with a Town practice should promptly discuss the matter with their immediate supervisor, where appropriate. Normally, this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while they are fresh in everyone's mind. The

majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to their Department Director. If the problem still cannot be resolved, employees may submit a written concern to the Director of Internal Services for review and final decision about the situation. The Director of Internal Services consults the Town Manager as appropriate. Also see the EEO/Harassment Complaint Procedure in Section 203.

616. References

The Town does not furnish open letters of recommendation addressed "To Whom It May Concern."

If employees receive a call inquiring about a former or current employee, employees are asked to refer the caller to Internal Services. Only the Director of Internal Services or their designee has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

617. Safety/Reporting of Injury

The Town is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must report this fact in writing to their Department Director as well as to the Finance Director or their designee.

618. Smoking

It is our objective to provide a smoke-free environment within our Town. Smoking nicotine products, electronic cigarettes, vapor material or flavored tobacco products is prohibited within all areas of Town buildings, facilities, vehicles, and within 25 feet of the main entrance into the building. Employees may smoke in designated outdoor areas. This restriction applies to all employees and visitors, at all times, including non-business hours.

619. Use of Town Property

Town property shall be used and cared for responsibly. Use of Town property is limited to Town purposes except for the following instances expressly permitted in this Policy Manual and limited to Town employees unless expressly authorized:

- Town mechanics utilizing the fleet maintenance work bays and limited tools and equipment of the Town to work on personal vehicles while not working.
- Use of printers/copiers for personal printing/copying/faxing so long as fees are paid for

copies or printing with the exception of the first 5 pages.

- Vehicles as outlined in Section 620.
- Wash bay use as outlined in Section 621.
- Basement exercise facility use as outlined in Section 622.
- Use of Town phones, computers and equipment as outlined in Section 7 Communications.
- Use of common supplies for personal reasons including Kleenex, toilet paper, and other similar items.

620. Vehicles, Electric Bicycles, and Accidents/Collisions

Town vehicles shall only be used for Town purposes except for:

- incidental stops while traveling to and from official Town business,
- incidental travel (approximately 20 miles or less in total) for personal reasons that deviates from travel for Town purposes while traveling outside the community for Town business,
- authorized commuting,
- travel to and from the gym to work out (sworn law enforcement personnel residing in Teton County only).

Town vehicles include cars, trucks, equipment, and motorcycles. No person other than a Town employee, elected official, or appointed board member may operate a Town vehicle or electric bicycle. Federal, state, and local laws shall be followed at all times for vehicle and bicycle use and safe, prudent, and courteous behaviors are expected. Unnecessary idling shall be avoided. Failure to provide immediate notification to the employee's Department Director and the Director of Internal Services when there is a change in driver's license validity, class or endorsements is prohibited.

Non-Town Employee Passengers

Non-Town employee passengers are prohibited on electric bicycles. Non-Town employee passengers are prohibited in Town vehicles and equipment with the following exceptions:

- Customers of transit services.
- Apprehended persons for Police purposes.
- Police ride-along passengers that have executed a waiver of liability.
- Elected or appointed Town board members with pre-approval.
- Passengers traveling with an employee, elected official, or appointed board member to, from, or during a conference or meeting.

Rented Vehicles

Additional insurance shall be obtained when vehicles are rented for Town purposes.

Pool Vehicles

The Town Manager approves employees/positions authorized regular or temporary use of pool vehicles. Employees may occasionally be asked to take a Town vehicle home for the purpose of

plowing or sweeping parking lots.

Commuting

The Town Manager approves employees/positions authorized for commuter use of a Town vehicle on a regular or temporary basis. Employees may not use a Town vehicle to commute to or through destinations outside of the State of Wyoming or Teton County except for vehicles for sworn law enforcement personnel. Employees authorized for commuter use shall not use the Town vehicle for personal use other than incidental stops while commuting. The Town follows all Internal Revenue Service (IRS) laws regarding taxable benefits as they relate to commuter authorization.

The Town recognizes the value of marked and unmarked police vehicles and sworn law enforcement personnel able to respond to calls for service in Teton County and immediately upon reaching the border of Teton County Wyoming and therefore allows sworn law enforcement personnel to commute on a regular basis with a personally assigned vehicle (PAV). PAVs shall only be stored at the employee's primary place of residence unless special permission is granted by the Chief of Police or their designee. Sworn law enforcement personnel operating a PAV shall wear or carry their badge, identification, sidearm, handcuffs, soft body armor and marked attire and shall adhere to guidelines approved by the Town Manager.

Personal Vehicle Use for Town Purposes

Occasionally the Town may require an employee to utilize their personal vehicle for Town purposes and any use requires Department Director approval. Mileage reimbursement for pre-approved use of a personal vehicle for occasional use is at the rate established by the USGSA for the most current year utilizing the USGSA POV mileage reimbursement rate.

Electric Bicycles

Using a Town electric bicycle for Town purposes supports the Town's sustainability efforts. The following information does not apply to use of Town ebikes specifically designed for and used by law enforcement personnel. Employees, elected officials, or appointed board members may operate a Town electric bicycle only after they have executed an Electric Bicycle Waiver and Release of Claims. Employees shall not use Town electric bicycles for personal use other than incidental stops while traveling to or from locations for Town purposes. Town electric bicycles shall not be used for commuting purposes. Additional use parameters:

- A bicycle helmet must be worn at all times.
- Phone or earphone use is prohibited.
- Use during storms, heavy rain, lightening, high winds, snow, or icy conditions is prohibited.

Accidents and Collisions

Any vehicle or electric bicycle accident or collision involving damage to a Town vehicle or electric bicycle, other vehicle or bicycle, persons, or property shall be reported immediately to the employee's supervisor who shall make an assessment and determine appropriate timing and necessity to further report the accident/collision to their Department Director, the Finance

Director or their designee, and/or to law enforcement.

Employees are subject to post-accident drug and alcohol testing as set forth in separate drug and alcohol policies.

621. Wash Bay

Employees are authorized to wash personal vehicles in the Town wash bay pursuant to established procedures when not working, when it is not in use for Town purposes, and after they have completed requisite training and signed a waiver of liability. No one other than those listed below may drive a vehicle into or out of the wash bay, operate the wash bay equipment, or be present in the wash bay at any time other than inside a vehicle being washed without express permission of the Town Manager or their designee and only after they have completed requisite training and signed a waiver of liability.

- Town employee or Town elected official.
- Town dependent 18 years of age or older or elected official dependent 18 years of age or older.
- Employees of the Teton County Sheriff's Office.
- Members of Fire/EMS or Teton County Search and Rescue.
- Employees of Teton County Attorney's office.
- Judges and full-time employees of local court offices.

Access to the wash bay will be revoked for users leaving the wash bay dirty or damaging equipment.

622. Exercise Facility and Exercise Locker Rooms

Employees are authorized to utilize the Town exercise facility and locker rooms located in the basement of the Town Hall when not working and after they have signed a waiver of liability. No one other than those listed below may be in the exercise facility, utilize exercise equipment, or utilize the locker rooms without the express authorization of the Town Manager or their designee and only after they have signed a waiver of liability.

- Town employee or Town elected official.
- Town dependent 18 years of age or older or elected official dependent 18 years of age or older.
- Employees of the Teton County Sheriff's Office
- Members of Fire/EMS or Teton County Search and Rescue.
- Employees of Teton County Attorney's office.
- Judges and full-time employees of local court offices

Access to the exercise facility and exercise locker rooms will be revoked for users leaving the

facility dirty or damaging equipment.

623. Travel

Town related travel and estimated expenses require pre-approval. Cost effective travel arrangements are to be utilized for employees travelling for Town purposes. Carpooling is expected when multiple employees are traveling to the same destination. Employees driving out of Town for Town purposes shall utilize a Town vehicle unless approval has been given by their Department Director or the Town Manager to utilize a privately owned vehicle (POV). If a POV has been authorized, mileage reimbursement shall be provided at the USGSA POV mileage reimbursement rate. Personal side trips while travelling on Town business require mileage reimbursement if over 20 miles total. Mileage reimbursement for approved use of a personal vehicle while traveling will be at the rate established by the USGSA for the most current year.

Within 15 days of return from travel, employees, elected officials, and appointed board members shall complete a travel reconciliation form and attach receipts for all non-meal items if reimbursement is required for travel expenses incurred. No receipts are required for meals and incidentals as the Town will only provide the per diem rates or a fixed reimbursement amount if travel is longer than 2 weeks and the type of lodging includes facilities for cooking. Meals and Incidentals (M&IE) rates from the USGSA are utilized to pay employees for meals and incidentals after travel has concluded. Any meals provided as part of the conference or travel are deducted from the payment utilizing the separate amounts for breakfast, lunch, dinner, and incidentals.

624. Sustainability

The Town is committed to energy efficiency, recycling, reducing waste, reducing greenhouse gas emissions, reducing water consumption, reducing water waste, and reducing fossil fuel use. Employees shall comply with all federal, state, and local laws in this regard. Employees will be held accountable for actions that do not support these commitments and shall follow operational guidelines in this regard.

625. Pets and Animals

Except for reasonable accommodations for service or emotional support animals required to comply with the Americans with Disabilities Act, in order to respect employees and members of the public that may have animal allergies, pets and personal animals are prohibited in Town facilities, vehicles, and equipment with the exception of housing units where pets are allowed, Police service animals, horses for mounted patrol (in Town owned trailer), case-by-case permission granted by a Department Director and approved by the Town Manager or their designee, or very occasionally on a single day occurrence when an employee may have a vet appointment for their pet. Permission for case-by-case situations and occasional single-day occurrences may be rescinded by the Town Manager to protect the health, safety, and welfare of employees and members of the public, for consistency in policy application, and to maintain professionalism in offices frequented by members of the public.

626. Town Credit Cards

Town credit cards shall be used only after approval by the employee's Department Director.

627. Reporting of Critical, Emergency, Provocative Incidents and Subpoenas, Civil Suits or Criminal Charges

A critical, emergency, or provocative incident is defined as:

- a potential community or organizational controversy,
- an issue that may damage trust or respect the organization or a department has built, or
- an issue that might upset, surprise or embarrass the Town Council, a department, or the organization.

Employees are required to report incidents of a critical, emergency, or provocative nature to their Department Director at the earliest possible opportunity. Directors are required to report incidents to the Town Manager and the Director of External Affairs at the earliest opportunity.

Employees must immediately report to their Department Director the personal service of a subpoena, involvement in a civil suit, or personal criminal charges when such may affect their attendance, ability to perform their job, employment, or the reputation of the Town organization.

SECTION 7 - COMMUNICATION AND NETWORK SYSTEMS

701. Data, Network, and Communications Systems

The Town's data, computer network, access to the Internet, email and voicemail systems are business tools intended for employees to use in performing their job duties.

1. All data, network systems, documents, files, hardware and software are the property of the Town and may not be deleted, erased, or destroyed without express authorization of the Town.
2. All electronic work-related data files must be stored on Town network file servers and not on desktops on individual computers.
3. All information regarding access to the Town's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential Town information and may not be disclosed to non-Town personnel except as authorized by law.
4. Employees shall not install or download files, software, or programs onto any Town computer or device without express authorization from the Information Technology Director or their designee.
5. Employees shall create, utilize, and update passwords on a schedule and upon direction provided by the Information Technology Director or their designee and shall follow all

required protocols for secure login to Town hardware or network systems.

6. All computer files, documents, and software created or stored on the Town's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through Town systems, whether password protected or not. Employees should not assume that any such information is confidential, including email either sent or received.
7. Computer equipment is not to be removed from the Town premises without written approval from a Department Director or the Information Technology Director.
8. Employees authorized for remote work shall take every precaution to prevent loss, theft or damage to Town computer or communications equipment.
9. Upon separation of employment, all communication tools are to be returned to the Town with usernames and passwords provided.
10. Employees that suspect their workstation has been infected by a virus or malware shall immediately unplug the computer from the power source and notify the Information Technology Director or their designee.

702. Data Disposal

During the course of employment, the Town collects certain information that is classified as "personal identifiable information," or PII, under applicable laws. Such information may include, but is not limited to:

- Employee first and last name or initials,
- Username(s) and password(s),
- Social Security number,
- Driver license or other identification card number,
- Medical documentation,
- Biometric data,
- and more.

The Town may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the Town either (a) destroys the records or (b) arranges for their destruction, e.g., by shredding, erasing, or otherwise modifying the personal identifiable information in such a manner as to render it unreadable or indecipherable through any means.

703. Personal Use of the Internet

Some employees need to access information through the Internet to do their jobs. Use of the Internet during work time is limited to business purposes. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, the Town prohibits the display, transmittal, or downloading of material that is in

violation of Town guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. The Town blocks internet sites as it deems appropriate.

704. Social Media and External Communications

Social media includes social media sites, posts, and comments where content is created by using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include, but are not limited to, Facebook, X (formerly known as Twitter), Instagram, YouTube, LinkedIn, Google+, and Flickr. Posts on social media sites include content published through social media that may consist of dialogue, pictures, videos, URLs, articles, or other content. Comments on social media sites include responses, replies, observations, or opinions made via social media to a post or another comment, usually made by outside third parties.

Social media posts shall comply with the Wyoming Public Records Act.

Personal Use of Social Media

Personal use of social media is never permitted during working hours by means of the Town's computers, Town-issued mobile devices, networks, and other IT resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. Postings by an employee on a blog, wiki, chat room, or social networking site are considered personal communications and are not Town communications. Personal postings by an employee concerning the Town are not prohibited, provided they comply with this Policy Manual and any operational guidelines.

1. Employees must comply with all applicable laws, including copyright and fair use laws.
2. Employees may not disclose any sensitive, proprietary, confidential, protected or financial information about the Town. Confidential information includes any information deemed a protected public record by law. Further detail is provided in Section 611 "Confidential Information and Employee Records" of this Policy Manual.
3. Employees may not post pictures of themselves wearing a Town uniform or representing the Town.
4. Employees posting on social media, that identify themselves as Town employees, where the post relates to Town business, must state that the posting is solely the opinion of the individual and does not reflect the opinion, view, or philosophy of the Town or its elected officials, employees, or agents.

Complaints to the Town regarding social media should be made consistent with the complaint procedure in Section 206 of this Policy Manual.

Nothing in this policy is meant to interfere with an employee's right under state law to engage in protected and concerted activity, including an employee's ability to discuss terms and conditions of their employment.

Social Media for Town Purposes

The Town uses social media to:

- Convey or announce Town related content to the public,
- Promote our mission and services and department information,
- Provide information related to public health and safety information, as well as lesser-known aspects of the Town,
- Create and build trust with our community via the transparent sharing of information,
- Build awareness and excitement for Town programs, specific initiatives, environmental/sustainability initiatives, and services,
- Educate and provide accurate information about projects, general Town business, and historical information,
- Share accurate, up to date information about events and emergencies, and other partner agencies,
- Celebrate the beautiful place we live,
- Recruit prospective Town employees and spotlight specific employees,
- Further the reach of communications to different segments of the community,
- Gauge public sentiment and call for feedback/participation in surveys, and
- Maintain effective communication with employees, customers, business and nonprofit partners, and citizens.

Employees are prohibited from posting on Town social media platforms unless they have successfully completed training conducted by the Director of External Affairs or their designee. Volunteers may not post on Town social media.

The creation of social media accounts, social media content, postings, pages, platform accounts or design elements for Town purposes or for volunteer organizations associated and/or sanctioned by the Town shall be pre-approved by the Director of External Affairs or their designee and sent by employees authorized by the Director of External Affairs. The Director of External Affairs or their designee shall review, monitor, and oversee all Town social media accounts and posts except for the Animal Shelter, the Jackson Police Department, and mounted patrol whose personnel will be trained by the Director of External Affairs and check-in periodically about posts.

Town employees are prohibited from publishing, posting, or releasing content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, disability, sexual orientation/identity, political affiliations, citizenship, marital status, military/veteran status, or national origin. Employees are further prohibited from publishing defamatory or personal attacks or participating in conduct in violation of any federal, state or local law, or to encourage illegal activity.

In a content neutral fashion, and after approval from the Town Attorney has been provided, Town employees are authorized to delete public posts if they contain disrespectful information including hate speech, nudity, profanity, obscenity, vulgarity, name calling and/or personal

attacks, defamation to a person or group of people, comments that are not factual, comments that infringe on copyrights, spam comments or comments whose main purpose is to sell a product. Employees are authorized to block authors who repeatedly post disrespectful information as noted after approval by the Town Attorney.

Employees may not respond to comments posted on social media without approval of the Director of External Affairs or their designee which may be granted on a case-by-case basis or during emergencies.

For Town purposes, employees may engage with (“like” and/or “follow”) Town departments, joint Town/County departments, County departments, and other partner agencies as identified in operational guidelines for trending material and may share their information to the Town’s social media feeds when appropriate.

External Communications

Any mass mailings, press releases, letters to the editor or similar external communications require approval by the Director of External Affairs prior to execution, except for public notices, accounts receivable, or similar items required pursuant to the Town’s Land Development Regulations, Municipal Code, or Wyoming State Statute.

705. Software and Copyright

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

706. Unauthorized Use

Employees may not attempt to gain access to another employee’s personal file of email messages or send a message under someone else’s name without the latter’s express permission. Employees are strictly prohibited from using the Town communication systems in ways that management deems to be inappropriate. If a question exists as to whether behavior would constitute unauthorized use, employees are asked to contact their Department Director before engaging in such conduct.

707. Email

Email is to be used for business purposes. Employees shall not knowingly open suspicious emails or attachments to emails and shall not knowingly create, execute, forward or introduce any virus or malware to the Town system. While personal email is permitted, it is to be kept to a minimum. Personal email should be brief and sent or received as seldom as possible. The Town prohibits

the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. Employees may not solicit, promote, or advertise any outside Town product, or service through the use of email or anywhere else on Town premises at any time. Management may monitor email from time to time. Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages except for disclosing passwords to IT staff upon request.

708. Voicemail

The Town's voicemail system is intended for transmitting business-related information. Although the Town does not monitor voice messages as a routine matter, the Town reserves the right to access and disclose all messages sent over the voicemail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

709. Telephones/Cell Phones/Mobile Devices

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls. Town landlines shall not be used for personal long-distance calls.

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

Employees must follow all federal, state, and local laws related to cell phone use while driving Town vehicles or driving personal vehicles for Town purposes with exceptions for sworn law enforcement personnel. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

710. Generative Artificial Intelligence (AI)

Employees must observe the following requirements when acquiring and using software that

meets the definition of Generative AI.

Generative AI is a class of computer software and systems, or functionality within systems, that use large language models, algorithms, deep-learning, and machine learning models, and can generate new content, including but not limited to text, images, video, and audio, based on patterns and structures of input data. These also include systems capable of ingesting input and translating that input into another form, such as text-to-code systems. These requirements apply only to Generative AI systems.

1. Outputs of Generative AI systems must be reviewed by humans prior to each use in an official Town capacity ("Human in the Loop" or HITL). HITL review processes shall be documented by owning departments and shall demonstrate how the HITL review was conducted.
2. Documentation of HITL reviews shall be retained according to the appropriate records retention schedule.
3. Whenever possible, employees who use Generative AI tools are required to maintain, or be able to retrieve upon request, records of inputs, prompts, and outputs.
4. All images and videos created by Generative AI systems must be attributed to the appropriate Generative AI system. Wherever possible, attributions and citations to the Town should be embedded in the image or video (e.g., via digital watermark).
5. If text generated by an AI system is used substantively in a final product, attribution to the relevant AI system is required.
6. All attributions should include the name of the AI system used plus an HITL assertion (which should include the department or group who reviewed/edited the content).

Example: Some material in this brochure was generated using ChatGPT 4.0 and was reviewed for accuracy by a member of the [_____] Department before publication.

7. Employees shall not knowingly or intentionally conceal use of Generative AI during interaction with colleagues or the public, such as tools that may be listening and transcribing the conversation or tools that provide simultaneous translation.
8. Generative AI applications are built using training datasets from various sources on the internet and often include gender, racial, political, and other biases. As a result, Generative AI outputs can propagate biases. Additionally, even the most advanced current Generative AI tools may provide inconsistent answers to fact-based questions. All material generated by an AI system shall be checked for accuracy, as well as for biases they may display.
9. Employees shall not submit data that cannot be fully released to the public, or that is confidential, or that is privileged to Generative AI systems. Any questions about whether data is confidential or privileged shall be directed to the Town Attorney or their designee.
10. To the extent possible, no Town data or records, including inputs or prompts, are to be used for training or parameter tuning for Generative AI models outside the Town's control. AI technologies that cannot prevent Town data or records from contributing to their language models may not be used by Town employees.
11. All records generated, used, or stored by Generative AI vendors or solutions may be considered public records and must be disclosed or protected in accordance with the law.

12. Whenever possible, all Generative AI solutions and/or vendors approved for Town use shall be required to support retrieval and export of all prompts and outputs (either via exposed functionality or through vendor contract assurances).

711. Use of Personal Images

Images of Town employees may not be used or released unless a voluntary waiver authorizing such use has been executed, except for required employee identification cards and internal recognition and introduction.

SECTION 8 - SEPARATION OF EMPLOYMENT

801. Separation

Employees desiring to end their employment relationship with the Town, are asked to notify their supervisor as soon as possible and a minimum of two weeks prior to their intended departure date. Notice generally allows sufficient time to transfer work, cover shifts, return Town property, review eligibility for continuation of insurance, complete an exit interview, and make arrangements for final pay.

Employees separating employment shall disclose their network, software, and hardware usernames and passwords to the Information Technology Director prior to separation.

802. Resignation or Retirement

Resignations are completely voluntary and once submitted in writing can only be withdrawn with the approval of the Town Manager.

Employees who plan to retire are asked to provide sufficient advance notice to the Town so the Town can timely process any pension forms or other retirement benefits to which an employee may be entitled.

803. Training Reimbursement

Because of the expense incurred by the Town associated with recruitment, hiring, and training employees in certain positions, employees who separate employment prior to satisfying any agreed upon training reimbursement requirement are required to reimburse the Town either prior to departure or pursuant to repayment terms issued by the Town. Specific details of the reimbursement requirement are approved by the Town Manager or their designee and are provided to employees in their offer of employment and in a separate training reimbursement agreement provided at the time employment commences.

Police Officers

Police Officers hired without Police Officer Standards and Training (POST) certification or successful completion of a recognized field training program are required to reimburse the Town for specific costs as set forth in a training reimbursement agreement should they leave employment prior to 2 years of sworn law enforcement service in the Jackson Police Department after completion of POST certification and the Wyoming Police Academy.

Public Works Operators

Public Works Operators hired without a Commercial Driver's License (CDL), that have the costs associated with obtaining that CDL paid by the Town of Jackson, are required to reimburse the Town for specific costs as set forth in a training reimbursement agreement should they fail to obtain their CDL in the time frame set forth in their offer of employment or if they leave employment prior to 2 years of service to the Town of Jackson as licensed Operator.

Specialized Training

Because of expenses that may be incurred related to specialized training after employment has commenced, employees may be provided a specialized training reimbursement agreement at the time of that specialized training. Employees who separate employment prior to satisfying any agreed upon specialized training reimbursement requirement are required to reimburse the Town pursuant to their agreement either prior to departure or pursuant to repayment terms issued by the Town.

ACKNOWLEDGEMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE POLICY MANUAL DATED _____. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

EMPLOYMENT WITH THE TOWN IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE TOWN, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE TOWN HAS THE SAME RIGHT.

THE LANGUAGE USED IN THIS POLICY MANUAL AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.

THE POLICY MANUAL IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES.

THIS EDITION REPLACES ALL PREVIOUSLY ISSUED POLICY MANUALS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE POLICY MANUAL, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE TOWN, THEREFORE, RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

NO REPRESENTATIVE OF THE TOWN, OTHER THAN THE MAYOR AND COUNCIL HAVE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT WITH ANY EMPLOYEE OTHER THAN THE TOWN MANAGER, THE TOWN ATTORNEY, OR THE MUNICIPAL JUDGE FOR ANY SPECIFIED PERIOD, AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE MAYOR AND THE EMPLOYEE. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Signature

Employee Name

Date

STAFF REPORT



Meeting Date:	February 18, 2025	Meeting Title:	Town Council Workshop
Submitting Department:	Administration	Presenter:	Tanya Anderson
Agenda Item:	User Fee for Electric Vehicle Charging	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for the Council to (1) consider user fees for Town-owned Electric Vehicle (EV) charging stations and potential pricing structure, and (2) consider having a third-party vendor own or lease existing and future charging stations.

Requested Action.

Consider whether the Town of Jackson should charge for the use of Town-owned EV charging stations and whether the Town should maintain ownership and management of current and future EV charging stations or seek a vendor to manage them through transferred ownership or a lease agreement.

Recommendations.

- 1) Staff recommends initiating user fees for both Direct Current Fast Charging (DCFC) stations and Level 2 (L2) charging stations. If user fees are initiated, staff further recommends:
 - Charging more at DCFC stations than L2 charging stations
 - Setting fee structures at or below \$0.36 per kWh at DCFC stations and at or below \$0.20 per kWh at L2 stations
 - Including fee structures that incentivize turnover
- 2) Staff recommends the Town of Jackson maintain ownership of current and future charging stations and seek a vendor to lease and manage them, returning a portion of revenue to the Town.

Background.

Electric Vehicle Charging Stations enable drivers of plug-in electric vehicles to fuel their vehicles with electricity. Each charging station has one or two ports, and each port enables one vehicle to charge. All public charging stations are either Level 2 (L2) charging stations or Direct Current Fast Charging (DCFC) stations. The main difference between the two is how fast they charge an EV's battery. At an L2 station, it will take 4-8 hours of charging time to reach 150 miles of range. On average, a DCFC can get that range in 15-30 minutes, though the time will vary based on the kilowatt rating of the charger and the vehicle's charging capability. DCFC stations are more expensive to purchase, use more electricity than L2s, and may incur higher demand charges for the electricity that is used. In general, L2 stations are preferable for charging at home, at work, and overnight at hotels, while DCFC stations are better for short stops to eat or shop, or to refuel midway to a destination. Both charging types are necessary for widespread adoption of electric vehicles.

History of EV charging stations in the Town of Jackson

The Town of Jackson began purchasing Electric Vehicle Charging Stations for public use in 2013, using 2010 Energy Conservation Works (ECW) SPET funds to provide the first publicly available electric vehicle charging stations in the State of Wyoming. While there were very few electric vehicles in Jackson at that time, use of the charging stations has grown significantly, as has the number of charging stations available in Town. The Town currently owns public charging stations at 6 locations (Town Hall, Town Square, Deloney Lot, Home Ranch lot, Miller Parking Lot, and the Parking Garage), providing 10 L2 ports and 2 DCFC ports. The Town of Jackson has never charged fees for the use of its charging stations.

Now there are other charging stations in the region that are not owned by the Town of Jackson, including the Ranch Lot and the Village Lot in Teton Village, which do not charge users. Public charging stations at St. John's hospital and at Teton Motors do charge users. EV users are charged \$0.36 per kWh to charge at the Tesla superchargers (DCFC) at Whole Foods Market. In addition, several hotels have charging stations that are available to patrons only.

Cost of Electric Vehicle Charging Stations

The Town of Jackson does not currently charge fees for the use of its charging stations. However, the Town pays for electricity, software management (Cloud Plans), and Maintenance and Management (M/M) Plans. Our annual software and maintenance contract costs have been estimated using invoices from Chargepoint, our EV charging station vendor. These costs can change based on the length of the contract. Estimates used costs for a 3-year contract. Because the charging stations do not have a separate electrical meter, the cost of electricity used has been estimated using data from Chargepoint measuring kilowatt hours (kWh) of electricity used at each station and multiplying it by the average cost of electricity at that site, which varies by site from \$0.064 to \$0.077 per kWh. Town of Jackson staff time is not included in this estimate.

Table 1: Estimated cost of Town-owned EV charging stations in FY24

FY24	Electricity	Cloud Plan	M/M Plan	Total	Avg/port
10 L2 (current)	\$6,079	\$3,468	\$3,520	\$13,067	\$1,307
2 DCFC (current)	\$16,479	\$1,660	\$7,868	\$26,007	\$13,004
Current costs	\$22,558	\$5,128	\$11,388	\$39,074	

Department of Transportation Charging and Fueling Infrastructure Grant

At the May 15, 2023 Town Council meeting, Council directed staff to work with Sustainable Strategies to apply for a Department of Transportation (DOT) Charging and Fueling Infrastructure (CFI) Grant, in collaboration with Teton County, Yellowstone-Teton Clean Cities, Jackson Hole Airport, Teton Village Association, Teton County Library, and concessionaires within Grand Teton and Yellowstone National Parks. On August 29, 2024, staff were notified that we were awarded \$5,506,368, the full amount requested. With the required 20% match, the total project cost will be \$6,882,960. Each project partner is responsible for their portion of the match.

The grant agreement with the Federal Highway Administration was executed on January 17th, 2025.

The Town of Jackson's portion of the grant funding for EV charging stations is \$588,000. A 20% match of \$147,000 is required, for a total project cost of \$735,000. A portion of the award is allocated for grant administration, leaving \$125,430 for the Town's match to pay for the purchase and installation of 16 new L2 charging ports and 4 new DCFC stations. The Town could budget for the match from the general fund, seek funding for the match from the 2022 Energy Conservation Works SPET funds or other external sources, or partner with a vendor to pay the match. Staff is not asking for Council direction at this time on how to approach the grant match requirement but wanted to include the background and consideration in this report as it may be a consideration on how to proceed with the 2 policy questions.

The estimated annual cost of electricity, cloud plans, and maintenance plans for 20 new EV charging stations is summarized in Table 3, below, using data from the Town's current EV charging stations. The predicted total annual cost of existing and planned future charging stations is summarized in Table 4 at roughly \$115,000 a year.

Table 3: Estimated annual cost of 20 new EV charging stations

New charging stations	Electricity	Cloud Plan	M/M Plan	Total	Avg/port
16 additional L2	\$9,715	\$5,552	\$8,640	\$23,907	\$1,494
4 additional DCFC	\$32,958	\$3,320	\$15,736	\$52,014	\$13,004
New station cost estimate	\$42,673	\$8,872	\$24,376	\$75,921	

Table 4: Estimated annual cost of current and future EV charging stations

FY24	Electricity	Cloud Plan	M/M Plan	Total	Avg/port
10 L2 (current)	\$6,079	\$3,468	\$3,520	\$13,067	\$1,307
2 DCFC (current)	\$16,479	\$1,660	\$7,868	\$26,007	\$13,004
16 additional L2	\$9,715	\$5,552	\$8,640	\$23,907	\$1,494
4 additional DCFC	\$32,958	\$3,320	\$15,736	\$52,014	\$13,004
Total cost estimate	\$65,231	\$14,000	\$35,764	\$114,995	

Analysis.

Benefits of public EV charging stations

Electric vehicles provide many public benefits. Downtown EV charging stations encourage visitors to linger, shop, and eat at local businesses while they charge, providing an economic benefit for the Town. They also provide numerous environmental benefits. Unlike internal combustion engine (ICE) vehicles, they do not have any tailpipe emissions and thus do not contribute locally to asthma and other respiratory illnesses. They are also quieter and create less noise pollution that affects quality of life for humans and can have detrimental impacts on wildlife. They do not use motor oil and thus do not drip oil onto roadways that wash into our streams, impacting our water quality. Finally, they contribute much less to climate change, the impacts of which are predicted to cost more than the current global economy. Because owners of ICE vehicles do not pay for the pollution their vehicles cause through dedicated fees, the public health and environmental impacts are paid by society. Affordable rates for charging electric vehicles encourages their use, which helps reduce the costs that are paid by society for the pollution and public health impacts caused by internal combustion engines.

Using the AFLEET Charging and Fueling Infrastructure Emissions Tool, full implementation of the DOT CFI grant, including subawardees, will result in an estimated emissions reduction of 474 tons carbon dioxide equivalent (CO₂e) annually if there is low usage, 993 tons CO₂e annually if there is moderate usage, and 1,777 tons CO₂e annually with high usage. These estimates were calculated using a regional average for electricity emissions; the emissions reductions are much higher if we use emissions data from Lower Valley Energy's purchased power, which is cleaner than the regional average. For comparison, in Fiscal Year 2022, the annual emissions of non-START Town fleets were estimated to be 406 tons, and in 2023, diesel emissions from Town fleets, County fleets, and START fleets combined was 1,531 metric tons CO₂e. Implementing this award to further support regional EV charging infrastructure is one of the most cost-effective ways for our community to reduce greenhouse gas emissions while also reducing air pollution and associated health impacts.

Costs of owning and using Electric Vehicles and EV Charging Pricing

Public EV charging stations are used by travelers driving through the area in EVs, commuters who drive EVs to work in Jackson, and residents who own EVs. The Town of Jackson updated Land Development Regulations Section 6.2.2 to require electric vehicle supply equipment capability and/or installment in new off-street development. However, most existing multi-family housing stock does not have wiring for EV charging stations. Thus, renters and residents who live in multi-family housing who own EVs rely on public EV charging infrastructure. The success of an expansion of EV charging stations is dependent upon the affordability of charging. If the Town of Jackson charges users at our charging stations, residents who are dependent on public charging stations will pay significantly more for charging than someone who is able to charge at home and only pays for electricity. Thus, user fees for public charging stations may provide a barrier for greater adoption of electric vehicles by renters and people living in multi-family housing and may disproportionately affect people who already have high housing and energy burdens.

Nationally, the economics of EV ownership are dependent on being able to charge less than \$0.20 per kilowatt hour (kWh), which keeps costs lower than the gasoline equivalent for most vehicles. While gas and electricity prices vary, \$0.20 per kWh is roughly equivalent to the cost of fueling a hybrid that gets 57 miles per gallon if gasoline costs \$3.35 per gallon. At \$0.33 per kWh, the cost per mile to fuel a compact EV is roughly equivalent to the cost of fueling a vehicle that gets 30

miles per gallon at \$3.00 per gallon. However, the State of Wyoming charges a \$200 annual registration fee for plug-in electric vehicles, adding costs for electric vehicle owners that are equal to the cost of fuel to drive 2,000 miles in a vehicle that gets 30 miles per gallon. Due to the fees imposed by the State of Wyoming, user fees for charging in Jackson may need to be lower for the economics to pencil out.

If the Town implements fees at EV charging stations, the basic costs for electricity, Cloud Plans, M&M Plans, and billing software and service for current charging stations and existing demand could be met with a \$0.14/kWh fee. However, user fees may discourage local residents who could charge at home from using public EV charging stations. If use decreases, the cost per kWh may need to be slightly higher to cover annual costs such as Cloud Plans and M&M Plans. Staff estimates that the break-even cost of operation will increase by an average of \$0.01 per kWh if use decreases 20%, and \$0.03 per kWh if use decreases 40%.

Charging a set rate per kWh is just one method of assessing user fees. For example, fees per kWh could change throughout the day to encourage use during less busy periods, “idle fees” could be assessed if vehicles are left at charging stations for extended periods of time after the charge is complete to encourage turnover, and higher fees could be charged at the faster and more expensive DCFC stations. Town could also consider local discount programs, reduced cost for income-qualified individuals, or free or reduced fees as a staff benefit that local businesses could buy into. Developing and managing these types of programs would involve additional staff time and resources. If Council wishes to initiate user fees at EV charging stations, staff recommends developing a staff EV charging policy and benefit program, to be discussed at a future date.

Discussion Question 1: Does Council want to charge for the use of our current and/or future EV charging stations? And if yes, how should it approach the pricing structure?

- Staff recommendation:
 - Staff recommends initiating user fees for both Direct Current Fast Charging (DCFC) stations and Level 2 (L2) charging stations, and:
 - Charging more at DCFC stations than L2 charging stations.
 - Setting fee structures at or below \$0.36 per kWh at DCFC stations and at or below \$0.20 per kWh at L2 stations.
 - Including fee structures that incentivize turnover.
- Benefits:
 - Charging users can help the town recoup the costs of electricity, maintenance, and funds invested in the purchase and installation of EV charging stations.
 - Charging users discourages residents from charging downtown who could charge at home, keeping chargers available for visitors, long-distance commuters, and people who do not have access to charging at their homes, and reducing Town electricity bills.
- Consequences:
 - Charging users increases the cost of EV ownership and disincentivizes adoption of EVs, which contribute less to environmental pollution and public health issues than internal combustion engine vehicles.
 - Charging users at publicly available charging stations disproportionately impacts EV owners who live in multi-family housing who rely on public charging infrastructure and out of town users.
 - The added costs of software services and metering needed to charge users increases the total cost of EV charging station management.
- Alternatives:
 - The Town could charge for use of DCFC stations and keep Level 2 charging stations free. DCFC stations are more expensive to purchase and maintain, they use much more electricity and have a bigger draw from the electrical grid.

- The Town could consider alternative fee models, such as providing free use of charging stations for an initial period (ex. 1 hour) before charging or only charging “idle fees” after a vehicle has been idle for more than certain period of time after charging is complete.
- The Town could consider adding programs that support local residents, such as a local discount card or an employee discount program that local businesses could buy into.

Discussion Question 2: Does Council want to maintain ownership and management of current and/or future EV charging stations?

- Staff recommendation:
 - Staff recommends the Town of Jackson maintain ownership of current and future charging stations and seeks a vendor to lease and manage them, returning a portion of revenue to the Town.
- Benefits:
 - The Town will have control over the cost that is charged for use and can ensure that it remains low enough to encourage ownership of vehicles that support a healthy community, environment, and economy. Third-party vendors will charge higher prices to earn revenue.
 - Staff will have fewer contractual agreements with vendors to manage.
- Consequences:
 - If the Town maintains ownership, it will be responsible for costs associated with EV charging stations, including software, maintenance, repair, and eventual replacement.
 - Managing EV charging stations takes staff time.
- Alternatives:
 - Town could maintain ownership of EV charging stations and seek a vendor to lease and manage them, returning a portion of revenue to the Town.

Comprehensive Plan & Priority Alignment.

Net Zero Resolution

Principle 2.3 – Reduce greenhouse gas emissions through transportation

Transportation accounts for approximately 80% of the total carbon emissions in the community and should be a focus of the community’s efforts to reduce energy consumption. Reducing fuels consumed for transportation and using renewable fuels has the greatest potential to reduce the community’s overall carbon emissions and consumption of non-renewable resources.

Principle 7.2 - Reduce greenhouse gases from vehicles to below 2012 levels

One of the biggest threats to the health of the ecosystem is climate change. The most significant local contributor to greenhouse gas emissions is surface transportation – the cars, trucks, and buses we use to travel into, within, and out of the community. As stewards of the ecosystem, we will manage our transportation to reduce emissions. Cleaner vehicles, fewer trips, and trips that move more people will be prioritized over strategies focused on reducing congestion.

Town of Jackson Sustainability Plan Goals

- Reduce GHG emissions associated with surface transportation and motors
- Reduce noise pollution
- Reduce energy consumption during peak periods

Town of Jackson Sustainability Plan Targets

- Reduce community-wide GHG emissions attributed to surface transportation 30% by 2030

Town of Jackson Sustainability Plan Strategies:

- Plan for an electric future
- Incentivize electric vehicle charging during off-peak hours

Fiscal Impact.

If Council chooses to continue to provide free electric vehicle charging, the Town will pay roughly \$115,000 annually for electricity, Cloud Plans, and Maintenance Plans for the 12 existing EV charging ports and the 20 new charging ports enabled under the DOT CFI grant. If the State passes additional taxes/fees on EV charging ports, the Town may want to consider adjustments to its fee structure at that time to address the issue.

If the Town chooses to maintain ownership and management of our charging stations, the Town will need to budget and pay for maintenance, repair, and eventual replacement. It could potentially cover these costs and earn additional revenue through user fees. If the Town chooses to maintain ownership of its EV charging stations and lease them to a vendor, it can save \$115,000 annually in operating expenses and may see a small revenue gain from the arrangement with a private company. If the Town chooses to sell its EV charging stations to a private vendor, it will save \$115,000 annually in operating expenses and may earn revenue through the sale of current EV charging stations but will not earn any future revenue from EV charging stations.

Staff Impact.

If the Town chooses to pursue a 3rd party vendor to own or lease our EV charging stations, staff, primarily in the Legal Department, will need to work on agreements and contracts and the Ecosystem Stewardship Administrator and Legal Department will coordinate management of the contractor relationship over the long term. If the Town chooses to maintain ownership of our EV charging stations, staff, primarily in the Public Works Department, will need to dedicate additional time to maintenance, repair, and management of the charging stations.

Attachments or Links.

None.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

1. I move to direct staff to draft a plan to initiate user fees at Town-owned Electric Vehicle Charging Stations using the criteria discussed at this meeting.
2. I move to direct staff to draft an RFP to seek a vendor that will lease and manage current and future Town-owned charging stations and pay the Town of Jackson a portion of revenue generated.