



WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure #1.211 Staffing and Work Schedules

Page 1 of 17

<p>Authority: Wyoming Statute(s): 25-1-104; 25-1-105</p> <p>ACA Standard(s): 4-4050; 4-4051; 4-4052; 2-CO-1C-06</p> <p>28 C.F.R. 115: PREANS 115.13</p>	<p>Effective Date: September 15, 2015</p> <p>Revision/Review 02/20/14</p> <p>History: 02/15/13 10/10/11 09/01/08 03/01/08</p>
<p>Cross Reference of Policy: P&P 1.208, <i>Employee Leave</i></p>	<p>Summary of Revision/Review: Updates existing policy pursuant to annual review.</p> <p>Supersedes Existing Policy: P&P #1.211, <i>Overtime for Correctional Officer Series Employees</i></p>
<p>Approved:</p> <p style="text-align: center;">R.O. Lampert 8-20-15</p> <hr style="width: 100%;"/> <p style="text-align: center;">Robert O. Lampert, Director Date</p>	

The policy and procedures set forth herein does not constitute an employment contract or a guarantee of continued employment. The Wyoming Department of Corrections reserves the right to change the provisions of these guidelines at any time. Nothing in this policy and procedure limits the Director's authority to establish or revise human resource policy. This policy and procedure is adopted to guide the internal operations of the Wyoming Department of Corrections and does not create any legally enforceable interest or limit the Director's or designee's authority to terminate any employee, in accordance with the State of Wyoming Personnel Rules. No application of this policy shall be construed or interpreted to provide the compensation for overtime at a rate exceeding time and one-half (1 1/2).

REFERENCE

1. ATTACHMENTS
 - A. Mandatory Minimum Staffing Requirements
2. OTHER
 - A. *State of Wyoming Personnel Rules*, Department of Administration and Information, Human Resources Division
 - B. *State of Wyoming Compensation Policy*, Department of Administration and Information, Human Resources Division
 - C. The following shall be published annually by the Department:
 - i. *Days-Off Planning Calendar*
 - ii. *Work Cycle Card Schedules*



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 2 of 17
		Staffing and Work Schedules

I. PURPOSE

- A. The purpose of this policy is to provide guidance regarding staffing requirements, the use and implementation of conventional and alternative work schedules, to establish uniform guidelines and procedures for the assignment of voluntary and mandatory shifts, and to ensure compliance with State of Wyoming Personnel rules and policies as well as any applicable federal and state laws.

II. POLICY

- A. **Staffing Requirements and Work Schedules.** Written policy, procedure, and practice provide that the agency assess its personnel needs and assignments at least annually. (2-CO-1C-06)
1. It is the policy of the Wyoming Department of Corrections (WDOC) that staffing requirements for all categories of personnel shall be determined on an ongoing basis to ensure that offenders have access to staff, programs, and services. (ACA 4-4050)
 2. Work schedules shall be established to ensure adequate staffing and the safe and orderly operation of WDOC facilities, offices, and programs.
- B. It is the policy of the Wyoming Department of Corrections (WDOC) to maintain the prescribed staffing levels necessary to ensure safe and effective correctional facility operations, including through the authorized use of voluntary and/or mandatory shift assignments, and to encourage employees to perform all required work within their assigned work cycle so as to maximize their time away from work.
- C. It is the policy of WDOC to ensure that each facility it operates develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. (PREANS 115.13.a)
- D. It is the policy of WDOC that working additional shifts shall be voluntary, except as outlined:
1. Attendance at mandated shift briefings,
 2. Training,



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 3 of 17
		Staffing and Work Schedules

3. Shift extensions,
 4. Periods of emergency,
 5. WDOC is unable to fill by voluntary means a work assignment required for mandated staffing levels; or
 6. As dictated by operational circumstances.
 7. WDOC retains the right to order a qualified employee to work additional shifts after making a reasonable effort to obtain a volunteer.
 8. WDOC retains the right to authorize an employee in another job classification, who has at least the same level of training and/or basic level of certification required for assignment to that position, to fill any work assignment required for mandated staffing levels or operational circumstances.
- E. Curtailment of Operations Based on Staffing.** It is the policy of WDOC that if mandatory security posts at the institution cannot be filled through the use of voluntary or mandatory shift assignments, an operational curtailment, or a full or partial institutional lockdown, will be implemented until staffing returns to a level sufficient to fill all mandatory security positions.

III. DEFINITIONS

- A. Beginning of a Work Cycle:** *(For this policy only.)* The first regular consecutive work day following the regularly scheduled days off of the work cycle to which the employee is assigned. Also commonly referred to by employees as that card schedule's "Monday".
- B. Compressed Workweek:** A forty-hour (40) workweek completed in fewer than five (5) days by increasing the number of hours worked per day.
- C. Eight-Day Work Cycle:** *(For this policy only.)* An eight (8) day work cycle consisting of four (4) days of twelve (12) hours and fifteen (15) minutes each day on duty and four (4) consecutive days off, with a rotating work cycle. Each cycle will begin at 12:01 AM and end at midnight of the eighth day.
- D. POST Certified Employee:** Correctional officers, corporals, sergeants, lieutenants, captains and majors who serve as security personnel in Wyoming Department of Corrections correctional facilities.



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 4 of 17
		Staffing and Work Schedules

- E. **Prison Rape Elimination Act National Standards (PREANS):** Part 115 of Title 28 of the *Code of Federal Regulations*, titled Prison Rape Elimination Act National Standards, and adopted in accordance with the Prison Rape Elimination Act of 2003.
- F. **Standard Workweek:** (*For this policy only.*) A seven (7) day work cycle beginning on Saturday at 12:01 A.M and ending on Friday at 12:00 mid-night comprised of five (5) regularly scheduled consecutive work days with two (2) consecutive non-rotating days off or four (4) consecutive work days with three (3) consecutive non-rotating days off.
- G. **Telework:** Allows state employees to conduct state business from an approved remote work site other than their regular office. A remote work site may be the employee's home, a State owned or leased office in another location within the State or near the employee's home, a satellite neighborhood work center, or other location as approved by the Director.
- H. **Temporary Duty Point:** (*For this policy only.*) The location of an employee's duty assignment other than the employee's personal residence or the employee's regular place of employment, including another Wyoming Department of Corrections office or facility, or the location of a conference, a meeting, a seminar, or a training program to which the employee has been formally assigned.
- I. **Work Cycle/Pay Cycle:** (*For this policy only.*) The set time period used to determine a work schedule and when overtime pay or compensatory time is calculated.
- J. **Work Schedule:** (*For this policy only.*) The days of the week and times of the day a particular employee is scheduled to work.
- K. **Work Unit:** (*For this policy only.*) The entire institution or a functional sub-unit thereof that can be staffed independently of other functional sub-units, without regular reliance on relief by others not assigned to that functional sub-unit. For example, on institutions with primary duty assignments that do not require regular rotation of posts, a work unit might include all of the security staff assigned to work in specific areas (which may or may not require additional specialized training) including, but are not necessarily limited to, such assignments as: perimeter patrol; transportation; and specialized inmate housing/program/work areas (*e.g.*, ITU, CPF, protective custody, stand-alone pre-release or privileged housing units, segregation, infirmary security, and vocational education/industry security.)

IV. PROCEDURE



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 5 of 17
		Staffing and Work Schedules

- A. Staffing Requirements.** Position allocation for all WDOC facilities, offices, and programs shall be in accordance with the Department budget, as approved by the Wyoming Legislature or as adjusted by the Governor. It is incumbent upon Chief Executive Officers (CEOs) to establish adequate staffing for all facilities, offices, programs, and services considering the needs thereof and the available resources.
1. Position control and classification shall be in accordance with WDOC Policy and Procedure #1.221, *Position Management* and the *State of Wyoming Personnel Rules*.
 2. Central and Field Offices shall be staffed appropriately to insure service to the public and other state agencies during traditional business hours of Monday through Friday, 8:00 AM to 5:00 PM. Administrators shall determine staffing levels based on the needs of the division's operation.
 3. Correctional facilities shall use a formula to determine the number of staff needed for essential positions. The formula shall consider, at a minimum, holidays, regular days off, annual leave, and average sick leave. (ACA 4-4051)
 4. Wardens shall be able to document that the overall vacancy rate among the staff positions authorized for working directly with inmates at their facility does not exceed ten percent (10%) for any eighteen (18) month period. (ACA 4-4052) Position vacancies that are frozen by legislative or fiscal controls should not be considered when calculating the vacancy rate. When unusual conditions cause an excessive number of vacancies, the warden shall notify the Prison Division Administrator in writing about the disparity between positions authorized and filled, documenting the reasons and alerting the agency to the potential problems.
- B. Work Location.** WDOC staff shall normally conduct Department business at their regularly assigned place of employment or temporary duty point in accordance with the *State of Wyoming Compensation Policy* and the *State of Wyoming Personnel Rules*, unless otherwise directed by this policy or upon the assignment or approval of their supervisor.
1. **Telework.** Prior written authorization from the Director is required for an employee to work at an alternative location, to include personal residence. The request shall be in accordance with the State of Wyoming Executive Branch Policy and Procedures, A&IHRD 2015-1, *Alternative Work Schedules*.



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 6 of 17
		Staffing and Work Schedules

- i. Employee requests to telework must include the details of the work completed at home, use of State equipment, length of assignment and any other specific details required for the assignment. Division Administrators must approve the request and submit to the WDOC Human Resources Manager for review and processing. The Director has final approval of the request.
- ii. An employee's approved request to telecommute shall be valid only for the time period approved and only while the employee remains in the position held at the time the request was approved.
- iii. A memorandum of understanding shall be in place prior to the employee working from home.
- iv. If the employee's position or essential job functions change, the previously approved request shall no longer be valid.
- v. Nothing in this section is intended to limit a supervisor's ability to authorize occasional overtime, or flexing of an individual's regular work schedule, for completion of a work assignment, including working at personal residence, when circumstances require.

C. WDOC Authorized Work Schedules

- 1. **Standard Seven-Day Workweek.** The standard workweek for WDOC employees shall be the standard seven-day workweek, beginning on Saturday at 12:01 AM and ending on Friday at 12:00 PM, comprised of five (5) regularly scheduled consecutive work days, with two (2) consecutive non-rotating days off. For the computing of overtime, the standard seven-day workweek shall consist of forty (40) work hours.
 - i. Each scheduled work day for most WDOC staff shall include an eight (8) hour work day with an additional one-half (½) hour or one (1) hour unpaid lunch break.
 - a. Supervisors may authorize different work hours outside of 8:00 AM to 5:00 PM, culminating in an eight (8) hour day, when required to meet unique demands of the position, or when it will increase the level of direct service to the offender/inmate population, employees, and/or the public, providing the office has appropriate staffing as outlined in this policy.



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 10 of 17
		Staffing and Work Schedules

- a. When a temporary work schedule cannot begin on a new work cycle, the schedule overlap could result in unanticipated overtime accrual. Supervisors shall review employee schedules before and after the temporary duty to avoid such overtime accrual, whenever possible, through flexible scheduling on the day preceding the work schedule change or in conjunction with the employee's scheduled

E. Staff Supervision and Monitoring in Correctional Facilities.

1. Each facility shall establish mandatory minimum staffing levels by security post for each shift to ensure adequate staffing levels are maintained. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration (PREANS 115.13.a):
 - i. Generally accepted detention and correctional practices;
 - ii. Any judicial findings of inadequacy, any findings of inadequacy from Federal investigative agencies, and any findings of inadequacy from internal or external oversight bodies;
 - iii. All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);
 - iv. The composition of the inmate population;
 - v. The number and placement of supervisory staff;
 - vi. Institution programs operating on a particular shift;
 - vii. Any applicable State or local laws, regulations, or standards;
 - viii. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
 - ix. Any other relevant factors.
2. In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan. (PREANS 115.13.b)
3. Whenever necessary, but no less frequently than once each year for each facility, WDOC shall, in consultation with the agency wide PREA



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 11 of 17
		Staffing and Work Schedules

coordinator, assess, determine, and document whether adjustments are needed to the facility's staffing plan, the facility's deployment of video monitoring systems and other monitoring technologies, and the resources the facility has available to commit to ensure adherence to the staffing plan. (PREANS 115.13.c)

4. It is the policy and practice of WDOC that intermediate-level and higher-level supervisors conduct and document unannounced rounds to interact with staff and inmates and, among other things, to identify and deter staff sexual abuse and sexual harassment. (PREANS 115.113.d)
 - i. This policy and practice shall be implemented for all night shifts as well as day shifts.
 - ii. Staff is prohibited from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to legitimate operational functions of the facility.

F. Minimum Staffing Standards and Shift Coverage for Correctional Institutions. In order to ensure safe, secure operations of each facility, minimum staffing standards must be met. In the event these staffing standards are not met due to staff failing to work their assigned shift, WDOC employees may be required to work shifts outside of their regularly scheduled hours. WDOC will make every effort to fill assignments through voluntary methods; however, if minimum staffing standards are not met, staff may be required to work additional shifts on a mandatory basis.

1. **Limits on Working Additional Shifts.** In order to ensure employees are alert and aware while on duty, WDOC has established the following requirements when working additional shifts in non-emergency situations:
 - i. **Single Day Limitation.** No employee will be permitted to work more than sixteen and one quarter (16¼) hours in the same twenty-four (24) hour work day period, unless emergency situations require otherwise.
 - a. An employee scheduled to work more than sixteen and one quarter (16¼) hours in a twenty-four (24) hour period must not be scheduled to return to work for at least twenty-four (24) hours following completion of the shift.
 - ii. **Work Cycle Limitations.**



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 12 of 17
		Staffing and Work Schedules

- a. Standard workweek. No employee will be authorized to work more than twenty-four (24) additional hours during their scheduled workweek. If staffing vacancies are more than twenty percent (20%) or staffing standards have not been met then employees are authorized to work thirty-six (36) additional hours during their scheduled workweek.
 - b. Eight day work cycle. No employee will be authorized to work more than thirty-six (36) hours and forty-five (45) minutes during their scheduled work cycle. If staffing vacancies are more than twenty percent (20%) or minimum staffing standards have not been met then employees are authorized to work forty-nine (49) additional hours during their scheduled work cycle.
2. **Voluntary Shift Assignments.** POST-Certified employees are encouraged to pre-schedule shifts they are available to cover in the event minimum staffing levels are not met. Pre-scheduling will be facilitated through the use of a monthly calendar on which individual staff members may indicate his/her willingness to work up to thirty-four (34) additional shift hours during the month. The employee may not pre-schedule more than seventeen (17) hours total within the same work cycle.
 - i. Employees must indicate the day and shift that he/she is available during the subsequent month. Employees may sign up for blocks of time on shifts adjoining their own assigned shift on days he/she is scheduled to work, and/or may sign up for shifts during their normally scheduled day(s) off.
 - ii. Employees may only sign up for work assignments for which they are qualified (*i.e.*, Weapons qualified for an armed post or other specialized assignment).
 - iii. The total number of pre-scheduled slots available for each shift and day of the month will be pre-determined by correctional facility management using the formula in Attachment A.
 - iv. Employees are expected to work any pre-scheduled shifts they have volunteered to work. The on-duty supervisor in charge of the shift may excuse staff from voluntary shift assignments in the following circumstances:
 - a. Established staffing standards have been met to ensure safe, secure operations;



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 14 of 17
		Staffing and Work Schedules

position that needs filled volunteers to work, and an emergency situation, mandated staffing levels, or other operational circumstances require that the position be filled for the upcoming shift, mandatory shift assignments may be ordered.

- i.** To meet minimum staffing levels, in non-emergency situations, employees shall be required to work mandatory shifts. Such mandatory shifts may result in a shift extension of four (4) hours or more, or being called in to report to work early (not to exceed four (4) hours prior to the start of the scheduled shift). Staff exempt from mandatory shift assignments are those:
 - a.** On regularly assigned days off;
 - b.** On vacation or sick leave;
 - c.** On days when staff are scheduled to attend pre-service (basic) or in-service training; and
 - d.** Any shift that immediately precedes their normally-scheduled regular days off.
- ii.** WDOC reserves the right to cancel pre-approved leave, re-schedule training, and call staff in to work on regularly assigned days off to meet staffing needs during emergency situations.
- iii.** Each shift shall maintain a mandatory list. The mandatory list shall include all qualified staff assigned to that shift regardless of job classification and rank, up to and including lieutenants. The mandatory list shall be maintained by the facility security manager.
 - a.** Placement on the list must be fair, equitable and consistent.
 - b.** Following completion of the FTO program all qualified new personnel are placed to the top of the mandatory list.
- iv.** Mandatory shift assignments will be assigned to each employee on the shifts mandatory list in the order in which their names appear.
 - a.** As each employee is assigned to a mandatory shift, his/her name will be moved to the bottom of the mandatory list.



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 15 of 17
		Staffing and Work Schedules

- b.** These employees' names shall remain at the top of the mandatory list until their return to regular duty and until they complete a mandatory shift assignment.
- c.** Employees requesting to be excused from a mandatory assignment due to a medical appointment or other medical reason must provide a written excuse from the physician upon his/her next return to duty. This will not alter their position at the top of the mandatory list and they will remain at the top of the mandatory list until their return to regular duty and until they complete a mandatory shift assignment.
- d.** Staff may also be moved to the bottom of the mandatory list for no more than four (4) rotations, in one month, under the following circumstances:
 - (1)** If staff voluntarily pre-schedules eight and one quarter (8¼) hours or more for the month, he/she will be moved to the bottom of the mandatory list for one (1) rotation in any month; and/or
 - (2)** If staff voluntarily covers a shift assignment(s), preceding or consecutive to their shift, and that shift is a minimum of four (4) hours, he/she will be moved to the bottom of the mandatory list for up to a maximum of three (3) rotations in any one month.

V. TRAINING POINTS

- A.** When may the shift supervisor refuse to approve voluntary overtime?
- B.** If a person should fail to work pre-scheduled shifts what could the consequence be?
- C.** What are the authorized work cycles that can be used to balance security staffing and resource needs at each correctional institution?
- D.** TRUE OR FALSE? WDOC retains the right to authorize an employee in another job classification, who has at least the same level of training and/or basic level of certification required for assignment to that position, to fill any work



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 16 of 17
		Staffing and Work Schedules

assignment required for mandated staffing levels or operational circumstances, with or without the use of voluntary or mandatory shifts.

- E.** What is a compressed workweek? Who has to approve the use of compressed workweeks?
- F.** What are the standard business hours for the State of Wyoming?
- G.** How should intermediate-level and higher-level supervisors conduct and document rounds to interact with staff and inmates? What is the purpose of these rounds?
- H.** What is the maximum number of hours of overtime an employee may work within a single monthly pay period?



WYOMING DEPARTMENT OF CORRECTIONS	Policy and Procedure #1.211	Page 17 of 17
		Staffing and Work Schedules

**ATTACHMENT A
MANDATORY MINIMUM STAFFING REQUIREMENTS**

The mandatory minimum staff requirement for that shift multiplied by 0.1 (rounded to the nearest whole number) equals the number of slots available for pre-scheduled overtime for that shift during each four and one-quarter (4¹/₄) hour portion of that shift. (*i.e.*, minimum staff requirement x 0.1 = slots available for pre-scheduled overtime) For example:

- I. If the mandatory minimum staffing requirement for a particular shift is thirty-two (32) staff, then three (3) slots would be offered for pre-scheduled overtime for the first half of that shift and three (3) slots would be offered for pre-scheduled overtime for the second half of that shift. So, there would be three (3) sign-up blocks for each half of the shift. (32 x 0.1 = 3.2; this would then be rounded to 3.)
- II. If the mandatory staffing requirement for a particular shift is eight (8) staff, then one (1) slot would be offered for pre-scheduled overtime for the first half of that shift and one (1) slot would be offered for pre-scheduled overtime for the second half of that shift. (8 x 0.1 = 0.8; this would then be rounded to 1.)
- III. If the mandatory staffing requirement for a particular twelve and one quarter (12¹/₄) hour shift is thirty (30), then three (3) slots would be offered for each of the three (3) sections of the twelve and one quarter (12¹/₄) hour shift. (30 x 0.1 = 3.)