



## LARAMIE COUNTY GOVERNMENT

<b>TITLE</b> Lawsuits Against Employees and the County	<b>APPROVAL DATE</b> 5/5/1988
<b>SECTION</b> Workplace Expectations	<b>REVISION DATE</b> N/A

All county employees are expected to work in accordance with good safety practices. All county employees are expected to continually be aware of situations where they may reduce liability to the county. Any employee having knowledge of events or occurrences which may give rise to liability allegations against himself/herself or against the county shall immediately notify the Elected Official, Department Director/Manager, County Attorney, and County Risk Manager of the pertinent facts.

### **Wyoming Governmental Claims Act**

The Wyoming Governmental Claims Act, W.S. 1-39-104, provides a governmental entity and its public employees while acting within the scope of duties immunity from liability for any tort except those acts of negligence specifically described in W.S. 1-39-105 through 1-39-112. The Act also states: When liability is alleged against any public employee, if the governmental entity determines the employee was acting within the scope of his duty, whether or not alleged to have been committed maliciously or fraudulently, the governmental entity shall provide a defense at its expense. A governmental entity shall assume and pay a judgment entered under this act against any of its public employees, provided the act or omission upon which the claim is based has been determined by a court or jury to be within the public employee's scope of duties.

The Board of County Commissioners shall, in consultation with other Elected Officials, Department Directors and Managers as necessary, determine whether an employee was acting within the scope of his/her duties. The County Attorney will assist in providing appropriate legal protection for the County and its employees acting within the scope of their duties. If the County provides legal counsel for an employee and the employee has a counter-claim or other claim arising out of the incident which may result in recovery by the employee, the County is not obligated to represent the employee on the claim.