

<b>TABLE OF CONTENTS</b>		
<b>POLICY NUMBER</b>	<b>POLICY TITLE</b>	<b>PAGE</b>
Preface	Mission & Vision	3
	Core Values	4
<b>SECTION 1-GENERAL ADMINISTRATION</b>		
Policy 100	Purpose of Manual	5
Policy 101	Manual Amendments	6
Policy 102	Code of Ethics	7-9
Policy 103	At-Will Employment	10
Policy 104	Personal Computers	11-12
Policy 105	Telephone Standards	13
Policy 106	Appearance Standards	14
Policy 107	Outside Employment	15
Policy 108	Monetary Sponsorships	16
Policy 109	Political Activity	17-18
Policy 110	Gaming	19
Policy 111	Hours of Work	20
Policy 112	Attendance	21
Policy 113	Mileage Reimbursement	22
Policy 114	Travel & Reimbursement	23
Policy 115	Career Development	24
Policy 116	Compensation	25-26
Policy 117	Social Media	27-28
<b>SECTION 2-HUMAN RESOURCES</b>		
Policy 200	Native Preference	29
Policy 201	Equal Employment Opportunity	30
Policy 202	Employment of Family Members	31
Policy 203	Employment Status	32
Policy 204	Probationary Period	33
Policy 205	Position Descriptions	34
Policy 206	Staffing	35-36
Policy 207	Orientation	37
Policy 208	Personnel Files	38
Policy 209	Background Study	39-40
<b>SECTION 3-EMPLOYEE RELATIONS</b>		
Policy 300	Communication Guidelines	41
Policy 301	Personal Conduct Standards	42-44
Policy 302	Disciplinary Standards	45-46

<b>TABLE OF CONTENTS, CON'T.</b>		
<b>POLICY NUMBER</b>	<b>POLICY TITLE</b>	<b>PAGE</b>
Policy 303	Termination & Workforce Reduction	47-48
Policy 304	Harassment in the Workplace	49-50
Policy 305	Grievance Policy	51-52
Policy 306	References & Release of Employment Records	53
Policy 307	Performance Evaluations	54-55
Policy 308	Demotion	56
Policy 309	Employee Assistance	57
Policy 310	Final Pay	58
Policy 311	Appeal for Termination	59
<b>SECTION 4-BENEFITS</b>		
Policy 400	Holidays	60
Policy 401	Personal Time Off (PTO)	61-62
Policy 402	Donation of Vacation Leave	63-64
Policy 403	Leave of Absence	65-67
Policy 404	Payroll Advance	68-69
Policy 405	Voting	70
Policy 406	Bereavement	71
Policy 407	Health	72
Policy 408	Dental	73
Policy 409	Life Insurance	74
Policy 410	LTD	75
Policy 411	STD	76
Policy 412	Supplemental Benefits	77
Policy 413	Retirement	78
Policy 414	Workers Compensation	79
Policy 415	Jury Duty	80
Policy 416	Personal Development	81
Policy 417	Flexible Schedules	82
Policy 418	Payroll Deductions	83-84
<b>SECTION 5-SECURITY &amp; SAFETY</b>		
Policy 500	Safe & Secure Workplace	85
Policy 501	Drivers License	86
Policy 502	Vehicle Safety	87-88
Policy 503	Smoking	89
Policy 504	Drug Free Workplace	90-94
Policy 505	Communicable Diseases	95
Policy 506	Inclement Weather	96-97
<b>SECTION 6-DEFINITIONS</b>		
	Definitions	98-102



## **Preface**

### **Mission & Vision**

#### **Mission**

To preserve, promote and enhance our quality of life.

#### **Vision**

The White Earth Tribal Council will be a proactive organization that makes sound decisions promoting mino-bimahdiziwin (the good life). The White Earth Reservation will be a safe place where all people have access to quality employment, housing, education, health and human services. While we protect our inherent right to self-governance and identity, we are a community of respect where cultural, historical and environmental assets are treasured and conserved for future generations.



## **Preface Core Values**

### **PRIDE**

We are a proud people, proud of our heritage and culture. We stand united as a great nation within a great nation, striving towards ever-increasing independence and self-sufficiency, while recognizing the true value of other people groups. We believe the practice of our historic culture as a complement to the culture in which we live, that the Ojibwa culture may be celebrated for all future generations.

### **INTEGRITY**

We promote integrity through honesty in conversation and conduct with each other, with those we serve, and with those who serve us. We consistently and openly communicate expectations, respect for others, and fairness in our actions. This integrity is foundational to who we are and permeates through all we do.

### **EXCELLENCE**

We distinguish ourselves through superior performance, consistently meeting and exceeding expectations. We encourage innovative thinking that promotes beneficial change towards excellence. We work as a team and individually to do our best in everything we do, and hold each other accountable to these high standards.

### **COMPASSION**

We are a people of unwavering compassion towards those most in need of a helping hand. We genuinely care and demonstrate our compassion in the programs we offer and how we administer those programs. It is our goal for each tribal member to achieve personal independence and self-sufficiency whenever possible.

### **FAMILY**

We are earnest in our support of the family structure, the very core of our nation, where fathers, mothers, and grandparents teach and demonstrate the character and lifestyle that builds on previous generations and strengthens the next generation.



# Section 1

## General Administration

<b>Policy Number:</b> 100	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Purpose of Manual	

It is the purpose of the White Earth Tribal Council policy manual to provide administrative and supervisory employees a guide and resource to White Earth Tribal Council approved policies and procedures regarding employment and personnel issues.

The policies and procedures in this manual are intended to ensure White Earth Tribal Council employees are afforded fair and consistent treatment.

The White Earth Tribal Council expects employees to conform to the policies and procedures defined within this manual and to accept full accountability while striving for personal productivity, integrity, and professionalism.

This manual and its contents, statements, and positions are not intended to create a contract between the White Earth Tribal Council and any of its employees. This manual supersedes any prior policies or past practices.

The terms of this manual are implemented and applied at the sole discretion of the White Earth Tribal Council or its representatives and may be modified or withdrawn at any time and may be modified or overridden in a specific instance by a majority of the Tribal Council members.



## Section 1 General Administration

<b>Policy Number:</b> 101	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Manual Amendments	

The White Earth Tribal Council may modify, amend, change or rescind the policies and/or procedures described in this manual; and may do so at any time with or without prior notice by a majority of the Tribal Council members. Any modifications or amendments to the policies in a particular circumstance will be communicated to the Human Resources department.

Amendments to these policies shall be considered at regular and special meetings. Amendments are to be prepared by the Human Resources Director following investigation of operations and effect of the rules and regulations on the employees and the White Earth Tribal Council as a whole.

The Human Resources Director, upon approval from the Executive Director, may make clerical changes within the Policy Manual. The clerical changes shall by no means change the intent of the policies or procedures of the Policy Manual.



## Section 1 General Administration

<b>Policy Number:</b> 102	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Code of Ethics	

The White Earth Tribal Council has established a Code of Ethics and Standards of Conduct for its employees, all of whom are responsible for carrying out their business activities in an ethical manner.

### **Standard of Judgment:**

In all instances where an employee is required to exercise judgment, such exercise of judgment shall be in accordance with the highest standards of honesty, integrity and responsibility, and shall seek to bring credit to the employee and the White Earth Tribal Council. All employees shall avoid undertaking any actions which would bring discredit to the White Earth Tribal Council or to themselves.

In a situation that is unclear, the employee should consult with their direct supervisor and/or director for guidance. All employees are required to adhere to all established organizational and departmental policies and procedures.

### **Confidential Information:**

Through employment with the White Earth Reservation Tribal Council, access to sensitive and confidential information regarding individuals, practices, and policies and procedures can occur. All activities, including but not limited to any and all written and verbal communication of the White Earth Tribal Council and its entities is strictly confidential. Under no circumstances is confidential information to be discussed or shared with others, except on a need-to-know basis and in accordance with supervisory instructions. If there are questions about the need to keep particular information confidential, it is the employee's responsibility to obtain instructions from his/her supervisor.

All employees must adhere to program guidelines regarding confidential information.

### **Gifts, Payments or Other Compensation from Outsiders:**

Employees are required to observe the highest level of honesty and integrity.

At no time should there be solicitation, or any arrangements involving the payment of money, extension of services, discounts, or item(s) of value from a vendor or customer to an employee or any related party or business which could be construed to affect their decision making on behalf of the White Earth Tribal Council.

Employees are expressly prohibited from personally benefiting from any purchase of goods or services by the White Earth Tribal Council and are prohibited from deriving personal gain from actions taken or associations made in his/her capacity as a representative of the White Earth Tribal Council.

In light of the above, employee's may give or receive gifts which are appropriate to the circumstances, minimal in value, and must be communicated to the department supervisor or director.

### **Organizational Representation:**

Employees are required to notify the Executive Director prior to representing a department or division of the White Earth Tribal Council to local, county, state, federal or other tribal governments; or agencies that represent other governmental entities.

### **Use of Assets:**

Since employees are responsible for the assets and program monies of the White Earth Tribal Council, access and use of these assets and monies must always be made in the best interest of the program and the organization as a whole.

Employees cannot use or permit others to use assets or program monies improperly, or allow the use of employee services for personal purposes. Company materials, property, or equipment are not to be used for personal gain nor for any purpose other than those approved by management.

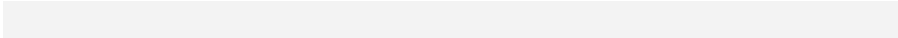
### **Conflict of Interest:**

In our business associations, both inside and outside of the White Earth Tribal Council, employees should not permit themselves to be subjected to dual-interest situations which create a conflict between self-interests and White Earth Tribal Council interests.

Whether the situation is an actual or perceived dual-interest, employees must make the material facts of the transaction and the employee's interest known to their department director and the Executive Director through written communication detailing the transaction and specifying the employee's interest therein. The employee must remove themselves from any involvement in discussion or decisions by the Executive Director regarding the transaction, and



must avoid any improper obligations or relationships which might in any way influence his/her judgment.





## Section 1 General Administration

<b>Policy Number:</b> 103	<b>Effective Date:</b> 8/1/09
<b>Title:</b> At-Will Employment	

All employees of the White Earth Tribal Council are employees at will; meaning that the employee is not required to be employed by the White Earth Tribal Council, and the White Earth Tribal Council is not required to employ the employee for a set period of time. These policies are not intended and do not operate to modify or limit that relationship.



## Section 1 General Administration

<b>Policy Number:</b> 104	<b>Effective Date:</b> 8/1/09, 5/11/15
<b>Title:</b> Personal Computers	

It is the policy of the White Earth Tribal Council to provide employees with personal computers (PC's), or access to them when a need for such equipment has been established.

When a PC has been assigned to a department, the supervisor will delegate responsibility for its use and control to the employee or group of employees who will be using it. Each employee authorized to use a PC shall be given responsibility for maintaining and preserving the information he/she uses in the computer.

Employees may only use a PC after they have been authorized by their supervisor. In addition, employees may not use programs, files, or other data from outside their assigned area of responsibility without prior approval of their supervisor. Any unauthorized use of a PC will subject the employee to disciplinary action.

All files and data created or stored on WE issued PC's are the property of the White Earth Tribal Council. Authorized PC users are responsible for the use, storage and security of their own files and for the maintenance of backup or duplicate discs for essential files.

Employees authorized to use PC's are responsible for the security of their equipment and information. This responsibility includes both safeguarding the equipment and information from loss or damage and ensuring that it is used only by authorized personnel.

Internet users are prohibited from accessing the Internet for any unethical purposes or non-work related purposes, including social network sites, streaming, instant messaging, pornography, violence, gambling, racism, harassment, or any illegal activity. Users are prohibited from downloading software from the Internet to include games or any executable files or programs which change the configuration of the system.

### **Remote Access**

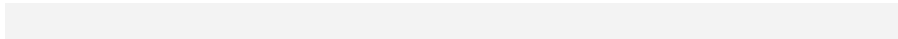
Remote access services will allow White Earth Nation (WEN) users to connect directly to the WEN network through the internet. In order to allow this connectivity, secure

connection issues, performance issues and bandwidth utilization criteria must be addressed.

Authorized WEN users may utilize the benefits of remote access. An existing connection to the Internet is required. While dialup access can utilize a remote access connection, performance is very slow and not recommended. Requests must be made through the White Earth Information Technology department (WEIT). Approval will be based on a demonstrated need by the program and division director for remote access. WEIT reserves the right to restrict any device or connection that does not comply with this policy. At no time can users utilize remote access from their own personal devices, all equipment used for the remote access MUST be issued by the Program along with the WEIT department.

WEIT will provide training on the Standard Operating Procedures for this policy along with having the user sign off on standards of the rules and regulations that govern this remote access.

If Security and Confidentiality is breached as a result of a violation of this policy, employees and users are subject to the Personal Conduct Standards Policy 301 and the Code of Ethics Policy 102 and are subject to disciplinary action up to and including dismissal.





## Section 1 General Administration

<b>Policy Number:</b> 105	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Telephone Use Standards	

It is important to keep company telephones open to conduct daily business. Personal calls should be limited and made during an employee's break time.

Long distance telephone calls must be authorized. Those employees authorized to make long distance telephone calls will be issued a telephone code for their exclusive use. Long distance calls are for business purposes only.

Authorized company cell phone users must utilize cell phones for business purposes only.

Exceptions to this policy are emergency situations.



## Section 1 General Administration

<b>Policy Number:</b> 106	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Appearance Standards	

The White Earth Tribal Council believes that appearance and grooming are very important to the success of our organization.

Casual and/or business dress is acceptable during working hours, but it should conform to a standard of neatness and cleanliness that communicates an image of professionalism.

Untidy or offensive clothing creates an uncomfortable atmosphere. Unacceptable dress includes, but is not limited to:

- Shorts
- Halter type apparel
- Tank tops (uncovered)
- Sweat pants
- T-shirts with offensive language/pictures
- Short skirts/dresses



## Section 1 General Administration

<b>Policy Number:</b> 107	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Outside Employment	

The White Earth Tribal Council considers itself the primary employer for all persons on payroll, and as such, reserves the right to grant or deny permission to any employee wishing to simultaneously accept employment elsewhere, or become self-employed.

It is also the policy of the White Earth Tribal Council that no employee shall be allowed to work for more than one entity of the organization.

If an employee wishes to accept other employment or become self-employed, he/she shall make a full disclosure to his/her divisional director.

Permissible secondary employment must not interfere with work hours or the ability to perform in an acceptable manner.

Certain restrictions may apply for outside employment; refer to Policy 403, Leave of Absence.



## Section 1 General Administration

<b>Policy Number:</b> 108	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Monetary Sponsorships	

The White Earth Tribal Council encourages participation in various community events. Requests for monetary sponsorships received by the White Earth Tribal Council will be forwarded to the Mi-Gi-Mi-Way-Win Advisory Board for review.

Monetary requests for sponsorship must follow standard procedures set forth by the Mi-Gi-Mi-Way-Win Advisory Board.

Monetary sponsorships are not guaranteed, and will be considered on a case-by-case basis at the Mi-Gi-Mi-Way-Win's sole discretion.





## Section 1 General Administration

<b>Policy Number:</b> 109	<b>Effective Date:</b> 01/14/20
<b>Title:</b> Political Activity	

Participation in the tribal election process is a right of all employees and it is the policy of the White Earth Tribal Council that all employees seeking a position within the Tribal Council shall be allowed to enter their candidacy.

During the Primary Election, the employee shall:

- Contact the Human Resources Generalist to complete a White Earth Election Statement. The form will indicate one of the following actions regarding his/her position with the White Earth Tribal Council:
  - The employee will continue to work in his/her position.
  - The employee wishes to take a leave of absence.
- The form will include specified agreements between the employee and the White Earth Tribal Council for those indicating a continuation in work.
- A copy of the completed White Earth Election Statement will be distributed to the employee's supervisor and personnel file, and appropriate steps taken to complete the employee's intended action regarding his/her employment.
- Employees unsuccessful in the Primary Election will return to their position.

During the General Election, the following will occur:

- Employee's who are successful candidates of the Primary Election will have the option to:
  - Continue to work in his/her position.
  - Take a leave of absence.

After the General Election, the following will occur:

- Employees successfully elected to the Tribal Council will resign his/her position effective at the time the newly elected official is sworn into office.

- Employees who opted to utilize LOA during the general election but were unsuccessful have the option to return to their position or remain on LOA until the election process is finalized, including any appeals.

\*RBC property, information systems, and electronic devices belonging to the RBC are not authorized for personal business/election activity. Campaigning during work hours is not authorized.



## Section 1 General Administration

<b>Policy Number:</b> 110	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Gaming	

Gambling during scheduled work hours is prohibited unless the employee is on approved personal/vacation leave.

Employees attending a company paid seminar, meeting, or training are considered to be on their scheduled working hours.

If gambling habits interfere with the performance of an employee's job-related duties, the employee may be required to seek assistance from an approved provider.



## Section 1 General Administration

<b>Policy Number:</b> 111	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Hours of Work	

The White Earth Tribal Council administrative office conducts business Monday through Friday from 8:00 a.m. to 4:30 p.m. Due to the nature of our various departments and businesses, not all employees will adhere to the administrative office schedule.

Employees are to be present for work during their regularly scheduled hours as established by their respective department.

Employees will be given a thirty (30) minute unpaid lunch break.

Break periods will be given as level of work permits and at the discretion of the employee's supervisor.



## Section 1 General Administration

<b>Policy Number:</b> 112	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Attendance	

Each employee is expected to report to work as scheduled and on time each scheduled work day.

The White Earth Tribal Council recognizes that circumstances such as accidents, illness and unforeseen events occur in each individual's life and may impact the standards expected regarding attendance.

If an employee is to be absent or late for work, they should contact his/her supervisor directly to report their absence/tardiness within thirty (30) minutes of their scheduled start time, or as soon as possible if circumstances do not permit.

If an employee fails to contact their supervisor and report an absence as arranged by that department, this will be considered an unexcused absence. Three consecutive unexcused absences by an employee will be considered a voluntary termination.

Excessive absenteeism, tardiness and leaving early without approval are subject to disciplinary action, up to and including termination of employment.



## Section 1 General Administration

<b>Policy Number:</b> 113	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Mileage Reimbursement	

Employees using their personal vehicles for approved tribal business will be reimbursed at the prevailing federal mileage rate. Employees must maintain a current driver's license, and the vehicle used must have current insurance and registration to qualify for mileage reimbursement. Mileage will be reimbursed for actual miles traveled to and from the work site or home, whichever is less.

If an employee fails to maintain the required standards of having a current driver's license, insurance or vehicle registration, they must report this to their supervisor immediately. No mileage will be paid to an employee who does not meet the required standards.

Any employee who submits a request for mileage reimbursement without the proper standards will be subject to disciplinary action, up to and including separation of employment. It is the department manager's responsibility to authorize mileage reimbursement requests.



## Section 1 General Administration

<b>Policy Number:</b> 114	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Travel & Reimbursement	

At times, employees may be required to travel out of the local area to attend business related activities. The employee will be reimbursed for expenses incurred while performing work related duties in accordance to federal guidelines. All travel must be authorized by the employee's Department Manager and Divisional Director.

Mileage expenses will be reimbursed based on the guidelines set in policy #114, 'Mileage Reimbursement'.

Lodging expenses will be reimbursed at the actual cost when overnight travel is necessary and receipts will be required. Personal expenses such as personal phone calls movie rental charges, etc. are not reimbursable. Tips and alcohol are not reimbursable and shall not be included on claims.

Meals while traveling for business purposes will be reimbursed based on the prevailing rate schedule and guidelines as established by the federal travel regulations.

Fares will be reimbursed while using public transportation during business travel for business purposes and receipts will be required.

Requests for travel reimbursement must follow procedures as established in the White Earth Reservation Tribal Council Accounting and Finance Manual.



## Section 1 General Administration

<b>Policy Number:</b> 115	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Career Development	

The White Earth Tribal Council encourages employees to attend conferences, seminars or conventions that are directly related to the employee's current position and intending to update and enhance the employee's ability to perform the responsibilities of their position.

Attendance of conferences, seminars or conventions is based on budgetary constraints of the department and/or the White Earth Tribal Council, and is not guaranteed for each employee.

Attendance must be pre-approved by the employees Divisional Director. When approval is granted, the allowable expenses are as follows:

- Fees for seminars, conferences, or conventions, including additional required materials directly related to the employee's current position.
- Travel expenses incurred, per policy #115.

Use of personal or vacation leave is not needed for attendance of approved conferences, seminars or conventions (unless the employee extends the stay for personal time.) Hourly employees may receive compensatory time for such travel or attendance during the event period.

At the discretion of the divisional director and based on budgeting constraints, an employee may be required to sign an agreement to remain an employee for a reasonable time frame without voluntarily terminating their employment when a significant amount of funds are utilized for attendance of a conference, seminar or convention.





## Section 1 General Administration

<b>Policy Number:</b> 116	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Compensation	

The White Earth Tribal Council will compensate employees in a fair, consistent, and timely manner.

### **Pay Periods**

Pay period consists of a two week period with the first day of the pay period beginning on Saturday 12:01 a.m. and the last day of the pay period ending on Friday at 11:59 p.m.

### **Pay Checks**

Payroll checks will reflect compensation for regular hours worked, PTO, holiday, overtime or other paid leaves.

Employees will be required to receive their paychecks by Direct Deposit into a checking or savings account or enroll to receive a Bremer Pay Card.

### **Salaries & Wages**

The base rate of pay for a position shall normally be paid upon hire for hourly positions.

Salaried positions compensation may be negotiated based on the individuals experience and qualifications, and is at the discretion of the Divisional Director.

### **Hourly/Salaried**

Hourly positions are those classified Grade 9 and below without Manager or Director titles. Hourly positions are eligible for overtime/compensatory time.

Salaried positions are those positions titled Manager or Director within Grade 9, and all positions Grade 10 and above. Salaried positions are not eligible for overtime/compensatory time.

Emergency response personnel are eligible for overtime/compensatory time.

### **Overtime/Compensatory Time**

Employees holding hourly positions will be compensated at a rate of one and one-half (1 ½) times their regular rate of pay; or one and one-half (1 ½) compensatory time for hours worked over forty (40) hours in a work week. Issuance of overtime or compensatory time is at the discretion of the department manager and based on budgetary constraints.

Employees may not work overtime without prior approval from the employee's appropriate manager. Divisional Directors shall develop appropriate procedures for authorizing overtime for their staff.

Earned compensatory time must be utilized by the employee within thirty (30) working days. Compensatory time not used within the specified period will be forfeited. It is the department supervisor's responsibility to effectively track compensatory time earned and used for their respective employees.

No payment of accumulated compensatory time will be made upon employment separation.



## Section 1 General Administration

<b>Policy Number:</b> 117	<b>Effective Date:</b> 04/02/12
<b>Title:</b> Social Media	

### **Purpose**

To Define a Social Media guideline for professional and personal online communication.

### **Policy**

It is imperative that our employees of the White Earth Nation embrace and support their place of work whether they are on duty or not; and that employees uphold a professional image while conducting web-based and mobile technology communication and behavior. Your internet interaction can result in members of the public forming opinions about the White Earth Nation and its entities, employees, clients, partners.

- Social Media is defined as: Internet sites and services that allows users to generate and exchange content and interact with each other in a variety of ways including but not limited to Forums, podcasts, bookmarking, blogs, email and social networking sites.
- Social Networking is defined as participating in online communities, websites or other technologies (including mobile) to communicate with one another and share information and resources.

### **Practice**

Respect and Privacy Rights for personal and professional use of social media and networking systems.

Behavior that presents a negative image of the White Earth nation, its entities or employees may result in disciplinary action up to and including dismissal. These can include but is not limited to commentary, content, or images that are defamatory, pornographic, proprietary, harassing, or libelous or that can create a hostile work environment.

1. Employees should be aware that their off the job behavior could reflect upon the integrity and image of the White Earth Nation. Employees are expected to present a positive and professional image at all times.
2. Speak respectfully about the White Earth Nation, our current and potential employees, clients, partners, and all White Earth entities. Do not engage

- in name calling or behavior that will reflect negatively on the White Earth Nations reputation.
3. The use of copyrighted materials, unfounded or derogatory statements, or misrepresentation is not acceptable by the White Earth Nation as an employer.
  4. It is expected that you to write knowledgeably, accurately and using appropriate professionalism. Anything obscene, vulgar, defamatory, threatening, discriminatory, harassing abusive, hateful, or embarrassing to a fellow associate is not acceptable.
  5. Employees should neither claim nor imply that they are speaking (whether orally or in writing) on behalf of the White Earth Nation. Only authorized employees may reply to comments or questions on social media sites.
  6. The White Earth Tribal Council logo and trademarks may not be used without explicit permission in writing from the Council. The White Earth Tribal Council reserves the right to apply any applicable policy that is violated in a web-based or mobile technological circumstance.
  7. If you feel you have experienced or witnessed a violation of the policy you must notify your supervisor, department manager or the Human Resource Director.

**Confidential information:**

1. You may not share information that is confidential or proprietary about the White Earth Nation or any White Earth entities. This includes information about trademarks, upcoming product releases, sales, finance, number of products sold, number of employees, company strategy and any other information that has not been publicly released by the White Earth Tribal Council.
2. These are given as examples only and do not cover the range of what the White Earth Tribal Council considers confidential and proprietary. If you have any questions about whether information has been released publicly, speak with your manager or the Human Resources department before releasing information that could potentially harm the White Earth Nation, its products, employees, partners and clients. You are held accountable for any updates to the Employee Handbook.



## **Section 2 Human Resources**

<b>Policy Number:</b> 200	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Native Preference	

As a tribally owned and operated organization, the White Earth Tribal Council strives to provide opportunities to Native Americans who historically have been denied equal opportunities to work and excel.

For purposes of this manual, the definition of a Native American is the following:

- Members of federally recognized Indian tribe
- Descendents of such members of a federally recognized Indian tribe

The White Earth Tribal Council specifically sets forth the following preference in pre-screening of applications and interviewing:

- White Earth Reservation enrolled member
- White Earth Reservation enrolled members descendent (one generation)
- Minnesota Chippewa Tribe member
- Federally recognized enrolled tribal member
- Non-White Earth member providing documented support to a White Earth family

For purposes of this policy, one generation is defined as the applicant having a parent enrolled in the White Earth Reservation.



## Section 2 Human Resources

<b>Policy Number:</b> 201	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Equal Employment Opportunity	

The White Earth Tribal Council reaffirms its commitment to provide all qualified applicants and employees with equal employment opportunities and ensure the organizations policies and procedures are administered in a non-discriminatory manner.

Native American Preference shall apply first and foremost in all employment-related decisions. After this application, it is the practice of the White Earth Tribal Council to recruit, hire, train, compensate, promote, recognize, terminate and otherwise treat employees and applicants in a non-discriminatory manner, solely on the basis of their abilities, experience, training, and demonstrated performance without regard to:

- Age
- Race
- Color
- Ethnic or National Origin
- Marital or Family Status
- Political Beliefs
- Physical Disabilities that are unrelated to the work to be performed
- Religion
- Gender
- Sexual Orientation



## Section 2 Human Resources

<b>Policy Number:</b> 202	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Employment of Family Members	

It is the policy of the White Earth Tribal Council to permit family members to work within the organization provided it does not create a conflict of interest, such as an opportunity for collusion or favoritism.

Under no circumstances will an employee directly supervise the work or working conditions of a family member, either on a temporary or permanent basis.

Furthermore, family members may not be placed in an area where they will receive direction from the same immediate supervisor unless the Divisional Director and the affected supervisor determine no adverse affect will occur within the department.



## Section 2 Human Resources

<b>Policy Number:</b> 203	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Employment Status	

The White Earth Tribal Council believes that an important factor in achievement of organizational objectives is effective utilization of employees.

The following classifications define employees' employment status.

- Regular Full-Time – An employee who works a minimum of thirty (30) hours per work week on a regularly scheduled basis and maintains continuous regular employment status.
- Regular Part-Time – An employee who works less than thirty (30) hours per work week on a regularly scheduled basis and maintains continuous regular employment status.
- Recalled – An employee who is called back to their vacated position during a defined time period of more than six (6) months and works on a regularly scheduled bases, either full-time or part-time.
- Temporary – A person who is hired for a specific period of time not to exceed 1,040 hours in a twelve (12) month period.
- Seasonal – A person who is recalled to their vacated position during a defined time period of not more than six (6) months and works on a regularly scheduled basis, either full-time or part-time for that period.
- On-Call – An employee who is hired to be available to fill in as needed for a specific position.





## Section 2 Human Resources

<b>Policy Number:</b> 204	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Probationary Period	

It is the policy that all newly hired or transferred employees to fill regular full-time or part-time, temporary, seasonal or on-call positions of the White Earth Tribal Council shall serve a minimum initial probationary period of ninety (90) days for the purpose of demonstrating satisfactory job performance.

If the position is temporary and will be filled for a period less than ninety (90) days, the newly hired, re-hired or transferred employee shall be subject to this probationary period during the duration of the temporary assignment.

Seasonal employees will be subject to the initial probationary period upon hire. The initial probationary period will not be repeated for subsequent seasonal recalls.

Within ten (10) days of completion of the probationary period, the department manager/director shall evaluate the employee's performance. The probationary period may be extended up to an additional ninety (90) days to further evaluate the employee if necessary.

If the employee fails to demonstrate satisfactory job performance, they may be dismissed during the probationary period. Efforts to allow the employee to meet performance standards shall be exercised by the supervisor.

Employees terminated during their probationary period are not eligible to appeal their termination.



## Section 2 Human Resources

<b>Policy Number:</b> 205	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Position Descriptions	

Position Descriptions are designed to summarize the duties and responsibilities of the job, qualification requirements, employment conditions, and other information which will be useful for recruitment, performance evaluation, job evaluation, training, organizational planning and on-going supervision of the incumbent employee. All positions within the White Earth Tribal Council must have a complete and current position description.

For new positions, a position description must be completed by the hiring manager. Approval by the Divisional Director and Human Resources Director is required.

Periodic review of the position descriptions will be conducted by each respective department to ensure completeness and appropriateness.

The position description will include, but not limited to:

- Job title
- Department
- Safety sensitivity
- Revision date
- Classification
- Position summary
- Position Outcomes
- Qualifications
- Physical & Environment demands

Current position descriptions will be maintained for all departments in the Human Resources Department.



## Section 2 Human Resources

<b>Policy Number:</b> 206	<b>Effective Date:</b> 8/1/09 10/13/14, 02/05/15
<b>Title:</b> Staffing	

### **Job Postings:**

The White Earth Tribal Council believes that an important factor in the achievement of its goals is the maximum development and utilization of every employee and tribal member. To do this, job openings will be posted within the communities and the White Earth Tribal Council building for ten (10) business days; with the exception of Divisional Director positions and above which may be exempt from posting.

There are times when posting a position is not feasible, such as a severe staffing shortage that effects the smooth operation of the department. At these times, temporary help may be utilized to fill those needs while the position is posted. When utilizing temporary help in a department, the department must notify the Staffing Specialist of the intent to use a temporary worker and complete all necessary background investigations and pre-screen under the Drug Free Workplace policy.

### **Promotion & Transfer**

Employees will be afforded the opportunity to apply for available positions. Employees may be considered for promotional opportunities within their respective departments once they have completed their probationary period and meet the qualifications required of the position pending:

- Approval of the promotional opportunity is received by the Divisional Director, Human Resources Director. If requirements are not fulfilled then Executive Director approval required
- The promotional opportunity must open another position within the department for competitive recruitment.

Employees may transfer to a position of the same level or below their current position if it is beneficial to the employee and employer.

### **Recruitment:**

It is the policy of the White Earth Tribal Council to recruit and select qualified individuals for employment who will contribute to the operational and productivity goals for the organization.

Applications will be evaluated based on work history, qualifications, skill level and his/her ability to meet the requirements of the position as indicated on his/her completed application and/or resume.

Native Preference shall apply, and in those circumstances in which a minimum of three (3) qualified White Earth enrolled applicants were not successfully recruited, the position will be reposted for a period of five (5) days.

Applications will be kept in the Human Resources department for a period of ninety (90) days, after which time they will be destroyed. Applicants reapplying for a position after the ninety (90) day period has elapsed will be required to complete a new employment application.

**Pre-screen & Selection:**

The White Earth Tribal Council believes in providing the people of White Earth access to quality employment, therefore, Native Preference shall prevail in the pre-screening and selection of candidates for interview when possible.

When three (3) or more White Earth enrolled members meet the minimum qualifications of a position, interview selection will be limited to White Earth enrollees only. This will be applicable to the first ten (10) days of the job posting.

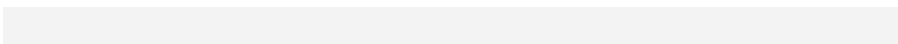
Interviews of qualified candidates will be conducted by a representative of the hiring department and Human Resources.

**Selection:**

Following pre-screening and interviewing, the hiring department and the Staffing Specialist will present the finalized selection to the respective Divisional Director for approval; and the Human Resources department for review and processing.

Once approval is received, the Staffing Specialist and the hiring manager will work collaboratively to present a conditional offer of employment to the selected candidate. All selected applicants will receive a conditional offer of employment pending the outcome of a background check, pre-screen drug test and any other related qualifying factors.

The hiring manager will finalize a negotiable salary if applicable. This is only applicable to certain Grade levels.





## Section 2 Human Resources

<b>Policy Number:</b> 207	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Orientation	

All employees are required to attend Orientation prior to commencing work duties. During the orientation process, the Human Resources Department will oversee the completion of all employment related forms. Each department is responsible to complete a departmental orientation to all new employees.

In order to successfully complete orientation processing, the following documents must be completed by the employee:

- W4 Withholding forms
- I-9 Certification
- MN Tax Exemption
- Child Support Obligation
- Drivers License Statement of Understanding
- Acknowledgment forms

The White Earth Tribal Council is a Drug Free Workplace, and testing for alcohol and illegal drug use is required prior to employment. All applicants will be given a pre-screen test during the orientation process.

Individuals hired into non-safety sensitive positions and who test positive will be required to comply with Policy 504, Drug Free Workplace to complete the orientation process.

Individuals hired into a safety sensitive position and who test positive will be sent home pending confirmation of the results from the Medical Review Officer and requirements outlined in the Drug Free Workplace policy will commence.



## Section 2 Human Resources

<b>Policy Number:</b> 208	<b>Effective Date:</b> 8/1/09
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<b>Title:</b> Personnel files
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A personnel file will be established for each employee hired by the White Earth Tribal Council and will be maintained in a limited access area within the Human Resources Department. No other personnel files are to be maintained, with the exception of information by the supervisor to conduct day-to-day business (i.e. time sheets, schedules, and file copies). Employees will be responsible for updating their address, name, telephone number and emergency contacts with the Human Resources Department.

Each personnel file will contain only such information as is needed by the company in conducting its business or as required by applicable law:

- Employment application
- Withholding forms
- Personnel Action Forms
- Employee Handbook Acknowledgment Form
- Performance Evaluations
- Performance Reports
- Commendations/Certifications
- Other related documentation

Information concerning medical information, Group Health claims and information concerning accidents will not be maintained in the personnel files.

An employee may have access to their personnel file by making a request to the Human Resources Department. The employee may not remove their file or any of its contents from the office. He/she may request a copy of selected information.

Inactive personnel files will be maintained for a period of seven (7) years, at which time they will be destroyed according to public records law.



## Section 2 Human Resources

<b>Policy Number:</b> 209	<b>Effective Date:</b> 07/09/2012
<b>Title:</b> Background Study	

It is the policy of the White Earth Reservation Tribal Council to perform pre-employment checks. This policy is established to determine and/or confirm the qualifications and suitability of applicants for the particular position for which they are being considered and to meet the requirements established for the position.

The White Earth Tribal Council reserves the right to check the employment reference of all applicants. The process is intended to help the employer evaluate the candidate's suitability for hire. All offers of employment are contingent upon successful completion of the background checks. Any misrepresentations, falsifications, or omissions in any employment application or resume may result in no further consideration of the applicant for employment. Candidates who fail to disclose accurate and complete information regarding criminal convictions may be considered not suitable for hire. The White Earth Tribal Council does not automatically disqualify any person from being hired or promoted because of the person's criminal record.

All applicants and/or employees will be required to sign appropriate authorizations and consents to enable the employer to perform background studies.

The White Earth Tribal Council will perform pre-employment background checks on all applicants for employment. In addition, if an employee changes positions an updated background check appropriate for the new position will be conducted.

The results of pre-employment background checks are confidential and may only be shared on a strict "need to know" basis.

The components of each individual's background check will depend on the position designation. Depending on the particular position, the White Earth Tribal Council may perform local and state criminal background checks, FBI fingerprint checks, former employer checks, personal reference checks, driving record verification, education verification and professional license verification.

It is the policy of the White Earth Tribal Council that all new applicants and existing employees working in a **Safety Sensitive Position** meet the minimum standard of character that are prescribed under the Indian Child Protection and Family Violence Prevention Act, Public Law 101-630, Code of Federal Regulations 25 Part 63, and the Crime Control Act of 1990. Public law 101-647 (as applicable)

**This policy contains references to the following:**

Indian Child Protection and Family Violence Prevention Act, as amended (Public Law 101-630; codified in 25 United States Code 3207) and Sec. 814 Technical Amendment to the Indian Child Protection and Family Violence Prevention Act.

25 Code of Federal Regulations Part 63, Implementation of the Indian Child Protection and Family Violence Prevention Act.

Crime Control Act of 1990 – Subchapter V – Child Care Worker Employee Background Checks (Public Law 101-647; codified in 42 United States Code 13041)





## Section 3 Employee Relations

<b>Policy Number:</b> 300	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Communication Guidelines	

The White Earth Tribal Council believes an open door policy provides for direct communication between all who may be in the best position to provide information and resolve issues.

It is suggested that employees always start by talking with his/her supervisor or manager. If the supervisor/manager is unable to resolve the issue in question, the employee should schedule a meeting with their divisional director. If the Divisional Director is unable to resolve the issue in question, the employee should notify the Employee Relations Specialist.



## Section 3 Employee Relations

<b>Policy Number:</b> 301	<b>Effective Date:</b> 04/02/12
<b>Title:</b> Personal Conduct Standards	

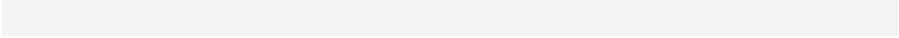
Personal conduct standards are developed to ensure that White Earth Tribal Council employees' are able to work together as a professional team, with consideration for the rights and interests of others.

The following are examples of unacceptable personal conduct that may result in disciplinary action:

1. Conduct or performance on the job that indicates a lack of ability or failure to produce the quality and quantity of work the position requires
2. Failure to fulfill the responsibilities of the job to an extent that might or does cause injury or damage
3. Deliberately attempting to cause poor morale among WETC employees by action or attitude on the job
4. Immoral conduct or indecency during working hours such as threatening, intimidating, coercing or interfering with visitors, supervisors or other employees.
5. Disorderly or immoral conduct while on company premises or on company business or any conduct which reflects negatively on the White Earth Nation, employees, clients or partners.
6. Threatened or actual physical violence or profane or abusive language
7. Failure to comply with instructions-insubordination
8. Engaging in unauthorized personal business during working hours and/or utilizing company property to engage in personal business
9. Unauthorized removal or disclosure of confidential information and records to unauthorized individuals
10. Falsifying or omitting information on an employment application or any other company record
11. Intentional disregard of general safety rules and practices
12. Unauthorized use of, removal of, theft of, or intentional damage to the property of the WETC, an employee, an independent contractor or visitor

13. Destroying, defacing, or misuse of company property or the property of other employees or visitors
14. Violation of appearance standards
15. Soliciting or accepting unauthorized payment of expense or gratuities
16. Unexcused or excessive absenteeism and/or tardiness and abusing time limits. For purposes of this policy, three (3) consecutive absences without notification to the department manager/supervisor will be considered a termination of employment at the request of the employee.
17. Violation of the Drug Free Workplace rules
18. Unauthorized possession of a dangerous instrument or weapon
19. Retaliation for disciplinary actions or retaliation toward another who reported a violation
20. Creating or contributing to a hostile work environment
21. Intentional failure to report any illegal or immoral activity and/or failure to cooperate as requested
22. Violation of any employment rule, including rules, regulations and procedures of departments
23. Failure to notify your supervisor of a drivers license suspension or revocation if required to drive automobiles as part of the position or to submit mileage reimbursement
24. Failure to ensure that a vehicle used for work purposes has current insurance coverage.
25. Failure to report accidents or injuries that occur during work hours or while in the performance of WETC duties within a reasonable time frame.
26. Criminal conduct or convictions that violate the primary duties or responsibilities related to work
27. Leaving the job during working hours without permission
28. Using obscene language or acting in any manner that could be interpreted as sexual, racial, religious, or other types of harassment
29. Using a PC for any unethical purposes or non work related purposes, including social networking sites, streaming, instant messaging, pornography, violence, gambling, racism, harassment, illegal activity, etc.

Personal conduct standards are not all inclusive. Standards are developed to provide employees with examples of unacceptable behavior. Management may determine that certain behavior not described in the organization's personal conduct standards warrants disciplinary action up to and including termination of employment without notice.





## Section 3 Employee Relations

<b>Policy Number:</b> 302	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Discipline Standards	

When an employee's behavior does not meet the organization's expectations, or is in violation of organizational policy, some degree of disciplinary action becomes necessary. The goal, whenever possible, is improved performance and a resolution to the problem as opposed to actions that are punitive in nature; recognizing that gross or deliberate violation of organizational policy may be grounds for immediate termination without following prescribed steps of progressive counseling and discipline.

The supervisor may initiate one of the following actions, depending upon the circumstances surrounding the performance problem, the frequency with which it has occurred and the employees work history:

- Verbal Warning: Minor, first time offenses
- Written Warning: Repeat problems where the employee has received previous verbal warning(s) or problem(s) of a more serious nature.
- Suspension without Pay: Continued repetition of the problem despite verbal and written warnings and/or problem(s) of an extremely serious nature.
- Dismissal: Progressive efforts to correct the problem have failed and the employee cannot or will not meet the required job standards; or the employee has engaged in misconduct or other violation of organizational or departmental policy, rule or known practice that would warrant immediate termination.

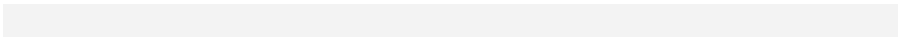
Prior to taking any action, department management will investigate the facts surrounding the issue. This will include interviewing the employee when feasible to ascertain his/her version of what happened as well as attempt to obtain any witnesses' statements.

For an offense of an extremely serious nature that could ultimately lead to a disciplinary suspension without pay or dismissal, the Divisional Director should send the employee home on a "**suspension pending investigation**" until the investigation is complete and a decision can be made.

If at the conclusion of the investigation, it is determined that a disciplinary suspension is warranted, the period of time the employee was off work may be counted toward the time of disciplinary suspension. Disciplinary suspensions are unpaid.

If the employee is cleared of the allegation, they may be compensated for any lost pay due to the investigative suspension, less any disciplinary action administered.

Any decision to invoke a suspension or termination of an employee outside of progressive discipline guidelines must be reviewed by the Human Resources department prior to implementation. The decision will be reviewed for consistency and appropriateness. The Human Resources department will complete the review within one working day of receipt of all supporting documentation from the department. If the review cannot be completed within one working day, the requesting Divisional Director will be advised of the reasons for the delay.





## Section 3 Employee Relations

<b>Policy Number:</b> 303	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Termination & Workforce Reduction	

The White Earth Tribal Council strives to maintain employment of its employees, but recognizes that conditions may develop that may result in the separation of that employment.

### **Voluntary Termination**

Resignation with proper notice: Proper notice shall be defined as department managements receipt of written notification within ten (10) working days unless, due to extenuating circumstances beyond the control of the employee, he/she is unable to do so and the department manager agrees the circumstances are extenuating.

Divisional Directors reserve the right to activate separation procedures immediately, regardless of notice given, if it is in the organization's best interest.

### **Involuntary Termination**

**Dismissal:** Refer to Policy 301, Personal Conduct Standards; Policy 302, Discipline Standards and Section 2, Policy 204, Probationary Period for policies regarding dismissal of employment, or in instances where an employee is unable to perform the essential functions of their position due to physical abilities.

**Layoff:** In the event the Divisional Director determines conditions require a reduction of staff, a method is established to accomplish such reductions in a fair and equitable manner, and that will minimize the inevitable disruption of employee moral. A layoff should not:

- Hamper the ability of the White Earth Tribal Council to continue necessary work
- Require the retention of employees who cannot perform the remaining work satisfactorily

Layoff considerations are given to an employee's suitability for the job and performance. An employee's tenure will be considered when suitability and performance are equal among two affected employees.

Employees selected for layoff will be given a written two (2) week notification when feasible.

The White Earth Tribal Council aims to bring back the best possible individuals, therefore; management will determine an employee's suitability for the job and performance and retains the option of recalling any employee laid off.

**Refer to Final Pay Policy 310.**







## Section 3 Employee Relations

<b>Policy Number:</b> 304	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Harassment in the Workplace	

The White Earth Tribal Council is committed to maintaining a work place free from any form of discrimination including any form of harassment in the workplace or creating or contributing to a hostile work environment.

It is expressly against organizational policy to engage in actions which sexually harass another employee or to commit, engage in, or tolerate any form of harassment regarding a person's race, color, creed, disability, age, status with respect to public assistance, sex, sexual preference or identity.

Sexual harassment refers to offensive conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature either direct or indirect when:

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

Offensive jokes, e-mail, sexual flirtations, advances or propositions, continued or repeating commentaries about an individual's body; sexually offensive language; and the display of sexually suggestive pictures or objects in the work place constitutes forms of sexual harassment.

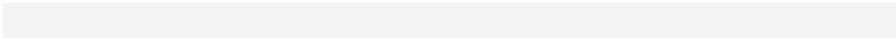
Other forms of harassment include comments, statements, or actions which has the effect of unreasonably interfering with the individuals work performance or creating an intimidating, hostile or offensive work environment.

Any employee who believes he/she has been the subject of either sexual or workplace harassment should report the alleged harassment to his/her manager immediately. If the employee is uncomfortable reporting the harassment to his/her manager, he/she should follow the department chain of command when feasible; or they should report it either to the Human Resources department or the Executive Director. Reports of sexual or workplace harassment will be investigated in the strictest of confidentiality.

Retaliation or discipline for pursuing a valid sexual or workplace harassment complaint is expressly prohibited, and employees shall not be subject to any form of retaliation or discipline for pursuing such complaints.

Any employee who has been found after an investigation to have sexually or otherwise harassed another employee, or created an intimidating, hostile or offensive work environment for another employee, is subject to disciplinary action, up to and including termination of employment.

Any supervisor who ignores a bona fide complaint of harassment or condones such conduct will be subject to appropriate disciplinary measures, up to and including termination of employment.





## Section 3 Employee Relations

<b>Policy Number:</b> 305	<b>Effective Date:</b> 02/06/12 10/20/14
<b>Title:</b> Grievance Policy	

A formal method of resolving work place grievances has been established for employees.

Employees are encouraged to bring problems that affect their attitude or ability to do their job to the attention of their immediate supervisor or manager. Open communication between supervisors/managers and their staff should solve most problems that arise in a timely manner.

The Employee Relations Specialist may be utilized at any point in the grievance process to assist in reaching a solution or resolution to the issue(s).

If an employee and their supervisor or manager is unable to reach a solution together, the employee may follow their “chain of command” in their department to the level of the respective Divisional Director. *The “chain of command” is defined in this order of supervisor or manager, Divisional Director and Executive Director.*

The following steps apply:

- Employee presents a signed written statement of facts (physical statement or letter is acceptable, email is not acceptable), allegations and resolution he/she is seeking to the Divisional Director within five (5) working days of event or unsatisfactory supervisor/manager response.
- Divisional Director investigates issue(s) and prepares and delivers a written response to the employee within five (5) working days of receipt of employee statement.

If no agreement is reached, the employee may present his/her statement of facts, allegations and resolution he/she is seeking to the Executive Director within five (5) working days of receipt of unsatisfactory divisional director response.

- Executive Director investigates issue(s) and prepares and delivers a written response to the employee within five (5) working days of receipt of employee statement.

An employee may report claims of harassment directly to his/her Divisional Director, the Executive Director or the Human Resources department as per policy #304.

The Executive Director may, in cases where action or behavior of an employee presents an adverse situation to the White Earth Tribal Council, other employees or the general public, render a decision based solely on his/her findings.

Employees directly supervised by a Divisional Director, the chain of command will be the Executive Director.

The following steps apply:

Employee presents a signed written statement of facts (physical statement or letter is acceptable, email is not acceptable), allegations and resolution he/she is seeking. The Executive Director will investigate the issue(s) and will prepare and deliver a written response to the employee within five (5) working days of receipt of employee statement.

The Executive Directors decision is final for all grievances filed.

Employees who are directly supervised by the Executive Director may report grievances to the White Earth Tribal Council.





## Section 3 Employee Relations

<b>Policy Number:</b> 306	<b>Effective Date:</b> 8/1/09
<b>Title:</b> References & Release of Employment Records	

To safeguard personnel information of both current and former employees, release of any personnel information will be executed by the Human Resources department only.

Disseminated information regarding reference inquiries of current and former employees will include position title and dates of employment only.

The following information will be released only with a signed release from the current or former employee:

- References requiring more detail of employment history
- Compensation
- Documents from the personnel file
  - No documents from a personnel file may be released unless the current or former employee has specified the documents which are to be released and the party who is authorized to receive the documents.

Subpoenas which request the production of documents and/or appearance by White Earth Tribal Council employees as witnesses in legal proceedings should be forwarded to Legal Counsel for review and determination of action.



## **Section 3**

### **Employee Relations**

<b>Policy Number:</b> 307	<b>Effective Date:</b> 02/17/16
<b>Title:</b> Performance Evaluations	

The White Earth Tribal Council is committed to strengthening the effectiveness of its staff members. An important aspect of this commitment is consistent, effective and straightforward review and evaluation.

Performance appraisals are a means to support this commitment and should be a continuing process throughout the year, with a formal performance appraisal conducted annually.

The performance appraisal is designed to:

- Increase efficiency through the annual planning of job duties, objectives and performance
- Provide information to the employee for use in work related decisions such as recommendations for salary increases, transfers, promotions, demotions and dismissals
- Provide assistance to management in assigning work and delegating responsibility based on a mutual understanding of the employees skills and abilities
- Encourage continued growth and development
- Identify training needs
- Maintain a documented history of employee performance

Employees working continuously without separation in employment for a period of twelve (12) months will receive a formal performance appraisal annually on the date they entered their respective position.

Any employee that has a separation, the evaluations will be due prior to lay-off and will receive the performance review change upon return.

Employees on Medical Leave during their performance year will have their merit increase prorated to the number of days that exceed their initial 90 first days of leave. (Anyone on Extended Leave).

If an employee transfers to a new position, their performance appraisal date will restart from the date in the new position.

Employees who are newly hired or transfer into a new position will receive a performance evaluation within ten (10) days of the completion of their probationary period as outlined in Policy 204, Probationary Period.

## Section 3



## Employee Relations

<b>Policy Number:</b> 308	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Demotion	

Effort will be made to contribute to the success of an employee in their respective position. However, at times the position and employee are not a good match and demotion may occur. An employee may be demoted provided the department manager/supervisor has documented steps taken to afford the employee an opportunity to correct or improve performance.

The department manager/supervisor shall submit a written request to their divisional director for the demotion, along with supporting documentation. Final approval of a demotion must be granted by the Divisional Director and Human Resources director.

An employee may make a request for demotion to the department supervisor/manager. Demotion is not guaranteed and will be considered on a case-by-case basis at the Divisional Directors discretion.



## **Section 3 Employee Relations**

<b>Policy Number:</b> 309	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Employee Assistance	

The White Earth Tribal Council is concerned with the well-being of all of their employees. Assistance is available to all employees and their families through The Village Employee Assistance Program (EAP).

EAP can help in areas of emotional/mental health, marital/family relationships, addictions, legal and monetary problems. EAP counselors provide confidential problem assessment, primary counseling and referral to other specialists if needed.

In certain circumstances, the employee's direct supervisor may mandate attendance to EAP as a condition of continued employment. Any mandated action must be coordinated with the Employee Relations Specialist.

These services are provided free of individual charge to employees of the White Earth Tribal Council and their household members.





## Section 3 Employee Relations

<b>Policy Number:</b> 310	<b>Effective Date:</b> 10/1/11
<b>Title:</b> Final Pay	

Employees leaving the White Earth Tribal Council must return all organizational property before their final paycheck can be issued.

Accumulated PTO leave up to a total of 240 hours will automatically be paid on the final payroll check, **refer to Policy 401**.

This final paycheck will be held in the Human Resource Department until an exit interview is completed and all property is returned. The Final check will be a printed check, no direct deposit. If there are unpaid obligations to the White Earth Tribal Council, the final paycheck will reflect the appropriate deductions.



## Section 3 Employee Relations

<b>Policy Number:</b> 311	<b>Effective Date:</b> 10/20/14, 5/11/15
<b>Title:</b> Appeal for Termination Policy	

A formal method of an appeal of termination along with the timeline for the processes has been established for employees terminated from employment.

The purpose of this policy is to provide a fair and consistent method for former employees to appeal a termination from employment from the White Earth Reservation Tribal Council.

Employees terminated, excluding the exceptions listed below has the right to contest the dismissal through the appeals process by a review of their peers. The appeal request must be made within five (5) days of issuance or receipt of the dismissal.

Former employees who receive a notice from the United States Postal Service (USPS) of a Certified Dismissal Letter from the White Earth Reservation Human Resources or their former Program, will have five (5) days to claim their Notice of Certified Dismissal Letter that the USPS provided to their address, failure to claim the Certified Dismissal letter within the five (5) days will result in forfeiting their right to file for the appeal process, including Tribal Court.

Upon receipt of a written and signed request to file of appeal, a notice of appeal date/time and appeals agenda will be mailed to the former employee's last known address within three (3) business days. The appeal hearing will be held within two (2) weeks of the filing of appeal. Former employees who are a no show or arrive 10 minutes late to their scheduled appeal hearing forfeit their right to file for an appeal hearing in Tribal Court.

Former employees that have their dismissal upheld through the Appeal Board, have the right to file their appeal in White Earth Tribal Court, within seven (7) days of receipt of the Board's determination.

Employees dismissed for the following reasons; theft, violation of the Drug Free Workforce Policy or are a Director, are not eligible for a review by the appeal board and will have a separate process through Tribal Court. Employees dismissed for these reasons and at this level must file their appeal with White Earth Tribal Court within seven (7) days of issuance or receipt of dismissal.



## Section 4

## Benefits

<b>Policy Number:</b> 400	<b>Effective Date:</b> 02/06/12
<b>Title:</b> Holidays	

The following paid holidays are recognized by the White Earth Tribal Council:

- New Years Day January 1
- Martin Luther King Day Third Monday in January
- Presidents Day Third Monday in February
- Memorial Day Last Monday in May
- Treaty Day Friday preceding June 14<sup>th</sup> Celebration
- Independence Day July 4
- Labor Day First Monday in September
- Veterans Day November 11
- Thanksgiving Day Fourth Thursday in November
- Friday after Thanksgiving
- Christmas Day December 25

Holidays will begin at 12:01 a.m. and end at midnight the day of the holiday.

If the holiday falls on a Saturday, the Administrative offices will be closed on the Friday prior to the holiday. If the holiday falls on a Sunday, the Administrative offices will be closed on the Monday following the holiday. Staff who normally work in the administrative offices will be paid for holiday pay on the day the office is closed. This affects administrative office employees only, that work Monday through Friday.

Employees must be on active payroll the day prior and the day following the above listed recognized holidays in order to be eligible for the paid time off.

Regular full-time employees will receive holiday pay equivalent to the number of hours regularly scheduled. Any employee who works a designated holiday will receive time and one half for actual hours worked. Part-time employees will not receive holiday pay.



## Section 4 Benefits

<b>Policy Number:</b> 401	<b>Effective Date:</b> 02/06/12
<b>Title:</b> Personal Time Off (PTO)	

The White Earth Tribal Council recognizes the need, and encourages its employees, to take time away from work to enjoy their personal lives.

Regular full-time, regular part-time and re-called employees are eligible for Personal Time Off (PTO) benefits. Temporary and seasonal employees are not eligible for PTO accrual.

New employees will receive an initial deposit of PTO time credited to their PTO account when they complete their 90-day probationary period. Absences during the probationary period will be recorded as 'no pay'.

Paid PTO is available for vacation, personal business, illness, illness in the family, etc. Whenever possible, prior approval for any absence must be approved by the supervisor when practical. In the circumstances when prior approval is not feasible, such as an unexpected illness, the employee must contact their supervisor no later than one-half hour after the beginning of their scheduled start time. Failure to seek approval when appropriate or contact your supervisor within the time allowed, will result in your request for leave being denied and disciplinary actions for repeated behavior.

Eligible employees will earn PTO proportionately to time worked. The accrual of PTO hours will be automatically prorated for hours paid under 80 in a pay period, for every eighty (80) hours paid per payroll, PTO will accrue as follows (Circle of Life school teachers will earn according to their respective contracts):

Years of Service	PTO Accrual
1 <sup>st</sup> Year	4 hours
2 <sup>nd</sup> Year	5 hours
3 <sup>rd</sup> Year	6 hours
4 <sup>th</sup> Year	7 hours
5 <sup>th</sup> Year	7 hours
6 <sup>th</sup> Year	8 hours
7 <sup>th</sup> Year	8 hours
8 <sup>th</sup> Year	9 hours
9 <sup>th</sup> Year	9 hours
10 <sup>th</sup> Year or more	10 hours

The total of PTO hours and work hours combined cannot exceed the normal hours you would regularly work in a pay period.

Eligible employees are able to accrue PTO throughout the year, but as of September 30<sup>th</sup> of each year, any hours over the maximum 240 will be forfeited. The White Earth Tribal Council will only recognize a maximum of 240 hours at any given time. Upon separation of employment, unused PTO hours up to the maximum allowed of 240 will be paid out to the employee.

Employees transferring from one White Earth RTC entity to another are able to transfer up to eighty (80) hours of PTO. White Earth entities include Shooting Star Casino, White Earth Housing Authority, White Earth Credit Union, Pine Point School and the White Earth Tribal and Community College. These entities are not inclusive and the White Earth Tribal Council may add or remove an entity at any time.

Employees transferring concurrently from one White Earth entity to another are eligible to accrue PTO hours based on their most recent date of hire from the entity in which they are transferring from. Temporary status is excluded.

In the event the RTC offices close early for the holiday season or other approved reasons, administrative office employees that had previously been approved for PTO on the affected date will have their PTO adjusted to be paid for the approved paid time off.

(Example: An employee had requested Friday off in advance and requested to use 8 hours PTO. On Friday, in the a.m. it was approved all RTC offices would close at 12:00 p.m. with pay. The employees PTO would be adjusted to using 4 PTO for the a.m. and 4 paid hours in the p.m.)



## Section 4 Benefits

<b>Policy Number:</b> 402	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Donation of Personal Time Off	

There are times when an employee must take time off for reasons out of their control, but lacks the vacation or personal leave to do so. As an option, the employee may take time off without pay. The Tribal Council understands that this may cause a financial hardship for the employee, and authorizes the donation of leave with considerations.

- The qualifying event requires the requesting employee to be unable to work for a minimum period of five consecutive (5) days.
- If qualified, the requesting employee must utilize short-term, long-term or workman's compensation benefits prior to any donation of leave time.
- The department manager/supervisor must approve the time off according to departmental and budgetary needs.
- Donation minimum is eight (8) hours.
- Donation maximum is forty (40) hours.
- Maximum amount of donated leave a Full-Time employee is eligible to receive in a 12 month period is forty (40) hours.
- Maximum amount of donated leave a Part-Time employee is eligible to receive in a 12 month period is twenty (20) hours.
- Leave is donated hour for hour and are not retro-active (i.e. once a pay period ends.)
- Unused leave donations will be returned to the donating employee (i.e. employee returns to work, separates employment, etc.)
- Participation in donation of leave is voluntary, and any form of repayment (i.e. monetary, time donated back, or assistance with work) is not to be expected.

The employee requesting donation of leave must:

- Be Full-time or Part-time status.
- Have exhausted all of their own leave
- Have supporting documentation to the event
- Meet with Human Resources to seek any other type of assistance
- Hold a position that accrues leave

The employee donating leave must:

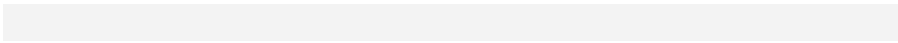
- Maintain a balance of eighty (80) hours of PTO.

Employees *not* eligible for leave donation are those who are:

- Temporary status
- On-call status
- Within a probationary period

For purposes of this policy, an event is defined as:

- A serious, extreme or catastrophic tragedy occurring to the employee or the employee's family.
  - Acts of nature such as flood, fire, tornado
  - A natural or man-made disaster that is unusually severe
- A life threatening event, illness or injury occurring to the employee or the employee's family.
  - Accident resulting in serious bodily injury, permanent impairment or death
  - Terminal illness resulting in incapacitation or death
- A chronic or long-term medical condition requiring continued treatment or supervision by a health care provider
- A severe illness, injury or impairment which has caused, or is likely to cause the employee to take leave without pay.
- A severe mental condition requiring treatment by a health care provider.





## Section 4 Benefits

<b>Policy Number:</b> 403	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Leave of Absence	

In an effort to provide a work/life balance, the White Earth Tribal Council provides employees the opportunity to take a leave of absence (LOA) from their position. An LOA is defined as an approved absence from work for more than ten (10) scheduled work days.

Failure to return to work upon the expiration of LOA or refusing an offer of reinstatement for which the employee is qualified will result in voluntary termination.

All requests for a LOA must be made in writing and submitted to the department manager/supervisor. An employee must provide thirty (30) days advance notice when the need for the leave or absence is foreseeable; for instance, if medical treatments or other events are planned or known in advance. If the leave of absence is not foreseeable within thirty (30) days, the employee must provide notice to his or her immediate supervisor as soon as practicable.

A leave of absence will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer unless special approval is obtained by the Division Director and Executive Director. Employees who begin employment elsewhere while on LOA, except military reserve duty, are considered to have quit voluntarily.

### **Approval:**

Both the Divisional Director and the Human Resources Benefits Specialist will review the request. The requesting employee's manager/supervisor will notify the employee as to whether the request was approved.

### **Job Benefits:**

The White Earth RTC will pay the employer's portion of the cost of benefits including health, dental, life and disability insurance benefits while an employee is on an approved regular LOA. The employee must continue to pay his or her portion of the benefits which may be made by payroll deductions (when applicable) or by check which must be submitted to the HR Benefits Specialist each pay period unless other arrangements have been made. If the employee fails to pay their portion of benefits, benefits will be terminated in accordance to the plan documents.



While on LOA, employees are required to use any accrued vacation and personal leave until returning to work.

Extension of a LOA beyond the normal specified period is at the discretion of the Division Director and Executive Director.

## **Types of Leave**

### **Medical Leave:**

On occasion, an employee finds it necessary to be out of work due to a personal illness or to care for a family member (see definition) who has a serious health condition.

For purposes of this policy, a serious health condition is defined as:

- A medical condition which could include continuing treatment or supervision by a health care provider; or
- Continuing treatment of a chronic or long term health condition.

A Physician certification supporting the need for a LOA is required within 14 days of the date of request or as soon as practicable for all medical LOAs. For an extension of a medical leave of absence, a recertification is required. Recertification may also be required in other circumstances.

The maximum amount of time allowed for a normal medical LOA should not exceed twelve (12) weeks within any 12-month period.

### **Parental Leave:**

A parental LOA may be granted to employees (male or female) for the birth of the employee's child.

A parental leave of absence may also be granted for placement of a child in the employee's care for adoption or foster care. Upon making a request for a parental LOA, the employee may be required to provide documentation to support the birth or legal placement of a child.

The maximum amount of time allowed for a normal Parental Leave is twelve (12) weeks within any 12-month period.

### **Personal Leave:**

A Personal LOA may be granted for reasons that may not apply to the other types of LOA outlined in this policy.

The maximum amount of time allowed for a normal Personal LOA is thirty (30) days in any 12-month period. The decision to grant a personal LOA will be based on the business needs and budgetary constraints of the department and/or the White Earth Tribal Council, and is not guaranteed.

**Military Leave:**

A Military LOA may be granted to an employee who is called to service, training or other obligations. The amount of time granted for a Military Leave shall be based on official orders issued by the branch of service the employee is to serve, train or hold other obligations to.

- **Military LOA Eligibility:** Employees who are active members of the Armed Forces or are active Reserve Members of the Armed Forces.

**Political Leave:**

A political LOA may be granted to an employee who is actively seeking election in the White Earth Tribal Council election process.

The maximum amount of time granted for a political leave shall be the date the employee elects to exercise their right and indicates a LOA on the White Earth Tribal Council's Election Statement. The leave will end once the employee's participation in the process has been finalized, including any appeals.

**Job Protection and Returning to Work after an approved LOA:**

The White Earth Tribal Council will attempt to return an employee who is returning from an approved regular leave of absence to the same or similar job, at the same salary that the employee held prior to the leave. Under some circumstances, however, permanent replacement during a leave may be required, or in some instances, staffing requirements may change.

**Extended Leave of Absence:**

Under extenuating circumstances when an employee is not able to return to work after the normal time period has expired for a regular leave of absence, an extended leave of absence may be considered. Granting an extended leave of absence will be at the discretion of the Program Manager and Division Director based upon the circumstances and program requirements.

During an extended leave of absence, the White Earth Tribal Council will not pay for the employee's benefit package. The entire cost of any continued benefits during an extended leave of absence shall be the responsibility of the employee.



## Section 4

## Benefits

<b>Policy Number:</b> 405	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Voting	

The White Earth Tribal Council encourages our employees to exercise their right to vote.

Employees are asked to vote during off duty hours. If this is not possible, the employee should speak to his/her immediate supervisor prior to the election to schedule a time during work to vote.



## Section 4 Benefits

<b>Policy Number:</b> 406	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Bereavement	

In the unfortunate event of a death in the immediate family, a leave of absence of up to three (3) days with pay will be granted to Regular Full-Time employees. These three days are to be taken consecutively within a reasonable time of the day of the death or day of the funeral, and may not be split or postponed.

Employees should make their supervisor aware of their situation. In turn, the supervisor should notify their respective Divisional Director of the reason and length of the employee's absence.

Upon returning to work, the employee must record his/her absence as a Bereavement Leave on a designated leave request slip. Proof of death and relationship to the deceased may be required.



## Section 4 Benefits

<b>Policy Number:</b> 407	<b>Effective Date:</b> 8/1/09, 10/20/14, 1/1/15
<b>Title:</b> Health	

All regular full-time employees of the White Earth Tribal Council are eligible for health benefits beginning the first day of the month following sixty (60) days after their hire date. An employee may choose either single or family coverage for an established fee.

The White Earth Tribal Council health program is a self-funded plan which provides comprehensive hospital and major medical insurance coverage. Under the self-funded plan all services provided may be subject to an annual deductible and coinsurance payment.

Employees have up to sixty (60) days from date of hire to elect to take the medical benefits. Once made, this election is generally fixed for the remainder of the fiscal year (10/1-9/30) unless the employee undergoes a qualifying event. See Summary Plan Description for definition of a qualifying event.

An Open Enrollment period will be held in September of each year, at which time employees may make changes to their medical election for the following year.

Employees are encouraged to refer to the Summary Plan Description for details of health coverage.



## Section 4 Benefits

<b>Policy Number:</b> 408	<b>Effective Date:</b> 8/1/09, 10/20/14, 1/1/15
<b>Title:</b> Dental	

All regular full-time employees of the White Earth Tribal Council are eligible for dental benefits beginning the first day of the month following sixty (60) days after their hire date, as long as the employee is enrolled in the organization's health plan. An employee may choose either single or family coverage.

Dental coverage may be subject to a deductible, co-insurance and an annual benefit maximum per person.

Employees are encouraged to refer to the Summary Plan Description for details of dental coverage.



## Section 4 Benefits

<b>Policy Number:</b> 409	<b>Effective Date:</b> 8/1/09, 10/20/14
<b>Title:</b> Life Insurance	

All regular full-time employees of the White Earth Tribal Council are eligible for life insurance benefits along with an accidental death and dismemberment policy beginning the first day of the month following their first sixty (60) days of hire date.

Employees are encouraged to contact the White Earth Tribal Council's Benefits Specialist for specific details regarding the organizations life insurance policy.



## Section 4 Benefits

<b>Policy Number:</b> 410	<b>Effective Date:</b> 8/1/09, 10/20/14
<b>Title:</b> Long Term Disability	

The White Earth Tribal Council offers regular full-time employees a Long-Term Disability (LTD) plan beginning the first day of the month following their first sixty (60) days of hire date.

The LTD benefits have an elimination period of 180 days (six months) of disability due to the same or related sickness or injury for which the employee has been receiving Short Term Disability benefits.

Employees are encouraged to contact the White Earth Tribal Council's Benefits Specialist for specific details regarding the organization's LTD insurance policy.





## Section 4 Benefits

<b>Policy Number:</b> 411	<b>Effective Date:</b> 8/1/09, 10/20/14
<b>Title:</b> Short Term Disability	

Regular full-time employees of the White Earth Tribal Council are eligible for Short-Term Disability (STD) benefits beginning the first day of the month following their first sixty (60) days of hire date.

The Employee Benefits Specialist must be notified within twenty (20) days after becoming disabled. A STD leave must be certified by a physician's or licensed health care professional's statement identifying the nature of the disability. Employees will not be able to return to work without submitting a note from a physician or licensed health care professional to the Human Resources department authorizing the employee's return.

Employees are encouraged to contact the White Earth Tribal Council's Benefits Specialist for specific details regarding the organizations Short Term Disability benefit.



## Section 4 Benefits

<b>Policy Number:</b> 412	<b>Effective Date:</b> 8/1/09, 10/20/14
<b>Title:</b> Supplemental Benefits	

All employees of the White Earth Tribal Council are eligible for a variety of supplemental benefits to increase their benefit packages and may include additional life insurance and accident insurance.

Employees are eligible for supplemental benefits beginning the first day of the month following their first sixty (60) days of hire date. Premiums paid for these optional benefits are paid directly through payroll deduction.

**Credit Union:**

All employees of the White Earth Tribal Council are eligible to belong to the WE Federal Credit Union. Programs include checking/saving accounts, savings plans and loan programs.



## Section 4 Benefits

<b>Policy Number:</b> 413	<b>Effective Date:</b> 8/1/09, 10/20/14
<b>Title:</b> Retirement	

The White Earth Tribal Council offers a voluntary pre-tax salary reduction 401(k) plan in which all employees are eligible to participate beginning the first day of the month following their first sixty (60) days of hire date.

An employee may elect to have a portion of their salary compensation deferred by a specific percentage each year. These funds will be distributed to an investment account selected by the employee. The White Earth Tribal Council will match a percentage of the employees requested deferral.

Employees are encouraged to contact the White Earth Tribal Council's Benefits Specialist for specific details regarding the organization's retirement benefit.



## Section 4 Benefits

<b>Policy Number:</b> 414	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Workers Compensation	

The White Earth Reservation Tribal Council and its employees are covered under a Workers Compensation plan. The purpose of the plan is to provide compensation and medical benefits for employees who sustain work related injuries during their approved hours of work while performing required duties.

An employee must report any injury, no matter how slight, to his/her respective department supervisor within eight (8) hours for drug testing per policy and within twenty-four (24) hours for Workers Compensation. The employee's supervisor must promptly report the claim to the White Earth Tribal Council Benefits Specialist. If employee does not report injury within the 8 hours for drug testing or to Workers Compensation within the 24 hours, the claim may not be paid, unless of an unforeseeable circumstance.

Employees are encouraged to contact the White Earth Tribal Council's Benefits Specialist for specific details regarding the organization's Workers Compensation Plan.



## Section 4 Benefits

<b>Policy Number:</b> 415	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Jury Duty	

To provide income protection while an employee carries out his/her civic responsibility, the White Earth Tribal Council provides an employee's regular day's pay for time spent serving on jury duty. Income protection for time spent serving on jury duty will be provided for a maximum of five (5) work days.

Any stipends received for service during the income protection of five (5) days shall be paid back to the White Earth Tribal Council. Additional salary protected time away from the workplace for this purpose will be considered on a case-by-case basis by the Executive Director.

When an employee is not impaneled for actual service and is only on-call, the employee shall report to work.



## Section 4 Benefits

<b>Policy Number:</b> 416	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Personal Development	

The White Earth Tribal Council encourages personal and professional growth, as well as community involvement, of their employees.

Employees will be allowed four (4) hours within one pay period for:

- Attendance of post-secondary classes
- Participation in employee fitness
- Participate on a committee or board

Any hours over the granted four (4) will result in the employee utilizing their Personal Time Off (PTO) hours.

Participation and/or attendance should not interfere with the employee's ability to perform their job.

Participation and/or attendance is at the discretion of the employee's direct supervisor. Every effort should be made by the employee to schedule participation with minimal effect on the smooth operation of the department and the organization as a whole.



## Section 4 Benefits

<b>Policy Number:</b> 417	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Flexible Scheduling	

Flexible schedules are available to employees and are a joint decision between the employee and the respective supervisor and should not interfere with providing efficient and effective program services.

Employees may participate in flexible scheduling by working the same number of normally scheduled hours per week during a different, pre-approved schedule.

- Employees are required to work the core hours of 9:00 a.m. to 3:00 p.m. during their flexible schedule or as defined by department management.
- Probationary employees are not eligible for flexible scheduling.

Employees may be returned to his or her standard work schedule if the flexible schedule is not permitting the department to operate effectively or if changes in circumstances necessitate the return to standard schedule.



## Section 4 Human Resources

<b>Policy Number:</b> 418	<b>Effective Date:</b> 02/04/2013
<b>Title:</b> Payroll Deductions	

### **Purpose**

Administer miscellaneous payroll deductions for employees of the White Earth Reservation Tribal Council. Payroll deductions are received and processed through the Human Resource office for voluntary and involuntary deductions. Voluntary payroll deductions are available for Permanent Full Time and Part Time employees who have completed their 90 day probation. Temporary employees are not eligible. All voluntary payroll deduction requests or stop deduction requests are to be completed on the appropriate form with the employee's dated signature. New deductions, deduction changes or requests to stop a deduction must be received in the Human Resources Department by 12 noon, Thursday prior to the end of the pay period to be considered for the next paycheck.

### **Deduction Types**

Voluntary deductions can include direct deposits, utility (home heating/electricity), mortgage, rent, car loans through a financial institution, personal loans through WEFCU, White Earth Investment Initiative and Community Development Bank only, Internal Revenue Service, US Department of Education and WERTC entity services. No other deduction types will be honored for new requests. Any payroll deductions in place before the effective date of this policy will continue until the employee requests the deduction be stopped, or the balance is paid in full.

Employees will no longer be allowed to stop and start deductions, if stopped will not be allowed to start that deduction again until new funding year which is October 1<sup>st</sup>. The exception to this would be the 2 times a year that we receive 3 pay checks. During the month that we receive 3 pay checks an employee will be allowed to stop their voluntary deductions for the 3 pay check with the appropriate form. (this does not include White Earth Entities.)

Voluntary deductions should be limited to less than 50% of the employee's Net income.

Human Resources will maintain a file for active payroll deductions. Large, long term deductions will be entered by the Human Resources Department. It is an expectation employee's keep track of their balances owed to creditors and to WE Entities. All completed deductions are filed in the employee's personnel file.



### **White Earth Entity**

WERTC entity deductions include: White Earth Fleet, White Earth Land Department, White Earth Public Works, White Earth Enterprises; Ojibwa Building Supplies, White Earth Business Products (Ojibwa Office Supplies) and White Earth Sanitation. WERTC entity services received by a WERTC employee, who chooses to have their balance paid by payroll deduction, must fill out the necessary forms with the entity prior to completing or receiving services. Any employee not completing the necessary forms for payment are subject to Policy 301 Personal Conduct Policy.

Employees will be limited to 1 deduction per WE entity until the balance is paid in full. If services are provided before the previous bill is taken care of, a deduction will be taken for both bills at the same time, any employee receiving additional services before their balance is paid in full may be subject to Policy 301, Personal Conduct Policy.

Stop deduction requests from employees will not be honored for a WERTC entity billing unless the billing has been paid in full. WERTC entity deductions must be paid within 6 pay periods, with a minimum payment of \$50 each pay period. Deductions under \$50 will be taken in 1 payment.

Exceptions to this would be ongoing deductions for Sanitation and Land. Also, the Public Works department may use their discretion when setting up payment amounts. They may accept payments as low as \$25 a pay period.

### **Travel Advances (TA)**

Travel Advance Reports are issued by the Accounts Payable department. Any open receivables owed back to the WERTC will be taken in the full amount in the next pay period. Multiple TA's received will be taken in full the pay period they are received by the Human Resource department. Deductions for airline fees will be taken in 2 payrolls. Stop payment requests by employees will not be honored for this type of deduction.

### **White Earth Federal Credit Union**

White Earth Federal Credit Union (WEFCU) payroll deductions will be taken each pay period. The amount to be deducted will be based upon the form that is provided by the WEFCU. Stop deduction requests from the employee will not be honored. Any requests for changes to Credit Union deductions must come from the Credit Union.

### **Employees Leaving**

When an employee is leaving their employment with the White Earth Tribal Council the Human Resources department will contact all White Earth Entities to verify any balances owed by that employee. If there are unpaid obligations to the White Earth Tribal Council or any of its Entities, the employee's final paycheck will reflect the appropriate deductions. This will apply whether there is a payroll deduction form on file or not.



## Section 5 Safety & Security

<b>Policy Number:</b> 500	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Safe & Secure Workplace	

To ensure that the White Earth Tribal Council maintains a workplace safe and free of violence against employees, visitors and constituents, the organization prohibits the possession or use of dangerous weapons on all RTC properties to include owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the organizations ownership or control. This policy applies to all organization-owned or leased vehicles and all vehicles that come onto company property.

A license to carry the weapon does not supersede organizational policy (excluding police and conservation officers). Any employee in violation of this policy will be subject to prompt disciplinary action, up to and including termination.

All employees are subject to this provision on company property.

Dangerous weapons include, but are not limited to,

- Firearms
- Explosives
- Knives
- Other items that might be considered dangerous or that could cause harm.

Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.



## Section 5 Safety & Security

<b>Policy Number:</b> 501	<b>Effective Date:</b> 10/02/13
<b>Title:</b> Drivers License	

All employees/contractors or volunteers who operate a company owned vehicle and/or transport clients in their personal vehicle or travel by themselves in their own personal vehicles must have a valid driver's license and/or endorsements required by job qualifications.

All employees/contractors or volunteers must maintain insurance and a driving record that falls within standards determined by Insurance Coverage requirements. All personal vehicles transporting people should be in a safe operating condition and will be subject to inspection.

Any employee/contractor or volunteer who fails to maintain a valid driver's license and/or endorsements will result in termination of employment and will not be eligible to re-apply for ninety (90) days. Upon re-hire anyone who had a termination due to loss of the driver's license for DUI/DWI, will be required to enter into a Conditional Agreement per the Drug Free Workplace Policy 504 and complete a Substance Abuse Assessment with all recommendations.



## Section 5 Safety & Security

<b>Policy Number:</b> 502	<b>Effective Date:</b> 8/1/09
<b>Title:</b> Vehicle & Driver Safety and Use	

It is the goal of the White Earth Tribal Council to ensure the safety of those individuals who drive company owned and personal vehicles; and to provide guidance on the proper use of company fleet vehicles. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage.

### **Vehicle Safety:**

Company vehicles are to be driven by authorized employees only, except in case of repair testing by a mechanic.

All accidents in company vehicles, regardless of severity, must be reported to the police and to the employee's supervisor. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible).

Accidents in personal vehicles while on company business must follow these same accident procedures.

Accidents involving the employee's personal injury must be reported to Human Resources for Worker's Compensation purposes. Accidents involving a client's personal injury must be reported to the Finance Division.

Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.

Drivers must report all ticket violations received during the operation of a company vehicle within 72 hours to their department supervisor.

Motor Vehicle Records will be obtained on all drivers prior to employment by the Human Resources Department; and no less than every twelve (12) months by the respective department. A driving record that fails to meet the criteria stated in this policy, or is considered to be in violation of the intent of this policy, will result in a loss of the privilege of driving a company vehicle.

### **Driver Safety:**

All employees are expected to wear seat belts at all times while in a moving vehicle being used for company business, whether they are the driver or a passenger.


The use of cell phones is strongly discouraged while driving, the use of hands-free technology may be warranted in unusual or emergency circumstances.

Use of alcohol, drugs or other substances, including over-the-counter cold or allergy medications that in any way impair driving ability, is prohibited while operating a motor vehicle. Use of over the counter or prescription drugs must be reported to the department supervisor as per policy 504, Drug Free Workplace.

All employees are expected to follow all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals and avoidance of confrontational or offensive behavior while driving.

Employees should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use and/or any seat that does not include a working seat belt.

Failure to adhere to these procedures may result in disciplinary action per company policy.





## Section 5 Safety & Security

<b>Policy Number:</b> 503	<b>Effective Date:</b> 8/1/09, 2/19/14
<b>Title:</b> Smoking	

The White Earth Tribal Council strives to provide a safe and healthful environment to all employees and clients of our programs.

Smoking, the use of tobacco products and use of an E-cigarette (electronic cigarette) is permitted in designated areas only.

An area where smoking, the use of tobacco products and the use of an E-cigarette is prohibited includes:

- Company vehicles with tribal tax licenses
- Personal vehicles during business use while transporting clients
- All White Earth Tribal Council buildings (excluding the Shooting Star Casino)

Use of tobacco products for ceremonial purposes is excluded from this policy.



## Section 5 Safety & Security

<b>Policy Number:</b> 504	<b>Effective Date:</b> 10/02/13, 2/19/14, 3/24/14, 12/22/14 5/11/15
<b>Title:</b> Drug Free Workplace	

### Zero Tolerance

The White Earth Tribal Council is committed to protecting the safety, health and well-being of all employees, clients, guests and other individuals in our workplace. Alcohol abuse and illegal drug use are recognized as significant threats to the overall security of the tribal government and the communities served.

### Applicability:

The drug free workplace applies to any tribal government employee or individual conducting business for the tribal government during working hours.

### Prohibited Behavior:

This policy prohibits the use, possession, manufacture, distribution, sale or purchase of alcohol, illegal drugs or prescription drugs without a valid prescription while on duty and on the premises of White Earth Reservation property. Any employee who violates this policy will be subject to corrective action up to and including dismissal of employment.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (i.e. call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

### Testing:

To ensure the accuracy and integrity of the testing program, all testing will be conducted by the White Earth Drug Testing Unit and will include a screening test, which may include a urine test, swab test or hair follicle test. A confirmation test and review by a Medical Review Officer (MRO) will be completed for a positive screen. An employee who tests positive will be given the opportunity to provide a

legitimate medical explanation, such as a physician's prescription and a copy of the requisition form for testing will be sent to the lab. All testing information is confidential and will be maintained as separate files with the Human Resources Department and the White Earth Drug Testing Unit.

Each applicant, upon offer of employment, will be required to participate in pre-employment testing during new hire orientation. Once hired, all employees, as a condition of employment, will be required to participate in random, post-accident, reasonable suspicion, return to work, and/or follow-up testing upon selection or request of management.

If an employee is unable to provide a sample within the prescribed time of 90 minutes, and is related to a medical condition, the Designated Employee Representative may approve to extend testing time 30 additional minutes. In the event a urine sample cannot be provided within the 90 minutes prescribed and is due to a medical condition, the drug tester may use an alternative test, with the approval of the Designated Employee Representative. Extended time will be based on a case by case basis.

### **Test Results:**

### **Applicants:**

Applicants who are required to have a Commercial Driver's License with endorsement required by their position description, are subject to Department of Transportation (DOT) drug testing standards (Code of Federal Regulations or CFR 40.28.1), they will complete their initial drug test at the Drug Testing Unit office in Mahanomen at 1:00 p.m. the same day as orientation.

- All applicants are conditionally offered employment pending the results of pre-employment drug testing.
- An applicant with a positive result for illegal drugs, prescription drugs or alcohol will be sent home until confirmation of the result from the Medical Review Officer (MRO) which could take up to seven (7) days.
  - If final results from the MRO indicate a negative test result, or a positive result for prescription drugs that was in conformity with the individual's prescription, the employee will be scheduled to work.
  - If final results from the MRO indicate a positive test, or a positive result in excess of the individual's prescription the employee will not be offered the position and must wait ninety (90) days from the date of the test result to re-apply for any positions. If offered a position at a later time, the employee will be subject to entering a Conditional Employment Agreement.
  - Exercising Zero tolerance, if final results from the MRO indicate a positive test, the applicant will not be offered the position and must wait ninety (90) days from the date of the test result to re-apply for



any position. If offered a position at a later time, the employee will be subject to entering a Conditional Employment Agreement.

- Temporary employees testing positive are not eligible for employment and are not allowed to apply for either a temporary or permanent position, within ninety (90) days after receipt of the positive test result.

### **Employees:**

- An employee with a positive screen test result for an illegal drug, alcohol or a prescription that **has not** been reported to their supervisor will be sent home on a seven (7) day unpaid leave of absence until confirmation of the result from the Medical Review Officer (MRO). The unpaid leave of absence will begin the date of the positive screen test result and **this unpaid leave will not be reimbursed.**
- An employee with a positive result from a prescription drug that has been reported to their supervisor using the Prescription Notice form will not be sent home and may remain at work until the MRO confirms the positive screen test result as a negative.
  - If the final result from the MRO indicates a positive, or a positive result in excess of the individual's prescription level or it is confirmed as an illegal drug, the employee may be dismissed from employment. In order to retain employment the employee must agree to enter into a referral to be assessed for substance abuse dependency and must complete all recommendations if any in order to maintain employment. Employees may choose to use the Substance Abuse Program or the Village EAP Services.
  - Any employee who has a positive test result by the MRO and refuses to enter into an agreement for a substance abuse assessment or does not successfully complete the assessment and the recommendations will be terminated from employment and will not be allowed to apply for a position within ninety (90) days from dismissal and will be subject to a Conditional Agreement upon any re-hire.
  - Employees working in the Substance Abuse and Chemical Dependency programs, including the Police Department and any DOT related positions, will be held to zero tolerance and will be terminated from employment with a positive test result by the MRO.

### **Types of Testing**

#### **Post-Accident/Injury**

Any accident or injury involving any employee while they are on duty, including offsite work, whether it resulted in injury or not must be **immediately** reported to the employee's supervisor and to the Human Resource office or Post Accident Phone (218-204-0681). If the employee is unable to reach their supervisor they need to let HR know they made the attempt. This policy also includes any accident or injury occurring in a motor vehicle while the employee is on duty

whether it is in a company owned vehicle or personal vehicle that is being used for work purposes during work hours. Post-Accident or Injury Testing must be completed within in **8 hours**.

Drug and alcohol testing is required following **any accident or injury** occurring during work hours and will be at the discretion of the DER (Designated Employee Representative). The employee shall be tested for alcohol and drugs following an accident or injury. The notification of incident is the responsibility of the employee and their immediate supervisor. Once notification is given to Human Resources, they will coordinate the testing of the employee. Failure to report and failure to be tested within the prescribed 8 hour timeframe is subject to disciplinary action, up to including, termination, as prescribed within our employee handbook.

If an incident occurred and the employee is incapacitated and unable to come in for testing within the 8 hour limit. The employee will need to bring in the Doctors order that they can return to work and will submit to a return to work test before they can physically return to work. Failure to provide a return to work order or submit to a return to work test will result in immediate termination and will be treated as a Positive Test result.

Applicants who are required to have a Commercial Driver's License with endorsement required by their position description, are subject to Department of Transportation (DOT) drug testing standards (Code of Federal Regulations or CFR 40.28.1), employees falling under this definition will be DOT drug tested at the Drug Testing Unit in Mahanomen.

### **Reasonable Suspicion**

All employees, including employees who are required by their position description to have a Commercial Driver's License with endorsement; are required to submit to alcohol and drug testing based on specific observations concerning the appearance, behavior, speech, or body odors of the employee.

The request for testing must be made by the employee's direct supervisor. The supervisor will be required to complete the necessary documentation and submit to the Human Resources department for processing.

### **Random**

All employees will be randomly selected to participate in the WERTC random drug testing program.

All positions will be randomly selected for alcohol and drug testing at minimum of 50% of the average number of positions.

These positions will also undergo a minimum of 60 minutes of drug and alcohol training per year.

Applicants who are required to have a Commercial Driver's License with endorsement required by their position description, are subject to Department of Transportation (DOT) drug testing standards (Code of Federal Regulations or CFR 40.28.1), will be tested by the following standard percentage each year: Federal Transit Administration 25% for Random Drug Testing and 10% for Random alcohol testing, they are also subject to the RTC random drug testing.

### **Request of Management**

Divisional directors have the discretion to conduct alcohol and drug testing of their respective areas/programs, this will include employees who are required by their position description to have a Commercial Driver's License with endorsement, per CFR 40.28.1 Requests must be approved by Human Resources.

Testing completed by request of management must be fair and consistent in its application. When requests are made which are not based on reasonable suspicion or on a random basis all employees in the department must be tested.

### **Prohibited Actions**

The following actions will result in immediate dismissal with ineligibility for rehire for a period of ninety (90) days from date of test in any RTC entity:

- Refuses a test
- Adulterates or dilutes the specimen in any way
- Substitutes the specimen with that from another person
- Sends or allows an imposter to take the test
- Refuses to cooperate with any portion of the process or test
- Refuses to or deliberately delays a request to test or not appearing within a reasonable amount of time of the Request to test
- Unable to provide a sample within 90 minutes will be deemed as a refusal to test and deemed a positive test result

### **Temporary Employees:**

Temporary workers are required to complete a pre-screen test prior to placement into a temporary position.

A positive result will exclude the temporary worker from consideration for employment for a period of ninety (90) days.

### **Conditional Employment**

Any employee terminated for violation of this policy is eligible for re-employment in ninety (90) days. Re-hires falling under this definition are subject to entering into employment under a conditional agreement and are subject to random testing for the first year of employment. Testing can be done at any time per the agreement.



## Section 5 Safety & Security

<b>Policy Number:</b> 505	<b>Effective Date:</b> 8/1/09
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<b>Title:</b> Communicable Disease
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Decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to:

- Measles, Mumps, Rubella, Chickenpox
- Pertussis
- Viral hepatitis-A (infectious hepatitis)
- Viral hepatitis-B (serum hepatitis)
- Viral hepatitis-C (infectious hepatitis)
- Tuberculosis
- Skin lesions that are communicable (Impetigo)
- Untreated Staph, Strep, or MRSA infections
- Meningitis

The White Earth Tribal Council may choose to broaden this definition within its best interest and in accordance with information received through Tribal Health agencies and/or the Centers for Disease Control and Prevention (CDC).

The organization reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.



## Section 5 Safety & Security

<b>Policy Number:</b> 506	<b>Effective Date:</b> 2/6/12
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<b>Title:</b> Inclement Weather
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All White Earth Tribal Council facilities will remain open during normal business hours.

In the event of inclement weather, the Executive Director will determine closure of any RTC facilities.

Divisional Directors may interrupt services provided during inclement weather for safety reasons.

Any closure will be announced over local radio and television stations.

### **Compensation:**

- Closure prior to the beginning of a regular work day, all employees will be paid regular time for hours missed due to closure.
- Closure during a regular work day, any employee currently at work will be paid regular time for hours missed due to the closure.
- In the event the RTC offices close early for inclement weather or other approved reasons, administrative office employees that had previously been approved for PTO on the affected date will have their PTO adjusted to be paid for the approved paid time off.

(Example: An employee had requested Friday off in advance and requested to use 8 hours PTO. On Friday, in the a.m. it was approved all RTC offices would close at 12:00 p.m. with pay. The employees PTO would be adjusted to using 4 PTO for the a.m. and 4 paid hours in the p.m.)

- At times, due to inclement weather, employees may be advised to remain on the premises after working hours due to safety concerns. Such action would not entitle the employee to overtime or compensatory compensation.

For the purposes of this policy, a regular work day is Monday through Friday, 8:00 a.m. to 4:30 p.m.

**Critical Departments:**

Critical departments that require staff on duty and providing continuous service will be required to report to duty and will be compensated at their normal rate of pay.



## Section 6 Definitions

For the purposes of the White Earth Organizational Manual, the following definitions shall apply.

### **Accident or Injury**

Any incident that occurs to an employee while on duty which may not have an injury at the time of the incident, but could develop into an injury in the future, any minor or major accident; any minor or major injury to the employee, any accident or damage to a company vehicle or personnel vehicle while being operated by an employee on duty or collecting mileage or while acting as a passenger.

### **Administrative Office Employee**

Any person scheduled to work Monday through Friday.

### **Allocation**

The original assignment of a position to an appropriate compensation level on the basis of duties, knowledge, skills and abilities required, and responsibility and difficulty of the position as detailed in the position description.

### **Applicant**

Is anyone who is applying for a position, volunteers, contracts, interns or any person who acts on behalf or represents or performs a service for the White Earth Tribal Council.

### **At-Will**

An employee is not required to be employed by the White Earth Tribal Council, and the White Earth Tribal Council is not required to employ the employee for a set period of time

### **Appointing authority**

Combination of department director, executive director and human resources director, who have the authority to make appointments to positions with the WERTC programs.

### **Appointment**

Fill a position be recommendation from the department director, executive director and human resources director.

### **Calendar Year**

One twelve month period

**Career Development**

Conferences, seminars or conventions that are directly related to the employee's current position and intended to update and enhance the employee's ability to perform the responsibilities of their position.

**Compensation Plan**

Framework for determining and allocating pay rates for positions within the WERTC based on the positions required duties, responsibilities, difficulty of work and education and experience.

**Compensation Adjustment**

Compensation change due to factors such as cost of living, labor market conditions, satisfactory performance appraisal.

**Compensatory Time**

Time off with pay in lieu of overtime pay for occasional overtime work.

**Competitive Recruitment**

Procedure for the employment of the best qualified applicant to an available position with the White Earth RTC through posting of positions.

**Day**

One calendar day except where otherwise specified.

**Demotion**

Transfer of an employee to a position requiring less knowledge, skills and abilities, and responsibility and difficulty, and lower compensation.

**Divisional Director**

Head of a major organizational unit of the WERTC.

**Employee**

Person employed within a position by the White Earth Tribal Council.

**Executive Director**

Position with managerial authority over all WERTC programs and departments who reports directly to the Tribal Chairperson.

**Immediate Family Member**

Parent, stepparent, or foster-parent, spouse, domestic partner or fiancé, child, step-child, or foster child, sibling, step-sibling, father-in law, mother-in law, daughter-in law, son-in law, sister-in law, brother-in law, aunt, uncle, grandparent, great-grandparent, grandchild or great-grandchild.

**Federally recognized enrolled tribal member**

An individual enrolled in a federally recognized tribe within the United States.



**Human Resources**

WERTC department responsible for administering the provisions of the White Earth Organizational Manual.

**Insubordination**

Failure or refusal to recognize or submit to the authority of a superior as in disobedience, defiance or noncompliance.

**Layoff**

Separation of employment because of shortage or lack of funds.

**Medical Leave**

Time granted to employee for personal illness or to care for a family member who has a serious health condition with proper documentation and should not exceed twelve (12) weeks within any 12-month period.

**Military Leave**

Time granted to employees who are called to service, training or other obligations of the armed forces.

**Minimum qualifications**

Requirements of education and experience necessary to adequately perform a position.

**Minnesota Chippewa Tribe member**

An individual enrolled in one of the seven tribal reservations in Minnesota under the Minnesota Chippewa tribe.

**On-Call**

An employee who is hired to be available to fill in as needed for a specific position.

**One generation**

An Individual who has a parent enrolled in the White Earth Reservation.

**Overtime**

Hours of work in excess of forty (40) hours in a work week.

**Parental Leave**

Time granted to employees (male or female) for the birth of the employee's child or for legal adoption of a child with proper documentation for a maximum period of twelve (12) weeks within any 12-month period.

**Performance Appraisal**

Periodic evaluation of an employees performance on a systematic and job related basis.

**Personal Leave**

Time granted to employees for reasons that may not apply to the other types of Leave of Absences for a maximum period of thirty (30) days.

**Political Leave**

Time granted to an employee who is actively seeking election in the White Earth Tribal Council election process

**Position**

A group of duties, knowledge, skills and abilities, education and experience assigned to a position and documented on a Position Description.

**Position Description**

Document listing duties, knowledge, skills and abilities, education and experience and working environment of each position of the WERTC.

**Post Secondary Education**

Attendance of classes at an accredited higher education institute to further an employees education.

**Probationary Period**

Trial working period during which an employee is required to establish fitness for a position held through demonstrated performance of required duties of the position.

**Promotion**

Transfer of an employee to a position requiring more knowledge, skills and abilities, and responsibility and difficulty, and higher compensation.

**Regular Full-Time**

An employee who works a minimum of thirty (30) hours per work week on a regularly scheduled basis and maintains continuous regular employment status.

**Regular Part-Time**

A person who works less than thirty (30) hours per work week on a regularly scheduled basis and maintains continuous regular employment status.

**Resignation**

Voluntary separation of employment requested by the employee.

**Seasonal**

A person who is recalled to their vacated position during a defined time period of not more than six (6) months and works on a regularly scheduled basis, either full-time or part-time for that period.

**Separation**

Termination of employment.

**Supervisor**

Person in charge of the activities of employee(s) within a work group.

**Suspension**

Enforced leave for disciplinary purposes or pending an investigation of charges made against the employee.

**Temporary Employee**

A person who is hired for a specific period of time not to exceed 1,040 hours in a twelve (12) month period.

**Transfer**

Movement of an employee from one position to another position having the same compensation level and education and experience levels.

**Unexcused Absence**

Failure by the employee to notify their supervisor of their absence from a scheduled work day.

**Vacancy**

An open position being filled through the posting process, transfer, promotion or demotion, or recall from layoff.

**White Earth Reservation enrolled member**

An individual enrolled and issued a valid enrollment number to the White Earth reservation.

**White Earth Reservation enrolled members descendent**

An individual who has a parent enrolled in the White Earth reservation (one generation).

**White Earth Tribal Council**

Governing body of the White Earth Reservation and the employer of the all employees covered by this organizational manual. Also shown as RTC, WERTC and Tribal Council.