Tribal Personnel Policies and Procedures

As adopted by the Chippewa Cree Business Committee

Chippewa Cree Tribe
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The Chippewa Cree Tribe of the Rocky Boy's Reservation

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On behalf of the Chippewa Cree Business Committee, I would like to welcome you to our family of employees. You are an invaluable asset. Every employee is needed in providing their best, every day. The purpose of the Policies and Procedures manual is to provide all employees with a reference manual to help guide them in the most efficient way.

To be able to live and work in Rocky Boy is a great opportunity. Employee support is needed in creating a positive, healthy work environment, the Business Committee cannot do it alone. Employees are encouraged to familiarize themselves with the manual, as commitment to uphold Policies and Procedures produces a supportive and productive work environment.

In October of 1996, the Business Committee approved the first set of Policies and Procedures under Self-Governance, to provide equitable treatment to each and every employee and to establish guidelines whereby each employee is responsible for their assigned job duties. The Mission, Vision, and Goals within the manual have, and continue to, guide all workforce development. By creating Policies and Procedures that are equitable, an exemplary workforce is possible.

Again, welcome to the workforce and best wishes of success to you during your employment. We hope through our Organization, you will reach your goals and help us reach ours by conducting "all tribal affairs to the best advantage and understanding of the tribal members."

Sincerely,

Harlan Baker
CCT Chairman

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INTRODUCTION

CHIPPEWA CREE TRIBE
ROCKY BOY, MONTANA

MISSION STATEMENT

The MISSION of the Chippewa Cree Tribal Business Committee of the Rocky Boy's Reservation is to conduct all tribal affairs to the best advantage and understanding of the tribal members.

GOAL

To achieve an exemplary workforce by implementing and enforcing equitable personnel policies that are conducive to providing services which are to the best advantage and understanding of the Chippewa Cree people.

OBJECTIVES

To establish written procedural guidelines which contribute to conducting all tribal affairs to the best advantage and understanding of tribal members and tribal employees.

To enhance harmonious working relationships by clearly stating the authority, rights and responsibilities of tribal employees, management and Governing Boards.

To promote the effective and efficient utilization of human resources.

SUPPLEMENTAL POLICIES AUTHORIZATION

The Chippewa Cree Business Committee recognizes the fact that the Tribal Policies contained in this manual may not meet the specific policy requirements for the various Sub-Committees. Therefore, the Sub-Committees are authorized to develop "Supplemental" Policies and Procedures that apply only to those specific program areas not covered in this manual. In no case will the "supplemental" policies conflict, supersede, or replace the official Tribal Personnel Policies and Procedures in this manual.

SECTION 1 – GOVERNING BOARD AND MANAGEMENT COVERAGE AND RESPONSIBILITIES

1.1 CHIPPEWA CREE BUSINESS COMMITTEE AUTHORITY

The Chippewa Cree Business Committee retains the right and authority to:

Exercise all duties as policy makers by formulating, adopting, making changes, and enforcing the personnel policies and procedures, and

Delegate to subordinate boards or to cooperative associations any of the foregoing powers (Chippewa Cree Constitution – Article VI – Section 1.a through n), reserving the right to review any action taken by virtue of such delegated power.

1.2 GOVERNING BOARD DEFINITION

The Governing Board of Directors is defined as follows:

a. The Chippewa Cree Business Committee is the Tribal Governing Board whose authority and responsibilities cover staff and tribal programs who governed by an official Tribal Sub-Committee.
b. The Tribal Sub-Committees are the Governing Board(s) for those specific programs under their authority as authorized by the Business Committee, refer to Chapter 19 – Definitions.

The authorized Tribal and Tribal Sub-Committees are, but not limited to, the following:

- Business Committee (Tribal Governing Board)
- The Rocky Boy Health Board Committee
- Stone Child College
- Human Services Committee
- Law & Order Committee
- Community Development Corporation Board (Gramma's Market, Northern Winz, Bear Paw Energy)
- Natural Resources Committee
- EEOC/TERO/WIA Committee
- Risk Management Committee
- Water Resources Committee
- Enrollment/Senior Citizens Committee
- Housing/HIP Committee
- Administrative Committee
- Roads/Transportation Committee
- Judicial Commission
- Gaming Commission
- Budget Committee
- Energy Commission
- Bear Paw Holdings Committee
- Tribal Historic Preservation and Cultural Resources Protection Committee

- iResponse Committee
- Atoske/Plain Green Committee
- Chippewa Cree Construction Corporation/Dry Fork Farms Committee

1.3 COVERAGE

All Tribal and/or Tribal Sub-Committee employees and any other persons employed in a professional, managerial, contractual, or consultative capacity on a full-time, part-time, contractual or consultative basis are subject to the Tribal and/or Tribal Sub-Committee policies.

Those employees whose terms and conditions of employment are subject to a written contract/scope of work with the tribal are subject to the policies unless policy exemption is stated in the contract.

The Tribal Chairman, Vice Chairman, the Chippewa Cree Business Committee Members, and other elected officials are exempt from these policies. All elected officials are sworn to uphold the Chippewa Cree Constitution and are subject to the Tribal Budget Ordinance, Drug Ordinance, and the Code of Ethics.

1.4 EXECUTIVE DIRECTOR RESPONSIBILITIES

The Chippewa Cree Business Committee delegates the authority to exercise the daily program operations to the Tribal Sub-Committee's Executive Director, including but not limited to, the following:

Responsible for the overall functional and financial management of the organization including keeping within budget constraints, collecting financial data and narrative reports within the time frames determined by grant or Tribal requirements;

Provide their respective Governing Board with the recommendations for short and long-range planning;

Coordinate planning with other Tribal entities to the extent it is feasible and applicable;

Assist in the recommendation for selection of employees;

To retain, recommend transference, discipline, and suspend employees with justification;

Exercise effective supervisory authority over respective staff, evaluate and report on the efficiency and performance of the employees to the respective Governing Board;

Notify Human Resources of any changes in employee position descriptions or position changes;

Report any employee grievance or employee disciplinary actions, as soon as possible after the occurrence, to their respective governing board;

Transfer employees within programs/departments or into other Programs/departments, as deemed necessary or appropriate to further the goal of the Chippewa Cree Tribe;

Make recommendation to their respective Governing Board for change the size and qualifications of the work force as required by the availability of funds and administrative priorities;

Determine and change methods by which the Chippewa Cree Tribe and/or Tribal Sub-Committee operations are carried out;

Recommend to their respective Governing Board the establishment, modifications, and abolishment of the policies and procedures;

Coordinate program activities with other Tribal entities to the extent it is feasible and applicable;

Hire temporaries, provided funds are available. Any temporary employee hired 30 days or longer must be authorized by the Governing Board.

1.5 SUPERVISOR RESPONSIBILITIES

The primary role of each supervisor is to provide an effective link between management and non-management employees. The Supervisor will:

Communicate the goals and policies of the Chippewa Cree Tribe to the employees they supervise;

Communicate to management the attitude, suggestions and grievances of their employees;

Assign duties and supervision of day to day performance of those duties and to counsel and discipline employees who fail to perform the requirements of their positions;

Evaluate employee performance;

Schedule employee working hours as determined by the type of work required for the position;

Treat employees as valued individuals;

Give recognition for good performance, as well as guidance for improving job performance;

Explain in advance when and why changes are necessary;

Recommend employees with growth potential for promotion;

Show integrity by admitting mistakes;

Be impartial and let employees know the reasons for any decisions that might be interpreted as unfair;

Demonstrate a desire for good performance by setting work goals and standards for employees;

Create a feeling of teamwork and belonging among employees; and

Set good examples by holding themselves to the standards of conduct and performance that they demand of their employees.

1.6 HUMAN RESOURCES RESPONSIBILITIES

An officially, authorized (re: Tribal Resolution or Ordinance) Tribal Sub-Committee may elect to establish a separate Human Resources for their respective organizations.

The Human Resources responsibilities include, but are not limited to, the following:

Planning and formulating general personnel policies, including workforce planning with the Executive Directors;

Assuring all Tribal Programs are in compliance with all federal, state, and local employment laws and regulations;

Overseeing recruiting, interviewing, testing, selection, placement and orientation of new employees;

Central point of contact for job applications, position classification, salary scale, and salary scale updates;

Oversees workplace wellness program;

Implementing special programs for education, counseling, training and development;

Coordination with the Executive Director regarding the appraisal, transfer, promotion, lay-off, recall, demotion and termination of employees;

Conduct periodic in-service training on personnel policies and procedures;

Disclosure of employee benefit plans, programs and information concerning benefits to employees;

Implementing approved disciplinary and grievance procedures and ensuring that such policies or procedures will be followed in each and every cause;

Maintain up-to-date personnel records;

Continual evaluation of personnel policies with recommendations to their respective Governing Board and/or Business Committee;

Appointing a staff member as the EEO (Equal Employment Opportunity) Officer; and

Responsible for the acceptance and verification of experience and education of the applicants.

1.7 EMPLOYEE RESPONSIBILITIES

Refer to Section 11 – Employee Conduct

SECTION 2 – EMPLOYMENT PRACTICES

2.1 GENERAL POLICY/EQUAL EMPLOYMENT OPPORTUNITY

The policy of the Chippewa Cree Tribe is to provide equal employment opportunity for employment to all employees and applicants for employment. No person is to be discriminated against in employment because of race, religion, color, sex, age, national origin or disability. This policy applies to all terms, conditions, and privileges for employment including, but not limited to hiring, probationary period, training, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, termination and retirement.

The Tribal or Tribal Sub-Committee Equal Employment Opportunity (EEO) Officer is responsible for formulating, implementing, coordinating and monitoring all efforts in the area of equal employment opportunity.

2.2 POSITION DESCRIPTION REQUIREMENTS

The Executive Director with assistance from Human Resources are responsible for the development and issuance of all position descriptions.

Position description criteria must contain at a minimum:

Position title, tribal programs where position is located, and who will supervise this position:

Whether position is full-time or part-time, regular or temporary, contractual, seasonal, covered, uncovered, exempt, non-exempt or whether position is management, clerical, support staff, or other;

The recommended salary level for the position and the account where the salary is received from:

Whether the position is management or supervisory and the number of individuals the position will supervise;

A detailed outline of duties and responsibilities taking into consideration the goals and objectives of the specific program the position will be working within and the reporting relationship of the position within the program; and

A list of minimum qualifications, and desired qualifications, if any, for the position.

Current job descriptions should be updated annually by the Executive Director with assistance from Human Resources to ensure that they are up to date and current. Any changes or additional job requirements will be conveyed in writing to the employee involved. Job descriptions will be utilized during the development of employment announcements including measurable Standards of Job Performance.

Each supervisor must keep copies of all position descriptions to which his or her subordinates have been assigned and to inform Human Resources whenever position duties, educational requirements or working conditions change within the project and the Tribal work force.

Supervisors are responsible for ensuring that employees are aware of the responsibilities they have for job performance, as indicated in the position descriptions as well as the daily direction they will receive. Any questions concerning the content of the position descriptions by employees should be discussed with an immediate supervisor. If the supervisor requires clarification or information, he or she will contact Executive Director.

2.3 EMPLOYMENT ANNOUNCEMENTS

The Tribal or Tribal Sub-Committee Human Resources is responsible for communicating employment opportunities, assignments and promotions throughout the organizations.

Vacancy Announcement/Recruitment: Human Resources shall post public announcements of all employment opportunities on the Tribal Website, CCT Tribal Departments, Local Newspapers, Local Job Service and in the main Tribal Office Building (conspicuously) not less than fourteen (14) calendar days in advance of the closing date for the receipt of employment applications for support staff; a period of thirty (30) calendar days in advance is required for professional staff.

All position announcements, at a minimum, will consist of:

The position title and reporting relationship.

Specified job status/classification: refer to Chapter 3 Employment Status/Classification.

The salary, salary range, or negotiable per the Director's discretion.

A list of minimum qualifications and/or desired qualification.

An outline of duties and responsibilities.

The required application form, if any.

Opening and closing dates for submission of application.

The name, address and telephone number of the personnel department where applications are to be submitted.

Priority for Selection of applications for employment within the Chippewa Cree is as follows:
Qualified, honorable discharged (must show proof by submitting a DD 214 Certificate) veterans who are enrolled members of the Chippewa Cree Tribe; Qualified enrolled members of the Chippewa Cree Tribe; Other qualified Indians; Qualified Non-Indians.

That only those applications properly completed and received on or before the close of the business (COB) will be considered for the position advertised.

Sixty (60 Calendar day probationary period.
Re-Advertisement: The Governing Board has the option to hire an applicant if qualified or re-advertised the position until filled.

2.4 EMPLOYMENT INTERVIEWS AND SELECTION PROCEDURES

Interviews: Interviews for all positions will be conducted by Human Resources, Executive Director, Screening Committee, Chippewa Cree Business Committee and/or applicable Tribal Sub-Committees. Interviews for any Executive Director position will be conducted by the Chippewa Cree Business Committee, Governing Board, Screening Committee, Human Resources.

Screening: Before any interviews are scheduled or conducted, the Human Resources and appropriate Supervisor will evaluate resumes and employment applications against position descriptions to determine if any applicant has the minimum qualifications required for the position. Any applicant determined to not meet minimum qualifications shall be eliminated and retained in the position announcement folder until selection is made. All non-selected applications shall be informed in writing that the position has been hired, thanking them for their interest in working for the Chippewa Cree Tribe. Specific reasons will not be given regarding the selection decision.

Ranking: Upon completion of applicant screening, the Human Resources and Screening Committee will rank acceptable applicants in order of suitability. The ranking of applicants will consider factors such as salary requirements, experience, education and other factors deemed necessary for the position. Applications along with the ranking sheets will be delivered to the Governing Board. The Chippewa Cree Business Committee or Tribal Sub-Committee reserves the right to review all candidate applications determined to be minimally qualified regardless of the ranking. Chippewa Cree Tribal members who are veterans and are otherwise eligible and qualified will be given preferential consideration over other applicants. The applicable Human Resources will conduct reference checks and other investigative checks, depending on the position involved as part of the selecting criteria. Background investigations will be completed by the appropriate designated party, i.e., COP, CI, FBI, Gaming Compliance Office, etc.

Selection: The Business Committee retains the exclusive right to make the selection for any Executive Director position. The applicable Governing Board shall make all selections (other than the Executive Director positions) for any position including temporary positions that are on-going or more than thirty (30) days in duration. The Executive Director must inform the Governing Board in writing of all temporarily hired employees.

Employment Offers: After an applicant has been selected for hire, an offer of employment will be made through the Human Resources of the Chippewa Cree Business Committee or Tribal Sub-Committee in writing, clearly describing position level, and conditions related to the nature of employment. When circumstances are such that the need is urgent, the Executive Director is authorized to make a verbal offer, with a written confirmation to follow not later than five (5) working days thereafter. Normally, offers will be extended based upon a defined time for the applicant to respond to the offer. The acceptance should be in writing and inserted into the personnel file.

Establishment of records: The Human Resources will establish a permanent folder for all new employees and submit appropriate information on the new employee to the Accounting and Payroll Departments.

Probationary Employment Period: Each new employee hired to a regular position within the Chippewa Cree Tribe or Tribal Sub-Committee shall be considered a probationary appointment for a period of sixty (60) calendar days from the date of initial employment. In the event the Governing Board does not meet

after the sixty-(60) day probationary period, the employee can use annual or sick leave upon the approval of the Executive Director. The probationary period is mandatory even employees move from job to job within the different tribal departments or is selected for a new position. During the probationary period, the new employee shall accrue annual and sick leave in accordance with the annual and sick leave provisions of this manual. However, the employee on probationary status will not be allowed to use any annual or sick leave until the probationary period has been successfully completed (see exception 9.3 Sick Leave).

Approximately one (1) week prior to the end of the new employee's probationary period, the applicable Supervisor shall consult with Human Resources and complete a "Probationary Employee Evaluation Report" on the employee to determine compliance with specific job duties and requirements.

If a probationary employee is recommended for termination during or at the end of the probationary period, the Supervisor will state the reason in writing to the employee and Human Resources. An employee's failure to demonstrate proper aptitude and ability for the position shall be adequate reason for termination.

In the event a full-time employee receives a promotion, in-house transfer, or advancement, he/she will be placed on a 30-day probation period. This type of probation period allows leave use and accrual due to their current employment status. During the probationary period, his/her supervisor will evaluate the employee's performance. Probationary status employees may be eligible for other leave approved by the Director.

SECTION 3 – EMPLOYMENT STATUS/CLASSIFICATIONS

3.1 GENERAL

The Chippewa Cree Tribe and Sub-Committee employees' positions are classified according to the permanence of their positions, length of their workweek, eligibility for overtime pay and suitability for other employee benefits subject to the availability of funding.

3.2 DEFINITIONS

EMPLOYEES

The following definitions establish employment status of employees of the Chippewa Cree Tribe:

Employee: An individual who has signed some form of agreement with the Chippewa Cree Tribe and/or Tribal Sub-Committee, who performs work of the organization and who works under the supervision of someone in the Tribal Infrastructure and who utilizes the resources of the Tribe to perform these functions. Employees shall be eligible for benefits as described with the employee classification section of this manual.

Full-time: Employees who work forty (40) hours per week on a regular basis.

Part-time: Employees who work less than 40 hours per week but at least twenty (20) or more hours per week.

Temporary: Employees whose job is not expected to continue past one hundred and eighty (180) days.

Consultant: A person or organization hired to do a specific job on a short-term contractual basis, not to exceed one (1) year, to provide services not otherwise available to the Tribe.

Contractual Employee: An employee, who by mutual agreement with the Chippewa Cree Business Committee and/or Tribal Sub-Committee has signed a Professional Services Agreement. The duration of contracts normally run from year to year unless provided by stipulation in the contractual agreement.

Seasonal: Seasonal employees are those required by their position descriptions or funding constraints to work less than the full year on a regular seasonal basis.

Uncovered: A position which is not afforded the protection of the Federal Labor Standards Act (FLSA) and who serves at the pleasure of the Chippewa Cree Business Committee and/or Tribal Sub-Committee and who can be terminated without cause at the discretion of the Governing Board. Such employees do not have recourse to the grievance process. The organization does not have to keep records of hours worked for uncovered employees. (Examples of uncovered employees are political appointees if serving on a policy making level, elected officials, personal staff of elected officials (only if appointed by the elected officials, under the direct supervision and having regular contact with such officials and if not subject to the Personnel Policies and Procedures of the Tribe and/or Tribal Sub-Committee), and legal advisors).

Covered: A position which is covered by the protection of the federal labor laws and who cannot be terminated without cause. The Tribe is required to keep records for such employees to determine hours worked. Covered employees fall into two classes:

Exempt: An employee who is not subject to FLSA.

Non-Exempt: An employee who is subject to FLSA.

3.3 EMPLOYMENT CLASSIFICATION

Regular Full-Time Employees: Employees hired in regular full-time positions and are required to work forty (40) hours per week and maintains continuous regular employment status and are eligible for all employment benefits defined in Section 8 - Employee Benefits including annual and sick leave offered by the Chippewa Cree Tribe or Tribal Sub-Committee.

Regular Part-Time Employees: Regular part-time employees are employees who are hired for less than forty (40) hours per week or twenty (20) or more hours per week for fifty-two (52) weeks of the year. Regular part-time employees are eligible for annual and sick leave on a prorated basis and any paid holidays offered during their employment. Regular part-time employees are only eligible for any other

employment benefits required by law: Federal Insurance Contributions Act (FICA), Unemployment Benefits, and Workman's Compensation. (Refer to Section 8 – Employee Benefits).

Temporary Employees: A temporary employee is one who is hired by a Director to a full or part-time position of a specified limited duration not to exceed thirty (30) working days. Temporary employees are not eligible for paid holidays that occur during their employment period. The Director can release any temporary employee from temporary employment at any time. Temporaries who are required to work on a federally/tribally recognized holiday will be compensated at no less than time and one-half. Payment of more than time and one-half is left up to the discretion of the Supervisor or Director as the budget permits. Employees classified as temporary are not eligible for any employee benefits except those required by law. Temporary employees do not earn annual or sick leave benefits.

Contractual Employees: Contractual employees enter into legal agreements with Chippewa Cree Tribe or Tribal Sub-Committee in order to provide services and expertise. The employment arrangements for contractual employees are set forth in the contract. Contractual employees receive a fixed payment in exchange for services provided as specified in the contract. These contracts must be signed by and approved by the potential contractor, applicable Executive Director, and the Chippewa Cree Business Committee and/or Tribal Sub-Committee Chairman. Contracts will be filed in the employee's regular personnel folder. The contractual employee is only eligible for those benefits specified in his or her contract.

Seasonal Employees: Seasonal employees are those required by their position descriptions or funding constraints to work less than the full year on a regular seasonal basis and may be either seasonal full-time or part-time. The majority of these employees are only eligible for benefits required by law unless specifically authorized by the governing board for additional benefits.

Non-Exempt Employees: Non-exempt employees are those employees who are not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as amended. Non-exempt employees will receive overtime pay at the rate of one and one-half (1 ½) times the hourly rate or will receive compensatory time at a rate of one and one-half (1 ½) hour for every hour of overtime worked.

Exempt Employees: Exempt employees are those who are exempt from the minimum wage and overtime provisions of the FLSA. (Refer to Section 3.4 of this Chapter for clarification).

Covered: A position that is covered by the protection of the federal labor laws and who cannot be terminated without cause. The Tribe is required to keep records for such employees to determine hours worked. Covered employees fall under two classes: Exempt and non-exempt.

3.4 EXEMPT EMPLOYMENT DETERMINATION

Exempt employees do not have to be paid overtime when they work more than 40 hours in a workweek. However, employees and employers are required to keep records of time worked and duties performed. Employees are classified based on specific job descriptions and duties involved and are generally classified as exempt if the individual falls into one of three classes: Executive, Administrative, or Professional. The criteria for each class are defined below. In addition, each employee regardless of classification below must be paid a predetermined amount on a periodic basis regardless of the number of hours worked in a workweek. Also, no deductions can be made from the individual's compensation for

absences of less than one day (8 hours) in duration (e.g. tardiness, personal leave, etc.). If such deductions are made the individual is then reclassified for that period as non-exempt and is subject to the overtime laws and provisions.

Executive: The employee must meet all of the criteria defined below to be classified as an executive:

- Perform primary management duties of the Tribe or Tribal Sub-Committee, department, division or sub-division;
- Customarily and regularly supervises two or more employees;
- Possesses the right to hire or terminate employee(s), or whose suggestions are given substantial weight in such divisions, including promotions;
- Customarily exercises discretionary power;
- Devotes 80% or more of his or her time to the performance of the activities related to the above items.

Administrative: The employee must meet all of the criteria defined below to be classified as an administrator:

- Perform primarily duties consisting of non-manual or office work related to management policies or general business operations of the organization, department, or division;
- Regularly and directly assists a person employed in an executive or administrative capacity or performs assignments only under general supervision;
- Customarily exercises discretion and independent judgement, not just application of knowledge and skill required through experience and training;
- Devotes 80% or more of his/her time to the performance of administrative activities.

Professional: A professional employee must meet all of the following to be classified as exempt:

- Primarily work on duties requiring advanced learning acquired in a prolonged course of specialized intellectual instruction (not general academic education, apprenticeship or routine training, e.g. seminars);
- Original and creative work depending primarily on imagination, talent or invention;
- Consistently exercises discretion and judgement;
- Devotes at least 80% or more of time to professional type duties and functions.

Each position shall be classified, prior to hiring, as either full or part-time, as either regular or temporary, and as either exempt or non-exempt or as a contract.

SECTION 4 – EMPLOYEE ORIENTATION

4.1 GENERAL

The policy of the Chippewa Cree Tribe and/or Tribal Sub-Committee is to provide orientation programs for new employees and current employees entering into new programs. We believe that each new employee is to be welcomed as part of the organization from the first day. We seek to do everything to make the new employee's adjustment to the job and to the work environment as rapid and pleasant as possible. Our goal is to provide employees with the information they need and keep all employees fully informed on all matters of the CCT Policies and Procedures that might involve or affect them in anyway.

4.2 ORIENTATION PROCEDURES

Each new employee shall be welcomed and provided an orientation within the first five (5) working days of employment. The orientation program for all new employees consists of two phases:

- Phase I – Human Resources Department
  - Employee will report to Human Resources on first date of employment to initiate the orientation process.
  - Employee will fill out employment forms (I-9, W-4, Confidentiality, Computer use, acknowledgement of Drug Ordinance and CCT Policies and Procedures, etc.)
  - Employee will report to the Wellness Coordinator for a urinalysis test
  - Employee will review with HR their job description, probationary period, performance evaluation process, leave policies, policies and procedures, job classification, fringe benefits, work location, etc.

- Phase II – Supervisors
  - Employee will review with supervisor work expectations and standards.
  - Tour of facility and work station.
  - Introduce employee to colleagues and other management.
  - Supervisor will ensure that the employee has computer log in information and I.T. enters them into the electronic clock system.
  - Employee will review with their supervisor their job description including responsibilities and expected job outcomes
  - Review the hours of work, time and attendance, employee conduct, disciplinary process, employee appeal program, grievance process, pay periods, rate of pay, overtime policy, organizational chart, etc.

Human Resources has a developed orientation checklist that will follow the employee through the orientation process. The employee, supervisor and Human Resources will initial and sign as acknowledgement that the orientation process has been met. Once this process has been completed it will be inserted into the permanent Personnel file of the employee.

SECTION 5 – COMPENSATION

5.1 GENERAL

The policy of the Chippewa Cree Tribe is to pay compensation which is nondiscriminatory and competitive with all effort being made to ensure that rates being paid are in the same line with similar jobs by other employers in the community through an annually updated pay scale. An annual cost of living allowance will be provided, subject to the availability of funds.

5.2 PAY PLAN AND SALARY ASSIGNMENT

Each position shall be classified prior to hiring a new employee by the Human Resources and Executive Director. Compensation shall be determined based upon the approved pay scale of the Chippewa Cree Tribe.

5.3 POSITION AND COMPENSATION REVIEW/MERIT RECOGNITION

The Chippewa Cree Business Committee in promoting exemplary employee performance authorizes Regular Full-time and Regular Part-time employees with a Merit, Bonus, or Incentive award in recognition of significant achievements, such as productivity, commendable work, and milestones. The Chippewa Cree Business Committee recognizes the importance of collaboration and cooperation between staff and departments. Merit, Bonus, and/or incentive awards will be given to all tribal employees at a rate designated by the Business Committee, this award does not replace a salary increase. The employee's immediate supervisor will nominate employees and provide the required documentation. A screening/selection committee comprised of employees with input from the Supervisor may also nominate staff for awards in order to allow for fairness, based on performance of the employee's duties and duties above and beyond expectations. Merit, bonus or incentive pay provided to all employees at a given time does not override recognition of individual employee achievement. The Executive Director will submit the following criteria to the Governing Board for final approval:

Designation of award: Merit or Bonus or Incentive

Classification: The award may be a certificate of excellence and/or monetary award;

A current "outstanding" job performance evaluation and/or outstanding job-related performance in a particular area;

Written performance evaluation criteria specific to job duties and/or employee classification.

The Human Resources and Executive Director will be responsible for administering the Merit Pay review. This will include the following responsibilities:

Annual review and analysis of all position descriptions and employee yearly work, plans to ensure their comprehensiveness to the actual duties of the position,

A review of all salaries, with special attention being taken of Chippewa Cree Business Committee and/or Tribal Sub-Committee objectives as they relate to personnel requirements and budget constraints,

Recommending any adjustments in position classifications, pay rates or merit pay. The Executive Director will submit recommendations to the applicable Governing Board.

An annual recognition ceremony and luncheon for all tribal employees may be held. At this time, length of service awards and other awards will be given to those employees who have done outstanding work in their assigned position in the service of the Chippewa Cree Tribe.

5.4 SALARY ADVANCES

Only regular full-time and part-time employees are eligible for a salary advance request. The request must be made four hours in advance of the receipt of check. The Executive Director may authorize salary advances for the following three reasons:

When an employee is on approved travel status during a regular payroll receipt date the employee may request their salary prior to the beginning of the travel.

A salary advance, no greater than the employee's last net payroll check, will be granted to employees who have been granted emergency, or funeral leave. The employee's Director must authorize approval of this salary advance.

5.5 OVERTIME

With effective planning and efficient management, overtime work should not be required. The Tribe recognizes that special work assignments or circumstances that are over and above the regular job duties may be required; however, overtime work will normally be permitted only upon prior written request from the Supervisor and approval of the Executive Director and Finance Manager. It is the responsibility of the Supervisor and Executive Director to ensure that overtime work is essential to meet the requirements of the Chippewa Cree Tribe and/or Tribal Sub-Committee. It is the responsibility of the Finance Officer to ensure that sufficient funds are available to meet any overtime requirements, taking into consideration, current and future needs of tribal funds. Approved Overtime Requests (Appendix D) shall be immediately filed with the Finance Department for the employee's payroll.

Non-exempt employees shall be paid at one and one-half (1½) times their hourly rate of compensation for all involuntary or permitted hours of work in excess of forty (40) hours per week. Involuntary or permitted work is defined as work which has been required by the Tribe or the immediate Supervisor or work which has been required by the Tribe or the immediate Supervisor or work which the employee performs with the written consent of the Supervisor and Executive Director or the designee. The Tribe will comply with the provisions of the Fair Labor and Standards Act (FLSA) and the Contract Work Hours Act.

Davis-Bacon Employees must work over forty (40) hours per week to earn overtime. Overtime will not be granted for those employees taking annual or sick leave during the forty (40) hour workweek. Overtime must be approved prior to any overtime work being done. Approval of Executive Director or Supervisor is needed. Consistent overtime in a single department will call for an internal review to determine all employees job descriptions, duties and organizational capacity within that department.

5.6 COMPENSATORY TIME

The Fair Labor and Standards Act (FLSA) requires that covered, non-exempt employees receive not less than one and one-half (1½) times their rates of pay for hours worked in excess of the applicable maximum hour standards. Compensatory time received by an employee in lieu of cash must be at the rate of not less than one and one-half (1 ½) hours of compensatory time for each hour of overtime worked eight (8) hours per day. An employee who has prior approval for requested compensatory time in lieu of overtime must complete the Compensatory Time Agreement Form and sign and deliver to the Supervisor and Executive Director for approval signatures before any work is started. The Governing Board designates the Executive Director of official approval for compensatory time for all staff. The completed form will be inserted into the appropriate employee's time and leave record maintained by the payroll department.

Employees, who have requested to use compensatory time off, shall be permitted by the employee's Supervisor after making the request if the use of the compensatory time does not unduly disrupt the operations of the program. Employees can carry over forty (40) hours of compensatory time to the next fiscal year.

Compensatory time cannot be used as a means to avoid statutory overtime compensation. An employee has the right to use compensatory time earned and must not be coerced to accept more compensatory time than an employee can reasonable grant within a reasonable period of his/her making a request for use of such time.

Upon termination of employment, an employee shall be paid for the unused compensatory time earned at a rate of compensation with the pay rate at the time it was earned.

Supervisors have the responsibility to periodically monitor (at least quarterly) the accrual rates of compensatory time for each of their employees.

It is anticipated that exempt employees shall be expected to incur some overtime hours as part of their duties and responsibilities. If exempt employees are incurring substantial overtime (8 hours or more per week), they shall inform their supervisor who shall inform the Executive Director of such need. Compensation will only be for those hours over the 40 hours the exempt employee has worked over his/her normal workweek. Time off will be compensated at the rate of one hour off per one hour of overtime worked. Exempt employees shall not be entitled to overtime pay for overtime hours worked. (Refer to Appendix D).

5.7 SUPPLEMENTAL PAY

The Chippewa Cree Business Committee and Executive Director recognize that circumstances may occur that require an employee to assume additional duties over and above the assigned duties listed in the job description. Employees will document after hours work and weekend work utilizing a check-in and check-out method, if work is completed at home, the employee must keep track of the hours worked, which can be verified by the job completion. The only instance in which supplemental pay will be considered is if circumstances require an employee to assume additional duties that are not typically those of another full-time employee. If funds are available, and approved by the Governing Board, supplemental pay may be given to the employee for a designated time period and/or paid in a lump sum.

SECTION 6 – STAFF DEVELOPMENT AND TRAINING

6.1 GENERAL

The Chippewa Cree Tribe and/or Tribal Sub-Committee subscribes to the philosophy that training is an integral element in the success and continuity of its operations as well as the career development of its employees.

6.2 RESPONSIBILITY

The Supervisor and Executive Director are responsible for the management of staff training presented in the required approved annual staff training and development plan.

Human Resources and the Supervisor will assess the effectiveness of training programs, determine if changes are required and assure that training is being conducted within the costs authorized by management for training in accordance with training priorities. The Supervisor will furnish an annual report due September 15 of every year, reporting all training attended by staff and overall assessment of such training. This report along with the next annual staff training and development plan will be submitted to the Executive Director for routing to the Governing Board. All training received by employees must be documented in the individual's personnel folder.

6.3 SEMINARS/WORKSHOPS

Requests for attendance at seminars/workshops will be on a case-by-case basis and on the needs of the organization. Human Resources and Directors/Supervisors will be responsible for circulating brochures and other information about such programs. All requests for attendance at seminars and training workshops must be submitted on the Travel Request Form. Approved and disapproved request forms must be maintained in the employee's personnel folder along with copies of any certificates or diplomas received during the course of training.

6.4 PROFESSIONAL DEVELOPMENT

The policy of the Chippewa Cree Tribe is to improve all personnel skills through the utilization of higher education sources. All requests must be approved in advance prior to registration. All regular full-time staff will be allowed to enroll in a course of study each semester not to exceed more than six (6) hours per week with pay; if an employee requires more than six (6) hours of paid leave per week then it is at the Executive Director's discretion whether or not it is allowable. The course must meet the needs of the employee concerning his/her prescribed course of professional development. The employee's Supervisor will ascertain whether such course will interfere with employee's job responsibilities or grant requirements.

The Chippewa Cree Business Committee may pay up to three (3) credits per semester per employee enrolled in a post-secondary training school or college if funds are available, if the costs are in the budget, and if the student is not receiving any other student aid. The employee must exhaust all other alternative forms of educational funding and show proof of such action before any approval for college fees are considered and/or reimbursed.

Approval must be requested through the use of Staff Training and Development Form and must be approved by the Supervisor and Executive Director. If the student receives program funds for college fee costs, he/she must sign the request form that includes provisions for pay back if the employee does not successfully complete the prescribed course of study. Upon successful completion in a course of study, the employee must agree to continue working for the organization for a specified time period.

All employees are encouraged to utilize Stone Child College whenever possible to promote our local college.

6.5 Student Loan Repayment

The Student Loan Repayment Program will accept applications from Chippewa Cree enrolled Tribal Employees on a rolling basis as administered by the Human Resources. The application shall address

employment commitment and the amount of repayment. The Student Loan Repayment Program will operate based upon available funding. The Chippewa Cree Business Committee will review and approve/disapprove applications once per fiscal year.

SECTION 7 – EMPLOYMENT APPRAISAL

7.1 GENERAL

The responsibility of Human Resources and the supervisor is to ensure that the performance of each employee is reviewed on a regular scheduled basis and that formal performance appraisals are carried out annually.

7.2 EMPLOYEE APPRAISAL SYSTEM

The schedule for appraisals of performance shall be as follows:

a. Probationary employees shall be evaluated by his/her Supervisor no later than one (1) week prior to the completion of the probationary period to determine whether the employee is to continue in the position, should be considered for transfer/reassignment or should be terminated. In the event a decision is made to transfer/reassign or terminate the employee, the Executive Director must take appropriate action. If the Supervisor is not the Executive Director, then the Supervisor must recommend termination in writing to the Executive Director for action, with reason or reasons to substantiate the termination. The Executive Director will review the documents and notify the employees in writing along with the reason for termination. If the Executive Director does not agree that termination is warranted, the other avenues may be explored such as transfers or reassignments. All employees must be advised of the procedures regarding probationary status at the time of employee orientation. The Executive Director as a formality should inform the Governing Board in regard to the employee's status and must route a copy to the Human Resources Department for their records.

b. Annual reviews should be conducted before August 1st of each fiscal year. Human Resources is responsible for advising Supervisors thirty (30) days in advance of need for performance appraisals. Human Resources will be responsible to ensure that job appropriate appraisal forms are available to Supervisors when needed.

c. Employee appraisals will also be conducted as needed for consideration of employee's salary increases, promotions, transfers, demotions, etc.

d. All appraisal reviews will be submitted to Human Resources prior to the above listed dates for all tribal employees which will then be placed in their Personnel File.

The Supervisor who is responsible for performance evaluations should be aware of and adhere to the following:

a. Evaluate the performance, not the personality.

b. Be as objective as possible.

c. Consider overall performance not only isolated incidents.

d. Keep records of the employee's positive and negative performance throughout the year, rather than trying to reconstruct by memory at the time of the evaluations.

e. Employees should be kept aware of overall performance acceptability throughout the year. The overall evaluation at the formal appraisal should not be a surprise to the employee.

f. All employees are expected to dress appropriately for their job requirements.

g. If an employee needs to correct a problem, then an appropriate corrective action plan should be created for the employee.

h. Employees will meet with his/her Supervisor to discuss the findings and the basis upon which the performance was evaluated.

i. Refer to Chapter 11 for Employee Conduct requirements.

Employee Evaluations' Two Key Components:

a. The Supervisor, in coordination with the employee, will establish a "Corrective Action Plan" to address the deficiencies.

b. During the "Corrective Action Plan" process, the employee may request a "Binding Arbitration" process. The employee and the Supervisor each select a person of their own choosing and one person that they both agree upon. The three-person Arbitrators gather all the facts and discuss the situation both individually and together with the two parties and then make a decision. The Binding Arbitration Committee's decision is final.

Job performance will be re-evaluated after a ninety- (90) day period. Employees who again receive an overall rating of "unsatisfactory" shall be suspended with recommendation to the Executive Director for dismissal.

SECTION 8 – EMPLOYEE BENEFITS

8.1 EMPLOYEE CONNECTED BENEFITS

The Federal Insurance Contribution Act (FICA) imposes two (2) taxes on both employees and employers. One is to finance federal old age, survivors and disability insurance, commonly referred to as Social Security; and the other commonly referred to as Medicare, which is to finance elderly medical requirements. Both the employer and the employee must pay an equal amount on both taxes.

Federal Unemployment tax is paid by the employer only. The FUTA tax makes no provisions for the payment of unemployment benefits as such benefits are provided entirely under individual state

unemployment compensation laws. The tax paid to the federal government is used exclusively for administrative expenses.

State tax is required for all Tribal employees except that state taxes cannot be withheld from the Chippewa Cree enrolled members living on the Rocky Boy's Indian Reservation.

8.2 CHIPPEWA CREE SELF-INSURANCE (WORKER'S COMPENSATION)

Worker's Compensation, provided through the Chippewa Cree Tribe's Self-Insurance Plan and paid by the employer, provides coverage to all employees while on the job in case of injury. Worker's Compensation may pay for medical expenses, doctor and hospital as well as any injury occurred while on the job, regardless of how slight the injury might be. All injuries must be reported to the Risk Manager/Safety Officer within 24 hours or next working day of the incident occurrence. A copy may be routed to Human Resources for the employee's file. All claims will be handled per the Worker's Compensation regulations. The insurance may also compensate an employee if they are unable to return to work because of occupational injury or disease. The compensation is paid when the employee has been off work more than three days.

8.3 HEALTH BENEFITS AND DENTAL PLAN

The Tribe does not offer any health or dental benefits. Refer to the individual Tribal Sub-Committee for any benefits that may be provided for their employees. If entities wish to offer this benefit to their employees, it must be done by resolution or part of a supplemental addendum or through contractual agreement with the employee.

8.4 RETIREMENT PLAN

The Tribe offers a Life Insurance and Retirement Plan for regular, qualified employees depending on availability of funds; refer to the individual Tribal Sub-Committee for any benefits that they may provide to their employees.

8.5 SEVERANCE PAY

It shall be the policy of the Chippewa Cree Tribe to grant severance pay to employees who have faithfully served the Chippewa Cree Tribe under the Chippewa Cree umbrella according to the governmental structure for minimum of five continuous full years of employment or the full life of their grant. Only regular full-time Chippewa Cree Tribal employees whose services are terminated in mutual good faith will be eligible for severance pay. Employees previously employed by the Chippewa Cree Tribe who are no longer employed are not eligible for this added benefit.

Eligibility Criteria:
For each continuous full year of service, a qualified employee who has served five years to nine years, or the life of their grant, will be granted severance pay for 1½ days (equivalent – 12 hours) pay per each full year employed by the Chippewa Cree Tribe.

A qualified employee who has served ten or more continuous years of employment will receive severance pay at a rate of 2½ days (equivalent – 20 hours) pay per each full year employed by the Chippewa Cree Tribe.

Only employees whose services are conducted in mutual good faith will be eligible for severance pay. Eligibility will include: 1. Proper two weeks advanced notice will be given. 2. All travel and trip reports are in. 3. No unauthorized leave has been taken within the pay period. Any advanced leave, loans, outstanding travel, or equipment/supply receivables will be deducted from severance pay. At the time the position is declared by the Chippewa Cree Tribe, "vacant" the Executive Director will make recommendation for Board approval/disapproval for employee severance pay.

8.6 HOLIDAYS

It is the policy of the Chippewa Cree Tribe to observe Federal Holidays and to substitute, at their discretion, Columbus Day for Native American Day for all tribal employees who are regular or on probationary status. The following days shall be designated as holidays for those employees:

a. New Year's Day
b. Martin Luther King Day
c. President's Day
d. Chief Rocky Boy's Birthday (April 16)
e. Memorial Day
f. Independence Day
g. Labor Day
h. Founder's Day (Establishment of Rocky Boy's Indian Reservation, September 7)
i. Native American Day (Fourth Friday in September)
j. Veteran's Day
k. Thanksgiving Day
l. Christmas Day

The Chippewa Cree Business Committee reserves the right to designate any other day as a holiday by the official order of the Chippewa Cree Business Committee.
The following exceptions applies

a. Any tribal employee will not be granted holiday pay for the above holidays if he/she is on unauthorized leave the day preceding or following the holiday. If there is no pre-approved leave of if the employee is not sick on the preceding holiday the employee is not eligible for holiday pay. If the employee is on emergency leave he/she will be eligible for holiday pay.

b. Those employees in a classification not eligible for these holidays will be granted Leave Without Pay.

SECTION 9 – LEAVE POLICIES

9.1 GENERAL

The employee must obtain the required signatures and submit the proper leave slip prior (Appendix I) to taking leave; the exception is unforeseen illness. This procedure applies to all requested leave. An employee who uses leave in an amount less than a full hour shall be charged for such leave to the closest quarter hour in fifteen (15) minute increments.

9.2 ANNUAL/VACATION LEAVE

The Chippewa Cree Business Committee and/or Tribal Sub-Committee provide annual leave benefits for each regular, covered employee. Annual benefits may be utilized, with the approval of the Supervisory, after completion of the sixty- (60) day probationary employment period. The following policies apply to annual leave:

a. The Chippewa Cree Business Committee and/or Tribal Sub-Committee realize that vacations are an important part of an employee's health and well-being. The Chippewa Cree Tribe also understands due to understaffing and the high volume of work that the employee is responsible for, some employees may be unable to use their annual leave. For these two reasons, upon Finance approval, the Tribe may approve requests for payouts of an annual leave balance in excess of the two hundred forty (240) carryover hours but not to exceed eighty (80) hours of pay out. If the payout is not financially feasible upon the determination by Finance, then the employee must use or lose their annual leave in excess of the two hundred forty (240) carryover hours per fiscal year. In addition, Annual leave may also be paid out if the employee submits a form requesting a payout for their annual leave, as annual leave is considered as the employee's property. Employees may request to be paid for such accrued leave up to a maximum of eighty (80) hours per fiscal year. This request can be more than once per fiscal year but not to exceed the total maximum of eighty (80) hours of leave pay out. An employee's accrued annual leave may not be less than forty (40) hours after such payout. Pay out approval will be based on the availability of funds.

b. Annual leave and Vacation Leave for the purposes of this policy are one and the same.

c. Employees are encouraged to use their earned Annual/Vacation Leave within the Tribal or Tribal Sub-Committees' fiscal year.

d. Annual leave requests for a period of one (1) week or longer must be submitted to their immediate supervisor at least one (1) week in advance of the dates requested. This is required to allow Supervisors to adequately plan for coverage of employees' duties. Requests for less than one (1) week must be submitted twenty-four (24) hours before the requested leave time. Leave requests received less than twenty-four (24) hours in advance of leave times will normally not be considered. However, the Tribe does recognize that in some instances a need may exist for immediate annual leave and these will be considered on a case by case basis with final authority for approval being the Executive Director.

e. Only two hundred forty (240) hours of unused annual leave can be carried over from one fiscal year to the next. Any unused annual leave in excess of two hundred forty (240) hours will be forfeited. All efforts shall be made by the Executive Director and the Payroll Department to inform employees of the use or lose policy and allow them the opportunity to take leave prior to the end of the fiscal year.

f. All requests for annual leave must be submitted on the Tribal Leave Form (Appendix I) and signed by employee and submitted to the Supervisor for approval. Leave requests (Both approved and unapproved) will be kept in the employee's Time/Attendance file.

g. Annual leave benefits will be earned utilizing the following schedule:

    1. Regular full-time employees with 1 – 5 years of employment with the Chippewa Cree Tribe and/or Tribal Sub-Committee will earn leave at the rate of two (2) hours per weekly (40) hours pay period.

    2. Regular full-time employees with 5 years, 1 hour – 10 years of employment with the Chippewa Cree Tribe and/or Tribal Sub-Committee will earn leave at the rate of three (3) hours per weekly (40 hours) pay period.

    3. Regular full-time employees with over 10 years, 1 hour of employment with the Chippewa Cree Tribe and/or Tribal Sub-Committee will earn leave at the rate of four (4) hours per weekly (40 hours) pay period.

    4. Regular part-time employees will earn leave utilizing the same computations but their earnings will be pro-rated utilizing the number of hours worked per weekly pay period.

h. Employees whose services are terminated are eligible to receive compensation for unused leave. Annual leave will be paid at the employee's current rate, up to the number of hours that an employee is currently allowed to accrue as per policies.

i. Employees who have been employed with the Chippewa Cree Tribe or a Tribal Sub-Committee, such as the Health Board, Housing, Stone Child College, etc., on Rocky Boy's Indian Reservation and whose services were voluntarily terminated and rehired within a one-year period will be treated, for purposes of leave accrual as if they were continuously employed during that time period from the date of departure to the date of reinstatement.

9.3 SICK LEAVE

The Chippewa Cree Tribe authorizes sick leave to be utilized when an employee is ill or incapacitated or a member of his/her immediate family is ill. Immediate family is defined as mother, father, husband, wife, children or other family member who resides permanently in employee's place of residence.

Regular full-time employees of the Tribe and/or Tribal Sub-Committee shall earn sick leave benefits at the rate of two (2) hours per weekly (40) hours pay period. Sick leave benefits shall be accrued during probationary period but cannot be used except under special circumstances. The only exception for use of accrued leave during probationary period will be a doctor's statement that employee was ill.

Unused sick leave benefits can be accrued to unlimited hours and may be carried over from year to year. Sick leave will be compensated at the rate of ¼ hour of pay per hour of any unused sick leave hours up to the maximum of 240 hours base (i.e. payment for 40 hours). An employee is eligible for sick leave

payment if they retire, are laid off or resign. Involuntarily terminated employees are not eligible for payment of accrued sick leave.

An employee can use up to three (3) days of sick leave before a physician's statement is required; the employee is still required to notify his/her supervisor that he/she is ill. However, if the illness requires that the employee use sick leave in excess of three (3) consecutive days for any one illness, a written statement from a physician must be furnished to their supervisor. A written statement may be required to obtain a release from the physician to return to work.

Employees shall notify immediate supervisors within one hour (60 minutes) of their assigned reporting time on the day sick leave is taken. If the employee fails to call in, he/she will be charged with Leave Without Pay, which constitutes unauthorized leave. An employee must call in each day they are absent unless a leave authorization requesting sick leave and the number of days required has been submitted to the Supervisor.

Sick leave abuse will not be tolerated. Any abuse of sick leave will be grounds for disciplinary action.

Regular Part-time employees will earn sick leave on a pro-rated basis.

9.4 FAMILY LEAVE

The 1993 Family and Medical Leave Act mandates leave for an employee who for various family related reasons (sickness, childbirth, adoption) requests FMLA for a period not to exceed twelve (12) weeks. Family Leave must have the Governing Board's approval if in excess of six (6) weeks . An employee must have worked 1,250 hours in the past year to be eligible.

a. Donated Leave
   Employees may donate leave to other employees as needed for emergency medical reasons/hospitalization for themselves and/or family members, as approved by Human Resources. Human Resources should approve each request, in order to prevent any misuse of privilege. Donated Leave may only be exchanged within offices where payroll is disbursed. Medical slips must be attached. All other leave must be exhausted before donated leave is authorized.

9.5 LEAVE WITHOUT PAY

Leave without pay is a temporary unpaid status of an employee when he is absent without leave from his job assignment. Leave Without Pay must be authorized by the Executive Director. The Business Committee or Tribal Sub-Committee Governing Board must approve authorized leave without pay in excess of six (6) weeks.

9.6 ABSENT WITHOUT LEAVE (AWOL)

Unauthorized leave without pay is considered AWOL. An employee in this status for a period of three (3) consecutive workdays shall be considered as voluntary termination. The Executive Director shall prepare and sign the documentation and notify the terminated employee his/her termination in writing.

9.7 CULTURAL LEAVE

Only the Executive Director or his designee may grant Cultural Leave. An example of Cultural Leave is Traditional Memorial feasts. A maximum of twenty-four (24) hours per fiscal year will be allowed.

9.8 FUNERAL LEAVE

Funeral leave may be granted for up to three (3) days with pay for an employee who has had a death in his immediate family (immediate family is defined as grandmother, grandfather, mother, father, husband, wife, child, and extended family for the purposes of funeral leave). Such leave shall be with pay. The employee must submit a leave slip to the immediate supervisor.

9.9 MILITARY LEAVE/FURLOUGH

a.) Military Leave

A regular employee of the Tribe, who is a member of a research component of the Armed Forces, shall be granted military leave, with pay, not to exceed fifteen (15) working days in any calendar year when they are called to active duty or training.

b.) Military Furlough

Tribal employees who are ordered to active duty or to an initial period of active duty, into the Armed Forces or the United States, may at their own request, in writing, be placed on military furlough (excused from their tribal employment for such periods as they remain on active duty) without pay.

The employee must provide copies of official documents and evidence for granting military furlough. Regular employees who have been on military furlough as described above are entitled to restoration to employees with the Tribe in their former position when the following conditions are met:

1. An employee inducted for training in the service satisfactorily completes the training and services and receives a certificate of training, attendance and completion to that effect unless separated for hardship or medical reasons.

2. Applies for restoration of employment within thirty (30) days after official release from training and service or from discharge from hospitalization, providing the employee is able to work.

9.10 COURT LEAVE

A leave of absence with pay shall be granted to any employee who serves on a jury or as a subpoenaed witness in any court. The employee shall be paid his regular salary. Court pay must be returned to the employer. An employee must notify his Supervisor three (3) days prior to his appearance in court for jury duty or witness duty. Upon his return, the employee shall present his supervisor a signed statement from the officer of the court indicating dates served.

9.11 SCHOOL LEAVE

A leave of absence with pay shall be granted to any employee who has a child or children attending our local school systems. Leave shall be take in half hour to an hour increments for no more than two and a half hours total during a scheduled work week. An employee shall notify her or his supervisor of the request one hour in advance. An employee shall have a signed document from the school upon her or his return signifying the visit.

9.12 ADMINISTRATIVE LEAVE

Administrative leave (also referred to as "excused absence") is an administratively authorized absence from duty without loss of pay or charge to leave. This type of leave may be authorized by the CCT Chairman and/or CCT Business Committee when the leave is of benefit to the Tribe and the employee's position (type of administrative leave must be documented on the leave application form). Administrative leave may be granted under the following but not limited to conditions: Acts of Nature, Tribal Holidays, Special Community Events and Facility Problems. Administrative leave will apply to employees serving on local and tribal committees/boards.

9.13 VOTING LEAVE

Any employee (including temporary) who is a registered voter may, on the day of election, be allowed one (1) hour of paid leave with the approval of his/her supervisor.

SECTION 10 – HOURS OF WORK

10.1 GENERAL

The basic workweek will consist of five (5) eight-(8) hour days. These days will be Monday through Friday. The basic day will be from 8:00 a.m. to 12:00 p.m. and from 12:30 p.m. to 4:30 p.m. Employees are not required to remain at work during their lunch period, unless they have phone answering responsibilities, and may not waive their lunch period and thereby leave their work station prior to the end of the normal work day.

It is recognized that some programs within the Tribal infrastructure may need to modify or completely change the basic workday or week. If such changes are necessary it will be at the discretion of the Supervisor or the Executive Director. (Programs with possible needs to change basic workday requirements for some employees would be the Police Department, Housing Maintenance, Natural Resources, and Health Board).

10.2 EXEMPT EMPLOYEE

It is recognized that Exempt employees are not compensated for overtime and therefore may require a more flexible workday on occasion. If a Supervisor is an "exempt" employee, he/she is required to notify their staff when at their workplace during the basic tour of duty and designate an employee as acting in his absence for routine tasks. Exempt employees who abuse this policy will be required to utilize the time clock located in the Tribal Central Office or their respective place of work.

10.3 DAILY CHECK-IN/CHECK-OUT AND ATTENDANCE PROCEDURES

All regular and temporary employees of the Chippewa Cree Business Committee and/or Tribal Sub-Committee are required to be on the job at 8:00 a.m. (unless other work hours have been prior approved by the Executive Director) and to check-in utilizing the time clock or other check-in methods located at Central Office or other designated area. Check-out procedures will be the same and must be done at 4:30 p.m. or after unless approved slips have been obtained in which case check-out would occur at the same time of the approved leave. Repeated violations may result in suspension or termination. An employee is subject to disciplinary measures if he/she clocks in for another employee.

10.4 PUNCTUALITY

Employment with the Chippewa Cree Tribe is a privilege for employees and as such, tardiness will not be tolerated. Supervisors shall discipline employees who repeatedly violate this policy. Leave without pay will also apply for those employees with repeated tardiness.

10.5 FIRE-FIGHTING POLICY

The Business Committee in trying to alleviate the high unemployment rate on the Rocky Boy's Indian Reservation has determined unemployed community members will be given preference for any fire call. Any regular full-time Tribal employee will not be allowed to be absent from their jobs to go firefighting except in the case of extreme fire danger on the Reservation. Blatant disregard for this policy will be cause for dismissal.

SECTION 11 – EMPLOYEE CONDUCT

11.1 CODE OF CONDUCT

Each employee of the Chippewa Cree Tribe and/or Tribal Sub-Committee is expected to conduct the official business of the Tribe with pride and dignity both on the job and when on travel status for the Tribe. They must exercise wisdom and sound judgement at all time. This is to ensure that the employees shall maintain a high standard of ethical and moral conduct and avoid any actions that adversely reflect upon the Chippewa Cree Tribe or its members or which would jeopardize the effectiveness of the tribal government.

11.2 ETHICS

Employees are expected to conduct tribal business in an ethical manner and as such will:

a. Be held accountable for his actions and official conduct while in employment with Tribe.

b. Not solicit or accept, directly or indirectly any gift, gratuity, favor, entertainment, loan or other things of monetary value from any person, group, or private organization who is seeking to obtain

contractual or other business or financial relations with the Chippewa Cree Tribe or has interests that may be substantially affected by the performance or nonperformance of the individual responsibility.

c. Be restricted from accepting any travel, subsistence or payment or other expenses from any other person, group or organization if he/she is officially directed to participate. In a convention, seminar or meeting on duty status when authorized per diem, pay and other travel expenses have received from the Chippewa Cree Tribe and/or Tribal Sub-Committee.

d. Avoid any action, which may result in or create the appearance of a conflict of interest such as using their office for personal gain. Giving preferential treatment to any person or group, impeding tribal efficiency or economy, losing impartiality, making a major decision without tribal government authority or affecting adversely the confidence of the Chippewa Cree Tribe.

e. Maintain high personal moral integrity that reflects the Chippewa Cree Tribe in a respectful manner.

f. Never use his or her position in any way to coerce or give the appearance of coercing anyone to provide a financial benefit to himself or herself or another person.

Any violation of this section by an employee shall be reported in writing to the Executive Director for consideration and action. Action taken shall depend on the circumstances and gravity of the violation. The Executive Director shall take appropriate action. If the Executive Director violates the Code of Conduct or Ethics then the applicable Governing Board shall take appropriate action.

11.3 CONFLICTS OF INTEREST

It shall be the duty of all employees, supervisors and program directors to disqualify them immediately from participating in any matters involving conflicts of interest. For these purposes, conflicts of interest shall include, but not limited to, the following matters:

a. An employee shall not, except in the discharge of their official duties, voluntarily represent any party before any court, federal or state government, or any proceeding in which the Chippewa Cree Tribe and/or Tribal Sub-Committee is party or has an interest.

b. An employee may not participate in his official capacity in any matter in which his family through blood or marriage in the same household, outside business associate, or person with whom he is negotiating for purchase of goods or service or for employment, has a financial interest.

11.4 EMPLOYEE CONDUCT GUIDE

Each employee of the Chippewa Cree Tribe and/or Tribal Sub-Committee shall:

a. uphold with integrity, the relation of trust and confidence while serving in the appointed employment position.

b. comply with the directions and instructions of their immediate supervisor in the service of the Tribe.

c. show courtesy, cooperation, and diligence with fellow employees and the general public during work hours

d. give full, efficient and industrious service to promote the economical and effective accomplishments of the Tribe's goals and objectives.

e. uphold the Privacy Act by protecting confidential information and refraining from disclosing any information relating to job responsibilities or co-worker. Special circumstances may require the Executive Director, Tribal Secretary/Treasurer, Human Resources Payroll Department, Wellness Coordinator, Chief of Staff and certain staff members to release specific information, however only in the manner and to the extent authorized by the Freedom of Information Act.

f. economically utilize, protect and conserve the Tribe's property and equipment, which is assigned to the employee.

g. treat colleagues with the utmost respect, share pertinent knowledge, aid colleagues to fulfill their responsibilities. Hold them responsible for the quality and extent of the services they perform, express their complaints and dissatisfactions only to their supervisors so as not to create dissention among fellow employees, observe the proper chain of command requirement.

h. display a high degree of integrity and honesty in every aspect of his/her job.

i. not use Tribal property for personal use.

j. demonstrate financial accountability as related to their position and including their work hours.

11.5 LIMITATIONS ON EMPLOYEE'S DEPARTMENT AND ACTIVITIES

Employees should be aware of the following limitations, which affect them:

a. All employees are required to address their financial obligations at the time and in the manner for which they contracted them to pay them.

b. The Tribe is not accountable for the loss or theft of any personal property of its employees.

c. Employees shall not use or authorize use of a tribal owned vehicle or leased vehicle for no other than official purposes.

   Employees shall be held accountable and responsible for the loss or damage of Tribal property, for which they are responsible, provided the loss or damage is due to negligence or carelessness according to a police report.

d. Employees are not allowed to bring children to their respective work areas during the normal working hours.

11.6 POLITICAL ACTIVITY – NATIONAL, STATE, COUNTY, AND TRIBAL

Employees and Elected or Appointed Officials, in accordance with the Hatch Act and Tribal Policy, shall not:

a. Use their official authority to interfere with an election, nomination or affecting the result thereof.

b. Directly or indirectly coerce, command or advise one another to pay, lend or contribute salary, compensation or anything else of value for political purposes to any party, committee, organization, agency or person.

c. Engage in any political activities during scheduled working hours while on duty.

d. Neglect their assigned duties or responsibilities because of permitted political activity.

e. Discriminate in favor of or against a Tribal Officer, employee or applicant because of his/her political affiliation.

f. Engage in any permitted political activity directed at other tribal employees while they are on duty.

g. Promise or use influence to secure Tribal employment or other benefit from public funds as a reward for political activity.

Allowable activities which shall not interfere with work activities include, but are not limited to: Voting as one chooses, expressing personal opinions on all political subjects and candidates, contributing to political campaign funds, joining political organizations and voting for affairs and issues of same, attending o pen political meetings, signing petitions as long as it is outside of tribal offices and not during working hours, wearing badges and using automobile stickers, displaying political pictures at home, speaking or writing on political topics, but not as a representative of the Chippewa Cree Tribe and/or Tribal Sub-Committee, and participating on school boards or other similar non-partisan community boards with particular reference to the Election Board/Ordinance.

11.7 SEXUAL HARASSMENT/DISCRIMINATION

Racial or sexual harassment or discrimination of any kind in the workplace or as a condition of employment is not permitted. No employee of the Chippewa Cree Tribe, Tribal Business Committee, and/or Tribal Sub-Committee will be subjected to sexual harassment or discrimination by any employee of the Chippewa Cree Tribe, Tribal Business Committee, and/or Tribal Sub-Committee. The U.S. Equal Employment Opportunity Commission (EEOC) has issued guidelines, which specifically address prohibited acts of sexual harassment in the workplace. These guidelines define sexual harassment and shall be posted in each department:

a. Unwelcome sexual advances.
b. Requests for sexual favors.
c. Verbal or written conduct such as sexual joking, comments or innuendos, stereotyping, sexually suggestive objects or pictures, graffiti or pranks.
d. Physical contact of a sexual nature such as touching or gestures.

These behaviors are illegal if:

a. Submission to such conduct is necessary for an individual to be hired or to stay employed.
b. An employee's acceptance or rejection of such conduct is used on a daily basis for employment decisions affecting compensation and benefits.
c. Such conduct interferes with an employee's work performance or creates a hostile or offensive work environment for the employee.

Employees who believe that they have, or have witnessed an employee who has, been harassed or discriminated against should report the behavior to the EEO Officer (Refer to Appendix J). In cases where the EEO Officer is involved, then employees should contact the Human Resources Department. Complaints should address the answers to the following questions:

What was said or done?
Who did it?
When and where did it happen?
Did anyone else observe or hear it?
What did you do?
Was the harasser confronted?
What was the response?
Has this happened before?
Was the person(s) involved?
To your knowledge, have others had similar experiences?

The EEO Officer will ensure that all policies are administered fairly and equitably. When a complaint is filed, this includes seeing that the following guidelines are adhered to:

a. That complaints are handled confidentially, promptly, fairly and fully investigated.
b. Provide feedback to the complainant.
c. Ensure, to the maximum extent possible, that investigations protect the privacy of all parties concerned.
d. Monitor the incident to prevent any retaliation from being taken.
e. See that proper disciplinary action, up to and including termination, is taken against violators of this policy.

The most productive and satisfying work environment is one in which work is accomplished in a spirit of mutual trust and respect. All employees have a right to work in an environment free from discrimination and harassing conduct.

11.8 DRUG AND ALCOHOL POLICIES

Refer to Drug Ordinance 1-99 located in the Human Resources Department.

SECTION 12 – DISCIPLINARY PROCEDURES

12.1 GENERAL

It is the responsibility of all tribal employees to adhere to various regulations for the proper operation of tribal government. The Chippewa Cree Tribe views progressive discipline as the mechanism intended to provide management control over actions that do not serve the best interest of the Tribe's objectives. All Disciplinary Action, with the exception of verbal reprimands, will become permanently a part of the employee's personnel folder.

12.2 CAUSE FOR DISCIPLINE

Various degrees of disciplinary action may be initiated for violations of the following elements, to include, but not be limited to:

a. Gross neglect of duty or refusal to comply with instructions, unless such instructions are potentially injurious to the employee or the public's health or safety, or in violation of tribal law;
b. Insubordination;
c. Excessive tardiness or absence without leave;
d. Unsatisfactory job performance;
e. Items in Chapter 11;
f. Any other conduct on the job not in keeping with acceptable standards;
g. Neglect of duties;
h. Misconduct on the job or at other activities while on the job;
i. Violation of the Chippewa Cree Drug Ordinance;
j. Discourtesy to the public;
k. Disclosure of confidential information;
l. Willful damage of Tribal property or unauthorized use of tribal resources;
m. Violating safety regulations;
n. Exhausting or over-expenditure of budgets.

12.3 SUPERVISORY RESPONSIBILITY

Each Supervisor is directly responsible for employee discipline in his/her department. Human Resources is available for consultation and to provide advice and assistance, as may be required. In carrying out disciplinary procedures, the Supervisor must remember that these areas may be subject to revisions by law. In addition, they may be subject to specific constraints when an employee is employed under a contract. In the event of any questions, Supervisors should consult with the Executive Director.
As part of the disciplinary procedure requirements, supervisors are also responsible for explaining the process to employees so that they understand why certain rules are in effect.

12.4 PROCEDURES

The Chippewa Cree Business Committee and/or Tribal Sub-Committee Human Resources endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. Progressive discipline constitutes the receipt of a verbal reprimand, then a written reprimand and thirdly a demotion, suspension, or termination. The reprimands do have to be specific to each area but rather will be included in total. Thus, if one is orally reprimanded for tardiness

and in another instance does not complete their job duties, the second will be a written reprimand. The Executive Director, however, retains the right to administer discipline in any manner that is appropriate for the situation. All disciplinary actions should be signed off by the employee acknowledging receipt of the action, refusal or failure to acknowledge receipt should be noted by the Supervisor or Executive Director.

The normal application of progressive discipline should be:

a. Verbal Reprimand – STEP 1:
    1. If an employee is not meeting Chippewa Cree Tribal and/or Tribal Sub-Committee standards of behavior or performance, the employee's Supervisor should take the following action:
        1. Meet with the employee to discuss the matter;
        2. Inform the employee of the nature of the problem and the action and the stated timeline necessary to correct it;
        3. Prepare a memorandum for the Supervisor's own records indicating that the meeting place. The memorandum will be removed from the Supervisor's files after one year.

b. Written Reprimand – STEP 2:

A written reprimand is the second step in the Progressive Discipline Procedure: if there is a second occurrence of any kind, the Supervisor should hold another meeting with the employee and take the following action:

1. Issues a written reprimand to the employee;
2. Warn the employee that a third incident will result in more severe disciplinary action and;
3. Prepare and immediately forward to Human Resources, a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This report, along with the written reprimand, will be placed in the employee's Personnel Folder.

c. Progressive Discipline – STEP 3:
    The third step in the Progressive Discipline Procedure is the most severe and can include demotion, reprimand, suspension with or without pay, and termination of employment. The Supervisor has the authority to immediately suspend personnel for a period not to exceed ten (10) working days. The Executive Director may follow up with further disciplinary action such as an involuntary termination, if necessary. The Supervisor must provide the appropriate documentation for the Executive Director's action.

12.5 DEFINITIONS

The following definitions apply to this section:

a. Counseling: Minor violations may be cause for the Supervisor to counsel the employee. Such sessions will not become part of the Personnel Folder.

b. Verbal Reprimand: A verbal reprimand is when the immediate Supervisor utilizes a memorandum a and an Incident Report and clearly marks – verbal reprimand – for a violation of the Personnel Policies and Procedures committed by the employee. The immediate Supervisor should discuss clearly and frankly with the employee the reason(s) for the verbal reprimand. The Incident Report/Memorandum must be kept for a period of one year in the Supervisor or Executive Director's Confidential File depending on who is giving the employee a verbal reprimand. The employee may respond (in a calm manner) in defense of himself or herself or incidents that occurred and ask the Supervisor or Executive Director to listen to witness/witnesses that saw the occurrence. The employee will request a copy of the verbal reprimand for himself or herself.

c. Written Reprimand/Corrective Interview: A written reprimand is a written letter from the immediate supervisor informing the employee that they have committed violations of the personnel policies and procedures and is the second step in the progressive disciplinary procedures. The letter should clearly state that this is a written reprimand with reason(s) for the reprimand and that this is the second step in the progressive disciplinary process. A copy of any written reprimands must be immediately forwarded to the Personnel Department for insertion into the employee's personnel folder. Along with any written response received from the employee in writing. If the employee disputes the reprimand, it should be done in writing. Corrective action may be added as part of the written reprimand – the immediate Supervisor should discuss clearly and frankly with the employee the reason(s) for the corrective action interview. Specific suggestions for corrective action should be given to the employee. The employee should be provided with clear written statements for work performance. The interview should be recorded and placed in the Supervisor or Executive Director's Confidential File depending on who is writing the written reprimand.

d. Suspension without pay: Suspension without pay is for a period of one to 10 days and is the third step in the progressive disciplinary action. The Executive Director or Supervisor may suspend an employee without pay for no more than ten (10) working days as the disciplinary measure for cause (refer to 12.2). Shorter suspensions of one to five days will normally be used as a warning depending on the severity of the offense and its frequency before longer suspensions are given. On or before the effective date of the suspension, the supervisor will deliver a suspension notice to the employee and Human Resources, setting forth the reasons for the suspension. A copy will be placed in the employee's Personnel Folder. Upon receipt of this notice, the employee will report to Human Resources to discuss suspension procedures.

e. Suspension with pay: Suspension with pay follows the same definitions and procedures listed in d. suspension without pay, except that suspension with pay must be pre-approved by the employee's sub-committee.

f. Demotion: Demotion is when an employee is placed at a lower level of compensation and responsibility. The Executive Director may demote an employee for inadequate performance of duties or for disciplinary reasons after due process. A written statement of reasons for the demotion shall be submitted to the employee affected prior to the time of demotion. The employee has the right to the appeal procedures as stated in this manual. An employee may be demoted to an unfilled position in a lower class for which he/she is qualified.

g. Termination: If the preceding actions are insufficient, or if cause warrants, an employee may be terminated.

1. The Executive Director may dismiss any employee for just and good cause. A termination letter will be delivered to the employee setting forth the reasons and the effective date of his/her termination.
2. The Supervisor, Human Resources, Security Guard, Process Server or Police Officer is responsible for distributing any termination letters and shall first be hand delivered, but if employee is not available, the letter must be sent by certified mail with return receipt requested to the employee's last known address.

12.6 EXCEPTIONS/SPECIAL CONDITIONS

In cases involving serious misconduct, such as a major breach of policy or violation of law, the procedures contained above may be disregarded. The Executive Director should suspend the employee immediately and if appropriate, terminate the employee immediately. Employees suspended from work for serious misconduct will not receive or accrue wages and employee benefits during suspension. In the event the misconduct charge against the employee is found to be untrue, payment for days suspended and fringe benefits withheld will be reinstated. Causes for immediate suspension or termination may include, but not limited to:

a. Willful theft, misuse, or malicious damage to property;
b. Destruction or willful falsification of records regarding program activities. Submittal of a fraudulent time sheet will be grounds for disciplinary action or termination;
c. Violation of laws or safety regulations endangering the health of safety of others;
d. Falsely making or counterfeiting or forging any form of fiscal document;
e. Perjury;
f. Embezzlement;
g. Misuse of funds;
h. Unauthorized Leave Without Pay from the job for three (3) consecutive working days;
i. Use of alcohol or illegal drugs in the workplace;
j. Use of official position for personal advantage;
k. Fighting on the job or creating a serious disturbance;
l. Failure to attend sessions at training/workshops;
m. Violation of the Tribal or Sub-Committee Budget Ordinance;
n. Violation of the Tribal Protection of Elected Officials/Employees Ordinance (2-89)
o. Other causes serious enough for suspension or termination based upon the judgement of the Executive Director consistent with the intent of this manual.

SECTION 13 – EMPLOYEE APPEAL PROGRAM

13.1 PURPOSE

In any organization, there can be differences of opinion about working conditions, work rules, policies and other work-related issues. To resolve these differences, effective communication is essential. It is the purpose of this policy to provide a prompt, orderly means of receiving and responding to employee concerns.

The Employee Appeal Program is designed to enhance communication by providing a formal process to resolve legitimate disputes. In addition, an employee may use this program to raise concerns regarding discrimination or harassment, including sexual harassment. An employee should not be retaliated against for raising concerns of this nature brought forward with a good faith belief that a problem exists.

This procedure is intended to supplement, rather than to discourage or replace, informal discussions between supervisors and employees. A supervisor should make every reasonable effort to resolve employee concerns outside the formal Employee Appeal Program.

13.2 ELIGIBILITY

The Employee Appeal Program is available to all full- and part-time employees who have successfully completed their employment probation period. This program is *not* available to individuals employed in a temporary status or those who did not successfully complete their employment probation period.

All employees, regardless of probationary status, are encouraged to promptly bring concerns of discrimination, harassment or other violations of the law to the attention of their immediate supervisor. If the complaint concerns an immediate supervisor, the concern may be brought to the attention of the supervisor's supervisor. Complaints may always be brought to the Human Resources Department.

The initiation of the employee appeal process in good faith by an employee should not adversely affect his or her standing as an employee.

Group appeals are not permitted, and one person may not speak for employees who have not personally elected to participate in the appeal process.

If the appeal concerns an involuntary termination, it must be appealed within five working days of the termination otherwise it will be automatically rejected.

13.3 DEFINITION

An "appeal" is an expression of dissatisfaction relating to wages, hours of work, the administration of personnel policies, disciplinary actions or other conditions of employment.

Beginning with Step 2 below, all appeals will be submitted in writing and will receive a written response. The employee submitting an appeal will state the specific response desired to resolve the problem satisfactorily.

13.4 EMPLOYEE APPEAL PROGRAM PROCEDURES

The Employee Appeal Program consists of three steps, which are described below.

Appeals regarding involuntary termination or issue(s) involving the employee's Executive Director will be heard beginning at Step 3 below.

Appeals regarding allegations of discrimination based on race, color, age, religion, sex, sexual preference, marital status or parental status, national origin, or disability and allegations of sexual harassment may be discussed confidentially with a member of the EEO department to determine the appropriate step at which to begin the Employee Appeal process.

Outside counsel will not be permitted to attend any of the meetings in the Employee Appeal Program.

Appropriate witnesses may be permitted to attend such meetings with approval from the Human Resources.

Step 1: Supervisory Level

The employee should verbally present the concern to his or her supervisor within five working days of the original cause for the appeal or from the date the employee learned the cause for the appeal. The supervisor will respond verbally to the employee within five working days of hearing from him or her.

Step 2: Executive Director Level

If an employee does not agree with the supervisor's response in Step 1, they should submit a written letter appeal to their Executive Director within five working days of receiving the supervisor's verbal answer to Step 1.

The Executive Director will review and investigate the facts of the appeal and provide the employee with a written response briefly outlining the Executive Director's decision. This response will be delivered to the employee no later than five working days following the meeting.

Step 3: Appeal Board

If the employee is not satisfied with the decision of the Executive Director, or if the employee was terminated by the Executive Director or if the issue(s) the employee is appealing are with the Executive Director, the employee will give written letter notice within five working days to the Human Resources stating his or her wish to initiate the employee appeal board.

13.5 BOARD SELECTION

The Human Resources will arrange for the selection and education of an ad hoc committee of three members, consisting of Executive Director-level employees. Reasonable efforts will be made to select panel members in a timely manner. The Human Resources will serve as the non-voting chairperson of the panel.

a. ***Board eligibility***

All Executive Director employees who have successfully completed their employment probation period are eligible to serve on this board, except for employees who are currently undergoing an action of progressive discipline.

b. ***Selection process***

The Human Resources will contact employees from a list of eligible employees until three are confirmed to serve on the employee appeal board. The Human Resources will notify the Executive Director of their selection and his or her obligation to serve on the employee appeal board. The Human Resources will also secure two alternate employee appeal board members. Each party in the appeal will have the option of

dismissing one (1) member of the employee appeal board. Should this happen, one of the alternates will be chosen to fill the dismissed members place.

At the time of contact with each employee regarding his or her participation on the employee appeal board, no reference will be made to the identity of the individual appealing, the facts of his or her appeal, or the identities of other employee appeal board members. Any employee selected who already has knowledge of the facts or who otherwise has a conflict of interest with respect to the appeal will be disqualified.

Within three working days of panel selection, the Human Resources will notify all parties of the date, time and place of the hearing. Reasonable efforts will be made to schedule the hearing date within five working days of panel selection.

c. ***Hearing and Final Decision***

At the hearing, parties to the appeal will be expected to present all information relevant to a resolution of the appeal. The employee appeal board members will interview the parties and review presented material. The hearing will be held and concluded within a time frame not to exceed two hours. After all information has been presented, the board members will deliberate amongst themselves and come to a decision that the majority of the appeal board supports.

Within five working days following the close of the hearing, the panel will issue its written decision whether to uphold or invalidate the action that was appealed.

Follow-up action must be taken by the Program Director and the Human Resources to ensure if the decision has truly resulted in resolution. The Appeal Board will be the final adjudicator in the Employee Appeal Program.

In the case of civil rights violations, the matter can be appealed to the Tribal Court system for adjudication.

13.6 WITHDRAWL OF APPEAL

An employee may withdraw an appeal at any time via written letter notification. Once withdrawn, however, it may not be re-initiated. If the employee does not meet the time constraints outlined in this policy, employee appeal decisions will remain as defined by prior actions.

The Executive Director and Human Resources should document the withdrawal of any appeals.

SECTION 14 – GRIEVANCE PROCEDURES

14.1 POLICY STATEMENT/PROCEDURES

The Chippewa Cree Tribe has established a formal policy whereby any employee who believes that he or she has been treated unfairly is able to express that position to management without fear of retaliation for doing so. We define grievance as any complaint, problem or concern of an employee regarding their workplace, job or coworker relationships. Employees can file grievances for any of the following reasons:

workplace harassment, health and safety, supervisor behavior, adverse changes in employment conditions, etc. This list in not exhaustive. However, employees should try to resolve less important issues informally before they resort to a formal grievance. Employees shall be free from restraint, coercion, discrimination or reprisal when using these procedures. It is the policy of the Tribe to anticipate and avoid the occurrence of complaints of grievances of employees, but if they occur, management will respond promptly. The Grievance Procedures are not applicable to employees who are disputing a disciplinary action.

Employees who file grievances can:
- Reach out to their direct supervisor or HR department
- File a grievance form explaining the situation in detail
- Refuse to attend formal meetings on their own
- Appeal on any formal decision

Employees who face allegation have the right to:
- Receive a copy of the allegations against them
- Respond to the allegations
- Appeal on any formal decision

Grievances shall be administered in the following manner:

Step 1: As the first step the Chippewa Cree Tribe urges employees and their Supervisors to meet and explore misunderstandings or grievances. This gives both parties an opportunity to understand each other's positions and advances the potential for settlement. Experience has shown that the earlier misunderstandings and complaints are addressed, the greater the opportunity for amicable resolution. Accordingly, employees are encouraged to bring grievances to the attention of their Supervisors within five (5) working days that the grievance occurred. The Supervisor should attempt to meet with the employee no later than one week from the time the employee contacted the Supervisor.

Step 2: When informal procedures do not result in resolution or satisfaction, the employee shall present to his/her immediate Supervisor his grievance in writing. The immediate Supervisor shall, within five (5) days meet with the aggrieved employee and attempt to resolve the grievance in writing. If the aggrieved employee is not satisfied or if the five-(5) days have passed with no action by the immediate Supervisor, the employee shall, then

Step 3: Request a meeting with the Director. Upon receipt of the request, the Director must investigate the matter and attempt to resolve the problem. If the Director is unable to resolve the grievance to the satisfaction of the employee, then,

Step 4: The employee may request a meeting with Human Resources and/or EEO Coordinator. Human Resources and/or EEO Coordinator will investigate the matter within five (5) days. Human Resources and/or EEO Coordinator will then meet with the employee and Program Director for the purpose of reviewing the matter. Upon completion, Human Resources and/or EEO Coordinator should make every attempt to issue the finding as promptly as possible, but in no event, later than three (3) weeks from the date the employee first met with Human Resources/EEO Coordinator.

Follow-up action must be taken by the Program Director and the Human Resources to ensure if the decision has truly resulted in resolution. Human Resources and/or the EEO Coordinator will be the final adjudicator in all instances of grievance.

In the case of civil rights violations, the matter can be appealed to the Tribal Court system for adjudication.

SECTION 15 – SEPARATION FROM EMPLOYMENT

15.1 GENERAL

Three types of separation may occur. Voluntary, involuntary, or layoffs due to the nature of the employment situation.

15.2 VOLUNTARY SEPARATION (RESIGNATION)

An employee desiring to resign may do so by notifying his/her Supervisor. The resignation must be submitted in writing and for regular employees must be received two (2) weeks in advance of resignation and one (1) month in advance for professional and executive employees. The letter must include the effective date of resignation. All accepted resignation should become a part of the Personnel Folder. An employee who has submitted their resignation will be expected to perform their responsibilities until resignation becomes effective.

15.3 INVOLUNTARY SEPARATION (DISMISSAL)

When circumstances indicate and/or the procedures for disciplinary action have been exhausted, an employee may have to be involuntarily terminated (discharged, dismissed, and/or fired). The employee's Supervisor shall initiate such action with concurrence and approval of the Executive Director. The Executive Director must inform the employee of the termination in writing with a copy to Human Resources

15.4 LAYOFFS

A layoff shall be considered as removal from a position because of the abolishment of that position or because of lack of work or funds due to reorganization, program reduction or other administrative readjustment. When more than one employee is involved, the Supervisor and Human Resources shall establish a reduction in force list showing the order in which employees are to be laid off based on the needs and requirements of program objectives of the Chippewa Cree Tribe and/or Tribal Sub-Committee. Refer to Furlough Policy for further instruction.

SECTION 16 – COMPUTER USE POLICY

16.1 PURPOSE

This document describes the policies and guidelines for use of the computer and electronic communications resources of the Chippewa Cree Tribe. All computer users employed by the Chippewa Cree Tribe have the responsibility to use these resources in a professional, ethical, and lawful manner. The computers and computer accounts provided to employees by the Chippewa Cree Tribe are to assist them in the performance of their jobs. The computer and electronic communications system belong to the Chippewa Cree Tribe and may only be used for authorized business purposes.

16.2 DEFINITIONS

COMPUTERS: Includes, without limitation, mainframe, mini, micro, desktop, portable, laptop and powerbook computers and personal digital assistants ("PDA"); and computer systems.

ELECTRONIC COMMUNICATIONS SYSTEMS: Any messaging, collaboration, publishing, broadcast, or distribution system that depends on electronic communications resources to create, send, forward, reply to, transmit, store, hold, copy, download, display, view, read, or print electronic records for purposes of communication across electronic communications network systems between or among individuals or groups, that is either explicitly denoted as a system for electronic communications or is implicitly used for such purposes. Further, an electronic communications system means any wire, radio, electromagnetic, photo optical or photo electronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. Examples include, but are not limited to, the Internet, intranet, electronic mail services, GPS systems, cell phones and personal digital assistants ("PDAs").

POTENTIAL USERS: Chippewa Cree Tribal employees and administration, certain authorized individuals performing work for CCT, and other individuals affiliated with the Chippewa Cree Tribe.

RESOURCES: Any one or more of the following in which the CCT has an ownership, lease, license, proprietary, managerial, administrative, maintenance or other legal or equitable interest: Computers; Electronic Communications Systems, CCT Network; data storage media, devices and systems; terminals, printers, software; files; documentation; accounts; and any other hardware, software, information, or other technology attached or connected to, installed in, or otherwise used in connection or associated with any of the foregoing. The use of a computer or other equipment that is not Resources (e.g., a personally owned computer) in conjunction with Resources (e.g., the Chippewa Cree Tribal Network) shall constitute the use of Resources and shall be governed by the Computer Usage Policy.

CHIPPEWA CREE TRIBAL NETWORK: All components that may be used to effect operation of the CCT computer networks, including, Computers; copper and fiber cabling; wireless communications and links; equipment closets and enclosures and other facilities; network electronics; telephone lines, modems, and other peripherals and equipment; data storage media, devices and systems; software; and other computers and/or networks to which the CCT Network may be connected, such as the Internet or those of other institutions.

16.3 WAIVER OF PRIVACY

Employees waive their right of privacy in anything they create, store, send, or receive on the Chippewa Cree Tribe's computer or electronic communications system. Employees consent to management or supervisory personnel of the Chippewa Cree Tribe accessing and reviewing all material employees create, store send, or receive on the computer or electronic communications system.

16.4 PROHIBITED USES

Examples of prohibition/misuse include, but are not limited to, the activities in the following list:

- Sending, receiving, displaying, printing, or otherwise disseminating material that is fraudulent, harassing, sexually explicit, obscene, intimidating, or defamatory;
- Sending, receiving, displaying, printing, or otherwise disseminating confidential, proprietary business information in violation of tribal policy or proprietary agreements;
- Transmitting, storing or otherwise disseminating material for commercial purposes, monetary gain, destructive programs (such as viruses), or political material;
- Violating any tribal or federal law governing intellectual property (for example, copyright, trademark, and patent laws) and online activities; and
- Violating the license governing the use of software;
- Disclosing password, sharing or transferring accounts. (You are required to safeguard your account and its contents and will be responsible of any misuse);
- Unauthorized access to Resources or any account on the CCT Network or any other system. (Misrepresenting yourself as another "spoofing," is a violation of tribal and federal law. If you are a victim of such misrepresentation, you must immediately upon discovery report the incident to Computer Services);
- Installing third party software on computer system, including software downloaded from the Internet. (All software shall be installed by the Network Specialist to ensure system compatibility and continued system functionality);
- Accessing or Copying directories, programs, files, data, or documents, without the permission of the account holder or owner to do so;
- Remove or copy any Resource owned by the Chippewa Cree Tribe; AND
- Misuse Resources in such a way as to, in the sole determination of the CCT Network Administrator, unduly impede, interfere with or otherwise cause harm to others or their activities or create or constitute an unacceptable burden on Resources. Nonexclusive examples of such prohibited use include: activity that creates excessive network traffic or computing load (absent a compelling legitimate CCT research or instructional need); misusing mailing lists; distributing "chain letters;" mail bombing (flooding an individual, group or system with unacceptably numerous or large e-mail messages); intentionally spreading hoaxes regarding a computer virus, worm or similar threat; creating telnet or file transfer sessions of excessive number or duration; maintaining unregistered or otherwise unauthorized servers; using excessive network bandwidth, engaging in distributed processing (unrelated to Chippewa Cree Tribal operation without prior permission from the Computer Services); and creating unacceptably large files. You may not permit another person or entity to use Resources (including without limitation processing power, memory, and connectivity to the Internet) for running online advertising, storing data or engaging in distributed processing.
- Accessing Social Media sites is strictly forbidden.

16.5 VIOLATIONS

Minor infractions of this policy or those that appear accidental in nature are typically handled informally by in-person discussions. More serious infractions are handled via formal procedures. In some situations, it may be necessary to suspend account privileges to prevent ongoing misuse while the situation is under investigation. Violations of this policy may result in disciplinary action including and up to termination, loss of Network access/Computer Use, legal action, and criminal liability.

SECTION 17 – PERSONNEL RECORDS MANAGEMENT

17.1 POLICY

It is the policy of the Chippewa Cree Tribe to maintain personnel records for applicants, employees, and past employees in order to document employment related decisions, evaluate and assess policies and comply with government record keeping and reporting requirements.

17.2 RESPONSIBILITY

The Human Resources Department will be responsible for the maintenance of Official Personnel Records. The employee files in the Human Resources Department shall be considered the only official employee file of the Chippewa Cree Tribe or Tribal Sub-Committee. It is the responsibility of the Supervisors and/or Executive Directors to route all correspondence relating to employment actions to the Human Resources Department for insertion into the employee personnel files. It is also the responsibility of the Supervisor, Executive Director and/or employee to fill out the appropriate forms accurately and correctly.

Records shall be kept on all personnel actions including, but not limited to: hiring, salary, classification, position descriptions, orientation, promotion, terminations, reprimands, disciplinary actions, training records, employee appraisals and evaluation and resignation for both full-time and part-time employees. After 5 years, records of disciplinary actions may be removed from the employee's personnel folder upon written request to Human Resources.

Records shall also contain annually updated one-page resumes, employee workplace wellness plans, signed non-disclosure agreements, confidentiality agreements, and signed releases of information.

Employees have the responsibility to make sure their personnel records are up to date and should notify the Human Resources Department in writing of any changes in at least: name, address, telephone number, marital status, number of dependents, addresses and telephone numbers of emergency contacts, and beneficiaries for any insurance or pension and retirement plans.

17.3 CONFIDENTIALITY

In accordance with regulations, Personnel Folders of employees are not public information, and therefore, should be treated as confidential. The names of employees together with their class title and date of employment shall be furnished upon request. However, authority to release other information is given only by the Human Resources and/or Executive Director utilizing the Freedom of Information Act as guidance. The request for information must be submitted in writing.

17.4 GUIDANCE

The Tribe believes in its employee's rights to personal privacy and it has an obligation to safeguard the information and records it has about them. Personnel folders shall be kept in locked cabinets in a room that may be locked upon departure of the daily workday. The following objectives of privacy are kept in mind:

a. The Tribe and/or Tribal Sub-Committee will maintain a single official Personnel Folder on each employee, which will be kept in the Human Resources Department.

b. Only supervisory and management employees who have an employment-related need-to-know for information about another employee may inspect the files of the employee. Such inspection must be approved by Human Resources and should be recorded in the folder inspected.

Information from an employee's personnel file will be released to the Chippewa Cree Business Committee under the Freedom of Information Act or with the employee's written approval, under the following condition: The Business Committee will make a formal written request to Human Resources specifying the information it desires from the employee Personnel Folder and the purpose for the request. The information may be discussed only in a Business Committee Executive Session.

c. People or organizations requesting employee references will be told only the date of employment, position or title of the employee or former employee, and location of job site, unless the employee gives written approval to release further information. The written approval to release further information must specify who is authorized to release the information, the type of information to be disclosed, to whom it may be disclosed and the use, which may be made of the information. The authorization will have an expiration date not to exceed one (1) month.

d. Employees have the right to inspect their own personnel folders and may request copies, but not remove documents. Such an inspection must be in writing and when approved, Human Resources must be in attendance at such inspection.

e. The inclusion of complaints and derogatory material in an employee's personnel file will be subject to the conditions that the employee must be shown a copy of the material being placed in the file and acknowledges such and any material not shown to an employee as acknowledged in writing within five (5) working days of receipt may not be used as evidence in any grievance or disciplinary procedure.

f. Law enforcement requests for information will be met by verifying the fact and dates of employment, the employee's home address, and specific dates of attendance at work and job title.

Requests for more extensive information will only be answered if accompanied by a valid subpoena or by means of another legal process.

g. The Chippewa Cree Tribe shall remain free to disclose information about an employee to law enforcement authorities if it has reason to believe that actions of the individual threaten the Tribe's property or the safety or security of other employees, or if it suspects an employee of engaging in illegal activities, whether or not those activities relate to employment. This information will be disclosed voluntarily by, and at the discretion of the Human Resources, Executive Director, Tribal Secretary/Treasurer.

17.5 PRIVACY ACT

The Privacy Act (5 USC 522a) provisions will be strictly observed and implemented by the Chippewa Cree Business Committee and/or Tribal Sub-Committee. Human Resources is responsible for ensuring that the Tribal Departments and other Programs are made aware of the provisions of the Privacy Act.

SECTION 18 – WORKPLACE SAFETY

18.1 GENERAL POLICY

The Chippewa Cree Business Committee and the Tribal Sub-Committee places prime importance on the personal health and safety of each employee of the Tribe. The policy of the Tribe will be to maintain a safe and healthy working environment at all times, and to comply with the Occupational Safety and Health Administration (OSHA) and the Chippewa Cree Tribal Self Insurance Policies regarding workplace safety. The prevention of occupationally induced injuries and illnesses will be treated as a priority by management and employees and will be given preference in all operational matters. The Chippewa Cree Tribe will not knowingly allow unsafe conditions to exist or permit employees to participate in unsafe activities.

The Safety Officer will be the Tribe's designated Safety Coordinator and will be responsible for implementing and maintaining the Tribe's safety program.

This Policy/Procedure applies to <u>all</u> employees, regardless of classification, and departments of the Chippewa Cree Tribe.

18.2 PROCEDURES

<u>Worksite Analysis</u>: A safe work environment must be everyone's goal. Accordingly, all employees are encouraged to evaluate their work methods and areas for potential safety hazards and/or ideas for improving safety in their work environment. Employees with ideas for accident prevention should complete a Safety Suggestion Sheet and review with their Supervisor and forward to the Tribe's Safety Coordinator for follow-up. Additionally, the OSHA Job Safety and Health Protection poster will be displayed on the company's bulletin board as a reminder to all employees of the importance of workplace safety.

On an annual basis the Chippewa Cree Business Committee and/or Tribal Sub-Committee will conduct a thorough self-inspection to identify any potential safety hazards and create a formal action plan for improving the safety of operations. The Safety Coordinator will work in conjunction with each Supervisor to inspect their areas and complete a full safety check utilizing OSHA's General Industry Standards. The annual inspection should be completed within thirty (30) days after each fiscal year. Any safety concerns or hazards discovered should be documented and action taken to correct the deficiencies. The Safety Coordinator will be responsible for prioritizing deficiencies and implement a plan, with Business Committee Approval, to address and correct the deficiencies.

Hazard Prevention and Control: Supervisors will be responsible for creating and maintaining safe work procedures necessary to prevent and control hazards that have been identified through the Worksite Analysis. These control procedures are the basic means for preventing injuries. Each Supervisor should tailor their department's safe work procedures to the job tasks being performed and the work area environment. Further, these safe work procedures must include the company's general workplace safety rules.

OSHA standards can be of great assistance in developing safe work procedures since they address controls in order of effectiveness and preference. Where no standards exist, the Executive Director will see that they are developed and implemented. The basic formula OSHA follows is, in order of preference:

a. Eliminating the hazard from the machine, the method, the material or the plant structure;
b. Abating the hazard by limiting exposure or controlling it at its source;
c. Training personnel to be aware of the hazard and to follow safe work procedures to avoid it; and;
d. Prescribing personnel protective equipment for protecting employees against the hazard.

Protective Equipment: Employees are required to wear protective clothing and equipment as indicated by their department's safe work procedures. These procedures should specifically indicate when, where and what types of equipment are to be worn. Evaluation of types of equipment and clothing should include protection from back strain by wearing a back brace, damage to eyesight or hearing, falling objects, cuts, burns, electrical shock, etc.

Protective equipment and/or clothing shall be periodically inspected for wear and defects and replaced as necessary.

Fire Prevention: All employees are instructed to be continuously aware of fire prevention even though the Tribe does not engage in activities that present a high fire danger. Smoking employees will be restricted to those areas designated as smoking areas. All flammable liquids will be stored in a storage cabinet that is specifically designed for these products. Flammable liquids should not be used for cleaning if a non-flammable product can be substituted. A sufficient number of fire extinguishers will be available throughout the facility and will be clearly marked.

Fire extinguishers, exit doors, exit signs, passageways and means of emergency exits shall be inspected periodically by the Safety Coordinator to ensure they are working properly and unobstructed.

Medical Emergencies: A comprehensive first aid kit will be kept at the entrance of all Tribal offices and worksites. The purchasing agent will be responsible for replenishing supplies in the kits.

Emergencies or injuries that require medical care but are not life threatening and can be safely transported by automobile will be treated at the local health care facility. The local emergency rescue service will be called for any serious, life threatening injuries and for transporting injured employees that cannot be transported safely by automobile. The local emergency service can be contacted at:

Rocky Boy Ambulance Garage	395-4374
Rocky Boy Police Department	395-4513
Rocky Boy Clinic	395-4486

A listing of all emergency phone numbers will be posted next to the OSHA safety poster on the bulletin board.

Training: Supervisors will include workplace safety training in their new or transferred employee orientation. Training will include review of the Workplace Safety policy and procedures and the department's specific work safe procedures. Further, each person will be informed that no employee is expected to undertake a job until he or she has received job instructions on how to do it properly and safely operate the stated job; and no employee should undertake a job that appears unsafe.

Reporting and Recordkeeping: All injuries, illnesses and non-injury accidents that require medical attention other than first-aid and is the result of a work accident or from exposure in the work environment must be reported to the Supervisor and the Safety Coordinator. Further, any incident including fire, explosion, water damage, collapse and any similar event that results or could result in significant personal injury or damage to the building and equipment will be reported as above.

Each injury or illness will be recorded on the tribal Incident Report Form (Appendix J) and delivered to the Safety Coordinator. Completion of the form will be in accordance with OSHA instructions or the Tribal Self Insurance Plan instructions for injuries and must be completed within six (6) days of a reported incident.

The Safety Coordinator will be responsible for maintaining a designated area in the Human Resources Department for filing all of the above records, reports and documentation of the company's workplace safety requirements. All records and documentation unless otherwise required will be retained for a period of not less than five (5) years.

18.3 GENERAL WORKPLACE SAFETY RULES

a. All employees of the Tribe shall follow these and their specific department's workplace safety rules to render every possible aid to safe operations and report all unsafe practices to their supervisor or the designated Safety Coordinator.

b. No one shall knowingly be permitted or required to work while his or her ability or alertness is impaired by fatigue, illness or other causes that might expose the individual or others to injury. Anyone known to be under the influence of alcohol and/or non-prescription drugs shall not be allowed on the job while in that condition (See Drug Free Workplace Policy for pertinent procedures).

c. No employee is expected to undertake a job until he or she has received job instructions on how to do it properly and has been authorized to perform the job. No employee should undertake a job that appears unsafe.

d. Employees should be alert to see that all protective devices are in proper places and shall report any deficiencies. Approved protective equipment (if required) shall be worn in specified work areas.

e. Horseplay, scuffling and other acts which tend to endanger the safety or well-being of employees is strictly prohibited.

f. Work should be well planned and supervised to prevent injury when working with equipment and handling heavy materials. When lifting heavy objects, employees should wear protective back braces, bend their knees and use the large muscles of the leg instead of the muscles in the back to lift. Back injuries are the most frequent and often the most persistent and painful type of workplace injury.

g. Workers shall not handle, tamper with or operate any machinery or equipment not within their scope of duties unless they have received specific permission and instructions from their Supervisor.

h. Loose or frayed clothing, dangling ties, finger rings, etc. must not be worn around moving machinery or other places they can get caught. Wash thoroughly after handling any injurious substance.

i. Do not throw material, tools, or other objects from heights until proper precautions are taken to protect others from the falling object. When using ladders, arrange to work so that you are able to face the ladder and use both hands while climbing and that someone is available to stabilize the ladder while you climb up or down.

j. All injuries shall be reported promptly to the supervisor and/or Safety Coordinator so that arrangements can be made for medical and/or first aid treatment.

SECTION 19 – REVISION – PERSONNEL POLICIES AND PROCEDURES MANUAL

19.1 GENERAL

The policy of the Chippewa Cree Business Committee is to establish and maintain Personnel Policies and Procedures of the highest standards. This may require that certain policies and procedures be amended from time to time to keep within these standards. The Human Resources are to conduct periodic reviews (at least once a year) to ensure that the Policies and Procedures reflect current operating conditions and remain consistent with all other Chippewa Cree Tribal Policies. Should it be determined that revisions are appropriate, the proposed revisions will be submitted to the Human Resources and/or Executive Director

for review and comment. Upon review, the proposed changes will then be posted on office bulletin boards and employee comments and suggestions will be requested. After 15 calendar days from the date of posting, the Human Resources will review all comments and suggestions and deliver the final revision to the Chippewa Cree Business Committee for final review and approval. The Chippewa Cree Business Committee will set the effective date for policy implementation. In no case will the effective date be retroactive.

SECTION 20 – AUXILIARY PROGRAM POLICY REFERENCES

20.1 CHIPPEWA CREE MOTOR POOL POLICIES

The Chippewa Cree Motor Pool Department is responsible for acquisition; operation; maintenance; repair; and administration of the Chippewa Cree Motor Pool vehicles used for transportation by the Tribal Employees conducting official business.

20.2 PROCUREMENT POLICY

Refer to the Tribal Procurement Specialist for a copy of the Procurement Policy.

20.3 TRAVEL POLICY

Refer to the Travel Clerk or Human Resources for a copy.

20.4 FURLOUGH POLICY

Refer to Human Resources for a copy.

20.5 TERO ORDINANCE

Refer to the TERO Director for a copy of the TERO Ordinance.

20.6 BUDGET ORDINANCE

Refer to the Tribal Secretary/Treasurer for a copy of the Budget Ordinance.

20.7 TRIBAL ORDINANCE 2-89 PROTECTING TRIBAL EMPLOYEES AND OFFICIALS

SECTION 21 – SUPPLEMENTAL POLICIES

21.1 CHIPPEWA CREE TRIBE

SECTION 22 – EXHIBITS/FORMS

22.1 EXHIBITS

22.2 CHIPPEWA CREE ORGANIZATION CHART

22.3 DISCIPLINARY FLOW CHART

22.4 TRIBAL RESOLUTION 75-96

APPENDIXES

APPENDIX A – ORIENTATION CHECKLIST

APPENDIX B – STATEMENT OF UNDERSTANDING (POLICIES AND PROCEDURES)

APPENDIX C – EARLY PAY REQUEST FORM

APPENDIX D - OVERTIME

APPENDIX E - COMPTIME

APPENDIX F – TRAINING/STAFF DEVELOPMENT FORM

APPENDIX G – TRAVEL REQUEST FORM

APPENDIX H – EMPLOYEE EVALUATION FORM

APPENDIX I – LEAVE REQUEST FORM

APPENDIX J – INCIDENT REPORT FORM

APPENDIX K – DRUG ORDINANCE ACKNOWLEDGEMENT FORM

APPENDIX L – LEAVE PAYOUT FORM

APPENDIX M – COMPUTER USUAGE AKNOWLEDGEMENT

APPENDIX N – CONFIDENTIALITY FORM

NOTE: The authorized Tribal Sub-Committees may elect to develop and use modified forms that meet their specific needs.

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

Chippewa Cree Tribe Employee Orientation Checklist

Employee:_____ Position:_____

Date of Hire (start):_____ Supervisor:_____

	Employee Initial	HR/Supervisor
A. Date of Employment/Salary	_____	_____
B. Immediate Supervisor	_____	_____
C. Job Description	_____	_____
D. Completed U.A.	_____	_____
E. 60-Day Probationary Period	_____	_____
F. Leave Policies (A/L, S/L)	_____	_____
G. Employee Forms (I-9, W-4, Policies and Procedures, Drug Test, Computer use Policy, Confidentiality form)	_____	_____
H. Job Classification (Full time or Part time, Exempt or Non-Exempt)	_____	_____
I. Fringe Benefits (FICA, State Unemployment, Workman's Compensation, Retirement, Life Insurance, Severance)	_____	_____
J. Job location (building and office)	_____	_____
K. Safety and Health Policy Review	_____	_____
L. Computer Login Info and Electronic Clock In Info (From IT)	_____	_____
M. Job Requirements (Review with Supervisor)	_____	_____
N. Job Expectations and Standards (Review with Supervisor-Hours of Work, Time and attendance, Employee Conduct, Brief description of Disciplinary steps, review of employee appeal program and grievance Procedures, Pay periods	_____	_____

Aknowledged:

Human Resources: _____ Date: _____

Employee: _____ Date: _____

Supervisor: _____ Date: _____

Chief Rocky Boy

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

CHIPPEWA CREE TRIBE

CERTIFICATION OF UNDERSTANDING AND ADHERENCE TO THE TRIBAL PERSONNEL POLICIES AND PROCEDURES

STATEMENT OF UNDERSTANDING AND ADHERENCE

I, _____, have read and understand the Personnel Policies and Procedures (revised May 3, 2018). I hereby agree to abide by all terms of the Chippewa Cree Tribal Personnel Policies and Procedures, as a condition of my employment with the Chippewa Cree Tribe.

_____

Employee Signature

Dated this _____ day of _____, 201_____

_____

Human Resources Department Signature

NOTE: The original signed and dated copy must be filed in the employee's personnel file. The employee receives a copy.

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

EARLY PAY REQUEST FORM

Pursuant to Policy 5.4: only regular full-time and part-time employees are eligible for salary advance requests. The request must be made FOUR (4) hours in advance of receipt of check. The Director or Supervisor may authorize salary advances for the following three reasons:

1. When an employee is on approved out of town travel status during a regular payroll receipt date and may request their salary prior to the beginning of the travel.
2. A salary advance, no greater than the employee's last net payroll (or payment due to the employee during the pay period under which the salary advance is requested) will be granted to employees who have been granted sick or funeral leave, contingent upon supervisor's approval.
3. In cases of emergency situations.
4.

NAME: _____ SSN: _____

PROGRAM: _____ PAY PERIOD ENDING: _____

PLEASE CHECK ONE AND ATTACH NECESSARY DOCUMENTATION:

_____ TRVAEL STATUS FROM _____ TO _____ LOCATION _____

_____ ANNUAL LEAVE FROM _____ TO _____

_____ SICK LEAVE FROM _____ TO _____

_____ FUNERAL LEAVE FROM _____ TO _____

_____ EMERGENCY SITUATIONS: _____
(Employee has to use either annual or sick leave in this situation)

EMPLOYEE SIGNATURE: _____ DATE: _____

SUPERVISOR SIGNATURE: _____ DATE: _____

****

RECEIVED BY: _____ DATE: _____

_____ CHECK NUMBER: _____
FINANCE STAFF SIGNATURE

AMOUNT OF CHECK: _____

CHECK RECEIVED BY: _____ DATE: _____

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-5705 – Tribal Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

APPLICATION FOR OVERTIME FORM

Employee_____ Department_____

Date for Overtime: _____ Estimated hours of Overtime work _____

Description of Job(s) to be continued:

_____

_____

_____

Employee Signature _____ Date_____

Supervisor Signature _____ Date_____

- -

THIS SECTION IS TO BE COMPLETED AFTER OVERTIME IS EARNED

ACTUAL HOURS OF WORK_____

Dates: _____Times: _____

Dates: _____Times: _____

Description of job(s) completed:

_____

_____

_____

VERIFICATION

Employee_____Date_____

Supervisor_____Date_____

Chief Rocky Boy

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-5705 – Tribal Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

APPLICATION FOR COMP-TIME FORM

THIS SECTION MUST BE COMPLETED BEFORE COMP-TIME IS EARNED

Employee_____ Department_____

Date for Comp-time: _____ Estimated hours of Comp-time work _____

Description of Job(s) to be continued:

_____

_____

_____

Employee Signature _____ Date_____

Supervisor Signature _____ Date_____

- -

THIS SECTION IS TO BE COMPLETED AFTER COMP-TIME IS EARNED

ACTUAL HOURS OF WORK_____

Dates: _____Times: _____

Dates: _____Times: _____

Description of job(s) completed:

_____

_____

_____

VERIFICATION

Employee_____ Date_____

Supervisor_____ Date_____

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

CHIPPEWA CREE TRIBE
TRAINING/STAFF DEVELOPMENT

******THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO REGISTRATION******

Name_____Position_____

Degree(s) and/or Certificate(s) earned_____
_____
_____
_____

Professional Goal_____

Education/Training Objective_____

Immediate Training Desired_____
_____
_____
_____

College/Training School_____ School Year_____

Course Name	Days	Time	Building	Total Class Hrs. Including Travel Time

Target date for completion of Education/Training Objective_____

AUTHORIZATION

Employee_____Date_____

Supervisor_____Date_____

Executive Director_____Date_____

*ATTACH COPIES OF DEGREES EARNED, CERTIFICATES, TRANSCRIPTS AND AN EDUCATION PLAN

Chippewa Cree Tribe

APPENDIX G

Travel Advance Request

Date Submitted	
Traveler Name	
Department	
Destination	
Departure Date	
Return Date	
Purpose of Travel	

IMPORTANT NOTICE
By signing and submitting this form you agree that the requested funds will be used for the purposes stated in this form. Failure to provide a trip report with receipts within 10 days of your return date can result in a paycheck deduction to cover the amount of funds advanced to you.

Traveler Signature		**Date:**	
Approval of Supervisor Signature		**Date:**	
Approval of Director Signature		**Date:**	
Availability of Funds Verification		**Date:**	

COST CODING:

Anticipated Expenses

Type of Expense				
If Driving, Complete:				
Enter # of Miles Roundtrip				
Mileage to Airport				
Airfare Price				
In State Per Diem				
Out of State Per Diem				
Total Travel				
Less 10% Retained				
Total Travel Advance				
COST CODING:				

Out Of State Travel -- Requires Three Approving Councilman's Signatures

Approval of Council Signature		**Date Approved**	
Approval of Council Signature		**Date Approved**	
Approval of Council Signature		**Date Approved**	

TRAVEL POLICY

Travelers must submit this request to their Supervisor for approval before obtaining any other signatures. Attach a copy of the notice of workshop, function or meeting that will be attended. Upon returning travelers must complete a trip report with all receipts attached including gas receipts. If you incur additonal expenses for taxi fare, parking, etc. attach these receipts to the trip report as well. **Failure to submit a trip report will hinder future travel requests.**

Should a traveler fail to complete the scheduled meeting or workshop, the employee will reimburse the Tribe the difference of dollars allowed and the actual time spent traveling. Should a traveler fail to attend the scheduled meeting or workshop the total travel advance is to be reimbursed to the Tribe before any future travel is undertaken.

Should the traveler lose the travel advance check, he/she must immediately notify Finance in order to stop payment by the bank on the check. Dependent on the circumstances, a second travel check may be issued. Should the first travel check be cashed before finance can stop payment, theft charges will be filed.

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

EMPLOYEE PERFORMANCE EVALUATION

Employee Name: _____ Job Title: _____

Period of Evaluation: From: _____ To: _____

PART I – Instructions to Rater

Listed below are five performance factors, seven behavioral traits, and five supervisory factors that are important in the performance of the employee's job. Performance factors and behavior traits must be utilized for all employees. The supervisor factors should be utilized only for employees with supervisory responsibilities. The "overall performance" evaluation should reflect the employee's total performance, including the performance factors as related to the employee's responsibilities and duties as set forth in the job description, behavioral traits and supervisory factors, if applicable. **NOTE: A rating of (1) Unacceptable, (2) Needs improvement or (5) Superior requires comments.**

Marking instructions: The supervisor should indicate the employee's performance by using the check box next to the appropriate level of performance.

The following rating scale guide is being provided to assist the evaluator in assigning the most appropriate measurement of the employee performance factors, behavioral traits and supervisory factors.

1 = **UNACCEPTABLE** – Consistently fails to meet job requirements; performance clearly below minimum requirements. Immediate improvement required to maintain employment.

2 = **NEEDS IMPROVEMENT** – Occasionally fails to meet job requirements; performance must improve to meet expectations of position.

3 = **MEETS EXPECTATIONS** – Able to perform 100% of job duties satisfactorily. Normal guidance and supervision are required.

4 = **EXCEEDS EXPECTATIONS** – Frequently exceeds job requirements; all planned objectives were achieved above the established standards and accomplishments were made in unexpected areas as well.

5 = **SUPERIOR** – Consistently exceeds job requirements; this is the highest level of performance that can be attained.

PART II – Performance Factors

Knowledge, skills, abilities – Consider the degree to which the employee exhibits the required level of job knowledge and/or skills to perform the job and this employee's use of established techniques, materials and equipment as they relate to performance.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations) ☐**4** (Exceeds Expectations)☐**5** (Superior)

1. Quality of Work – Does the employee complete assignments meeting quality standards? Consider accuracy, neatness, thoroughness and adherence to standards and safety rules.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

2. Quantity of Work – Consider the results of this employee's efforts. Does the employee demonstrate the ability to manage several responsibilities simultaneously; perform work in a productive and timely manner; meet work schedules?

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

3. Work Habits – To what extent does the employee display a positive, cooperative attitude toward work assignments and requirements? Consider the compliance with established work rules and organizational policies.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

4. Communication – Consider Job related effectiveness in dealing with others. Does the employee express ideas clearly both orally and in writing, listen well and respond appropriately?

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

Chief Rocky Boy

PART III – Behavioral Traits

1. Dependability – Consider the amount of time spent directing this employee. Does the employee monitor projects and exercise follow-through; adhere to time frames; is on time for meetings and appointments and responds appropriately to instructions and procedures.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

2. Cooperation – How well does the employee work with co-workers and supervisors as a contributing team member? Does the employee demonstrate consideration of other; maintain rapport with other, and help other willingly?

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

3. Initiative – Consider how well the employee seeks and assumes greater responsibility, monitors projects independently and follows through appropriately.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

4. Attendance – Consider number of absences.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

Chief Rocky Boy

5. Punctuality – Consider work arrival and departure.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

PART IV – Overall Performance

Please use this space to describe the overall performance rating. The overall rating should be a reflection of the performance factors, behavioral traits and supervisory factors.

☐**1** (Unacceptable) ☐**2** (Needs Improvement) ☐**3** (Meets Expectations)
☐**4** (Exceeds Expectations) ☐**5** (Superior)

Comments:_____

_____

PART V – To the Employee:

I have been advised of my performance ratings. I have discussed the contents of this review with my supervisor. My signature does not necessarily imply agreement. My comments are as follows (optional).

Comments:_____

_____

_____

_____

_____

_____

Employee signature: _____ Date: _____

Supervisor signature: _____ Date: _____

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

APPLICATION FOR LEAVE FORM

Employee Name: _____

Department: _____

Employee Request:

Total Hours: _____

Annual: _____ Sick: _____ Comp: _____ Admin: _____ LWOP: _____

Cultural: _____ Funeral: _____ Jury: _____ School: _____ Travel: _____

Dates:

Date: _____ From: _____ To: _____

Date: _____ From: _____ To: _____

Date: _____ From: _____ To: _____

Date: _____ From: _____ To: _____

Date: _____ From: _____ To: _____

If absence is in excess of three (3) consecutive days, medical certificate must be submitted.
Leave authorized in excess of accumulated leave will be charged to leave without pay.

Remarks:

_____

_____

_____

_____

Employee: _____ Date: _____

Supervisor: _____ Date: _____

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96 Clinic Rd North
Box Elder, Montana 59521

Employee Incident Report

Date _____

Employee
Name _____
Title/position _____

Supervisor
Name _____
Title/position _____

Incident
Date _____
Time _____
Location _____

Description of incident

_____
_____
_____
_____

Employee explanation

_____
_____
_____
_____

Witnesses

_____
_____
_____
_____

Action to be taken

❑ Verbal warning
❑ Written warning
❑ Probation
❑ Suspension
❑ Dismissal
❑ Other

Explain _____

_____
_____
_____

By signing this document, you acknowledge that you have read and understood the information contained herein

Employee signature: _____ Date: _____

Supervisor signature: _____ Date: _____

Chief Rocky Boy

The Chippewa Cree Tribe of the Rocky Boy's Reservation

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EMPLOYEE AKNOWLEDGEMENT/CERTIFICATION TO TRIBAL DRUG FREE WORKPLACE ORDINANCE NO. 1-99

CERTIFICATION OF ADHERENCE TO TRIBAL DRUG FREE WORKPLACE ORDINANCE 1-99

I, _____, have read and understand the Tribal Drug Free Workplace Ordinance No. 1-99. I hereby agree to abide by the Drug Free Workplace Ordinance No. 1-99 adopted by the Chippewa Cree Business Committee February 4, 1999.

Signed: _____ Date: _____

Witness: _____ Date:_____

NOTE: The original signed and dated copy must be filed in the employee's personnel file. The employee receives a copy. Signed copy is the latest version of Drug Ordinance 1-99.

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
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96 Clinic Rd North
Box Elder, Montana 59521

CHIPPEWA CREE TRIBE ANNUAL LEAVE PAYOUT DETERMINATION FORM

Name: _____ Date: _____

Position: _____ Department: _____

Employee Request:

Annual Leave payout hours requesting: _____

Eligibility Status (Leave Personnel use only):

_____ Eligible to receive Annual Leave Payout of available hours (not to exceed 80 hours)

Annual Leave balance after employee request (may not fall below 40 hours): _____

_____ Ineligible to receive Annual Leave Payout

Additional information: _____

Leave Personnel signature: _____ Date: _____

Request for Payment and Approval (all signatures required before submission to Payroll):

Employee: _____ Date: _____

Supervisor: _____ Date: _____

Budget Personnel: _____ Date: _____

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 – Finance Office
(406) 395-4292 or 4321 – Business Committee

96 Clinic Rd North
Box Elder, Montana 59521

EMPLOYEE ACKNOWLEDGEMENT

CERTIFICATION OF ADHERENCE TO CHIPPEWA CREE TRIBE COMPUTER USAGE POLICY

I, _____, have read, understand and agree to comply with the Computer and Network Security Policy, and the Computer Usage Policy, rules and conditions governing the use of the Chippewa Cree Tribe's computer and electronic communications equipment and services.

Signed: _____ Date: _____

Witness: _____ Date: _____

NOTE: The original signed and dated copy must be filed in the employee's personnel file. The employee receives a copy.

Chief Rocky Boy

The Chippewa Cree Tribe of the Rocky Boy's Reservation

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CONFIDENTIALITY AGREEMENT

The Chippewa Cree Tribe maintains that information of all Tribal Departments is confidential, unless otherwise authorized for release by the Chairman of the Chippewa Cree Tribe and/or designated official of the Chippewa Cree Tribe.

AGREEMENT, made this _____ day of _____ 201 ___ by and between the Chippewa Cree Tribe, and _____, hereinafter known as the "Employee."

In consideration of the employment or continuance of employment of the Employee by the Chippewa Cree Tribe, it is hereby agreed as follows:

1. **CONFIDENTIAL INFORMATION:** During the period of employment, the Chippewa Cree Tribe may disclose or cause to be disclosed to the Employee, confidential information relating to the business or prospective business of the Chippewa Cree Tribe. Such information is recognized by the Employee to be the property of the Chippewa Cree Tribe and the Employee agrees to hold such information in trust and solely for the Chippewa Cree Tribe's benefit and not to disclose such information to others, either during or after employment, without the written consent of an officer of the Chippewa Cree Tribe.

2. **SUBSEQUENT EMPLOYMENT AND TERMINATION OF EMPLOYMENT:** This agreement shall continue employment of the Employee by the Chippewa Cree Tribe, and extend to the Chippewa Cree Tribe's successors or assigns. Upon leaving the Chippewa Cree Tribe's employ, the Employee shall not take with him or her, without first obtaining the written consent of an officer of the Chippewa Cree Tribe, any documents, whether an original or reproduction, or any tangible evidence of confidential information or data belonging to or under control of the Chippewa Cree Tribe.

3. **AFTER HOURS:** No information shall leave the Chippewa Cree Tribal Departments for after hours work, unless prior written approval is obtained from the Supervisor.

4. **FORMER OBLIGATIONS:** The Employee will strictly adhere to any obligations, which he or she may have to former employees insofar as the use or disclosure of confidential information is concerned.

5. **CONSEQUENCES OF DIVULGING CLASSIFIED INFORMATION: Dismissal.**

_____ _____

EMPLOYEE Date HUMAN RESOURCES Date

Chief Rocky Boy