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CITIZEN BAND POTAWATOMI INDIANS OF OKLAHOMA

PERSONNEL POLICY MANUAL

INTRODUCTION

Objectives

The following tribal personnel policy manual has been adopted to promote the efficient, economic, consistent, and fair administration of the tribal personnel management system. The objectives of this system are:

- A. to promote and increase efficiency, responsiveness to the public, and economy in the Tribal service;
- B. to maintain the recruitment, selection, and advancement of employees in tribal service enhancing the attractiveness of a Tribal career and encouraging each employee to give his or her best effort to the Tribe and to the public;
- C. to provide fair and equal opportunity for qualified persons to enter and progress in the Tribal service based on merit and fitness as ascertained through fair and practical personnel management methods.

Applicability

These rules apply to all full-time tribal employees. An employee is any person appointed to a position in the tribal service. Types of employment are discussed later in this manual.

Dissemination

All Tribal employees shall be informed of the existence of these rules and each department shall keep a manual available to employees.

Amendment

These rules may be changed, supplemented, or superceded at any time at the discretion of the Tribal Business Committee, but no such change or amendment shall apply retroactively to divest any employee or a benefit acquired under

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RECRUITMENT, SELECTION AND PROBATION

these policies prior to such a change.

PERSONNEL RECRUITMENT AND SELECTION

A. Qualifications for Employment

1. The desired qualifications for positions will be made by the Program Director and approved by the Tribal Administrator and/or Business Committee and be included as part of the official job description for each position.
2. Before applicants are solicited from outside the organization consideration may be given to upgrading existing staff, depending on qualifications.
3. If education or experience requirement for a position is required by law or is included as a requirement such qualifications may be waived upon approval of the Program Director and/or Tribal Administrator. Such a waiver will be confirmed in writing and be maintained in the employee's personnel file.

B. Non-Discrimination and other Basic Recruitment and Selection Policies.

1. No person in the organization or persons seeking employment by the Potawatomi Indians of Oklahoma, shall be appointed, promoted, demoted, removed, or in any way favored or discriminated against because of their political or religious opinions or affiliations.
2. Every effort will be made to provide equal employment opportunities for persons fifty-five years or older.
3. Every effort will be made to provide equal employment opportunities for all eligible applicants. However, the Tribe shall utilize appropriate Indian Preference guidelines.
4. No person shall be denied employment opportunity because of race, creed, color, national origin, sex or age.

5. Preference and opportunities for training and employment in connection with the administration of Tribal programs shall be given to Indian applicants where qualifications of applicants are essentially equal.

Persons Not Eligible for Employment with the Program

1. The following restriction will apply regarding the employment of relations of members of the Business Committee.
 - A. No person shall hold a job over which a member of his or her immediate family exercises immediate supervisory authority. (See Part 1-D)
 - B. No person shall hold a job while he or she, or a member of their immediate family, serves on any elected Potawatomi Board or Committee, if that policy making body has the authority to order personnel actions affecting their job. (See Part 1-D)

Personnel Policy

- C. No person shall hold a job while either he or she, or a member of their immediate family (See Part 1-D), serves on a board, council committee, or other major policy-making body of the Citizen Band Potawatomi Indians of Oklahoma which either by rule or by practice regularly nominates, recommends, screens or selects candidates for the Potawatomi Tribe, or influences funding of any grant or contract or the Potawatomi Indians of Oklahoma.
- D. For the purpose of these policies, a member of any immediate family shall include any of the following persons:

Husband	Sister	Sister-in-law
Wife	Son	Brother-in-law
Father	Daughter	Son-in-law
Mother	Father-in-law	Daughter-in-law
Brother	Mother-in-law	

E. Recent convictions of a felony or a crime involving moral turpitude shall be considered but not in themselves disqualify a person for employment with the Potawatomi Indians of Oklahoma. Each individual's employment application will be considered on it's own merits.

F. Posting of Position Vacancies

1. Notices of position vacancies or new positions to be filled shall be posted on the bulletin boards of the Potawatomi Indians of Oklahoma, for a reasonable period before filling the vacancy or new position. In addition to posting vacancy notices in the Potawatomi Tribe building, newspaper advertising may be placed in newspapers within and surrounding the program area. All members of the community shall be given an equal opportunity to be made aware of and apply for vacancies.

- G. 1. A time limit during which applications may be accepted for a particular employment opportunity will be determined by the Program Director. Normally ample time will be established for application acceptance. Other applications for employment may be accepted at any time.
2. Where the nature and duties of the job warrant it, applicants may be subject to an examination. Any examination shall pertain to those matters which fairly test the capacity and fitness of the candidate to efficiently discharge the duties of the position for which the examination is held. The examination may be oral, written, physical, or any combination of these.
3. In so far as possible and practical, the applicant's former employers, supervisors, education, and personal references provided by the applicant may be checked.
4. Reference checks made by either telephone or mail shall be documented and made a part of the applicant's file at the time of employment.

5. Applications, whether accepted or rejected, should remain on file for not less than one year, unless otherwise requested by the applicant.
6. All candidates for a position shall be evaluated against requirements as set forth in the job description for the position to be filled.

F. Probation

All full-time employees will serve a probationary employment period of ninety (90) days following their initial appointment. At any time during probation employees may be dismissed without prejudice or right of appeal.

The probationary period shall be used to closely observe and evaluate the work and fitness of employees and to encourage adjustment to their jobs. Continuation of employment beyond the probationary period is dependent upon satisfactorily meeting the performance standards of that position. Evaluation will be scheduled at a span of every 30 days while on probationary status. All other full-time employees will be evaluated at a span of every 6 months.

Deficiencies during the probationary period will be enumerated with necessary corrective performance noted and presented the employee for their recognition and signature. A copy of this notice will be retained in the employees personnel file.

G. Compensation and Promotion

Promotions

- A. The Business Committee upon recommendation of the Tribal Administrator shall make the final decision on all promotions.
- B. General Consideration: In filling vacant or new positions, management shall give first consideration to promotion of qualified employees already employed in the Tribe. Promotions are to be given without discrimination on such

Promotions (Cont.)

basis as age, sex, race, religion or national origin. Promotions are based on evaluation of past performance and capacity for the position to be filled. No employee shall be required to assume a new position of greater responsibility.

- C. Promotion Procedure: Employees wishing to be considered for promotion to a new or vacant position in response to a posted vacancy may file an application for that position.

Job Description

- A. Each identifiable position in the organization shall be described in writing by a job description (See Job Description Section). Each employee of the organization will be provided with a copy of the job description for his (or her) position when hired and a copy of the description made part of the employee's folder. When an employee changes position, the employee shall be given the job description covering his or her new position and a copy of the description added to the employee's personnel folder. The Program Director will be responsible for developing job descriptions and for ensuring that job descriptions are kept accurate and up-to-date.

Compensation

In order to compete with other employers in the area, wages and fringe benefits shall be based upon prevailing practices in the locale.

Basis

Each tribal employee shall be paid a salary or wage in accordance with the compensation approved by the Tribal Business Committee.

Entry

Program Directors, together with other appropriate officials will recommend salaries based upon entry level skills, abilities, levels of difficulty and responsibility required of each tribal position. New employees

will not be paid a salary exceeding 20% or \$2,500.00 per annum over the rate prior to hire unless the salary is \$8,000.00 per annum or less. All new full-time employees shall receive at least minimum federal wages.

Promotion

A promotion of an employee or a change in his salary or position which involves a salary increase of more than 20 per cent or \$2,500.00, whichever is smaller, within a single twelve month period must be approved by the Tribal Business Committee.

Increases in Pay

Outstanding or meritorious achievements may be awarded by an increase in salary, as approved by the appropriate authority. This salary hike for meritorious service will not affect the awarding of normal pay raises for satisfactory performance and will be awarded in addition to normal annual pay raises when appropriate.

Work Hours and Pay Periods

Unless otherwise specified by Program Directors, normal working hours for all personnel will be from 8:00 a.m. to 5:00 p.m., daily, with one hour off for lunch, Mondays through Fridays. A normal work week for tribal employees will be forty (40) hours, consisting of five consecutive eight hour days. Program Directors may schedule a forty hour work week which is best suited to their operations. (Any ^{salary?} non-administrator, non-executive, or non-professional who involuntarily works more than a normal forty (40) hour week, with prior written approval of their Program Director, will be granted time off equal to one and one half times the overtime) * All compensatory time must be taken within 30 days of accrual. * There shall be no monetary remuneration for accrued compensatory time for any reason. The last day of each bi-weekly pay period is designated as payday for regular tribal employees. Each employee will be briefed on payroll deductions by

their Program Director. Time and attendance forms, in a form and time frame prescribed by the Tribe, shall be completed by each employee and approved by the employee's supervisor prior to processing of the employee's salary and fringe benefit compensation.

Absence

Holidays

Official holidays observed by Tribal employees will be New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Columbus Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day.

When a holiday falls on a regular workday, that day shall be taken off.

When the holiday falls on a Sunday, employees will take Monday off as a holiday. When the holiday falls on a Saturday, the employees will take the preceeding Friday off as a holiday.

Note: In addition to the above listed holidays, two days of administrative leave may be authorized at the Tribal Administrator's discretion. When it is necessary for an employee to work on a holiday he will be credited with one and one half days of compensatory leave.

Annual Leave

All regular employees will earn annual leave at the rate of thirteen (13) working days per year credited at the rate of two (2) hours per week.

Accrual of more than 20 days will not be allowed.

Employees may accrue annual leave from date of employment, but no annual leave shall be taken until completion of the standard probationary period.

Only full-time employees shall be allowed to accumulate annual leave.

Annual leave may not accumulate while an employee is in a non-pay status.

Persons in probationary status may not utilize annual leave.

Sick Leave

All regular employees will earn sick leave at the rate of thirteen (13) working days per year, credited at the rate of two (2) hours per week.

Unused sick leave may be accumulated from year to year without limit;

however, employees may not be paid for unused sick leave.

Sick leave may not accumulate while an employee is in a non-pay status.

Whenever possible, application for sick leave will be made in advance.

Supervisors may require a doctor's certificate or other evidence as justification for approval, when an absence of three (3) days or more is involved. Notification to the immediate supervisor on a daily basis shall be made by employee to be eligible for sick leave. Sick leave may be used in the instance of employee's illness, or an illness in the immediate family, that requires his presence, in either instance a doctor's certificate may be required for absence for period exceeding three (3) days for consecutive days. Sick leave may be paid for a period not to exceed three (3) days for death in the immediate family. Immediate family including husband, wife, son, daughter, father, mother, brother, or sister. Sick leave credits shall not be paid to an employee upon voluntary or involuntary termination under any circumstances.

Absences due to illness, injury, pregnancy, medical or dental care shall be charged against accumulated sick leave, then against annual leave without pay. Any abuse of sick leave policies will be reason for dismissal with the right of appeal.

Funeral Leave

Funeral leave may be granted for up to three (3) days when the deceased is a member of the employee's immediate family. Immediate family includes husband, wife, son, daughter, father, mother, brother, or sister. Appropriate time during a working day may be granted for funeral absence when the deceased is not a member of the employee's immediate family, at the discretion of the Program Director.

Pregnancy

A pregnant employee is expected to make her own decision, in consulting with her physician, as to when she will cease working and when she will

return. Satisfactory leave must be arranged that will not impair the continuation of those tribal functions performed by the absent employee. The employee shall notify her supervisor at least 30 days prior to her intended departure as to the period of time she expects to be on leave and which type (s) of leave she intends to use. At no time shall maternity leave exceed accrued annual and sick leave. Upon depletion of accrued sick leave and annual leave, said person may enter into a period of leave without pay, at the discretion of the Tribal Administrator. At the discretion of the Program Director, the Tribe reserves the right to hire a temporary replacement for said person.

Administrative Leave

1. Administrative leave is paid leave which is not charged against annual leave, or sick leave and which is granted for various administrative purposes as outlined below.
2. Employees who cannot report for work because of inclement weather or disaster may be granted administrative absence with pay authorized by the Tribal Administrator.
3. An employee called to jury duty or who appears before or participates in any civil or criminal court proceeding by virtue of subpoena or direction by proper authority shall be entitled to administrative absence. When an employee is subpoenaed in private litigation, the time absent shall be taken as annual leave or leave without pay.
4. An employee shall be allowed sufficient administrative absence, at the discretion of the Program Director, in order to vote in any official election.

Military Leave

An employee who is a member of the National Guard or any Reserve Component of the Armed Forces of the United States shall be granted military leave to participate in military training. Such employees are required to furnish

their Program Director with certification, normally copies of official military orders, that they were called to duty by proper authority.

Full time employees attending annual training shall receive wages in an amount which shall be determined when the individual's regular salary is compared with the individual's earnings from the Armed Forces so that the total of both is equal to regular earnings. The Tribe is not liable for expenses when the Armed Forces earnings equal or exceed regular earnings. Required documentation of Armed Forces earnings must be provided by the individual.

Absence Without Pay

1. A program Director, with approval of the Tribal Administrator, may grant an employee a leave of absence without pay for good reason upon request. Extended leaves that unreasonably impede the work program of the Tribe may be denied.

Absence Without Leave

1. An employee failing to report to duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered absent without leave and shall not be paid for the period involved.
2. Absence without leave for more than one (1) eight (8) hour work period in an employee's schedule constitutes abandonment of duties, which may result in dismissal or change of status.

Fringe Benefits

1. Each employee shall be provided FICA, workmen's compensation, State and Federal unemployment insurance fringe benefits as prescribed by law. Full-time employees, at their option, will also be provided access to a group insurance plan, and at each employee's option and expense be provided dependent's coverage through the group plan.

EMPLOYEE EXPENSESGeneral

Employees shall be reimbursed for expenses incurred with their jobs as provided in this section.

Travel and Transportation

Employees shall be reimbursed for expenses incurred for travel and transportation when on official authorized business for the Tribe. Reimbursement shall be at the rate authorized by current Government Travel Regulations.

Miscellaneous Expenses

Miscellaneous expenses in connection with official Tribal business will be approved in advance by the Program Director. Unanticipated expenses may be reimbursed, at the discretion of the approving tribal official through appropriate channels, without advance approval, but receipts or other evidence of such expenditures acceptable by the approving tribal official will be required before reimbursements will be made.

CONDUCT

Relations With Others

1. All tribal employees are expected and required to conduct themselves in a manner which will reflect credit upon themselves and upon the tribe.
2. Employees are expected to be courteous, tactful, cooperative, and respectful with fellow workers, tribal members, and all other with whom they have contact during the work day.
3. Misconduct would be any conduct that produces unfavorable reflection on the tribe, inflicts physical harm to fellow employees, or behavior that disrupts normal working conditions.
4. Employees shall express their complaints and dissatisfactions concerning fellow employees' behavior only to their supervisors so as not to create dissension among fellow employees.

Work Standards

It shall be the duty of each employee to maintain high standards of cooperation, efficiency, and economy in their work. If work habits, attitude, performance, or personal conduct of an employee fall below appropriate standards as judged by their supervisors, the supervisors should point out the deficiencies at the time they are observed. The supervisor shall counsel the employee in sufficient time for improvement prior to formal disciplinary action. Documentation of such counseling shall be filed in the employee's personnel file.

Political Activity

Unless otherwise provided by law, all employees shall refrain from using their positions or influence in any way for, or against, any candidate for public office.

Employees will not engage in any tribal political activities upon tribal trust lands nor while on regular duty hours pursuant to their position with the Tribe.

Full-time employees shall not engage in outside employment unless approved by the Tribal Administrator and Business Committee.

Tribal Property

Employees will assume full responsibility for all property, funds, equipment, or supplies entrusted to their care and will, at their own expense, repay the tribe, in full, for losses or damage attributed to carelessness or irresponsibility.

Confidential Information

Employees will observe the Federal and State regulations and laws regarding Privacy and Freedom of Information acts.

Discussion of confidential matters either to another employee not entitled to the information or to a person outside the organization without specific approval of his supervisor will be grounds for immediate dismissal and instigation of appropriate State and Federal Court Procedures. Employee shall use, in a responsible manner, information gained in professional relationships.

Reporting Misconduct

It is the responsibility of all employees to report any conduct of employees which appears to be illegal or criminal in nature. Confidential reports of such conduct should be made to the Program Director, or through proper channels.

DISCIPLINE AND APPEALGrounds

- A. Disciplinary action may be administered for just cause which includes but is not limited to illegal, unethical, abusive, or unsafe acts; violation of Tribal rules, regulations, policies, or procedures; insubordination; inefficiency; neglect or abandonment of duties; participation in prohibited political activity or solicitation; abuse of sick leave or other benefits; tardiness or absence without leave; falsification of official documents or records; being under the influence of drugs or intoxicating beverages while on duty; waste, damage or unauthorized use of disclosure of official information.

Type of Action

- A. Disciplinary action shall include oral warning by the supervisor with a witness, written reprimand, suspension without pay and/or dismissal. The specific type of disciplinary action to be taken should be determined by the circumstances of each situation and should be determined by the Program Director in conjunction with the employee's immediate supervisor.
- B. A written reprimand shall describe the deficiency or infraction involved and shall state the likely consequences of further unsatisfactory performance or conduct. A copy of the reprimand shall be kept in the employee's personnel file.

Suspension

- A. For more serious or repeated violations, the employee may be suspended without pay by the supervisor, with approval of the next higher level of supervision for a period not to exceed thirty (30) working days.
- B. The suspension notice should describe the deficiency or infraction involved and also advise the employee of an appeal procedure and

suspension (cont.)

time limit on filing appeal. The notice of suspension shall be retained in the employee's official personnel file. If, after appeal, it is determined that the employee was not guilty of offense that promoted suspension, his pay and seniority should be restored for time lost during suspension.