

# Table of Contents

<b>Section I</b>	<b>Purpose and Scope</b>	<b>4</b>
<b>A.</b>	<b>Purpose</b>	<b>4</b>
<b>B.</b>	<b>Scope</b>	<b>4</b>
<b>C.</b>	<b>Flow Chart</b>	<b>5</b>
<b>D.</b>	<b>Tribal Entity</b>	<b>5</b>
<b>Section II</b>		
<b>A.</b>	<b>Affirmative Action</b>	<b>5</b>
<b>B.</b>	<b>Regulatory Acts</b>	<b>5</b>
<b>C.</b>	<b>Employment at Will</b>	<b>6</b>
<b>D.</b>	<b>Nepotism</b>	<b>6</b>
<b>E.</b>	<b>Code of Ethics and Conduct</b>	<b>6</b>
<b>F.</b>	<b>Conflict of Interest</b>	<b>7</b>
<b>G.</b>	<b>Bonding</b>	<b>7</b>
<b>H.</b>	<b>Confidentiality</b>	<b>7</b>
<b>I.</b>	<b>Retaliation</b>	<b>7</b>
<b>J.</b>	<b>LLBO-HA Property</b>	<b>8</b>
<b>K.</b>	<b>Political Activity</b>	<b>8</b>
<b>L.</b>	<b>Anti-Harassment &amp; Offensive Behavior</b>	<b>8</b>
<b>M.</b>	<b>Cash Handling</b>	<b>9</b>
<b>N.</b>	<b>Firearms &amp; Weapons in the Workplace</b>	<b>10</b>
<b>O.</b>	<b>Internet/Personal Computer Usage</b>	<b>10</b>
<b>P.</b>	<b>Media Contact</b>	<b>10</b>
<b>Section III</b>	<b>Human Resources</b>	<b>11</b>
<b>A.</b>	<b>Native American Preference</b>	<b>11</b>

**B. \_\_\_ Application Process-----11**

**C. \_\_\_ Entry Level Hiring Procedure-----12**

**D. \_\_\_ New Hires-----12**

**E. \_\_\_ Position Descriptions-----13**

**Section IV Employee Classifications and Requirements-----13**

**A. \_\_\_ Employee Classifications-----13**

**B. \_\_\_ Former Employees-----14**

**C. \_\_\_ Transfer Employees-----14**

**D. \_\_\_ Professional Service Contract-----14**

**E. \_\_\_ Attendance Policy-----14**

**F. \_\_\_ Time Clock-----15**

**G. \_\_\_ Excessive Absenteeism & Tardiness-----15**

**H. \_\_\_ Employee Separation-----15**

**I. \_\_\_ Gambling-----16**

**Section V Employee Relations-----16**

**A. \_\_\_ Personal File Administration-----16**

**B. \_\_\_ Progressive Discipline-----17**

**C. \_\_\_ Grievance Process-----**

**D. \_\_\_ Personnel/Department Audits-----**

**Section VI Compensation and Benefits-----**

**A. \_\_\_ Performance Evaluations-----**

**B. \_\_\_ Types of Leave-----**

**C. \_\_\_ Overtime-----**

**Section VII Training and Career Development-----**

**A. \_\_\_ Orientation-----**

**B. \_\_\_ Career Development-----**

**Section VIII Payroll-----**

**A. \_\_\_ Pay Period-----**

**B. \_\_\_ Payroll Deductions-----**

**C. \_\_\_ Payroll Advances-----**

**D. \_\_\_ Early Check Releases-----**

**E. \_\_\_ Certification-----**

**Addendums -----**

## **Section I. Purpose and scope:**

### **A. Purpose**

The general purpose of these policies is to promote the strength and future growth of the Leech Lake Band of Ojibwe Housing Authority (LLBO-HA) by recognizing that an essential prerequisite to success is the efficient and effective use of its human resources. It is further recognized that high productivity and efficiency result from individual job satisfaction which depend largely upon the implantation and adherence to fair and impartial personnel policies and procedures that are clearly understood by all employees. These policies will strive to motivate employees to work efficiently and assist them to develop their full capacity for the position they are employed.

This manual will provide the guidelines for a system of personnel administration that meets the program needs of the LLBO-HA. The system provides the means to recruit, select, develop and maintain an effective and responsive work force. Guidelines are established for hiring, advancement, salary administration, fringe benefits, discharge, resolution of grievances, and other related activities that are in conjunction with the Leech Lake Band of Ojibwe General Administration Personnel Policies and Department of Housing and Urban Development (DHUD), Office of Native American Programs (ONAP).

### **B. Scope:**

The governing body of the LLBO-HA is the Leech Lake Reservation Housing Authority Board of Commissioners (BOC). The Board is comprised of six members, (two members from each of the three districts of the Leech Lake Reservation).

- 1) All supervisory personnel shall be responsible for compliance and enforcement of the personnel policies and procedures.
- 2) All administrative personnel are directly responsible to the Executive Director. Administrative personnel are assigned tasks, which best carry out the needs of the LLBO-HA.
- 3) All other employees are directly responsible to their supervisor as specified on their position descriptions.
- 4) All employees are subject to provisions of the LLBO-HA policies as is it pertains to their employment. Any waivers from the policy guidelines must be

- submitted in writing, by the Executive Director of LLHA Administrative Staff, and resolved by the BOC, in accordance with the provisions of this manual.
- 5) All LLBO-HA staff shall follow these policies and procedures in all matters pertaining to personnel management and administration, including selection, promotion, incentives, separation and disciplinary action and all other matters covered by these policies.
  - 6) Other employees assigned to the LLBO-HA from another agency or Tribal entity shall be subject to these personnel policies.
  - 7) The LLBO-HA reserves the right to modify policies and procedures for all areas of responsibility via full BOC action, after being duly noted on a meeting agenda and that these policies do not constitute a contract.
  - 8) The LLBO-HA retains the right to modify or revise these policies or its programs based upon its professional and business concerns, with full BOC action, after being duly noted on a meeting agenda. The establishment of these Personnel Policies and Procedures does not alter the Employee or the Employer, Employment – At – Will Status of this workplace and does represent a binding employment contract.

#### C. Leech Lake Band of Ojibwe Housing Authority Flow Chart

The LLBO-HA has an established chain of command that is illustrated through an organizational flow-chart.

#### D. Tribal Entity

The Leech Lake Band of Ojibwe Housing Authority is an entity of the Leech Lake Band of Ojibwe Tribal Council as authorized under LLBO Ordinance 79-09. The policies contained herein shall be written in conjunction with the LLBO General Administration Personnel Policies and will not conflict with their policies with the exception of day to day operational policies and procedures unique to the needs of the LLBO-HA.

### Section II. General Administration:

#### A. Affirmative Action

The Human Resources Manager shall act as the Affirmative Action Officer for the LLBO-HA.

**B. Fair Labor Standards Act (FLSA)  
Family Medical Leave Act (FMLA)  
Americans with Disabilities Act (ADA)  
Other Regulatory Acts**

Federal and State rules and regulations retaining to employment shall be abided by in good faith, to their fullest extent. The sovereignty of the LLBO will take precedence when Federal or State ruled and regulations are at issue and that the LLBO-HA will act in the best interest of its employees on a fair and consistent basis per its policies.

**C. Employment at Will**

As an employee of the LLBO-HA that is free to end their employment at any point in time, the LLBO-HA administration reserves the right to terminate the employee's employment in accordance with these policies.

**As an employee of the LLBO-HA that is free to end their employment at any point in time, the LLBO-HA administration reserves the right to terminate the employee's employment at any time, with Employment – At – Will Status and also in accordance with these Personnel Policies and Procedures.**

**D. Nepotism**

- 1) No individual shall appoint immediate members of his/her family or be involved directly or indirectly, with the vacancy selection process in section III. Furthermore, no individual in a management or supervisory position will have direct supervisory authority over an immediate family member.
- 2) The LLBO-HA definition of an "immediate family" regarding nepotism is as follows:
  - a. Employee's spouse or significant other
  - b. Employee's parent, child, sibling, aunt, uncle, spouse/significant other's parent, child, sibling, aunt or uncle.
  - c. Employee's children's spouse or grandparent.
  - d. Employee's grandchildren.

**E. Code of Ethics and Conduct**

- 1) To preserve the reputation, promote continued growth and success of the LLBO-HA, the organization strives to assure principles of fair dealing and ethical conduct of its employees and also fair and honest treatment of all its employees and the protection against coercion for and from partisan political purposes.
- 2) Employees are expected to act in a way that will promote continued trust and confidence in the organization and to conduct themselves with personal integrity, the highest standards of conduct and in accordance with all applicable laws and regulations.
- 3) In accordance with this Code of Ethics and Conduct policy, all employees shall be required, as a condition of their employment, to notify their supervisor, in writing, of any felony criminal drug conviction or DWI/DUI, no later than five working days following such conviction. It is further expected under this policy, that any criminal charges, resulting in detainment, that would directly affect an individual's employment would be reported, immediately.
- 4) Disregarding or failing to comply with this standard of ethics and conduct will lead to disciplinary action, up to and including termination of employment and prosecution.

#### F. Conflict of Interest

1) Employees may not accept compensation from, have financial interest in, or perform work for any other business or organization that supplies or seek to supply LLBO-HA with materials or service.

2) All LLBO-HA employees are forbidden to solicit or accept anything of monetary value for personal benefit from any organization/individuals whose interest may be affected by the employee's action in the course of performing his/her duties. This includes salespersons or companies that promise gifts for orders received. Violations of this rule will be immediate termination of employment. At the discretion of the LLBO-HA BOC, criminal prosecution may be sought.

#### G. Bonding

All employees shall be covered under a blanket fidelity bond to ensure honesty in dealing with money and supplies while employed by the LLBO-HA. The companies insuring the LLBO-HA will be compelled to prosecute any prohibited actions regarding employee honesty.

## H. Confidentiality

1) All information that is revealed to employees (either verbal or written) regarding the LLBO-HA or any other LLBO entity, and its vested interest, including, but not limited to, financial and business information, employment activities, employment information and customers, clients or tenants of Tribal Operations and business is confidential. The unauthorized release of information while on or off-duty may subject the employee to disciplinary measures up to and including termination of employment.

2) As a condition of employment with LLBO-HA employees will be required to have a Confidentiality Agreement containing the employee's signature in their personnel file. Refusal to sign the Confidentiality Agreement will be grounds for disqualification from employment with the LLBO-HA.

## I. Retaliation

No adverse employment action will be taken against any employee who submits documentation about discrimination or about any violations of a law involving the workplace. This prohibition against retaliation does not mean that LLBO-HA may never discipline an employee who complains or exercises certain legal rights, rather the discipline may not be the result of the complaint.

## J. LLBO-HA Property

All materials, supplies, documents and information pertaining to the LLBO-HA, its employees, residents or clients are the property of the LLBO-HA. Inappropriate or unauthorized use of materials, supplies or inappropriate or unauthorized release of documents or information relating to the activities of the LLBO-HA, its employees, residents or clients, may result in discipline, the severity of which will be commensurate with the degree of the infraction, including termination of employment.

## K. Political Activities

1) LLBO-HA employees may:

a. Exercise their rights of citizenship by participation in Tribal, local, state or national elections and public activities to the extent permitted by law.

b. Be a candidate for a political position, provided that such candidacy does not interfere with his/her assigned duties and/or responsibilities.

2) LLBO-HA employees are prohibited from:

a. Using their authority or influence for the purpose of interfering with an election, nomination or affecting the results thereof;

- b. Directly or indirectly coercing, commanding or advising subordinates to pay lend or contribute anything of value for political purposes to any party, committee, organization, agency or person;
- c. Engage in any political activity outside the scope of assigned duties during scheduled working hours or neglect their assigned duties and/or responsibilities. Personal leave must be utilized if an employee is going to participate in campaign activities during his/her regular work hours.
- d. Actively participating in political protests during his/her assigned work hours.

L. Anti-harassment and Offensive Behavior

- 1) It is policy of the LLBO-HA that all employees are able to work in an environment free from discrimination and harassment.
- 2) This policy refers to, but is not limited to harassment and offensive behavior in the following areas:
  - a. Age
  - b. Gender
  - c. Color
  - d. National Origin
  - e. Religion
  - f. Sexual Orientation
  - g. Marital Status
  - h. Handicap
  - i. Veteran Status
  - j. Political Affiliation
  - k. Family Ties
  - l. Physical Attributes
- 3) Harassment includes display or circulation of written materials or pictures degrading to gender or to racial, ethnic or religious groups; and verbal abuse or insults directed or made in the presence of members of racial, ethnic or minority group.

4) Harassment also refers to behavior that is personally offensive or degrading, impairs morale and interferes with the effectiveness of employees. Any harassment of employees by other employees will not be tolerated, regardless of their working relationship.

5) Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other offensive verbal/non-verbal or physical conduct that is sexual in nature. Sexual harassment undermines the employment relationship by creating an intimidation, hostile or offensive work environment and will not be tolerated.

6) In fulfilling their obligation to maintain a positive, productive work environment, management and supervisors are expected to immediately halt any apparent or suspected harassment or offensive behavior of which they become aware. They will immediately notify the Human Resource Manager, so the situation can be investigated in a timely and confidential manner. **There may be behavior violations that require stronger discipline, up to and including immediate termination of employment (Employment-at-Will). These violations are not eligible for the Grievance Procedure.**

#### M. Cash Handling

1) Where cash handling is involved, a separate written procedure shall be approved by the Board of Commissioners and abided by all staff.

2) Unaccounted for cash that has been investigated internally and is still unaccounted for will be considered theft and the LLBO-HA shall direct its legal counsel to pursue criminal charges through the applicable courts against the employee(s) involved in the unaccounted funds recovery.

#### N. Firearms and Weapons in the Work Place

1) The LLBO-HA prohibits its employees in the course of their employment from possessing weapons, firearms, ammunition or explosives. This prohibition is applicable to any location where an employee's scope of work takes him/her, and applies on Housing Authority vehicles.

2) All employees are forbidden from introducing, possessing, using, selling weapons, firearms, ammunition, explosives and other items prohibited by federal, state and Tribal regulations.

3) Employees who become aware of a violation of this policy are required to immediately notify their supervisor and/or Leech Lake Tribal Police Department.

4) Violation of this policy is considered a serious offense that endangers the safety of the organization, its employees, residents and other band members and will result in discipline, the severity of which will be commensurate with the degree of the infraction, including termination of employment.

O. Internet/Personal Computer/Cell Phone Usage

1) Use of the internet and LLBO-HA owned computer/cell phones is intended for LLBO-HA business.

2) Usage of the internet and LLBO-HA owned computers/cell phones for personal business should be limited, excessive personal usage will be subject to disciplinary action, up to and including termination of employment.

3) Pornographic material, political activities, chat rooms, instant messaging and social networking sites (such as Facebook, MySpace, Twitter, ect.) is strictly prohibited, except when their duties require these sites. Use of LLBO-HA computers/ cell phones for these reasons will result in discipline, the severity of which will be commensurate with the degree of the infraction, including termination of employment.

a. The sending of, or logging onto pornographic websites/material on LLHA computers or cell phones will result in termination of employment.

4) The Leech Lake Housing Authority reserves the right to conduct random and reasonable suspicion monitoring of all LLBO-HA computer/cell phone usage.

Section III. Human Resource

A. Native American Preference

Qualification for all positions in the organization will be based on eligibility requirements as contained in the position description. When candidates are equally qualified in meeting education, experience and/or training requirements of the position, candidates will be hired utilizing Native American Preference as follows:

- a. Qualified Leech Lake Band Members
- b. Qualified Minnesota Chippewa Tribe or Red Lake enrollees
- c. Qualified federally recognized Tribal enrollees
- d. Qualified Canadian Reserve Tribal enrollees
- e. Qualified other applicants

## B. Application Process

- 1) All applicants will be required to complete a LLBO-HA employment application. Resumes, credentials, transcripts, ect., should be submitted along with an application.
- 2) Applications received by LLBO-HA will be considered active for a period of six months, regardless if the desired position is formally advertised or not. After six months an applicant will need to update their application with the Human Resources Office or submit a new application.
- 3) In most cases, open positions will be posted reservation wide or regionally.
  - a. The interview team will consist of the program manager, a BOC member and the Human Resources Manager of his/her designee.
  - b. The program manager/interview committee will take into consideration the factors relevant to the position, including knowledge, skills, abilities, experience, and education and interview skills.
  - c. The selection process will be completed in a timely manner and applicants not selected will be promptly notified by the LLBO-HA Human Resources Manager.
- 4) In the event a position needs to be filled immediately, received applications will be reviewed for consideration and a selection may be made based on this review (this will only apply to Temporary or Seasonal positions).
- 5) In accordance with the LLBO Policy, the philosophy of promoting from within whenever possible will be applicable for all LLBO-HA employees. If an internal candidate is qualified for a vacancy within the LLBO-HA, the candidate would be promoted upward to that position in concurrence with the BOC.
- 6) Employees with written warnings and/or suspensions for any policy violation will not be allowed to apply for another position within the organization for a period of ninety days from the date of suspension or warning.
- 7) All recommendations for hire will be required to have BOC concurrence.

### C. Entry Level Hiring Procedure

In an effort to more quickly expedite the hiring procedure for entry-level positions the BOC has adopted the following procedure:

Applicants will be judged on a five point system these will be:

1. Application
2. Aptitude exam
3. LLHA Employment History
4. Native American Preference
5. U.S. Veteran status

Highest scoring individuals in the above listed criteria will be first recommended for vacant position(s)

### D. New Hires

- 1) The prevailing wage scale and/or budgetary constraints will determine rate of pay, when possible, education and experience will be taken into consideration in determining wage.
- 2) Initiation of the Drug Testing procedure and Criminal Background checks will be the responsibility of the Human Resources Manager. After a recommended applicant successfully completes a pre-employment UA, the new employee will need to attend new employee orientation, and it will consist of all required paperwork and a short presentation of policies and distribution of complete policies.
- 3) The applicable Supervisor shall be responsible for the program orientation within that department, known as departmental orientation; this will consist of, interdepartmental policies and procedures relevant to the position and discussion of expectations, responsibilities and performance standards.
- 4) The Human Resources Manager shall initiate a Personal Action form (PAF) with all appropriate information, needed for Accounting, appropriate department and personnel files.

### E. Position Descriptions

- 1) Position descriptions will be the responsibility of the Human Resources Manager and Program Manager and will be approved by the Housing

Manager and/or Executive Director and will be changed or revised in order to meet the goals and objectives of LLBO-HA.

- 2) New positions or descriptions must have supporting documentation for review and approval by Executive Director.
- 3) Employees will receive a copy of an approved position description upon hire or after revision. Employee will review and sign a copy of their position description to verify their understanding of the position description and duties.

#### Section IV. Employee Classifications and Requirements

##### A. Employee Classifications

- 1) Classifications have been developed to clarify the employment status and benefit eligibility of each employee for any specified period of time.
  - a. Exempt (or salaried) employees are excluded from specific provisions of federal wage and hour laws.
  - b. Non-exempt (or hourly) employees are entitled to overtime pay under specific provisions of federal laws.
- 2) In addition to the above categories, each employee will be further classified under an additional classification listed below:
  - a. Full-time employees are those who are regularly scheduled to work a full-time schedule (equal to or more than 30 hours per week).
  - b. Part-time employees are prohibited from working more than thirty (30) hours per week
  - c. Seasonal employees are those who have established an employment relationship with the LLBO-HA, but who are assigned to work on an intermittent or unpredictable basis. They receive limited benefits.
  - d. Temporary employees are those that are hired for a specific amount of time for a specified project, the duration of their employment is contingent upon the time of the specified project. They receive limited benefits. Temporary employees will not be subject to the normal introductory period (as explained in section IV), but will be considered to be in the introductory period for the duration of their employment.

## B. Former Employees

- 1.) Employees who voluntarily left or resigned from the organization in good standing may be considered for employment after a six (6) month waiting, and will be subject to a new probationary period.
- 2.) Employees whose separation was due to a LLHA initiated lay-off, will be considered eligible for re-hire immediately.
- 3.) Employees that were terminated from employment for a policy and conduct violations will not be considered for employment for one (1) year.
- 4.) Employees who were terminated for harassment or physical violence toward another employee or individual in the workplace must submit documentation of steps taken to correct their behavior and why they should be considered for re-hire. **Employees who were terminated for Harassment or Physical Violence toward another employee or individual in the workplace will not be reconsidered for employment.**
- 5.) Employees terminated for theft of LLBO/LLBO-HA property will not be considered for employment.
- 6.) Employees convicted of criminal drug statute will not be considered for re-hire.

## C. Transfer Employee

Employees may transfer between programs operated by the LLBO-HA, or any other program administrated by the LLBO with the understanding that benefits and rate of pay will be dictated by availability.

## D. Professional Service Contract

Professional service contractors are individuals or organizations that contract with the LLBO-HA in accordance with the procurement policy. The contract will specify the terms, conditions and services to be provided. The finance manager is responsible to ensure compliance with contract procedures. The program manager will be responsible for ensuring satisfactory performance requirements of the contract.

## E. Attendance Policy

- 1.) Normal hours of operation are 8:00am to 4:30pm, therefore, most work schedule hours are 8:00am to 4:30pm unless other arrangements are made between Supervisor and Employee to meet departmental goals and objectives.

Exceptions would be the LLHA Homeless Shelter and the Maintenance Department, whose operating schedules dictate employee's schedules.

2.) Salaried employees are exempt from this requirement in that they must be available as needed, but are expected to work forty (40) hours per week. Overtime shall not be applicable.

3.) Personal leave (Vacation time) requests require advance notice of three business days.

#### F. Time Clock

Employees are required to use the time clock for documentation of hours worked and may not be docked in increments of more than a quarter hour (15 minutes).

#### G. Excessive Absenteeism and Tardiness

1.) To maintain a productive work environment, the LLBO-HA expects employees to be reliable and to be punctual in reporting to work. Absenteeism and tardiness place a burden on other employees and on the LLBO-HA. In instances when employees cannot avoid being late or unable to work as scheduled, they are required to notify their immediate supervisor as soon as possible in advance of the anticipated absence or tardiness.

2.) Poor attendance and excessive tardiness are disruptive and will not be tolerated. Either instance may lead to disciplinary action, up to and including termination of employment.

3.) No-call/No-shows is depicted as fifteen (15) minutes after the start of the scheduled work and no notice has been given for absence or being tardy.

4.) Extenuating circumstances will be taken into consideration by the supervisor in regard to weather conditions, road conditions, family emergencies, ect.

5.) When an employee fails to report to work for three (3) consecutive scheduled workdays without notice they will be terminated via no call/no show policy.

6.) Walking off the job or leaving the designated job site without direct supervisor's approval, will be considered job abandonment, absent without leave and will result in termination via job abandonment.

#### H. Employee Separation

1.) The employee or LLBO-HA may initiate employment separation (Employment-At-Will).

2.) An employee who initiates separation by voluntarily means shall receive all compensation due to them in the pay-period following their last day of work, minus any obligations owed to the LLBO-HA.

a. The LLBO-HA BOC, at their discretion may allow appropriate severance compensation to recognize long term employment or service to the organization.

3.) An employee whose employment separation is initiated by the LLBO-HA shall be paid all compensation earned to date on the last day of work minus any obligations owed to the LLBO-HA.

4.) The LLBO-HA may at times have the need to lay-off personnel due to budgetary constraints or project completion and shall give one (1) week notice to employees affected by the action. Employees shall be paid compensation earned to date on the last day of work minus any obligations owed to the LLBO-HA.

5.) When an employee separates from employment, the responsibility of generating the supportive documentation shall be the immediate supervisor. The immediate supervisor shall forward the documentation to the Executive Director.

#### L. Gambling

a. Employees of the Leech Lake Band of Ojibwe Housing Authority shall not gamble at any gambling facilities during their normal working hours, including break times and lunch periods unless on prior approved leave. Violations of this policy will be subject to progressive discipline up to and including termination.

### Section V. Employee Relations

#### A. Personnel File Administration

1.) An official personnel file will be established for each employee and will be maintained in the Human Resources Office. Copies of documents may be maintained by the individual departments for day to day tracking, ECT. (Time sheets, schedules, leave slips.....).

2.) Personnel files are considered confidential and a release of information from these records will occur in limited circumstances, and then, only with the written approval of the employee or former employee.

3.) Any employee or former employee may review his/her file in the presence of the LLBO-HA Human Resource Manager, Housing Manager or Executive Director.

4.) Personnel files will be retained for a period of seven (7) years after an employee has separated from employment.

## B. Progressive Discipline

Progressive discipline will be administered equitable and consistently for unsatisfactory conduct in the workplace. The major purpose of any disciplinary action is to correct a problem, prevent recurrence and prepare an employee for satisfactory service in the future. LLBO-HA believes that the best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employee levels. The LLBO-HA strives to assure disciplinary actions are prompt, uniform and impartial. The policy of the LLBO-HA is to use a progressive disciplinary system at its discretion to correct behavior in the workplace at an early stage in hopes to be a benefit to both the employee and the LLBO-HA. This progressive discipline policy applies to all types of misconduct infractions, and each infraction of any type will lead to the next step in the progressive disciplinary process.

1.) The following is the normal, chain of reprimands that equate to Progressive Discipline:

a. Documented verbal reprimand: a verbal reprimand is from the immediate supervisor about policy violations of job performance and requesting improvement. A copy of this information will be placed in the employee's department file.

b. Written reprimand: A written reprimand is from the immediate supervisor about policy violations or job performance and requesting improvement. A copy of the written reprimand will be placed in the employee's personnel file.

c. Suspension: Suspension cannot be used arbitrarily by supervisors and can range from one (1) to five (5) days without pay and shall be given with written notice to the employee. A copy of the suspension will be placed in the employee's personnel file. This may occur after prior reprimands have been used and has not been constructive to improvement.

d. Termination of Employment: Termination of employment will be in the form of a written notice to the affected employee and will be used in progressive discipline measures have not corrected a behavior of in extreme cases the situation warrants an immediate termination. A copy of the original written notice will be placed in the employee's personnel file. The Executive Director has the authority to terminate employment and shall notify the BOC upon employment termination.

2.) The LLBO-HA recognizes that there are certain types of employee problems that are serious enough to justify either a suspension or in extreme situations, termination of

employment without going through progressive discipline process, which will be determined by the Executive Director in particular situations.

3.) In certain situations, when an employee is in a position and cannot adequately perform the duties and responsibilities of the position, the immediate supervisor may make recommendations to the Executive Director to demote or transfer the employee to another department within the organization. The transfer is contingent upon an available position and wages shall be dictated by prevailing wage of the position the employee is moving to. Documentation of the demotion or transfer will be placed into the employee's personnel file.

4.) While it is impossible to list every type of behavior that may be cause for disciplinary action, the following list would be examples of unsatisfactory conduct that may trigger progressive discipline:

- a. Neglect or failure to perform job duties.
- b. Willful violations of LLBO-HA policies.
- c. Mishandling or misinterpretation of revenues or expenses.
- d. Documented, excessive tardiness or absenteeism.
- e. Misinterpretation of hours worked to include punching in of other employees' timecards or knowingly signing timecards of employees when hours worked are misrepresented or supervisory staff arbitrarily reducing hours without notifying employees.
- f. Forbidden political activity.
- g. Insubordination.
- h. Use of chemical intoxicants on duty or reporting to work while under the influence of chemicals.
- i. Physical or verbal abuse against another employee or person.
- j. Mishandling, theft or destruction of LLBO-HA property.
- k. Abuse of authority of other employees.
- l. Gross misconduct (i.e.; assault, battery, malicious destruction of property, arson, sabotage, embezzlement, theft or any other act which amounts to prosecution of a felony or misdemeanor).

m. Breach of confidentiality as defined in the Federal Data Privacy Act and the LLBO-HA Confidentiality Agreement.

### C. Grievance Process

The LLBO-HA is committed to providing the best possible working conditions for its employees and encourages an open and candid atmosphere in which any problem, complaint, suggestion or question receives a timely response from supervisors and management.

If an employee disagrees with disciplinary actions or employment practices, they can express their concern through grievance process as a first step. No employee will be penalized for voicing an employee issue.

- 1.) An employee who has a grievance shall file his/her grievance no later than five (5) working days after a disagreed action or incident. Failure to file a grievance in the allocated time period will be a waiver of the employee's rights to file.
- 2.) An employee must follow the Employee Grievance Format when filling a grievance.
- 3.) The Housing and/or Human Resources Manager will make a decision on what is a valid grievance and will remit a written response for resolution within five (5) working days to the grieving employee unless it is a grievance against him/her (in which case, the grievance moves up to the next level, Executive Director).
- 4.) If the grieving employee is not satisfied with the Housing and/or Human Resources Manager's decision, the employee may appeal the decision to the Executive Director within five (5) working days of receiving the Housing and/or Human Resources Manager's response. The employee must remit a copy of the original grievance and response letter of disagreement to the appeal to the Executive Director. The Executive Director will remit a response for resolution to the grieving employee within five (5) working days.
- 5.) If the grieving employee is still not satisfied with the response from the Executive Director, the employee may, as a final step, appeal to the LLBO-HA BOC within five (5) working days. The employee must remit a copy of the original grievance and response letter(s) of disagreement to the appeal, to the BOC via the Human Resources Manager.
- 6.) The Housing Authority Board of Commissioner has final authority for resolution of a grievance and will respond to the grieving employee within fifteen (15) calendar days of receiving the grievance.

#### D. Personnel/Department Audits

When occurrences of multiple complaints regarding specific departments within the organization occur, Administration or the BOC may deem it necessary to clarify issues. Manager may request an audit, the Executive Director will determine if an audit is warranted.

The purpose of a personnel/departmental audit will be to assess the overall strengths, weaknesses, departmental structure, specific responsibilities, communication and management style currently being used.

#### Section VI. Compensation and Benefits

##### A. Performance Evaluations

1.) Introductory performance evaluations, in the standardized format, will be conducted at the end of an employee's ninety (90) day period in a new position. The period, known as the introductory period, allows the supervisor and the employee an opportunity to follow-up the departmental orientation at hire, to discuss the expectations, responsibilities and performance standards of the position. During this period, if an employee's performance and other factors fail to meet the requirements of the position, it is the responsibility of the direct supervisor to recommend FT employment or termination of employee.

a. At the supervisor's discretion, an employee's introductory period may be extended, in an effort to assist the employee in retaining employment. In these instances, the employee's benefits may be on hold, until the employee's performance is satisfactory.

b. Introductory employees are not eligible to transfer to other positions within the organization until they have successfully completed the probationary period.

2.) Annual performance evaluations are conducted to provide both the supervisor and the employee the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting goals and expectations. These performance evaluations will be scheduled every twelve (12) months on or before the anniversary of the employee's date of hire or anniversary of last review.

3.) Informal performance evaluations may be conducted periodically to use as a tool to assist the employee in attaining their employment goals, it is recommended these be in writing and forwarded to the Human Resources Manager for inclusion in the personnel file.

4.) Pay adjustments may be recommended by the immediate supervisors upon completion of a review and will be considered on the following basis:

a. Increases based upon merit and/or cost of living may not exceed 5% of employee's base pay and may be retroactive to the employee's anniversary date.

b. Adjustments exceeding 5% must include a revised job description reflecting detailed/additional responsibilities and/or duties and supportive budgetary documentation.

c. Salary adjustment recommendations will be evaluated by the Executive Director and presented to the BOC for approval, which will also be contingent upon budgetary constraints.

## B. Types of Leave

### 1.) Medical Leave

a. For the purpose of immediate family medical needs, the LLBO-HA will allow up to twelve (12) weeks unpaid leave within any twelve (12) month period. This leave is available to any individual who has been employed for at least twelve (12) months and has worked at least 1,600 hours in the twelve (12) month period preceding the leave.

b. Medical Leave may be utilized for the following reasons:

i. Birth of an employee's child/children

ii. Adoptions(s) of a child or official placement with the employee for foster care.

iii. Care of son/daughter, spouse or parent (not parent in-law), having a serious health condition(s).

c. Leave without pay, personal leave or Administrative leave (at BOC's discretion) may be used for Medical Leave.

d. Documentation is required, and if possible, advance notice of expected duration of leave.

e. The LLBO-HA will provide, within that twelve (12) week leave period, as follows:

i. Maternity leave: Up to six (6) weeks paid leave for the birth of an employee's child/children.

ii. Paternity Leave: Up to two (2) weeks of paid leave for the birth of an employee's child/children, will be required to provide documentation.

## 2. Bereavement Leave

An employee may be granted up to five (5) working days with pay within one week from the date of death of an immediate family member.

a. The LLBO-HA defines “immediate family” for Bereavement Leave purposes as the employee’s:

- Spouse/Significant Other
- Children
- Parent
- Grandchild
- Grandparent
- Siblings

b. An employee (includes all employees) may be granted up to three (3) working days with pay from the date of death of the following family members:

- Aunt/Uncle
- Niece/Nephew
- In-laws, (siblings, parent/grandparent, aunt/uncle, niece/nephew)

c. An employee (includes all employees) may be granted one (1) working day with pay from the date of death of the following:

- Cousin
- Friend

d. Additional time may be granted and charged to personal leave or leave without pay.

e. Leave must be requested by the employee and approved or declined by the immediate supervisor as soon as practical under the circumstances.

f. An obituary/memorial card must be presented to the immediate supervisor.

## 3. Holiday Leave

a. In order to receive a paid holiday, the employee must have worked or been on pre-approved leave prior to the holiday and the day after the holiday.

b. Holiday leave for certain programs and construction employees will be contingent on timeframes, workloads, ect. Workers will be compensated accordingly, if required to work holidays.

c. The following days are declared holidays by the LLBO-HA:

- New Year's Day
- Martin Luther King Day
- Presidents Day
- Native American Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day
- Others as declared by the LLBO-HA

d. If a holiday falls on a Sunday, the following Monday will be considered the Holiday. When a Holiday falls on a Saturday, the preceding Friday will be considered the Holiday.

e. Holidays occurring during a period of personal leave will be considered a day of holiday leave and the holiday pay will supersede the personal leave.

f. Employees will be paid holiday pay according to their scheduled work hours, if an employee only works part-time, they will be compensated only part-time.

#### 4. Administrative Leave

Regular employees may be granted administrative leave at their normal rate of pay to participate in specified reservation and civic duties. Examples may be Pow-wow Committee, School Boards, DRM Committees, Honor Guard, ect. All administrative leave requests must be pre-approved by the Executive Director.

#### 5. Jury Duty

a. An employee shall be granted administrative leave with pay for actual time spent on jury duty. (includes seasonal employees)

b. An employee who is summoned to serve on a jury during a holiday observed by the LLBO-HA is eligible for holiday pay and receives no alternate day off.

c. An employee must give a copy of the subpoena to the immediate supervisor.

#### 6. Military Leave

A military leave of absence (without pay) will be granted to employees who are absent because of service in the U.S. Military Reserves. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. The employee may retain their position or a comparable position depending upon the length of service.

## 7. Personal Leave

a. Time off with pay is available to all employees to provide opportunities for rest, relaxation and personal pursuits or illness. The amount of personal leave an employee receives weekly is accrued according to the number of hours worked in one week. The hour accrual amount increases each year according to the length of their employment as shown in the following:

- Three (3) hours per week will begin to accrue on the first day of employment.
- Four (4) hours per week, following the end of three (3) full years of continued employment.
- Five (5) hours per week, following the end of six (6) full years of continued employment.

b. Requests to utilize personal leave, need to be submitted three (3) business days in advance and will be reviewed by the employee's direct supervisor and a decision will be based on a number of factors, including business needs and staffing requirements.

c. Personal leave can not be used if none is accrued.

d. Employees are encouraged to use their accumulated personal leave within the calendar year from the date they are earned, however, only up to 240 hours may be accumulated and/or carried over at the end of the fiscal year.

e. An employee who separates from employment (after completion of their 90 day introductory period) shall be paid for unused personal leave, minus any obligations owed to LLBO-HA.

## 8. Leave Without Pay

a. Upon recommendations of the immediate supervisor, the Executive Director may grant leave without pay for a specified time for personal or professional purposes.

b. All applicable benefits shall not accrue and the employee will bear the cost of the medical and dental benefits through COBRA.

## 9. Short Term Disability

Purpose: The plan is a short term disability income protection benefit plan sponsored by the LLBO-HA to replace a portion of the employee's income in the event of sickness or injury that prevents the employee from working for a period of time. The plan does not provide benefits for occupational injuries or sickness. Eligibility is limited to a regular full-time employees meeting hourly requirements to participate in the program. (Average of 35 hours per week, in the previous six-month period)

## 10. Ricing Leave

LLBO-HA employees may take time off to harvest wild rice and may use personal leave or leave without pay.

Leave requests must be pre-approved by immediate supervisor and will be contingent upon schedules and workload of employee and/or department.

## 11. Inclement Weather

At the discretion of the LLBO-HA Executive Director, the Housing Authority office will be closed when weather creates unsafe conditions. Inclement weather compensation is for employees anticipating arriving at work on time, pre-approved leave time will supersede inclement weather compensation.

## 12. Educational Leave

Educational Leave without pay may be granted to an employee, provided there is no undue hardship on the department and the employee is working towards improvement for their position or another position within the department.

## 13. Election Leave

Employees of the LLBO-HA will be granted time off with pay for all regular scheduled Tribal, local, State and federal primary and general elections, amount of time off will be determined by the Executive Director.

## C. Overtime

The LLBO-HA will pay (non-exempt) employees time and one half of their hourly wage in excess of forty (40) hours of actual hours worked, worked in one week. Personal Leave, holidays and administrative leave hours will not be counted as actual hours worked and will not be paid as time and one half until actual hours worked exceeds 40 hours or more. Overtime shall be closely monitored and must be pre-approved by the immediate supervisor with concurrence of the Executive Director.

## Section VII. Training and Career Development

### A. Orientation

Organization orientation of new employees shall be the responsibility of the Human Resources Manager. A summary of the LLBO-HA policies shall be discussed with the new employee to include job duties, fringe benefits, pay schedules, personal leave, drug testing, ect., on the employees first day of work. In addition, the employee will receive a departmental orientation to include responsibilities, schedules, expectations, ect., by their respective program manager.

### B. Career Development

1. It is the policy of the LLBO-HA to encourage all employees to further develop their skills through a variety of training programs offered by the organization. The training must have a direct impact on the employee's career path and success or the organization. The immediate Supervisor will initiate all training activity and obtain necessary approval and coordinate arrangements.

2. Occasionally, training programs offered through the organization will be mandatory for specific employees. Employees that fail to attend required mandatory training sessions will be subject to progressive discipline, up to and including termination of employment.

## Section VIII. Payroll

### A. Pay Periods

All LLBO-HA paychecks shall be issued every Friday for a total of fifty-two (52) pay period per year. If a scheduled pay day is on a holiday, the pay day will be on the day prior to the holiday.

### B. Payroll Deductions

Deductions from employee paychecks include federal taxes, social security (FICA), Medicare/Medicaid, State Income taxes, if applicable and Federal and Court ordered wage levies including child support payments and LLBO programs.

### C. Payroll Advances

Payroll advances are prohibited for all the LLBO-HA personnel.

### D. Early Check Release

Early check release will be allowed only under the following circumstances, and with the Executive Directors Approval:

- Death of immediate family member of the employee.
- An employee has an out of town Medical EMERGENCY for self or immediate family member, employee must provide documentation stating medical need.
- Employee is traveling in the course of conducting LLBO-HA business.
- Employee is on pre-approved leave, during normal check distribution.

#### E. LLHA Paid Leave

Leave paid by the LLHA (bereavement, inclement weather, administrative, ect.,) shall not be used to extend employee's time beyond their normal scheduled 40 hour work week. In these instances, the paid leave time will only be applies to bring the employee's hours up to scheduled forty (40) hours.