

KARUK TRIBE HOUSING AUTHORITY

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Chapter 15 Personnel Policy Manual

**Most Recently Amended:
March 19, 2015**

**** This Amended Manual Supersedes All Other Versions ****

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SECTION 1 GENERAL POLICY STATEMENTS

1.1.0 Origin and Delegation of Authority

The origin of authority on personnel matters is the Tribal Council. The Executive Director is delegated the responsibility to advise the Board of Commissioners of necessary revisions to the Personnel Policies and to interpret these Personnel Policies as required. The Executive Director is delegated authority to implement these policies.

SECTION 2 POSITION CLASSIFICATIONS, CATEGORIES AND SPECIFICATIONS

The accrual of benefits is determined by the classification of the employee and not the hours worked in a particular week.

2.1.0 Position Classifications

Employment at the Karuk Tribe Housing Authority (KTHA) is employment at-will. Employment at-will means that an employee may resign at any time with or without advance notice to the KTHA, or with or without "cause". Likewise, the KTHA may terminate any employee at any time with or without advance notice and with or without "cause". Except for the Board of Commissioners, no manager, supervisor or representative of the KTHA has any authority to enter into any agreement for employment for any specific period of time or to make any agreement contrary to employment at-will.

Employees at the Karuk Tribe Housing Authority are classified as exempt or nonexempt and full-time, part-time, temporary, or seasonal.

Exempt Employees. Exempt employees are regular employees whose job assignments meet the federal requirements for overtime exemption as specified in Section 13(a)(1) of the Fair Labor Standards Act. Exempt employees are compensated on a salary basis and are not eligible for overtime pay. Your supervisor will inform you if your status is exempt. Exempt employees may have job assignments that require full or part-time work. Following the completion of the initiation period, full-time exempt employees are eligible for all employee benefits described in this Manual. Following the completion of the initiation period, part-time exempt employees are eligible for some, but not all, employee benefits described in this Manual.

Nonexempt Employees. Nonexempt employees are regular employees subject to federal overtime regulations, and will be compensated for overtime hours worked in accordance with the law as specified in Section 13(a)(1) of the Fair Labor Standards Act. Nonexempt employees must comply with the policies regarding overtime work.

Full-Time Nonexempt Employees. Full-time nonexempt employees are regular employees who are normally scheduled to work and who do work a schedule of 40 hours per week. Following the completion of the initiation period, full-time nonexempt employees are eligible for all employee benefits described in this Manual.

Part-Time Nonexempt Employees. Part-time nonexempt employees are regular employees who are scheduled to and do work less than 40 hours per week. Part-time nonexempt employees may be assigned a work schedule in advance or may work on an as-needed basis. Part-time nonexempt employees are eligible for employee benefits based on the number of hours they are assigned to work each week. This is based on their Notice of Appointment at time of hire or later Personnel Action Notice; it will not vary each week.

Part Time Under 20 Hours Per Week. Employees working less than 20 hours per week will not be eligible for any employee benefits.

Part Time 20 or More Hours Per Week. Employees working 20 or more hours per week will be entitled to annual and sick leave benefits on a pro-rated basis according to the number of hours they are scheduled to and do work. These employees will not be eligible for Group Insurance or Retirement Benefits.

Part Time 30 or More Hours Per Week. Employees working 30 or more hours per week will be eligible for Group Insurance and Retirement Benefits according to the plan document requirements. These employees will be entitled to annual and sick leave benefits on a pro-rated basis according to the number of hours they are scheduled to and do work.

Annual Leave Accruals for Part Time Employees

Part Time Classification	% of Leave Accruals	Hours/Year (1-3 yrs of service)	Hours/Year (4-5 yrs of service)	Hours/Year (5+ yrs of service)
40	100	80	120	160
30 to 39	80	64	96	128
21 to 29	60	48	72	96
20	50	40	60	80

Sick Leave Accruals for Part Time Employees

Part Time Classification	% of Leave Accruals	Hours Earned Per Year
40	100	96
30 to 39	80	76.80
21 to 29	60	57.60
20	50	48

Temporary Employees. Temporary employees are employees who are employed by the KTHA for short-term assignments. Short-term assignments will generally be periods of three months or less. Temporary employees are not eligible for employee benefits and may be classified as exempt or nonexempt on the basis of job duties and compensation.

Seasonal Employees. Seasonal employees are employees who are employed by the KTHA for short-term assignments in excess of three months. Their work will generally coincide with field seasons for various projects. Seasonal employees are not eligible for employee benefits and may be classified as exempt or nonexempt on the basis of job duties and compensation. Seasonal employees will be laid off during the “offseason” and re-hired when projects commence each year.

Individuals working through an employment agency (leased employees, etc.) and those working as independent contractors are not considered employees of the KTHA and are not entitled to any employment benefits provided by the KTHA except as specifically provided in this Manual. If you have any questions about your classification, you should check with your supervisor.

On-Call Employees. On-call employees are employees who are employed by KTHA for short-term assignments. Short-term assignments will generally be periods of three months or more. On-call employees are not eligible for employee benefits or sick and annual leave and may be classified as

exempt or nonexempt on the basis of job duties and compensation. On-call employees will be laid off when no work is available and rehired when projects commence each year.

2.2.0 Initiation Period

The first 180 days of continuous employment at the KTHA during which you learn your responsibilities and get acquainted with your fellow employees is considered an initiation period. During this time you will have a chance to decide whether you are and will be happy with your job, and your supervisor will have the opportunity to determine whether you are adapting to your new work. Within 30 days of completion of your initiation period, you will be given a written performance review addressing your strengths and weaknesses.

If the KTHA decides you should continue to be employed, you will be advised of any improvements expected from you. You will be given the opportunity to express any recommendations that you have to improve the efficiency of the KTHA. Completion of the initiation period does not entitle you to remain employed by the KTHA. During the initiation period you are not entitled to use any accrued employee benefits including but not limited to sick, vacation or compensatory time. However, you may access the Tribe's open-door policy during the initiation period in order to raise any issues, concerns or suggestions you may have regarding your employment relationship with the KTHA.

2.3.0 Fill-in Position

Employees who fill in for absent positions shall receive a \$0.50 per hour increase while working in the fill-in position.

SECTION 3 GENERAL CONSIDERATIONS

3.1.0 General Considerations

In accordance with 24 C.F.R. 1000.48, it is the policy of the KTHA to give preference in training and employment to qualified Indians to the full extent provided for and permitted by applicable federal law to meet the needs and objectives of the KTHA. To the extent it does not conflict with KTHA's Indian preference policies, KTHA will make employment-related decisions, including but not limited to hiring, firing, appointment, promotion, demotion, disciplinary action, or wage modification consistent with federal laws.

3.2.0 Nepotism

Individuals may not apply for positions in which their supervisor would be an immediate family member.

3.3.0 Immediate Family

For the purposes of this Personnel Policy Manual immediate family is defined as the following: Spouse, Co-Habitant, Significant Other, Parents, Siblings, Children, Grandparents, Grandchildren, Father-in-Law, Mother-in-Law, Son-in-Law, Daughter-in-Law, Step-Parents and Step-Children.

3.4.0 Employment of Council Members

Tribal Council Members are not eligible for employment within the Tribal organization, including any of its subsidiary corporations as it may pose a conflict of interest to have an employee on the Tribal Council. Employees of the KTHA may run for the Tribal Council, but if elected, must resign their position in accordance with Resolution 92-R-28, approved May 11, 1992. This exclusion does not apply to paid positions on the Tribal Council, which are currently Chairperson and Vice-Chairperson, as they are employees of the Tribe.

SECTION 4 PAYROLL

4.3.0 Workday/Workweek

The standard full-time workday is eight hours, and the standard full-time workweek is forty hours, beginning on Thursday at 12:01 AM and ending on Wednesday at 12:00 midnight.

- 4.3.1 Standard office hours are 8 AM to 5 PM, Monday through Friday, with lunch from 12 PM to 1 PM, closed for designated holidays. Variances from this schedule will exist.
- 4.3.2 All employees are allowed two fifteen minute paid breaks each day, one in the morning and one in the afternoon. Breaks are to be taken at times mutually beneficial to the employee and the department in which they work. Breaks may not be accumulated or combined with lunch breaks.
- 4.3.3 The standard lunch period is 12 PM to 1 PM. All non-exempt (hourly) employees are required to take *at least a* 30 minute unpaid lunch break each workday.
- 4.3.4 Individual staff variations may be allowed with prior, written approval of your Supervisor to accommodate personal or departmental needs (ex; working four ten hour days instead of five eight hour days). Department-wide variations will require Executive Director review and approval.

4.4.0 Pay Periods

Pay periods for all employees shall be biweekly. Pay checks will be issued no later than 5:00 PM the Wednesday following the close of the pay period. Variations to the foregoing shall be approved by the Executive Director.

- 4.4.1 Employees, upon departure for leave, may submit a written request for approval to the Executive Director, and with approval receive their paychecks in the event a pay-period ends during their absence.
- 4.4.2 Upon departure from employment, employees shall receive their final paychecks within 72 hours, which paychecks shall liquidate all outstanding advances or other financial obligations to the KTHA.
- 4.4.3 When an individual separates by involuntary termination, the final paycheck must be prepared within 24 hours.

4.5.0 Payroll Deductions

Only the deductions required by law or authorized by the employee are to be made from payroll checks of employees. Such deductions are, but not limited to the following:

- 4.5.1 Federal Income (Withholding) Tax
- 4.5.2 State Income (Withholding) Tax
- 4.5.3 Federal Insurance Contributions Act (FICA) - if applicable.
- 4.5.4 State Disability Insurance
- 4.5.5 Group Insurance Premium(s)

4.5.6 Wage Garnishments of (two or more garnishments by the KTHA in a year may result in a disciplinary action).

4.5.7 Other voluntary deductions must be specifically approved in writing by the Executive Director.

4.6.0 Payroll Advances

Payroll advances must be approved by the Executive Director. The employee must have sufficient funds earned to cover the full amount of the advance.

4.7.0 Employee Expenses

Employees incurring authorized expenses shall be reimbursed pursuant to policies set forth in the Travel and Vehicle Use Policy Manual. Such reimbursable employee expenses may include, but are not limited to:

4.7.1 Authorized travel expenses, as so stated in the Travel and Vehicle Use Policy Manual.

4.7.2 Membership in community and professional groups, when the employee's participation is primarily for the benefit of the KTHA in the achievement of its goals. Such expenses are subject to the prior approval of the Supervisor.

4.8.0 Voluntary Terminations of Employment

4.8.1 Employees may at any time terminate their employment voluntarily.

4.8.2 If you decide to leave your employment with the KTHA, we ask that you give us at least two weeks written notice. This will give us the opportunity to make the necessary adjustments in our operation.

4.9.0 Compensation

4.9.1 Starting salaries for all employees shall be based on many factors including, but not limited to the following items:

- a. Salary range established on the position description;
- b. Salaries for similar positions in the same category;
- c. No employee shall receive less than Federal minimum wage; and
- d. Qualifications of the employee for the position.

4.9.2 Annual evaluations of regular employees may result in recommendations for salary increases. Factors such as performance, longevity, increased responsibility, and budget availability shall be considered in recommendations for salary increases.

4.9.3 The Executive Director must certify that sufficient funds are available to cover the cost of salary increases and associated benefit costs to ensure that no budgetary or service deficiency will be created by the increase.

4.9.4 Annual Cost of Living Adjustments (COLA) shall be reviewed by the KTHA Board of Commissioners during budget preparations for availability of funds and must be approved by the Board of Commissioners.

SECTION 5 EMPLOYEE BENEFITS

5.1.0 Associated Payroll

- 5.1.1 State Unemployment and Disability Insurance: The KTHA contributes at a predetermined rate, a percentage of the employee's gross salary for State Unemployment Insurance. The employee contributes the required rate for State Disability Insurance.
- 5.1.2 Workmen's Compensation: The KTHA shall maintain such insurance as to provide coverage for employee Workmen's Compensation related injuries at no cost to the employees.
- 5.1.3 Federal Insurance Contributions Act (FICA): Employees shall contribute the required rates as provided by the Act. Provided however, the KTHA will be subject to exemptions as provided by Tribal government and nonprofit corporation provisions and law.

5.2.0 Group Insurance

The KTHA provides limited hospital, health, dental, and vision coverage for all eligible employees.

5.3.0 Retirement Plan and Tax Deferred Annuity.

Employees of the KTHA may voluntarily participate in any approved retirement plan and any tax deferred annuity programs as provided by the KTHA or otherwise. The benefits shall be subject to provisions set forth in Employee Deductions (Section 4.5.0).

5.4.0 Holidays

The KTHA observes the legal holidays recognized herein or any such day proclaimed by the Chairperson or the President of the United States, with the exception of Columbus Day.

Those holidays falling on a Saturday will be observed on the Friday preceding; those holidays falling on a Sunday will be observed on the following Monday. Holidays so recognized are:

New Year's Day	Martin Luther King Jr.'s Birthday
Honor Tribal Elders (Fri prior to Memorial Day)	Memorial Day
Independence Day	Labor Day
Native American Day (4th Fri. in Sept.)	Veteran's Day
Thanksgiving Day (and Friday after)	Christmas Day (or equiv. religious holiday)
Personal Holiday (Birthday)	

- 5.4.1 All regular employees shall be paid their regular rate for the hours regularly scheduled on such holiday.
- 5.4.2 The personal holiday will be used within a month after the birthday.

5.5.0 Travel Advances

A Travel Advance may be given to an employee conducting KTHA Business. If the advance is not liquidated within 10 days of return from a trip and no adequate reason for the delay is provided, the KTHA will take appropriate action to recover the funds including appropriate deduction from employee wages and/or civil litigation. No further advances will be issued to employees or other individuals who fail to properly liquidate advances. Employees will be given reimbursement for actual expenses only, verified by receipt.

5.6.0 Exercise Policy

The Karuk Tribe Housing Authority recognizes that employees that are physically fit, active and in good health are an asset to the organization. The KTHA has established a mechanism that allows employees to exercise during work hours.

- 5.6.1 Employees, with the approval of their supervisor, may exercise 30 minutes per day or up to a total of 150 minutes per week, during business hours. This option is available to all full time employees.
- 5.6.2 When scheduling their exercise activities, employees will not exercise at home and arrive late, or leave their work location at the end of the day early to exercise at home. Employees may schedule exercise activities to coincide with normal break or lunch periods.
- 5.6.3 Employees will schedule exercise times that do not interfere with the operations of their department. If a conflict arises between the needs of the KTHA and the employee's exercise schedule, the employee will defer to the needs of the organization.
- 5.6.4 If employees have any doubts about beginning an exercise program, they should consult their health care provider.

SECTION 6 LEAVE

Leave is defined as any authorized absence, with or without pay, during regularly scheduled work hours which are approved by the Supervisor or designated staff. Absence Without Leave (AWOL), by definition, is an unauthorized absence and is subject to disciplinary action. Leave shall be granted in accordance with these rules on the personal request of the employee.

The KTHA may grant leaves of absence to employees in certain circumstances. It is important to request any leave in writing as far in advance as possible, to keep in touch with your Supervisor or in case the Supervisor is unavailable, the Personnel Clerk during your leave, and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted your Supervisor or in case the Supervisor is unavailable, the Personnel Clerk, it will be assumed that you do not plan to return and you have terminated your employment. If you are unwilling or unable to return to work at the conclusion of any leave, your employment may be terminated.

This Manual contains only a summary of the leaves that may be available. Some types of leave have detailed requirements regarding eligibility, duration, and benefits. You should contact the Personnel Clerk prior to taking any leave for information about leave requirements and to make sure you understand the requirements and ramifications of any leave.

It is understood that you will not obtain other employment (other than military duty pay) or apply for unemployment insurance while you are on a leave of absence. Acceptance of other employment (non-military) while on leave will be treated as a voluntary resignation from employment with the KTHA.

6.1.0 Annual Leave

Annual leave credit for regular staff members shall be computed on the basis of Two (2) weeks per year for the first three years (3.08 hours per pay period), three (3) weeks after three years (4.62 hours per pay period) and four (4) weeks after five (5) years (6.15 hours per pay period). Employees who are laid off in good standing and return to work within one year, shall accrue at the rate they were receiving when laid off. Special provisions for annual leave are:

- 6.1.1 Employees may accrue annual leave from date of employment, but no annual leave shall be taken during the standard initiation period.
- 6.1.2 When a recognized holiday occurs during annual leave, except terminal vacation (vacation from which an employee will not return to work such as prior to retirement or separation), the holiday is not considered a day of annual leave.
- 6.1.3 Annual leave for employees is in the best interest of staff members. Full annual leave credits should be used annually. No employee may be compensated beyond 160 hours of accrued annual leave upon separation from employment. No employee may accrue more than 160 hours vacation.
- 6.1.4 Annual leave must be approved by the Supervisor and shall be taken at a time mutually convenient to the employer and employee. Any conflict in requested annual leave shall be resolved on the basis of seniority.
- 6.1.5 Advance payment for salary due during the vacation period may be drawn by the employee prior to departure upon submission of request for same to the Executive Director.
- 6.1.6 Although it is in the best interest of the employee and the organization that annual leave be used for vacation to allow for rest and rejuvenation, it is understood that unexpected situations may arise prohibiting the use of leave in a timely manner, or that emergencies may occur. For these reasons, annual leave credits may be cashed-in with the prior approval of your Supervisor and the Executive Director. Staff will have at least three business days to process such requests and employees will not be allowed to request a liquidation that would lower their available balance below eight (8) hours.
- 6.1.7 Employees will be allowed to participate in Karuk tribal ceremonies and will not be compensated their regular rate for their regularly scheduled hours during such time. Employees will be required to use their Annual Leave or LWOP and must seek prior approval from their Supervisor to be away from the office.

6.2.0 Sick Leave

Paid sick leave is accrued at the rate of one (1) working day per service month (3.70 hours per pay period) up to a maximum of 480 hours. A certificate from a registered practicing physician may be required before sick leave is authorized and one must be submitted for any sick leave in excess of three (3) consecutive days, if required by the Supervisor.

- 6.2.1 Employees may accrue sick leave from date of employment, but no sick leave shall be taken during the standard initiation period.
- 6.2.2 Earned sick leave with pay shall be granted to employees who are unable to render service because of sickness, disability or quarantine whether incurred in performance of duty or otherwise.
- 6.2.3 Employees unable to report to work shall notify their Supervisor no later than the first hour of the regular work period; failure to do so may result in forfeiture of sick leave with pay.
- 6.2.4 Sick leave may be granted to employees who become ill while on vacation provided satisfactory proof of such illness is submitted. When a holiday occurs during paid sick leave, the holiday is not considered a day of sick leave.

- 6.2.5 Sick leave may be used in the instance of illness in the immediate family of the employee requiring his/her presence.
- 6.2.6 Sick leave credits will not be paid to employees upon separation under any circumstances.
- 6.2.7 Abuse of sick leave privileges will be investigated and confirmation by a doctor may be required by and subject to the review and approval of the Supervisor.

6.3.0 Special Leave

- 6.3.1 The KTHA will assist employees to become increasingly proficient in their job by providing relevant training. A training plan will be part of each employee's end of initiation and annual performance appraisal. All training will be related to Career Development and Training needs as stated in the training portion of the Performance Appraisal form.
- 6.3.2 Job related training or education may be 100 percent advanced and/or reimbursed with approval of the Executive Director. Documentation of satisfactory completion must be provided and reimbursement will only occur if the employee is still employed by the KTHA. Advances and/or Reimbursements may include expenses such as tuition, registration fees, books, or other required course materials. Such training/education must be given prior approval in writing by the employee's Supervisor in order to be advanced and/or reimbursed.
- 6.3.3 Jury Leave or Witness Duty Leave: Upon application, an employee shall be granted leave of absence if called for jury or witness duty for the Federal Government, a State or political subdivision thereof, or in their official capacity as an employee. Any employee so called is continued at full pay less fees paid to jurors by the court. This includes employees in their initiation period.

6.4.0 Administrative Leave/Office Closures

- 6.4.1 Administrative Leave and Office Closures may only be authorized by the Executive Director or Board of Commissioners.
- 6.4.2 In the event the Tribal Offices are closed for Administrative Leave (snow days, annual staff trip, coordinated staff events) as authorized by the Executive Director or Board of Commissioners, regular employees shall be paid their regular rate for the hours regularly scheduled on such day. If employees choose not to attend the event the offices have been closed for, they can either work, or use their accrued annual leave.
- 6.4.3 With recommendation of the Supervisor, the Executive Director may grant employees paid administrative leave for time spent attending funeral services for close friends and family who are not covered under bereavement leave as immediate family. Employees will be paid their regularly scheduled rate for such hours.
- 6.4.4 Weather related office closures will only be authorized by the Executive Director or Board of Commissioners under one or more of the following conditions:
 - a. Loss of power at your office location of more than one (1) hour;
 - b. Loss of water at your office location of more than four (4) hours; or
 - c. Road closures (that are officially declared by road conditions) preventing staff from getting to/from their office location.

d. Administrative Leave for a weather closure will only be authorized under these conditions for regular employees for their regular rate for the hours regularly scheduled during such closure. Employees may request annual leave if they have other reasons that impact their ability to report to work.

6.5.0 Bereavement Leave

Bereavement leave will be granted for a death in the immediate family. The leave will be a maximum of five (5) working days of absence with pay. Documentation may be necessary if so required by the Supervisor. A request for such leave should be submitted to the immediate Supervisor. Extensions may be granted on a case by case basis by the Supervisor and Executive Director. Any additional time granted will be charged against accrued sick leave. For the purposes of this Personnel Policy Manual immediate family is defined as the following: Spouse, Co-Habitant, Significant Other, Parents, Siblings, Children, Grandparents, Grandchildren, Father-in-Law, Mother-in-Law, Son-in-Law, Daughter-in-Law, Step-Parents and Step-Children.

6.6.0 Family Medical Leave

The KTHA recognizes that an employee may need to be absent from work for an extended period of time for family and/or medical reasons. Our KTHA complies with federal law provisions for family, medical and pregnancy disability leaves. The KTHA will grant these leaves to employees as required by applicable law in effect at the time the leave is granted. We intend to grant leave benefits only to the extent the law requires.

You must request any leave in writing as far in advance as possible. If you have not contacted your Supervisor at the end of your scheduled leave, we will assume that you do not plan to return and you have terminated your employment. If you are unwilling or unable to return to work at the conclusion of the leave you are allowed, your employment may be terminated.

Employees Who May Take Leave

Before you may seek a leave of absence you must:

- a. Have been employed by the Tribe for at least 12 months; and
- b. Have worked at least 1,250 hours in the previous 12 months; and
- c. Work within 75 miles of 50 or more of our other employees (an employee's work site is the office to which the employee reports and from which assignments are made).

Reasons for Taking Leave

You may request an unpaid leave for any of the following reasons:

- a. To care for your child after birth, or after a child is placed with you for adoption or foster care within the 12 months following birth or placement; or
- b. To care for your spouse, son or daughter, or parent, who has a serious medical condition; or
- c. For your own serious medical condition which makes you unable to perform your job duties; or
- d. For any qualifying exigency (as defined by the Secretary of Labor) arising out of the fact that your spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation; or

- e. To care for your spouse, son, daughter, parent, or next of kin who is a covered service-member who is recovering from a serious illness or injury sustained in the line of duty on active duty.

Length of Leave Allowed

The maximum time you will be allowed to take leave, if you are eligible, is 12 weeks in a 12 month period for reasons a through d and 26 weeks in a 12 month period for reason e. This does not include leave time an employee is allowed because of pregnancy disability. The Tribe will use a “rolling” 12-month period measured backward from the date you begin a leave to determine how much leave time is available to you unless another calculation is required by law.

Advance Notice and Medical Certification

- a. You may be required to provide KTHA advance leave notice and medical certification. Your leave request may be denied or your leave delayed if these requirements are not met.
- b. You must provide KTHA 30 days notice of your need to take leave, if you know about the need in advance, or you must notify us as soon as you can if you did not know about the need for a leave at least 30 days in advance.
- c. We require medical certification if you request leave because of your own or a family member’s serious medical condition. We may also require a second or third medical opinion regarding your own serious health condition at our expense. You are required to cooperate with KTHA in obtaining any additional medical opinions we may require.
- d. If you require a leave because of your own medical condition, you must obtain certification from your health care provider that you are able to return to work before you report to work at the end of your leave.

Job Benefits and Protection

KTHA will continue our contributions for your health care coverage for the duration of your leave. You must continue to make any premium payments for health care coverage for yourself or your dependents that you are now making, if you want the coverage to continue during your leave. Employees will normally be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms when they return from leave. Your use of leave allowed by this policy will not result in the loss of any employment benefit that accrued prior to the start of your leave. However, at your option or KTHA option, certain kinds of paid leave may be substituted for unpaid leave. Key employees may be subject to reinstatement limitations in some circumstances. You will be notified of the possible application of limitations on reinstatement at the time you request leave if you are a key employee.

Premium Cost Repayment

If you choose not to return to work from a leave allowed by this policy, you will be required to repay KTHA the premium amounts we paid during your leave, unless you do not return to work because of circumstances beyond your control.

6.3.6 Inability to Return to Work

Any tribal employee who is not able to fulfill his or her duties for any reason shall automatically be terminated after 90 days, and all benefits shall cease at that time, continuance beyond this time period is not automatic and must be specifically approved by the employee’s Supervisor and the Executive Director or his designee. Supervisors are required to follow normal personnel procedures to extend the leave of absence (ex; by filing a personnel action notice to the appropriate department) (ex; fiscal or personnel). This does not apply to employees who have taken family medical leave to care for a spouse, son,

daughter, parent, or next of kin who is a covered service-member who is recovering from a serious illness or injury sustained in the line of duty while on active duty.

SECTION 7 EMPLOYEE CONDUCT

7.1.0 General Rule of Conduct

All employees shall conduct themselves in a manner that exemplifies the mission of the organization. Such conduct shall display a blend of professionalism. Failure to adhere to the standards described herein may be grounds for immediate disciplinary actions.

7.2.0 Public Statements

No employee should presume to speak for or on behalf of the KTHA or on any matter concerning the organization in public meetings or to the press without the express prior approval of the Board of Commissioners. Provided Further:

- 7.2.1 Employees so designated, shall exercise proper restraint, prudence, and accuracy in public statements, and display respect for the opinions of others.
- 7.2.2 Employees shall not presume to speak at Council or Board of Commissioners meetings without first being added to the agenda.

7.3.0 Standards of Dress

All employees of the Tribe are expected to dress in a manner appropriate to their position. This is to include any and all persons who do volunteer work for the Tribe.

- 7.3.1 For general office personnel; business casual attire will be acceptable.

7.4.0 Conflicts Of Interest

Situations which result in actual or even potential conflicts of interest must be avoided by all employees. Personal, social and economic relationships with competitors, suppliers, customers or co-employees which may impair an employee's ability to exercise good judgment on behalf of the KTHA, or which give the appearance of such impairment, create an actual or potential conflict of interest. Any employee involved in such a relationship must immediately and fully disclose the nature of the relationship to the Board of Commissioners so a determination can be made as to whether an actual or potential conflict exists, and if so, how to correct the situation.

In situations where an employee is processing paperwork which may directly benefit themselves or a member of their immediate family, a second signature shall be required from the KTHA Chairperson or Executive Director to avoid any appearance of a conflict of interest and to provide adequate internal controls.

7.5.0 Protection of Personal Property

The KTHA will not be responsible for the loss of any personal property of employees, regardless of the reason for the loss, except to the extent required by applicable law. Employees are advised to exercise care over all tribal and personal property at all times.

SECTION 8 EMPLOYEE ACTION

8.1.0 Performance Evaluations

Your immediate Supervisor will periodically review your performance and discuss the review with you in private. Your first performance evaluation will be made within 30 days after you complete your initiation

period. After that review, your performance will be reviewed at least once a year.

Your performance evaluations will include factors such as the quality and quantity of the work you perform, your knowledge of your job, your initiative, your work attitude and your attitude toward others. The performance evaluation is designed to help you become aware of the progress you are making and of the areas in which you need to improve. At the time of your evaluation you will be required to sign your Job Description, Confidentiality Statement, Harassment Policy and the Substance Abuse Control Policy and Procedure Acknowledgment.

8.2.0 Progressive Discipline

The purpose of this section is to state the KTHA position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The discipline system is not formal, and the Executive Director and Board of Commissioners may, at its sole and absolute discretion, deviate from any order of progressive disciplinary actions and utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including immediate termination of employment. If terminated, the employee shall have the right to appeal the decision to the Board of Commissioners.

The KTHA's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The ideal outcome of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the KTHA.

Disciplinary action may call for any of four steps – verbal warning, written warning, suspension with or without pay, implementation of a corrective action plan, or termination of employment – depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Written warnings will be placed in the employee's file and if after one year, the employee has not had any other written warnings or suspensions; they can request that the warning be removed. If additional written warnings or suspensions are issued during the year, the warnings will become a permanent record of the file.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension or corrective action plan; and, still another offense may then lead to termination of employment.

The KTHA recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or termination of employment, without going through the usual progressive discipline steps. All suspensions and terminations must be reviewed, prior to execution by the Executive Director, who retains the authority to determine whether an offense is serious to warrant suspension or termination without completion of the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the following list includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

- a. Falsification of employment records, employment information, or other KTHA records.
- b. Recording the work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time card, either your own or another's.
- c. Theft, deliberate or careless damage of any KTHA property or the property of any employee or customer.
- d. Provoking a fight or fighting during working hours or on KTHA property.
- e. Participating in horseplay or practical jokes on KTHA time or on KTHA premises.
- f. Carrying firearms or any other dangerous weapons on KTHA premises at any time. (Law enforcement officials are exempt from this provision).
- g. Consuming, possessing, or being under the influence of alcohol and/or drugs during working hours or at any time on KTHA property.
- h. Deliberate destruction of any KTHA property or the property of any employee or customer.
- i. Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- j. Unreported absence of three scheduled workdays.
- k. Unauthorized use of KTHA equipment, time, materials, facilities, or the KTHA name.
- l. Sleeping or malingering (avoiding work by pretending to be incapacitated) on the job.
- m. Failure to observe working schedules, including rest and lunch periods.
- n. Engaging in criminal conduct whether or not related to job performance.
- o. Causing, creating or participating in a disruption of any kind during working hours or on KTHA property.
- p. Soliciting other employees for membership, funds, or other similar activity in connection with any outside organization during your working time or the working time of the employee solicited. (This does not include your meal and break periods.)
- q. Distributing unauthorized literature or any written or printed material during working time or in work areas. (This does not include your meal and break periods.)
- r. Failure to timely notify your supervisor when you are unable to report to work.
- s. Failure of a nonexempt employee to obtain permission to leave work for any reason during normal working hours.
- t. Abuse of sick leave.

- u. Removing or borrowing KTHA property without prior authorization.
- v. Making or accepting excessive personal telephone calls during working hours.
- w. Failure to provide a physician's certificate when requested or required to do so.
- x. Wearing extreme, unprofessional or inappropriate styles of dress or hair while working.
- y. Making derogatory racial, ethnic, religious or sexual remarks or gestures or using profane or abusive language at any time on KTHA premises.
- z. Violation of any safety, health, security or KTHA rules.
- aa. Working overtime without authorization or refusing to work assigned overtime.
- bb. Committing a fraudulent act or a breach of trust under any circumstances.
- cc. Threatening, committing or encouraging of any act of violence in the workplace or against any employee, supplier or customer of the KTHA. Workplace violence is not a joking matter; all statements will be taken seriously.

No statement in this list or elsewhere in the Personnel Policy Manual is intended to or should be taken to affect the at-will employment relationship between the KTHA and its employees or in any way to waive the Tribe's immunity from state or federal jurisdiction or in any way to consent to such jurisdiction.

8.2.1 Disciplinary Action Hearing Procedure.

Employees who are subjected to either suspension of more than 5 days or dismissal can request, in writing to the Executive Director, a hearing be held before the Board of Commissioners in accordance with procedures set forth in accordance with procedures set forth in this subsection.

- a. The Board of Commissioners shall provide the employee not less than seven (7) days prior written notice of date, time and location of the hearing.
- b. The employee shall have the following rights:
 1. The opportunity prior to the hearing to examine and copy, at his or her expense, any records, documents or regulations that relate to the decision, which he or she identifies with reasonable specificity.
 2. The right to present witnesses or documents and to make arguments in support of his or her position, and to question all witnesses testifying at the hearing.
 3. The right to a written decision based exclusively on the record made during the hearing, including the testimony of witnesses and any documents submitted during the hearing.

8.2.2 Disciplinary Action Hearing Procedure – Executive Director

The Board of Commissioners has the exclusive authority to terminate or otherwise discipline the Executive Director. All actions of the Board of Commissioners concerning the Executive Director's performance evaluation and discipline shall be conducted in a session closed to the general public. Before the Board of Commissioners may terminate the Executive Director for cause, it shall:

- a. Provide him/her with not less than 10 days prior written notice of a hearing on the proposed termination.
- b. The Notice shall be personally served on the Executive Director or it may be served by certified mail, return receipt requested, in which case it shall be deemed served 48 hours after it is delivered to the post office with proper postage and instructions. The notice shall contain all of the following:
 1. A statement of the charges or grounds for termination in sufficient detail to permit the Executive Director to prepare his/her defense.
 2. A copy of any documents the Board of Commissioners relies upon in asserting the charges or grounds for termination.
- c. The Executive Director shall have the right to be present and provide evidence in his/her defense, prior to a final determination of dismissal.

8.3.0 Terminations

In the event that the KTHA terminates an employee the Supervisor or Executive Director, shall indicate whether the employee may ever be considered for rehire, and if so when. On the terminated employee's Personnel Action Notice, the Supervisor or Executive Director, shall indicate one of the following: eligible for rehire in six (6) months, eligible for rehire in one (1) year, or not eligible for rehire.

8.3.1 Layoffs

An employee may be laid off whenever it is deemed necessary. All employees are employed at will and may be terminated with or without cause and with or without notice. Seasonal layoffs may follow a separate procedure due to the temporary nature of the position.

Affected employees will be notified of impending layoffs either verbally or in writing. The notification process will identify any options the employee may have for reassignment and subsequent reemployment.

Seniority, performance and the type of appointment may be considered in the determination of any layoffs. Karuk Tribe Housing Authority reserved the right to make layoff determinations in its sole and absolute discretion and intends to follow all applicable laws in the processing of layoffs.

In the event an employee who is notified of layoff chooses to end their employment earlier than expected, that employee shall communicate this decision to the Supervisor immediately. Any employee who fails to report to work after notification of a layoff may be subject to immediate termination of the employment relationship.

SECTION 9 OPEN DOOR POLICY

9.1.0 Open Door Policy

At some time or another, you may have a suggestion, complaint or question about your job, your working conditions, treatment you are receiving, etc. We welcome your suggestions for improving the KTHA's operations. Your complaints or questions are also of concern to the KTHA. For all issues other than prohibited harassment (which is addressed in Attachment B – Harassment Policy) or terminations (which are addressed below), we ask that you take your concerns first to your immediate Supervisor, following these steps:

- a. Within seven calendar days of the occurrence, bring the situation to the attention of your immediate Supervisor, who will investigate and provide a solution or explanation.
- b. If the problem is still not resolved, you may put it in writing not more than seven calendar days after your supervisor has responded to you and present it to the Executive Director.
- c. If the problem is still not resolved, you may, not more than seven calendar days after the Executive Director has responded to you, present the problem in writing to the Board of Commissioners.

Termination disputes shall be taken to the TERO Director not more than seven days after the termination and addressed through the TERO Commission's Grievance Procedures. ONLY termination disputes shall be addressed through the TERO Department, all other issues other than prohibited harassment (which is addressed in Attachment B – Harassment Policy) shall be addressed in the above manner.

SECTION 10 BOARD OF COMMISSIONER STIPENDS

- 10.1.1 KTHA Board of Commissioners (BOC) are not regular employees of KTHA and shall receive a stipend of one hundred fifty dollars (\$150.00) for each regular board meeting they attend. Regular meetings are those held on regularly scheduled days and are for conducting KTHA business.
- 10.1.2 Commissioners shall receive a stipend of seventy five dollars (\$75.00) for special meetings and trainings, lasting four (4) hours or less. For special meetings, and trainings, that last more than four (4) hours, Commissioners are entitled to a stipend of one hundred fifty dollars (\$150.00). Special meetings are not regularly scheduled meetings, and are called for conducting specific KTHA Business. Training includes conferences, in-services, and continuing education activities.
- 10.1.3 Commissioners required to travel on KTHA business will be paid mileage for their travel to meetings, and trainings. For travel days, Commissioners shall receive a stipend of fifty dollars (\$50.00) per day when actual travel time is less than four (4) hours, and seventy five dollars (\$75.00) per day when actual travel time exceeds four (4) hours, while traveling on official KTHA related business.
- 10.1.4 Commissioners involved in official KTHA interviews will receive a stipend of seventy five dollars (\$75.00).
- 10.1.5 Commissioners who are also in paid Council positions are not eligible for stipends, but will receive mileage for all meetings they attend conducting official KTHA business.
- 10.1.6 Commissioners who are also employees of the Tribe or an entity of the Tribe, shall not be paid a stipend for meetings, travel or trainings during their regular workday, unless they are on annual leave during that time or work a flexible schedule that day.
- 10.1.7 Commissioners who do not attend designated business activities will be required to reimburse KTHA for any stipends paid, unless approved by a vote of the KTHA BOC.

SECTION 11 CRIMINAL HISTORY CHECKS

11.1.0 Criminal History Checks Required

All covered employers of the Karuk Tribe are hereby required to conduct criminal history checks on all current employees, volunteers and future job applicants whose duties and responsibilities will allow them regular contact with or control over children less than 18 years of age and to employ only persons who

meet the standards of character necessary to establish a person's fitness to have responsibility for the safety and well-being of children less than 18 years of age. All existing employees within the group described above must receive criminal history checks.

11.2.0 Definitions

Child or *children* means any person less than 18 years of age.

Child sensitive position means any position of employment or volunteering where duties and responsibilities of the employee or volunteer allow that person regular contact with or control over children less than 18 years of age. This definition includes, but is not limited to, persons working or volunteering in the following areas: child protective services (including the investigation of child abuse and neglect reports), social services, health and mental health care, child (day) care, education (whether or not directly involved in teaching), foster care, residential care, recreational or rehabilitative programs, detention, correctional or treatment services, or any other program where an employee's or volunteer's duties bring them in regular contact with or control over children less than 18 years of age.

Covered employer means the Karuk Tribe, all tribal programs and entities, and all other employers who receive grant or contract funding from the Tribe, or who lease a parcel of tribally owned land that is not assigned to an individual Tribal member.

11.3.0 Investigations

A criminal history check required in this article shall be:

- a. Based on a set of the employee's or volunteer's fingerprints obtained by the KTHA Personnel Clerk or law enforcement officer and other identifying information obtained from the employee's or volunteer's job application;
- b. Conducted through the Federal Bureau of Investigation, (and when required for certification and/or licensing purposes, by the state criminal history repositories as well), local court systems, all applicable tribal court systems and all state and tribal sexual offender registration repositories based on the counties and states listed by the prospective employee or volunteer in the job application; and
- c. Initiated through the Human Resources Department of the Karuk Tribe or KTHA Personnel Clerk.

11.4.0 Confidentiality

The results of criminal history checks shall be treated as confidential and shall be communicated only to the appropriate supervisors and/or persons involved in the hiring/retention/termination decision. In addition, covered employers may disclose this information to other tribal divisions, departments and entities when requested by another covered employer in connection to any employment or volunteer applications submitted by a potential or present employee or volunteer and in defense of any personnel-related complaint when the information is needed in an administrative or judicial proceeding.

11.5.0 Use of Investigation Results

The covered employer shall use the results of criminal history checks to aid in the determination of whether an applicant should be placed in a child sensitive position, whether a current employee/volunteer should be allowed to remain in a child sensitive position, or whether the applicant's criminal history poses a threat to the safety of the employees or volunteers working within a particular department.

Individual covered employers shall also use results of criminal history checks if a current employee or volunteer of the covered employer moves within the entity to another position (ex; through transfer, demotion, promotion, or rehire with no break in service).

11.6.0 Maintenance of Investigation Results

Each covered employer shall maintain the results of criminal background checks in a locked file cabinet located in the Human Resources Department.

11.7.0 Provisional Hiring or Approval

A covered employer may hire a person or approve a volunteer provisionally before the completion of a criminal history check if; at all times prior to receipt of the criminal history check, during which children are in the care of the provisional employee or volunteer, the provisional employee or volunteer is within the sight and under the supervision of a staff person for which a criminal history check has been completed.

11.8.0 Felony and Misdemeanor Offenses

The minimum standards of character required in this article shall be applied to ensure that none of the individuals hired for, appointed to, or allowed to volunteer for, child sensitive positions, have been found guilty of, or entered a plea of nolo contendere or guilty to:

- a. Any felonious offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact or prostitution; crimes against persons; or offenses committed against children; or
- b. Any two or more misdemeanor offenses under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact or prostitution; crimes against persons; or offenses committed against children.
- c. If the individual's criminal history reveals an offense(s) prohibited in this section, such evidence shall constitute grounds for denying employment or dismissing an employee or volunteer in any child sensitive position.
- d. Any arrest, charge or conviction of a crime that bears upon an individual's fitness to have responsibility for the safety and well-being of children including, but not limited to, crimes involving violence, offenses against public morality and decency, public intoxication, possession or sale of drugs and alcohol related offenses such as the sale to underage persons or driving while impaired, may be grounds for denying employment or dismissal of an employee or volunteer in any child sensitive position.

11.9.0 Effect of Un-disposed Charges

If an employee or volunteer is charged with an offense that falls within the offenses prohibited in Section 10.8, an employer will re-classify the employee or volunteer as provisionally approved meaning that; at all times prior to final disposition of the charges, the provisional employee or volunteer is within the sight and under the supervision of a staff person for which a criminal history check has been completed.

11.10.0 Employment Applications

Employment and volunteer applications for persons who are seeking to work regularly with covered employers in a child sensitive position shall contain the following question:

- a. Have you ever pled “guilty” or “no contest” to, or been convicted of a crime as an adult?

12.0.0 Enforcement

- a. It is the sole responsibility of every covered employer to comply with this article.
- b. Failure of a covered employer to comply with this article shall be deemed a serious violation and will result in corrective action taken against the appropriate personnel.

Submitted by,
/s/ Charlene Naef, Secretary

KTHA Hiring Policy

1. Posting of Job Vacancies

All new or revised job descriptions must be approved by the Board of Commissioners prior to posting. Notices of all job vacancies within the Karuk Tribe Housing Authority shall be posted. Variances from these posting requirements shall only be authorized with approval from the Board of Commissioners. The procedure for posting vacancies is as follows:

- **Regular Postings:** Minimum of ten (10) calendar day posting. All positions will be advertised in the local daily newspaper and in all tribal offices.
- **Emergency Postings:** Minimum of four (4) calendar day posting. (Necessity of emergency posting will be justified by the Department Director/Supervisor of the vacant position in writing). All positions will be posted in all Tribal offices.
- **Emergency Hires:** Will be done with the consensus of the Executive Director, Karuk Tribe Human Resources Manager, TERO Director, and the position supervisor in true emergency situations. Emergency hires can only be done for “temporary employees,” as that term is defined in the KTHA Personnel Policy, Section 2.1.0.

2. Application/Interview Process

All applications shall be received by the Human Resources Manager or his/her designee. Applications will be retained on file for one year before being purged.

After a posting has closed, applications shall be reviewed by the Executive Director, Department Supervisor, the Human Resources Manager, and the TERO Director, when available. Qualified applicants shall be selected from the pool to be interviewed based on the qualifications required in the position description. If requested by the Department Supervisor skills testing (mathematical, clerical, technical, etc.) may be conducted to determine which applicants are qualified. Interview questions shall be developed and/or reviewed by the Department Director/Supervisor prior to the interviews being held.

A date, time, and location shall be determined for the interviews to be held and an Interview Committee will be comprised consisting of: the Executive Director, or designee, Department Supervisor, other staff requested by the Department Supervisor, the Human Resources Manager, a TERO Representative, Tribal Council and Board of Commission Members), when available. The Human Resources Manager shall serve as a member of the Committee in order to oversee compliance and consistency in interviewing. The TERO Representative shall serve as a member of the Committee in order to ensure that Tribal Preference is observed.

All applicants selected for an interview will be notified by mail or phone of their pending interview. All interviews will be held in a standard format with all applicants being afforded equal time and consideration by the Interview Committee.

Interview packets shall be compiled by the Human Resources Manager or his/her designee and forwarded to the Interview Committee. Packets are to be returned to the TERO Director following the interviews and kept on file for one year after the interviews have been held before being purged.

Upon the decision of the Interview Committee, the Human Resources Manager will notify all applicants and KTHA Personnel Clerk by mail or phone of the results of their interview. The Human Resources Manager or his/her designee shall schedule/reschedule all Urine Drug Screens and Background Checks for selected individuals and notify the KTHA Personnel Clerk of the results upon receipt.

All unfilled positions are open to anyone interesting in applying. Positions will be granted to the most qualified applicant as determined by the Interview Committee applying the applicable preference(s) as set out below.

Upon hiring or appointment to a Board/Committee, any individual who has delinquent debt to the Karuk Tribe or one of its' entities shall as a condition of hire/appointment be required to pay such debt in full, or make appropriate arrangements for payroll deductions at a mutually agreed upon amount toward such debt. Any individual who incurs a debt to the Karuk Tribe or one of its' entities while employed or sitting on a Board/Committee shall make appropriate arrangement for payroll deductions at a mutually agreed upon amount toward such debt. Any individual who has delinquent debt to the Karuk Tribe or one of its' entities employed or sitting on a Board/Committee at the time this policy is implemented shall make appropriate arrangement for payroll deductions at a mutually agreed upon amount toward such debt.

For upper level positions, the Board of Commissioners may authorize the Human Resources Manager to coordinate and provide airfare and lodging accommodations for out of the area applicants if requested either by making the accommodations directly or upon submission of valid receipts. This shall include rental cars if necessary. Applicants will be responsible for their own meals and incidentals and any gasoline costs.

3. Hiring Preferences

KTHA shall apply the following preferences in hiring employees, in the following priority order.

3.1 Tribal and Indian Preference

Tribal preference will be applied in hiring for all positions in accordance with the Tribal Employment Rights Ordinance (TERO) and pursuant to the NAHASDA statute at 25 U.S.C. §4111(k). In the event that there are no Karuk Tribal member applicants qualified for the position, KTHA will apply Indian preference in accordance with the NAHASDA regulations at 24 CFR 1000.48, .50, and .54, as well as Section 7(b) of the Indian Self-Determination and Education Assistance Act (Title 25 USC, Section 450 e(b)). Individuals claiming preference must provide documentation of tribal membership.

3.2 Veteran's Preference

It shall be the policy of the Karuk Tribe Housing Authority to provide preference in hiring to qualified applicants claiming Veteran's Preference who have been discharged with honorable or under honorable conditions from the United States Armed Forces. Individuals claiming preference must include a copy of their DD-214 demonstrating proof.

4. Background Checks

Background checks, including criminal history background checks, will be required for all newly hired employees (after 11/14/2011).

4.1 Criminal History Background Check

Criminal history background checks will be carried out in accordance with the procedures and standards described in Section 11 of the KTHA Personnel Policy, as well as in accordance with the NAHASDA statute at 25 U.S.C. § 4138 and the implementing regulations at 24 CFR 1000.150, .152, and .154.

4.2 Disqualification for Employment with KTHA

In addition to the disqualifying factors for certain KTHA positions described in Section 11 of the KTHA Personnel Policy, the following factors shall also disqualify an applicant for employment with KTHA.

Applicants who have been convicted of a felony involving murder, manslaughter, rape, or assault with the intent to kill, no matter how long ago the offense or conviction took place, shall not be eligible for hire within KTHA.

Applicants who have been convicted of a felony involving burglary, assault resulting in serious bodily injury, kidnapping, theft, fraud or embezzlement, or domestic violence within the ten (10) years prior to the date of hire shall be ineligible for hire. However, persons who have completed their sentence for such conviction at least ten (10) years before the date of hire may be hired.

5. Credit Checks

The Karuk Tribe Housing Authority is committed to ensuring the protection of their finances, property, and assets. Credit checks, will be required for newly hired management staff in sensitive positions (after 3/19/2015).

5.1 Credit Check

Credit checks will be processed by the Executive Assistant using a qualified third party processor, in accordance with industry standards and applicable employment or other laws. Signed, written consent will be obtained prior to the credit check. Information obtained will not be used to discriminate against any applicants or as a stand-alone disqualifying factor but rather as one of many tools to evaluate an employees' suitability for their position.

5.2 Sensitive Positions

Sensitive positions are those requiring 1) supervision of employees or 2) direct responsibility for handling or managing the finances and assets of the organization. Applicable positions will include the requirement to submit to a credit check clearly on the position description.

5.3 Evaluation of the Credit Check

Once the credit check is available, the Executive Director will evaluate all relevant information including but not limited to the nature and seriousness of the activities or data obtained, the amount of time that has elapsed since the activities or data, whether the information is related to the responsibilities of the position and will impact their ability to fulfill their job duties, and the accuracy and completeness of the information.

5.4 Adverse Action

If adverse action is probable based in whole or in part on the results of the credit check a copy of the report will be provided along with an opportunity to respond to the contents, including submitting verification of any inaccuracies within five (5) business days so as not to halt the recruitment process for the position. Conditional hires may be made at the Executive Director's discretion.

If adverse action is taken in whole or in part based on the results of the credit check, a copy of the report will be provided along with a document summarizing their rights under applicable laws.

Submitted by,

/s/ Kristin Aubrey, Secretary

KARUK TRIBE HOUSING AUTHORITY

P.O. Box 1159 • 635 Jacobs Way
Happy Camp, CA 96039
Ph: (530) 493-1414 • Fax: (530) 493-1415



1836 Apsuun Street
Yreka, CA 96097
Ph: (530) 842-1644 • Fax: (530) 842-1646

Policy Manuals Acknowledgement

This is to acknowledge my understanding, as a new employee of the Karuk Tribe Housing Authority, that I am entitled to access an approved, current electronic version of the Personnel Policy Manual, Travel and Vehicle Use Manual, and Fiscal Policies and Procedures Manual at any time by accessing the KTHA website at (www.ktha.us) and then clicking on Housing Policies.

I also acknowledge that the Manuals are available to me, promptly and free of charge, upon request to the Executive Assistant.

I understand that I am responsible for accessing the Manuals, reviewing the policies and procedures contained in them, and abiding by them as a condition of my employment with the Karuk Tribe Housing Authority.

I further understand that the Manual(s) do now, and at all times during my employment with the KTHA as an employee, contain the authorized representation to me as to the continuation and/or termination of my employment, and as to the other terms and conditions of employment referenced in the Manual(s), except for any direction issued by the Board of Commissioners in their authorized authority.

Any employee, officer or agent of the Karuk Tribe Housing Authority who is found to be in violation of the policies and procedures are subject to disciplinary action, up to and including termination of their employment, and possible civil or criminal penalties.

I also understand that the Manual(s) provide the method(s) for resolution of employment issues and claims raised by me or any other person concerning an adverse employment decision, or action (including but not limited to, termination or layoff from employment) the resolution of which may involve the application or interpretation of the Manual(s).

Employee Name (Print)

Employee's Signature

Date

To Be Signed and Dated during Employee Orientation

Policy on Use of Electronic Media

The Karuk Tribe uses various forms of electronic communication, including, but not limited to computers (desktop and portable), email, telephones (including cellular), voice mail, fax machines, and Internet access/bandwidth. All electronic communications and devices including all software and hardware remain the sole property of the Karuk Tribe and are to be used only for Tribal business and not for any personal use.

Electronic communication/media may not be used in any manner that would be discriminatory, harassing or obscene, or for any other purpose which is illegal, against policy or not in the best interest of the Karuk Tribe.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement (specifically but not limited to downloading and/or copying of music, movie, or other copyrighted media files onto company computers), discrimination, harassment or related actions will be subject to immediate disciplinary action up to and including termination depending on the severity of the offense.

Employees may not install personal software on company computer systems. All electronic information created by any employee using any means of Karuk Tribe electronic communication is the property of the Tribe and remains their property. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the Tribe's ownership of the electronic information.

The Karuk Tribe will override all personal passwords if it becomes necessary to do so for any reason.

The Karuk Tribe reserves the right to access and review electronic files, messages, mail, etc. and to monitor the use of electronic communications as is necessary to ensure that there is no misuse or violation of company policy or any law.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by Tribal management.

Employees who use cell phones, cordless phones and portable computers should not use these methods for communicating confidential, sensitive, or protected information or any trade secrets. Health Program fax communications are covered under a separate policy.

Statistical information is used and shared internally and externally for various purposes (i.e., grants, project reports to BIA and IHS, public health, etc.). Distribution of statistical information to an outside entity or grant applicant other than the Tribe or one of the Tribe's entities seeking to use that information to access grant funding is unallowable without the express permission of the Tribal Council.

Access to the Internet, Web sites and other types of computer access that is paid for by the Karuk Tribe is to be used for Tribal related business only.

The Tribe will allow employees to use the Internet for appropriate personal use (shopping, checking personal email, etc.) during break times, meal periods, or outside of business hours so long as such use does not adversely affect employees' performance or the work environment of surrounding employees. Personal use of the Internet may also be restricted based on limited resources, such as not enough bandwidth at a particular office. Music and radio websites may be utilized during the work day so long as such use does not have adverse affects as included above to the work environment or bandwidth.

Supervisors shall be responsible for monitoring employees' use to ensure it does not interfere with their performance or work environment and address situations accordingly in compliance with this section of the policy manual. The IT Department will not be responsible for monitoring use, installing filters, or blocking sites, each Supervisor must address their employees directly.

Inappropriate use, viewing of inappropriate sites, and/or downloading or installing personal software shall be grounds for immediate disciplinary action up to and including termination depending on the severity of the offense.

Questions about access to electronic communications or issues relating to security should be addressed to the Information Technology Director.

Policy on Confidentiality

Purpose

To establish awareness for privacy and confidentiality in working with personal information, and to obtain a confidentiality contract with all employees through a Confidentiality Statement.

Background

The Karuk Tribe is a community-based organization in which Karuk Indians may apply for membership. In becoming a member, personal information is collected and maintained in membership files in the Enrollment Department.

The Karuk Tribe operates Social Services and Assistance programs like Indian Child Welfare, Elders, Low Income Energy Assistance, Education and others in which personal information is also collected and maintained.

The Karuk Tribal Health Program not only collects personal data but also maintains health records, which contain a history of medical information about each patient seen. This also includes dental and other health program services like CHR and Public Health Nursing.

In addition, the Karuk Tribal Personnel Department collects and maintains personal information on each employee and their work performance.

Statistical information is used and shared internally and externally for various purposes (i.e., grants, project reports to BIA and IHS, public health, etc.). Distribution of statistical information to an outside entity or grant applicant other than the Tribe or one of the Tribe's entities seeking to use that information to access grant funding is unallowable without the express permission of the Tribal Council.

Two types of personal information exist and are defined as:

- a. Identifiable information - This is information that identifies the individual (name, social security number, driver license number, address, and telephone number). This information is to be kept confidential.
- b. Non-identifying information - used for statistical purposes and does not identify the individual (five women were born in January or ten people living in Happy Camp are out of work and need emergency assistance). This information is not considered as confidential information.

As employees of the Tribe it is necessary for you to work with confidential information to do your job, but you are also responsible for keeping, storing and using this information in a confidential manner.

As a rule, you may only learn of and/or use information in which you have a need to know.

In addition, an individual should be afforded privacy during the collection of personal information.

Policy

It is the policy of the Karuk Tribe that any information of a personal nature revealed to the Tribe is considered confidential and shall not be disclosed to any unauthorized individual(s). Such personal and confidential information shall be used only for Tribe-related purposes and not for any other purpose. Failure to abide by this policy will subject the employee to disciplinary action up to and including termination of employment.

This includes any communication during the course of application for participation in any tribal employment program, services, special events, and meetings of the governing board or committees and/or staff.

The Karuk Tribe shall require all individuals working within any Karuk Tribal program, to read the policy on

confidentiality, sign a confidentiality statement, and abide by all procedures ensuring the confidentiality and privacy of staff, members, patients and other individuals. This includes board members, employees, students, and volunteers, community service workers or employment agency interns.

Procedures

1. All Karuk Council and Health Council members will sign and initial an annual Confidentiality statement at the first meeting held after Council elections.
2. All employees, students, volunteers, community service workers, and employment agency interns will sign a confidentiality statement during orientation.
3. All employees will sign an annual confidentiality statement during their annual performance evaluation.
4. Any volunteer, student, community service worker, or employment agency working within the Karuk Tribe for more than one-year shall sign a confidentiality statement annually.

/s/Russell Attebery

Tribal Council Chairperson

Dual Employment Policy

1. “Dual employment” is the concurrent employment of a single employee in multiple departments, programs or organizations of the Karuk Tribe (i.e., the Tribal government, health clinics and Tribally-chartered corporations or their enterprises).
2. Because it is the general intent of the Tribal Council to extend employment opportunities to the greatest possible number of Karuk Tribal members, the maximum number of hours worked in any dual employment arrangement shall not exceed the equivalent of one Full-Time position, or 40 hours per week, except in unusual circumstances.
3. In unusual circumstances to be considered on a case-by-case basis, a dual employment arrangement between a department (or departments) of the Karuk Tribe and a Tribally-chartered corporation shall not exceed the equivalent of 1.25 Full-Time positions, or 50 hours work per week.
4. The unusual circumstances under which dual employment may exceed the equivalent of one Full-Time position will be determined on a case-by-case basis by consensus among the employee’s Department Director(s), Chief Financial Officer, Corporate Executive Director and Tribal Chairperson.

/s/Russell Attebery

Tribal Council Chairperson

Substance Abuse Control Policy and Procedure

Policy Statement

It is the intent of the Karuk Tribe to promote a safe, healthy and productive work environment for all employees, to protect the general public and to comply with federal and state law. The Tribe recognizes that the illegal and/or excessive use of controlled substances and/or alcohol is not conducive to safe working conditions. It is the objective of the Tribe to have a work force that is free from the influence of controlled substances (illegal drugs) and alcohol during working hours and at all times on the Tribe premises. The term “the Tribe premises” includes all property, facilities, land, buildings, structures, automobiles, trucks and all other vehicles, whether owned, leased or used by the Tribe or its affiliates or subsidiaries. This policy applies to all Tribe employees.

Purpose of Policy

The purposes of this policy are:

1. to establish and maintain a safe, healthy working environment for all employees;
2. to ensure the sound reputation of the Tribe and its employees within the community and the industry;
3. to reduce the number of injuries to persons or property; and
4. to reduce absenteeism and tardiness and to improve productivity.

Policy

The following rules represent the Tribe’s policy concerning controlled substance and alcohol abuse, effective immediately.

- (1) The unlawful possession, manufacturing, distribution, dispensation or use of any controlled substance is inconsistent with the Tribe’s objective of operating in a safe and efficient manner and is strictly prohibited. Accordingly, no employee shall engage in the unlawful possession, manufacturing, distribution, dispensation or use of any controlled substance (illegal drugs) during working hours or at any time on the Tribe premises. No employee shall report to work or continue to work while under the influence of any drug whose manufacture, sale, dispensation, distribution, use or possession is unlawful. Similarly, no employee shall use or have in his or her possession on the Tribe premises any prescription medication other than medications currently prescribed by a physician for the employee.
- (2) Employees taking physician-prescribed medications which impair their job performance should not report to work. Employees taking physician-prescribed medication which will not impair their job performance should present a statement from the prescribing physician to the employee’s Supervisor indicating the duration of the prescription and stating that the use of the prescription will not impair the employee’s ability to perform his or her specific job duties. This Policy does not require or request the prescribing physician or the employee to identify any prescription drug or the medical condition for which it is prescribed.
- (3) The use of alcoholic beverages by employees engaged in the operation or maintenance of the Tribe’s equipment and/or facilities is inconsistent with the objective of operating in a safe and efficient manner. Accordingly, no employee shall use alcoholic beverages on the Tribe premises or during working hours. No employee shall report to work or continue to work under the influence of alcoholic beverages.
- (4) Lockers, desks, storage areas and the Tribe vehicles are the Tribe’s property and must be maintained according to the Tribe’s standards. All such areas must be kept clean and are to be used only for work-related purposes. The Tribe reserves the right, at all times and without further notice, to have the Tribe’s representatives conduct searches and inspections of any or all employee lockers and other Tribe

property for the purpose of determining if this Policy has been violated.

All vehicles and containers, including bags, boxes, purses, lunch pails, brought onto the Tribe's premises are subject to the Tribe's inspection at any time the Tribe's representative authorized by the Tribe to make such a determination has a reasonable suspicion that a Tribe rule, policy or regulation has been violated and such an inspection is reasonably necessary in the investigation of such violation(s). Such inspections will be conducted, to the extent reasonably possible, in a manner designed to preserve the dignity of the employee. Inspections will be done in a private area, and will be conducted by a member of the same sex.

- (5) As a condition of continued employment, employees must abide by this Policy. As a further condition of continued employment, any employee who is convicted of driving under the influence of alcohol or a controlled substance or a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the workplace must inform the Tribe no later than five (5) days after such conviction of the fact of the conviction. Any employee who is so convicted shall be subject to disciplinary action, up to and including, but not limited to termination of employment. The Tribe in its sole discretion may require an employee who is convicted of any offense set forth above to satisfactorily participate and complete a drug use/abuse assistance or rehabilitation program as a condition of continued employment with the Tribe.
- (6) Violation of this Policy will result in disciplinary action, up to and including the termination of employment.

Drug Testing

All initial offers of employment with the Tribe will be made contingent upon satisfactory completion of a pre-employment controlled substance screen (bodily fluid testing). Employees who have been laid off for thirty (30) days or more will be required to submit to drug testing prior to resuming employment. Positive test results shall not bar re-application at a later time, but will result in the denial of employment. The waiting period for re-application following a positive test result shall be one year or upon completion of a rehabilitation program.

Individuals will be notified in advance, in writing of their pre-employment testing date, time, and location. Any individual who reports for a test and after a three-hour period fails to submit a specimen will be informed that the refusal constitutes a positive result.

Any individual who submits a sample that is rejected by the laboratory due to being diluted, will be required to immediately report back to the clinic for a repeat test. Should this occur three times in a row, a physician's note indicating the medical condition that is causing the dilution shall be required or the individual will not be hired for the position.

If an individual cannot make it to a test they must notify Human Resources as soon as possible so the appointment can be rescheduled. Under no circumstances may an Employee contact the Clinic directly to change an appointment.

Any employee found to be in violation of this policy, or who refuses to submit to a search or urine and/or blood analysis, shall be subject to disciplinary action, up to and including termination. All employees are expected to cooperate with any investigation regarding this policy. Failure to cooperate, providing false information or omitting information may subject any employee to disciplinary action, up to and including termination.

If the Tribe has reasonable suspicion to believe that an employee is (1) intoxicated or under the influence of controlled substances or alcohol or (2) has used controlled substances or alcohol on the Tribe's premises or during working time, the employee may be directed to undergo an immediate physical examination, including controlled substance and/or alcohol testing at an independent licensed laboratory, to determine the employee's compliance with this Policy and fitness for duty. A reasonable suspicion may be based upon the employee's

appearance, behavior, body odors, and speech or upon other factors constituting reasonable suspicion. In order to protect customer safety and health, to preserve professional reputation, and to insure the fitness for duty of all employees, the Tribe may direct any employee to submit to the discretionary drug or alcohol testing to detect the current use or abuse of alcohol or controlled substances at any time.

Testing will be administered at a laboratory selected by the Tribe. When an employee is directed to undergo testing because the Tribe possesses reasonable suspicion that the employee is intoxicated or under the influence of controlled substances or alcohol, the employee shall be transported to the laboratory by another person designated by the Tribe.

If the Tribe directs an employee to undergo controlled substance or alcohol testing based on a reasonable suspicion, the employee will be placed on unpaid leave from the time of the initial testing until test results are received and reviewed by the Tribe. In the event controlled substance and alcohol screen results are negative, the Tribe may convert the unpaid leave to a paid leave.

An employee who submits to testing will be tested for alcohol (only for reasonable suspicion testing), amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, methadone, and opiates. Positive test results for these substances will be considered unacceptable.

Any positive test results shall be automatically confirmed by a gas chromatography-mass spectrometry (GC-MS) test. If the GC-MS results are positive, the employee may designate a qualified testing laboratory whose work product is of a quality acceptable to the Tribe to test the original bodily fluid sample independently at the employee's expense. The Tribe will arrange delivery of the sample to designated laboratory. Any employee who thinks that they will request independent testing, must request and pay for split sampling at the time they are sent for testing.

Any employee whose test results are positive for the presence of any of the specified substances will be given a reasonable opportunity to explain or present exculpatory evidence in writing before any results are reported or disciplinary action is taken. Regardless of the explanation or evidence presented, the Tribe retains the absolute and exclusive right to determine the extent to which an employee will be disciplined, and such discipline may include termination or not hiring the applicant.

In the event an employee whose test results are positive for the presence of any of the specified substances could, in the opinion of the Tribe, benefit from a rehabilitation program, the employee may be offered the opportunity to participate in a rehabilitation program. If appropriate, in the sole determination of the Tribe, the employee may be given unpaid time off to participate in the program. Full cooperation, participation in and completion of any rehabilitation program begun by the employee will be required as a condition of continued employment. No employee involved in a rehabilitation program will be permitted to return to work at the Tribe until laboratory bodily fluid tests arranged by the Tribe are negative for the presence of all of the specified substances. Any employee returning to work after successful completion of a rehabilitation program may be required as a condition of continued employment to specifically agree to submit to bodily fluid testing at the direction of the Tribe, at any time for a specified period of time to be determined on a case-by-case basis.

The Tribe will use every effort to maintain the confidentiality of individual test results and participation in rehabilitation programs by an employee.

Employee Awareness and Assistance

The Tribe has established a drug-awareness program for the benefit of its employees. The Tribe shall make information available regarding the dangers of controlled substance and alcohol use and abuse in the workplace to any employee who wishes such information. Any employee who feels that he or she has an alcohol or a controlled substance use or abuse problem and needs assistance with the problem may request a meeting with the Executive Director of Health and Human Services, the administrator of the Tribe's drug awareness program, for assistance. At the employee's request, the Tribe will provide referrals to outside professional counselors and

programs for diagnosis and therapy. Any inquiry regarding assistance with alcohol or controlled substance use or abuse problems will be kept in confidence by the Tribe.

Employees who seek professional counseling, treatment or rehabilitation for alcohol or substance abuse related problems will not be adversely impacted by their acknowledgment of a problem. To the extent required by law, the Tribe will make a reasonable accommodation for applicable leave or unpaid time off for an employee provides acceptable documentation that he/she is attending any such program on a regular basis. Participation in therapy or rehabilitation shall not excuse any violation of this Policy.

An employee may use earned and accrued paid time off for the purpose of entering and participating in an alcohol or drug rehabilitation program. However, an employee shall not earn and accrue salary or benefits while on leave of absence. Group health insurance may be continued if the employee pays the cost of the premium during the leave of absence.

The Tribe will make an effort to reasonably accommodate an employee returning from a leave of absence granted pursuant to this policy by placing the employee in the same position or in a similar position to that previously occupied by the employee at the same or similar rate of pay, provided that such accommodation does not impose undue hardship on the Tribe and provided that such accommodation does not, in the opinion of the Tribe, subject the employee, co-employees or the general public to risk of injury or harm. If no current openings are available when the employee is able to return to work, the employee will be placed on a preferred re-hire list for future positions.

Any employee who believes he or she has a controlled substance or alcohol dependency problem is also urged to contact in confidence a Drug or Alcohol Abuse Hotline.

Closing

This policy has been instituted in order to assure the maximum safety and well-being of all employees, the public and other personnel. Your assistance and cooperation toward the achievement of this goal is vitally important. The Tribe regrets any inconvenience that this policy may cause but believes it necessary for the overall well being of all employees.

**** SAMPLE FORM ****

**CONSENT FOR ALCOHOL AND CONTROLLED SUBSTANCE TESTING
AND
INDEMNIFICATION AGREEMENT**

(To be completed by employee at time sent for testing)

I hereby consent and agree to give a sample of my urine or breath in accordance with the Tribe's Substance Abuse and Control Policy and Procedure. I understand that the purpose of performing any test necessary is to determine the presence of controlled substances or alcohol in by body and compliance with Tribe policy and/or any applicable government regulations. I authorize the Tribe's medical review officer and/or designated testing laboratory to order on behalf of the Karuk Tribe such laboratory tests as may be necessary to determine the presence of drugs or alcohol in my body.

I agree to indemnify and hold harmless and defend the Karuk Tribe and its officers, directors, agents and employees from and against any and all liability, losses, claims, lawsuits, judgments, obligations, costs, damages or expenses, including attorney's fees, which any of the indemnified persons may sustain or suffer as a result of or arising out of any test necessary to determine the presence of controlled substances and/or alcohol in by body and release and use of the results thereof.

Sample Form Only

Employee

Sample Form Only

Employee's Signature

Sample Form Only

Date

**** SAMPLE FORM ****

AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION
(To be completed by applicant/employee at time sent for testing)

I hereby authorize _____, a testing laboratory, to release to The Karuk Tribe or its designated agents the results of the laboratory tests to which I have consented for the purpose of determining the presence of controlled substances or alcohol in my body. I expressly understand and agree that The Karuk Tribe will utilize the results of these tests in connection with making a decision concerning my compliance with Tribe policy and/or a decision concerning my continuing employment at The Karuk Tribe. Other than for the purpose of making a determination concerning my compliance with Tribe policy and/or my continued employment at the Tribe, I understand that the Tribe shall not use or further disclose the medical information released pursuant to this authorization unless further expressly authorized by me or unless such disclosure is required by law. This authorization shall become effective immediately and remain in effect for a period of 90 days after the date executed. I understand that I have the right to receive a copy of this authorization and the results of the controlled substance test or alcohol upon request.

Sample Form Only

Applicant/Employee

Sample Form Only

Applicant/Employee's Signature

Sample Form Only

Date

ATTACHMENT B

Harassment Policy

The Karuk Tribe intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility or other offenses which might interfere with work performance. Harassment of any sort - verbal, physical, visual - will not be tolerated.

What Is Harassment

Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact, or violence. Harassment is not necessarily sexual in nature.

Sexually harassing conduct may include unwelcome sexual advances, requests for sexual favors, or any other verbal or physical contact of a sexual nature that prevents an individual from effectively performing the duties of their position or creates an intimidating, hostile or offensive working environment, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

Responsibility

All Karuk Tribal employees, and particularly managers, have a responsibility for keeping our work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate manager or any management representative with whom they feel comfortable. When management becomes aware that harassment might exist, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the Tribe to do so.

Reporting

Any incidents of harassment must be immediately reported to a manager or other management representative. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. Any employee found to have harassed a fellow employee or subordinate will be subject to severe disciplinary action or possible discharge. The Karuk Tribe will also take any additional action necessary to appropriately remedy the situation. No adverse employment action will be taken for any employee making a good faith report of alleged harassment.

The Karuk Tribe accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens, or in any way harasses another employee is personally liable for such actions and their consequences. The Karuk Tribe will not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.

/s/Russell Attebery

Tribal Council Chairperson

ATTACHMENT D

Equal Employment Opportunity Policies

The Karuk Tribe will provide equal employment opportunity without regard to race, color, sex, age, disability, religion, national origin, marital status, sexual orientation, ancestry, political belief, or activity, or status as a veteran, with the exception of the Tribal Preference, as stated in the Tribal TERO Ordinance shall be observed in all hiring decisions.

The policy applies to all areas of employment, including recruitment, hiring, and training and development, promotion, transfer, termination, layoff, compensation benefits, social and recreational programs, and all other conditions and privileges of employment in accordance with applicable Tribal and federal law.

It is the policy of the Karuk Tribe to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). The Karuk Tribe will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The Karuk Tribe also will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.

Equal employment opportunity notices are posted on appropriate employee bulletin boards as required by law. The notice summarizes the rights of employees to equal opportunity in employment and lists the names and addresses of the various government agencies that may be contacted in the event that any person believes that he or she has been discriminated against.

Management is primarily responsible for seeing that the Karuk Tribe's equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Any employees, including managers, involved in discriminatory practices, will be subject to discharge.

/s/Russell Attebery

Tribal Council Chairperson

ATTACHMENT G

Workplace Violence Prevention – Zero Tolerance Policy

Purpose

The Karuk Tribe is committed to having a work environment that is free from violence and theft. Acts of disruptive behavior, intimidation, threats or violence will not be tolerated or ignored. For the purpose of this policy, violence and threats of violence include, but are not limited to, the following behaviors:

Disruptive Behavior

An act or communication that disturbs, interferes with, or prevents normal work functions or activities. Disruptive behavior includes yelling, using profanity, waving of arms or fists, or verbally abusing others; making inappropriate demands for time and attention; making unreasonable demands for action (example: when an employee approaches a supervisor or co-worker with a problem or complaint and demands an immediate resolution that is acceptable to him/her).

Intimidation

An act towards another person, the purpose of which is to coerce, and the result of which could reasonably cause the other person to fear for his/her safety or the safety of others.

Threats of Violence

A communicated intent to inflict physical or other harm on any person or on property.

Act of Violence

Exercise use of physical force against another person or against property.

Policy

All acts of disruptive behavior, intimidation, threats or acts of violence will be considered serious misconduct and will be the basis of disciplinary action, up to and including termination. If warranted, acts of disruptive behavior, intimidation, threats or acts of violence will be referred to legal authorities.

Employee Responsibility

1. All Karuk Tribe employees are responsible for using safe work practices, for following directives, guidelines and procedures and for assisting in maintaining a safe and secure work environment.
2. Do not bring any weapons, drugs, or alcohol to the workplace.
3. Follow entry and exiting the workplace security systems instruction. Keep all security doors closed and locked. Safeguard security codes.
4. Secure and guard company real, office furniture, business machines, medical/dental equipment and machines, computer hardware and software, records, and office supplies.
5. Report any burned-out lighting or notify their Supervisor and/or Safety Committee Member of inadequately lighted areas.
6. Secure and guard personal valuables (purses, wallets, and jewelry).

Substance Abuse Control Policy and Procedure Acknowledgment

I hereby acknowledge that I have received a copy of the Karuk Tribe's Substance Abuse Control Policy and Procedure. I understand and agree that it is my responsibility to read and familiarize myself with it and abide by it. I also understand that as a condition of employment I will be required to submit to testing under the policy and sign the Tribe's authorization and medical information release forms.

Employee Name

Employee's Signature

Date

To Be Signed Annually During Employee Evaluation

Harassment Policy Acknowledgment

I hereby acknowledge that I have received a copy of the Karuk Tribe's Harassment Policy. I understand and agree that it is my responsibility to read and familiarize myself with it and abide by it.

Employee Name

Employee's Signature

Date

To Be Signed Annually During Employee Evaluation

ATTACHMENT H

Mandatory Training for Emergency Preparedness and Response

The Karuk Tribe requires that all employees and tribal council members attend specified training and classes as provided in this policy.

The initial required classes are core curriculum of the Incident Command System (“ICS”) and are intended as a foundation for required learning and knowledge. You will be expected to perform certain functions and integrate your skills within the ICS. Additional training classes, drills and functional exercises (referred to collectively with the initial ICS training as “training classes”) may be required from time to time as planned and directed by the Tribe. This additional training may include, but not be limited to first aid and CPR training.

Initial ICS training classes are taken progressively as follows:

- ICS 100 and IS 700 classes are for all staff (all employees and tribal council members not listed below in a separate classification)
- ICS 100, IS 700 and ICS 200 classes are for field staff which includes all road crews, maintenance crews, custodial crews, and Department of National Resources (forestry/fisheries/fire) crews.
- ICS 100, IS 700, IS 800, ICS 200 and ICS 300 classes are for mid-level staff which includes all work leaders, technicians, and specialists.
- ICS 100, IS 700, IS 800, ICS 200, ICS 300 and ICS 400 classes are for command staff which includes all directors, managers, officers, and supervisors.

Based on special skills and expertise needed to assist and support in times of disaster or emergency you may be designated as Emergency Support Function personnel and required to take additional training classes. Your supervisor will assist you in determining your applicable classification and the appropriate training classes to attend.

Attendance at all training classes is mandatory; ICS 100, ICS 200, IS 700 and IS 800 are online however classroom instruction may be provided while the test is to be completed online. The Tribe will schedule the required training classes and advise you, with reasonable notice, of the options for attendance. The Tribe will reimburse reasonable travel related expenses incurred for attending the applicable training.

Nonexempt employees will be compensated for time spent traveling to/from and attending the training classes. In the discretion of the Tribe, the rate of pay for traveling to/from and attending these training classes may vary from your regular rate of pay. Overtime will be paid consistent with the Tribe’s regular compensation policy. Nonexempt employees must record the actual hours of travel and attendance in their time records. Exempt employees will not receive any additional compensation for travel or attendance.