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4000 Introduction

We believe our employees are our greatest resource and the College strives to provide the training and tools needed to perform the job duties assigned. We practice fair and consistent application of these policies in decision making, either in the selection of new employees or in those cases where employee discipline is needed. We have set up a structure that provides for conflict resolution, employee evaluation, and advancement and continued training opportunities. We encourage open communication between employees and their supervisors to identify and correct issues as they arise. We expect the very best from our employees in this partnership.

This manual provides guidelines on personnel policies for informational purposes only. Although this manual outlines policies normally followed at Leech Lake Tribal College, the President under authorization from the Board may change a policy or deviate from a policy at any time without notice to employees if the deviation from the policy is in line with the Board's fundamental policy intent.

.01 At-Will Statement

In accordance with Minnesota Employment Law, all Leech Lake Tribal College employees are "at will" and of indefinite duration. Nothing in these policies or any additional description shall be construed as a contract or a guarantee of employment.

The College may terminate or otherwise discipline any employee at any time for reasons deemed by the President to be in the best interest of the College or its activities, without subjecting the College to a claim for breach of an employment contract. No agreement to the contrary will be recognized unless such an agreement is in writing and signed by the President.

In accordance with Minnesota Employment Law, any employee may terminate their employment at any time.

4010 Employee Adherence

All employees of Leech Lake Tribal College are subject to and must adhere to the policies contained in this manual.

An employee, including faculty, is a person who has been officially hired to fill a position determined by the President to be needed for the proper day-to-day operation of the College.

Consultants or other persons serving on behalf of the College, but not considered employees of the College, will be subject to these policies and procedures as determined by their work relationship with the College. For example, any individual or organization contracted to provide College services (such as teaching a community education program) will be subject to these policies. An individual or organization contracted to

provide professional services to the College, (such as auditing) may be exempt from these policies.

An employee or group of employees has the right, without discrimination, to discuss with supervisors or other appropriate College management, any condition of employment.

4010 Employee Adherence (*Continued*)

.01 Monitoring and Administration

The President is responsible for monitoring and administering personnel policies. The President has the authority to assign the monitoring and administration of personnel policies to College administrative staff, department heads, and other supervisory staff as appropriate.

.02 Compliance and Enforcement

All College administrative staff, department heads, and other supervisory staff shall be responsible for compliance with and enforcement of the policies. Failure to ensure compliance and enforcement of these policies shall be considered dereliction of duty. The responsible supervisor shall be held accountable and disciplinary action taken.

.03 Reviewing Personnel Policies

The President is responsible for reviewing these policies on an annual basis and for recommending changes or updates to this manual. The Board of Trustees must approve all personnel policies by majority vote before they can be implemented.

.04 Line of Authority

All employees should work to resolve personnel matters with their immediate supervisor. In the event an employee grievance or concern is about their immediate supervisor, or there is no result or an unsatisfactory result, the employee should follow the line of authority as shown. Failure to follow the line of authority may result in disciplinary action including termination.

1. President
2. Human Resources Director
3. Vice President(s)
4. Department Directors, Deans, Chairs
5. Supervisors
6. Employees

The exceptions to the Line of Authority policy are:

1. Any complaints of sexual or discriminatory harassment; all such complaints must be reported directly to the President and Human Rights Officer (see below), and
2. Acts of violence or other circumstances where employees are fearful or may be placed in danger; all such circumstances should be reported immediately to law enforcement first, then to College personnel.

4010 Employee Adherence (*Continued*)

.05 Human Rights Officer and Americans with Disabilities Act Compliance Officer

For the purpose of these policies, the Human Resource Director is designated as the Human Rights Officer and the Americans with Disabilities Act Compliance Officer.

These roles are to assure compliance with the policies herein, and compliance with federal and state employment laws. When the Human Resource Director is asked to intervene or participate in a complaint or grievance process, this person's role is to assure that proper process and procedure take place, processes and procedures are properly documented, and appropriate authorities including *College* management staff and external authorities, when appropriate, are notified.

4020 Mission of the College

Leech Lake Tribal College is an institution of higher education, grounded in Anishinaabe knowledge and culture, responsive to the changing academic, vocational, and personal enrichment goals of its diverse community.

In order to fulfill its mission, the goals of Leech Lake Tribal College are to:

1. Provide associate degree programs.
2. Prepare students to transfer to other institutions of higher education.
3. Provide academic credentialing programs of varying lengths.
4. Assist students in developing and pursuing holistic lives (physically, intellectually, and aesthetically).
5. Attain and maintain appropriate accreditation and certification of LLTC degrees and programs.
6. Maintain and measure quality learning in all classes.
7. Provide a means of maintaining and enhancing Anishinaabe culture, values, language and knowledge.
8. Honor and respect women as the sacred life-givers of the Nation, and to empower them for leadership roles in their communities.
9. Serve as a cultural and educational center for community development.
10. Encourage and support professional development of faculty and staff.

4030 Equal Opportunity and Affirmative Action

Within the scope of Sovereignty and Indian Preference described below, the College will not discriminate in the administration of employment, education or admission to the College, financial aid, or the approved policies of the College on the basis of sex, race, age, religion, color, creed, political or sexual preference, disability, national origin, marital status, or status with regard to income.

.01 Sovereignty

Federal and state labor laws, rules and regulations pertaining to employees shall be abided by in good faith to their fullest extent.

When such labor laws, rules and regulations are in conflict, the Sovereignty of the Leech Lake Band of Ojibwe will take precedence, i.e., legal matters concerning employment at Leech Lake Tribal College will be heard in Leech Lake Tribal Court.

.02 Indian Preference Law

Provisions in the Federal Civil Rights Act of 1964 allow private and governmental employers on or near federal trust Indian Reservations to publicly announce and practice a policy of giving preferential treatment to qualified American Indian candidates who present proof of eligibility for Indian Preference.

The Indian Preference Law is reasonably and rationally designed to further Indian self-government. The Indian Preference Law is a distinct statute that does not violate Title VII of the Civil Rights Act of 1964, as amended. The United States Supreme Court has held that the Indian Preference Law does not constitute harmful racial discrimination or violate the due process clause of the Fifth Amendment.

Legal references:

1. I.S.D.A. [25 U.S.C. 450e(b)(1), 41 C.F.R. 14-78,5002] Section 7(b)(1)
2. Civil Rights Act of 1965, as amended [42 U.S.C. 2000e-2(1)] Section 703(i)
3. Executive Order 11246
4. A.R.S. 15-502,15-504,41-1463

The College will make every effort to recruit and hire the most qualified individuals available for all positions. The College reserves the right to invoke American Indian preference for all positions to be filled. The following is the preference the College will use when selecting from a qualified pool of candidates for each vacant position:

1. Qualified Leech Lake Band of Ojibwe enrollees.
2. Qualified other Minnesota Chippewa Tribe enrollees
3. Qualified other federally recognized tribal enrollees
4. Qualified Canadian Reserves tribal enrollees
5. Qualified other applicants.

4030 Equal Opportunity and Affirmative Action (Continued)**.03 Equal Employment Opportunity**

Within the scope of Indian Preference, the College will not discriminate in the administration of employment, education or admission to the College, financial aid, or the approved policies of the College on the basis of sex, race, age, religion, color, creed, political or sexual preference, disability, national origin, marital status, or status with regard to income.

.04 Filing an Equal Opportunity Discrimination Complaint

If an employee feels he/she has been discriminated against on the basis of religious, racial, gender/sexual or other discrimination, the employee is encouraged to file a written or oral complaint to the Human Resource Director. The complaint must contain a description of the basis for the complaint, information pertaining to the charges, and the name/s of person or persons involved.

The Human Resource Director will review the complaint (and if verbal, document it in written form) and notify the President. The Human Resource Director will meet with all parties involved to discuss the complaint and try to get resolution. If resolution is not achieved, the Human Resource Director will notify the President and the complaint may subsequently be referred to College legal counsel.

.05 Harassment

Leech Lake Tribal College will provide a work environment that is free from harassment on the basis of a person's race, color, religion, sex, age, creed, political or sexual preference, disability, national origin, marital status, or status with regard to income.

Sexual harassment is a form of sex discrimination and employee misconduct that violates Title VII of the Civil Rights Act of 1964.

Sexual harassment includes (but is not limited to) unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct has a purpose or effect of unreasonably interfering with an individual's employment or creates an intimidating, hostile or offensive work environment.

Other harassment on the basis of a person's race, color, religion, sex, marital status, sexual orientation, national origin, age or disability is verbal or physical conduct that disparages or shows hostility toward a person because of one of these factors, and that has the purpose or effect of creating an intimidating, hostile, or offensive work environment or unreasonably interfering with a person's work performance, or otherwise adversely affects a person's employment.

Other harassment behavior includes (but is not limited to) name-calling, obscene gestures, pulling on clothing, graffiti, offensive notes or cartoons, unwelcome touching of a person or clothing, offensive or graphic posters or book covers, or violent acts.

4030 Equal Opportunity and Affirmative Action (*Continued*)

.06 Reporting Harassment Complaints

If you are a victim of sexual, religious or racial harassment that makes you feel uncomfortable or fearful it is helpful if you directly inform the harasser that the conduct is unwelcome and must stop.

You should also report the behavior to the President of the College. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the College President.

Any person who receives a report of harassment shall inform the College President immediately.

Any witness to an experience of sexual, religious or racial harassment in the workplace should report the behavior to the College President.

The College encourages the reporting party to provide a written complaint, but oral reports shall be considered complaints as well.

The President will notify the Human Rights Officer immediately, without screening or investigating the report. If the report was given verbally, the President shall personally present it in written form within 24 hours and forward it to the Human Rights Officer. Failure of the President to forward any harassment or violence report or complaint will result in disciplinary action against the President. If the complaint involves the President, the complaint shall be made or filed directly with the Human Rights Officer who will notify the Board of Trustees.

In the absence of the President, the Vice President of Operations or Vice President of Academic and Student Affairs will receive and process the complaint as described above.

.07 Reprisal, Privacy and Confidentiality

Any employee or witness who submits a good faith complaint or report of harassment can raise such concerns without fear of reprisal or retaliation. The College will take immediate action if you report that anyone tries to intimidate you or take action to harm you because you made such a report.

Throughout the investigation and outcome process, privacy and confidentiality for all persons involved, including the alleged victim(s) and alleged harasser(s) is of critical

importance. All persons involved must refrain from gossip or discussion of alleged incidents or events with any persons other than the Human Rights Officer, College President, or such legal authorities as may become involved.

Your right to privacy will be respected as much as possible. We will take all appropriate action to investigate harassment claims, to eliminate that harassment, and to discipline any persons found to have engaged in such conduct.

Any violation of this policy by an employee will result in disciplinary action, up to and including termination of employment.

4030 Equal Opportunity and Affirmative Action (*Continued*)

.08 Procedure for Resolving Harassment Complaints

The Human Rights Officer will make a timely, confidential, independent inquiry into any allegations of harassment. This inquiry should begin within three (3) working days of being notified of such allegations. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

Depending on initial investigation results, the Human Rights Officer may notify the President and recommend that the complaint be turned over to College legal counsel.

The College will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, as much as possible, consistent with the College's legal obligations to investigate, to take appropriate action, and to conform to any discovery or disclosure obligations.

When investigating allegations of harassment, the College considers the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

Upon completion of the investigation, the employee(s) who filed the complaint will be informed of the outcome of the investigation. This notification is expected to be within fifteen (15) working days after receipt of an allegation or complaint.

If the process exceeds fifteen (15) working days, the employee will be advised that an extension of time is required which will not exceed fifteen (15) additional working days.

Management will immediately halt any apparent or suspected harassment.

Any employee engaging in sexual, religious, racial or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

4030 Equal Opportunity and Affirmative Action (*Continued*)

.09 Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse that may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

.10 Harassment or Violence as Abuse

Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes Section 626.556 may be applicable.

Nothing in this policy will prohibit the College from taking immediate action to protect victims of alleged harassment, violence or abuse.

4040 Americans with Disabilities Act

Leech Lake Tribal College has a duty to provide reasonable accommodation to the known limitations of an otherwise qualified employee who has a documented disability.

College personnel will be asked to make “reasonable accommodations” in the employment process to ensure nondiscrimination on the basis of disability. The College is prepared to reasonably accommodate persons with disabilities qualified to work in campus offices and departments in all aspects of employment including recruitment, application, hiring, benefits, promotion, and evaluation. Such accommodation will:

1. Be based on documented individual disability needs,
2. Not compromise the requirements of a course or program, and
3. Not pose a threat to personal or public safety.

4050 Workplace Injuries

.01 Minnesota Workers Compensation Law

As an employee of Leech Lake Tribal College, you are covered by Minnesota’s Workers’ Compensation Law. This law provides coverage for hospital and doctor’s bills and replacement of wages if you are injured through the course of work.

To ensure that appropriate coverage is secured in the event of an injury, you must follow the procedure described below.

4050 Workplace Injuries (Continued)**.02 What To Do When You Are Injured on the Job**

1. Report the injury immediately within 24 hours to your supervisor or Department Director, Dean or Chair.
2. Request that your supervisor or Department Head call the Human Resource Director to immediately report the injury. If your supervisor or Department Director, Dean or Chair is not available, you should call the Human Resource Director.

.03 Supervisor or Department Head Responsibility

When calling the Human Resource Director, please have the information listed below available:

1. Employee name and home address,
2. Employee phone number,
3. Injury description, and
4. Date and location of occurrence,
5. Witness and statements.

For a further interpretation see “Reporting Workplace Injuries” and “Employee Protection Plan” in Human Resource office.

.04 Return to Work

When an employee is out from injury and/or hospitalization he/she must provide written documentation “Return to Work Form” statement by a medical doctor in order to return to work.

4060 Confidentiality

As a condition of employment, all employees are required to sign and abide by the terms of a confidentiality agreement as follows:

1. All information which is revealed to employees in connection with their jobs regarding employment activities, current or former employees, students, funding sources, trustees, and vendors is confidential.
2. No employee shall release such information to anyone, including other employees and students, except in the proper exercise of their employment duties or with the written permission of the College President.
3. If employees release information in violation of this confidentiality agreement, employees will be subject to disciplinary action which may include termination of employment.

4. This confidentiality agreement binds employees during and after their employment at the College. If employees release information in violation of this agreement after their employment, they will be subject to whatever relief or penalties may be provided by law.
5. Refusal to sign the confidentiality agreement may be grounds for disqualification from employment consideration.

4070 Employee Workplace, Supplies, and Equipment

.01 Employee Workplace

Each employee is provided with a workplace at the College. This workplace is the property of the College. The College has the right of access to an employee's workplace at any time.

.02 Employee Personal Property

Employee personal property at their workplaces is each employee's responsibility. The College is not responsible for loss or damage to employee personal property.

The College has the right to limit the personal property in any employee's workplace.

The College is not responsible for employee personal property that is left by an employee who resigns or terminates from the College. Such property will be held for the employee to pick up for a maximum of two weeks from the date of termination or resignation, after which time the College may dispose of the property in any manner.

.03 Tools, Supplies or Equipment

The College provides each employee with tools, supplies or equipment. All such property is the property of the College. Upon resignation or termination of the employee, all such property is to be returned to the College. Failure to return College property will be considered theft and legal action may be initiated against the employee or former employee.

4080 Smoke Free Workplace

Leech Lake Tribal College is a smoke free facility. Smoking is banned within all buildings on campus. Smoking is not permitted within 15 feet of building entrances.

Leech Lake Tribal College is dedicated to providing a healthy environment for all staff, students and citizens. All individuals on campus share in the responsibility of adhering to and enforcing this policy.

The exception to this policy is use of tobacco for ceremonial purposes. The President must approve this exception for each ceremonial event.

4090 Gun Free Workplace

Leech Lake Tribal College bans guns in all College buildings. Law Enforcement personnel are exempt. Please see Security Policies.

All employees and students are forbidden from introducing, possessing, using, buying, or selling weapons, firearms, ammunition, explosives, and other items prohibited by federal, state, and reservation regulations on any College controlled sites and at all College directed activities.

.01 Policy Violation Reporting Requirements

Employees who become aware of a violation of this policy are required to immediately notify Campus Security or their immediate supervisor.

Employees who feel endangered should immediately report violations of this policy to law enforcement, Campus Security, and the College President.

.02 Policy Violation Offenses

Violation of this policy is considered a serious offense that endangers the safety of the College, its employees and students. This offense may result in immediate termination and legal action.

4100 Drug Free Workplace

Leech Lake Tribal College is a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988, and prohibits the unlawful manufacture, distribution, dispensation, purchasing, possession or use of controlled substances, or any other thing that could alter job performance adversely or pose a threat to the safety and welfare of the employees or the public in the workplace. Random K-9 searches will be conducted in accordance with approved Security Policies (Section 8060). Circumvention of this prohibition will be cause for termination of employment.

.01 Certification

All employees of Leech Lake Tribal College are required to sign a certification on an annual basis indicating that they fully understand the College's Drug-Free Workplace Policy. False certification or violation of the certification shall be grounds for suspension or termination. This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988.

4100 Drug Free Workplace (Continued)**.02 Pre-Employment Drug Testing**

As a condition of employment, applicants will be required to take a drug test prior to employment as a requirement of the position. This determination will be made by the hiring supervisor and the College President. Refusal to take the test, or test failure (testing positive for drugs), will disqualify an applicant from employment consideration.

.03 Reasonable Suspicion and Post-Accident Drug Testing

The College believes that testing employee urine for drugs can be an effective means by which to identify those in need of counseling, treatment, or disciplinary action. The urine testing process is intended to supplement, not replace, other means by which the use of drugs and alcohol can be detected.

Leech Lake Tribal College will require an on-the-job employee to undergo drug and alcohol testing if the College has reasonable suspicion that the employee:

1. Is under the influence of alcohol or drugs;
2. Has violated the provisions of this policy;
3. Has sustained a personal injury or caused another employee to sustain a personal injury; or
4. Is in or causes a serious accident or if unusually careless acts were performed.

.04 Notification

The employee will be notified in writing of the reason for the order to submit to drug testing.

.05 Refusal

Refusal to submit to a test after a four-hour period, or failing a test, may be grounds for termination of employment.

.06 Confidentiality

All laboratory reports or test results will be handled as confidential material and may be shared internally on a need to know basis.

.07 Use of Drug Test Results

The College will take action on a confirmed positive test result as determined by the drug testing laboratory. Detection of any illegal drug in the urine may be grounds for termination of employment. The employee will have the right to explain the presence of

any drug in his/her system and, if necessary, substantiate the explanation with medical evidence. The employee will have every opportunity for assessment and treatment.

If the result of the drug/alcohol test is positive:

1. The employer will request a chemical assessment and employees will follow recommendations made from the assessment. Counseling statement shall specify the corrective actions and time frame required for continued employment.
2. The employee may voluntarily resign from employment.

4100 Drug Free Workplace (*Continued*)

.08 Rehabilitation

Leech Lake Tribal College intends to give the same consideration to persons with chemical dependencies as it does to employees having other diseases.

In the case of abuse of illegal drugs or alcohol, the College may make rehabilitation opportunities available to the affected employee.

Normal College leave benefits for which the employee is eligible are available to aid in the rehabilitation process.

If the employee does not voluntarily elect to participate in a rehabilitation program or fails to complete a rehabilitation process, the College will terminate employment of the affected employee.

.09 Conviction of a Criminal Drug Statute Violation

Employees convicted of a criminal drug statute violation occurring in the workplace will be terminated from employment.

4110 Nepotism

No administrator or supervisor will have direct supervision of a relative. The following relatives are included for the College Nepotism Policy:

1. Wife
2. Husband
3. Daughter
4. Son
5. Brother
6. Sister
7. Aunt
8. Uncle
9. Niece

10. Nephew
11. Stepfather
12. Stepmother
13. Stepson
14. Stepdaughter

The Nepotism Policy also applies to applicants or employees who are in a relationship and who are residing together in the same residence, or “extended families.” The College will perform reasonable diligence to consistently apply the Nepotism policy, including asking prospective employees of their relationships to current employees.

The Nepotism Policy will not allow an employee to be assigned work under the supervision of a relative who might have the responsibility for that employee’s performance evaluation, promotion or salary increase.

Leech Lake Tribal College will not hire or permit the hiring of a relative unless the following conditions are met:

1. The applicant is not directly supervised or directly affected by the supervision of an immediate member of the family.
2. A related employee or board member does not take part in the screening, interviewing or hiring of the family member.
3. Persons in a relationship cannot work in the same department or supervise each other.

4120 Employment Policies

.01 Identity and Eligibility to Work in the United States

Legally, the College is obligated to ascertain the identity and eligibility to work in the United States for all job applicants. Therefore, every prospective employee must complete certain documents, including an I9 form, and must provide specific forms of identification, including a driver’s license and social security card, and if a non-citizen, a passport or other identification as specified on an I9 form, before being officially hired to work at the College.

.02 Internal Promotions

It is the philosophy of the College to promote from within whenever appropriate. Present employees in a department may be given first consideration when filling vacancies within the department with second consideration going to other College employees.

.03 Internal Employee Transfers

College employees have an opportunity to be considered for reassignment to positions within the College. Transfer of employees may occur only after Department Directors

involved have agreed to the transfer, the required probationary period has occurred (if a new employee), and the President approves the transfer.

The transferred employee will be paid at the prevailing rate of the new position. Once transferred, the employee remains eligible for the benefits she/he has accrued.

Employees desiring to transfer positions will be responsible to:

1. Communicate in writing their desire for transfer to their Department Director.
2. Complete the application for employment for the position.
3. Meet the minimum qualifications for the position.
4. Satisfactorily complete the applicable selection procedures.
5. Serve a satisfactory probationary period after transfer of thirty days.

Employees who are transferred will:

1. Retain original employment anniversary date,
2. Have salary set in accordance with the type of reassignment, and
3. Retain leave balance, which shall transfer to the receiving department.

4120 Employment Policies (*Continued*)

.04 Employees Hired from the Leech Lake Band of Ojibwe

When an employee of the Leech Lake Band of Ojibwe and other Leech Lake Band of Ojibwe entity (Gaming and Housing) is hired by Leech Lake Tribal College, he/she will be considered a new employee with a new hire date. Years of employment service at the LLBO will not be counted toward leave accrual at the College. Additionally, the College will not accept leave balance amounts for any new hire from the Leech Lake Band of Ojibwe.

Leech Lake Tribal College will only allow medical and dental benefits to transfer from the LLBO entities.

.05 Evaluation Period for Existing Employees in New Positions

Evaluation period for existing employees in new positions is 30 days.

This 30 day evaluation period will not impact employee benefits that may have been accrued. This evaluation period is to evaluate the employee's competency in the new position.

.06 Employment Application Process

All persons seeking employment at Leech Lake Tribal College must complete an application for employment and submit additional documentation where appropriate or

required. Applications must be submitted to the Human Resource Office at Leech Lake Tribal College.

Faculty or administrative applicants are required to provide the following to the Human Resource Office before consideration for employment:

1. A completed and signed Leech Lake Tribal College application for employment.
2. A cover letter of interest for the position.
3. A current resume.
4. Certified academic transcripts from accredited Colleges or universities indicating the degrees earned by the applicant will be required before employment. (Unofficial copies are acceptable for the application process).
5. Name, address, telephone number and email address (if available) of three references.
6. Any other documents that support the application for employment.

Support Staff applicants are required to provide the following to the Human Resource Office before consideration for employment:

1. A completed and signed Leech Lake Tribal College Application for Employment.
2. A cover letter of interest for the position.
3. A current resume.
4. A high school transcript certifying high school graduation or a GED certificate earned.
5. College transcript if appropriate.
6. Name, address and telephone number of at least three references.
7. Any other documents that support the application for employment.

Maintenance and Custodial Staff are required to provide the following to the Human Resource Office before consideration for employment:

1. A completed and signed Leech Lake Tribal College Application for Employment.
2. A current resume.
3. A high school transcript certifying high school graduation or GED certificate.
4. Name, address and telephone number of the at least three references.

.07 Criminal Background Check

As a condition of employment applicants will be required to submit to a criminal background check. Refusal to submit to a background check, or failing a background check, will disqualify an applicant from employment consideration.

Criminal background checks may be conducted only after an offer of employment has been made.

Criminal background checks may be conducted on an existing employee if the employee is suspected of drug or alcohol use on campus, or has perpetrated a criminal act such as fraud, theft, or an act of violence. Refusal to submit to a background check, or failing a background check, may result in termination.

4120 Employment Policies (*Continued*)

.08 Evaluation Period for New Employees

All new employees are on an evaluation status for 90 days.

During the 90-day evaluation period, new employees are not eligible to use personal leave benefits.

Employees who terminate or who are terminated during the 90-day evaluation period are not eligible for payment of personal leave time benefits.

After successful completion of the evaluation period for new employees, personal leave time accrual begins and is retroactive to the employee start date.

.09 New Employee Orientation

All new employees must first meet with the Human Resource Director before they start work at the College. The purpose of this meeting is to prepare all paperwork to formalize the person as an employee in compliance with all regulatory and taxation authorities, payroll and benefits. Until the person has processed their paperwork, he/she is not an employee.

All new employees will have a formal employee orientation. The new employee supervisor and department are responsible for the employee orientation. The orientation includes a tour of College facilities, introductions to other staff, and introductory training on use of College equipment.

.10 Temporary Employment

Leech Lake Tribal College engages temporary employment when there is uncertainty about the need for a permanent position, or to replace a current worker while that worker is on sustained leave. Generally temporary employment will be a year or less.

The President or Vice President may approve temporary employment as needed. If the need for temporary employment status changes to permanent employment status the Leech Lake Tribal College application and interview process applies.

4130 Compensation

All salary administration decisions are at the discretion of management. Financial and other factors impact all salary decisions.

.01 Starting Wages

Management will determine the starting salary that will be offered to a new employee based on a number of considerations including market value for the position, education, experience, knowledge skills and abilities, and responsibilities as described in the position description. This decision like all other salary administration decisions is at the discretion of management.

.02 Salary Increases

“Cost of Living” increases are increases typically awarded to all employees on the first of the month following the recognition of the increase. Each employee will receive the same percentage increase except those employees who are in a disciplinary status and who may be deemed ineligible for the cost of living increase. Employees in this situation may be eligible to earn the cost of living increase once they are no longer in disciplinary status, or the increase may be waived for that employee for that year. This decision like all other salary administration decisions is at the discretion of management.

.03 Overtime Pay and Exempt versus Non Exempt Status

In accordance with the Fair Labor Standards Act, the College complies with overtime pay requirements.

Exempt employees are paid based on an annual salary and are exempt from overtime pay. Non-exempt employees are paid on an hourly basis and receive overtime pay.

Administrative and faculty positions are generally paid on an annual basis and are generally exempt from overtime pay.

Support, custodial, maintenance, and security staff are paid on an hourly basis and are paid overtime pay for hours worked over forty (40) hours per week.

Employees who move from an exempt to a non-exempt status, or vice versa, will receive or not receive overtime pay based on their current status.

Non-exempt (hourly) employees will be paid time-and-one-half for all time worked in excess of forty (40) hours in one week. Holiday hours or personal leave hours do not count as hours worked and will not impact whether or not employees are entitled to overtime.

For example: During a one-week pay-period there is an eight-hour Holiday, and the employee works 38 hours for a total of 46 hours to be paid. The employee will receive eight hours of Holiday pay and 38 hours of regular pay and will not be entitled to overtime pay.

4130 Compensation (*Continued*)

.04 Overtime Procedures

Supervisor Responsibility:

It is the responsibility of the supervisor to determine if and when there is a need for an employee to work overtime. Every effort should be made to avoid overtime hours, but in cases where it is deemed necessary, the supervisor should request the employees affected if they are available to perform extra hours of work. If the employee agrees, supervisors then write a memo describing the expected hours to be worked, the work to be performed, and the reason it is necessary to be done on an overtime basis versus regular hours. The supervisor and employee should be in agreement as to the additional hours that will be necessary to perform the work. Both the supervisor and employee must agree and sign the memo **before** any work is performed, **not after**. If the necessary signatures and approval are not obtained before the work is performed, it may not be paid.

Immediate supervisors then need the approval of the related Vice President, since it affects budgets.

Employee Responsibility:

Employees are to record their overtime on their time card and attach the memo authorizing the overtime signed by required supervisory staff and employee. Employees are expected to be able to perform their jobs within the 40-hour work week, and should not work additional hours without the prior approval of their supervisors as described above in writing and signed.

Supervisors may agree to allow employees who work overtime to document their hours as “comp time” at time and one half rates. The responsibility of both parties remains the same as for overtime earned, with the additional responsibility of keeping a log of the hours worked, signed by both the supervisor and employee. When the log is added to or subtracted from, both signatures need to be on the log. Supervisors should receive a copy of the log at the end of any week overtime is worked, whether it is to be paid as overtime or used as “comp time” in the future.

This is critical because time earned and stored as comp time will be paid to employees eventually, either as time off, or as a remaining balance upon termination of employment.

4130 Compensation (Continued)**.05 Compensatory time**

When compensatory time has been earned as described in Section 4130.04 Overtime Policies, and employees want to use the time in place of personal leave, they are to attach the following documents to their time card:

Memo of Authorization for overtime earned, signed by employee, his/her supervisor, and the Vice President of Operations or Vice President of Academic and Student Affairs. The signed leave form authorizes time away from the job with notation that the time being used is compensatory time, not personal leave.

Compensatory time log for verification of hours and remaining balance must be signed by the employee and supervisor.

.06 Full Time versus Part Time

Employees are principally classified as administrative, faculty, adjunct faculty, security, or maintenance. Within each of these classifications, each employee has a specific job title and position description.

Regular full-time employees work a minimum of 40 hours per week. Full time faculty teaches 30 credit-hours per school year (15 credits per semester). These employees are those who are not in a contract or probationary status. These employees are eligible for enrolled benefits subject to the terms, conditions, and limitations of each benefit program.

Part-time employees work twenty (20) hours or less per week. Part time employees receive all legally mandated benefits such as Social Security and Workers Compensation insurance. Part-time employees may not be eligible for enrolled benefits.

.07 Work Schedules

Support, Custodial and Maintenance Staff: The normal workday will be between 8:00 a.m. and 4:30 p.m. with one-half-hour lunch period. All hourly employees are subject to work-schedule changes at the direction of the appropriate supervisor. Full-time employees in these positions may work overtime and be paid overtime pay with the authorization of their supervisor.

Part-time Support, Custodial and Maintenance Staff: Their supervisor will determine work schedules. Part-time employees can only work up to twenty hours per week.

Faculty: Faculty is expected to be on campus for the contracted number of credit hours per semester. Faculty is also required to be on campus for the contracted number of office hours. Faculty is also expected to be present for all faculty meetings and other meetings called by the Vice President of Academic and Student Affairs and Dean of

Instruction. Faculty members must attend all committee meetings of which they are members.

Administrative Salaried Employees Administrative salaried employees must work a minimum of forty hours per week. These employees may be required to work a flexible schedule as needed, including evenings or weekends to ensure the demands of the position are met.

4130 Compensation (*Continued*)

.08 Work Attendance Policy

Excessive Absenteeism and Tardiness: The College expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the College. When employees cannot avoid being late or are unable to work as scheduled, they should notify their immediate supervisor within thirty minutes or as soon as possible in advance of the anticipated absence or tardiness. Poor attendance and excessive tardiness are disruptive and will not be tolerated. Either may lead to disciplinary action, and / or termination of employment.

Notification: An employee that is going to be absent from work must call his/her supervisor by 9 a.m. of the day the absence will occur. Failure of the employee to comply with this requirement could result in loss of pay and possible termination.

No-Call/No Show: This condition is created when an employee does not call and does not show up for work. No-call/no-show will be considered “absent without approved leave” after 30 minutes past scheduled start time for any employee. The consequences of No Call/No Show are:

1. First occurrence: verbal warnings will be given and documented in the employee’s personnel file. The employee’s pay will be docked for the time the employee did not work.
2. Second occurrence: will be written and placed in the employee’s personnel file. The employee’s pay will be docked for the time the employee did not work.
3. Third occurrence: termination.

Job abandonment or absent without leave: When an employee fails to report to work for three consecutive scheduled workdays it shall be considered job abandonment. Walking off the job or leaving the designated job site without approval may be considered job abandonment or absent without leave. The employee may be terminated.

4130 Compensation (Continued)**.09 Time Cards**

All College hourly employees are required to complete, sign and turn in time cards.

Time cards must be turned in to the business office no later than 11 a.m. the following Wednesday after each payday. The employee is responsible for preparing time cards correctly with name, social security number, department code, dates, hours, Holidays and personal leave days, and employee signature. All overtime must be authorized by the employee's supervisor, and the supervisor must sign a time card authorizing overtime.

The Business Office will not fill out time cards for any employee. No employee should prepare time cards for any other employee. It is the responsibility of the employee to fill out and turn time cards in on a timely manner. No payroll checks will be issued if time cards are not received by the stated day and time deadline.

.10 Time Card Attendance Reports

All administrators and salaried employees are required to complete, sign and submit time cards recording leave time to the payroll department. These reports are used to record and track sick leave and annual leave. These time card attendance reports are due in the payroll office the first Wednesday after each two-week pay period end date. Payroll checks will not be issued to employees who fail to submit their attendance reports on time.

.11 Pay Periods

Wages are paid bi-weekly for a total of twenty-six (26) pay periods per year. If a scheduled payday is on a Holiday, the payday will be on the day prior to the Holiday.

The College offers, as an employee benefit, direct deposit of employee paychecks into the bank account of their choice. See the Human Resource Director for more information. Employees who do not choose direct deposit shall pick their paychecks up at the administration building on payday.

.12 Pay Advances

In the event of a personal emergency, employees may submit a written request to the Business Office for up to a maximum of \$400.00 as a payroll advance. The advance must be repaid over the following four (4) pay periods and will be deducted from the employee's paychecks during those periods.

Such a pay advance can only occur twice per fiscal year per employee (July 1 to June 30) and once for Work-study and (Trio) Tutor employees.

The Supervisor and Vice President (or President in absence of Vice President) must approve payroll advances. Payroll advances are intended for emergencies, i.e. death, serious illness and natural disaster.

Request should be made no earlier than the Tuesday of the normal payday week.

Early checks are released on occasion dependent on approval of supervisor and emergency situation. Early check release is greatly discouraged; therefore employees will not receive approval for an early check release repeatedly.

4130 Compensation (*Continued*)

.13 Pay Deductions

Deductions from employee paychecks include, as applicable, federal income tax, Social Security (FICA), Medicare/Medicaid, state income tax, child support, Reservation Tribal Court orders, student loans, and federal wage levies. Additional deductions as requested by an employee may include medical insurance premium co-pay and retirement contributions.

Any personal expenses and loans advanced by the College on behalf of an employee will be deducted at a schedule rate agreed upon in writing to by the employee and appropriate creditor.

4140 Performance Evaluations

Performance evaluations are conducted to provide supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals and expectations.

.01 Evaluation Period

All employees on 30 or 90-day evaluation status will be evaluated by their supervisor at the end of their evaluation period.

.02 Annual Performance Evaluations

All full-time employees will be evaluated by their supervisor every twelve (12) months, on or before the anniversary of the employee's hire date.

.03 Interim Performance Evaluations

Interim evaluations may be conducted periodically and are intended to assist employees in attaining employment goals, or may be follow-up evaluations for an employee on disciplinary or recommended work improvement status.

4140 Performance Evaluations (*Continued*)**.04 Performance Evaluation Review and Filing**

The Department Director, Dean or Chair will review the performance evaluation. The Department Director, Dean or Chair must authorize any recommendations by the supervisor.

Performance evaluations shall be placed in the employee's personnel file folder.

.05 Employee Right to Appeal

The employee has a right to appeal his/her performance evaluation through his/her Director, Dean or Chair or Vice President within two weeks of the evaluation date.

The Department Director, Dean or Chair, Vice President will review the evaluation with the employee and supervisor and may or may not make adjustments or recommendations. The outcome of this appeal will be made in writing and a copy will be placed in the employee's personnel file.

If the employee wishes to protest the results of the appeal, the employee should prepare a written protest to the Human Resource Director. The Human Resource Director, in consultation with the President, will determine if the employee should be reevaluated or if the original evaluation was conducted properly and will stand. The employee will be notified in writing of the result.

4150 Medical and Life Insurance Benefits

Medical and life insurance benefits are dependent on available funding and may be enhanced or omitted at the discretion of the College.

Eligibility for and type of benefits may vary on employment status (full time versus part time), length of employment, and other factors as determined by each benefit. Medical benefits require employee co-pay and enrollment. Eligible employees who choose not to enroll will not be eligible for these benefits.

Eligibility criteria for health, dental, life, short term disability are:

1. Complete 90-day evaluation period successfully.
2. Work 30 hours or more per week.
3. Elect to enroll in the health plan.

See the Human Resources Director for more information.

4150 Medical and Life Insurance Benefits (Continued)**.01 Medical Benefits**

Leech Lake Tribal College provides limited medical, dental and short-term disability insurance coverage for eligible employees who:

1. Have completed their 90-day evaluation period.
2. Are non-faculty employees who work 30 or more hours per week.
3. Are full-time faculty teaching 30 credits per year.
4. Elect to enroll in the health plan, and are not covered under other insurance.

Medical insurance requires employee co-pay and deductible. Employee spouse and dependents may be eligible for medical coverage.

The College may also provide payments in lieu of College - provided medical coverage if the employee provides proof of coverage under another medical plan. This option is determined on a case-by-case basis.

See the Human Resource Director for more information.

.02 Life Insurance

Leech Lake Tribal College provides life insurance coverage to employees who elect to enroll or this benefit. See the Human Resource Director for more information.

.03 Retirement

Eligible criteria for participating in the Leech Lake Tribal College Retirement Plan are:

1. Work 20 hours or more per week.
2. Work 1000 hours in the calendar year.
3. Have successfully completed the 90-day probationary period.
4. Fill out the enrollment paperwork obtained from the Human Resource Director.

4160 Personal Leave**.01 Eligibility**

Regular full time (40 hours or more per week) employees (excluding faculty) accumulate personal leave according to the schedule below.

Personal Leave Accrual Schedule			
Years of Service	Maximum hours per pay period	Maximum hours per fiscal year	Maximum hours that can be accrued
Beginning 1 year	6	156	156
Beginning 4 years	8	208	240
Beginning 7 years	10	240	240

Leave time does not accrue when an employee is on an extended leave of absence short or long-term disability, Family Medical Leave, military leave or other extended leave.

.02 New Employees

New employees on probation cannot take personal leave until after their probationary period.

.03 Supervisor Approval

Employees must have personal leave pre-approved by their supervisor before taking leave. Employees should request personal leave ten (10) working days in advance whenever possible.

.04 Leave Increments

Personal leave can be used in hourly increments of not less than (1) hour.

.05 Advances of Personal Leave

Employees cannot use personal leave in advance of earning it.

.06 Leave at Employee Termination

If an employee terminates employment but returns within 4 (four) months, personal leave accrual will continue based on previous years of service.

Accrued personal leave at termination will be paid to the employee.

4160 Personal Leave (Continued)

.07 Faculty Personal Leave

Full-time faculty are eligible to have two paid personal leave days each semester for a total of four days paid personal leave annually. If an instructor needs leave greater than 2 days a semester it will be with out pay.

Adjunct faculty are not eligible for personal leave.

Faculty must request personal leave in writing to the Dean of Instruction or Vice President of Academic and Student Affairs.

The Dean of Instruction or Vice President of Academic and Student Affairs must approve faculty personal leave days.

The faculty member must make arrangements to have his/her class covered during the approved leave.

Faculty personal leave must be used during the academic year; faculty personal leave cannot be accrued.

4170 Other Employee Leave

.01 Holiday Leave

All regular full-time employees (excluding faculty) shall receive approved Holidays with pay.

Exceptions: Because of the nature of their jobs, essential service employees may not take Holidays as other employees do, at the direction of their supervisors. These employees include, but are not limited to: security and maintenance personnel.

In order to receive a paid Holiday, the employee must be present or have approved personal leave the day prior to and the day after the Holiday. The following are approved Holidays:

New Year's Day	Veterans' Day
Martin Luther King, Jr. Day	Thanksgiving Day
Presidents' Day	Friday after Thanksgiving
Memorial Day	Christmas Day
Independence Day	Employee Birthday
Labor Day	Others as determined by President

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

Holidays occurring during a period of approved personal leave shall be considered a day of Holiday leave.

Part-time employees who work thirty hours or under shall be paid at the same rate as their regular hours, that is, if any employee normally works half-time, the Holiday pay will be for one half-day.

4170 Other Employee Leave (*Continued*)

.02 Bereavement Leave

An employee may be granted up to three (3) working days of bereavement leave within one week from date of death of an immediate family member (spouse, parent, child, sibling, ~~or~~ grandparent, mother-and father-in-laws, aunt, uncle, niece, nephew, step father, step mother, step son and step daughter). Bereavement leave is also applicable to any other person whose relationship with the employee is similar to any of the above relationships. Additional leave, with supervisor approval, may be granted. If the employee has accrued personal leave time, the leave will be with pay. If the employee has no accrued personal leave time, the leave will be without pay.

.03 Unused Personal Leave

An employee who resigns or is terminated will be paid for unused, accrued personal leave.

.04 Family and Medical Leave (FMLA)

The following presents an overview of Family Medical Leave. For specific information, contact the Human Resource Director.

Eligible employees of Leech Lake Tribal College are entitled to Family Medical Leave in compliance with the federal Family Medical Leave Act. If an eligible husband and wife are employed by the College, they each have a total of 12 unpaid weeks available for FMLA leave in any fiscal year, but they cannot use more than a shared total of 12 weeks for parental leave and/or to care for a seriously ill parent.

Eligible employees must have worked for the College at least 12 months and worked at least 1,250 hours in the 12 months preceding commencement of the leave.

FMLA is intended to allow employees to balance their work and family life by taking reasonable unpaid leave (maximum of 12 weeks per fiscal year):

1. For the birth of the employee's child and subsequent care,
2. For the placement of a child with the employee for adoption or foster care,

3. In order to care for the spouse, child or parent of the employee who has a serious health condition, or
4. When the serious health condition of the employee renders the employee unable to work.

This twelve-week leave is a benefit that provides the employee the right to return to the same job or an equivalent position at the end of the leave, if such job or position is available.

The College will maintain the employee's health coverage under any group health plan provided the employee continues to make the required contribution.

Other benefits in place immediately before the leave will not accrue during the leave and will be reinstated provided the employee returns to work within 30 days following the leave end date.

The employee, whenever possible, is required to request leave by providing at least thirty (30) days notice prior to any leave. For emergency treatment or circumstances where thirty days notice cannot be provided, the employee shall provide notice of leave to be taken as soon as possible.

The employee is always responsible for obtaining required medical certification to support any FMLA leave. The College may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

During FMLA leave the employee will be required to first use all accrued personal leave for which they are otherwise eligible concurrent with Family Medical leave.

4170 Other Employee Leave (*Continued*)

.05 Leave of Absence without Pay

A leave of absence without pay may be granted for a maximum of 90 days.

The College must have assurance that the leave of absence will not have a negative effect on the day-to-day operation of the College.

To request a leave of absence without pay, the request must be made in writing to your immediate supervisor. Your supervisor will review the request with the appropriate supervising team which may:

1. Deny the request if it is determined that the leave will have a negative affect on the College, or
2. Make a recommendation to the President to approve the request.

The President of the College must approve any leave of absence without pay.

No applicable benefits shall accrue during unpaid leave and the employee will bear the cost of medical and dental benefits through COBRA during any leave of absence.

4170 Other Employee Leave (*Continued*)

.06 Education Benefit and Leave

Education leave with pay for up to three (3) hours per week per semester may be granted, on a case-by-case basis, to an employee who:

1. Must take the course during working hours.
2. Must be working towards a degree or certificate that will benefit the College.
3. Must have approval of their Supervisor and the Vice President of Academic and Student Affairs or Vice President of Operations.

College employees who wish to attend Leech Lake Tribal College on a part-time basis may do so with pay for one (1) tuition-free, three (3) credit course per semester for up to three (3) hours per week. The employee's supervisor must approve the time schedule to assure that day-to-day work is minimally interrupted. The employee will be responsible for payment for books, other course materials and fees charged to offset the cost of class materials specific to that class.

.07 Jury Duty Leave

An employee on any work schedule shall be granted leave with pay for actual time spent on jury duty. The employee's pay will be adjusted to reflect jury duty compensation.

.08 Military Leave of Absence

A military leave of absence without pay will be granted to employees who are absent because of service in the U.S. Military. Accrued personal leave may be used for military reserve duty.

Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Leave benefits will not accrue during extended (non-reserve) military leave of absence. Medical benefits for which the employee is enrolled will continue if the employee continues to make his/her premium payments.

Upon return from military service, the employee will be placed in the position he or she had or a comparable position if such position is available.

4170 Other Employee Leave (Continued)**.09 Family Paid Medical Leave Act - Maternity Leave**

Maternity / Paternity leave used to bond with your newborn baby. Employees are eligible who have worked 12 months with a minimum of 1,250 hours worked within that 12 month period.

Request can be asked for up to 12 weeks but Leech Lake Tribal College will only pay for 6 weeks if it is granted. If both parents request FMLA and are both Leech Lake Tribal College employees, the 6 week paid FMLA will be divided between them. Request to use paid FMLA must be submitted to employee's immediate supervisor.

.10 Fitness Leave

Leech Lake Tribal College acknowledges and supports the important of physical activity, which benefits the health of the employees; helps improve job performance and may reduce cost associated with health care and lost wages due to illness of the employee.

In an effort to encourage employees to engage in regular physical activity, Leech Lake Tribal College will allow employees up to 30 minutes per day of paid time to exercise, if an employee chooses to do so. This leave will only be allowed if it does not create an undue hardship on the program/department/division or affects the employee productivity. The Director, Dean or Chair, or immediate Supervisor will make this determination, but all employees should be considered for the leave. The employee and supervisor must agree on time of day and location at which the employee utilizes this policy. If any discrepancies should occur, the supervisor can at anytime review the sign in sheets at the area fitness centers, if applicable. If this policy in any way abused, the opportunity can be taken away from the employee and further disciplinary action will be taken.

4175 Breastfeeding Policy

Leech Lake Tribal College recognizes the importance of breastfeeding for both mother and infant. The College will support continuation of breastfeeding upon the mother's return to work. Management and employees shall work together to find mutually agreeable hours of work and breaks which support the continuation of breastfeeding. This shall be done within the policies of Leech Lake Tribal College.

.01 Statement of Breastfeeding Harassment

The employee's supervisor shall be informed immediately if an employee is subjected to any type of harassment, perceived or otherwise with respect to breastfeeding. The Sexual Harassment policy shall then be followed to address the harassment.

4175 Breastfeeding Policy (Continued)**.02 Breastfeeding Guidelines**

Employees may have their babies brought to work at break time and/or lunchtime to be breast fed. The College shall also provide a reasonable amount of break time to accommodate an employee desiring to express breast milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Flexibility regarding timing of these scheduled breaks or additional time required will be discussed with the Supervisor. The employee will be responsible to make up any additional time taken, in consultation with the Supervisor.

The employer shall make reasonable efforts to provide the employee with the use of a room or other location, in close proximity to the employee's work area, for the employee to feed the baby or express milk in private. The room or location may include the place where the employee normally works if privacy can be maintained.

Employees will be responsible for the storage of the expressed milk. The milk may be stored in any College refrigerator and must be labeled with the employee's name to ensure the safety of stored breast milk.

4180 Employee Conduct

Leech Lake Tribal College expects all employees of the College to conduct themselves professionally, both on campus and in the community.

Integrity and excellence require careful observation of the spirit and letter of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct and personal integrity. The successful business operations and reputation of Leech Lake Tribal College are built upon the principles of fair dealing and ethical conduct of its employees.

Leech Lake Tribal College strives to ensure fair and honest treatment of all employees and in all of its interactions with students and the community.

The continued success of Leech Lake Tribal College is dependent upon trust and is dedicated to preserving that trust and confidence.

Employees are encouraged to offer positive and constructive criticism to promote the continued growth and success of the College.

All employees representing the College on and off-campus are expected to adhere to the following basic conduct requirements:

1. Be professional in appearance.
2. Be neat, clean and well groomed.

3. Show respect for all other employees.
4. Be respectful to students.
5. Be professional in representing the College at off-campus meetings and events.
6. Be at your work station or in your classroom on-time.
7. Be prepared to do the work of the day.
8. Do not leave work without approval.
9. Adhere to the policies contained in this manual.

4180 Employee Conduct (*Continued*)

.01 Employee-Student Fraternization

Leech Lake Tribal College desires to avoid misunderstandings, complaints of favoritism, possible claims of sexual harassment and the employee morale and dissension problems that can result from personal or social relationships between employees and students. Accordingly, all staff and faculty are prohibited from fraternizing or becoming romantically involved with students when, in the opinion of the College, their personal relationships may create a potential conflict of interest, cause disruption, create a negative or unprofessional work environment, or present concerns regarding supervision, safety, security or morale.

An employee who fails to withdraw from participation in activities or decisions that may reward or penalize the party with whom he/she is having a consensual personal or romantic relationship will be deemed to have violated this policy.

It is the responsibility of Department Director, Dean or Chair, and Supervisor to take all necessary and appropriate steps, beginning with informal steps to resolution, to prevent and correct problems stemming from consensual personal or romantic relationships. If informal steps for resolution are unsuccessful, the matter will be pursued via the formal corrective action process listed in section.

All employees should also remember that Leech Lake Tribal College maintains a strict policy against unlawful harassment of any kind, including sexual harassment.

Human Resources Director shall take appropriate measures to ensure that:

1. This policy is widely and frequently disseminated to employees, and that
2. Other appropriate means of educating employees, such as periodic workshops, are pursued.

It shall be the responsibility of Directors, Deans or Chairs and Supervisors to ensure that employees and students under their direction are informed of this policy.

4180 Employee Conduct (Continued)**.02 Employee Gambling Restriction**

During work hours, all employees of Leech Lake Tribal College are prohibited from gambling at any gaming facilities or Leech Lake Tribal College facilities. The requirement applies to normal working hours including break times.

Any employee violating this gambling policy will be subject to disciplinary action that may include termination.

.03 Employee Gift Restrictions

College employees are forbidden to solicit or accept anything of monetary value for personal use or benefit, or in return for consideration, from any organizations or individuals whose interest may be affected by the employee's action in the course of performing their duties. This includes sales persons or companies that promise gifts for orders received.

Violations of this rule, at the discretion of the College, may include criminal prosecution and/or termination of employment. The exception to this policy is ceremonial gifts that are traditional in a culture.

.04 Misappropriation, Theft or Destruction of College Assets

The misappropriation of College assets will be considered theft. All suspected theft or destruction of College property will be investigated, and will result in disciplinary action which may include termination (if an employee) and legal action against the offender.

.05 Security

Employees may be given security access codes for building security alarms and computers, and also may be given keys to buildings and offices.

Such codes and keys are never to be shared with any other person. Upon leaving employment at the College, all keys are to be returned to the Human Resource Department or your supervisor.

.06 Political Activities

Acceptable Political Activities - Employees may:

1. Exercise their rights of citizenship by participating in tribal, local, state or national elections and public activities to the extent permitted by law.
2. Be candidates for any political office, provided such candidacy does not interfere with the performance of their assigned duties and responsibilities.

3. If an employee is elected to serve in any office in which a conflict of interest may arise between the elected position and decisions impacting the Tribal College during his/her term in office, the employee must resign from employment at the College.

Unacceptable Political Activities - Employees shall not:

1. Use their authority or influence for the purpose of interfering with or influencing an election, nomination or affecting the results thereof:
2. Directly or indirectly coerce, command or advise subordinates to pay, lend or contribute anything of value for political purposes to any party, committee, organization, agency or person.
3. Engage in any political activity outside the scope of assigned duties during scheduled working hours, or neglect their assigned duties and responsibilities. Personal leave must be used if an employee is going to participate in a campaign during regular work hours.
4. Actively participate in a political protest during work hours.

4190 Discipline Process

The following presents a general guideline of progressive discipline procedures for when an employee has violated company policy or broken established rules or regulations. The College maintains full discretion to take whatever action it considers necessary and appropriate under the circumstances with respect to any disciplinary or performance issue. At the authority of the President, other disciplinary action may be taken.

The purpose of any disciplinary action is to 1) correct the problem, 2) prevent recurrence, and 3) prepare the employee for satisfactory service in the future. By using progressive discipline, it is the hope that most employee problems can be corrected at an early stage, benefiting both the employee and the College.

.01 Oral Notice

The offense is discussed with the employee by the supervisor in a private location. The employee should be told of the violation, be reminded of the importance of the violated rule or policy and what the employee must do to correct the problem. The supervisor will document this meeting and the required corrective action and a copy of the document will be placed in the employee's personnel file.

.02 Written Notice

If the employee fails to correct the problem, the supervisor should write a memorandum, signed by the supervisor, to the employee describing the violation, the required corrective action, and a time frame for performance improvement. The supervisor should discuss the contents of the memorandum and the employee should sign the memorandum

acknowledging receipt of the memorandum. A copy of the memorandum will be placed in the employee's personnel file.

The employee's supervisor should discuss the problem with the Department Chair or Associate Vice President. If it is determined that the problem may be unresolved and is serious enough to warrant potential termination, the President should be advised.

4190 Discipline Process (*Continued*)

.03 Decision-Making Leave or Suspension

If the problem continues to exist after the written reminder, or if the employee refuses to sign the reminder, the President is to be informed of the employee's policy violation and subsequent behavior.

The President has the authority to place the employee on paid decision-making leave for up to 1 day, or to suspend the employee for five (5) unpaid workdays. The supervisor, with consensus of the President, will write a letter advising the employee of the terms of the decision-making leave or suspension. The letter will be presented to the employee by the supervisor.

The purpose of decision-making leave or suspension is to allow the employee the time to contemplate and decide whether or not the employee can comply with the rule or policy in order to retain their position at the College.

.04 Results of Decision Making Leave or Suspension

1. Upon the employee's return from decision-making leave or suspension, the supervisor and the President, Vice President or an Associate Vice President should meet with the employee before the employee starts work.
2. If the employee fails to meet the conditions outlined in the written notice, and fails to meet the conditions after decision-making leave or suspension, the supervisor will recommend to the President that the employee be terminated.
3. The President will review the employee's personnel file and the supervisor's recommendation. The President determines if termination is appropriate and will provide notice to employee.

.05 Termination

When an employee on discipline status has received a letter of termination, the employee, monitored by a supervisor and security if appropriate will be required to return College property, collect their personal belongings and immediately leave the College.

4190 Discipline Process (Continued)**.06 Disciplinary Reasons**

While it is impossible to list every type of behavior or performance shortfall that may be cause for a disciplinary action, the following are examples of unsatisfactory performance or conduct that will make progressive disciplinary actions necessary. The first seven listed behaviors will result in immediate termination. The remaining behaviors and performance may also result in immediate termination, depending upon severity.

1. Criminal activity which has an adverse effect on the reputation, credibility or reliability of Leech Lake Tribal College, its operations or activities.
2. Possession, intoxication, unlawful use or sale of alcohol, drugs or other controlled substance while on property.
3. Theft.
4. Violence or intimidation on property.
5. Possession, use, purchase, or sale of weapons, firearms. Ammunition, explosive, etc. on property.
6. Misstatement of material fact in application for employment.
7. Falsification of records.
8. Willful neglect in the performance of duties of a position to which an employee is assigned.
9. Disregard for policies of the Leech Lake Tribal College.
10. Unauthorized disclosure of any information that has been designated privileged or confidential.
11. Willful misuse, misappropriation, negligence or destruction of Leech Lake Tribal College property, removal or conversion of property for personal gain.
12. Absence from duty or tardiness without required prior notice or acceptable cause.
13. Violation of privileged information or its use for private gain or the soliciting or acceptance of any gift of value from any person whose interest may be effected by the employee's action in the course of performing his or her duties.
14. Engaging in sexual harassment, knowingly making false report of sexual harassment, retaliating against a person who either reports a complaint or sexual harassment or provides information regarding a complaint of sexual harassment.
15. A supervisor who fails to report evidence of sexual harassment.
16. Insubordination.
17. Violations of generally accepted safety practices.
18. Unprofessional or discourteous conduct toward supervisors and coworkers.
19. Lack of performance.
20. Lack of, or loss of a valid driver's license when it's a bone fide qualification for the job held.
21. Any other conduct or action of such seriousness that disciplinary action is considered warranted.

4200 Employee Grievance Policy

Leech Lake Tribal College is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and candid atmosphere in which any problem, suggestion, or question receives a timely response from supervisors and management.

If an employee disagrees with disciplinary actions or employment practices, he/she can express his/her concern through the grievance process as a first step. No employee will be penalized formally or informally for voicing an employee issue.

.01 Employee Grievance Procedures

The College has established the following procedure that will address all complaints such as harassment, discrimination, offensive behavior, and other employee concerns. All employees are encouraged to bring concerns that affect their attitude or ability to perform their job to the attention of their supervisor. Open communication between supervisors and their staff should solve most concerns that arise in a timely manner.

1. The employee should present written documentation of the grievance to the supervisor. The supervisor must respond within three (3) working days.
2. If the employee is dissatisfied with the supervisor's response, if the supervisor is involved in the complaint, or if there is no response from the supervisor, the employee can present written documentation of the grievance and the supervisor's response to the next person in the line of authority. The employee should receive a response within three (3) working days.
3. Complaints that do not follow the line of authority will not be considered.
4. A complaint that has followed the line of authority and not been resolved will be forwarded to the Human Resource Director.
5. Once a complaint is received by the Human Resource Director, it will be promptly, confidentially and thoroughly investigated.
6. The Human Resource Director will meet with management personnel and discuss any recommended actions that may need to occur.
7. The employee will be notified of the results as soon as a decision has been made, not to exceed fifteen (15) working days.
8. If the process exceeds fifteen (15) working days, the employee will be advised that an extension of time is required which will not exceed 15 additional working days.

.02 Appeal of a Grievance disciplinary Decision

If an employee feels the grievance process has not been followed the employee may, within ten (10) working days after the grievance occurrence, appeal to the President who will hear the employee's concerns regarding the process and/or refer them to a grievance committee comprised of management and/or administrative staff from departments other than the employees department.

The grievance committee will review the grievance and make a recommendation to the President. The President's decision shall be final.

If the grievance is against the President, the Board of Trustees shall function as the grievance committee and will be the final authority.

4210 Employee Resignation or Reapplication for Employment

.01 Resignation

Any College employee planning to resign his/her position or retire from the College must give written notification to his/her immediate supervisor. The written notice must include the date the notice was written, the date the employee will leave the employment of the College, and must be signed by the employee.

All employees are requested to give a two-week minimum written notice of their intentions to leave College employment.

.02 Reapplication

A previous employee seeking re-employment must reapply and be subject to College policies and procedures for filling a vacant or new position.

4220 Employee Professional Development

Leech Lake Tribal College encourages all employees to further develop their skills through a variety of training and educational programs that are on-the-job or during-the-job.

Such training or education must have a positive direct impact on the employee's career path and success of the division and organization.

It is the responsibility of the employee's supervisor to work with the employee to develop a professional development plan for the employee that will improve or enhance the employee's job performance.

Department Directors, Deans or Chairs, and Supervisors are responsible for career development within their department. They are also to plan for the development of qualified personnel to meet anticipated future needs.

4230 Outside Work Policy Statement

Definition: Outside Work means all gainful employment other than the performance of official duties, including but not limited to, self-employment, working for another

employer, the management or operation of a private business for profit (including personally owned businesses, partnerships, corporations, and other business entities.)

Application: All faculty and staff of Leech Lake Tribal College, full and part-time.

4230 Outside Work Policy Statement (*Continued*)

.01 General Guidelines

1. The outside work must not compete with the business we are in; education. If the consulting or service relates to education, employees must work with administration to provide the opportunity through the College first. If that is not possible, the approval process outlined below shall apply.
2. The outside work cannot conflict with the Leech Lake Tribal College mission.
3. The outside work must not interfere with the employee's job commitment to Leech Lake Tribal College.
4. Employees must not use the resources of the employer (including office, computer, phone, supplies, etc.) to fulfill the outside commitment.

.02 Faculty Gekinoo' Amaageji (CIRCLE)

1. It is the policy of the Leech Lake Tribal College to support its Gekinoo'amaagejig's opportunities for outside work whenever contractual obligations will not be breached. Contractual requirements, including attendance at special events, will have precedence over any outside employment.
2. Each Gekinoo'amaagejig shall submit in writing the nature of employment, describing the details to garner approval from the appropriate Department Director, Dean or Chair, Supervisor, and the Vice President of Academic and Student Affairs. The appeal process for any denial of outside work shall go through the appropriate Department Director, Dean or Chair, Supervisor, Vice President, and finally to the President.
 - College employees should be open with their supervisors about any outside work they wish to participate in, but official approval is only required by those opportunities that the Dean of Instruction and the employee determine may present a conflict.
 - Generally, all intellectual property (including lab notebooks, cell lines and other tangible research property) shall be owned by Leech Lake Tribal College if significant resources of Leech Lake Tribal College were used to develop such property, or if it is created pursuant to a project funded through corporate, federal or other external sponsors and administered by Leech Lake Tribal College, except as follows.
3. The creator shall retain ownership of the following.
 - All intellectual property developed without a significant use of Leech Lake Tribal College resources and without corporate, federal or other external sponsorship.

- All rights in artistic, literary and scholarly intellectual property, such as scholarly books, articles, and other publications (including those in electronic form), works of art, literature and music recordings are owned by their creators despite the use of Leech Lake Tribal College resources so long as such works are neither created under the direction and control of Leech Lake Tribal College, nor developed in the performance of a sponsored project or other third party agreement; and
 - All copyright in papers, theses and dissertations written as a student to earn credit in Leech Lake Tribal College courses or otherwise to satisfy Leech Lake Tribal College degree requirements.
5. If permission is granted for a Gekinoo'amaagejig to take outside employment, the employee must report to his or her supervisor when (s)he has started.
 6. The College will not pay Workers Compensation benefits for injuries resulting from employment at an outside company/institution.

4230 Outside Work Policy Statement (*Continued*)

.03 Staffing

1. Each staff person shall submit in writing the nature of employment, describing the details, to garner approval from the appropriate Supervisor, and the Vice President. The approval process for any denial of outside work shall go through the appropriate supervisor, Vice President, and finally the President.
2. The same ownership guidelines as in Section 4230.02, Items 2 and 3, applies to staff.
3. If permission is granted for the employee to take outside employment, the employee must report to his or her supervisor when (s) he has started.
4. The College will not pay Workers Compensation benefits for injuries resulting from employment at an outside company/institution.

.04 Memorandum of Understanding

Employees will be asked to sign a memorandum of understanding with the College in certain circumstances. Generally when an employee wishes to teach on an adjunct basis, but it could be if an employee wishes to perform two separate functions of employment at the Leech Lake Tribal College.

The rationale for the agreement is that employees, who wish to perform two or more jobs at the Tribal College, are in effect, taking an outside work agreement. There are two separate work agreements with two separate job duties, hours, and pay rates. Therefore an understanding of the terms is required to clarify the nature of performing both positions fully as required by acceptance of the positions.

The primary job at Leech Lake Tribal College should not be impacted in any way, if the primary job requires 40 hours per week with certain job performance outcomes delineated, those hours and duties must come first. The secondary job will be performed

at Leech Lake Tribal College as if being performed at an outside institution. For example, all preparations for the job would be done outside of the primary job work hours.

If the employee is accepting an adjunct teaching position and the classroom hours are during the employee normal work hours for their primary job, than arrangements must be made with the employees supervisor to make up the hours missed or to use personal leave for the time in the classroom.

Employees who fulfill more than one position shall fill out a time card signed by the supervisor to monitor adherence to this policy. Faculty members generally excused from filling out time cards, but would not be under these circumstances, should they apply.

If an employee is contracted to provide services that the College pays honorariums for then this selection does not apply. These are usually speaking engagements or visits to other faculty classrooms to provide guest lecturing services. There is a disbursement voucher available in the Finance Office to describe those types of arrangements.

4240 Travel Policies

Leech Lake Tribal College recognizes the need for travel by Board members and employees, when the purpose of travel enhances the College.

1. Employees who are required to travel as part of their job will be reimbursed for expenses incurred according to travel policies and procedures.
2. Reimbursement will be made based on the most economical means of travel and according to Fiscal Management Policies.
3. Pre-approval is required for all travel.
4. The President or Vice President must approve all travel expenses greater than \$300.00.
5. An employee planning to travel on College - related business must submit a completed Travel Request Form to his or her supervisor at least one week in advance of intended travel.
6. If travel will require air transportation, advance notice of greater than 45 days is desired so the College can take advantage of the best air fares
7. An employee may request a travel advance on a Travel Advance Form from the Business Office. Such advances should be requested at least 2 weeks prior to the travel date.
8. If the amount advanced is greater than actual costs shown by receipts, the employee must reimburse the difference to the College.
9. If the amount advanced is less than actual costs shown by receipts, the College will reimburse the employee for the difference.
10. Travel in the employee's privately owned vehicle will be reimbursed at the mileage reimbursement rate established by the College.

Contact the Business Office for a complete copy of the Fiscal Policy Manual for specific information on travel policies.

4250 Crime Awareness on Campus

Any criminal action or other emergency must immediately be reported to the Police Department and to Campus Security. The following are examples of on-campus criminal offenses that must be reported:

1. Murder	8. Hate Offenses
2. Rape	9. Arson
3. Robbery	10. Property Damage
4. Assault	11. Bomb Threat
5. Burglary	12. Negligent and Non-Negligent Manslaughter
6. Motor Vehicle Theft	13. Breach of Computer Security
7. Terrorist Threats	14. Identify Theft

The College must also maintain statistics concerning the number of arrests for the following crimes occurring on campus:

1. Liquor law violations.
2. Drug abuse violations.
3. Weapons possessions.

The College will compile a security report each year. Information regarding campus security and consumer information materials is available in the Administration Office.

4260 Personnel Records

.01 Health Insurance Portability and Accountability Act (HIPAA)

To protect individually identifiable health information, all such information is maintained in a separate confidential benefits file for each employee. This includes all employee benefits for which an employee is enrolled, including medical insurance, dental insurance, life insurance, and 403b information, as any or all such benefits may be impacted by employee health information.

Such files are maintained in a separate drawer from personnel records. Access to such files is limited to the Human Resource Director and other such administrative staff who may be required to update or access such information in order to assure the benefit status of the employee.

.02 Personnel File

An official personnel file will be established for each employee and will be maintained in the Human Resource Office.

All personnel records are confidential and the release of information from these records should occur only in limited circumstances under the direction of the President. In the event of immediate health or safety needs of an individual staff member or others, access to records may be provided.

4260 Personnel Records (Continued)**.03 Items Included in Official Personnel Records**

Each official personnel file may contain:

1. Application for Employment and/or Resume
2. Job description
3. Emergency contact information
4. Personal data essential for payroll and affirmative action reporting.
5. Form W-4 Income tax withholding form
6. Original copies of all Personnel Action Forms (PAF'S)
7. Performance Evaluations
8. Letters or memoranda of recommendation
9. Written reprimand(s)
10. Other documents relating to payroll for the employee.

Confidential information, Form I-9, photocopy of driver's license and other required identification will be maintained in separate files for all employees.

.04 Request for Removal of Items in Personnel File

An employee must provide a written request to the Human Resource Director for removal of items in the employee's personnel file. Within (15) working days of receipt of the request, the Human Resource Director will investigate the request with the employee, the employee's supervisor, and other management staff as appropriate.

Pending the outcome of the investigation, such requests may or not be approved.

.05 Other Personnel Files

Other personnel files may be maintained separately which may include:

1. Direct Deposit Forms
2. Wage Assignment
3. Payroll Deduction Authorizations
4. Grievance information
5. Investigations regarding employees