



# Personnel Policies <sup>12</sup>

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## Table of Contents

<b>4000 Introduction .....</b>	<b>6</b>
.01 At-Will Statement .....	6
<b>4010 Employee Adherence.....</b>	<b>6</b>
.01 Monitoring and Administration .....	7
.02 Compliance and Enforcement .....	7
.03 Reviewing Personnel Policies .....	7
.04 Line of Authority .....	8
.05 Actual conflict of Interest of the President.....	8
.06 Compliance Officer.....	9
<b>4020 Mission of the College .....</b>	<b>9</b>
<b>4030 Equal Opportunity and Affirmative Action .....</b>	<b>9</b>
.01 Sovereignty .....	10
.02 Indian Preference Law .....	10
.03 Equal Employment Opportunity .....	10
.04 Filing an Equal Opportunity Discrimination Complaint.....	11
.05 Harassment.....	11
.06 Reporting Harassment Complaints.....	11
.07 Reprisal, Privacy and Confidentiality .....	12
.08 Procedure for Resolving Harassment Complaints .....	13
.09 Right to Alternative Complaint Procedures.....	13
.10 Harassment or Violence as Abuse .....	13
<b>4040 Americans with Disabilities Act .....</b>	<b>14</b>
<b>4050 Workplace Injuries.....</b>	<b>14</b>
.01 Tribal Self Insurance Plan (Workers Compensation).....	14
.02 What to Do When You Are Injured on the Job.....	14
.03 Supervisor or Department Head Responsibility.....	14
.04 Return to Work .....	15
<b>4060 Confidentiality.....</b>	<b>15</b>
<b>4070 Employee Workplace, Supplies, and Equipment.....</b>	<b>15</b>
.01 Employee Workplace .....	15
.02 Employee Personal Property .....	15
.03 Tools, Supplies or Equipment.....	16
<b>4080 Smoke-Free Workplace.....</b>	<b>16</b>
<b>4090 Gun-Free Workplace.....</b>	<b>16</b>
.01 Policy Violation Reporting Requirements.....	16
.02 Policy Violation Offenses .....	16
<b>4100 Drug and Alcohol-Free Workplace .....</b>	<b>17</b>
.01 Certification.....	17
.02 Pre-Employment Drug Testing.....	17
.03 Reasonable Suspicion and Post-Accident Drug Testing.....	17
.04 Notification.....	17
.05 Refusal.....	17
.06 Confidentiality.....	18

.07	Use of Drug Test Results .....	18
.08	Rehabilitation .....	18
.09	Conviction of a Criminal Drug Statute Violation .....	18
<b>4110</b>	<b>Nepotism.....</b>	<b>18</b>
<b>4115</b>	<b>Community Service Applicant.....</b>	<b>19</b>
<b>4120</b>	<b>Employment Policies.....</b>	<b>19</b>
.01	Identity and Eligibility to Work in the United States .....	19
.02	Internal Promotions .....	20
.03	Internal Employee Transfers.....	20
.04	Employees Hired from the Leech Lake Band of Ojibwe.....	20
.05	Evaluation Period for Existing Employees in New Positions .....	20
.06	Employment Application Process .....	21
.07	Criminal Background Check.....	22
.08	Evaluation Period for New Employees .....	22
.09	Employee Onboarding .....	22
.10	Temporary Employment and Emergency Hires.....	22
<b>4130</b>	<b>Compensation.....</b>	<b>24</b>
.01	Starting Wages .....	25
.02	Salary Increases .....	25
.03	Overtime Pay and Exempt versus Non-Exempt Status .....	25
.04	Exempt Employees.....	26
.05	Overtime Procedures .....	26
.06	Compensatory Time.....	27
.07	Full-Time versus Part-Time .....	28
.08	Work Schedules .....	28
.09	Work Attendance Policy.....	28
.10	Time Cards .....	29
.11	Time Card Attendance Reports .....	30
.12	Pay Periods.....	30
.13	Pay Advances .....	30
.14	Pay Deductions .....	31
.15	Lay Off, Furlough, Wage Scale Freeze Policy .....	31
<b>4140</b>	<b>Performance Evaluations.....</b>	<b>32</b>
.01	Evaluation Period .....	33
.02	Annual Performance Evaluations .....	33
.03	Interim Performance Evaluations.....	33
.04	Performance Evaluation Review and Filing.....	33
.05	Employee Right to Appeal.....	33
<b>4145</b>	<b>Longevity Policy.....</b>	<b>33</b>
<b>4150</b>	<b>Medical and Life Insurance Benefits.....</b>	<b>34</b>
.01	Medical Benefits.....	34
.02	Life Insurance.....	34
.03	Retirement.....	35
<b>4155</b>	<b>Tuition Waiver for Children/Grandchildren of Employees.....</b>	<b>35</b>
.01	Program Description .....	35

.02	Definition .....	35
<b>4160</b>	<b>Personal Leave .....</b>	<b>36</b>
.01	Supervisor Approval.....	36
.02	Eligibility .....	36
.03	Regular Full Time Employees.....	36
.04	Maximum Personal Leave Hours per Fiscal Year .....	36
.05	Other Leave Procedures .....	37
.06	Faculty Personal Leave .....	37
<b>4170</b>	<b>Other Employee Leave.....</b>	<b>37</b>
.01	Holiday Leave .....	37
.02	Bereavement Leave.....	38
.03	Unused Personal Leave .....	38
.04	Family and Medical Leave (FMLA) .....	38
.05	Leave of Absence without Pay .....	39
.06	Education Benefit and Leave .....	40
.07	Jury Duty Leave.....	40
.08	Military Leave of Absence .....	40
.09	Family Paid Medical Leave Act – Maternity/Paternity Leave.....	41
.10	Fitness Leave.....	41
<b>4175</b>	<b>Breastfeeding Policy .....</b>	<b>41</b>
<b>4180</b>	<b>Employee Conduct .....</b>	<b>42</b>
.01	Workplace Bullying Policy.....	43
.02	Employee-Student Fraternization .....	44
.03	Employee Gambling Restriction .....	45
.04	Employee Gift Restrictions .....	45
.05	Misappropriation, Theft or Destruction of College Assets .....	45
.06	Security.....	46
.07	Political Activities.....	46
<b>4190</b>	<b>Discipline Process .....</b>	<b>46</b>
.01	Oral Notice .....	47
.02	Written Notice .....	47
.03	Decision-Making Leave or Suspension .....	47
.04	Results of Decision-Making Leave or Suspension .....	48
.05	Termination .....	48
.06	Disciplinary Reasons .....	48
<b>4195</b>	<b>Appeal Procedure for Involuntary Separation .....</b>	<b>49</b>
.01	Purpose .....	49
.02	Definition .....	50
.03	Appeal Panel .....	50
.04	Appeal Process .....	50
.05	Appeal Hearing Procedure.....	50
.06	Reinstatement of an Employee .....	51
<b>4200</b>	<b>Employee Grievance Policy .....</b>	<b>51</b>
.01	Purpose .....	51
.02	Definition .....	51

.03	Procedure .....	52
.04	Grievance Against the Human Resources Director .....	52
.05	Grievance Against the President .....	52
.06	Appeal of a Grievance Decision.....	53
<b>4210 Employee Resignation or Reapplication for Employment .....</b>		<b>53</b>
.01	Resignation.....	53
.02	Reapplication .....	53
<b>4220 Employee Professional Development .....</b>		<b>53</b>
<b>4230 Outside Work Policy Statement .....</b>		<b>54</b>
.01	General Guidelines .....	54
.03	Staffing.....	55
.04	Memorandum of Understanding .....	55
<b>4240 Travel Policies .....</b>		<b>56</b>
<b>4250 Crime Awareness on Campus .....</b>		<b>57</b>
<b>4260 Personnel Records.....</b>		<b>58</b>
.01	Health Insurance Portability and Accountability Act (HIPAA) .....	58
.02	Personnel File.....	58
.03	Items Included in Official Personnel Records.....	58
.04	Request for Removal of Items in Personnel File .....	59
.05	Other Personnel Files.....	59
<b>4270 Social Media Policy .....</b>		<b>59</b>
.01	Introduction.....	59
.02	Scope.....	59
.03	LLTC Use. ....	59
.04	Guidelines .....	60
.05	Disciplinary Action. ....	60
<b>4280 Office Key and FOB Replacement Policy.....</b>		<b>60</b>

**4000 Introduction**

We believe our employees are our greatest resources, and the College strives to provide the training and tools needed to perform the job duties assigned. We endeavor to practice fair and consistent application of these policies in decision-making, from the selection of new employees, to cases in which employee discipline is required. LLTC has 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 always 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, with authorization from the Board of Trustees, 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 his/her 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 necessary 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.

### **.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 responsibility for revisions to the Leech Lake Tribal College's personnel policies will be initiated by the college's leadership and/or administrative team. The proposed personal policy changes to will be submitted to the office of Human Resources and the President for final review prior to submitting the proposed change(s) to the Strategic Planning & Policy Standing Committee. However, the Board of Trustees reserves the right to modify any personal policies, as needed, without any prior notice.

Generally, updates to the LLTC Personnel Policies will be on a three-year cycle, or where action needs immediate attention, the following process will apply:

1. Requested and/or suggested revisions and/or additions will be submitted in writing to the President and Human Resources office.
2. Human Resources will draft modifications and additions and meet with the internal HR subcommittee for discussion.
3. Revision recommendations will be forwarded to the President for review.
4. Once approved, the policy will go to the Board of Trustee's Strategic Planning & Policy Standing Committee for review and approval.
5. If there are suggested changes by the Strategic Planning & Policy Standing Committee, those changes will go back to step 2.
6. Once approved, the President and Human Resources will present the policy to the full Board of Trustees for adoption.
7. Human Resources will incorporate the policy in the LLTC Personnel Policies once adopted.

*Revisions suggested by Board of Trustees Strategic Planning & Policy Subcommittee on 4/10/2023*

*Approved by the HR subcommittee members on 4/27/2023*

*HR will move to the BOT members on 5/22/2023*

#### **.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:

- Any complaints of sexual or discriminatory harassment; all such complaints must be reported directly to the President and Human Rights Officer (see below), and;
- 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.

#### **.05 Actual conflict of Interest of the President**

If the President of the LLTC has determined that they have an actual conflict of interest, the President must inform the Board of Trustees in a closed executive session or the alternative in writing and send the notice to the Board of Trustees in electronic mail.

After the President has informed the Board of Trustees of the actual Conflict of Interest, the President will appoint a proxy to serve in their place, and the proxy's decision will be binding. The order of preference that the President must choose a proxy will be as follows:

1. Tribal college president
2. Local college president
3. Other tribal college human resources director
4. Local college human resources director

If no one is available from the above preference, then the President may appoint someone to serve as a proxy if they have superior knowledge and experience in the policies and regulations of the LLTC, including human resources, and have familiarity with higher education rules, regulations, and human resources.



No person from the Board of Trustees may be appointed as a proxy for the President.

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*Reviewed and approved by the BOT on 9/18/2023*

#### **.06 Compliance Officer**

For the purpose of these policies, the Human Resources 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 Resources 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 provides quality higher education grounded in Anishinaabe values.

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

- Provide associate degree programs.
- Prepare students to transfer to other institutions of higher education.
- Provide academic credentialing programs of varying lengths.
- Assist students in developing and pursuing holistic lives (physically, intellectually, and aesthetically).
- Attain and maintain appropriate accreditation and certification of LLTC degrees and programs.
- Maintain and measure quality learning in all classes.
- Provide a means of maintaining and enhancing Anishinaabe culture, values (examples of values are loyalty, fairness, respect, etc.), language and knowledge.
- Honor and respect women as the sacred life-givers of the Nation, and empower them for leadership roles in their communities.
- Serve as a cultural and educational center for community development.
- 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:

- I.S.D.A. [25 U.S.C. 450e(b)(1), 41 C.F.R. 14-78,5002] Section 7(b)(1)
- Civil Rights Act of 1965, as amended [42 U.S.C. 2000e-2(1)] Section 703(i)
- Executive Order 11246
- 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 federally recognized tribal enrollees, or other Canadian Reserves enrollees
3. Qualified other applicants

**.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 they have 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 Resources 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 Resources Director will review the complaint (and if verbal, document it in written form) and notify the President. The Human Resources Director will meet with all parties involved to discuss the complaint and try to get resolution. If resolution is not achieved, the Human Resources 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.

**.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 Director of Facilities and Safety or the Chief Academic Officer 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 takes 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.

**.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.

**.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 Tribal Self Insurance Plan (Workers Compensation)**

As an employee of Leech Lake Tribal College, you are covered by a Tribal Self Insurance Plan (Workers Compensation). For further interpretation, see “Employee Protection Plan” and “Injury Procedures” in the Human Resources office.

##### **.02 What to Do When You Are Injured on the Job**

1. Report the injury immediately or within 24 hours to your supervisor or Department Director, Dean or Chair.
2. Request that your supervisor or Department Head call the Human Resources Director to immediately report the injury. If your supervisor or Department Director, Dean or Chair is not available, you should call the Human Resources Director.
3. If unable to contact your immediate Supervisor or Department Head, you must leave a detailed message of the injury within 24 hours with your immediate supervisor.
4. If an employee is physically unable to report his/her injury, a supervisor may report the injury to the Human Resources Director.

##### **.03 Supervisor or Department Head Responsibility**

When calling the Human Resources 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.

If you receive a detailed message from the injured employee, the message must be saved and verified for proper documentation.

The supervisor's accident investigation report must be submitted to Human Resources within 24 hours of the accident.

### **.04 Return to Work**

When an employee is out from injury and/or hospitalization they must provide the written documentation "Return to Work Form" statement by a medical doctor in order to return to work. The Post-Accident Drug Testing Policy in §4100.03 will apply.

### **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 and throughout the campus, including outdoor sites on campus.

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 to introduce, possess, use, buy, or sell 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 and Alcohol-Free Workplace**

In accordance with the Drug-Free Workplace Act of 1988, Leech Lake Tribal College is a drug-free workplace, and prohibits the unlawful manufacture, distribution, dispensation, purchase, 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. 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 regulations implementing the Drug-Free Workplace Act of 1988.

**.02 Pre-Employment Drug Testing**

As a condition of employment, applicants may 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 performs unusually careless acts.

**.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:

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

The employee may voluntarily resign from employment.

**.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 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 or alcohol statute violation occurring in the workplace or workplace events will be terminated from employment.

**4110 Nepotism**

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

- |            |           |              |
|------------|-----------|--------------|
| • Wife     | • Brother | • Niece      |
| • Husband  | • Sister  | • Nephew     |
| • Daughter | • Aunt    | • Stepfather |
| • Son      | • Uncle   | • Stepmother |

- 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.

#### **4115 Community Service Applicant**

Leech Lake Tribal College shall accept community service requests from any current Leech Lake Tribal College student if the student meets the following requirements:

1. Passes the drug screen requirements successfully.
2. Completes a Leech Lake Tribal College Community Service Contract/Agreement.
3. Agrees to follow the Leech Lake Tribal College Personnel Policies. Any violation will result in termination of the contract/agreement.
4. Agrees to be on time and to call their manager one hour in advance if they will be absent. Two unexcused absences will result in immediate termination of the contract/agreement.
5. Conducts themselves in a manner appropriate to the work environment.
6. Does not exceed 20 total work hours in one week.

#### **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 I-9 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 I-9 form, before being officially hired to work at the College.

**.02 Internal Promotions**

It is the philosophy of the College that we should 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 they have 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.

**.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 entities (Gaming and Housing) is hired by Leech Lake Tribal College, they will be considered a new employee with a new hire date. Years of employment service at the Band 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.

Leech Lake Tribal College will only allow medical and dental benefits to transfer from the Leech Lake tribal 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 Resources Office at Leech Lake Tribal College.

Faculty or administrative applicants are required to provide the following to the Human Resources 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 résumé
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 e-mail 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 Resources 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 résumé
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 Resources Office before consideration for employment:

1. A completed and signed Leech Lake Tribal College Application for Employment.
2. A current résumé
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.

**.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, the accrual of personal leave time begins and is retroactive to the employee's start date.

**.09 Employee Onboarding**

All new employees must first meet with the Human Resources 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, they are not an employee.

All new employees will have a formal employee orientation. The supervisor and department of a new employee 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 and Emergency Hires**

Leech Lake Tribal College utilizes temporary employment or emergency hires in situations where there is ambiguity regarding the necessity for a permanent role, to fill in for an employee on extended leave, or in response to increased workload demands.

Temporary and Emergency hires will begin with a 90-day initial term. These positions may be extended, for a total duration of up to one year. After successfully completing the initial

90-day period, employees will be eligible to accrue PTO. This PTO accrual will be calculated retroactively to the employee's original start date.

It is important to note that temporary and emergency hires do not qualify for employee benefits and must adhere to the college's standard hiring protocols, which include successfully completing pre-employment drug screening and a criminal background investigation.

The President holds the authority to authorize temporary employment and emergency hires as required.

### **Temporary Hires**

Temporary staff may be recruited and assigned in preparation for potential openings, personnel absences, increased business needs, or special occasions. Should a temporary role transition into a permanent full-time position, the date of temporary employment will be recognized as the official hire date.

To be considered for a full-time position, a temporary employee must:

- Have consistently demonstrated outstanding performance and a strong work ethic.
- Possess the necessary skills and qualifications for a full-time role.
- Align with the college's culture and values.
- Have a positive and collaborative work attitude.

Evaluation Process:

- **Performance Review:** A comprehensive performance review will be conducted to assess the employee's job performance, skills, and potential.
- **Manager Recommendation:** The employee's manager will provide a recommendation based on their evaluation and assessment of the employee's suitability for a full-time position.
- **HR Review:** The HR department will review the employee's performance, attendance, and disciplinary records to ensure they meet the eligibility criteria.

Transition Process:

- **Offer Extension:** If the employee is selected for a full-time position, a formal offer letter will be extended, outlining the terms and conditions of employment, including salary, benefits, and job responsibilities.
- **Onboarding:** The employee will undergo a formal onboarding process to familiarize them with company policies, procedures, and expectations.
- **Benefits Enrollment:** The employee will be enrolled in the company's benefits programs, such as health insurance, retirement plans, and paid time off.
- **Performance Management:** The employee will be integrated into the college's performance management system and will be subject to regular performance reviews.

**Emergency Hires**

Individuals recruited for emergency roles may commence their duties without delay. Should an emergency position transition into a permanent full-time role, the date of emergency hiring will be recognized as the official hire date.

To be considered for a full-time position, an emergency employee must:

- Have consistently demonstrated outstanding performance and a strong work ethic.
- Possess the necessary skills and qualifications for a full-time role.
- Align with the college's culture and values.
- Have a positive and collaborative work attitude.

**Evaluation Process:**

- **Performance Review:** A comprehensive performance review will be conducted to assess the employee's job performance, skills, and potential.
- **Manager Recommendation:** The employee's manager will provide a recommendation based on their evaluation and assessment of the employee's suitability for a full-time position.
- **HR Review:** The HR department will review the employee's performance, attendance, and disciplinary records to ensure they meet the eligibility criteria.

**Transition Process:**

- **Offer Extension:** If the employee is selected for a full-time position, a formal offer letter will be extended, outlining the terms and conditions of employment, including salary, benefits, and job responsibilities.
- **Onboarding:** The employee will undergo a formal onboarding process to familiarize them with company policies, procedures, and expectations.
- **Benefits Enrollment:** The employee will be enrolled in the college's benefits programs, such as health insurance, retirement plans, and paid time off.
- **Performance Management:** The employee will be integrated into the college's performance management system and will be subject to regular performance reviews.

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*Reviewed and approved by the BOT on 11/25/2024*

**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 Adjustments” (COLAs) are increases typically awarded to full-time employees who have successfully completed the 90-day evaluation period by the first month following the recognition of the increase. COLAs will become effective on the first of the month following the recognition of the increase. Each eligible employee will receive the same percentage increase, except those employees who are in a disciplinary status and employees who may be deemed ineligible for the cost-of-living increase. Employees who are on disciplinary status 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. Part-time, Adjunct, Temporary Employees, and Emergency Hires are ineligible for COLAs.

**.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.

Exempt status employees are employees who put in at least 40 hours a week on a regular basis without taking any type of leave. Exempt employees who are absent from work for more than 4 hours during a working day, or who run personal errands during work hours, need to take personal leave for that time.

If exempt employees cannot work a normal 40-hour week on a regular basis, that employee may be changed to hourly status.

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 receive 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.

#### **.04 Exempt Employees**

Exempt employees at Leech Lake Tribal College are those who fill supervisory roles, have fiduciary responsibilities, other job responsibilities, and/or have salaries that meet the salary requirement for exempt status.

Exempt employees are expected to work a minimum of 40 hours per week at LLTC. It should be understood that exempt employees can be expected to work more than 40 hours; however, LLTC is holding to a 40-hour per week standard. Because exempt employees are “exempt” from earning overtime pay (hence the term exempt employee) it becomes the role of the supervisor to allocate an employee’s time appropriately. LLTC recognizes that there are times exempt employees will work more than 40 hours. In these instances, LLTC will allow supervisors to be flexible in scheduling and accounting for the employee’s time.

It should be noted that if an exempt employee continually contributes less than 40 hours per week to LLTC, that employee may be required to take non-exempt employee status. Again, it is expected that exempt employees work 40 hours per week, take personal leave for time missed, or make up time as required. No one should expect the College to continue to pay for 40 hours of work when 40 hours are not worked. In these circumstances, the College must exercise fiscal responsibility and take actions that ensure the policies and pay scales set by the College are reflected in the hours worked by College employees.

#### **.05 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 ask 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**. Immediate supervisors then need the approval of the Finance Office, since it affects budgets.

The College expects supervisors and employees to manage time appropriately. The College is aware of unforeseen situations that may require an employee to work more than 40 hours without prior approval; however, such occasions are rare, and if there are recurring requests for overtime, disciplinary action may be required.

#### **Employee Responsibility:**

Employees are to record their overtime on their time card and attach the memo authorizing the overtime and 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.

#### **.06 Compensatory Time**

When compensatory time has been earned as described in Section 4130.04, Overtime Procedures, 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 Chief Academic Officer. 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.

**.07 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 32 hours per week. Full-time faculty members teach 30 credit-hours per school year (15 credits per semester). These employees are those who are not in a contract on probationary status. These employees are eligible for enrolled benefits subject to the terms, conditions, and limitations of each benefit program.

Part-time employees are those employees who are assigned to work less than 32 hours 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.

**.08 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: Full-time instructors are required to be on campus for the contracted number of credit hours and the contracted number of office hours, and are also expected to be present for all faculty meetings and other meetings called by the Chief Academic Officer and/or Dean of Instruction. Faculty members must attend all committee meetings of which they are members.

Adjunct: Adjunct faculty members are classified as part-time employees. An adjunct instructor is expected to be on campus for the contracted number of hours per semester. Adjuncts are also required to be on campus for the contracted number of office hours.

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.

**.09 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 who is going to be absent from work must call their manager 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.

## **.10 Time Cards**

All LLTC hourly employees are required to complete, sign and submit time cards.

Time cards must be submitted to the Finance Office no later than 11 a.m. the following Wednesday after each payday. The employee is responsible for preparing time cards correctly with name, department name, dates, hours, holidays and personal leave days, and employee signature.

All overtime must be authorized by the employee’s manager; 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 in which it is deemed necessary, the supervisor should request that an employee be available to perform extra hours of work. If the employee agrees, their manager must then write a memo describing the expected hours to be worked, the work to be performed, and the rationale for working overtime. The supervisor and employee should be in agreement concerning the additional

hours that will be necessary to perform this work. Both the manager and the employee must agree and sign the memo before any work is performed, not after. The manager's memo pre-authorizing overtime must be attached to the time card. The College expects managers and employees to manage time appropriately. On the other hand, the College is aware that unforeseen circumstances may require an employee to work more than 40 hours without prior approval. These incidents are rare, and if incidents such as this continue to occur, disciplinary action may be taken.

The Finance Office will not complete time cards for any employee. No employee should prepare time cards or clock in for any other employee. It is the responsibility of the employee to clock in and submit time cards in a timely manner.

Falsification of time card records will be grounds for immediate termination.

#### **.11 Time Card Attendance Reports**

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.

#### **.12 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 the employee's choice. See the Human Resources Director for further information. Employees who do not choose direct deposit should pick their paychecks up at the administration building on payday.

#### **.13 Pay Advances**

In the event of a personal emergency, employees may submit a written request to the Finance 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 regular employee (July 1 to June 30), and once for Work-study employees and interns/tutors who are employees.

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

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

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

#### **.14 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 requested by an employee may include medical insurance premium co-pay and retirement contributions.

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

#### **.15 Lay Off, Furlough, Wage Scale Freeze Policy**

##### **A. Layoff**

The President has the legal authority to approve an employee layoff or furlough for institutional reasons such as restructuring, including lack of work, shortage of funds, grant ended or terminated, and other conditions beyond the college's control. In addition, the President has the right to abolish or decide whether a layoff is necessary and when the dismissal will occur before a layoff action. The college has the right to reassign an employee to a vacant position if available, as long as the employee's qualifications meet the minimum work experience and education.

##### ***A.1 Layoff from Eliminated Positions***

Positions within the Leech Lake Tribal College can be eliminated at the President's recommendation in conjunction with the leadership team for legitimate organizational reasons, such as, but not limited to, loss of funds, organizational restructuring, lack of demand for a certain job function, drop in enrollment, or reduction of funding. Suppose an employee is laid off due to the elimination of their position. In that case, they will be eligible for reassignment to another position they qualify for, provided a vacant position is available.

##### ***A.2.a Layoff Due to Loss of Funding***

If an employee is laid off due to loss of funding for their position, they will be eligible for rehire into their previous position (provided their position was not eliminated as described in A.1) within six months, provided funding is re-established, or a different funding source is established. If a new/different funding source is not located within six months of layoff, the employee will be permanently discharged from employment.

*A.2.b Faculty Layoffs via Re-Contracting*

The Faculty Council may meet to decide if they would potentially take a wage reduction to prevent attrition.

*A. 3. Refusal of Reassignment*

If the employee is laid off and qualifies for transfer to another position within the college but refuses the transfer, their employment will be permanently terminated.

*A.4. Recall from Layoff*

Employees who are recalled from layoff and re-hired within six months will retain their original hire date.

**B. Furlough**

In the event of a critical budget loss and if layoffs are not recommended, a furlough may be implemented as a cost-saving measure. Employees will be placed on furlough according to a schedule determined by the President, Finance Office, and the leadership team. The furloughed employees will be placed in a temporary nonduty, non-pay status, or the employee must take an unpaid leave according to a predetermined schedule. Furloughs are meant to be temporary, and employees are expected to return to work full-time after necessary funding is secured. The hire date for employees who have been furloughed will remain their original hire date.

**C. Wage Scale Freeze**

In the event that Leech Lake Tribal College experiences a significant budget reduction due to, but not limited to, enrollment decline, grant ending or revocation, or reduction or elimination of expected Tribal, State, or Federal funds, it will be necessary to freeze the wage scale until The College budget is restored to a capacity that can maintain the regular wage scale steps. The permanence of a budget reduction will be evaluated by department representatives, and it may be necessary to revise the wage scale to maintain faculty and programs.

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*Reviewed and approved by the LLTC Board of Trustees on 6/24/2024.*

**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.

**.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 of Academic Affairs within two weeks of the evaluation date.

The Department Director, Dean or Chair, or Vice President of Academic Affairs 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 Resources Director. The Human Resources 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.

**4145 Longevity Policy**

Leech Lake Tribal College recognizes employees who strive to perform their jobs with professionalism and integrity. Leech Lake Tribal College expresses appreciation and gratitude to employees for their hard work, sacrifices, and spirit of dedication to the students of our College, and will show a token of appreciation in the following increments:

1. 5 years of service
2. 10 years of service
3. 15 years of service
4. 20 years of service
5. 25 years of service

#### **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 60-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.

#### **.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 60-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 Resources Director for more information.

#### **.02 Life Insurance**

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

**.03 Retirement**

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

1. Work 30 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 Resources Director.

**4155 Tuition Waiver for Children/Grandchildren of Employees****.01 Program Description**

The tuition waiver program provides free tuition to all eligible children and/or grandchildren of employees during their enrollment at Leech Lake Tribal College. Tuition waivers are available for children/grandchildren completing their first diploma or associate degree. In no case will tuition waivers be granted beyond six (6) semesters or the number of credits required for completion of a specific degree program.

**.02 Definition**

The terms “children” or “grandchildren” shall include biological, legally adopted, step-children and legal wards of full-time Leech Lake Tribal College employees.

**.03 Eligibility Requirements****Employees**

1. Full-time permanent employees in all job categories at Leech Lake Tribal College who have worked full-time for a minimum of one (1) year prior to the start of the first day of the semester shall be eligible for the tuition waiver for children/grandchildren.
2. Children/grandchildren of employees who have not completed the provisional test period are ineligible.
3. To maintain eligibility, the employee must maintain active full-time employment status. If an employee fails to maintain active full-time employment with Leech Lake Tribal College, the tuition waiver will cease at the end of the academic semester in which the status changed.

**Children/Grandchildren**

1. Children/grandchildren must meet LLTC’s academic criteria for admission to the College and maintain full-time student status.
2. The waiver of tuition applies to basic tuition costs only. It does not cover the payment of additional fees, such as registration and laboratory fees.
3. To be eligible to continue receiving a tuition waiver, the student must (a) maintain at least a 2.00 cumulative grade point average, or (b) if transferring from another

accredited institution, must have earned at least a 2.00 grade point average for the work completed during the year preceding the semester of the waiver.

4. Once a student completes the associate degree requirements at LLTC, he or she is not entitled to any further tuition waivers.
5. After the student's application to LLTC has been accepted, a one-page tuition waiver form needs to be completed and filed with the Finance Office. This form must be filed on an annual basis.

## **4160 Personal Leave**

### **.01 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.

### **.02 Eligibility**

Personal Leave Time Off with pay is available to regular full-time (32 hours or more per week) employees (excluding faculty) to provide opportunities for personal pursuits or in the event of illness.

#### **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 non-pay status.

### **.03 Regular Full Time Employees**

Regular full-time employees will accrue leave on their hire date but will not be able to utilize it until after their 90-day probationary period ends. An employee evaluation and Personal Action Form (PAF) will be completed by their supervisor, submitted to Human Resources for signatures, and then forwarded to the Finance office. Personal leave hours will be prorated to the date of hire.

### **.04 Maximum Personal Leave Hours per Fiscal Year**

To ensure all employees utilize personal leave time, they will not be permitted to carry over more than 240 hours per fiscal year from July 1 to June 30. At the end of the fiscal year, June 30, the employee will forfeit any personal leave hours over 240.

**.05 Other Leave Procedures**

Personal leave can be used in 1/4 hourly increments.

Employees cannot use personal leave if there is none accrued or in advance of earning it.

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

Employees who separate from employment will be paid for unused leave hours up to 240 hours and will forfeit any personal leave over 240.

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*Reviewed and approved by the BOT on 11/25/2022*

**.06 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 without pay.

Adjunct faculty are not eligible for personal leave.

Faculty must request personal leave in writing to the Dean of Instruction or Chief Academic Officer.

The Dean of Instruction or Chief Academic Officer 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	

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.

## **.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, grandparent, in-laws, aunt, uncle, niece, nephew, first cousin, step-father, step-mother, step-son and step-daughter). Supervisors may, at their own discretion, approve other cases, such as when an employee's relationship with the deceased 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 paragraphs present an overview of Family Medical Leave. For more specific information, contact the Human Resources 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 spouse is employed by the College, each of them has a total of 12 unpaid weeks available for FMLA leave in any fiscal year; however, 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 and subsequent care of the employee's child;

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, but will be reinstated, provided the employee returns to work within 30 days following the end of leave 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.

#### **.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 effect 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.

#### **.06 Education Benefit and Leave**

Employees of Leech Lake Tribal College may avail themselves of three (3) hours of paid Education Leave per week. Employees will receive one 3-credit tuition waiver per semester for classes taken at LLTC.

1. Education Leave must be arranged with and approved by immediate supervisor and the President of the College;
2. Education Leave must not leave a department or area short-handed;
3. Education Leave must be taken at the same day and time each week;
4. Education Leave may be taken only while classes and/or finals are in session, or when attendance in person is required, and not during breaks or holidays;
5. Persons participating in distance learning may take Education Leave during the work day and may remain at the College with permission of their supervisor. The person taking leave must post a visible note on his/her door stating that (s)he is taking Education Leave, must include the times (s)he will be unavailable, and must close his/her office door.
6. Employees taking Education Leave must note such leave on the time card submitted to their supervisor for payroll.

It is expected that LLTC employees will not do homework, readings, paper writing, research, etc. while on college time other than the three (3) hours of Education Leave allowed.

Abuses of Education Leave, and/or working on things other than College duties will result in disciplinary action and possible termination.

**NOTE:** Paid education leave and fitness leave cannot be taken simultaneously.

#### **.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 (s)he previously held, or a comparable position if such position is available.

#### **.09 Family Paid Medical Leave Act – Maternity/Paternity Leave**

Maternity/Paternity leave used to bond with a newborn baby is available to employees who have worked at LLTC for 12 months, with a minimum of 1,250 hours worked within that 12-month period.

Requests can be made for up to 12 weeks; however, Leech Lake Tribal College will only pay for six weeks if maternity/paternity leave is granted. If both parents request FMLA, and are both Leech Lake Tribal College employees, the six-week paid FMLA will be divided between them. Requests to use paid FMLA must be submitted to the employee's immediate supervisor.

#### **.10 Fitness Leave**

Leech Lake Tribal College acknowledges and supports the importance of physical activity, which benefits the health of employees, improves job performance, and may reduce costs 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, the 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 any time review the sign-in sheets at 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.

**NOTE:** Paid fitness leave and education leave cannot be taken simultaneously.

#### **4175 Breastfeeding Policy**

##### *Objective:*

Leech Lake Tribal College supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday.

*Accommodation for Lactating Employees:*

Any breastfeeding employee will be provided reasonable break times to express breast milk. The duration and frequency of break time will be agreed upon between the employee and their supervisor. Leech Lake Tribal College has designated the room located in the Wellness Center in Cedar Hall for this purpose. Any employee who needs a lactating accommodation should fill out the Lactation Accommodation Request Form with their supervisor and turn the form in to the Human Resources Office.

A small refrigerator is available for the specific storage of breast milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering.

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*Reviewed and approved by the LLTC Board of Trustees on 6/24/2024.*

**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 principles of fairness and the ethical conduct of its employees.

Leech Lake Tribal College strives to ensure just 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 perform the work of each day.
8. Do not leave work without approval.
9. Adhere to the policies contained in this manual.

### **.01 Workplace Bullying Policy**

#### *Objective:*

This policy communicates to all employees, including supervisors, managers, and executives, that Leech Lake Tribal College will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

#### *Definition:*

Leech Lake Tribal College defines bullying as repeated, health-harming mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- Threatening, humiliating, or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done.
- Verbal abuse.

Such behavior violates Leech Lake Tribal College's values that all employees will be treated with dignity and respect.

#### *Examples:*

Leech Lake Tribal College considers the following types of behavior examples of bullying:

- Verbal bullying. Slandering, ridiculing, or maligning a person or his or her family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying. Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- Gesture bullying. Nonverbal gestures that can convey threatening messages.
- Exclusion. Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express themselves (i.e., ignoring or interrupting).

- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Assigning menial tasks that are not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying should report this to their supervisor or Human Resources before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow Leech Lake Tribal College to take appropriate action.

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*Reviewed and approved by the LLTC Board of Trustees on 8/29/2024.*

## **.02 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 each Department Director, Dean or Chair, and all Supervisors to take 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 4190.

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

The 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.

### **.03 Employee Gambling Restriction**

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

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

### **.04 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.

### **.05 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.

**.06 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 Resources Department or your supervisor.

**.07 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 in case 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. Upon authorization 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 hoped 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 told 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 direct Supervisor. If it is determined that the problem may be unresolved and is serious enough to warrant potential termination, the President should be advised.

### **.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 one 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 (s)he can comply with the rule or policy in order to retain a position at the College.

Employees on suspension are not allowed to be on campus until the end date of suspension. This includes attending classes and conducting personal business on campus.

**.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 or direct Supervisor should meet with the employee before the (s)he returns to 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 personal belongings and immediately leave the College.

**.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, if shown to be true, may result in immediate termination. The remaining behaviors and performance may also result in immediate termination, depending upon severity.

**A. Possible Grounds for immediate termination:**

1. Criminal activity, which has an adverse effect on the reputation, credibility or reliability of Leech Lake Tribal College, its operations or activities.
2. Intoxication, unlawful use or sale of alcohol, drugs or other controlled substance while on property.
3. Theft or the illegal taking of another person's property without that person's freely-given consent. Theft may include such crimes as burglary, embezzlement, larceny, or looting.
4. Violence or intimidation on property, including hate crimes. Hate crimes occur when a perpetrator targets a victim because of his or her perceived membership in a certain social group, usually defined by race, religion, sexual orientation, disability, class, ethnicity, nationality, age, gender, or political affiliation. Incidents may involve physical assault, damage to property, bullying, harassment, verbal abuse or insults, or offensive graffiti or letters (hate mail).



5. Possession, use, purchase, or sale of weapons, firearms, ammunition, explosives, etc. on property.
6. Misstatement of material fact in application for employment.
7. Falsification of records.

**B. Other conduct meriting disciplinary action;**

1. Willful neglect in the performance of duties of a position to which an employee is assigned.
2. Disregard for policies of the Leech Lake Tribal College.
3. Unauthorized disclosure of any information that has been designated privileged or confidential.
4. Willful misuse, misappropriation, negligence or destruction of Leech Lake Tribal College property, removal or conversion of property for personal gain.
5. Absence from duty or tardiness without required prior notice or acceptable cause.
6. 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 affected by the employee's action in the course of performing his or her duties.
7. Engaging in sexual harassment, knowingly making a 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.
8. A supervisor who fails to report evidence of sexual harassment.
9. Insubordination.
10. Violations of generally accepted safety practices.
11. Unprofessional or discourteous conduct toward supervisors and coworkers.
12. Lack of performance.
13. Lack of, or loss of a valid driver's license when it's a bona fide qualification for the job held.
14. Any other conduct or action of such seriousness that disciplinary action is considered warranted.

**4195 Appeal Procedure for Involuntary Separation**

**.01 Purpose**

An appeal of involuntary separation will be used for disputing decisions of involuntary employment separations for cause. Any regular full-time or part-time employee who has completed his/her introductory period and has been involuntarily separated for cause may file a grievance. Employees terminated at-will cannot appeal their termination. Emergency hire employees, temporary employees, seasonal employees, interns, and Work Study employees who are terminated for cause cannot appeal their termination.

**.02 Definition**

An appeal of involuntary separation for cause is a formal, written request from an employee who was involuntarily separated for compelling reasons stated. The written appeal must state specifically what action or policy has been violated or is in question and any other facts the employee believes are relevant to the action. The employee must also state what resolution they are seeking.

**.03 Appeal Panel**

An Appeals Panel shall hear all appeals of involuntary separations for cause. The Appeals Panel shall consist of three (3) members who will be selected from the LLTC Governance Committee, which is comprised of LLTC leadership, one LLTC faculty member, and the LLTC President. The LLTC legal representative (attorney) may serve as a part of the Appeal Panel in cases deemed necessary, but they shall not have a vote.

**.04 Appeal Process**

**Step 1.** All appeals shall be submitted to the Human Resources Director within five (5) working days upon receipt of the official involuntary separation letter. If the Human Resources Director is submitting an appeal, their appeal shall be submitted to the President.

**Step 2.** The Human Resources Director/President will notify the Appeal Panel to review the appeal within five (5) working days of receipt of the appeal. At this step, any member(s) of the Appeals Panel who may have a conflict of interest will declare their recusal from the Appeals Panel.

**Step 3.** Within ten (10) working days, the Appeals Panel shall review or hear the appeal and decide on the case. The Appeals Panel will immediately determine whether they will require a face-to-face hearing based on the facts provided by both the employee and the supervisor. The Human Resources Director/President will chair the appeals process to clarify policy and procedures but will not vote.

**Step 4.** The Appeals Panel will provide their decision within ten (10) working days to the Human Resources Director/President, who will then notify the parties in writing within three (3) working days of reaching a decision. The decision of the Appeals Panel will be the final decision regarding appeals of termination.

**.05 Appeal Hearing Procedure**

The Appeal Panel members shall allow the terminated employee and their supervisor an opportunity to speak, ask questions and submit information. The Appeals Panel may also allow the parties to bring witnesses to present information on their behalf. Non-employee representatives cannot participate in this internal appeals process.

1. **Testimony.** The terminated employee and the supervisor will have an opportunity to give testimony and have witnesses, question the other party and witnesses, respond to what is said by the other party and witnesses and make a final statement at the close of the hearing.
2. **Evidence.** Both parties may bring any evidence that will help prove their case.
3. **Attendance.** If the employee and/or the supervisor fail to attend the hearing, the appeals committee may take testimony and documents from the attending party or decide the case based on what is already in the termination and personnel file.

#### **.06 Reinstatement of an Employee**

Reinstatement by the Appeals Panel will result in a 30-day grace period, after which the employee's employment status will revert to at-will. The thirty (30) day cool down period does not apply to employees who commit a disciplinary action that arises to immediate involuntary separation or if the employment position is eliminated due to lack of funding.

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*Reviewed and approved by the BOT on 10/15/2016*

*Amended, reviewed, and approved by the BOT on 9/18/2023*

### **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 Purpose**

The grievance/complaint procedure aims to provide a uniform and equitable method of resolving grievances as quickly as possible and at the lowest possible level of supervision. This procedure is intended to assure an employee that any grievance/complaint will be heard and that any corrective action taken will be without reprisal or discrimination against the employee submitting the grievance.

#### **.02 Definition**

A grievance is a complaint filed by an employee concerning any improper application of this Human Resource Policy Manual, departmental work rules, unsafe or unhealthy working conditions, discrimination, harassment, or alleged improper treatment that cannot be satisfactorily resolved between an employee and his/her supervisor.

**.03 Procedure**

All employees are encouraged to bring concerns that affect their attitude or ability to perform their jobs to the attention of their supervisor. Open communication between supervisors and their staff should solve most concerns that arise in a timely manner. However, grievances that don't follow the steps below will not be considered. The employee can seek guidance from Human Resources at any time during this process.

**Step 1.** Any eligible employee who has a grievance/complaint must immediately submit it in writing to their direct supervisor, preferably within three (3) working days of occurrence. The supervisor has three (3) working days to answer the complaint in writing and submit it to the employee. The supervisor should make all reasonable attempts to resolve the complaint before it is forwarded to the Human Resources Office. If the employee has a complaint against their supervisor, they may skip this step and submit their complaint directly to the Human Resources Office.

**Step 2.** If within three (3) working days there has been no decision/resolution or negotiated settlement, or the employee is not satisfied with the results, the employee has two (2) working days to submit the original written presentation of the grievance/complaint to the next level of authority on his/her chain of command, along with the supervisor's written response. This level of authority will have five (5) working days to answer the complaint in writing and submit it to the employee. This process will continue with additional levels on the employee's chain of command as it applies.

**Step 3. Final Step.** If within five (5) working days there had been no decision or negotiated settlement, or the employee is not satisfied with the results, the employee has two (2) working days to submit the original written grievance/complaint to the Human Resource Director along with the supervisory written responses from their chain of command. The Human Resource Director will consult with the President and respond with a final decision within five (5) administrative business days. This decision will be final.

**.04 Grievance Against the Human Resources Director**

If the grievance is against the Human Resources Director, the grievance should be submitted to the President, who will investigate the grievance and make a final decision.

**.05 Grievance Against the President**

If the grievance is against the President, the Board of Trustees shall function as the grievance committee and will be the final authority. Any grievance must be submitted directly to the Board of Trustees' Vice-Chair.

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*Amended and approved by BOT 12/30/2019*

*Amended and approved by BOT 9/18/2023*

**.06 Appeal of a Grievance 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 employee's 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.

When the College pays for any type of tuition, class, or certification on behalf of the employee, and if the employee separates from employment within one year from the date that the class or program is completed, the employee will be required to repay Leech Lake Tribal College.

#### **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.

##### **.01 General Guidelines**

1. The outside work must not compete with the business LLTC is in: education. If the consulting or service relates to education, employees must work with administration to provide an 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 employer resources (including office, computer, phone, supplies, etc.) to fulfill the outside commitment.

##### **.02 Faculty**

1. It is the policy of the Leech Lake Tribal College to support its faculty'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 full-time instructor shall submit in writing the nature of employment, describing the details and obtaining approval from the appropriate Department Director, Dean or Chair, or Supervisor, and the Chief Academic Officer. The appeal process for any denial of outside work shall go through the appropriate Department Director, Dean or Chair, Supervisor, Chief Academic Officer, 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 Chief Academic Officer 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 copyrights 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.
4. If permission is granted for an instructor to take outside employment, the employee must report to his or her supervisor when he/she has started.
5. The College will not pay Workers Compensation benefits for injuries resulting from employment at an outside company/institution.

### **.03 Staffing**

1. Each staff person shall submit in writing the nature of employment, describing the details, to garner approval from the appropriate Supervisor. The approval process for any denial of outside work shall go through the appropriate supervisor and 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 their supervisor when they have 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, or 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, arrangements must be made with the employee's 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 are generally excused from filling out time cards, but would not be under this policy, 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**

1. Leech Lake Tribal College recognizes the need for travel by Board members and employees, when the purpose of travel enhances the College.
2. Employees who are required to travel as part of their job will be reimbursed for expenses incurred according to travel policies and procedures.
3. Reimbursement will be made based on the most economical means of travel and according to Fiscal Management Policies.
4. Pre-approval is required for all travel.
5. The President or Chief Financial Officer (CFO) must approve all travel expenses greater than \$300.00.
6. 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.
7. 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.



8. An employee may request a travel advance on a Travel Advance Form from the Finance Office. Such advances should be requested at least two weeks prior to the travel date.
9. If the amount advanced is greater than actual costs shown by receipts, the employee must reimburse the difference to the College.
10. If the amount advanced is less than actual costs shown by receipts, the College will reimburse the employee for the difference.
11. Travel in the employee's privately owned vehicle will be reimbursed at the mileage reimbursement rate established by the College.

Contact the Finance 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:

Murder	Hate Offenses
Rape	Arson
Robbery	Property Damage
Assault	Bomb Threat
Burglary	Negligent and Non-Negligent Manslaughter
Motor Vehicle Theft	Breach of Computer Security
Terrorist Threats	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 403(b) 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 Resources 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 Resources 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.

**.03 Items Included in Official Personnel Records**

Each official personnel file may contain:

1. Application for Employment and/or Résumé
2. Job description
3. Emergency contact information
4. Personal data essential for payroll and affirmative action reporting. Form W-4, Income tax withholding form.
5. Original copies of all Personnel Action Forms (PAFs)
6. Performance Evaluations
7. Letters or memoranda of recommendation
8. Written reprimand(s)
9. 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 Resources Director for removal of items in the employee's personnel file. Within (15) working days of receipt of the request, the Human Resources 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

**4270 Social Media Policy****.01 Introduction.**

Social media is defined as websites and applications that enable users to create and share content or participate in social networking. Leech Lake Tribal College ("LLTC") recognizes the role that social media plays in recruiting, marketing, and communicating with the public. We are committed to creating and supporting open and honest dialogue with our constituents through the responsible use of various social media. LLTC recognizes social media as an opportunistic tool to communicate with the LLTC communities, including students, faculty, staff, parents, alumni, stakeholders, the communities we serve, and other interested parties. LLTC also recognizes the limits and risks of social media and how it can affect the College's brand, public image, core values, and the health and safety of our students and employees. Therefore, LLTC has adopted this social media policy to provide a framework of social media guidelines.

**.02 Scope.**

This social media policy outlines the social media guidelines and defines the rules for LLTC full-time employees, including paid interns, student workers, volunteers, contractors, and part-time employees.

**.03 LLTC Use.**

Employees responsible for managing the LLTC's social media and website are required to uphold the company's image and brand and follow the seven Anishinaabe core values on which the College was founded (LLTC Personnel Policy Handbook, Section 4020). LLTC's employees must adhere to the College's Employee Conduct (LLTC Personnel Policy

Handbook, Section 4180) and the Confidentiality policy (LLTC Personnel Policy Handbook, Section 4060) in the Employee Handbook.

#### **.04 Guidelines**

Employees are allowed to post any information about LLTC as long as it is posted in a manner that does not have a negative sentiment toward the College.

LLTC employees should avoid posting anything to social media accounts that could be viewed as malicious, defamatory, obscene, bullying, threatening, or violating protected classes of the Civil Rights Act (CRA).

LLTC reserves the right to correct or delete incorrect or misleading content posted on the College's social media.

LLTC recognizes that we cannot prohibit employees from posting personal opinions and content on private accounts; however, we expect employees to uphold the highest level of respect, discretion, and thoughtfulness for their colleagues, the College, and LLTC supporters and community members.

Avoid sharing abusive, offensive, or defamatory content on social media accounts.

Avoid posting false information on LLTC's social media account.

#### **.05 Disciplinary Action.**

The President and Human Resources will thoroughly investigate each offense or policy violation before finalizing disciplinary action. Disciplinary action may include a reprimand, written warning, or termination.

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*Reviewed and approved by the LLTC HR Subcommittee on 11/8/2022.*

*Reviewed and approved by the BOT Subcommittee on 11/14/2022.*

*Reviewed and approved by the BOT on 11/25/2022*

#### **4280 Office Key and FOB Replacement Policy**

Replacing office keys and FOBs is a costly and time-consuming task for the Campus Safety Office; therefore, effective August 31, 2015, the following process will be in place:

1. Upon being hired, each employee will be issued one FOB and a Key, if required.
2. First replacement of a FOB or a Key will cost the employee \$10.
3. Second replacement of a FOB or a Key will cost the employee \$20.
4. Third replacement of a FOB or a Key will cost the employee \$40.
5. Fourth misplacement of a FOB or a Key will result in no replacement, and the employee must adhere to the public hours of open doors on campus.
6. If an employee loses three (3) sets of keys within one academic year, (s)he will not be issued another set of keys or a FOB replacement until the next fiscal year (July 1).



**Personnel Policies Acknowledgement**

This manual has been prepared for your information and understanding of the policies and procedures of Leech Lake Tribal College. Please read it carefully. Upon completion of your review of this manual, sign the statement below, and return it to your supervisor (or other designated individual) by the due date. A copy of this acknowledgment appears at the back of the manual for your records.

I, \_\_\_\_\_, have received and read a copy of the Leech Lake Tribal College Personnel Policies which outlines the policies and procedures of Leech Lake Tribal College, as well as my responsibilities as an employee.

By signing below, I confirm that I have carefully reviewed the Personnel Policies Manual. I understand and agree to abide by the policies and procedures outlined in this document. I acknowledge that this manual serves as a general guide and may not address every potential employment situation. I agree to comply with all applicable policies and procedures during my employment at Leech Lake Tribal College.

I understand that the Leech Lake Tribal College Personnel Policies Manual is not a contract of employment and should not be deemed as such.

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Employee signature

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Date