

PRAIRIE BAND POTAWATOMI NATION

EMPLOYEE HANDBOOK



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Tribal Council Resolution No. 2020-139

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WELCOME TO THE PRAIRIE BAND POTAWATOMI NATION!

On behalf of your fellow employees, I would like to congratulate you and welcome you to the Prairie Band Potawatomi Nation. We believe that each employee contributes directly to the Prairie Band Potawatomi Nation's growth and success. We hope that you will take pride in joining our team!

This Employee Handbook ("Handbook") is designed to introduce you to the Prairie Band Potawatomi Nation and to provide a reference for questions you may have.

This handbook was developed to describe some of the expectations of our employees and to outline the policies and benefits available to eligible employees. Statements in this Handbook are not promises of specific treatment, but are a guide for your success as an employee of the Prairie Band Potawatomi Nation. I encourage you to familiarize yourself with the contents of this employee handbook as soon as possible, for it will answer many questions you may have about your employment with the Prairie Band Potawatomi Nation.

Questions about the policies contained herein, can be referred to the Human Resources Department, 16281 Q Road, Mayetta, KS 66509, (785)966-3060, Fax: (785)966-3062.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, congratulations, and welcome!

Sincerely,

Peggy Houston

General Manager of
Tribal Operations

NOTICE:

Nothing in this Handbook is intended to create or shall be construed to imply or otherwise constitute a contractual agreement relating to duration or any other term or condition of employment or benefits. By accepting employment with the Prairie Band Potawatomi Nation, you agree and acknowledge that you are employed "at will" and that you or the Prairie Band Potawatomi Nation may separate the employment relationship at any time with or without cause and with or without advance notice.

The Prairie Band Potawatomi Nation reserves the right to change, interpret, withdraw or add to the policies, benefits, terms, and conditions of employment at its sole discretion. When changes in policy do occur, they will be communicated to all employees via existing communications channels. This Handbook will be revised periodically but may not be updated every time a change is made.

No provision contained in this Handbook may be revised or suspended by any oral statements made by supervisors or anyone in our employ. This Handbook can only be modified in writing by an appropriate representative of the Prairie Band Potawatomi Nation.

SECTION 1: BENEFITS

The Prairie Band Potawatomi Nation is pleased to offer you a quality, competitive benefits program. Benefits are a significant part of your total compensation package at the Prairie Band Potawatomi Nation. Your benefits include health, dental, vision, life insurance, disability, retirement, and paid leave and much more! Get more information about these benefits by contacting Human Resources.

Break/Meal Periods: Employees will receive two 15-minute breaks and one 30-minute meal period.

Disability Benefits: Employees must be full-time to be eligible for disability benefits. Coverage begins for basic Short-Term Disability (STD) and Long-Term Disability (LTD) when other health coverage begins. There is an 8-day elimination period for illness for all grades of employees. For all employees, the basic STD plan pays 60% of basic weekly wage to a maximum of \$500 per week subject to the reduction provisions, for a maximum of 26 weeks or until recovery occurs, whichever occurs first. Long-Term Disability (LTD) coverage is available in the amount of 60% of monthly income loss to a maximum of \$4,000. The Long-Term Disability (LTD) plan will provide coverage after you have been disabled a total of 180 consecutive days for any one period of disability or with the exception of benefits provided by state law, the expiration of any employer sponsored Short-Term Disability (STD) benefits or salary continuation.

Part-time and contract employees are not eligible for Disability Benefits.

Employee Assistance Program (EAP): The Employee Assistance Program is designed to help employees, spouses and eligible dependents maximize their health and effectiveness at home and work. Through this program, employees can obtain confidential, personal support for a wide range of issues, from everyday concerns to serious problems. Unlimited phone consultations and six face-to-face counseling sessions for each family member, per situation, are available free of charge. EAP services are provided by New Directions. Whether an employee is facing a difficult personal problem, needs day care options for a child, or financial or legal counseling, the EAP program can help to address those issues. Employees can reach the EAP by calling 1-800-624-5544, 24 hours a day 7 days a week; or logon to the website at www.ndbh.com. Use the company login code "PBPN" to access services.

Employee Communications: The Prairie Band Potawatomi Nation is committed to facilitating open and honest communication and has several ways for you to obtain the information you need to complete the duties of your position and to provide feedback on the work environment. Employees may receive communication from and may utilize the following tools:

- Bulletin boards: posted in various locations throughout the Tribal Government to provide you with information on job openings, department/program news, benefits, training opportunities, etc.
- Department staff meetings as scheduled by your Immediate Supervisor
- Employee Opinion Surveys as conducted by our Human Resources team
- Prairie Band Potawatomi Nation website: www.pbpindiantribe.com
- Open Door Policy: employees have the option to discuss and review issues with your Supervisor, Director and General Manager. We request for you to begin with your Immediate Supervisor, if you feel your situation has not been resolved, go to the next level of management and notify Human Resources. (See Conflict Resolution, pg. 25)
- All-Employee meetings as scheduled by the General Manager

Employee Files: The Human Resources Department and your department maintain personnel and medical records during your employment. You may review your personnel and medical files in Human Resources by scheduling a time to review them with a Human Resources representative present.

The information contained within personnel and medical records is considered property of the Prairie Band Potawatomi Nation Tribal Government and employees may be charged a reasonable fee for the time and cost of

copying any requested documents.

Employment Categories: Employees are designated as either Non-exempt (hourly, entitled to overtime pay) or Exempt (salaried). Employees are categorized in the following manner:

- Full-Time:** Employees who regularly work at least 30 hours per week
- Part-Time:** Employees who regularly work fewer than 30 hours per week; not eligible for certain benefits as defined in the Employee Handbook.
- Contract:** Employees hired as seasonal or interim replacements, to temporarily supplement the work force, or to assist in completing a specific project; not eligible for benefits. Seasonal/Interim Contract employees are typically restricted to less than 120 days of employment per assignment. Employees can be contracted to work on an intermittent and/or as-needed basis; but are not eligible for benefits.

Extended Disasters – Employee Designation and Pay: In the event of a prolonged pandemic or extended disaster the Tribal Council and government may require and institute certain policy and protocol as provided here. This policy shall be an amendment to the PBPB Employee Handbook. It was created as a result of a tribal declaration of emergency due to a national and global pandemic.

This extended disaster policy and protocol is for use when a disaster, emergency, pandemic or other similar event has occurred and a state of emergency is declared by the Nation and such disaster, emergency, pandemic or other similar event has or is expected to exceed two (2) weeks period of time.

Telework In the event of an extended disaster, there may be a need for some or many tribal government employees to telework. The Nation strives to provide a safe and healthy workplace for all employees. In the event of an extended disaster the Nation may require or encourage telework protocol for as many employees as possible to ensure the safety of the Nation's employees and as may be necessary to maintain essential government operations.

Designation of Essential and Non-Essential Employees The designation of essential and non-essential employees may change and evolve during an extended disaster or emergency. Modifications to the designation of essential and non-essential personnel will be made by management during an extended disaster and may change depending on the nature and length of the extended disaster. Staff that may be essential initially may be modified to non-essential at a later date during an extended disaster and there may be occasions when non-essential staff may be called into work as needed depending on the nature and length of the disaster.

Employee Leave and Pay In the event of an extended disaster or emergency depending on the nature of the disaster, Tribal Council and management may grant employees who are deemed to be "non-essential" to be placed on administrative leave for a period of time to be determined.

- Exempt employees called in to work during an extended disaster are eligible to accrue administrative leave on an hour for hour basis for those hours worked on site. Exempt employees who are teleworking are not eligible to receive administrative leave. Accrued administrative leave may not exceed 160 hours. All such administrative leave must be used within one (1) year of the end of the extended disaster as identified by Tribal Council.
- Non-exempt employees called in to work during an extended disaster are eligible to receive hazard pay for those hours worked on site. Non-exempt employees who are teleworking during an extended disaster are not eligible to receive hazard pay.

Monitoring Extended Disaster Conditions The Tribal Council and the Nation's government shall monitor extended disaster conditions in order to make administrative and management decisions regarding which government operations are essential at which stages of the extended disaster, determination of essential employees and which employees are required during certain periods of extended disaster, requirement for certain essential employees to work on site or telework, placement of non-essential employees on administrative leave with pay, or necessity for reduced level of government operations and other related decisions. The Nation's government shall be in consultation and communication with federal and local guidance as may be required and advisable, and the Nation shall continue to advise employees of the expectations during the extended disaster and when operations are expected to return to normal operating procedures, as they are known and determined. In extreme situations of extended disasters, the Nation is authorized and may consider or implement various forms of workplace reduction as necessitated by extended disaster circumstances and operational demands.

Flex Time: Flex time is a benefit provided at the sole discretion of your Immediate Supervisor. This benefit allows employees to be flexible with shift times assigned by their supervisor. All flex time must be pre-approved and taken in the same pay period it was earned. Flex time is a benefit and may be revoked at any time by the Immediate Supervisor, Department Director, and/or the General Manager at any time.

Hazard Pay: It is the expectation of the Prairie Band Potawatomi Nation that essential employees must perform their duties during hazardous conditions in an effort to maintain services for our community members. While not every work situation is identical, this policy will ensure PBPB employees receive equitable compensation during a hazardous shutdown period due to inclement weather, natural disasters, and other designated emergencies.

a. Eligibility

Employees eligible to receive hazard pay are regular full-time and part-time employees who are working during the approved timeframe a hazardous shutdown is declared, scheduled, or called-in to work during the hazardous shutdown period. Committee members and employees who are on leave, are ineligible to receive hazard pay.

Essential Employees: Selected positions are identified as essential during a hazardous shutdown period. Employees are made aware of this designation on their job description at the time of hiring, transfer, or reassignment to a position that is considered essential during inclement weather, natural disasters, and other designated emergencies. Unless a position has been identified as essential during a hazardous shutdown period, all other positions not identified are therefore deemed non-essential. Examples of essential positions are job titles within: Fire, Health Clinic, Land Maintenance, Law Enforcement, Maintenance & Construction, Road & Bridge, and Transportation.

Non-essential Employees: All non-essential employees, and their services, are not required during the hazardous shutdown period and will not be eligible for hazard pay. Examples of non-essential positions are job titles within: Administration, Attorney, Boys & Girls Club, Child Care, Commodities, Education, Elder Center, Enrollment, EPA, Finance, Housing, HR, IT, Language, Maintenance, Social Services, Tribal Court, We-Ta-Se.

***While not all employees may be pre-designated as essential, any employee called in to work during a hazardous shutdown period will be compensated in accordance with this policy.*

b. Compensation

Hazard Pay applies for hours worked during a hazardous shutdown period up to 40 hours per pay period. Any hours worked exceeding the allowable 40 hours for Hazard Pay within a pay period, will be eligible for Overtime Pay for the remainder of the pay period. Hazard Pay and Overtime pay rates cannot be combined.

Non-Exempt Employees: Regular full-time and part-time non-exempt essential employees will receive a shift differential increase of 25% to their base pay rate for actual hours worked during the hazardous shutdown period. These work hours include part-time and pre-approved, traditional and non-traditional scheduled hours. The department will report all regular hours and all hazardous shutdown period hours on the timesheet and submit the pre-approved Hazard Pay Form to Payroll.

Regular full-time and part-time non-exempt non-essential employees, will receive the regular rate of pay for their regularly scheduled work hours missed due to inclement weather, natural disasters, and other designated emergencies.

Exempt Employees: Regular full-time exempt employees will be paid at their regular rate for regular scheduled hours during the shutdown. Exempt personnel who were required to work during the shutdown will receive administrative time off (hour for hour) at a later date for actual hours worked during the hazardous shutdown period.

Health Benefits: Full-time employees are eligible to elect medical/prescription, vision and dental insurance for themselves and dependents. Flexible Spending accounts for Medical or Dependent Care are also available.

Employees can enroll by contacting Human Resources. It is the employee's responsibility to ensure elections are made within 30 days of eligibility. Non-exempt employees are effective on the 60th day of employment. Exempt employees and designated emergency service personnel are effective on the 1st day of the following month after date of hire. Only qualifying events can be used to modify the standard enrollment. Qualifying event changes must be requested within 31 days of the change (e.g. birth, adoption, marriage, divorce). The effective date for qualifying event changes will be the 1st of the following month except for birth, adoption and discharge from the military in which case the effective date will be the date of the event. Back premium payments may be required

for changes made through a qualifying event.

Employees who have completed their initial 90-day orientation period and have an employment status change from Part-time to Full-time will be eligible to enroll in medical, dental, vision, life and AD&D benefits within 30 days from the effective date of the employment status change. The effective date for coverage will be the date of the status change and back premiums will be deducted if enrollment is received after the payroll cut-off. If an employee has an employment status change from Full-time to Part-time, their benefits will cease on the last day of the month in which the status change occurred.

Part-time and contract employees are not eligible for Health Benefits.

Holidays: The Prairie Band Potawatomi Nation provides paid holidays off for employees**. If an employee's regular scheduled day off falls on a holiday, he/she is not eligible for holiday pay. The actual amount of holiday pay will vary based upon the employee's regular work schedule. ***There are departmental exceptions, please check with your Immediate Supervisor for further clarification.*

In order to receive holiday pay, employees must be at their regular scheduled positions the day before and the day after the holiday, unless otherwise authorized by the Immediate Supervisor.

Employees who are called in to work on an approved holiday shall be compensated one and one-half (1 ½) times their regular rate of pay for actual hours worked. All other hours will be compensated at the employee's regular rate of pay up to their normal scheduled work hours.

Holiday observances will be determined by Tribal Council on an annual basis. Announcements will be distributed prior to January 1.

Part-time and contract employees are not eligible for holiday pay.

Inclement Weather: The Prairie Band Potawatomi Nation considers employee safety in determining changes in work hours and establishes fair pay practices for time lost from work. If the Prairie Band Potawatomi Nation should close due to weather conditions, announcements will be made on the following radio or television stations by 5:30 AM:

- WIBW 94.45 radio station
- WIBW television station

Employees may also call the Government Center Front Desk at 1-877-715-6789 by 5:30 AM.

When employees cannot report for their assigned shift because of inclement weather, they are expected to provide as much notice as possible to their supervisor. Employees who do not notify their supervisor that they cannot report to work will be considered a No Call/No Show per the Attendance policy. (See Section 2.6 Conduct Standards)

**This policy applies to all employees of the Prairie Band Potawatomi Nation, except employees covered by their own departments' inclement weather addenda approved by the Tribal Council.*

Jury Duty: Time off for any employee who is called to serve on a jury will be treated as a Leave of Absence. Employees must inform his/her Supervisor upon receipt of a jury summons. If the employee is not excused from jury duty, and the employee's work schedule cannot be flexed to avoid conflict, the employee may be granted time off with administrative pay less all jury fees for a maximum of 10 days.

Upon return, all employees must be reinstated without loss of seniority, insurance or other benefit.

Leaves of Absence: Employees of the Prairie Band Potawatomi Nation may be eligible for three types of Leave of Absence (LOA), as defined below: Prairie Band Potawatomi Nation Family Medical Leave Policy (FMLP), Personal Leave of Absence (PLOA) and Military Leave.

Employees may obtain LOA request forms and details by appointment with Human Resources. Employees will also be advised on their rights and responsibilities prior to and during an approved Leave of Absence.

Employees are expected to submit LOA request forms 30 days in advance of the LOA if it is foreseeable. If this is not possible, employees must provide complete LOA request forms no later than 5 days for PLOA and 15 days

for FMLP. Failure to provide such notice may be grounds for delay of leave or result in denial of LOA.

An initial request for LOA must have an anticipated date of return as well as reason for request. For additional requirements, see the respective sections on Military Leave, Prairie Band Potawatomi Nation Family Medical Leave Policy (FMLP), and Personal Leave of Absence (PLOA) below.

Human Resources will review the LOA request and will approve, deny or recommend alternatives to the employee. Human Resources will notify the department at the approval/denial for the LOA request. Any instructions, responsibilities or guidelines will be provided to the employee.

a. Prairie Band Potawatomi Nation Family Medical Leave Policy (FMLP)

Employees are eligible to take up to twelve (12) weeks of unpaid family medical leave provided they: (1) have worked for the Prairie Band Potawatomi Nation for at least twelve (12) months and for at least 1250 hours in the last twelve (12) months.

Eligible employees are entitled to:

Basic FMLP – up to twelve (12) weeks of unpaid leave per a rolling twelve (12) month period for one of the following reasons: the birth or adoption of a child; to care for a seriously ill member of the employee's immediate family (parent, child or spouse); or the employee's own serious illness. It is the policy of the Prairie Band Potawatomi Nation to provide unpaid family medical leave to eligible employees for:

- the birth of a son or daughter and to care for such son or daughter; or
- the placement of son or daughter with an employee for adoption or foster care; or
- to care for a spouse, son, daughter or parent ("covered relations") with a serious health condition; or
- a serious health condition which renders an employee unable to perform the job functions.

**Leave because of reasons "a" or "b" must be completed within the twelve (12) month period beginning on the date of birth or placement. In addition, spouses employed by the Prairie Band Potawatomi Nation who request leave because of reason "a" or "b" or to care for an ill parent may only take a combined total of twelve (12) weeks during any twelve (12) month period.*

Active Duty Leave: Up to twelve (12) weeks of unpaid leave per a rolling twelve (12) month period for "for any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

Military Caregiver Leave: Up to twenty-six (26) weeks of unpaid leave per a rolling twelve (12) month period for an employee who is the spouse, son, daughter, parent, or next of kin of a covered service-member who is recovering from a serious illness or injury sustained in the line of duty on active duty as well as veterans undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five (5) years preceding the date of treatment.

Note: The maximum amount of combined leave is twenty-six (26) weeks for Basic FMLP/Active Duty Leave (exigency) and Military Caregiver.

Example 1 – an employee may have:

- up to twelve (12) weeks for the birth of a child;
- or up to twelve (12) weeks for active duty leave;
- or 6 weeks for the birth of a child and six (6) weeks for active duty leave;
- or any combination thereof totalling no more than twelve (12) weeks.

Basic FMLP and Active Duty Leave are counted together.

Example 2 – an employee may have up to twelve (12) weeks for his/her serious health condition and fourteen (14) weeks for the care of a covered service-member.

Leave does not necessarily have to be taken all at once. Leave may be taken on an intermittent basis (e.g., one week per month) or on a reduced schedule basis (e.g., four (4) or five (5) hours per day) as determined by the Human Resources department.

If an employee's request for intermittent leave is foreseeable, he/she may be required to transfer temporarily to an alternative position (with equivalent pay and benefits) in order to better accommodate repeated periods of absence.

Employees are required to give fifteen (15) days' notice for leave, assuming the employee is able to give such notice; if not, the employee must give such notice as is practical, but no later than 2 days after returning from leave.

With leave taken on the basis of a serious health condition (Basic) or Military Caregiver Leave, the Prairie Band Potawatomi Nation may require certification of the condition and the fact that the employee is unable to perform his/her functions, or certification of the fact that he/she is needed to care for a family member.

For the purpose of this policy, the following definitions apply:

- "Spouse" is defined as husband and wife by marriage.
- "Parent" includes biological parent and individuals who acted as the employee's parents, but does not include parents-in-law.
- "Son" or "daughter" includes biological, adopted, foster children, stepchildren, legal wards and other persons for whom the employee acts in the capacity of a parent or legal guardian and who is under eighteen (18) years of age, or over eighteen (18) years of age but is legally determined to be unable to care for him/herself physically or mentally.

Although FMLP is unpaid leave, an employee may be required to use any available leave and may apply for Short-Term Disability (STD) pay for his/her own medical issues if full-time and active employee the first of the month following 90 days of employment and meets STD guidelines. Any work-related injuries must be reported when they occur, and payments, if applicable, will be coordinated through your Risk Manager.

For additional information about this policy, please contact the Human Resources Department.

b. Personal Leave of Absence (PLOA)

Employees who have satisfactorily completed their orientation period may request PLOA. Maximum amount of leave that may be granted is six weeks in any rolling forward 12-month period. Employees must use any accrued and unused leave for all or part of an otherwise unpaid PLOA. PLOA may be granted or denied by the department Director based on business demands/department needs. One PLOA request may be granted per year. Departments should consult with Human Resources before rendering a decision. An employee who is granted a PLOA is not assured the right to return to work for the Prairie Band Potawatomi Nation or to the position held prior to the leave. PLOA is not for intermittent use. If an employee is on PLOA for medical reasons and is unable to return as stated on their leave request form, the appropriate documentation (doctor's statement) must be submitted to support the additional dates of absence before the end date. If the employee is unable to return and PLOA leave has been exhausted, additional leave may be granted by the General Manager. If the PLOA is for one's own medical reason, a Fitness for Duty Certificate or doctor's release must be presented before you are allowed to return to work.

c. Military Leave

Non-provisional employees who are a member of any reserve component of the United States Armed Forces shall be allowed leave of absence for required training or duty for a period not exceeding fifteen (15) working days during any one (1) calendar year.

In the event that the time of such training is optional, the time shall be designated at the direction of your Supervisor. If the military pay is less than the employee's regular wage or salary, the Nation will pay the difference between the military pay and the employee's wage or salary at that time. If the military pay is equal or more than his/her regular wage or salary, there will be no compensation by the Prairie Band Potawatomi Nation. If the amount of time requested for the leave of absence exceeds fifteen (15) days, then the employee must use any accrued annual leave or will be granted leave without pay.

Leave Donation: The Prairie Band Potawatomi Nation recognizes that employees may have a family medical emergency or be affected by a life-altering event, resulting in a need for additional time off in excess of their available sick leave. To address this need, all eligible employees will be allowed to donate accrued sick leave from their unused balance to their co-workers in need of additional sick leave.

Employees must be employed with Prairie Band Potawatomi Nation for a minimum of one year to be eligible to donate and/or receive donated sick leave. Employees who would like to make a request to receive donated sick leave from their co-workers must have a situation that meets the following criteria:

- a. Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available; or
- b. Life-Altering event, defined as an employee who is considered to be adversely affected by a major change of circumstances that has caused severe hardship to the employee that requires the employee to be absent from work.

Donation of Sick Leave:

- The donation of sick leave is strictly voluntary.
- Donated sick leave will go into a leave bank for use by the designated employee.
- The donation of sick leave is on an hourly basis, without regard to the dollar value of the donated sick leave.
- The minimum number of sick leave that an eligible employee may donate is 4 hours per calendar year; the maximum is 40 hours.
- Employees cannot borrow against future sick leave time to donate.

Employee must have exhausted all available and accrue leave provided by the Prairie Band Potawatomi Nation before requesting donated sick leave. Employees who would like to donate sick leave or request the use of donated sick leave are required to complete a Sick Leave Donor Form or Sick Leave Donation Recipient Request Form and submit it to Human Resources.

The Department Director, Human Resources and Payroll must approve requests for donations of sick leave.

If the recipient has available sick leave in his/her balance, this time will be used prior to any donated sick leave time. Donated sick leave time may only be utilized for time off related to the approved request.

Employees who receive donated sick leave may receive no more than 160 hours within a rolling 12-month period.

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave policy and/or the Personal Leave of Absence policy.

Life Insurance/Accidental Death & Dismemberment Insurance: All full-time employees are eligible the first of the month, following 60 days of employment. The basic employee life insurance program is provided at no cost to ensure all of our employees have some level of financial protection. This plan includes Accidental Death and Dismemberment benefits equal to the basic life insurance amount. Please refer to the group policy and your certificates for the disability, life and accidental death & dismemberment insurance for the exact provisions, limitations and exclusions of these benefits.

Full-time employees are eligible to purchase additional life insurance coverage for yourself, your spouse, and/or your children during annual open enrolment.

Part-time, temporary, and contract employees are not eligible for Life Insurance/Accidental Death & Dismemberment Insurance benefits.

Merit Increase Policy: To be eligible for a merit increase, an employee must be employed with at least six months of continuous service before a merit increase can be applied to their base rate of pay. Merit increase pay is used to reward successful employee performance. Larger merit increases will be awarded to employees who consistently and significantly exceed performance competencies. Merit increases will not be granted to employees who meet one or more of the following restrictions:

No Merit Increase:

- Overall Rating is Needs Improvement
- On a Final Written Warning
- Base pay rate exceeds the maximum rate for their pay grade
- Department Director: If any employee reviews within their department are turned in after their deadline.

Merit Increase Review Cycle

Performance appraisals for all employees are conducted annually and evaluate the employee's performance during the previous year. All annual performance appraisals need to be completed, reviewed with the employee, and submitted to Human Resources prior to the deadlines shown in the table below. All approved merit increases are effective January 1st of the next year. Employees can only

receive one merit increase per calendar year. **Department Directors will not be eligible for a merit increase if any employee reviews within their department are turned in after their deadline.**

Employee Level	Due Date
Hourly/Non-Leadership Staff	November 1 st
Supervisor/Manager	November 15 th
GM/AGM/Director	December 1 st

Review of Merit Increase

All merit pay increases for employees 6% and above must be approved by the General Manager, Chief Financial Officer, and Director of Human Resources prior to presenting to the employee.

All other merit increases must have received the minimum approvals as shown below:

- Hourly/Non-Leadership Staff: *Manager and Supervisor*
- Supervisor/Manager: *Department Director and Assistant General Manager or General Manager*
- Director/Assistant General Managers: *General Manager and Director of Human Resources*
- General Manager and applicable positions: *Tribal Council*

Positions reporting directly to Tribal Council will need a motion from Tribal Council to receive a merit increase.

Orientation Period: There is an orientation period to provide Supervisors an opportunity to evaluate employees as to suitability for their positions. This period is 90 days for non-exempt employees and six months for exempt employees. A newly hired, rehired, promoted or transferred employee is still subject to the satisfactory completion of the orientation period. A performance appraisal will be given when this period is complete.

Overtime: The Prairie Band Potawatomi Nation pays overtime to non-exempt employees according to the following guidelines:

- Non-exempt employees will be paid time and one-half (1½) their current rate of pay for all authorized hours worked over 40 hours in the scheduled pay period.
- Annual leave, Sick leave, Administrative leave, Bereavement leave, and Jury Duty hours are not considered as “hours worked” for purposes of computing overtime.
- Overtime may be mandatory based on business needs at the Director’s discretion, and a reasonable amount of overtime is an essential function of the job.
- Working overtime without prior approval may subject an employee to corrective action.

Part-time, temporary, and contract employees are not eligible for overtime hours.

Paid Leave: The Prairie Band Potawatomi Nation recognizes and respects employees’ needs for time away from work. The Prairie Band Potawatomi Nation strives to create and maintain a balanced work schedule for its employees and promotes quality of life through the following varying leave programs: Administrative Leave, Annual Leave, Bereavement Leave, Educational/Training Leave, and Sick Leave.

The Prairie Band Potawatomi Nation provides paid leave to employees as outlined below:

a. Administrative Leave

Employees may be granted Administrative leave to attend traditional, spiritual and religious functions if all three of the following requirements are met:

- The function is an observed Native American ceremony occurring in the state of Kansas; and
- the employee is an enrolled member of the Prairie Band Potawatomi Nation, or is a member of any federally recognized Indian Tribe, or has a bona fide interest in the function; and
- The leave is approved by the Program Director and the General Manager and/or Tribal Council.

***Gatherings and pow-wows do not qualify as traditional, spiritual or religious functions for purposes of Administrative Leave.*

In addition to leave granted to attend traditional, spiritual and religious functions, employees may be granted Administrative leave for up to 5 days per calendar year to conduct activities which help maintain Potawatomi traditions and customs. These activities may include traditional harvesting, hunting, etc. After the allotted 5 days have been utilized, employees may be required to utilize Annual Leave to supplement time off.

Employees who utilize Administrative Leave will be ineligible for overtime for the respective pay period. Administrative Leave requests must be requested and approved in advance.

The General Manager of Operations or Tribal Council may designate a day as an Administrative Leave day. If an employee is scheduled for annual or sick leave during the designated time period, administrative leave will replace all leave requests.

b. Annual Leave

Annual leave is available to all full-time employees. The Prairie Band Potawatomi Nation provides employees the ability to work with their Immediate Supervisor to schedule time paid time off for personal reasons which may include vacations, family obligations, etc. Employees must successfully complete their 90-day orientation period before they are eligible to utilize annual leave.

Annual leave accrual rates for full-time employees is as follows:

Years of Consecutive Service	Annual Leave Accrual Rate per pay period
0-2 years	2 hours
3-4 years	3 hours
5+ years	4 hours
Accrual Rate for twenty-four (24) hour personnel	
13 working days per year	

***Exempt employees will start accruing at the rate of 3 hours per pay period upon date of hire and will resume to accrue rates as indicated according to their years of service beyond four (4) years.*

***Part-time employees who transfer to FT status with no breaks in service, will accrue annual leave based on years of service as indicated above.*

Leave requests are submitted online via Microix. Please note that your department guidelines may require that leave requests be submitted prior to specific dates, however, it is always a good idea to request time off as far in advance as possible. Leave requests may be denied based upon anticipated business demands and other previously approved leave requests. All leave is subject to your Immediate Supervisor’s approval. Management may block certain seasonal or peak times deemed as unavailable for leave, and they may otherwise limit leave slots.

Annual leave must be requested and approved in advance by your Immediate Supervisor before any annual leave can be used. Annual leave may be taken in 15 minute increments, and are not subject to a minimum requirement per request.

Each employee who reaches one hundred sixty (160) annual leave hours, cannot accrue additional annual leave hours until the employee decreases those hours either by using annual leave hours as leave time or using the annual leave cash out option.

Leave may be carried over year-to-year, up to a maximum of 160 hours. Once that limit is reached, annual leave will no longer accrue, until the number of leave hours is reduced by annual leave cash out or by using leave hours for time off.

Annual leave cash out is available to employees who have completed their orientation period. Employees may cash out annual leave one time per calendar year by submitting the Annual Leave Cash Out form to payroll, if the employee has accumulated at least 40 hours of annual leave.

Eligible employees have the option of cashing out partial hours, up to a maximum of 120 hours, providing a minimum of forty (40) hours is utilized before December 31 of the current year. If the employee has not utilized the required minimum of forty (40) hours before December 31, they will forfeit the remainder of the required 40 hours of annual leave from their leave balance, to be deducted by payroll. Any hours cashed out will not be included in the minimum hours taken or to be utilized per year.

The calculation for converting twenty-four (24) hour shift employees to the standard cash out will be to divide accumulated hours by three (3); the maximum cash out amount is one hundred twenty (120) hours. This will be the calculation that will be utilized on the pay-out amounts on final pay as well or transfers.

To receive payment for any unused accrued annual leave at separation of employment:

- Employees must have a minimum of 90 consecutive days of service; and
- Employees must depart good standing and must provide adequate notice of resignation.
**Employees who are involuntarily terminated for reasons related to gross misconduct may not be eligible for payment of annual leave upon separation. Defined acts during the course of employment including, but not limited to theft, assault, battery, malicious destruction of property, arson, sabotage, embezzlement, harassment, or other conduct, which demonstrates a wilful, deliberate, or reckless disregard of the Nation's policies are considered "Gross Misconduct."*

Part-time, temporary, and contract employees are not eligible for annual leave.

c. Bereavement Leave

Bereavement Leave: Employees may receive up to five paid days to attend to the funeral and/or personal matters surrounding the death of any of the following family members:

- spouse/significant other
- child (including step children and son/daughter-in-law)
- parent (including step, in-law)
- sibling (including step, half and in-law)
- grandparent (including step, in-law)
- grandchild (including spouse's grandchild and grandchild)
- or legal guardian/ward
- Aunt/Uncle (including step, in-law)
- Niece/Nephew (including step)
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

d. Birthday Leave

Full-time employees are eligible to take one day off during the pay period of their birthday. Part-time and Contract employees are not eligible for birthday leave.

e. Educational/Training Leave

Employees attendance at conferences, workshops, training, and meetings which are helpful to your current position and the improvement of the Prairie Band Potawatomi Nation may be granted by Management, provided that funds are available.

All training shall be paid at the regular rate of pay; no overtime will be sustained with the actual pay period. All travel during normal work hours will be paid at regular pay. Any training or education specific travel that is outside of regular work hours including weekend and holidays will be compensated by per diem. (This does not include travel required to fulfill assigned job duties or specific travel requests made by supervisors to fulfil job duties.)

G.E.D., vocational college, etc. attendance may be granted if it is during the employee's normal schedule, not to exceed four (4) hours per pay period. Employees must request and complete an Educational Attendance Justification Form from Human Resources. Completed forms are to be submitted with schedules and must be verified/approved by your Supervisor and the General Manager.

Part-time, temporary, and contract employees are not eligible for Educational/Training leave.

f. Sick Leave

Sick leave is available to all full-time employees. The Prairie Band Potawatomi Nation provides employees the ability to work with their Immediate Supervisor to schedule time paid time off for personal reasons which may include medical appointments, illness, illness of a dependent etc. Employees must successfully complete 30 days of consecutive employment before they are eligible to utilize accrued sick leave.

Sick leave benefits used intermittently or for three days or more due to a serious health condition shall run concurrently with the Family and Medical Leave Policy.

Employees will accrue two (2) hours of sick leave per pay period. Sick leave may be accumulated for a maximum of 480-hour limit. Firefighters, paramedics, or other twenty-four (24) hour shift employees will accrue six (6) hours of sick leave per pay period.

Leave requests are submitted online via Microix. All leave is subject to your Immediate Supervisor's approval. For sick leave requests in excess of three (3) consecutive days off of work, the employee will be required to submit a physician's statement or release to be reinstated.

If an employee utilizes unplanned sick leave, the employee is expected to comply with proper call in procedures. Failure to do so may result in disciplinary action. (See Attendance, pg. 20)

Sick leave may be taken in 15 minute increments after the first hour. All requests are subject to a minimum requirement of one (1) hour per request.

Employees are not permitted to utilize any sick leave during the notice period. The "notice period" is defined as the time period between the receipt of the letter of resignation and the end of the last working day.

Any unused accrued sick leave will not be paid at separation of employment.

Part-time, temporary, and contract employees are not eligible for sick leave.

Pay: Employees receive pay that is commensurate with their experience and job skills. Employees may be eligible for pay adjustments when a position is regraded, if the employee is promoted to another position, or if determined essential by Management.

The Nation may adjust each employee's wage with a Cost of Living Adjustment (COLA) annually in January as budgets permit. Employees must have completed their orientation period to be eligible for a COLA increase.

Part-time, temporary, and contract employees are not eligible for COLA increases.

Pay Check Distribution: Employees have the option to participate in Direct Deposit. Direct Deposit of your pay check provides a safe, simple and easy way to secure your pay. It is critical that employees provide Human Resources and their department with any changes in accounts, your address and phone number.

Pay Periods: Pay periods are one week in length from Sunday-Saturday. Employees are paid every Friday for the pay period ending the prior week. When a payday falls on a holiday, the employee's pay check shall be issued on the day prior to the scheduled payroll date.

The payroll department works hard to assure that you receive the correct amount of pay on the scheduled payday. If there is a discrepancy on your pay check, please first consult your supervisor.

Performance Appraisal: Your Immediate Supervisor will be responsible to ensure that the performance is reviewed, on a continual informal basis, and that formal performance appraisals are carried out annually.

Newly hired employees, along with employees that are promoted or who have transferred into a new position/department are subject to successful completion of a 90-day orientation period for non-exempt employees, and a 6-months orientation period for exempt employees. In addition, employees can expect on-going informal review discussions to take place from the date of hire or promotion/transfer into the new position/department. (See Orientation Period, pg. 9)

Prairie Band Potawatomi Nation Issued Property: The Prairie Band Potawatomi Nation will issue an employee badge to each employee. Other items that may be issued include: uniforms, cell phones, laptops, special tools and equipment as assigned by your Supervisor and/or Department.

Employees in various jobs may be provided uniforms; there is a cost for replacement items or items not returned. Former employees will be charged for items not returned within one (1) week of their separation date.

Upon separation of employment, all property issued by the Prairie Band Potawatomi Nation must be returned in the proper working order. Failure to return such property will result in financial charges and will be deducted from the final balance of annual leave prior to distribution.

Savings & Retirement (401k): The Prairie Band Potawatomi Nation offers a 401(k) retirement plan through Sentinel Benefits. Employees are encouraged to begin participating after 90 days of employment.

Matching contribution is at the discretion of the Nation. The Prairie Band Potawatomi Nation matches 50 cents on the dollar up to 10% and employees are fully vested after four (4) years of service. For more information on vesting and investments, contact the Human Resources department.

Contributions are vested on the following schedule:

Years of Service	0	1	2	3	4
Percentage Vested	0%	25%	50%	75%	100%

Telework: Teleworking allows employees to work at home, on the road or in a satellite location for all or part of their workweek. The Prairie Band Potawatomi Nation considers telework to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telework is not an entitlement, it is not a Nation government benefit, and it in no way changes the terms and conditions of employment with the Nation.

Procedures Telework can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as further described. Either an employee or a supervisor can suggest telework as a possible work arrangement.

Eligibility Individuals requesting formal telework arrangements must be employees of the Nation and have a satisfactory performance record.

Before entering into a telework agreement, the supervisor and the employee will evaluate the suitability or requirement for such an arrangement, reviewing the following areas:

- **Job Responsibilities:** The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telework arrangement.
- **Equipment Needs:** Workspace design considerations, and scheduling issues. The employee and supervisor should discuss any the physical workspace needs and the appropriate location for the telework.

If the employee and supervisor agree, and Human Resources concurs, a draft telework agreement will be prepared.

Evaluation Evaluation of employee performance during this period includes regular interaction by phone and email between the employee and the Supervisor and weekly check-ins to discuss work progress and problems. An appropriate level of communication between the employee and supervisor must be agreed to in order for the employee to begin telework.

Equipment The Director and employee shall determine the appropriate equipment needs for each telework arrangement. The Nation’s Human Resources and IT departments will serve as resources in this matter. The Nation reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Nation shall be maintained by the Nation. Equipment supplied by the employee if deemed appropriate for work use by the supervisor will be maintained by the employee. The Nation accepts no responsibility for damage or repairs to employee-owned equipment. The Nation reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the Nation shall be used for Nation business purposes only. The teleworking employee must sign an inventory of the Nation property received and shall agree to take appropriate action to protect the items from damage or theft. At the end of teleworking or as per the telework agreement, the employee shall return all Nation property to the Nation, unless other arrangements have been made.

Security Consistent with the Nation's expectations of information security for employees working at the office, telework employees shall be expected to ensure the protection of proprietary Nation and customer information accessible from their home office. Steps to ensure security include the use of locked desks, computers, regular password maintenance, and any other measures required by the Nation's IT department and policies or directives.

Safety The telework employee will establish an appropriate work environment within their home for work purposes. The Nation will not be responsible for costs associated with the setup of the employee's home office such as remodeling, furniture or lighting nor for repairs or modifications to the home office space. Employees are expected to maintain their home workspace in a safe manner, free from safety hazards.

Telework employees are responsible for notifying the employer if they are injured while working at home. The employee is liable for any injuries sustained by visitors to their home worksite. As a reminder, telework is not designed to be a replacement for appropriate childcare. The focus of the telework arrangement must remain on job performance and meeting business demands.

Time Worked Employees who telework who are non-exempt will be required to accurately record all hours worked using the Nation's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in disciplinary action including the immediate termination of the telework agreement.

Other Arrangements Temporary telework arrangements may be approved for circumstances such as special projects, business travel, inclement weather, disaster, and incidents of public emergency and related situations. These arrangements are approved on as-needed basis and may be temporary in nature for limited durations.

Transfers/Promotions: Employees are eligible to request a transfer or promotion if they meet the following requirements:

- Meets the minimum requirements stated on the job description
- Must have been in their current position for 90 days (non-exempt positions) or six (6) months (exempt positions). (*Internal department transfers/promotions do not apply*)
- No Final Written Warnings within 12 months prior to the request for transfer/promotion

Whistleblower Policy: The Whistleblower Policy is an internal policy to help manage risk and protect the tribal government and the Nation's long-term wellbeing and reputation. The policy is intended to cover serious concerns that could have or has a large potential impact on the tribal government or the Nation or one of its organizations. Employees with any questions regarding this policy should contact the Director of Human Resources.

Definitions:

1. **Whistleblower:** A whistleblower is an employee of the Prairie Band Potawatomi Nation Tribal Government who reports an illegal or dishonest activity to one of the individuals specified in this policy.
2. **Reportable Activity.** Breaches or violations of applicable law, regulations, code or policy; dishonest activity including billing for services not performed or for goods not delivered; deliberate misrepresentation of materials and data in federal financial and other reporting, and other similar serious concerns. Other non-reportable activities should be reported through the Employee Conflict Resolution process.
3. **Disclosure.** If an employee becomes aware of a Reportable Activity, they should disclose that information in person, by phone or via email or written document to their supervisor, Assistant General Manager or the General Manager or the Human Resources Director. If the matter involves senior management, the employee may contact the Tribal Council, who may consult with an outside firm for investigatory or advisory and consulting purposes.
4. **Submitting Disclosure.** Disclosure of a Reportable Activity may be in person, by phone, text or via email or other electronic method. For any method not in writing, the employee must provide a follow up written report to the individual to whom they made the initial report. The Human Resources Department may keep the whistleblower informed of the progress and subject to legal constraints, the status and outcome of the investigation.
5. **Investigation.** At this discretion of the Nation, an investigation will occur after a report is made. The whistleblower is not responsible to investigate the activity or to determine fault or corrective measures

6. Whistleblower Protections: An employee making a report under this policy in good faith and with reasonable belief shall have protection from retaliation even if an investigation subsequently determine the report to be untrue. Protections for such employee shall include, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
7. Retaliation. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. Anyone found to have taken retaliatory actions against the whistleblower will be subject to disciplinary action, including the possibility of separation of employment.
8. Malicious Actions. The right of a whistleblower for protection under this policy does not include immunity for any personal wrongdoing that is alleged and investigated. A person is not entitled to the protections under this policy unless he or she reports the information in good faith and with reasonable belief that the information reported is in fact breaches or violations of applicable law, regulations, code or policy; dishonest activity including billing for services not performed or for goods not delivered; deliberate misrepresentation of materials and data in federal financial and other reporting, and other similar serious concerns. A person is entitled to the protections under this policy only if the matter of concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct that was required by his or her employer.
9. Confidentiality. The whistleblower's identity will be protected to the fullest extent subject to requirements of the law to provide accused individuals information for their legal defense. Confidentiality cannot be guaranteed but the identity of the whistleblower will be disclosed only on a need-to-know basis.

Worker's Compensation: If you have an injury or occupational disease arising out of and in the course of your employment with the Prairie Band Potawatomi Nation, you may be entitled to benefits. Please see Human Resources for details.

Worksite Lactation: Employees shall be provided reasonable time to express milk while at work for up to three years following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use personal leave or may make up the time as negotiated with the employee's Supervisor and/or Director.

Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk. The room will:

- Be in close proximity to the employee's work station when possible
- Have a door equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public
- Be well lit
- Ensure privacy by covering any windows with a curtain, blind, or other covering
- Contain at a minimum a chair and a small table, counter or other flat surface
- Ideally include an electrical outlet and nearby access to clean water

No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work. Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the appropriate Supervisor/Director.

The Prairie Band Potawatomi Nation will:

- Maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.

- Notify employees returning to work following the birth of a child of benefits available in accordance with the Prairie Band Potawatomi Nation Employee Handbook.

Breastfeeding employees utilizing lactation support services will:

- Give supervisors advance notice of the need for lactation accommodations, preferably prior to their return to work following the birth of the child. This will allow supervisors the opportunity to establish a location and work out any possible scheduling issues.
- Maintain the designated area by wiping the surfaces with microbial wipes so the area is clean for the next user.
- Ensure the safekeeping of expressed breast milk stored in any refrigerator on the premises. Breast milk can be stored in a general PBPN refrigerator or in the employee's personal cooler.

SECTION 2: CONDUCT STANDARDS

The Prairie Band Potawatomi Nation adopts these conduct standards to ensure orderly operations and to provide the best possible work environment. The Prairie Band Potawatomi Nation expects employees to follow these rules of conduct while on company premises, while attending company functions or otherwise performing work-related activity. Maintaining, enforcing and abiding by this policy will protect the interests and safety of all employees, the organization and our patrons.

Alcohol/Drugs (Substance Abuse): In a commitment to promote high standards of health and safety, to provide a safe place for our guests, employees, and other individuals doing business with the Prairie Band Potawatomi Nation, and to create a drug-free work environment, the Prairie Band Potawatomi Nation has established an Alcohol/Drugs (Substance Abuse) Policy, which applies to all employees. The Prairie Band Potawatomi Nation prohibits the illegal use (as evidenced by detectable presence in the body), possession, sale, manufacture or distribution of drugs, alcohol, or other controlled substances on its property, as well as reporting to work under the influence of drugs or alcohol. This includes the sale or misuse of prescribed drugs. Employees who violate this policy are subject to discipline, up to and including separation of employment.

Any employee who is taking prescribed medical treatments, including or containing a controlled substance, or over-the-counter drugs that might interfere with his/her job performance in any way or jeopardize the safety of the employee or others, is required to advise Human Resources before reporting to work that s/he is under such medication. However, the Prairie Band Potawatomi Nation reserves the right to prohibit an employee from working, if taking such medication may create a safety risk in the work place.

Employees may not share medications of any kind (over-the-counter) with co-workers, guests or others. Prescribed medical treatments (medications) should be taken only as prescribed.

The Prairie Band Potawatomi Nation reserves the right to test any employee including but not limited to newly hired, rehired or reinstated employees, job transfers, reasonable cause, and accidents with property damage or injuries requiring professional medical treatment. The Prairie Band Potawatomi Nation reserves the right to test randomly; and the right to conduct annual testing for employees who drive motorized vehicles.

Separation of Employment will result after:

- a positive test for any controlled substance not prescribed by a physician for your personal use;
- a positive test for being under the influence of alcohol;
- a deliberately tampered with or adulterated sample;
- a refusal to take the test.

Asking another person to take the test will result in separation of employment. Any employee who receives such a request from another employee is expected to immediately report the incident to Human Resources. Taking the test for another employee will result in separation of employment for all employees involved in the incident.

Off-the-job illegal drug use which could adversely affect an employee's job performance or which could jeopardize the safety of others, the public, or Nation's equipment, is proper cause for administrative or disciplinary action up to and including termination of employment. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to Human Resources within five (5) days. Failure to comply may result in immediate termination.

Employees who are discharged for distributing or possession of drugs in violation of this policy may not be eligible for rehire for a period of up to but not exceeding, three years. Employees discharged or suspended for positive results on pre-employment, random and/or for cause drug testing are not eligible for rehire for a period of 180 days following the drug screening, and must provide proof of rehabilitation upon request.

Alcohol/Drugs (Substance Abuse) Rehabilitation: The Prairie Band Potawatomi Nation recognizes that drug abuse and/or dependency are medical/behavioral conditions that can be successfully treated. Employees with drug problems are encouraged to request assistance from the PBPN Alcohol & Drug Program or the Employee Assistance Program. Participation in these programs is voluntary and completely confidential;

however, a request for assistance or participation in these programs does not excuse an employee from violation of this policy.

Employees that are terminated for testing positive for prohibited substances may request for the termination to be modified to an unpaid suspension to seek rehabilitation assistance. Requests must be in writing and submitted to the Human Resources Department within three (3) days of the termination. Human Resources Management staff and the appropriate Department Director will consider the request and respond within three (3) working days.

If accepted, the employee will be referred to the PBPN Alcohol & Drug Program or the Employee Assistance Program for assessment and treatment recommendations. The employee will continue on suspension for a minimum of five (5) working days; upon completion of the assessment and/or immediate recommendations by the treatment provider, the employee may be reinstated to the same position or another non-adjudicated position, if necessary, after producing a negative drug screen with a signed agreement to continue participating with the appropriate drug rehabilitation program.

Upon reinstatement, the rehabilitated employee will be required to produce a negative drug screen within 35 days and will be subject to unannounced drug screening for up to 24 months.

If the employee fails to maintain satisfactory progress or discontinues the agreed-upon treatment plan, the employee will be terminated.

Anti-Harassment Policy: The Prairie Band Potawatomi Nation is committed to providing a work environment that is free from all forms of harassment, intimidation or retaliation for opposing such conduct.

Harassment is defined as unwelcome conduct toward an individuals because of his/her age, disability, marital status, national origin, race or color, religion, sex, sexual orientation or gender identity, when the conduct creates a threatening, intimidating, hostile, coercive or offensive work environment that causes work performance to suffer or negatively affects job opportunities. Harassment can include derogatory remarks, epithets, offensive or distasteful jokes, the display or circulation of offensive printed material (visually, electronically or by any other means), and/or offensive physical actions.

Harassment will not be tolerated; this policy applies to everyone in the workplace, including officers, managers, supervisors, co-workers, non-employee visitors, and vendors. Claims that do not meet the anti-harassment criteria listed in this policy will be subject to the Conflict Resolution policy, pg. 20.

Employees should report any harassing behavior to the appropriate management or Human Resources representative. The employee is not required to report the behavior or incident to the offending supervisor or manager. Employees are encouraged to report such behavior before it becomes severe or pervasive. The Human Resources department will investigate the claim and, if true, take appropriate action to ensure such activity ceases.

Sexual harassment is any unwelcome or unwanted sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature where:

- Submission to the conduct is made either an explicit or implicit condition of employment; or rejection of the request is used as a basis for an employment decision affecting the harassed employee; or,
- The conduct, including conduct engage in by customers, vendors and other non-employees, substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment which includes but is not limited to the use of sexual epithets or references to physical characteristics.

Any employee who engages in the types of harassing conduct described in this policy will be disciplined; up to and including termination.

Each supervisor is responsible for communicating this policy and informing employees of the procedures for reporting any instance of prohibited harassment.

No employee at any level will retaliate against anyone, either for reporting any instance of harassment or for providing information related to a harassment complaint.

Guidelines for responding to and reporting conduct considered to be harassing are described below. The purpose of these guidelines is to help the Human Resources department conduct a thorough and impartial investigation of these types of allegations. The person who is the object of harassment is not required to follow these guidelines. If a person feels uncomfortable following these guidelines, s/he always has the option of reporting incidents

directly to a Human Resources representative. If a person registers a complaint regarding harassment and requests to remain anonymous, an investigation will be conducted and the request to remain anonymous will be honored, to the degree feasible under the circumstances, but anonymity cannot be guaranteed. However, the person who registers the complaint must understand that failing to openly participate in the investigation may hinder the process of resolving the allegation.

Supervisors and Directors are required to respond to allegations of harassment in any of the following situations:

- An employee believe s/he is being harassed and brought it to the supervisor’s attention;
- The supervisor has observed the behavior; or,
- If the behavior was brought to the supervisor or Director’s attention by another source.

Supervisors or Directors are expected to take prompt and/or corrective action upon receiving knowledge of any improper conduct as prescribed below:

1. Immediately take a preliminary statement from the employee alleging harassment, including the nature of the conduct and when it occurred. If the Supervisor or Director personally observes the conduct, s/he should document the observations in writing.
2. Take the information to the Human Resources Department, which will initiate a prompt and complete investigation. The investigation will include obtaining detailed statements from the complainant, the alleged harasser, witnesses and any other persons who may have relevant information. All persons who are questioned and/or involved in the investigation will be informed that any employee has a right to make a complaint; that they should not discuss the investigation; and that retaliation of any form, including but not limited to negative comments about the complainant, will result in discipline up to and including termination.
3. The Director of the department will be asked to participate in the investigation, unless s/he is being accused of improper conduct. This is a priority matter and the full and immediate cooperation of the Director is expected.
4. After the investigation is completed, should the evidence support a conclusion that prohibited conduct occurred, the Director and Human Resources will determine the appropriate action to be taken: (1) to ensure that the harassment ceases; (2) to correct the effects on the employee; and (3) to ensure that harassment does not reoccur. Depending on the nature and severity of the conduct, this may include:
 - A first and final written warning that all improper conduct must cease immediately, and that further conduct of a similar nature will result in immediate separation of employment,
 - A first and final written warning and transfer of the harasser to another position. The complainant should not be subject to having his/her position changed, unless specifically requested.
 - Remedial training;
 - Proven violations may result in a final written warning or termination of employment.

Non-employees will be counseled that all improper conduct must cease immediately and that such conduct, or further conduct of a similar nature, will result in removal from the property and/or the discontinuation of the vendor relationship.

Whether or not the investigation discloses prohibited conduct, the accused harasser will be informed that retaliation against the complainant will result in disciplinary action up to and including termination of employment.

Human Resources will notify the complainant concerning the results of the investigation. The complainant also will be requested to notify Human Resources immediately if any additional conduct of a similar nature occurs.

Appearance Standards: All employees are expected to present a professional image to our employees, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas is an ongoing requirement of employment with the Prairie Band Potawatomi Nation.

Certain employees may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their position. Uniforms and protective clothing may be

required for certain positions and will be provided to employees by the Prairie Band Potawatomi Nation.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to employees during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the Supervisor.

At the discretion of the Director, in special circumstances, such as during unusually hot or cold weather or during special occasions, employees may be permitted to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Employees who do not meet Appearance Standards may be sent home and not permitted to work until their appearance meets the department and the Prairie Band Potawatomi Nation's standards. Failure to comply creates a scheduling hardship for other employees in the department and may be considered insubordination as well as a violation of the Appearance Standards. Consequently, the employee is subject to disciplinary action, up to and including separation of employment.

The Prairie Band Potawatomi Nation reserves the right for management to have the final determination on whether an employee's appearance complies with our standards. In addition to the guidelines set forth, many departments have additional, more specific guidelines that address appearance, safety, health or security considerations. Employees are expected to comply with all guidelines specific to their positions. These guidelines are meant to be minimum Appearance Standards.

Arrest while Employed: Employees are expected to present themselves as a credit to the Prairie Band Potawatomi Nation and to encourage others to do so. If an employee is arrested for alleged criminal activity (either while on or off duty) which may affect their ability to complete the duties of their position, that employee may be suspended pending an investigation. If the situation is not resolved after 30 days, the Prairie Band Potawatomi Nation (Department Director in consultation with Human Resources) has the option of placing the employee on a Personal Leave of Absence or separating the employee of employment.

If the employee was placed on a leave due to an investigation that proved no wrongdoing, the employee will be allowed to return to work. If the employee was suspended, and the investigation concluded the employee engaged in no wrongdoing, the employee may be reinstated to their position.

Attendance: Timely and regular attendance is an expectation of performance for all Prairie Band Potawatomi Nation employees. To ensure adequate staffing, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their assigned schedule.

The schedule in each department is designed to provide the best services to the Prairie Band Potawatomi Nation's community. Frequent or unexplained absences or lateness in reporting to work is an inconvenience to co-workers and the duties assigned. Good punctuality and attendance is expected of every employee. In the event an employee is unable to meet this expectation, he/she must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work.

The following definitions will apply when considering employee's attendance:

- Excused absences: if the employee provides proper and timely notification deemed satisfactory to the Department Director.
- Timely notification: reporting the absence at least one (1) hour prior to the start of the employee's shift and providing advance notices for absences which may be anticipated.
- Unexcused absences: unexcused when an employee fails to provide timely notification of their absence, fails to give advance notice for an absence which could have been anticipated, or if the leave request has been denied and the employee has called out.
- Excessive absenteeism: six (6) or more instances of unexcused absences in a three month review period.

- Patterned absences: three (3) occurrences creating a pattern within a three month period; e.g. absent the day after each payday, absent before or after holidays, etc.
- Tardy: Leaves work prior to the end of the assigned/scheduled work time without prior supervisory approval; takes an extended meal or break period without approval, or arrives to work past his/her scheduled start time
- Excessive tardiness: six (6) or more instances in a three month review period.

The Prairie Band Potawatomi Nation reserves the right to require an employee to submit a doctor's note in the event of repeated absences for medical reasons or if medical absences exceed three days in order to be reinstated to their position.

Excessive absenteeism, excessive tardiness and patterned absences are subject to the discipline policy, up to and including termination.

Not reporting to work and not calling to report the absence with timely notification as explained above, is considered a No-Call/No-Show and is a serious matter, creating increased administrative burdens and emotional upset.

Employees with one (1) No-Call/No-Show anytime within their orientation period may be subject to immediate termination.

The first instance of a No-Call/No-Show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. Any no-call/no-show lasting two days is considered job abandonment and will result in immediate termination of employment.

If the employee has already begun the discipline policy for attendance/punctuality when a no-call/no-show occurs, the disciplinary process may be accelerated to the final step.

Management may consider extenuating circumstances when determining discipline for a No-Call/No-Show (for instance, if the employee is in a serious accident and is hospitalized) and has the right to exercise discretion in such cases.

Supervisors and timekeepers are responsible to monitor employees' attendance on a regular basis and address unsatisfactory attendance in a timely and consistent manner in accordance with the discipline policy.

Employees who have exhibited unsatisfactory attendance which resulted in disciplinary action (written or final) within the previous 12 months may have the behavior documented on their annual evaluation.

The Prairie Band Potawatomi Nation reserves the right to review each situation on a case-by-case basis. Employees are required to notify their supervisor each day they will be absent, except in cases where an employee is approved for a continuous Leave of Absence, or other absences that have been arranged in advance.

Behavior Standards: Out of respect for our community and each other, employees are expected to maintain certain standards of behavior and/or performance. Any violations of the following expectations may result in disciplinary action up to and including termination.

The following list is not all-inclusive and may be revised periodically:

- a. Employees will demonstrate courtesy, friendliness, appropriate greetings, initiative to assist, professional language, tone, manner, actions with guests, co-workers, and members of the public.
- b. Employees will not use obscene, profane or abusive language including malicious gossip and will refrain from lewd or obscene conduct.
- c. Employees will be honest and forthcoming in all communication, verbal and written; this includes any Prairie Band Potawatomi Nation documents, communication, and participation in investigations. Employees will not knowingly make false statements or omit pertinent information, particularly regarding investigations or reports. Employees must report any known acts or plans of dishonesty.
- d. Employees will not possess dangerous or deadly weapons on Prairie Band Potawatomi Nation premises or while off premises in performance of job duties, with the exception of the Law Enforcement Officers.

- e. Employees will not participate in harassment of any guest, co-worker, vendor, or others. This includes, but is not limited to, harassment based on sex, sexual orientation, race, color, religion, gender identity or expression, national origin, age, veteran status, or disability.
- f. Employees will not participate in theft, misappropriation, misuse or willful destruction of a co-worker's, guest's, or Prairie Band Potawatomi Nation property, or unauthorized removal of such, including lost and found items.
- g. Employees will report to work free of the influence or odor of alcohol, drugs or other controlled substances; employees will not consume or possess illegal drugs or alcoholic beverages while on Prairie Band Potawatomi Nation time, in or on company property, or when visiting property off duty. Employees will not sell, misuse, or provide prescribed drugs.
- h. Employees will not reveal confidential Prairie Band Potawatomi Nation information to unauthorized persons.
- i. Employees will refrain from coercion, collusion, intimidation, threats, or physical force toward co-workers, Supervisors, program participants, vendors, or members of the general public.
- j. Employees will use professional judgment and will refrain from acts of gross misjudgment, carelessness, negligence in the performance of one's job, or any serious conduct detrimental to the orderly and ethical operation of the Prairie Band Potawatomi Nation.
- k. Employees will act with respect and will not demonstrate insubordination including failure to act with respect; refusal or failure (despite warnings) to perform assigned duties in accordance with performance standards; refusal or failure (despite warnings) to adhere to Prairie Band Potawatomi Nation policies and procedures.
- l. Employees will not sleep or give the appearance of sleeping while on duty except in designated break areas during designated break time.
- m. Employees will obey and comply with all Prairie Band Potawatomi Nation rules, department policies and procedures, and supervisor's instructions, as well as applicable law and regulations of governmental agencies, including those prescribed by the Tribal Council. Employees will follow all posted, stated or commonly known rules, policies, and procedures.
- n. All employees shall avoid acts and situations that are improper, or might give the appearance of impropriety or might impair their good judgment when acting on behalf of Prairie Band Potawatomi Nation.
- o. Employees will conduct themselves off duty in a way that reflects positively on Prairie Band Potawatomi Nation and does not impact job performance, and does not bring discredit to the Nation.
- p. Employees will observe all safety, health and fire codes and practices.
- q. Employees will use Prairie Band Potawatomi Nation phones and equipment including but not limited to computer resources, e- mail, internet, only for authorized business only.
- r. Employees will perform all duties carefully, attentively, and with regard for giving a fair day's work for a day's pay. Employees will clock in/out for time worked, will not clock in/out for any other employee, will report to work promptly, return from breaks on time, and perform assigned work until the end of the shift. Employees will leave their assigned work areas only for approved breaks, at the end of their shift, or proper authorization.
- s. Employees who walk off the job during shift without prior approval may be considered to have abandoned their job and voluntarily separated their employment.
- t. Employees will smoke and use tobacco products only in designated areas during designated break time.
- u. Employees must immediately inform Human Resources in writing of any changes in regard to background authorization. Changes include name, address, telephone, divorce, arrests, and convictions which may affect the ability to perform assigned duties.
- v. Employees must maintain up-to-date, valid licenses, and certifications required to perform the job (including but not limited to adjudication, driver's license, lifeguard certification, special equipment licenses).
- w. Employees will not falsify or alter any official documents which are property of the Prairie Band Potawatomi Nation.

Computer Usage: Computer resources are property of the Prairie Band Potawatomi Nation and are provided to authorized users for business purposes only. The Prairie Band Potawatomi Nation has the right to review or seize computer resources, including hardware, software, documents and electronic correspondence.

"Computer resources" includes equipment, software (developed internally or purchased through a vendor), data and electronic communication on company owned devices. It also includes products generated as a result of using those resources, including but not limited to text documents, spreadsheets, graphics, artwork, databases and applications. Access to and operation of computer resources are subject to the Prairie Band Potawatomi Nation policies, as well as applicable law.

Users are responsible for the appropriate, professional and ethical use of computer resources and are expected to comply with this Computer Usage Policy as well as related procurement, I.T., internet access and licensing policies. Computer and data content, integrity and security are the responsibility of users. Users are representatives of the Prairie Band Potawatomi Nation when communicating internally or externally.

Users are expected to report any knowledge of actual or potential violation of this policy to their department management, Security or I.T.

Departments may have additional computer resource or internet access policies or guidelines which supplement this Computer Usage Policy. No department-specific guideline or policy may replace any part of this Company-wide Computer Usage Policy.

Access, Security, and Confidentiality

a. Access to Computer Resources

Users are assigned unique login accounts for authorized access to the Prairie Band Potawatomi Nation’s network and systems, including company email, secured and shared folders (as appropriate). Do not run or otherwise configure software or hardware to intentionally allow access by unauthorized users. Immediately report user changes (e.g., separation of employment, transfers within departments) to I.T.

Confidential communications/service access should use private (leased) dedicated lines. Access to the Prairie Band Potawatomi Nation’s network from outside sources by means other than the centralized internet connection or centralized remote access must be approved and configured by the Prairie Band Potawatomi Nation I.T. department.

Internet email and website browsing are allowed for business purposes.

b. Security

Passwords need to be 10 characters long and include letters, numbers, mixed case and punctuation. You will be notified every 6 months to change your password. Your new password cannot be the same as your last 2. The password cannot contain parts of your name.

Do not share your password. If someone learns your password, notify IT so they can change your password.

Use your Company email address for business purposes. Never reply to junk mail. Never share your Company email address in internet discussion groups or message boards.

It is the responsibility of the employee to secure any device that has access capability to data, email, and/or company documents on the network similar to a computer (PC, Laptop, Tablet, smart phone, etc.) before leaving the device unattended. Do not leave your computer unattended while attached to the network or email unless you have password-protected the system or screensaver. If you are using an individual sign on for applications while utilizing a shared computer, you should log off those applications when leaving your work area.

c. Confidentiality

Do not disclose or distribute outside of the Prairie Band Potawatomi Nation any information that is marked or considered confidential or proprietary unless you have received appropriate authorization from the General Manager and/or Tribal Council . In some cases, such as with Trade Secrets, distribution within the Prairie Band Potawatomi Nation should be limited and controlled (e.g., numbered copies and a record of who has received the information). You are responsible for contacting your department Director or General Manager for instructions.

If you have received permission to send confidential information via e-mail, the following statement should be placed at the bottom of the e-mail: NOTICE: The information in this e-mail is proprietary and confidential to the Prairie Band Potawatomi Nation. It may also be protected by the attorney-client privilege or work product doctrine. It is intended only for the named individual(s). If you are not the intended recipient, be advised that unauthorized use, disclosure, copying, distribution, or action in reliance on this information is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by email, and delete it.

External mail messages and attachments are not secure or private.

d. General Restrictions

Computer resources may not be used to:

- Commit, aid or abet in the commission of a crime.
- Violate applicable laws, whether tribal, local, state or federal.
- Infringe upon any intellectual property rights, including copyrights, patents, trademarks or trade secrets.
- Share confidential information with the general public, including discussing the Prairie Band Nation, its financial results or prospects, by using an internet message board or social media site to post any message, in whole or in part.
- Convey or display anything fraudulent, pornographic, abusive, profane, offensive, libelous or slanderous.
- Send chain letters or other forms of non-business information.
- Seek employment opportunities outside of the Prairie Band Potawatomi Nation.
- Harass or invade the privacy of other people.
- Solicit for personal gain or advancement of personal views.
- Use of Company social media accounts such as Facebook, Instagram, Snapchat, Twitter, etc. for personal use is prohibited. Any requests for employee use of external Company social media accounts must be submitted to Media Department and/or Tribal Council.
- Do not visit inappropriate (non-business) websites, including but not limited to online auctions, day trading, retail/wholesale, chat rooms, message boards and journals. Limit the use of personal email, including using streaming media (e.g., video and audio clips) and downloading photos.
- Computer resources are company property, including Prairie Band Potawatomi Nation accounts on external services, email accounts and correspondence stored in them. The Prairie Band Potawatomi Nation reserves the right to read any user's email for any reason and at any time.
- Any use of the Prairie Band Potawatomi Nation's computer resources is to be for business purposes only. Improper use of computer resources or internet access may result in account suspension, disciplinary action including separation of employment and/or legal action.

Confidentiality: Prairie Band Potawatomi Nation employees are prohibited from disclosing to anyone, indirectly or directly, any information about the Prairie Band Potawatomi Nation and its employees, which has not been shared by the Prairie Band Potawatomi Nation with the general public. This type of disclosure includes participation in internet chat rooms, on social media sites or message boards. This information includes, but is not limited to:

- Prairie Band Potawatomi Nation financial data
- Employee information (status, rate of pay, disciplinary action, etc.)
- Plans and strategies (development, marketing, business)
- Organizational charts, salary structures, research or analyses
- Customer or supplier lists or related information
- Any other information that is not considered as a legitimate "need to know"

Employees are prohibited from speaking for or on behalf of the Tribal Council, Tribe/Nation, unless specifically authorized by the Tribal Council via a signed letter of authorization or by Tribal Resolution.

Exceptions to this rule include disclosures which are authorized by the Prairie Band Potawatomi Nation or required or authorized by the law. The General Manager and/or Director of Human Resources should be consulted whenever there is a question about whether information is considered confidential or an exception is applicable. Any failure to uphold this policy should be communicated to the General Manager and/or Director of Human Resources and may result in immediate separation of employment.

Conflicts of Interest: The Prairie Band Potawatomi Nation strives to maintain the highest ethical standards in all policies, procedures and programs and to avoid any conflicts of interest. The Prairie Band Potawatomi Nation's business decisions will be made without bias or favoritism on the part of any of its employees. Each employee must comply with the policies and procedures of the Prairie Band Potawatomi Nation, maintain the

confidentiality of information required in the performance of his or her duties and not use his or her position or knowledge acquired in carrying out job responsibilities and duties for personal gain or as a representative of other interests, public or private.

All employees are expected to conduct their activities in such a way to avoid any appearance of, or actual, loss or embarrassment to the Prairie Band Potawatomi Nation that might arise from improper influence on the Prairie Band Potawatomi Nation's business decisions or from disclosure or private use of information regarding business affairs or plans.

All employees of the Prairie Band Potawatomi Nation are covered by this Policy.

For the purposes of this Policy, "family or family member" is defined as any member of the employee's family (spouse, parent, sibling, child, stepchild, grandparent, grandchild, great-grandchild, in-law or domestic partner).

This Policy covers any transactions that constitute a conflict of interest as described below. Before taking any action that may constitute a possible conflict of interest or duality of interest, please discuss it with the Director of Human Resources.

In general terms, a conflict of interest may occur if an outside interest or activity: (i) influences, appears to influence or has the potential to influence the ability of an employee to exercise objectivity or (ii) impairs the ability of an employee to perform his or her responsibilities in the best interests of the Prairie Band Potawatomi Nation.

An employee is considered to have a potential conflict of interest when:

- An employee or his or her family member has a financial interest (examples may include employment by, a consultant to, a representative or agent for, a partner of, holding any office in or deriving any income from any entity doing or seeking to do business with the Prairie Band Potawatomi Nation) that conflicts with the interest of the Prairie Band Potawatomi Nation in any manner whatsoever.
- An employee receives compensation, gifts, favors, entertainment or other similar benefits of more than a nominal value from any outside concern which does or seeks to do business with the Prairie Band Potawatomi Nation.
- An employee discloses or uses confidential, special or inside information of or about the Prairie Band Potawatomi Nation or its clients, particularly for personal profit or advantage.
- An employee or his or her family member has an opportunity to influence the Prairie Band Potawatomi Nation's business, administrative or other material decisions in a manner that leads to personal gain or advantage.
- An employee participates in deliberations or actions resulting in the purchase of goods or services from any organization in which an employee or his or her family member has a financial interest.

Prior to engaging in any activity which could result in a conflict of interest, employees are required to disclose and seek approval for the proposed activity with their Supervisor, the Director of Human Resources and/or General Manager, who will make a written record of the manner in which the question is resolved and forward a copy of such record to the Human Resources department.

Violation of this Policy, or incorrect or incomplete responses to the disclosure requirement, will be treated as serious misconduct. Please notify the Human Resources Department should you have a question or wish to report a perceived or actual conflict of interest.

Misinterpretation of this policy will not excuse a violation.

Conflict Resolution: The Prairie Band Potawatomi Nation recognizes that employees may experience problems or have conflicts or concerns related to their employment at the Nation; which may include allegations of an unfairly applied policy, procedure, or practice of the Nation, or a dispute or issue involving some aspect of employee relations.

Conflict resolution is a process to ensure prompt and neutral consideration of the concerns of the Nation's employees, and these procedures are intended to provide a fair internal procedure for resolving disputes. Employees will not be retaliated against for raising concerns brought forward with a good faith belief that a problem exists.

Employees and supervisors should make every reasonable effort to discuss and resolve these problems and concerns at each level of the Conflict Resolution process before proceeding to the next level.

All other disputes must exhaust each level before proceeding to the next. The Conflict Resolution process consists of four (4) levels of action:

1. Immediate Supervisor
2. Program Director
3. General Manager
4. Employment Disputes Tribunal for Government Related Disputes ONLY

The Employment Disputes Tribunal is a forum to resolve tribal “government employment related disputes,” which is defined as: terminations, suspension, or demotions. Employees that have been terminated, suspended or demoted may accelerate to Level Three and request an Administrative Review of the action. Employees can request an Administrative Review Request form from the Human Resources office and must submit the completed form to the General Manager’s office within three days of the action. The General Manager must provide a written response to the employee within 5 business days. If the employee is dissatisfied with the written decision of the General Manager, the employee may proceed to Level Four: Employment Disputes Tribunal. Employees can request a review by contacting the PBPB Tribal District Court.

The Tribunal will review the request and respond to the employee in writing regarding jurisdiction to review the dispute. If the Tribunal decides the dispute is not a matter within its jurisdiction, the Conflict Resolution process will be considered closed and no further action may be taken by the employee. If the Tribunal determines the dispute is within its jurisdiction, the duties and responsibilities will be carried out by the Tribunal in accordance with the Prairie Band Potawatomi Nation Law & Order Code, Employment Code, Title 22-4-6.

Discipline Policy: Although violations may result in immediate separation of employment or immediate Final Written Warning upon first offense, less severe offenses are viewed cumulatively and will normally be handled on a four-step basis of progressive discipline:

1. Documented Coaching (written summaries of conversations will be distributed to the employee and to the HR department to be placed into the employee file)
2. Written Warning
3. Final Written Warning
4. Separation of Employment

Management may, based on the severity and the specific facts of the incident, accelerate the disciplinary process to include any of the four steps up to and including immediate separation of employment. Also, violations of more than one Conduct Standard in a single act may result in increased or multiple disciplinary steps up to and including immediate separation of employment. Investigative suspension may be used to suspend an employee while an investigation is conducted.

With the approval of the General Manager and Human Resources Director, an employee may be placed on probation for a designated period of time for significant performance deficiencies that are determined to be within the employee’s ability to correct.

If the employee fails to complete performance improvement goals, the employee’s immediate supervisor may place the employee on probation and counsel the employee regarding their job performance deficiencies and standards and/or their improvement plan.

The employee’s immediate supervisor should document this probationary status and counseling using the designated form, give the employee a copy of the form and have another copy placed in the employee’s personnel file.

Employees on performance-related probationary status are not eligible to receive salary increases during the probationary period.

Disciplinary actions are documented in the employee’s file and are considered “active” for a period of twelve (12) months from the date of issuance; this means that subsequent policy violations or substandard performance issues within that 12-month period will generally proceed to the next level of discipline based on the last “active” disciplinary document issued to the employee.

Warnings related to egregious behavior such as harassment, bullying, violence and/or safety and security violations will remain active throughout the employee's employment with the Nation, do not expire.

Employment At-Will: The Prairie Band Potawatomi Nation is an at-will employer. Employees of the Prairie Band Potawatomi Nation may terminate the relationship at any time, for any reason, with or without notice. While employees may terminate their employment with the Nation at any time, employees are requested to provide a minimum of two (2) weeks' notice of their termination date to their Supervisor.

Employment Eligibility Verification: The U.S. Citizenship and Immigration Service requires that candidates for employment and the Prairie Band Potawatomi Nation provide specific information within three (3) days of commencing employment. Candidates for employment must complete Section 1 of the Form I-9 and provide the specific documents to establish their identity and employment eligibility. Failure to complete the Form I-9 and failure to present sufficient documentation within the allotted three (3) days will result in termination.

Fitness for Duty: Fitness-for-duty evaluations are handled on a case-by-case basis. Employees may be temporarily relieved from their position to be evaluated by a Physician of the Prairie Band Potawatomi Nation's choosing, depending on whether the employee can perform job duties without putting themselves or the Prairie Band Potawatomi Nation at any type of risk. Employees may be granted administrative leave during the evaluation period. Employees will be provided with forms by the Human Resources Department and will maintain contact with the Human Resources Department during the evaluation period. Following review of the results, employees may be reassigned to a position which better suits their needs.

Fraud: Management is responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to Human Resources Department, who coordinates all investigations with Administration, and the Legal Department and other affected areas, both internal and external.

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account belonging to PBPN
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of PBPN activities
- Disclosing confidential and proprietary information to outside parties
- Personally accepting or seeking anything of material value from contractors vendors or persons providing services/materials to the PBPN.
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related inappropriate conduct

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the designated representatives from Human Resources, Administration, and the Legal Department and, if necessary, by outside counsel, before any such action is taken.

Violation of this Policy, or incorrect or incomplete responses to a disclosure requirement, will be treated as serious misconduct. Misinterpretation of this policy will not excuse a violation.

Please notify the Human Resources Department should you have a question or wish to report perceived or actual fraudulent activity.

Leave Without Pay: Employees who have exhausted all accrued leave may be allotted Leave Without Pay for time missed. Excessive use of Leave Without Pay is subject to the Discipline Policy. Employees requesting leave

without pay for three (3) or more days in advance will be required to utilize the Personal Leave of Absence benefit.

Mandatory Meetings: From time to time, meetings will be scheduled that are mandatory for all employees. Failure to attend as required will be subject to progressive disciplinary.

Media Inquiries: Any employee of the Prairie Band Potawatomi Nation must immediately notify their Supervisor, Manager, or Director of any Media presence anywhere on the reservation. The head of that department will immediately notify the Media Relations Specialist. Any employee of the Prairie Band Potawatomi Nation will not speak to any press in any official capacity without prior consent from the Media Relations Specialist.

Native American Hiring Preference: The Prairie Band Potawatomi Nation exercises Tribal Preference to ensure compliance with Prairie Band Potawatomi Nation Employment Code, Chapter 22-2. Employment actions subject to preference are hiring, transfer, promotion and layoffs.

Preference shall be given in the defined order, listed below, for Tier 1 positions when the employer determines, based upon the Prairie Band Potawatomi Nation’s due diligence, that one or more preference candidates meet the required qualifications for the Tier 1 position.

Preference shall only be given in the defined order, listed below, for Tier 2 positions when the employer determines, based upon the Prairie Band Potawatomi Nation’s due diligence, that the top two (2) or more candidates for an employment action meet the required qualifications and otherwise possess comparable qualifications.

Defined order:

- 1) PBPN Tribal Member
- 2) Spouse, Parent, or Child of a PBPN Tribal Member
- 3) Other Indian
- 4) Descendant of a PBPN Tribal Member

The Prairie Band Potawatomi Nation is not required to extend preference to a candidate for an employment action who was terminated by any former employer in the twelve (12) month period prior to their application.

For detailed information about the Prairie Band Potawatomi Nation Employment Code, please visit the Prairie Band Potawatomi Nation website at www.pbpindiantribe.com.

Nepotism: Immediate relatives may not work together where one supervises or has an approval function over the other, or where other potential conflicts of interest exist. Employment of domestic partners including non-married couples or individuals sharing the same residence or dating is also prohibited in the above situations. Immediate relatives and domestic partners of department heads and above may not be considered for employment without the prior approval of the Director of Human Resources and the General Manager. For the purpose of this policy immediate relatives are defined as:

- spouse,
- parents
- in-laws (mother, father, sister, brother)
- children
- siblings
- grandparents
- grandchildren
- step/foster family members

When two employees marry or establish relationships and are in conflict with this policy, they must decide who will seek an alternative position. If they are unable to reach a decision or find a position within 30 days, the Prairie Band Potawatomi Nation will make that determination. All employees are required to inform their Supervisors and

Human Resources of any change in marital status, address, or other relationships as noted above which could be a violation of the Nepotism policy. Anyone who has been working in conflict of this policy should immediately advise their supervisor.

Personal Information: Any change in marital status, address, telephone number, dependent benefit eligibility or tax allowances should be reported immediately to your department and Human Resources so that records can be kept current. Out-of-date records may cause loss of work or failure to deliver W-2 forms, important information and emergency messages. Arrests or pending charges that may affect the ability to successfully perform the duties of your position must be reported to Human Resources immediately.

Political Activities: Employees shall not partake in the following political activities, including but not limited to:

- Use official authority or influence for the purpose of interfering with a tribal election or any election nomination, committee, board appointments, or employment practices.
- Directly or indirectly coerce, command or advise another to pay, lend, or contribute salary, compensation, or anything else of monetary value for political purposes to any party, committee, organization, agency or person.
- Engage in any political activity (except items designated as Allowable, listed below) during regularly scheduled working hours or while on duty. This includes carrying of and/or signing petitions.
- Discriminate in favor of or against a tribal officer, employer or applicant because of his/her political association affiliation, contribution or permitted political activity.
- Engage in any permitted political activity directed at other tribal employees while on the premises.
- Promise or use influence to secure tribal employment or other benefit financed from public funds as a reward for political activity.

Allowable political activities for employees include, but are not limited to, the following:

- Vote as he/she may choose; which may occur during regularly scheduled work hours or while on duty.
- Express his/her opinions on all political subjects and candidates.
- Contribute to political campaign funds.
- Join political organizations and vote for affairs and issues.
- Wear political badges and use automobile stickers.
- Speak or write on political topics, but not as representative of the Nation unless Tribal Council gives written approval.
- Participate on a school board, or similar non-partisan community board.
- Tribal employees may seek tribal office without having to resign their position prior to being seated on the Tribal Council or Gaming Commission.

Rehire Eligibility: Employees may be considered for rehire as outlined below:

- Employees who leave in good standing, with at least two weeks' notice will be accorded due consideration for re-employment with the Nation, providing a three (3) month waiting period requirement is met.
- Employees who are involuntarily terminated for reasons not related to gross misconduct (as defined below) may be considered for re-employment with the Nation, providing they meet all pre-employment selection processes and a six (6) month waiting period requirement is met.
- Employees who are involuntarily terminated for reasons related to gross misconduct may not be eligible for rehire for a period of up to, but not exceeding, three years. "Gross misconduct" is defined acts during the course of employment including but not limited to theft, assault, battery, malicious destruction of property, arson, sabotage, embezzlement, fraud, harassment, or other conduct, which demonstrates a willful, deliberate, or reckless disregard of the Nation's policies.

Resignation: Although the Prairie Band Potawatomi Nation hopes that your employment with the Nation will be a mutually rewarding experience, it is understood that varying circumstances do cause employees to voluntarily resign employment. Should this time come, employees are asked to follow the guidelines below regarding notice and exit procedures

a. Resignation

Employees are encouraged to provide two weeks' notice to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the individual may be ineligible for rehire depending on the circumstances regarding the notice given.

All resignations must be confirmed in writing. Employees may wish to complete the Employee Resignation Form provided by the Human Resources Department for this purpose or may submit other written notice that must include the reason for leaving and the effective date. Employees who verbally resign will receive a Confirmation of Resignation notice within 24 hours.

b. Pay in Lieu of Notice

Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.

c. Using Leave During the Notice Period

Employees are not permitted to utilize any Administrative Leave, Birthday Leave, Education/Training Leave, or Sick Leave during the notice period. Employees will be required to utilize Annual Leave for absences during the notice period. The "notice period" is defined as the time period between the receipt of the letter of resignation and the end of the last working day.

Retaliation: The Prairie Band Potawatomi Nation has zero tolerance for retaliation against any employee who reports compliance issues with our social media policy, workplace violence policy, anti-harassment policy, and the Native American hiring preference policy.

Safety and Accidents: The Prairie Band Potawatomi Nation is committed to providing and maintaining a clean, healthy and safe work environment. Every employee plays an important role in the safety and protection of our employees, visitors and property. Set a good example, demonstrate safety and follow proper procedures. Immediately report hazardous/ unsafe conditions as well as any accidents.

- Immediately report all on-the-job employee accidents to your supervisor and Human Resources. Reporting on your next work shift is not an acceptable practice.
- Employee injuries, regardless of severity, should be reported to Human Resources immediately. In addition, reports should be completed on all injuries. Names of employees who witness an accident should also be reported immediately. Near misses, unsafe acts, or hazardous conditions should be reported to your supervisor. An employee who is negligent in performing his/her duties that leads to an accident or injury may be issued discipline, up to and including separation of employment.
- Unless additional danger could occur, do not move a person who has fallen, is unconscious or who may have hit his/her head, back or neck. In addition, make them as comfortable as possible, but do not allow a person to move him/her if s/he has fallen or his his/her head, back or neck.
- Immediately report all visitor accidents to your Supervisor and Human Resources. The Prairie Band Potawatomi Nation is committed to taking good care of our visitors and employees. However, in the event of a visitor accident or injury, the Prairie Band Potawatomi Nation needs the opportunity to fully investigate the situation before determining the extent of its responsibilities.

All employees are required to completed post-accident reports and drug screenings. Employees are required to comply with applicable PBPB Motor Vehicle Fleet Operator Program Policies & Procedures.

Social Media: To assist employees in making responsible decisions about the use of social media, these guidelines have been established for appropriate use of social media. This policy applies to all employees who work for the Prairie Band Potawatomi Nation.

a. Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to a web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Prairie Band Potawatomi Nation, as well as any other form of electronic communication.

Ultimately, employees are solely responsible for what is posted online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects guests, vendors, people who work on behalf of the Prairie Band Potawatomi Nation or its legitimate business interests may result in disciplinary action up to and including termination.

b. Know and follow the rules

Carefully read these guidelines, the Prairie Band Potawatomi Nation Computer Usage guidelines and the Anti- Harassment Policy, and ensure employee’s postings are consistent with these policies. Inappropriate postings, including discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct, will not be tolerated and may subject you to disciplinary action up to and including termination.

c. Be respectful

Always be fair and courteous to fellow employees, guests, vendors or people who work on behalf of the Prairie Band Potawatomi Nation. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing the open door policy than by posting complaints to a social media outlet. Nevertheless, if employees decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as libelous, slanderous, malicious, obscene, threatening or intimidating, that disparage employees, guests, associates or vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

d. Be honest and accurate

Make sure postings are always honest and accurate regarding information or news. Be open about any previous posts that have been altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that are false about the Prairie Band Potawatomi Nation, fellow employees, visitors, vendors, or other people working on behalf of the Prairie Band Potawatomi Nation.

e. Post only appropriate and respectful content

Express only personal opinions. Never act as a spokesperson for the Prairie Band Potawatomi Nation.

f. Using social media at work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by the department Director. Do not use Prairie Band Potawatomi Nation issued email addresses to register on social networks, blogs or other online tools utilized for personal use.

g. Retaliation is prohibited

The Prairie Band Potawatomi Nation prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Timekeeping–Clock In/Out: Non-exempt employees are responsible for accurately clocking in and out and immediately contacting a supervisor if there are any discrepancies. Each employee is required, on a daily basis, to clock in no more than seven (7) minutes before starting work and to clock out before leaving the property no more than seven (7) minutes after the end of a shift at the designated time clock

If any of the following occur, the employee must immediately report it to the supervisor:

- if the transaction was not accepted,
- if there is a discrepancy in the time worked displayed and actual hours worked,

Supervisors are responsible for reviewing, verifying and editing each of their assigned employees’ “clock ins” on a daily basis. Each supervisor must follow up with the employee for all discrepancies noted, e.g., time variations for

early or late clock-in, failure to clock in, etc. If the time is not reflected accurately, or a transaction continues to fail, then supervisors are responsible for correcting the time immediately.

Adjustments resulting from an employee's failure to clock in/out or verify time worked will be added to their next regularly scheduled paycheck. If the adjustment hours exceed 8, the adjusted hours may be paid on an on-demand check.

Falsification of any records relating to clocking in/out or clocking in/out for a fellow employee will be treated as falsification of Prairie Band Potawatomi Nation records/theft and may result in immediate separation of employment.

Tribal & GSA Vehicles: All drivers must be insurable with the Prairie Band Potawatomi Nation and must possess a valid Kansas Driver's License, with copies kept on file in the Human Resources Department. All approved drivers are subject to compliance with the Prairie Band Potawatomi Nation Motor Fleet Operator Program policies and procedures.

Any uninsurable drivers will be notified in writing. Any uninsured driver who drives on behalf of the Prairie Band Potawatomi Nation in his/her personal, Tribal or GSA vehicle is grounds for disciplinary action up to and including termination.

Weapons-Free Workplace: To ensure that the Prairie Band Potawatomi Nation maintains a workplace safe and free of violence for all employees, the Prairie Band Potawatomi Nation prohibits the possession or use of dangerous weapons on property.

All Prairie Band Potawatomi Nation employees are subject to this provision, as well as visitors and customers on company property with the exception of Law Enforcement Officers. Personal licenses to carry does not supersede this policy. Any employee in violation of this policy will be subject to disciplinary action, up to and including termination.

The Prairie Band Potawatomi Nation reserves the right to search all Nation-owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

Workplace Bullying: The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that the Prairie Band Potawatomi Nation will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

The Prairie Band Potawatomi Nation 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 or attempts to prevent work from getting done.
- Verbal abuse.

The Prairie Band Potawatomi Nation 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 himself or herself (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 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 to 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 the Prairie Band Potawatomi Nation to take appropriate action.

Workplace Violence: The Prairie Band Potawatomi Nation is committed to maintaining a safe, productive work environment where employees are free from the threat of violence. The Prairie Band Potawatomi Nation will not tolerate any type of workplace violence by or against employees, visitors, vendors or others in the capacity of providing services or on our premises.

The Prairie Band Potawatomi Nation prohibits any employee, visitor, vendor or other person from engaging in any violent act, on the Nation's premises or during the performance of work-related duties or in non-work situations that impact work-related duties. Behavior which is considered violent includes but is not limited to:

- Causing or threatening to cause physical injury to another person;
- Threatening the safety of another person;
- Stalking an employee, vendor or customer and/or any of their family members;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another reasonable person to emotional distress;
- Intentionally damaging the Nation's property or the property of another person;
- Possession of a weapon or intent to use any item as a weapon while on property or on official business;
- Racial epithets or other derogatory remarks associated with hate crimes;
- Bizarre or offensive comments condoning or inciting violent acts;
- Harassing phone calls, voice mail, mail or e-mail;
- Allowing unauthorized persons' access to the premises or to confidential information without authorization;
- Knowingly withholding information about threats of violence.

All employees are responsible for ensuring compliance with this policy. Any employee who becomes aware of a potentially dangerous situation, including any of the above behavior, must report it immediately to a supervisor, or the Human Resources Department. If the situation or behavior is reported to anyone other than the of Human Resources Department, that person is also responsible for contacting Human Resources.

Individuals who report an incident or concern need not fear retaliation. Retaliation is grounds for discipline up to and including separation of employment. However, employees who maliciously make false accusations concerning prohibited behavior will also be subject to discipline up to and including separation of employment.

In any situation involving an employee or non-employee using a weapon to cause bodily harm to an employee or guest, Law Enforcement should be notified through the emergency line. Upon their arrival, the Law Enforcement will define the protocol for staff to follow.

In any situation involving the threat of bodily harm with the use of a weapon, Law Enforcement should be notified through the emergency line. Upon their arrival, Law Enforcement will establish the protocol to follow for the questioning and handling of the offender.

If an employee or non-employee threatens suicide, Human Resources in combination with Law Enforcement, shall be notified immediately.

All employees are encouraged to take an active role in creating a safe work environment. EAP should be contacted to provide assistance for any particularly disturbing events.