

**REDDING RANCHERIA
TRIBAL GOVERNMENT POLICIES**

Chapter TP 1–800

Human Resource Management

April 17, 2012

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SECTION 1: PURPOSE

To set forth uniform policies that will provide for a quality work force, ensure protection of employee rights and set forth the expectations of employees and managers in the conduct of all employee relations' matters.

SECTION 2: BACKGROUND AND INTENT

The Tribal Council has set forth within the Executive Management Policy of the Redding Rancheria the authority for the Chief Executive Officer to hire, promote, discipline, supervise and discharge employees to carry out the operational work of the Tribe, in accordance with tribal laws.

It is the intent of the Tribal Council to leave all human resource management matters to the Chief Executive Officer, intervening only when all other avenues of resolving human resource management issues have failed. In doing so, the Tribal Council has determined that certain policies should be set forth to guide the Chief Executive Officer and other employees in carrying out human resource matters. These policies should ensure that both the interests of the Tribe and the employee are protected, and that an employment environment exists wherein employees can make a positive contribution toward the goals of the Tribe.

The Tribal Council also wants to attract quality employees, and particularly tribal members, to the tribal work force. It is the desire of the Tribe to compete effectively with other employers in obtaining employees who have the knowledge, skills and abilities necessary to effectively achieve tribal goals and provide quality services to the membership. Accordingly, these policies set forth compensation and other benefits intended to accomplish this end.

It is the intention of the Tribal Council that tribal employees have opportunities for input into the implementation of human resource policies, to provide for cooperation and teamwork among all employees.

All employment with Redding Rancheria is entirely "at will." Employees may terminate their employment relationship at any time and for any reason. Redding Rancheria retains the same right.

The Tribal Council intends that subordinate Redding Rancheria tribal organizations and entities adopt and implement policies that are consistent with these policies as appropriate to those operations.

SECTION 3: DEFINITIONS (Reserved)

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SECTION 4: DELEGATED AUTHORITY

Except as reserved herein, or within chapter TP 1-300, “Executive Management,” all authority for hiring and implementation of this policy is delegated to the Chief Executive Officer. In addition, the Chief Executive Officer shall provide oversight and advice to subordinate tribal organizations and entities to ensure that they implement policies that are reasonably consistent with these policies.

SECTION 5: AUTHORIZED PROGRAMS AND SERVICES (Reserved)

SECTION 6: GENERAL EXPECTATIONS OF ALL EMPLOYEES

Employees of the Redding Rancheria are expected to act professionally and contribute positively and productively in carrying out their assigned tasks. Employees are expected to maintain the highest standard of ethics in the conduct of their jobs and to interact cooperatively and courteously with all other employees and members of the public.

SECTION 7: CODE OF CONDUCT

(a) Tribal Code of Ethics

All employees are expected to adhere to the Tribal Code of Ethics, Redding Rancheria Tribal Policy, chapter 1-100.

(b) Conflicts of Interest

Employees shall engage in no activity which would create an appearance of or actual conflict of interest. Employees shall not sell to or do business with the Tribe unless authorized by the Tribal Council.

(c) Reporting to the Tribal Council

All employees shall report to the Tribal Council only through or with the approval of the Chief Executive Officer. However, employees may bring concerns about unethical or illegal practices to the Chairperson of the Tribal Council after such matter has been reported to the Chief Executive Officer.

(d) Drug Free Work Place Policy

All tribal units and subsidiaries of the Tribe shall have a drug free work place policy which shall convey to employees that no employee shall engage in the use of or be under the influence of any intoxicating or mood altering substances during working hours, except when such substance is administered by a licensed physician and the employee’s supervisor is

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informed. Employees who are taking prescribed medication that may impair their ability to conduct the duties of their job shall report their status to the Human Resource Department so that appropriate safeguards can be taken to protect the worksite and the employee. Any employee found to be in violation of this policy may be disciplined, or required to seek professional help as determined according to the circumstances involved. The Chief Executive Officer shall establish specific policies and procedures as are appropriate to implement this policy, including drug testing procedures.

(e) Employees are Role Models

Each employee is expected to conduct his/herself in such a way as to be a positive role model for the community.

(f) Political Activities

Employees of the tribal organization shall not engage in political activities of any nature while on the job or acting as a representative of the Tribe. Employees shall not attempt to influence or coerce management or supervisory personnel in decisions by influencing elected officials.

(g) Disruption of the Work Place

Employees shall not engage in any activities which disrupt the workplace, lower the morale of other employees or otherwise reduce the effectiveness of the tribal work force.

SECTION 8: HIRING AND EMPLOYMENT

(a) Position Authorization

The Chief Executive Officer shall authorize such positions as are necessary to carry out the work of the Tribe and to promote tribal goals. When establishing positions other than short term, temporary positions, the Chief Executive Officer shall establish formal position descriptions, which shall at a minimum include:

- (1) General and specific job assignments and tasks;
- (2) Lines of authority and reporting requirements of the position;
- (3) Minimum and preferred qualifications of the position; and

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- (4) Performance standards against which satisfactory and exemplary performance will be measured.

- (b) Position Advertising

The Chief Executive Officer shall establish specific guidelines and procedures for the advertisement of all tribal positions to ensure the best opportunities for attracting and hiring the most qualified individuals for tribal positions.

- (c) Eligibility for Employment

- (1) All persons shall be considered eligible for employment without regard to race, gender, age or religious belief, provided that no person shall be eligible who:

- (A) Has been convicted of a major crime, where the position applied for strictly prohibits service, or

- (B) Has been terminated from tribal employment, for cause, within 90 days.

- (2) The Redding Rancheria shall be an equal opportunity employer.

- (d) Selection

- (1) All persons who apply for positions with the Tribe and meet the eligibility criteria shall be considered for the position for which they have applied.

- (2) In selecting eligible applicants, the Chief Executive Officer shall establish a process for interviews which will be defined in specific human resource procedures. Such a process may include a panel of employees to conduct interviews and recommend selection when appropriate.

- (3) When all other qualifications are equal, the Tribe shall give preference in hiring in the following priority:

- (A) Tribal members

- (B) Other Indians

- (C) Spouses of tribal members

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- (D) Veterans
 - (E) All other applicants
- (e) Affirmative Action Program Authorized

The Chief Executive Officer is authorized to institute an affirmative action program for non-supervisory positions, which will enable tribal members who are currently not qualified for such positions to be employed with the condition that they undertake the necessary training and skill development for the position. When it is determined that services to the Tribe would not be significantly adversely impacted by such a program, the Chief Executive Officer shall:

- (1) Advertise such position as an affirmative action position, providing that tribal members not meeting minimum qualifications, but willing to agree to attend training to achieve qualifications, may be considered for the position.
 - (2) Provide for a formal training program under which the applicant will achieve the necessary skills.
 - (3) Provide for a written agreement with the applicant which includes:
 - (A) The training to be completed;
 - (B) The timeline during which training must be accomplished;
 - (C) The extent to which training may be accomplished on the employer's time;
 - (D) The method to be used to evaluate progress toward qualifications; and
 - (E) Compensation adjustment to be made when full qualifications are obtained.
 - (4) Provide budgeted funds for any portion of training to be financed by the Tribe.
- (f) Probationary period

Individuals employed by the Tribe shall serve a probationary period of not less than 180 days during which time they may be terminated without cause.

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Regular progress evaluations shall be conducted with new employees to ensure a clear understanding of job expectations.

SECTION 9: DISCIPLINARY ACTIONS

The Chief Executive Officer shall provide procedures for carrying out disciplinary actions with regard to employees who violate tribal rules or fail to carry out their assigned task. Such procedures shall consider verbal and written warnings, probation, suspension and termination, depending on the severity of the infraction. Warnings and probation are preferred, but not required, in advance of more severe actions against employees.

SECTION 10: DISPUTES BETWEEN EMPLOYEES

The Chief Executive Officer shall provide procedures for resolving disputes which arise between employees. Such procedures shall include both formal and informal dispute resolution procedures.

SECTION 11: EMPLOYEE GRIEVANCES

The Chief Executive Officer shall establish procedures, including timeframes, for filing and responding to grievances. Grievance processes developed by the Chief Executive Officer shall include due process provisions appropriate to the tribal unit, processes for ensuring fair and impartial hearings where appropriate and access to the Tribal Court where necessary.

SECTION 12: COMPENSATION AND BENEFITS

(a) Salaries and Wages

The Tribal Council shall establish the salary of the Chief Executive Officer. Salaries or wages for all other employees shall be established by the Chief Executive Officer as follows:

- (1) The Chief Executive Officer shall establish a salary or wage rate range for all authorized positions. Such range shall be consistent with, equal to or slightly better than the range for like positions offered by other employers in the region.
- (2) Ranges for all positions shall be available for review by the Tribal Council on an annual basis or at any such time as such ranges are established or adjusted.
- (3) The Chief Executive Officer shall establish actual salary levels to be paid to employees within established ranges and shall publish

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procedures for adjusting salaries within ranges based on performance and qualifications of employees. Such procedures shall be reasonably consistent with current practices of other employers.

- (4) Ranges for positions shall be made available for viewing by tribal members upon request, provided that written material containing such ranges shall be confidential, and shall be released only with approval of the Tribal Council.
- (5) Actual salaries paid to individual employees shall be confidential.

(b) Work Hours, Overtime and Compensatory Time

The Chief Executive Officer shall establish work hours, overtime and compensatory systems appropriate to the tribal work units. Such systems shall consider customer and client needs, staffing and budget constraints.

(c) Employee Benefits

The Chief Executive Officer shall, with input from employees, develop such benefit plans and programs as are reasonably consistent with other employers and affordable within the resources available for program expenditures. The provisions of benefit plans and programs shall be reviewed with the Tribal Council before being adopted by the Chief Executive Officer, provided that:

- (1) No formal pension plan shall be adopted except as approved by the Tribal Council by resolution; and
- (2) No benefit plan or program may be approved which requires the obligation of the Tribe to fund any benefits other than from amounts budgeted in conjunction with salaries.

(d) Annual Leave

The Chief Executive Officer shall authorize annual leave policies and standards for each tribal unit. Such standards and procedures for leave accrual and use shall be defined in the human resource manual of each tribal work unit.

(e) Sick Leave

Employees shall be eligible to earn sick leave consistent with policies established and authorized by the Chief Executive Officer. Such policies

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shall be appropriate to the tribal work unit and shall give consideration to rate of sick leave accrual, length of service, use of leave, accrual limits and processes for authorizing sick leave.

(f) Holidays

Holidays for tribal work units shall be authorized by the Chief Executive Officer and approved by the Tribal Council.

SECTION 13: PERFORMANCE EVALUATIONS AND COMPENSATION ADJUSTMENTS

- (a) Performance evaluations shall be provided for all employees at least once during each year, on such anniversary dates as are determined by the Chief Executive Officer.
- (b) Performance evaluations are to be conducted based on standard criteria to ensure fair and equal treatment of all employees.
- (c) Performance evaluation criteria shall include an opportunity for self-evaluation of the employee and a participatory process aimed at improving performance and planning future work.
- (d) Compensation adjustments shall be based on employee performance and shall be based on a published compensation plan.

SECTION 14: PERSONNEL RECORDS

- (a) Provision shall be made for appropriate formal records of all human resource management activities, including time slips, leave records, performance evaluations, disciplinary action, grievances and any other such records as required by law.
- (b) All personnel records are considered confidential, accessible only by the Human Resource Director and staff, the employee's immediate supervisor and the employee. Any other requests for review of personnel records shall be approved by the Human Resource Director.

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SECTION 15: EMPLOYEE YEARS OF SERVICE

Years of service to the Redding Rancheria shall be accumulated for service in tribal government and any subordinate organization of the Redding Rancheria for the purpose of awarding length of service awards, calculation of vacation time and any other appropriate purpose. Years of service are cumulative when an employee transfers between tribal entities.

SECTION 16: CONFORMANCE WITH ALL APPLICABLE LAWS

The Chief Executive Officer shall implement policies and procedures for all human resource management matters, which shall conform to and be consistent with the provisions of all applicable Tribal, and federal laws and regulations.

Legislative History:

Originally Adopted by Tribal Council Resolution dated October 21, 1997.

Amended by Tribal Council Resolution #018-04-11-07 dated April 11, 2007.

Amended by Tribal Council Resolution #034-05-14-08 dated May 14, 2008.

Amended by Tribal Council Resolution #020-04-17-12, dated April 17, 2012.