

Red Lake Nation College

Personnel Policies & Procedures



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Introduction

The *Policies and Procedures Manual* provides policy information for Red Lake Nation College employees and faculty members. The manual includes policies that regulate employee behavior and institutional practices with respect to equal opportunity and affirmative action, hiring, conditions of employment, compensation, benefits, training, and development, leaves and absences, conduct and discipline, grievances, termination, recordkeeping, etc.

The Red Lake Nation College's Board of Regents (Board) has delegated the authority to approve suggestions, additions, and/or modifications to the policies and procedures in this manual to the President. The President has delegated the Vice President of Operations and Academic Affairs as the person assigned responsibility for overseeing Human Resources and also to be responsible for ensuring that these policies are in compliance with tribal and federal policies and approved Tribal College policies. To assure consistency of policy interpretation, the President maintains the responsibility for interpreting personnel policy applications and intent on the Red Lake Nation College's (RLNC) campus.

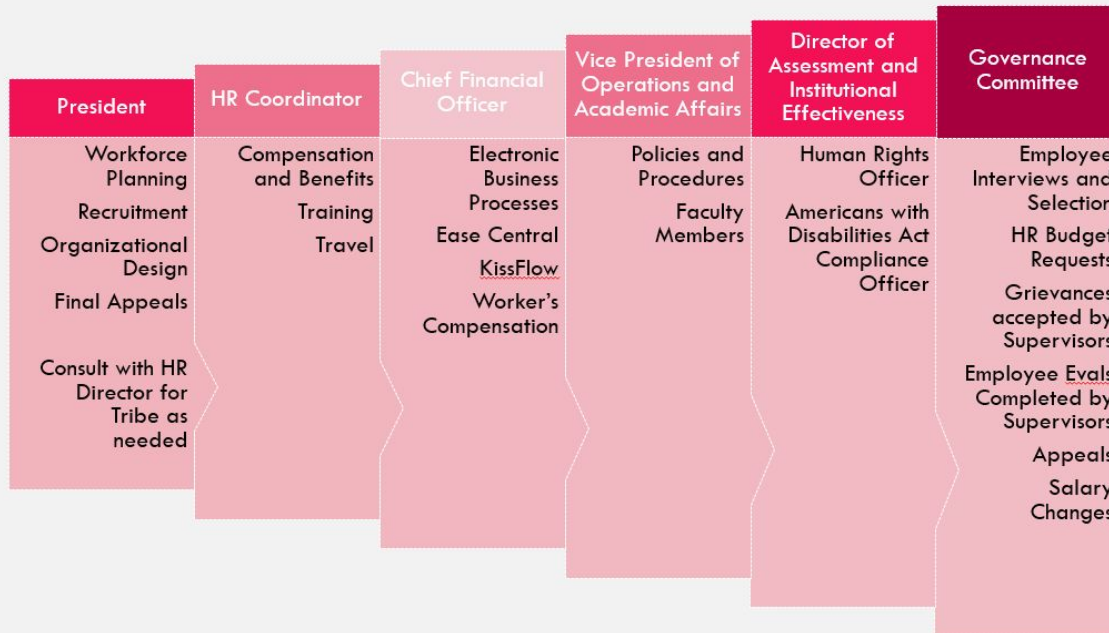
RLNC's Board of Regents maintains the final authority to approve any amendments, changes, and/or modifications to the rules, policies, regulations, and/or instructions as circumstances, for the good of the Tribal College community, may require.

This manual serves as the master version and is retained permanently as an official record in the Vice President of Operations and Academic Affairs' office and is available for inspection. Copies of this *Policies and Procedures Manual* are available on the RLNC website. It is the responsibility of the RLNC Vice President of Operations and Academic Affairs to inform employees that they are subject to the policies in this manual upon hiring and whenever changes are made to policies and procedures.

Human Resources Structure

Red Lake Nation College does not follow a traditional human resources structure that focuses on administrative and support functions. RLNC embraces a "value-added human resources structure" to enable the college to achieve its goals efficiently through designated, planned, human resources activities that are delegated to the positions that can make the greatest impact. Red Lake Nation College follows a human resource structure that aligns with its unique organizational structure and aligns with a 21st-century organizational model.

Value-Added Human Resources Structure



At-Will Statement

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

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

Employee Adherence

All employees of Red Lake Nation College are subject to and must adhere to the policies contained in this manual. An employee (including faculty), is a person who has been officially hired to fill a position, determined by the President, who is needed for the proper day-to-day operation of the College.

Consultants, or other persons serving on behalf of the College, but not considered employees of the College, will be subject to these policies and procedures as determined by their work relationship with the College. For example, any individual or organization contracted to provide College services (such as teaching a community education program) will be subject to these policies. An individual or organization contracted to provide professional services to the College (such as auditing) may be exempt from these policies. An employee, or group of employees, has the right, without discrimination, to discuss with Supervisors or other appropriate College administration, any condition of employment.

Monitoring and Administration

The President is responsible for monitoring and administering personnel policies. The President has the authority to assign the monitoring and administration of personnel policies to College administrative staff, department heads, and other Supervisory staff as appropriate. The President has delegated the Vice President of Operations and Academic Affairs as the person assigned responsibility for overseeing Human Resources and also to be responsible for ensuring these policies are in compliance with tribal, federal and approved Tribal College policies.

Compliance and Enforcement

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

Reviewing Personnel Policies

The President has delegated the RLNC Administrative Team to review all policies on an annual basis, or as needed, to recommend changes or updates to this manual. The President will have final approval on all day to day operational personnel policies. However, the President will approve and present new or revised policies regarding large, overarching personnel policies that reflect major changes to the RLNC operations, to the Board of Regents.

Line of Authority

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

1. President
2. Vice President, Chief Financial Officer
3. Department Directors, Deans, Chairs
4. Supervisors
5. Employees

Exceptions to the Line of Authority policy are:

Any complaints of sexual or discriminatory harassment; all such complaints must be reported directly to the President and Director of Assessment and Institutional Effectiveness (Human Rights Officer), and acts of violence or other circumstances where employees are fearful or may be placed in danger; all such circumstances should be reported immediately to law enforcement first, then to College personnel. If any complaints involve the President, the complaint would go to the Board of Regents.

Compliance Officer

For the purpose of these policies, the Director of Assessment and Institutional Effectiveness will be designated as the Human Rights Officer and the Americans with Disabilities Act Compliance Officer.

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

Mission of the College

Red Lake Nation College provides excellent higher education that is grounded in the Ojibwe language and culture of the Red Lake Nation.

In order to fulfill its mission, the goals of Red Lake Nation College are to:

- Provide a safe, healthy, (hostile-free), learning environment for all students, faculty, and employees
- Provide associate degree programs
- Prepare students to transfer to other institutions of higher education
- Provide academic credentialing programs of varying lengths
- Assist students in developing and pursuing holistic lives (physically, intellectually, and aesthetically)
- Attain and maintain appropriate accreditation and certification of RLNC degrees and programs
- Maintain and measure quality learning in all classes
- Provide a means of maintaining and enhancing Ojibwe culture, values, language, and knowledge
- Honor and respect women as the sacred life-givers of the Nation, and empower them for leadership roles in their communities
- Serve as a cultural and educational center for community development
- Encourage and support the professional development of faculty and staff

Equal Opportunity and Affirmative Action

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

Sovereignty

Federal and state labor laws, rules and regulations pertaining to employees shall be adhered to in good faith and to their fullest extent. When such labor laws, rules, and regulations are in conflict, the Sovereignty of the Red Lake Band of Chippewa Indians will take precedence; i.e., legal matters concerning employment at Red Lake Nation College will be heard in the Red Lake Tribal Court.

Indian Preference Law

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

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

Legal references:

I.S.D.A. [25 U.S.C. 450e(b)(1), 41 C.F.R. 14-78,5002] Section 7(b)(1)

Civil Rights Act of 1965, as amended [42 U.S.C. 2000e-2(1)] Section 703(i)

Executive Order 11246

A.R.S. 15-502,15-504,41-1463

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

The RLNC President and Administrative Team will follow “Indian Preference” for employment in the following order:

1. Enrolled member of the Red Lake Band.
2. American Indian spouse of an enrolled member, or American Indian parent of enrolled tribal member with legal custody.
3. Other American Indian (member of a federally recognized tribe).
4. Non-Indian spouse or non-Indian parent of enrolled tribal member.
5. Non-Indians.

The President reserves the right to appoint the most qualified candidate regardless of race, creed, national origin, age, sex, or political affiliation to key positions.

Scope: The Indian Preference Policy applies to hiring, placement, promotion, transfer or demotion, selection for training and other actions related to the hiring process.

Equal Employment Opportunity

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

Filing an Equal Opportunity Discrimination Complaint

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

The Director of Assessment and Institutional Effectiveness will review the complaint (or if verbal, document it in written form) and notify the President. The Director of Assessment and Institutional Effectiveness will meet with all parties involved to discuss the complaint and to achieve resolution. If a resolution is not achieved, the Director of Assessment and Institutional effectiveness will notify the President and the complaint may subsequently be referred to the College's legal counsel.

Americans with Disabilities Act

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

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

Be based on documented individual disability needs;

1. Not compromise the requirements of a course or program; and
2. Not pose a threat to personal or public safety.

Violence Against Women Reauthorization Act (VAWA)

The Violence Against Women Reauthorization Act of 2013 expands how institutions address sexual offenses and sexual violence. This act improves upon services for all victims of sexual offenses or acts of sexual violence, including domestic violence, dating violence, sexual assault, and stalking regardless of the victim's gender, sexual orientation, gender identity, or gender expression.

Crime Awareness on Campus

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

Murder	Hate Offenses
Rape	Arson
Robbery	Property Damage
Assault	Bomb Threat
Burglary	Negligent and Non-Negligent Manslaughter
Motor Vehicle Theft	Breach of Computer Security
Terroristic Threats	Identity Theft

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

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

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

Sexual Harassment and Sexual Violence Policy

Sexual harassment is a form of sex discrimination and employee misconduct that violates Title VII of the Civil Rights Act of 1964. Sexual harassment includes (but is not limited to) unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct has a purpose or effect of unreasonably interfering with an individual's employment or creates an intimidating, hostile or offensive work environment.

Red Lake Nation College is committed to maintaining a safe and comfortable learning environment for all students, staff, and faculty. Sexual harassment undermines the mission of the College, offends the integrity of the College community, and will not be tolerated. All campus-related sexual harassment, sexual offenses, or acts of sexual violence including domestic violence, dating violence, sexual assault, and stalking are strictly prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, stalking, or other verbal or physical conduct of a sexual nature that results in interfering with an individual's educational or work performance, or creates an intimidating environment for a student, staff or faculty member.

Sexual harassment is prohibited by both state and federal law. Any staff or faculty member who engages in sexual harassment is subject to disciplinary action, up to and including suspension or termination from RLNC.

If you believe that you have been subjected to sexual harassment or have been the victim of sexual violence, you are asked to report your concerns immediately to your supervisor or the

President. To the extent permissible, all such reports will be treated confidentially and will be investigated in a prompt and responsible manner.

Sexual and Relationship Misconduct Policy

Sexual misconduct and relationship misconduct are prohibited and will not be tolerated at Red Lake Nation College. The College will take action to foster the safety and security of the entire College community. We do this by providing prevention education and support services for those who have been affected, and by holding accountable those who violate this policy.

Staff or faculty members found responsible for any acts under this policy are subject to disciplinary sanctions up to and including suspension or termination from the College. The College encourages you to report any incident of sexual and relationship misconduct, including domestic violence, dating violence, sexual assault, and stalking.

If you are in immediate danger, get to a safe place and call the Red Lake Police Department - 911.

Confidentiality

Personally identifiable information about crime victims is kept in a confidential incident report and is not available to the public.

Harassment

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

Harassment on the basis of a person's race, color, religion, sex, marital status, sexual orientation, national origin, age or disability is verbal or physical conduct that disparages or shows hostility toward a person because of one of these factors, and that has the purpose or effect of creating an intimidating, hostile, or offensive work environment or unreasonably interfering with a person's work performance, or otherwise adversely affects a person's employment. Other harassment behavior includes (but is not limited to) name-calling, obscene gestures, pulling on clothing, graffiti, offensive notes or cartoons, unwelcome touching of a person or clothing, offensive or graphic posters or book covers, or violent acts.

Reporting Harassment Complaints

If you are a victim of sexual, religious or racial harassment that causes you to feel uncomfortable or fearful, it is helpful if you directly inform the harasser that the conduct is unwelcome and must stop. You should also report such behavior to your supervisor or to the President of the College.

Any person who receives a report of harassment shall inform their supervisor or College President immediately. Any witness to an experience of sexual, religious or racial harassment in the workplace should report the behavior to their supervisor or the College President. The College encourages the reporting party to provide a written complaint, but oral reports shall be considered complaints as well.

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

Reprisal, Privacy, and Confidentiality

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

Throughout the investigation and outcome process, privacy and confidentiality for all persons involved, including the alleged victim(s) and alleged harasser(s) are of critical importance. All persons involved must refrain from gossip or discussion of alleged incidents or events with any persons other than the Human Rights Officer, College President, or such legal authorities as may become involved.

Your right to privacy will be respected as much as possible. We will take all appropriate action to investigate harassment claims, to eliminate that harassment, and to discipline any persons found to have engaged in such conduct. Any violation of this policy by an employee will result in disciplinary action, up to and including termination of employment.

Procedure for Resolving Harassment Complaints

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

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

When investigating allegations of harassment, the College considers the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, and the

context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

Upon completion of the investigation, the employee(s) who filed the complaint will be informed of the outcome of the investigation. This notification is expected to be within seven (7) working days after receipt of an allegation or complaint. If the process exceeds seven (7) working days, the employee will be advised that an extension of time is required, which will not exceed seven (7) additional working days. The administration will immediately act to stop any apparent or suspected harassment. Any employee engaging in sexual, religious, racial or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Right to Alternative Complaint Procedures

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

Harassment or Violence as Abuse

Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes Section 626.556 may be applicable. Nothing in this policy will prohibit the College from taking immediate action to protect victims of alleged harassment, violence or abuse.

Sex Offender Policy

The Campus Sex Crimes Prevention Act, which became effective on October 28, 2002, is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This Act requires colleges to issue a statement advising the campus community where information concerning registered sex offenders may be obtained and makes the college responsible for providing the name, address, birth date, place of employment, school attended, and offense to any individual on campus requesting information concerning sex offenders attending or employed by the college.

The Minnesota Bureau of Criminal Apprehension maintains a list of all sex offenders required to register in the State of Minnesota. This database is updated daily and can be found at <https://por.state.mn.us/Home.aspx>. The Red Lake Nation also maintains a sex offender list on the Tribes and Territories Sex Offender Information System located at <https://redlake.nsopw.gov/>. Both websites are also available on the Red Lake Nation College Campus Safety webpage at <https://www.rlnc.education/campus-safety>. The Red Lake Nation College Campus Security Office also maintains a list of names and information for all known sex offenders enrolled at or employed by the College. This sex offender list is available for the college community to view at the Red Lake Nation College Campus Security Office.

Additionally, federal and state laws require sex offenders to take certain steps upon enrollment in an institution of higher education, regardless of whether their enrollment is full or part-time. Pursuant to the Campus Sex Crimes Prevention Act, individuals are required to register as a sex offender in the jurisdiction where their residence is located and in the jurisdiction where the college they attend is located. In order to comply with federal and state registration requirements

related to college enrollment, a sex offender must register within five (5) days of attendance at a college by reporting in person to the Campus Security Department. Students who fail to register their status as a sex offender are in violation of the registration act and face arrest and expulsion from the college.

Community Visitors and Library Users

The Red Lake Nation College is home to the Medweganoonind Library and Tribal Archives that serve both the college and the Red Lake community. The Medweganoonind Library is dedicated to serving all members of the Red Lake Nation.

Of course, we must look out for the wellbeing of all students when it comes to sex offenders, but the library will not ban registered sex offenders from using library resources, including public computers. To that end, all individuals are welcome in the library, but based on individual behavior, some individuals may be excluded based on inappropriate behavior that takes place while using the library that violates the library policies. The misconduct procedure from the Medweganoonind Library Handbook will be followed in any and all cases of inappropriate behavior from any library user.

To ensure the safety and security of Red Lake Nation College students and visitors, all registered sex offenders seeking to use library services or attend community events must register with Campus Security (as students have a right to know and are notified of sex offenders on campus). Additionally, all patrons of the library or community events are to remain in the designated areas and are not to enter other areas of the campus building unrelated to the event unless approved by Campus Security.

If a library patron has concerns about a potential sex offender in the library, please direct all questions and comments to the Director of Library Services.

It is the responsibility of the sex offender to know their personal restrictions. All members of the community are welcome to attend public events hosted by the college. If inappropriate behavior warrants a question about sex offender status or restrictions, a response is requested. If an individual refuses to answer, they may be asked to leave the Red Lake Nation College campus or the Red Lake Police Department may be called.

Procedures

1. All registered sex offenders who enroll in courses at Red Lake Nation College must indicate their status as a registered sex offender on their admissions application.
2. All registered sex offenders who apply for employment positions at Red Lake Nation College must indicate their status as a registered sex offender on their employment application.
3. Upon enrollment of a registered sex offender, the Vice President of Operations and Academic Affairs or designee will meet with the college's Campus Security Supervisor or designee within five (5) days to review the student's class schedule and determine appropriate restrictions.

4. Upon employment of a registered sex offender, the supervisor will meet with the college's Campus Security Supervisor or designee prior to the employee's start date to review the employee's schedule and workplace location and determine appropriate restrictions.
5. After determining the appropriate restrictions for a particular student or employee, the Campus Security Supervisor will contact the registered sex offender student/employee for a meeting to discuss the restrictions which will be in place while the student/employee is on the college's campus.
6. During the meeting with the Campus Security Supervisor (or designee) and the registered sex offender student/employee, the Campus Security Supervisor will provide the student/employee a written letter containing the restrictions the student/employee must abide by while on the college's campus and will discuss each restriction verbally with the student/employee. During this meeting, the student/employee will also be advised that his/her failure to comply with the restrictions outlined in the letter may result in denial of enrollment, access to campus, and possible legal repercussions.
7. If a sex offender student is enrolled in a college class along with a student who is under the age of 18, the Vice President of Operations and Academic Affairs will notify the instructor of the class of the student's status as a sex offender. The Vice President of Operations and Academic Affairs will also determine if there are other college staff members who need to be notified of a student's status as a registered sex offender in order to protect persons under the age of 18 on the college's campus. In some circumstances, the registered sex offender may be required to enroll in a course section that does not contain minors.
8. The Campus Security Supervisor or designee will notify the Directors of the Oshkiimaajitahdah Child Care Program and the Ojibwe Immersion Headstart Program as well as any other college program solely serving students under the age of 18, of all registered sex offenders enrolled in or employed by Red Lake Nation College.
9. The college's Campus Security Office will maintain a database of all registered sex offender students and employees. The database will contain identifier information as outlined in the Campus Sex Crimes Prevention Act. This information will be available for review by any person requesting information on registered sex offenders enrolled or employed by the college.

Workplace Injuries

Employees of Red Lake Nation College are covered by a Tribal Self-Insurance Plan (Workers Compensation).

What to Do When You Are Injured on the Job

1. Report the injury immediately (or within 24 hours) to your Supervisor or Department Director, Dean or Chair.
2. Request that your Supervisor or Department Head calls the Chief Financial Officer immediately to report the injury. If your Supervisor or Department Director, Dean or Chair is not available, you should personally call the Chief Financial Officer.

3. If unable to contact your immediate Supervisor or Department Head, you must leave a detailed message of the injury, within 24 hours, with your immediate Supervisor.
4. If an employee is physically unable to report his/her injury, a Supervisor may report the injury to the Chief Financial Officer.

Supervisor or Department Head Responsibility

When calling the Chief Financial Officer, please have available the following information:

1. Employee's name and home address
2. Employee's phone number
3. Injury description
4. Date and location of occurrence
5. Any witness statements
6. If you receive a detailed message from the injured employee, the message must be saved and verified for proper documentation.
7. The Supervisor's accident investigation report must be submitted to the Chief Financial Officer within 24 hours of the accident.

Return to Work

When an employee misses work due to injury and/or hospitalization, he/she must provide the original "Return to Work Form" statement from a medical doctor in order to return to work. The Post-Accident Drug Testing Policy will apply.

Employee Workplace, Supplies, and Equipment

Employee Workplace

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

Employee Personal Property

Employee personal property in the workplace is each employee's responsibility. The College is not responsible for loss or damage to an employee's personal property. The College has the right to limit the personal property in any employee's workplace.

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

Tools, Supplies or Equipment

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

Cell Phone Policy

Employees whose job requires them to use a cell phone for College business will be issued a cell phone through RLNC's college account, exceptions may be allowed for use of a personal cell phone service for business use and will be eligible to receive a monthly allowance for that service. Employees who receive a college issued cell phone will be required to sign a cell phone usage agreement with RLNC's Business Office. The administrative team at Red Lake Nation College will determine which employees are eligible for the issuance of a cell phone.

Smoke-Free Workplace

Red Lake Nation College is a smoke-free facility. Smoking is banned within all buildings on campus. Smoking is not permitted within 50 feet of building entrances. Red Lake Nation College is dedicated to providing a healthy environment for all staff, students, and citizens. All individuals on campus share in the responsibility of adhering to and enforcing this policy. The exception to this policy is the use of tobacco for ceremonial purposes. The President must approve this exception for each ceremonial event.

Gun-Free Workplace

Red Lake Nation College bans guns in all College buildings. Law Enforcement personnel are exempt. All employees and students are forbidden from introducing, possessing, using, buying, or selling weapons, firearms, ammunition, explosives, and other items prohibited by federal, state, and reservation regulations on any College controlled sites and at all College directed activities.

Policy Violation Reporting Requirements

Employees who become aware of a violation of this policy are required to immediately notify a Campus Security Authority (CSA) or their immediate Supervisor. Campus Security Authorities are Administrators and Directors (President, Vice President, Chief Financial Officer, and Directors). Employees who feel endangered should immediately report violations of this policy to law enforcement, Campus Security Authorities, and the College President.

Policy Violation Offenses

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

Drug and Alcohol-Free Workplace

Red Lake Nation College is a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988 and prohibits the unlawful manufacture, distribution, dispensation, purchasing, possession or use of controlled substances or any other thing that could alter job performance adversely or pose a threat to the safety and welfare of the employees or the public in the workplace. Circumvention of this prohibition will be cause for termination of employment.

Drug and Alcohol Testing Policies and Procedures

Red Lake Nation College may conduct drug and alcohol testing in the following circumstances:

- Pre-Employment
- Reasonable Suspicion

- Post-Accident
- One-Time College-Wide Testing in the Fall of 2015

Substances Covered by Drug and Alcohol Testing

Candidates will be tested for their use of commonly abused controlled substances, including (COC) Cocaine, (AMP) Amphetamines, (mAMP) Methamphetamines, (OPI) Opiates, (PCP) Phencyclidine, (BZO) Benzodiazepines, (OXY) Oxycodone, (BUP) Buprenorphine, (BAR) Barbiturates, (MTD) Methadone, and (ACL) Alcohol.

Testing Methods and Procedure

Initial testing methods will be conducted at Red Lake Nation College using an 11-panel saliva drug test kit. Red Lake Nation College will pay for the cost of the testing. The candidate or employee will swab his/her mouth according to the testing kit instructions in the presence of the Human Resources Coordinator or designated administrative personnel. The employee and the Human Resources Coordinator or designee will, together, write down the results of the test. The employee and Human Resources Coordinator or designee will sign the document indicating these were the results indicated by the test.

Confidentiality

The testing results will be placed in the employee's personnel file and marked "confidential." Results will only be shared internally, as necessary, with the appropriate Supervisors and/or administrators. Individual results will not be shared with any external parties.

Pre-Employment

All candidates who are provided with a written offer of employment are required to submit to a saliva drug test before the offer of employment will go into effect.

Reasonable Suspicion and Post-Accident Drug Testing

Red Lake Nation College believes that testing employee saliva for drugs can be an effective means of identifying those in need of counseling, treatment, or disciplinary action. The saliva-testing process is intended to supplement, not replace, other means by which the use of drugs and/or alcohol can be detected. Red Lake Nation College will require an on-the-job employee to undergo drug and alcohol testing if the College has reasonable suspicion that the employee:

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

Reasonable suspicion may result from observation of an employee's behavior or physical symptoms, including erratic behavior, an odor of alcohol or illegal drugs, a pattern of abnormal conduct, deteriorating work performance, excessive absenteeism, and/or a pattern of tardiness. A Supervisor or co-worker who observes signs of an employee's possible substance-related impairment while on work time should document the specific observations and notify their

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

Refusal to Undergo Testing

Candidates for employment who refuse to submit to a drug and alcohol test, who fail to show up for a drug and alcohol test, or receive a positive finding, will no longer be considered for employment. Candidates who receive a positive finding may request a referral to a medical facility designated by Red Lake Nation College for a urine test.

Current employees, who refuse to submit to the saliva test, or produce a positive result, will be referred to a medical clinic designated by Red Lake Nation College for a urine test. Refusal to submit to the test will be grounds for termination of employment.

Use of Drug Test Results

Red Lake Nation College will take action on a confirmed positive test result. Detection of alcohol or any controlled substances in the saliva will result in a referral to a medical facility chosen by Red Lake Nation College for a urine test. At this time, the employee will have the right to explain the presence of any drug or alcohol in his/her system and, if necessary, substantiate the explanation with medical evidence. If the result of the drug/alcohol test is again positive, with no legitimate and documented medical explanation, the following will take place.

The employer will request that the employee undergo a chemical assessment at the employee's expense and follow the recommendations of the assessment. Counseling statements must specify the corrective actions and time frame required for continued employment and the employee must provide a signed release of information to their supervisor at Red Lake Nation College to receive a copy of the records indicating this information, or the employee may voluntarily resign from employment.

Rehabilitation

Red Lake Nation College intends to give the same consideration to persons with chemical dependencies as it does to employees having other diseases. In the case of abuse of controlled substances or alcohol, Red Lake Nation College will encourage the employee to seek treatment and counseling. Normal College leave benefits for which the employee is eligible are available to aid in the rehabilitation process. If the employee does not voluntarily elect to participate in a rehabilitation program or fails to complete a rehabilitation process, the College will terminate the employment of the affected employee.

Return to Work

When an employee returns to work from drug or alcohol treatment, they may be required to participate in random drug testing.

Re-Application and Rehire

Red Lake Nation College understands that individuals who are rehabilitated drug users or engaged in a supervised drug rehabilitation program and are no longer using drugs are protected

under the Americans with Disabilities Act. Therefore, Red Lake Nation College will consider the applications of candidates who formerly tested positive for drugs if candidates can subsequently show evidence of rehabilitation.

Certification

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

Conviction of a Criminal Drug Statute Violation

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

Nepotism

There is no federal or state law against nepotism, but it is the role of RLNC to hire the most qualified individuals. The College will strive to avoid situations of nepotism.

Community Service Applicant

Red Lake Nation College shall accept community service requests if the individual meets the following requirements:

- Signs a written acknowledgment and agreement with the Red Lake Nation College's Drug-Free Workplace Policy.
- Completes a Red Lake Nation College Community Service Contract/Agreement.
- Agrees to follow the Red Lake Nation College Personnel Policies. Any violation will result in termination of the contract/agreement.
- Agrees to be on time and to call his/her Supervisor at least one hour in advance if he/she will be absent. Two unexcused absences, or consistent tardiness, will result in immediate termination of the contract/agreement.
- Conducts himself/herself in a manner appropriate to the work environment.
- It does not exceed 20 total work hours in one week.

Employment Policies

Commitment to Excellence Policy

At RLNC, our mission is to provide excellent higher education that is grounded in the Ojibwe language and culture of the Red Lake Nation. In following our mission, we need to also make an effort to plan, prepare and implement every academic program, course and student support or student service activity at that same excellent level.

This also means our interactions with students, other staff and faculty members, administration, Tribal leaders, community members, and guests, should all be maintained at an excellent level of human relations skills.

Let's keep this in mind to make sure we double and triple check our work, do an extra two or three edits on our completed work, and ask for more input and perspectives from our fellow staff and faculty members to make sure our final work is at an excellent level.

We all need to make a commitment to performing at an excellent level in everything we do. Once we do this, it becomes a daily habit and then second nature. We must all take the extra pride in our work so that it reflects a highly positive image of ourselves and our college. Not focusing on working at an excellent level means we are working at an average, mediocre or even poor level. We don't want this lower level quality of work to be the image of ourselves, our college, or our Red Lake Tribe.

Further, our Seven Ojibwe Values of Humility, Truth, Courage, Honesty, Respect, Love and Wisdom all support the concept of Excellence, of doing your absolute best. Our Seven Ojibwe Values support happiness, love, being courageous, honest and truthful, using your wisdom and being respectful to yourself, your employers and colleagues. This all points to striving for excellence. It doesn't point to a half-hearted effort or poor performance. Our Seven Ojibwe Values encourage us to strive for Excellence.

Whether we realize it or not, all of us, and all of our work, also represent our college and our Tribe. We want you and your work to be of the highest possible regard. Therefore, let's take to heart the great saying of the ancient Greeks and John F. Kennedy when they expressed their belief that striving for excellence can lead to personal happiness:

"Happiness is using your full potential along the lines of excellence"

John F. Kennedy
U.S. President

RLNC Management and Operational Policy: "Hard on Problems, Soft on People"

Our overall management and operational policy is to:

"Be hard on problems, soft on people."

This will be our over-arching philosophy of dealing with problems. The key part of this is to treat all people with respect, professionalism, and kindness. This includes following our 7 Ojibwe Values of:

Humility, Truth, Courage, Honesty, Respect, Love and Wisdom

All RLNC supervisors should keep this philosophy in mind when figuring out how to deal with any human resource problem and this will guide your way forward. This is a cooperative philosophy that is focused on work adaptation to solve problems. This management concept

does not avoid problems but deals with them directly by focusing strong human, material and financial resources on problem-solving.

- However, focusing on and dealing with problems directly does not have to be a management and operational policy that is overly harsh on people.
- Getting the most out of people is best done through providing employees heavy input and involvement in the management and decision-making process.
- A team working environment allows that provides employee support, collaboration and cooperation are the most productive work environments.
- Setting team goals and deadlines and allowing employees to figure out how to achieve them works better than closely micromanaging employees.

If problems arise with teamwork, cooperation or human resources, they are best handled in a manner that is non-blaming and non-accusatory.

- Put employees in job positions, roles and work projects that best utilize their individual skills and manners in which they can best succeed. Do not put people in positions or roles that do not compliment their skills, abilities or interests.
- Provide employees every opportunity to succeed when they experience job failures or personal failures that affect their jobs. Look at other possible positions or roles they can be successful in.
- Firing employees is an absolute last resort, not a first resort.
- Provide employees with honest and direct feedback and honest, critical performance reviews. Providing fluffy, overly positive performance reviews does nothing to help people.
- If problems come up with an employee's performance, address it in a non-blaming manner and focus on the problems, not attacking or being critical of the person. Focus on the problem, not the person.

“Grow Our Own Staff and Faculty” Policy

Due to the isolated location of our college and the difficulty in recruiting qualified candidates for key staff and faculty positions that are required for our accreditation status, we are establishing a new policy that allows us to “grow our own staff and faculty” from within our organization.

The purpose of our new policy will be to encourage, grow and develop current staff and faculty to seek higher education degrees such as Associates, Bachelors, Masters and Ph.D.'s to fill key college staff and faculty positions.

In the past, we have had difficulty, failures and high expense when trying to recruit people for positions from outside our local community and region. National job searches were extremely costly and largely unsuccessful in keeping key staff for the long-term. We found many were exposed to extreme culture and temperature shock.

Recruiting and hiring locally from the Tribal community, and from the communities surrounding the Red Lake reservation, have been much more successful. Other successes have come from

helping support and encourage current employees to seek advanced degrees, and then they fill open positions.

Therefore, we approve the following policies and procedures in order to encourage and support current staff and faculty to seek higher education at our college, and at other higher education institutions, in order to fill current and future open positions:

- 1.) Support current staff and faculty with up to five hours of paid Education Leave each week, with Direct Supervisors pre-approval. All aspects of the Education Leave policy must be followed and current job duties must be successfully completed.
- 2.) Support higher education with free Red Lake Nation College (RLNC) tuition for all children of current RLNC staff and faculty. This will encourage more students and their families to attend college.
- 3.) Encourage higher education degrees by supporting all current staff and faculty to seek Mellon Foundation grants for Bachelors, Masters, and Ph.D. programs. The Mellon Foundation higher education grant program is operated through the American Indian College Fund (AICF) and supports current employees of Tribal Colleges to seek higher education, and then return to work at Tribal Colleges.
- 4.) We further support the Mellon Foundation higher education grant program by approving these requests and providing Fridays off with pay for any current staff and faculty members who desire to seek higher education degrees approved by this AICF program. Again, this approval requires Direct Supervisor pre-approval and employees make sure all aspects of their current job duties are successfully completed.
- 5.) Pay will be adjusted upward for all staff and faculty who complete higher education degrees. Salaries must fall within RLNC pay scales and ranges are also based on work history, experience and professional skills, qualifications and abilities.
- 6.) RLNC will encourage all current staff, faculty and students to continue with their higher education plans by completed Professional Development Plans (PDP) for all Team Members at the time of their annual reviews. These PDP's will be completed with their supervisors and be put in their annual reviews.
- 7.) Within the PDP's, all Team Members will also sign up for at least one annual training or join at least one professional association related to their job or profession. This will encourage more professional growth.

By following all of these RLNC policies, we will be committing to long-term, professional growth, and development of our staff and faculty. This policy will also help to develop more Tribal Member and Native staff since approximately 70% of our current staff and faculty are Native American.

Hiring Policy for Staff and Administrative Positions

Red Lake Nation College seeks to attract the best-qualified candidates who support the mission of the College. The College is committed to equal opportunity and follows recruitment and selection practices that comply with all applicable employment laws. Within the scope of Sovereignty and Indian Preference, the College will not discriminate in the administration of employment on the basis of race, color, religious belief, sex, marital status, sexual orientation, national or ethnic origin, disability, veteran status, or age.

Questions about administrative and staff employment policies and procedures should be directed to the Vice President of Operations and Academic Affairs. The Vice President of Operations and Academic Affairs is responsible for all sections of this process as it pertains to administrative and staff employment.

Hiring Policy for Faculty Positions

Hiring for faculty positions follows the same guidelines as stated in the policy for hiring staff and administrators with the following exceptions.

- The Vice President of Academic Affairs is responsible for filling all faculty positions and makes the final decision on faculty hiring.
- Consideration is first given to full-time faculty teaching load. If full-time faculty members do not have a full teaching load, they may be required to teach a course outside of their discipline if they possess experience teaching the subject matter or in a professional capacity.
- The Vice President of Academic Affairs will maintain records for an adjunct faculty “pool” so advertising for positions may be unnecessary. Adjunct instructors who have taught for RLNC in the past may be called upon to teach courses they are qualified to teach.
- In addition, due to the level of qualifications required for faculty positions, the following emergency staffing situations may occur, in which a faculty member may be hired to fill a position even if they do not possess the minimum qualifications. Emergency staffing situations may include:
 - Illness, accident, or death of a faculty member during the term, resulting in a faculty member being unable to finish teaching the course.
 - A failed search for a faculty position, if the position has been advertised for at least 30 days.
 - Resignation of a faculty member immediately prior to the start of a term.
 - Immediate deployment in the armed services.
- Faculty members hired on an emergency basis will only be permitted to teach the identified course(s) for two consecutive semesters before the search process for qualified faculty resumes.

Summary Guidelines for Interviewing

Personal interviews are an important component of the hiring process. Interview questions should be consistent with the laws that govern hiring procedures. According to Fair Employment Practice Laws an interview must avoid any questions of an individual that covers race, color, sex, sexual orientation, disability, religion or creed, veteran status, marital status, arrest record,

national or ethnic origin, age, birth date or birthplace. However, in accordance with Sovereignty and Indian Preference, federal and state labor laws, rules and regulations pertaining to employees shall be adhered to in good faith and to their fullest extent. When such labor laws, rules, and regulations are in conflict, the Sovereignty of the Red Lake Band of Chippewa Indians will take precedence; i.e., legal matters concerning employment at Red Lake Nation College will be heard in the Red Lake Tribal Court.

Additionally, it is unlawful to inquire, either directly or indirectly, about an applicant or employee's disability status. An employer may inquire only whether an individual can perform specific tasks in a reasonable manner. An employer may not disqualify an applicant/employee because of suspected future risk to his/her health or on the basis of a perceived disability while performing a specific job.

The above limitations apply equally to questions that may be asked of an employee who applies for or is under consideration for promotion, transfer, upgrading, etc. These limitations also apply equally to questions asked by a prospective employer, either in person, by telephone, in writing or otherwise, or of a former employer, with references to an application or a person under consideration for employment. The key message is that the employer is restricted from asking questions about professional qualities that are job-related only in order to respect the privacy of an individual.

Please call the Vice President of Operations and Academic Affairs to request any assistance with the hiring process.

Confidentiality

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

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

Identity and Eligibility to Work in the United States

Legally, the College is obligated to ascertain the identity and eligibility to work in the United States for all job applicants. Therefore, every prospective employee must complete certain

documents, including an I-9 form, and must provide specific forms of identification, including a driver's license and Social Security card—and if a non-citizen, a passport or other identification as specified on an I-9 form—before being officially hired to work at the College.

Internal Promotions

It is the philosophy of the College to promote from within the institution when appropriate. A current employee in a given department may be given first consideration when filling vacancies within that department, with second consideration going to other College employees.

Internal Employee Transfers

College employees have an opportunity to be considered for reassignment to positions within the College. Transfer of employees may occur only after the Department Directors involved have agreed to the transfer, the required probationary period has passed (if a new employee), and the President approves the transfer. The transferred employee will be paid at the prevailing rate of the new position. Once transferred, the employee remains eligible for the benefits she/he has accrued. Employees desiring to transfer positions should:

1. Communicate in writing to their Department Director or Supervisor a desire for transfer.
2. Complete the application for employment for the position.
3. Meet the minimum qualifications for the position.
4. Satisfactorily complete the applicable selection procedures.
5. Serve a satisfactory probationary period of thirty (30) days following transfer.

Employees who are transferred will:

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

Employees Hired from the Red Lake Band of Chippewa Indians

When an employee of the Red Lake Band of Chippewa Indians and other Red Lake Band entities (Gaming and Housing) is hired by Red Lake Nation College, he/she will be considered a new employee with a new hire date. Years of employment service at the Band will not be counted toward leave accrual at the College. Additionally, the College will not accept leave balance amounts for any new hire from the Red Lake Band. Red Lake Nation College will only allow medical and dental benefits to transfer from the Red Lake tribal entities.

Evaluation Period for Existing Employees in New Positions

The evaluation period for existing employees in new positions is 90 days. This 90-day evaluation period will not impact employee benefits that may have been accrued. This evaluation period is to evaluate the employee's competency in the new position.

Employment Application Process

All persons seeking employment at Red Lake Nation College must complete an application for employment and submit additional documentation when required. Applications must be submitted to hr@rlnc.education. Faculty or administrative applicants are required to provide the following before consideration for employment:

1. A completed and signed Red Lake Nation College application for employment
2. A cover letter
3. A current résumé or curriculum vitae (CV)
4. Certified academic transcripts from accredited Colleges or universities indicating the degrees earned by the applicant (Unofficial copies are acceptable for the application process; however, official transcripts must be received prior to employment.)
5. Name, address, telephone number and e-mail address (if available) of three references
6. Any other documents that support the application for employment

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

1. A completed and signed Red Lake Nation College Application for Employment
2. A high school transcript certifying high school graduation or a GED certificate earned
3. College transcript if appropriate
4. Name, address and telephone number of at least three references.
5. Any other documents that support the application for employment.

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

1. A completed and signed Red Lake Nation College Application for Employment
2. A high school transcript certifying high school graduation, or a GED certificate
3. Name, address and telephone number of at least three references.

Note: Employees hired prior to 2016 may be exempt from the above documentation requirements.

Criminal Background Check

As a condition of employment, applicants will be required to submit to a criminal background check. Refusal to submit to a background check, or failing a background check, will disqualify an applicant from employment consideration. Criminal background checks may be conducted only after an offer of employment has been made.

Evaluation Period for New Employees

All new employees are on probationary status for 90 days. During the 90-day evaluation period, new employees are not eligible to use personal leave benefits. Employees who resign, or who are terminated, during the 90-day evaluation period will not be eligible for payment of personal leave benefits. After successful completion of the evaluation period for new employees, personal leave time accrual begins and is retroactive to the employee start date. Probationary periods may be extended if necessary for further employee evaluation, not to exceed 180 days.

Employee and Faculty Professional Development

Red Lake Nation College encourages all employees to enhance their professional skills through a variety of training and educational programs that are on-the-job or during-the-job. Such training or education must have a positive direct impact on the employee's career path and success of the division and organization.

Professional development includes continuous improvement in teaching and learning skills and methods, discipline and program content, student interactions, service to the college and professional growth related to the employee's or faculty member's employment responsibilities.

It is the responsibility of the employee's Supervisor to work with the employee to develop a professional development plan that will improve or enhance the employee's job performance. Vice Presidents, Chairs, and Supervisors are responsible for career development within their departments. They are also to plan for the development of qualified personnel to meet anticipated future needs.

Outside Work Policy Statement

Definition: Outside Work means all gainful employment, other than the performance of official duties, and including, but not limited to, self-employment, working for another employer, the management or operation of a private business for profit (including personally owned businesses, partnerships, corporations, and other business entities.)

Application: All faculty and staff of Red Lake Nation College, full and part-time.

General Guidelines

- Outside work must not compete with the business of Red Lake Nation College. If the consulting or service relates to education, employees must work with the administration to provide the opportunity through the College first. If that is not possible, the approval process outlined below shall apply:
- The outside work cannot conflict with the Red Lake Nation College mission.
- The outside work must not interfere with the employee's job commitment to Red Lake Nation College.
- Employees must not use the resources of the employer (including office, computer, phone, supplies, etc.) to fulfill the outside commitment.

Faculty

It is the policy of the Red Lake Nation College to support opportunities for its instructors to apply for outside work when contractual obligations will not be breached. Contractual requirements, including attendance at special events, will take precedence over any outside employment.

Each full-time instructor shall submit in writing the nature of employment, describing the details and obtaining approval from the Vice President of Operations and Academic Affairs. The appeal process for any denial of outside work shall go through the Vice President of Operations and Academic Affairs, and finally, to the President.

1. Faculty members should be open with their Supervisors about any outside work in which they wish to participate, but official approval is only required by those opportunities that the Vice President of Operations and Academic Affairs and the employee determine may present a conflict.

2. If permission is granted for an instructor or staff member to take outside employment, the employee must report to his or her Supervisor when he/she has started.
3. The College will not pay Workers Compensation benefits for injuries resulting from employment at an outside company/institution.
4. Generally, all intellectual property (including lab notebooks and other tangible research property) shall be owned by Red Lake Nation College, if significant resources of Red Lake Nation College were used to develop such property, or if it is created pursuant to a project funded through corporate, federal or other external sponsors and administered by Red Lake Nation College, except as follows:

The creator shall retain ownership of the following:

1. All intellectual property developed without significant use of Red Lake Nation College resources and without corporate, federal or other external sponsorship.
2. All rights in artistic, literary and scholarly intellectual property, such as scholarly books, articles, and other publications (including those in electronic form), works of art, literature, and music recordings are owned by their creators, despite the use of Red Lake Nation College resources, so long as such works are neither created under the direction and control of Red Lake Nation College nor developed in the performance of a sponsored project or other third party agreement; and
3. All copyrights of papers, theses, and dissertations written as a student to earn credit in Red Lake Nation College courses, or otherwise to satisfy Red Lake Nation College degree requirements.

Staff

Each staff person shall submit, in writing, the nature of employment, describing the details, to garner approval from the appropriate Supervisor, and from the President. The approval process for any denial of outside work shall go through the appropriate Supervisor and the President. The same ownership guidelines as in the above section, apply to staff. If permission is granted for the employee to take outside employment, the employee must report to his/her Supervisor when he/she has started. The College will not pay Workers Compensation benefits for injuries resulting from employment at an outside company/institution.

Memorandum of Understanding

Employees will be asked to sign a memorandum of understanding with the College in certain circumstances—generally, when a full-time employee wishes also to teach on an adjunct basis, or in cases in which an employee requests approval to perform two separate functions of employment at the Red Lake Nation College.

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

An employee's primary job at Red Lake Nation College should not be negatively impacted in any way; if the primary job requires 40 hours per week with certain job performance outcomes delineated, those hours and duties must come first. The secondary job will be performed at Red Lake Nation College as if being performed at an outside institution. For example, all preparations for the job would be done outside of the primary job work hours.

If an employee is accepting an adjunct teaching position, for example, and the classroom hours occur during the employee's normal work hours for his/her primary job, then arrangements must be made with the employee's supervisor to make up the hours missed, or to use personal leave for time spent in the classroom as an adjunct instructor.

Employees who fulfill more than one position shall complete a time card, signed by the Supervisor, to monitor adherence to this policy. Faculty members are generally excused from filling out time cards, but may not be excused under these special circumstances.

If an employee is contracted to provide services for which the College pays an honorarium, such as speaking engagements or visits to other faculty classrooms as a guest lecturer, this requirement does not apply. A disbursement voucher can be obtained from the Business Office describing those types of arrangements.

Travel Policies

Red Lake Nation College recognizes the need for travel by Board members and employees when the purpose of travel enhances the College.

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

Contact the Chief Financial Officer for a complete copy of the *Fiscal Policy Manual* for specific information on travel policies.

New Employee Orientation

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

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

Temporary Employment and Emergency Hires

Red Lake Nation College engages temporary employment or emergency hires when there is uncertainty about the need for a permanent position, or to replace a current worker while that worker is on sustained leave, or due to greater work demands. Generally, temporary employment and emergency hires will be for a year or less.

Temporary Hires

Temporary hires may be hired and scheduled in anticipation of vacancies, personal leave, greater business demands, or special events. Persons hired on an emergency may begin work immediately. If a temporary or emergency hire position leads to a regular full-time position the temporary or emergency hire date will be the effective date of hire.

Emergency Hires

Persons hired on an emergency basis may begin work immediately. If an emergency position leads to a regular full-time position, the emergency hire date will be the effective date of hire. Temporary and emergency hires are not eligible for employee benefits and are subject to all normal College hiring practices.

The President may approve temporary employment and emergency hires as needed. If the status for the temporary placement or emergency hire changes to permanent employment status, the Red Lake Nation College application and interview process applies.

Compensation

All salary decisions are at the discretion of the Administration Team and the President. Financial and other factors impact all salary decisions.

Starting Wages

The Administrative Team will determine the starting salary that will be offered to a new employee, based on a number of considerations, including market value for the position, education, experience, knowledge, skills and abilities, and responsibilities as described in the position description. This decision, like all other salary decisions, is at the discretion of the administration and the College President. The College President will determine all starting wages with input from the Chief Financial Officer.

Salary Increases

Based on Annual Budget allowances staff members are eligible for a merit increase annually. Merit increases are based on the staff member's performance during the prior year and the salary increase budget available within the department. Performance is evaluated according to the current job description and accomplishments of goals, objectives, and/or special projects and assignments.

Based on the annual budget, "Cost of Living Adjustments" (COLA) are annual increases that may or may not be awarded to full-time employees to help keep salaries reflective of the rising cost of living. COLA is only awarded one time of year to eligible employees (typically in the first quarter). To be eligible, employees must successfully complete the 90-day probation period. Employees who are on disciplinary status may be eligible to earn a cost of living increase once they are no longer in disciplinary status. This decision, like all other salary administration decisions, is at the discretion of the administration. Part-time, Adjunct, Temporary Employees, and Emergency Hires are ineligible for COLA. New hires within six months to nine months of the initial hire may not be eligible for annual increases. The administrative team and the College President will determine all salary increases. The College President will get input from the Chief Financial Officer.

Overtime Pay and Exempt versus Non-Exempt Status

In accordance with the Fair Labor Standards Act, the College complies with overtime pay requirements. Exempt employees are paid an annual salary and are exempt from overtime pay. Non-exempt employees are paid on an hourly basis and receive overtime pay.

Exempt status employees are employees who work at least 40 hours a week on a regular basis without taking any type of leave. Exempt employees who are absent from work for more than four hours during a workday, or who run personal errands during work hours, must take personal leave for that time. If exempt employees cannot work a normal 40-hour week on a regular basis, that employee may be changed to hourly status.

Administrative and faculty positions are generally paid on an annual basis and are generally exempt from overtime pay. Support, custodial, maintenance, and security staff are paid on an hourly basis and are paid overtime pay for hours worked over forty (40) hours per week. Employees who move from an exempt to non-exempt status, or vice versa, will be eligible (or ineligible) for overtime pay based on their current status.

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

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

Exempt Employees

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

Exempt employees are expected to work a minimum of 40 hours per week at RLNC. It should be understood that exempt employees may occasionally be expected to work more than 40 hours. Because exempt employees are “exempt” from earning overtime pay (hence the term exempt employee), it becomes the role of the Supervisor to allocate an employee’s time appropriately. RLNC recognizes that there are times exempt employees will work more than 40 hours. In these instances, RLNC will allow Supervisors to be flexible in scheduling and accounting for the employee’s time.

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

Overtime Procedures

Supervisor Responsibility

It is the responsibility of each Supervisor to determine if and when there is a need for an employee to work overtime. Every effort should be made to avoid overtime hours, but in cases where it is deemed necessary, the Supervisor should ask the employees affected if they are available to perform extra hours of work. If the employee agrees, Supervisors then write a memo describing the expected hours to be worked, the work to be performed, and the reason it is necessary to be performed on an overtime basis, versus regular hours. The Supervisor and employee should be in agreement as to the additional hours that will be necessary to perform the work. Both the Supervisor and employee must agree and sign the memo **before** any work is performed, **not after**. Immediate Supervisors then need the approval of the related Vice President, Chief Financial Officer, and the President must “pre-approve” any and all overtime work since any overtime pay affects budgets.

The college expects Supervisors and employees to manage time appropriately. The college is aware of unforeseen situations that may require an employee to go over 40 hours without prior approval. These incidents are rare, and if such situations frequently recur, disciplinary action may be required.

Employee Responsibility

Employees are to record any overtime on their time card, which should be attached to the memo authorizing the overtime and signed by required Supervisory staff and the employee. Employees

are expected to be able to perform their jobs within the 40-hour workweek, and should not work additional hours without the prior approval of their Supervisors as described above.

Supervisors may agree to allow employees who work overtime to document their hours as comp time or compensatory time. The responsibility of both parties remains the same as for overtime earned, with the additional responsibility of keeping a log of the hours worked, signed by both the Supervisor and employee. When the log is added to or subtracted from, both signatures need to be on the log. Supervisors should receive a copy of the log at the end of any week overtime is worked, whether it is to be paid as overtime or used as “comp time” in the future. This is critical because time earned and stored as comp time will be paid to employees eventually, either as time off or as a remaining balance upon termination of employment.

Compensatory time

Employees may take compensatory time off in lieu of overtime hours worked. Prior to incurring the overtime hours, which will lead to the granting of compensatory time, the employee shall request approval from his/her Supervisor. It is the policy of RLNC that employees are not to work over eighty (80) hours per pay period. Employees are responsible for recording their compensatory time on the day worked on their timesheets.

Compensatory time off will be earned on the basis of one (1) hour for each overtime hour worked as authorized by the employee’s Supervisor. Accrued compensatory time must be taken by the employee with the approval of Supervisory personnel within a reasonable time of being accrued, but not to exceed ninety-days (90).

Full-Time versus Part-Time

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

Regular full-time employees work a minimum of 32 hours per week. These employees are those who are not in a contract or probationary status. These employees are eligible for enrolled health care and other benefits, subject to the terms, conditions, and limitations of each benefit program.

Part-time employees are those employees who are assigned to work less than 32 hours per week. Part-time employees receive all legally mandated benefits, such as Social Security and Workers Compensation insurance. Part-time employees may not be eligible for other benefits such as health care and other benefits.

Full-time faculty members teach 30 credit hours per school year (15 credits per semester). All full-time faculty are granted yearly contracts. Each contract faculty shall be on one-year appointments for each year of employment. The Vice President of Operations and Academic Affairs will give notification of these one-year contracts in writing by August 1st. All adjunct faculty members will be granted semester contracts that will be issued at least two weeks prior to the beginning of the semester.

A faculty member appointed to a contract position shall be evaluated annually and decisions shall be made by the Vice President of Operations and Academic Affairs regarding contracts for successive periods of employment.

Work Schedules

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

Part-time Support, Custodial and Maintenance Staff: Supervisors will determine work schedules. Part-time employees can only work up to twenty (20) hours per week.

Faculty: Faculty members are expected to be on campus for the contracted number of credit hours per semester, and are also required to be on campus for the contracted number of office hours, to be present for all faculty meetings, and to attend other meetings or campus functions as required. Faculty members must attend all committee meetings of which they are members.

Adjunct: Adjunct faculty members are classified as part-time employees. An adjunct instructor is expected to be on campus for the contracted number of hours per semester. Adjuncts are also required to be on campus for the contracted number of office hours. Full-time employees, who are qualified to teach adjunct courses, will be paid the standard adjunct rate in addition to their annual salaries.

Administrative Salaried Employees: Administrative salaried employees must work a minimum of forty (40) hours per week. These employees may be required to work a flexible schedule as needed, including evenings or weekends, to ensure that the demands of the position are met.

Work Attendance Policy

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

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

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

First occurrence: Verbal warnings will be given and documented in the employee's personnel file. The employee's pay will be docked for the time the employee did not work.

Second occurrence: Will be written and placed in the employee's personnel file. The employee's pay will be docked for the time the employee did not work.

Third occurrence: Termination.

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

Summer Work Hours

Work hours in the summer may be altered with the approval of the College President. During the summer, employees may request to work their regular hours in a four-day workweek or on a flex-time schedule.

Time Cards

All employees are required to complete, sign and submit time cards. Time cards must be submitted to the appropriate Supervisor for review. Upon approval, the Supervisor must submit time cards to the business office no later than 12:00 p.m. the following Monday after each payday. The employee is responsible for preparing time cards correctly with name, department name, dates, hours, holidays or personal leave days, and employee signature. Hourly employees are required to use the time clock to punch in and out each day and attach the time clock record to their time card each pay period. Hourly employees are required to punch in and out when leaving for breaks.

The Business Office will not complete time cards for any employee, and no employee should prepare time cards or clock in for any other employee. It is the responsibility of the employee to clock in and to submit time cards in a timely manner. Falsification of time card records will be grounds for immediate termination.

Pay Periods

Wages are paid bi-weekly for a total of twenty-six (26) pay periods per year. If a scheduled payday is on a Holiday, the payday will be on the day prior to the Holiday. Employees who wish to receive weekly paychecks must sign up for this option with the Business Office.

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

Pay Advances

In the event of a personal emergency, employees may submit a written request to the Business Office for up to a maximum of \$400.00 as a payroll advance. The advance must be repaid over

the following four (4) pay periods and will be deducted from the employee's paychecks during those periods.

The Supervisor and CFO must approve payroll advances. Payroll advances are intended for emergencies, i.e. death, serious illness, or natural disaster. Requests should be made no earlier than the Tuesday of the normal payday week.

Early checks are released on occasion, pending approval of the Supervisor and type of emergency situation. Early check release is greatly discouraged; therefore, employees will not repeatedly receive approval for an early check release. In addition, early payroll checks may be allowed. These must be paid from the employee's available comp or leave time. If none exists, then the employee cannot apply for an early check. Pay advance options can be allowed based on annual budget considerations as determined by the President with input from the Chief Financial Officer.

Pay Deductions

Deductions from employee paychecks include, as applicable, federal income tax, Social Security (FICA), Medicare/Medicaid, state income tax, child support, Reservation Tribal Court orders, student loans, and federal wage levies. Additional deductions as requested by an employee may include medical insurance premium co-pay and retirement contributions. Any personal expenses and loans advanced by the College on behalf of an employee will be deducted at a scheduled rate agreed upon in writing by the employee and appropriate creditor.

Performance Evaluations

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

Evaluation Period

All employees on a 90-day evaluation status will be evaluated by their Supervisor at the end of their evaluation period.

Annual Performance Evaluations

All newly hired full-time employees will be evaluated by their Supervisor within the first twelve (12) months and 24 months, on or before the anniversary of the employee's hire date. Beginning in the third year, employees will be evaluated at least once every three (3) years.

Interim Performance Evaluations

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

Performance Evaluation Review and Filing

The Department Director, Dean or Chair will review the performance evaluation. The Department Director, Dean or Chair must authorize any recommendations made by the employee's immediate Supervisor. Performance evaluations will be placed in the employee's personnel file folder.

Employee Right to Appeal

The employee has a right to appeal his/her performance evaluation through the Governance Committee within two weeks of the evaluation date. An administrator will review the evaluation with the employee and Supervisor, and may or may not make adjustments or recommendations. The outcome of this appeal will be made in writing, and a copy will be placed in the employee's personnel file.

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

Faculty Evaluation Procedures

The Vice President of Academic Affairs will evaluate full-time and adjunct faculty members. All students in classes during the semester will comment on the course, based on the six institutional learning objectives, via a student survey document as part of the course assessment process, and student course assessments will be considered by the Vice President of Academic Affairs in faculty evaluations.

- Faculty evaluations begin with the submission of a Faculty Professional Objectives and Growth Plan (full-time instructors only) at the beginning of the academic year. The faculty member will review these objectives at the end of each academic year with the Vice President of Academic Affairs.
- All syllabi will be evaluated each semester according to the standard syllabi rubric and master template.
- Faculty members will receive at least one classroom observation annually conducted by the Vice President of Academic Affairs or designated replacement.
- The results of the evaluations shall be presented to each faculty member in written form. This report may be summarized on a standard form, but may also include a written narrative.
- A copy of the evaluation document will be placed in the faculty member's personnel file.
- Faculty evaluations will be considered in determining advancement and remuneration.
- Faculty evaluation forms will be agreed upon in advance by the faculty.

Faculty Evaluation Criteria

Excellence in teaching shall be the primary criterion for faculty evaluation. Deficiencies in this area cannot be compensated for, even by exceptional performance in other areas. Faculty shall be evaluated in the areas of instruction, research, and other contributions to their professional fields, and contributions to the institution and community. Evaluation criteria include:

- Adequacy of course proposals, syllabi, lesson plans, and student assessment plans
- Suitability of courses to institutional and community needs
- Student course evaluations
- Self-evaluations and peer reviews
- Contributions to the college and community
- Drafting of proposals and significant institutional documents including grants and grant reporting
- Faculty and student-faculty research
- Service on college committees
- Representation of the institution at professional meetings and conferences
- Coaching or advising student activities
- Review of the Faculty Professional Objectives and Growth Plan
- Development of new college programs
- Consultation or technical assistance to other groups, programs or educational institutions serving the tribal community
- Participation in the organization of social and cultural events to promote healthy living
- The practice of the values of the college

Evaluation Appeal

If a faculty member feels he or she has not had a fair evaluation by the Vice President of Academic Affairs, the faculty member can appeal in writing to the President within five days of receiving the evaluation. After investigating with the faculty member and conferring with the Vice President of Academic Affairs, the President will make the final decision on all faculty evaluation appeals.

Longevity Policy

Red Lake Nation College recognizes employees who strive to perform their jobs with professionalism and integrity. In order to show its appreciation and gratitude to employees for their hard work, sacrifices, and spirit of dedication to the students and the College, RLNC will present public awards in the following increments:

- 5 years of service
- 10 years of service
- 15 years of service
- 20 years of service
- 25 years of service

Employee Benefits

Medical and Life Insurance Benefits

Medical and life insurance benefits are dependent on available funding and may be enhanced or omitted at the discretion of the College. Eligibility for and type of benefits may vary on employment status (full-time versus part-time), length of employment, and other factors, as determined by each benefit. Medical benefits require employee co-pay and enrollment. Eligible

employees who choose not to enroll will not be eligible for these benefits. Eligibility criteria for health, dental, life, and short-term disability include:

- Successful completion of the 90-day evaluation period
- Workload of 32 hours or more per week
- Election to enroll in the health plan

For further information, please see the Human Resources Coordinator.

Medical Benefits

The Red Lake Nation College provides an Employee Health Plan to eligible employees. The plan provides coverage for medical, dental, mental health, eyeglasses, and hearing aids. Health benefits will expire the last day of the following month of termination or leave without pay status of the employee. Benefits are available to employees who:

- Have completed their 90-day evaluation period
- Are non-faculty employees who work 32 or more hours per week
- Are full-time faculty teaching 30 credits per year
- Elect to enroll in the health plan, and are not covered under other insurance.

Medical insurance requires employee co-pay and deductible. An employee's spouse and dependents may be eligible for medical coverage. The College may also provide payments in lieu of College-provided medical coverage if the employee provides proof of coverage under another medical plan. This option is determined on a case-by-case basis. See the Human Resources Coordinator for additional information.

401K Retirement Plan

Under current guidelines, the Red Lake Nation College will match up to 7% of an RLNC employee's wages or salary, but the employee may contribute up to 15% of his/her income to his/her 401K Plan if he/she wishes. At the end of any calendar year, an employee who is actively employed and has worked for at least 1000 hours during the year, will receive an additional profit-sharing amount of 5% which will be contributed by RLNC to the employee's 401K Plan. Enrollment is held annually every January and July.

NOTE: In the event of an employee's voluntary resignation or termination, a 30-day Cooling-Off period is required before an employee can apply to withdraw his/her contribution to their 401K program. Also, depending on funding issues, the 401K matching percentages may be adjusted each year.

Unemployment Insurance

Employees may be eligible for unemployment benefits upon termination of service with the RLNC, depending on state law and circumstances connected with termination. After leaving the College's employment, the terminated employee can file an unemployment claim with the State Employment Office, which will explain the rights, benefits, and eligibility/determination process provided by state law. This benefit is paid entirely by the Red Lake Nation College.

Worker's Compensation

The Red Lake Nation College has established a self-funded worker's compensation program. The Tribe pays the entire amount of worker's compensation insurance premium that provides benefits to employees who experience injury/illness in connection with employment.

Eligibility automatically begins on the first day of employment. If employees have questions concerning their rights or benefits amounts, they should contact the Human Resources Coordinator. Benefits available to employees injured on the job consist of the following provisions:

- Replacement Income
- Temporary Disability
- Permanent Partial Disability
- Permanent Total Disability
- Medical Expenses, including doctor's visitation, treatment, surgery, drugs, and hospitalization.

Compensation entitlement begins on the first day of hospitalization or after the third day of absence due to the injury, if an employee is not hospitalized, during which employee may use accrued sick leave. The timelines of payments to injured employees are dependent upon the RLNC's ability to expedite injury reports through the insurance claims representatives. Therefore, when an employee is injured, the employee must complete an injury report form at the earliest possible time and submit the form to the Chief Financial Officer, no matter how minor the injury might be.

Social Security

Employees and the RLNC are required to contribute toward federal Social Security benefits from the first day of employment, with the exception of exempt employees. The amount deducted from an employee's wages is considered a social security tax used, together with the RLNC's contribution, to fund federal benefits. Both the employee's and the RLNC's contribution rates are established by law and represent a percentage of earnings. Social security provides four basic benefit provisions, consisting of retirement income, disability, death and retirement health care. Eligibility Varies among the benefits and entitlements are subject to individual circumstances too detailed for explanation here. Booklets explaining these details are available at the nearest Social Security Office.

Life Insurance

Red Lake Nation College provides life insurance coverage to employees who elect to enroll for this benefit. See the Human Resources Coordinator for more information.

Tuition Waiver for Children of Employees

Program Description

The tuition waiver program provides free tuition (no fees) to all eligible children of employees during their employment at Red Lake Nation College. Tuition waivers are available for children completing their first diploma or associate degree. In no case will tuition waivers be granted

beyond six (6) semesters or the number of credits required for completion of the specific degree program.

Definition

The term “children” shall include biological, legally adopted, stepchildren and legal wards of full-time Red Lake Nation College employees.

Eligibility Requirements

Employees

Full-time permanent employees in all job categories at Red Lake Nation College, who have worked full-time for a minimum of one (1) year prior to the start of the first day of the semester, shall be eligible for the tuition waiver for children.

Children of employees who have not completed the provisional test period are ineligible. To maintain eligibility, the employee must maintain active full-time employment status. If an employee fails to maintain active full-time employment with Red Lake Nation College, the tuition waiver will cease at the end of the academic semester in which the status changed.

Children

Children must meet RLNC’s academic criteria for admission to the college and maintain full-time student status.

- The waiver of tuition applies to basic tuition costs only. It does not cover the payment of additional fees, such as books or registration and laboratory fees.
- To be eligible to continue receiving a tuition waiver, the student must (a) maintain at least a 2.00 cumulative grade point average, or (b) if transferring from another accredited institution, must have earned at least a 2.00-grade point average for the work completed during the year preceding the semester of the waiver.
- Once a student completes the associate degree requirements at RLNC, he or she is not entitled to any further tuition waivers.
- After the student’s application to RLNC has been accepted, a one-page tuition waiver form needs to be completed and filed with the Business Office. The form must be filed on an annual basis.

Employee Leave Time

Annual Leave

Full-time employees will be eligible for Annual Leave the first day after he/she has completed the ninety (90) day probationary period. The amount of annual/personal leave employees receive each year increases with the length of their employment as shown in the following schedule:

- Annual leave will begin to accrue on the first day of employment, at the rate of four (4) hours per pay period, or thirteen (13) days per year, during the first four (4) years.
- Six (6) hours per pay period, or nineteen and one-half (19.5) days per year, starting the first day of the fifth year through the ninth year.

- Eight (8) hours per pay period, or twenty-six (26) days per year starting the tenth (10th) year and thereafter.

Personal leave can be used in increments of ½ hour. To take leave time, an employee shall request leave in advance. Personal leave cannot be used if there is none accrued. Negative balances are not allowed; that is, an employee cannot “borrow” on future earned accrued leave.

Note: A maximum of 240 hours of annual/personal leave can be accrued and carried over from one calendar year to the next. All unused annual leave in excess of 240 hours at the end of the leave year shall be forfeited. Leave time does not accrue when an employee is on an extended leave of absence, short- or long-term disability, Long-term leave, military leave or other extended leave.

Sick Leave

Red Lake Nation College realizes the inability of employees to work because of illness or injury that may cause serious economic hardship. For this reason, RLNC provides sick leave to its employees. Employees are urged to accrue as much sick leave to protect them against financial loss in the event of an extended illness. Sick leave cannot be used to extend vacations, holidays, or other leave.

- Sick leave will begin to accrue on the first day of employment, at the rate of four (4) hours earned pay period regardless of years in service.
- Sick leave will be accumulated on an unlimited basis.
- When an absence due to illness exceeds three (3) working days, an employee shall be required to furnish a Doctor’s Statement stating the diagnosis of illness, prognosis, and expected date of return to work.
- A Supervisor may also request a Doctor’s Statement if he/she believes an employee is abusing the sick leave benefits. An employee who fails to furnish a statement within three (3) working days of his/her Supervisor’s request shall be subject to disciplinary action.

Transfer of Sick Leave

From time to time, and in unforeseen circumstances, it may be necessary to transfer sick time to another regular employee for their use due to medical emergencies. It is the policy of the Red Lake Nation College that this may be done with the approval of the appropriate department Supervisor, the Chief Financial Officer, and the College President since this may affect the College budget. The request to transfer sick leave must be made in writing stating the reasons or causes of the medical emergency that precipitated the need for additional sick leave.

The person transferring the sick leave must provide a written statement agreeing to the transfer and specifying the number of hours to be transferred. This statement must have the concurrence of the Supervisor of the employee wishing to transfer the sick leave. The request will be forwarded to the Payroll Department and the Human Resources Coordinator for inclusion into the affected employee’s leave records.

Sick leave may only be transferred for medical emergencies. Transfers may be made as long as the requests do not jeopardize or hinder the program or negatively affect either employee in any

way. Red Lake Nation College will require an employee to support a request for leave for a serious health condition with a certificate or statement from a health care provider.

Administrative/Special Leave

Administrative leave may be granted to an employee by the appropriate Administrative Officer to participate in the specified reservation and civic duties. Such leave shall be granted on a non-discriminatory, uniform basis to all employees.

Employees may also be granted special leave; the following are some examples:

- To take a physical examination required for determining continued employment.
- To donate blood to the American Red Cross, or in emergencies to an individual, for the time necessary for such donation.
- To register/or vote in an election or for a civic matter in their community.
- When it is necessary to close the office due to unforeseen circumstances such as snowstorms, electric failures, manmade/natural disasters, etc.

Funeral Leave

All employees are eligible for bereavement leave beginning their first full day of active employment. Funeral leave will be granted to all employees without loss of pay when a death occurs in an employee's immediate family.

In the event of his/her immediate family, an employee shall be granted leave with pay not to exceed three (3) working days. An extra day for bereavement leave may be granted by the appropriate Program Director and Administrative Officer. The employee must notify his/her supervisor immediately so that his/her job responsibilities will be covered.

Long-Term Leave

For the purpose of family medical needs, the Red Lake Nation College may provide up to twelve (12) weeks in a twelve (12) month period. The leave is available to any individual who has been employed for at least twelve (12) months and has worked at least 1,250 hours in the twelve (12) month period preceding the leave.

Employees who take long-term leave should provide reasonable advance notice (usually 30 days), or when notice requires leave to be given in less than 30 days, the employee must provide as much notice as is practicable to their immediate Supervisor.

Employees who need leave for their/or a family member's serious health condition must provide medical certification of the serious health condition. The employer may also require periodic recertification of serious health conditions, and when the leave is a result of the employee's own serious health condition the employer may request a "fitness for duty" report to return to work. The employer may deny leave to the employee who does not provide proper advance leave notice or medical certification, or if RLNC is unable to operate at the current level without the employee's position filled on a regular permanent status .

Long-term leave may be granted for any of the following reasons:

- Birth of any employee's children, or placement for adoption or foster care

- Care of a spouse, child, or parent having a serious health problem
- When the employee is unable to work because of the employee's own serious health condition
- The employer has the discretion to use Annual or Sick Leave.

Maternity Leave

Red Lake Nation College will consider a request for a Maternity Leave of Absence on the same basis as requested for other leaves. These policies and procedures apply equally to married and unmarried employees. The employee can use accrued annual leave or the Long-Term Leave requests, which may provide up to 12 weeks of unpaid, leave to eligible employees.

An employee shall be permitted to work during pregnancy unless otherwise specified by a physician. A medical certificate is required to cover maternity leave. The period of maternity leave shall not be longer than four (4) weeks for normal or Caesarean birth. The father may be granted up to four (4) weeks paternity leave for this occasion, or in the event of accommodating a newly adopted child. Sick leave may not be granted for absences due solely for the care of a child unless there is a health condition. The employee shall be reinstated to their former position at the current salary and shall retain all rights and benefits accrued during maternity leave.

Military Leave

An employee ordered to active duty as a reservist or a National Guardsman shall be granted a leave of absence without loss of pay, annual leave, or sick leave for a period not to exceed fifteen (15) days per year pursuant to official military orders. The employee is responsible for obtaining a leave request form and shall attach the official orders to the leave form upon receipt of said orders. Military leave time exceeding the authorized fifteen (15) days will be in a leave without pay status or by requesting annual leave to cover the additional time requested.

Continuation of benefits will accrue during the military leave of absence. The employee will be placed in the position he/she would have attained if they had remained continuously employed or comparable one depending on the length of service.

An employee who enters active military duty in a branch of the U.S. Armed Forces will be granted unpaid military leave for that period of time in which reemployment is protected by law. Such employees will be eligible for reemployment to the same or equivalent position held prior to the leave, provided the employee applies for reemployment into the former position within ninety (90) days from the date of military release.

Jury Duty

Employees are to notify their Supervisors promptly upon receipt of a jury summons and subsequent notice of selection to serve as a juror. An employee will be granted a leave of absence with pay for Jury Duty or to give testimony in a legal or official capacity, local, or off the reservation. If the employee is released from jury duty or not needed for trial, the employee must immediately return back to work. Employees will receive their regular pay and related expenses in lieu of reimbursement by the respective court.

Leave without Pay (LWOP)

Employees may request, with the sole discretionary approval of the RLNC President, a leave of absence without pay or employment benefits for a period not to exceed three (3) months. Requests for a LWOP should be submitted in writing to the immediate supervisor as far in advance of the anticipated leave date as possible.

The Supervisor will submit his/her recommendations to the College President, who will approve or disapprove the leave and so notify the employee through the Supervisor. On occasion, this leave may be a cause for disciplinary action, and at times may be used in emergencies when there is no accrued annual or sick leave.

Upon return from an approved leave of absence, the employee shall be reinstated to his/her former position at the current rate of pay and shall retain all rights and benefits accrued prior to the leave. An employee must return to work on the first scheduled workday following the expiration date of his/her LWOP, and if he/she does not report on this date without prior notification to his/her Supervisor, the absence will be interpreted as the voluntary termination of employment.

Alcoholism and Substance Abuse Treatment Leave

The purpose of this leave policy is to assure that any employee having these illnesses will receive the same careful consideration and offer of treatment that is presently extended to all of our employees. For the purpose of this policy, alcoholism is defined as an illness in which an employee's consumption of any alcoholic beverages definitely and repeatedly interferes with his/her job performance and/or his/her health. Likewise, substance abuse is defined as an illness in which an employee's consumption of any chemical substance definitely and repeatedly interferes with his/her job performance and/or his/her health. Employees may use accumulated annual or sick leave for this purpose or request leave without pay.

Education Leave

Employees are encouraged to continue their education while employees of the Red Lake Nation College. Education must be for post-secondary education courses and must be for subjects that benefit the RLNC and/or the job and job performance. Education leave may also be used for pursuing a Master's Degree or to write a doctoral dissertation for an accredited educational program. All education leave must be approved by the employee's department supervisor and the College President.

All employees (excluding faculty members and contract workers) are eligible for six (6) credit hours per semester (6 hours per week) as long as they maintain a GPA of 2.0. Employees who are students at Red Lake Nation College may also be eligible for up to twelve (12) credit hours (12 hours per week) of education leave if they meet the following criteria:

- They make every effort to schedule courses beyond the six (6) credit hours per semester in the evening or online so as to minimize interruptions in their daily responsibilities.

- They must obtain written approval from their direct supervisor after reviewing their scheduling options.
- They must have a 3.0 GPA from the previous term to continue to be eligible for education leave beyond the six (6) credit hours per semester.
- They must be in attendance in all of the classes in which they receive education leave. They must provide a copy of their attendance to their Supervisor weekly.

All employees who utilize this benefit must provide a copy of grades received or certification of completion by the institution to their supervisor at the end of each semester. These grades shall be retained in the employee's file. Students who fail to meet the requirements will be reviewed by the Supervisor for continued eligibility. Anything beyond the 6 hour/credit limit or 12-hour extension will need supervisor approval and will require the use of the employee's personal annual leave.

Holidays

The following holidays are observed by the Red Lake Nation College and all regular employees normally scheduled to work on these days will be given the day off with pay:

2020 Holidays

New Year's Day (Wednesday, Jan. 1)
 Martin Luther King's Birthday (Monday, Jan. 20)
 Chief's Day (Monday, Feb. 17)
 Memorial Day (Monday, May 25)
 July 4th (Saturday, July 4, Observed Friday, July 3)
 Tribal Independence Day (Monday, July 6)
 Labor Day (Monday, Sept. 7)
 Veteran's Day (Wednesday, Nov. 11)
 Thanksgiving (Thursday, Nov. 26 and Friday, Nov. 27)
 Christmas (Friday, Dec. 25)

2021 Holidays

New Years Day (Friday, Jan. 1)
 Martin Luther King's Birthday (Monday, Jan. 18)
 Chief's Day (Monday, Feb. 15)
 Memorial Day (Monday, May 31)
 July 4th (Sunday, July 4, Observed Monday, July 5)
 Tribal Independence Day (Monday, July 5)
 Labor Day (Monday, Sept. 6)
 Veteran's Day (Thursday, Nov. 11)
 Thanksgiving (Thursday, Nov. 25 and Friday, Nov. 26)
 Christmas (Saturday, December 25, Observed Friday, December 24)

A holiday that occurs on Saturday will be observed on the preceding Friday, and Sunday holidays will be observed on the following Monday. Should a holiday occur during an employee's scheduled vacation, the employee may either receive a paid holiday absence for the day or extend the vacation period by the number of holidays occurring during the scheduled vacation period.

Temporary employees are not eligible to receive holiday pay. Full-time employees are eligible to receive their regular rate of pay for each observed holiday or hours worked, plus holiday pay at his/her regular rate of pay. Part-time employees may be scheduled to work on a holiday and paid only their hours worked.

To receive holiday pay, an eligible employee must be at work or on an authorized absence, on the workdays immediately preceding and immediately following the day on which the holiday is observed. Directors/Supervisors will ensure that eligible shift workers and other employees working irregular schedules receive benefits of the full number of official holidays.

New Employees

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

Supervisor Approval

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

Advances of Personal Leave

Employees cannot use personal leave in advance of earning it.

Leave at Employee Termination

If an employee terminates employment but returns within 4 (four) months, annual leave accrual will continue based on previous years of service. Accrued annual leave at termination will be paid to the employee.

Faculty Personal Leave

Full-time faculty members are eligible for two paid personal leave days each semester, or a total of four days paid personal leave annually. If an instructor needs leave greater than two days a semester it will be without pay. Adjunct faculty members are not eligible for personal leave. Faculty must request personal leave in writing to the Vice President of Operations and Academic Affairs, or to the Vice President of Student Success. The Vice President of Operations and Academic Affairs must approve faculty personal leave days. The faculty member must make arrangements to have his/her class(es) covered during the approved leave. Faculty personal leave must be used during the academic year; faculty personal leave cannot be accrued.

Breastfeeding Policy

Red Lake Nation College recognizes the importance of breastfeeding for both mother and infant. The College will support the continuation of breastfeeding upon the mother's return to work. Administration and employees shall work together to find mutually agreeable hours of work and

breaks which support the continuation of breastfeeding. This shall conform to the policies of Red Lake Nation College. A private, pre-determined room or location will be provided for any employee who needs it for breastfeeding.

Statement of Breastfeeding Harassment

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

Breastfeeding Guidelines

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

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

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

Employee Conduct

Red Lake Nation College expects all employees of the College to conduct themselves professionally, both on campus and in the community. Integrity and professionalism require careful observation of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. The successful business operations and reputation of Red Lake Nation College are built upon the principles of fair dealing and ethical conduct of its employees.

Red Lake Nation College strives to ensure fair and honest treatment of all employees and in all its interactions with students and the community. The continued success of Red Lake Nation College is dependent upon trust and is dedicated to preserving that trust and confidence. Employees are encouraged to offer positive and constructive criticism to promote the continued growth and success of the College. All employees representing the College, on or off-campus are expected to adhere to the following basic conduct requirements:

- Be professional in appearance;
- Be neat, clean and well-groomed;
- Show respect for all other employees;

- Be respectful to students;
- Be professional in representing the College at off-campus meetings and events;
- Be at your work station or in your classroom on time;
- Be prepared to do the work of the day;
- Do not leave work without approval;
- Adhere to the policies contained in this manual.

Employee-Student Fraternization

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

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

It is the responsibility of Department Directors and/or Supervisors to take all necessary and appropriate steps, beginning with informal steps to resolution, to prevent and correct problems stemming from consensual personal or romantic relationships between RLNC employees and students. If informal steps for resolution are unsuccessful, the matter will be pursued via the formal corrective action process.

All employees should also remember that Red Lake Nation College maintains a strict policy against unlawful harassment of any kind, including sexual harassment. The Vice President of Operations and Academic Affairs shall take appropriate measures to ensure that:

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

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

Employee Gambling Restriction

During work hours, all employees of Red Lake Nation College are prohibited from gambling at any gaming facility or, in any Red Lake Nation College facility. This policy applies to normal working hours, including break times. Any employee violating this gambling policy will be subject to disciplinary action or possible termination.

Employee Gift Restrictions

College employees are forbidden to solicit or accept anything of monetary value for personal use or benefit, or in return for consideration, from any organization or individual whose interest may

be affected by the employee's action in the course of performing their duties. This includes salespersons or companies that promise gifts for orders received.

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

Misappropriation, Theft or Destruction of College Assets

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

Security

Employees may be given security access codes for building security alarms and computers, and also may be given keys to buildings and offices. Such codes and keys are never to be shared with any other person. Upon termination of employment with the College, all keys are to be returned to the Security Department or to the appropriate Supervisor.

Political Activities

Acceptable Political Activities - Employees may:

1. Exercise their rights of citizenship by participating in tribal, local, state or national elections and public activities to the extent permitted by law.
2. Be candidates for any political office provided such candidacy does not interfere with the performance of their assigned duties and responsibilities.
3. If an employee is elected to serve in any office in which a conflict of interest may arise between the elected position and decisions impacting the Tribal College during his/her term in office, the employee must resign from employment at the College.

Unacceptable Political Activities - Employees shall not:

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

Off Duty Conduct and Employment

Generally, the Red Lake Nation College regards the off duty activities of employees to be their own personal matter than that of the College. However, certain types of off duty activities by employees represent the potential of material concern to the College and for that reason, the following is established with the intent to specify conditions and guide employees:

Employees who engage in or are associated with illegal behavior, hostile conduct, or conduct contrary to the best interests of Red Lake Nation College or their own ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action including termination. This includes behavior that is in person, electronic, or via social media.

Discipline Process

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

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

Verbal Notice

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

Written Notice

If the employee fails to correct the problem, the Supervisor should write and sign a memorandum to the employee, describing the violation, stating the required corrective action, and specifying a time frame for performance improvement. The Supervisor should discuss the contents of the memorandum with the employee, and the employee should also sign the memorandum, acknowledging receipt of the written notice. A copy of the memorandum will be placed in the employee's personnel file.

The employee's Supervisor should discuss the problem with the appropriate administrator. If it is determined that the problem may be unresolved and is serious enough to warrant potential termination, the President should be advised.

Decision-Making Leave or Suspension

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

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

The purpose of decision-making leave or suspension is to allow the employee time to contemplate and decide whether or not the employee can comply with the broken rule or policy in order to retain his/her position at the College. Employees on suspension are not allowed to be on campus until the end date of suspension. This includes attending classes and/or conducting personal business on campus.

Results of Decision-Making Leave or Suspension

Upon the employee's return from decision-making leave or suspension, the Supervisor and the President will meet with the employee before the employee resumes work. If the employee fails to meet the conditions outlined in the written notice and fails to meet the conditions after decision-making leave or suspension, the Supervisor will recommend to the President that the employee be terminated.

The President will review the employee's personnel file and the Supervisor's recommendation. The President determines if the termination is appropriate and will provide notice to the employee.

Termination

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

Disciplinary Reasons

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

Possible Grounds for immediate termination:

- Criminal activity, which has an adverse effect on the reputation, credibility or reliability of Red Lake Nation College, its operations or activities.
- Possession, intoxication, unlawful use or sale of alcohol, drugs or other controlled substance while on property.
- Theft or the illegal taking of another person's property without that person's freely- given consent. Theft may include such crimes as burglary, embezzlement, larceny, or looting.
- Violence or intimidation of others, including hate crimes, on campus property. *NOTE: Hate crimes occur when a perpetrator targets a victim because of his or her perceived membership in a particular social group, usually defined by race/ethnicity, religion, sexual orientation, disability, class, nationality, age, gender, or political affiliation. Incidents may involve physical assault, damage to property, bullying, harassment, verbal abuse/insults, or offensive graffiti or letters (hate mail).*
- Possession, use, purchase, or sale of weapons, firearms, ammunition, explosives, etc. on campus property;
- Misstatement of material facts in the application for employment;
- Falsification of any college records.

Other conduct that merits disciplinary action:

- Willful neglect in the performance of duties in a position to which an employee is assigned;
- Disregard for policies of the Red Lake Nation College;
- Unauthorized disclosure of any information that has been designated privileged or confidential;
- Willful misuse, misappropriation, negligence or destruction of Red Lake Nation College property, removal or conversion of property for personal gain;
- Absence from duty or tardiness without required prior notice or acceptable cause;
- Violation of privileged information or its use for private gain or the soliciting or acceptance of any gift of value from any person whose interest may be affected by the employee's action in the course of performing his or her duties;
- Engaging in sexual harassment, knowingly making a false report of sexual harassment, retaliating against a person who either reports a complaint of sexual harassment or provides information regarding a complaint of sexual harassment;
- Failure to report evidence of or complaints of sexual harassment;
- Insubordination.
- Violations of generally accepted safety practices.
- Unprofessional or discourteous conduct toward Supervisors and coworkers.
- Lack of, or loss of, a valid driver's license when it's a bonafide requirement for the job held.
- Any other conduct or action of such seriousness that disciplinary action is considered warranted.

Employee Grievance Policy

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

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

Employee Grievance Procedures

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

1. The employee should present written documentation of the grievance to his/her immediate Supervisor. The Supervisor must respond within three (3) working days.
2. If the employee is dissatisfied with the Supervisor's response, if the Supervisor is involved in the complaint, or if there is no response from the Supervisor, the employee can present written documentation of the grievance and the Supervisor's response to the

next person in the line of authority. The employee should receive a response within three (3) working days.

3. Complaints that do not follow the line of authority will not be considered.
4. A complaint that has followed the line of authority and has not been resolved will be forwarded to the President.
5. Once a complaint is received by the President, it will be promptly, confidentially and thoroughly investigated.
6. The President will meet with administrative personnel and discuss any recommended actions that may need to occur.
7. The employee will be notified of the results as soon as a decision has been made, not to exceed fifteen (15) working days.
8. If the process exceeds fifteen (15) working days, the employee will be advised that an extension of time is required, which will not exceed 15 additional working days.

Appeal of a Grievance disciplinary Decision

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

The grievance committee will review the grievance and make a recommendation to the President. The President's decision shall be final. If the grievance is against the President, the Board of Regents shall function as the grievance committee and will be the final authority.

Ethics and Conflict of Interest

I. Introduction

It is the goal of Red Lake Nation College to adhere to the highest ethical standards in all that it does. The College expects that faculty, staff, and student employees (Personnel) will adhere to such standards in their dealings with each other and with those beyond the College community. Ethical business conduct calls for all Personnel to assume responsibility for safeguarding and preserving the College's assets and resources in the fulfillment of the College mission. The College will comply fully with all relevant laws and all contract and grant requirements, as well as with its own high standards of integrity and quality. Personnel is expected to assume personal responsibility and accountability for understanding relevant laws, regulations, and contract and grant requirements. In addition to complying with specific laws or regulations that govern business activities, standards of fairness, honesty, and respect for the rights of others will govern the College's conduct at all times.

II. Ethical Principles

A. Compliance with Laws

The College will transact its business in compliance with the laws of the jurisdictions in which it does business. Personnel will familiarize themselves with any legal obligations arising out of the work done for the College, including but not limited to the obligations to comply with applicable

record-keeping requirements and not to retaliate against anyone who reports a suspected violation of the law.

B. Contractual and Grant Obligations

In addition to its commitment to comply with applicable laws, the College recognizes its contractual obligations to donors, the government, suppliers, research sponsors, employees and others with whom it contracts. Regardless of the source of funds, the College will adhere to its contractual obligations.

C. Integrity and Quality

Personnel should recognize that the College has earned and must maintain a reputation for integrity and quality that goes beyond compliance with laws, regulations and contractual obligations. The College strives for excellence in administration as well as academics. Even the appearance of misconduct or impropriety can cause severe damage to the College's reputation. As such, Personnel must strive at all times to maintain the highest standards of quality and integrity.

D. Confidential Information

Personnel may have access to confidential, proprietary and private information. Those who have access to this information may not make any unauthorized use or disclosures of the information, either during or after employment.

E. Financial Reporting

All College accounts, financial reports, tax returns, expense reimbursements, timesheets and other documents, including those submitted to government agencies, must be accurate, clear and complete. All entries in College books and records, including departmental accounts and individual expense reports, must accurately reflect each transaction.

F. Authority to Contract

Before signing a contract, personnel must ensure that the transaction is in accordance with applicable College procedures.

G. Use of College Resources

Personnel shall safeguard College resources, using them for their intended purposes and taking reasonable steps to prevent damage or theft. Personnel may use College letterhead only in connection with College business. Personnel may not use the College name or marks to endorse a product or service without the written approval of the President. College resources may not be used to support or oppose a candidate for public office. The College's ability to take a position on legislation is limited, and no employee should support or oppose legislation using College resources without the prior approval of the President.

H. Policy on Gifts

1. **Definitions.** A "gift" is any item, service, favor, gratuity, or other benefit offered to Personnel, or to a member of Personnel's family, by someone seeking a decision by, or relationship with, the College. Gifts include, but are not limited to, goods and services, food, beverage, travel, lodging, admission to entertainment, discounts, and cash or cash

equivalents such as gift cards, vouchers, or credits. “Family” means a spouse or domestic partner, child, parent, or sibling, or anyone residing with Personnel.

2. **Prohibition on Gifts.** Personnel may not solicit gifts, and no Personnel may accept a gift unless it is specifically authorized by this policy. Under no circumstances may Personnel solicit or accept a gift involving payment of travel or lodging expenses, unless the donor is a not-for-profit entity.
3. **Promotional Items.** Personnel may accept promotional items of nominal value, such as mugs, pens, mousepads and similar items that vendors routinely distribute to customers.
4. **Media/Sample items.** Personnel may accept printed materials, media such as CDs, DVDs, videotapes or software, or samples for the purpose of evaluation or review, so long as the total value does not exceed \$50.
5. **Perishable gifts.** Personnel may accept perishable gifts such as flowers and food with a value of \$200 or less.
6. **Meals, Beverages, and Entertainment.** Unless there is departmental policy to the contrary, in the course of conducting College matters Personnel may accept food and beverages offered as a gesture of common courtesy at meals or receptions, and entertainment, when it would be impractical or uncivil, to decline. The College expects Personnel to exercise restraint and good judgment under this exception, and to decline or reimburse for frequent or extravagant food, beverage, or entertainment.

Social or Ceremonial Gifts. On occasion, personnel may be offered social or ceremonial gifts in connection with their College duties in situations where it is awkward or impolite to decline. Examples of such gifts include gifts from visiting foreigners with a recognized culture of gift-giving; gifts in appreciation of a particular courtesy or service, such as from a parent, student, or alumnus, or gifts in connection with a significant event, such as a promotion or the birth of a child. Personnel may accept a social or ceremonial gift, so long as the value of the gift (or of all gifts from the same source in any 12-month period) is less than \$200. The College expects Personnel to exercise restraint and good judgment under this exception, and to consult their supervisor if acceptance of the gift would create an appearance of impropriety. Where the value of the gift is estimated to be \$200 or more, Personnel shall either (i) decline or return the gift or (ii) accept the gift on behalf of the College and surrender it to the President so that it may properly be accepted and acknowledged as a gift in kind to the College.

I. Consequences of Violations

Each person is responsible for ensuring that his or her own conduct and the conduct of anyone reporting to him or her fully comply with this Code and with the College’s policies. Violations may result in the taking of appropriate disciplinary action up to and including discharge from employment. Disciplinary action will be taken in accordance with the procedures applicable to faculty, staff, or students, as the case may be. Conduct representing a violation of this Code may, in some circumstances, also subject an individual to civil or criminal charges and penalties.

III. Reporting Suspected Violations

A. Reporting to Management

The College welcomes good faith reports of suspected violations. No personnel who in good faith reports a violation shall suffer harassment, retaliation, or adverse employment consequences as a result of making a report. Personnel should report suspected violations of applicable laws, government or College regulations, government or industrial contract and grant requirements, or this Code. This reporting should normally be made initially through standard management channels, beginning with the immediate supervisor. Alternatively, employees may go to a higher level of management and may also report suspected violations or problems to the President. If a violation is reported anonymously, the College will investigate the violation if sufficient detail is provided to allow for an investigation.

B. Cooperation

All employees should cooperate fully in the investigation of any misconduct.

IV. Conflict of Interest

A. Introduction

Personnel should avoid situations that create or appear to create conflicts between their personal interests and the interests of the College. All decisions made by Personnel in the course of their professional responsibilities to the College are to be made solely on the basis of their desire to promote the best interests of the College. If an individual's personal interests might lead an independent observer reasonably to question whether the individual's actions or decisions on behalf of the College are influenced by those personal interests, the individual should recuse himself or herself from the decision-making process and notify the responsible College officials, as described in more detail in this policy. In the event that Personnel have a significant financial, personal or professional interest that could potentially create a conflict of interest or the perception of one in any transaction involving the College, such person shall, as soon as he or she has knowledge of the transaction, take the following actions:

1. **Disclosure.** Disclose fully in writing (email is permissible) the precise nature of his or her interest in such transaction to those at the College involved with the transaction, or to his or her Supervisor; and
2. **Non-Participation.** Refrain from participation (including acting individually or as a member of a committee or other group) in the College's consideration of the proposed transaction unless expressly permitted to do so by a responsible authority of the College.

B. Definitions

For purposes of this policy:

"The College" shall mean all of Red Lake Nation College.

"Significant financial interest" shall mean any direct or indirect interest with monetary value, including but not limited to:

1. salary, other payments for services (e.g., consulting fees or honoraria), royalties or other payments that, when aggregated for the individual and the individual's spouse over the next twelve months, are expected to exceed \$10,000;
2. equity interests (e.g. stocks, stock options or other ownership interests) that, when aggregated for the individual and the individual's spouse, either exceeds \$10,000 in value

(as determined through reference to public prices) or represents more than five percent (5%) ownership interest in any single entity;

3. intellectual property rights (e.g., patents, copyrights and royalties from such rights). Personnel's intellectual property rights for work created at the College or using College resources.

The term "significant financial interest" does not include:

- salary, royalties, or other remuneration from the College; or
- income from seminars, lectures, or teaching engagements sponsored by US Federal, state, or municipal entities.

C. Outside Employment and/or Business Interests

1. **RLNC Faculty.** RLNC faculty's ability to engage in outside employment is also governed by the Outside Employment Policy in the Faculty Handbook.
2. **Full-time staff and administrators.** Full-time staff and administrators' ability to engage in outside employment and/or business interest is also governed by the College's Outside Work Policy in the Personnel Policies and Procedures Manual. Certain staff and administrators may have specific limitations on outside employment in their individual employment contracts.

D. Additional Required Disclosures

Certain Administrators

The following persons shall also disclose in writing annually, all significant financial interests in non-RLNC business organizations and all affiliations as an officer, director, trustee, partner, employee, consultant, or agent of any organization other than Red Lake Nation College or the person's principal employer:

1. the President;
2. the Vice Presidents, Chief Financial Officer, all Directors; and
3. anyone designated in writing by the President.

E. Compliance

All persons subject to this policy are expected to comply fully and promptly with it. Instances of a deliberate breach of policy, including failure to file or knowingly filing incomplete, erroneous, or misleading disclosure forms, violation of the guidelines, failure to comply with prescribed monitoring procedures, will be reported to the appropriate senior officer.

All known violations, disputes and other issues arising out of the application of this policy to employees shall be referred to the President for appropriate action.

Ethics and Recruiting, Admissions, and Financial Aid Practice

Red Lake Nation College strives to ensure the professional recruitment and admissions process of all prospective students. As a guideline for ethical practice, RLNC employees will adhere to the following:

With regard to promoting the College:

Personnel Policies and Procedures

- Ensure all promotional materials accurately reflect degree programs and admission criteria;
- Not use disparaging comparisons to other colleges and/or universities by providing inaccurate or biased information;
- Not offer exclusive incentives to prospective students that provide opportunities in admission not available to other prospective students;
- Not accept any reward or incentives from individuals, schools, colleges, universities, agencies or organizations for placement or recruitment of students in a way that obliges the recipient;
- Serve in the best interest of prospective students by providing accurate, unbiased information regarding college planning and the decision-making process;
- Act without bias in regard to race, creed, gender, sexual orientation, age, political affiliation, origin, or disabling conditions;
- Not actively recruit a prospective student who has committed to another institution.

With regard to admission to the College:

- Ensure requirements for regular new student admission, transfer admission, readmit admission, audit and elder admission, and non-degree seeking students are clearly stated;
- Ensure requirements for enrollment are clearly stated;
- Respect issues of confidentiality and students' rights to privacy by adhering to regulations in the Family Educational Rights and Privacy Act (FERPA).
-
- With Regard to Financial Aid:
- Ensure clarity of the financial aid process;
- Clearly state policies regarding the annual renewal of financial aid;
- Inform students of their rights and responsibilities with regard to financial aid;
- Ensure confidentiality of student need, eligibility, and aid awarded by adhering to regulations in the Family Education Rights and Privacy Act (FERPA);
- Confirm all practices are aligned to the Department of Education requirements with regard to all financial aid processes.

Personnel Records

Health Insurance Portability and Accountability Act (HIPAA)

To protect individually identifiable health information, all such information is maintained in a separate confidential benefits file for each employee. This includes all employee benefits for which an employee is enrolled, including medical insurance, dental insurance, life insurance, and 401(k) information, as any or all such benefits may be impacted by employee health information.

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

Personnel Files

An official personnel file will be established for each employee and will be maintained by the Human Resources Coordinator. All personnel records are confidential and the release of information from these records should occur only in limited circumstances under the direction of the President. In the event of immediate health or safety needs of an individual staff member or others, access to records may be provided.

Items Included in Official Personnel Records

Each official personnel file may contain:

- Application for Employment and/or résumé or curriculum vitae
- Undergraduate and graduate transcripts (when applicable)
- Job description
- Emergency contact information
- Personal data essential for payroll and affirmative action reporting (Form W-4) Income tax withholding form
- Original copies of all Personnel Action Forms (PAFs)
- Form I-9 and photocopies of driver's license and other required identification (included in a separate file)
- Policy and Procedure acknowledgment forms
- Performance Evaluations
- Written reprimand(s)
- Required annual training documentation and professional development accomplishments
- Other documents relating to payroll for the employee.

Request for Removal of Items in Personnel File

An employee must provide a written request to the Human Resources Coordinator for the removal of items in the employee's personnel file. Within (15) working days of receipt of the request, the Human Resources Coordinator will investigate the request with the employee, the employee's Supervisor, and other management staff as appropriate. Pending the outcome of the investigation, such requests may or may not be approved.

Other Personnel Files

Other personnel files may be maintained separately which may include:

- Direct Deposit Forms
- Wage Assignment
- Payroll Deduction Authorizations
- Grievance information
- Investigations regarding employees

Employee Resignation or Reapplication for Employment

Resignation

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

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

Reapplication

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

Appendix Items

Personnel Policies and Procedures Acknowledgement

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

I, _____, have received and read a copy of the Red Lake Nation College Personnel Policies which outlines the policies and procedures of Red Lake Nation College, as well as my responsibilities as an employee.

I have familiarized myself with the contents of this manual. By my signature below, I acknowledge, understand, accept and agree to comply with the information contained in the Personnel Policies Manual provided to me by Red Lake Nation College. I understand this manual is not intended to cover every situation that may arise during my employment but is simply a general guide to the policies and expectations of Red Lake Nation College.

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

(Employee signature)

Date

Red Lake Nation College

Confidentiality Acknowledgement

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

- All information that is revealed to employees in connection with their jobs regarding employment activities, current or former employees, students, funding sources, trustees, and vendors is confidential.
- No employee shall release such information to anyone, including other employees and students, except in the proper exercise of their employment duties or with the written permission of the College President.
- If employees release information in violation of this confidentiality agreement, employees will be subject to disciplinary action, which may include termination of employment.
- This confidentiality agreement binds employees during and after their employment at the College. If employees release information in violation of this agreement after their employment, they will be subject to whatever relief or penalties may be provided by law.
- Refusal to sign the confidentiality agreement may be grounds for disqualification from employment consideration.

(Employee signature)

Date



Red Lake Nation College Conflict of Interest Statement

Name: _____ Date: _____

Position at RLNC: _____

I, the undersigned Regent Member or RLNC employee, hereby state that except as described below:

- I have read and am familiar with the College's Conflict of Interest Policy;
- I do not have a business relationship with any organization that does business with the College;
- I do not individually transact any business, directly or indirectly, with the College; and
- I agree to recuse myself from any hiring decisions or supervisory responsibilities in the event that a family member is also employed or contracted by the college.
- Describe any exceptions here:

If any situation arises that makes the above statement incomplete or incorrect, I will notify my supervisor immediately. I confirm that I will serve and work within accordance of the Red Lake Nation College Conflict of Interest Policy.

(Employee signature)

Date