



EMPLOYEE'S HANDBOOK



THE COLORADO RIVER INDIAN TRIBES

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DIRECTORY

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Colorado River Indian Tribes "MOTTO".

"I will meet all kinds of people today. Help me to help them all. If I meet any who are sad, help me to comfort them, even if I can do no more than say a word of kindness and shake their hand. If I meet any who are depressed, help me to cheer them and send them on their way happier because they met me. If I meet any who are worried, help me ease their anxiety as far as I can. If I meet any who are overburdened, help me to lend them a hand, even if it means extra work for me and even if I have to go out of my way to do so. If I meet any who are disgruntled, even angry, help me to show them that things are not as bad as they think they are. If I meet any who are happy help me to share in their joy. Make me able to enter the minds and hearts of all I meet today and to bring joy and happiness wherever I go. And finally, make me ever mindful that courtesy is not only the least expensive thing I have at my immediate disposal but also that it is the most contagious."

PREFACE

The following subjects of the Tribal Employee's Handbook have been adopted by the Colorado River Indian Tribes for the purpose of assuring the efficient, economic, consistent and fair administration of Tribal Employee's management matters.

Recognizing the importance of recruiting, selecting, training and retaining the very best Tribal workers possible with the ultimate goal of providing the most effective services to our Tribal people, the Colorado River Indian Tribes are committed to implementing the provisions of the following policies relating to Tribal employees, fully, impartially, and with a sense of dedication to the values of human rights, privileges and dignity. All regular (permanent) Tribal employees are to be included in this system.

Various forms are mentioned throughout this publication and all are important. Department Heads and Supervisors are charged with the responsibility of proper form usage and with the duty of providing appropriate instructions to employees regarding proper form usage. In addition, an ample supply of all forms should be maintained and controlled at the Department Head level.

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DEFINITIONS

The following list of terms and expressions is not all inclusive and may require updating from time to time to keep pace with Tribal progress in an ever-changing world.

1. **CRIT** - The Colorado River Indian Tribes.
2. **Colorado River Indian Tribes** – The membership and the organization of the Colorado River Indian Tribes on the Colorado River Indian Reservation, under and pursuant to its Constitution and Bylaws.
3. **Tribal Council** – The Governing body elected by Tribal membership, existing and functioning pursuant to the Constitution and Bylaws of the Colorado River Indian Tribes.
4. **Reservation** – The Colorado River Indian Reservation as established, existing and geographically defined under the laws of the United States, encompassing all territory within the exterior boundaries as now or hereafter prescribed or ascertained, including fee patented lands, allotted lands, town sites, roads, waters, bridges, and lands and rights-of-way owned, used or claimed by any person.
5. **Tribes** – The Colorado River Indian Tribes, and Tribal – belonging or pertaining to the Tribes.
6. **Indian Preference** – The implementation of various legislative enactments which provide for preference in the employment of Indians when qualified Indians are available.
7. **Indian** – Indian in this personnel system means a member of the Colorado river Indian Tribes; non-Tribal members means other Indians; employee means Indian, non-Tribal member and non-Indian working for the Tribes.
8. **Veteran's Preference** – A qualified Indian who is a veteran shall have preference in employment over a non-veteran Indian; a qualified Indian who is not a veteran will have preference over a non-Indian veteran.
9. **Statement of Non-Selection** – In the event a non-Indian applicant for a position is selected when qualified Indian applicants are available, justification for such selection will be submitted by the hiring/selecting supervisor and approved by Personnel System Board before the appointment is finalized.
10. **Probationary Period** – The first ninety (90) days of employment for most position, possibly one (1) year for highly technical and professional positions.

11. **Leave Without Pay (LWOP)** – Time away from the job, usually not authorized.
12. **Position Description (PD)** – A written explanation of employee's duties and responsibilities.
13. **Duty Hours** – 8 am – 5 pm Monday thru Friday.
14. **Compensatory Time** – Work performed before or after regular duty hours.
15. **Flex time** – Employee oriented timekeeping system, to accommodate unique or special employee requirements with respect to starting and quitting time.
16. **Holiday Pay** – Certain days of the year regularly observed by CRIT as paid holidays. LWOP immediately before or after a holiday prevents payment for holidays.
17. **Pay Day** – Every other week on Friday, 26 pay periods during the year.
18. **Disciplinary Action** – Imposition of penalties for failure to comply with official rules, regulations, directives, and supervisory instructions and requests.
19. **Insubordination** – Refusal to perform duties of a position.
20. **Conflict of Interest** – Use of status as an employee of the Tribes for personal gain or gain for relatives.
21. **Reportable Injury** – All injuries suffered by employees during working hours or on Tribal premises during the interval immediately, before, or after working hours.
22. **Annual Leave** – A privilege of employees to earn time off with pay at the rate of four (4) hours per pay period if employed less than three (3) years, six (6) hours per pay period if employed for three (3) but less than fifteen (15) years, and eight (8) hours per pay period if employed fifteen (15) years or more. Honorable military service, properly supported (Honorable Discharge Certificate) shall be creditable as employment for the purpose of computing annual leave earned.
23. **Sick Leave** – Employees shall earn leave at the rate of four (4) hours per pay period; 104 hours during the year of 26 pay periods.
24. **Creditable Leave** – Leave, annual and /or sick leave, will be creditable only for a pay period of eighty (80) hours of service.

25. **Alcohol Abuse** – The drinking of alcoholic beverages to an extent which interferes with ability to do the job or with attendance on the job.
26. **Administrative Leave** – Time away from the job without loss of pay usually associated with personal emergency when annual leave has been exhausted.
27. **Per Diem** – Reimbursable expense for cost of meals, lodging, laundry, and incidentals incurred by an employee while away from place of work overnight on Tribal business.
28. **Performance Appraisal** – An evaluation of the work and results achieved by workers.
29. **Incentive Awards** – The recognition and reward of employees individually or in groups for performing special acts or service in the Tribes' interest in connection with or related to official employment.
30. **Special Achievement Awards** – Merit Increases, Sustained Superior Performance, Superior Service, Career Service Recognition.
31. **Employee appeal** – An entitlement to have an opportunity to question or appeal any action of management which is considered to be adverse to your interest. (Separation during probationary period is not subject to appeal).
32. **Immediate Family** – The Colorado River Indian Tribes impose certain restrictions on the hiring of employee' relatives in order to minimize the difficulties that such relationships may cause in the normal conduct of work. Relatives may be hired when the specific limitations noted are not violated; however, they must be advised that future promotions, transferred, re-assignment, etc., may be needed if such moves will create situation in conflict with Tribal policy

Related persons may not be given work assignments which require one relative to direct, review or process the work of another.

Definition of Relatives:

Husband and Wife
Parent and Child (step-child)
Brother and Sister (step- brother and step- sister)
Aunt or Uncle (by blood or marriage)
Grandparent and Grandchild
First Cousins
Brother-in-Law and Sister-in-Law

33. **Policies** – Guides to thing in decision – making. Their purpose is first to define the area within which a decision should be made, and then to guarantee that the decision made will be in line with overall plans and goals. Provide for necessary flexibility.
34. **Rules** – Rules are requirements for certain actions or non-actions, with no allowance for discretion on the part of the person following them.
35. **Termination** – To discontinue employment; to bring employment to an end.
36. **Date of Hire** – Date employee started work as recorded on Personnel Status Report.
37. **Effective Date of Employment** – Date of Hire provided employee has completed 90-day probationary period.
38. **Completion of One-Year Service** – 365 days after Effective Date of Employment.
39. **Probationary Period** – 90 day/3 months continuous service represented by 80 hours of work for six (6) consecutive pay periods supported by time cards certified to by both the supervisor and employee.

LEAVES OF ABSENCE

A. Effect of leave of absence on employee's benefits

1. Time spent on unpaid leave of absence of over 30 days, except a military leave of absence, will not be counted as time employed in determining an employee's eligibility for benefits that accrue on the basis of length of employment.
2. An employee who is granted a leave of absence for a period of 30 days or more may be paid any annual leave that is due at the time he starts leave.
3. In the case of leaves of over 30 days, the Tribes cannot guarantee that the same position or a similar position will be immediately available at the time the employee returns; if this occurs the employee's leave will be extended until such a time a suitable position is available.
4. Time-off under this policy applies to all permanent full-time employees and part-time employees normally scheduled to work at least 30 hours per week who have completed the probationary period.
5. An employee will not be eligible to receive bereavement time-off while on scheduled vacation time or absence from work because of sickness.

B. Types of Leaves of Absence

1. Personal Leave

- a. A permanent full-time or permanent part-time employee, scheduled to work 30 hours per week or more, who has completed the probationary period, may request a leave of absence without pay for personal reasons, including health.
- b. The Department Head shall review and act upon a request for leave of absence for personal reasons in consideration of the following:
 - (1). The purpose for which the leave is scheduled.
 - (2). The length of time the employee will be away.
 - (3). The effect the leave will have on the ability of the department to carry out its responsibility.
 - (4). The employee's position and length of service.

- c. A leave of absence for personal reasons for up to 30 calendar days may be approved by the Department Head. A leave of absence for personal reasons of over 30 days must be approved by the Administrative Manager and/or the Administrative Committee.

2. Emergency Leave

- a. If an employee does not have any accumulated annual or sick leave, the employee may be allowed a maximum of three days with pay for an emergency.
- b. In the case of a death in the immediate family or a deceased co-worker, funeral leave may be granted and charged to accumulated annual leave.

3. Administrative Leave

On occasions it may be necessary, in the best interest of the Tribes, to grant an employee administrative leave. The employee shall be so assigned by means of a memorandum of instructions signed by the supervisor and approved by both the Department Head and the Administrative Manager. Administrative leave shall be with pay and may be for, but not limited to the following:

- a. To obtain additional formal education that will be beneficial to the Tribes.
- b. To attend special short course training in connection with assigned duty.
- c. For travel to another location while on assignment or in a travel status on Tribal business.
- d. To adjust or make right any prior contribution by an employee in the form of compensatory time erroneously overlooked.

4. Jury Duty Leave

Jury duty should be a fairly straightforward matter. When an employee is ordered by the courts to be present, the employee makes every effort to cooperate.

a. Procedure

- (1). An employee who receives notice of jury duty must notify his supervisor as soon as possible.

(2). In the event the absence of an employee from work over a long period of time would cause a hardship on the Tribes, they (the Tribes) may petition the Judicial Clerk to excuse the employee from jury duty. Also, the individual may petition to be excused from jury duty if doing so would cause a hardship on the employee's family.

(3). The Tribes will cooperate fully with local, state, and federal courts as well as the Tribal Court in allowing the employee to serve on jury duty without any financial loss.

(4). All full-time regular employees called for jury duty will receive their regular rate of pay plus fees received for jury duty from the official court.

5. Maternity Leave

a. Policy

Under normal conditions, maternity leave will be granted to permanent employees up to a period of four months based on date of estimated departure. Expectant mothers are allowed to work as long as their health permits with the approval of their physician. All leaves granted will expire after three months from the date of delivery. Leaves will not be extended unless supported by a doctor's certificate. An attending physician's statement is required indicating the anticipated delivery date so proper departure and return to work dates may be arranged.

b. Administrative Guidelines

(1). Permanent full-time employees or permanent part-time employees normally scheduled to work at least 30 hours per week who have completed the probationary period may use accumulated annual and sick leave in lieu of leave without pay. Absence commencing at the time an employee's condition of pregnancy becomes disabling should be handled under Sick Leave. Time away from the job not covered by annual or sick leave will be without pay.

(2). The employee requests a maternity leave of absence from the Department Head or supervisor as far in advance of the requested Department Head or supervisor as far in advance of the requested departure date as possible. Prior to the scheduled date to return to work the employee notifies the Department Head concerning:

- (a). Availability to return to work.
- (b). Unavailability to return to work as scheduled due to medical reasons or other circumstances; or,
- (c). Intent to resign.

c. Limitations

In no instance should a maternity leave of absence be requested or required of an employee.

If a pregnant employee is unable to perform the duties of her position in a safe and/or efficient manner, the employee may be involuntarily placed on sick leave of absence.

In no instance should an employee be involuntarily terminated because of pregnancy.

d. Exceptions

Recommendations for exceptions to the Maternity Leave policy, material described herein must have the approval of the Administrative Committee.

6. Military Leave

- a. A leave of absence without pay will be granted to reservists required to attend military training. Such leaves generally start no earlier than two days in advance of the start of training and end within two days following the end of same.
- b. Reservists may request that their vacations or a portion thereof be scheduled for the period of their military training.
- c. Requests for military leave of absence must be approved by the Department Head and the Administrative Manager.
- d. Employees entering active military service for a single enlistment period will be granted military leave of absence. The Tribes will make every effort to reinstate employees returning from military leave to their former jobs or an equivalent position.

7. Sick Leave

- a. Sick leave is leave with pay granted an employee who is suffering with a disability which prevents them from performing their usual duties or who requires medical, dental, or optical consultation or treatment. No sick leave shall be credited while serving under an emergency appointment or under a temporary appointment.
- b. No employee shall be credited with sick leave until 3 months probationary service has been completed.
- c. Accrued sick leave will be dropped from employee's record after date of termination.

8. Annual Leave

- a. Annual leave shall be earned by each full-time and each part-time employee who has a regular tour of duty. No employee shall earn annual leave while serving under an emergency appointment or under a temporary appointment.
- b. The earning of annual leave shall be based on the equivalent of years of full-time service and shall be creditable at the end of each regular pay period in accordance with the following schedule:
 - (1). Less than 3 years of service, at a rate of 4 hours of annual and 4 hours leave for each 80 hours of regular duty.
 - (2). Three years but less than fifteen (15) years of service, at the rate of 6 hours of annual and 4 hours of sick leave for each 80 hours of regular duty.
 - (3). Fifteen (15) or more years of service, at the rate of 8 hours of annual and 4 hours of sick leave for each 80 hours of regular duty.
- c. Honorable military service, properly supported (Honorable Discharge Certificate), shall be creditable as employment by the Colorado River Indian Tribes for the purpose of computing annual leave earned.
- d. No employee shall be credited with Annual Leave:
 - (1). Until 3 months probationary service has been completed.
 - (2). For any leave without pay.

- (3). For any overtime hours.
 - (4). For any holiday or other non-work day which occurs while he is on leave without pay.
 - (5). For any holiday or other non-work day which occurs immediately before or immediately after his being in a leave without pay status.
- e. Annual leave must be applied for by the employee and may be used only when approved by the Department Head or his authorized representative.
 - f. Annual leave shall not be charged for non-work days.
 - g. The minimum charge to annual leave records shall not be less than one-half hour.
 - h. The immediate supervisor may recommend and the Department Head may approve annual leave for a maximum period up to 120 hours workload permitting.
 - i. Annual leave requests for periods in excess of 120 hours must be approved by the Administrative Committee.
 - j. Enforced Annual Leave
 - (1). The Tribes may require an employee to take annual leave whenever, in its administrative judgment, such action would be in the best interest of the employee.
 - (2). No employee shall be required to reduce his accrued annual leave to less than 30 working days or the equivalent thereof in hours, provided that an employee may be required to take any part or all of his accrued annual leave prior to being granted leave without pay.
 - k. Payment of Annual Leave upon Separation
 - (1). Each employee upon separation shall be paid the value of his accrued annual leave in a lump sum disregarding any final fraction of an hour. The payment of such leave shall be computed as follows:

(a). When an employee is paid on an hourly basis, multiply his regular hourly rate by the number of hours accrued annual leave.

(b). When an employee is paid other than an hourly basis, determine the hourly rate by converting his salary to an hourly rate. Multiply his converted hourly rate by the number of hours of accrued annual leave.

ABSENTEEISM

Employment is a matter of mutual agreement. In return for offering an agreed to reliable income, the employer is entitled to or receive agreed to reliable performance. An employer has a right to expect that employees will be present, ready for work, when and where they are assigned.

EMPLOYEE ABSENTEEISM POLICY

You are expected to report for work on time, on a regular basis. Unnecessary absenteeism and lateness are expensive, disruptive, and place an unfair burden on other employees and your supervisor. Unsatisfactory attendance will also result in disciplinary action, including suspension and discharge. It will also have an adverse effect on any promotional consideration.

If you are going to be late or absent for any reason, telephone your immediate supervisor as far in advance as possible of your starting time. Explain why you are going to be absent and when you expect to return to work. NOTE: It is your responsibility to ensure that proper notification is given. Asking another employee, friend, or relative to give this notification is not considered proper, except under emergency conditions.

Any employee who fails to give such notification will be charged with an unexcused absence. If an employee is absent for three consecutive days without notifying the Colorado River Indian Tribes, he or she is subject to discharge. If notice is given and the Colorado River Indian Tribes do not think it justifies and absence, it will be considered unexcused. The following chart shows the discipline that will be administered for unexcused absences:

<u>1st Absence</u>	<u>2nd Absence</u>	<u>3rd Absence</u>	<u>4th Absence</u>
Written warning	3-day suspension	10-day suspension	Discharge

Four consecutive unexcused absences = Discharge

Repeated lateness will also subject an employee to discipline including suspension and discharge.

Holiday Pay: An employee will be excluded from holiday pay when a holiday falls within the week in which an unexcused absence occurs.

All absences will be recorded on the employee's attendance record (time card). If the immediate supervisor decides that the excuse is not acceptable, a written warning will be issued. A copy of the warning should go to the employee and Human Resources. Keep in mind that these records may be used in a grievance or formal hearing.

Employees have a right to appeal any imposed penalties through regular grievance procedures. Termination for any reason during probationary period is not subject to appeal.

ALCOHOL

(For more in-depth information consult the CRIT Substance Abuse Policy)

It is the Colorado River Indian Tribe's policy to help reduce the losses in dollars and manpower resulting from alcohol abuse. Through employees' supervisors we hope to maintain a program of early detection, provide a source for consultation and readily available information concerning treatment.

All must recognize that the successful treatment of alcohol abuse depends on early discovery, applicable reporting, appropriate communications and proper medical aid.

Alcohol abuse is defined as the drinking of alcoholic beverages to an extent which interferes with ability to do the job or with attendance on the job.

Supervisors are responsible for the recognition of signs of alcohol abuse and for appropriate reporting and follow-up.

The Alcoholism Director administers the alcohol abuse program, provides or arranges for consultation services, and arranges examination by appropriate medical service.

When a change in personality is evident, when absenteeism increases, when appearance changes, when a previously good attitude turns bad, when work begins to suffer, alcohol abuse may be the cause.

It is appropriate in such cases for the supervisor to inquire into what might be the cause. If it appears that it might be drinking, he/she should say so and suggest a cessation of drinking.

If no improvement is shown after a reasonable length of time and drinking is apparent cause, the employee is told and warned that continued drinking affecting his/her job performance will not be tolerated. Further, disciplinary action including termination of employment will be taken if drinking continues. At this point, the Colorado River Indian Tribes program is explained to the employee and offered to him/her at Tribal expense with the assurance that strict adherence to the program will eliminate the drinking problem. If it is refused and employee does not want help, he is told the responsibility is his and the consequence may be loss of job. A written record of all conversations and instructions are made and forwarded to Administrative Manager for proper filing in employee's personnel record.

The program is simple and effective. The employee is examined by a doctor and if indicated is placed on proper therapy. The Colorado River Indian Tribes will provide follow-up at its expense through the Alcoholism program for as long as is considered necessary by the doctor.

Services through the program are arranged by the Alcoholism Director who provides the supervisor with periodic reports regarding attendance and stage of recovery.

ATHLETIC ACTIVITIES

The Colorado River Indian Tribes encourages all its employees to participate in athletic activities as a means to better health.

The Colorado River Indian Tribes provides a gymnasium for work out, lifting weights, etc.

Athletic activity must be done on the employee's own time.

The Colorado River Indian Tribes sponsors baseball, basketball, volleyball teams for men and women and supports community sporting events at various times during the year:

- (1). Native American Days
- (2). Other holidays
- (3). Special events

ATTENDANCE

Regular and prompt attendance at work is required of all employees.

If it does become necessary for you to be absent, it is your responsibility to notify your supervisor.

An absence may be recorded as an excused absence for reasons of personal or family illness or for several other reasons which would require an employee to miss a part or all of a scheduled workday and which can be substantiated by the employer if requested to do so. Such absence will be recorded as an excused absence if the employee has requested of his or her supervisor the necessary time off in advance or, if he calls in to report his absence between the hours of 8:00 and 9:30 am.

An employee's failure to request and excuse, or to report his absence in the manner described above, will result in the absence being recorded as an unexcused absence.

An employee who fails to call in for three consecutive days shall be deemed to have voluntarily terminated his/her employment with the Colorado River Indian Tribes.

If an employee's attendance record indicates frequent absence, the employee shall be required to document the reasons for his absence at the request of the immediate supervisor in order for the absence to be recorded as an excused absence.

AUTOMOBILES (Personal Automobiles)

The Colorado River Indian Tribes provides and maintains parking facilities for the use of employees. As space is limited, we encourage the use of carpools whenever possible. Park only in designated areas in the parking lot in the rear of the Administration Building. The Colorado River Indian Tribes assumes no responsibility for damage to vehicles or theft of articles from vehicles while on Colorado River Indian Tribal property. Employees are asked to use caution while driving and observe a 5 mph speed limit.

AWARDS

The Colorado River Indian Tribes incentive awards program is designed to encourage employees to participate in improving the efficiency and economy of operations; to recognize and reward employees, individually or in a group, for participating in the form of superior performance, cost-saving suggestions and other personal efforts which contribute to improved efficiency in tribal operations. Also, to recognize and reward employees or departments for performing special acts of service to the Tribes' interest, in connection with or related to official employment. This program provides for the following awards:

- A. Cash Awards for adopted suggestions resulting in improved methods, procedures, working conditions, service to the Tribes, employees' morale,

health and safety. Suggestion boxes are located near the coffee bars. Contact your supervisor for additional information.

B. Special Achievement Awards

1. Merit increases

This award equates to an increase in salary and must be based strictly on merit and increased productivity. Merit increases must not be used to supplement annual salaries which may be considered low. Before a supervisor submits a written recommendation for a merit increase to the Administrative Committee through the Administrative Manager, standards of performance must be established, reviewed and approved.

All recommendations for merit increase must be supported by written documentation, explaining:

- a. Why an employee should be awarded an increase in pay.
 - b. How the employee actually exceeded the approved standards of performance
 - c. When the employee performed in an outstanding manner and for how long.
 - d. To what extent employee performed in an outstanding manner. Several examples of the outstanding performance should be included setting forth the dates and a description of what was actually accomplished to warrant an increase in pay.
 - e. Each recommendation will also contain a statement to the effect that the supervision expects the employee to continue to perform at this high standard.
2. Sustained Superior Performance. — This is a Cash Award for:
- a. Substantially surpassing normal production standards over a period of several months.
 - b. Obtaining highly superior quality results on special projects(s) while satisfactorily meeting standards of quantity for an extended period.
3. Superior Service. - This is a Cash Award given at any time during an employee's career for:
- a. Significant acts of service.
 - b. Achievements that materially aid or affect the successful accomplishment of the Colorado River Indian Tribes' operation.
4. Career Service Recognition - This Award may be given in the form of an emblem, gift, ceremony with plaque, or cash in recognition of years

of Service.

Lapel emblems for 5, 10, 20, 30, etc., years of service may be awarded. Awards may be given in private, in presence of employee's peers, or at a Tribal Council meeting, depending on the length of service. Employee's preference will be honored, if possible.

Awards must be earned and the price is high. Recipient's attitude, conduct and performance must reflect the qualities of courtesy, consideration, loyalty and a deep sense of responsibility to self and others, both on and off the job.

Benefits

A. Medical (Insurance)

All full-time regular employees are eligible to participate in the health benefits available under a voluntary program. Employees pay 100% of premium at group (reduced) rates for the benefits they desire. Employees enrolling in the group plan within 30 days of date of employment are not subject to medical examination. Employees leaving employment, who are enrolled in the group plan, are allowed to convert their policy and retain coverage.

B. Life Insurance

All full-time regular employees are eligible for insurance effective on the first day of the month coinciding with or next following 90 days of continuous employment. The amount of life insurance for you is the equivalent of your annual salary multiplied by two (2). A booklet describing your insurance plan will be distributed by Human Resources upon completion of the 90-day probationary period. Entire cost of your life insurance is paid by the Colorado River Indian Tribes.

C. Pension Plan

All full-time regular employees who have completed one year of service shall be deemed to be participants in the Colorado River Indian Tribes Pension Plan. The one-year service date requirement starts upon completion of your 90-day probationary period. Each participant shall have an Employee Contribution Account. The Colorado River Indian Tribes annual contribution shall be allocated to the Employee Contribution Accounts of all eligible participants according to the ratio that each participant's compensation for the year bears to the total compensation of all eligible participants for the year. Retirement date is the 31st day of December following the date a participant has attained age 60. Entire cost of

your pension plan is paid by the Colorado River Indian Tribes. The Tribal Council has appointed a Pension Committee which administers the Pension Plan and decides all questions arising in its operation.

D. Payroll Savings Plan (Not currently offered)

Payroll deduction is available for those who wish to purchase U.S. Savings Bonds. Full details regarding this plan may be obtained from the Human Resources Department.

E. Breaks

The Colorado River Indian Tribes provide two breaks each of 15 minutes duration: one in the morning and one in the afternoon. Employees may leave their work stations at this time and have a cup of coffee, light snack, pop, etc.

Bulletin Boards

All notices which affect employees in any way will be posted on the Bulletin Board, including information on safety and policy changes. No one may post information on the Bulletin Boards without first obtaining approval from the Human Resources Office.

Complaint Procedure

It is the policy of the Colorado River Indian Tribes to give every employee's complaint a full and impartial hearing. Hopefully this procedure will resolve most discontent and keep employee problems from developing into a grievance.

DO YOU HAVE A PROBLEM?

If you do, we want to know about it. If there is something about your job that is bothering you, bring it out in the open. Every effort will be made to straighten out your problem. Here are four steps that can be taken to get your problem a fair hearing.

STEP 1: Your immediate supervisor. He or she is ready and available to give you a fair hearing. Talk your problem over with your supervisor honestly and sincerely. There is a good possibility that your problem can be resolved at this stage.

STEP 2: Human Resource Director. If your problem remains unresolved, you can bring it to the Human Resource Director. If your problem remains unresolved, you can go to Step 3.

STEP 3: At this step you will meet with the Administrative Committee for a complete hearing. Be prepared to submit your problem(s) in writing including but not limited to:

- a. Your name and mailing address
- b. Name and location of your office/place of work.
- c. Your present job title and salary.
- d. Your reason(s) for believing an injustice has been done or the exact nature of your problem(s).
- e. Names of persons and a list of places, dates and events which may have a bearing on the matter.
- f. Your recommendation(s) for solving the problem in a satisfactory manner and for preventing a recurrence of the problem.

STEP 4: Your problem will be addressed by the Administrative Committee and a recommended solution will be rendered within 7 days from date of the hearing.

Courtesy

- A. Employees should not work in a manner that willfully obstructs or hinders another employee from completing his or her assigned duties.
- B. Employees should operate in a manner both safe to themselves and their fellow workers.
- C. Personal problems between employees should not be pursued at work.
- D. When leaving the work area or office area for other than lunch, all employees should have the permission of their supervisor who will know why, where, and for how long they will be gone. Employees who work in the office area will also tell the receptionist where they are going and when they expect to return. Returning employees should check in with the receptionist and/or their supervisor. Should supervisors be leaving the work area for any extended period of time, they should tell their subordinates whom to contact in case of emergency.
- E. In case of sickness, all employees must contact their supervisor or designated officer (not the receptionist) by phone promptly in the morning. For extended illness in excess of 3 work days, a doctor's statement will be required.
- F. Telephones should not be used for personal telephone calls and employees should not have personal visitors unless permission is obtained.
- G. All employee information will be posted on bulletin boards.
- H. Any employee who changes his or her address or family status should report it in writing to the Human Resources Department.
- I. Contributions may not be solicited of employees of any department unless approved by the Department Head. Raffles, benefit sales, and the like for charitable organizations may be allowed if they do not interfere with the progress of work.

Following is a list of Colorado Indian Tribe's rules and disciplinary action associated thereto:

RULES AND DISCIPLINE

VIOLATION OF THE FOLLOWING RULES WILL RESULT IN THE DISCIPLINE SPECIFIED

	1 st Time	2 nd Time	3 rd Time	4 th Time
1. Theft of property from Colorado River Indian Tribes or other employee.	Discharge			
2. Drinking alcoholic beverages on Colorado River Tribe's Premises.	Discharge			
3. Assault of Supervisor or other employee.	Discharge			
4. Intentionally falsifying any time card in any way.	Discharge			
5. Reporting for work under the Influence of alcohol or drugs.	Discharge			
6. Falsifying Colorado River Tribes records (any)	Discharge			
7. Possession of illegal weapons or fire arms on CRIT premises.	Discharge			
8. Intentionally misusing or damaging CRIT property of Another employee	30 day suspension	Discharge		
9. Smoking in unauthorized areas.	3 day suspension	30 day suspension	Discharge	
10. Leaving work area or department during working hours <u>Without permission.</u>	1 day suspension	3 day suspension	Discharge	
11. Unauthorized operation of vehicles and equipment.	1 day suspension	3 day suspension	Discharge	
12. Posting or removing notices on CRIT bulletin boards <u>without permission.</u>	Written warning	3 day suspension	Discharge	
13. Disregard of safety rules.	3 day suspension	30 day suspension	Discharge	
14. Failure to wear specified equipment.	3 day suspension	30 day suspension	Discharge	
15. Failure to report injury or <u>accident.</u>	3 day suspension	30 day suspension	Discharge	
16. Unauthorized absence. Discharge	Written warning	3 day suspension	10 day suspension	
17. Stretching breaks or wasting time.	Oral warning	Written warning	3 day suspension	30 day suspend
18. Creating or contributing to unsanitary conditions by poor housekeeping.	Oral warning	Written warning	3 day suspension	30 day suspend

	1 st Time	2 nd Time	3 rd Time	4 th Time
19. Insubordination by refusing a supervisor's orders.	3 day suspension	20 day suspension	Discharge	
20. Sleeping on CRIT premises during work hours.	3 day	30 day	Discharge	
21. Unauthorized soliciting of Discharge contributions on CRIT premises	Oral warning	Written warning	3 day suspension	
22. Threatening or intimidating other employees or supervisor.	10 day suspension	Discharge		
23. Lateness	Oral warning	Written warning	10 day suspension	Discharge
24. Unexcused absences	Written warning	3 day suspension	10 day suspension	Discharge
25. Eating at work station at other other than authorized time.	Oral Warning	Written warning	1 day suspension	3 day suspend
26. Failure to observe traffic and parking rules on CRIT property.	Written Warning	3 day suspension	10 day suspension	Discharge
27. Fighting or attempting to provoke a fight on CRIT premises	10 day	Discharge		
28. Failure to follow specified instructions	Written warning	10 day suspension		
29. Inability or unwillingness to work harmoniously with other employees	Written warning	3 day suspension	10 day suspension	Discharge
30. Removal of CRIT records or release of confidential information	Discharge			

When the Tribal Council receives proprietary information or produces proprietary information as a result of Tribal Council meetings and Tribal Committee meetings or as a result of any other action, all employees are obliged to safeguard the information and to retain it on a confidential basis.

Adherence to confidential measures is required of all employees who from time to time may receive, obtain, have access to, work with or otherwise be in knowledge of information of a confidential nature.

The nature of confidential information may include, but is not limited to such materials as Tribal Council meeting minutes, Committee meeting minutes, technical, economic or legal data or analyses, know-how, test results, lists, charts, maps, accounting and financial data, job applications, employee credit information and other proprietary interests of the Tribes and their employees. Protecting and safeguarding of confidential information is a condition for initial and/or continued employment. All employees whose regular work activities involve access to such confidential information are so advised by their supervisor of their obligations.

Requests from any outside source for disclosure of confidential information

shall be reported immediately to the Tribal Chairman.

PROPERTY OF COLORADO RIVER INDIAN TRIBES

A. Care of CRIT Property

1. An employee is expected to exercise due care in the use of the property of the Colorado River Indian Tribes, and to utilize such property only for authorized purposes. Negligence in the care and use of Tribal property may be considered cause for suspension and/or dismissal.
2. Unauthorized removal of the property of the Colorado River Indian Tribes from the premises, or its conversion to personal use, will be considered cause for suspension and/or dismissal.

B. Return of Colorado River Indian Tribes Property

CRIT Property issued to an employee must be returned to the Colorado River Indian Tribes at the time he terminates employment or when it is requested by his Department Head for his designated representative. The value of any property issued and not returned may be deducted from the employee's pay check.

PERSONAL PROPERTY ON CRIT PREMISES

The Colorado River Indian Tribes assumes no responsibility for loss or damage to the personal property of an employee.

DISCIPLINE

A. Purpose of Disciplinary Action

A violation of the Colorado River Indian Tribes Rules constitutes misconduct on the part of the employee, and appropriate disciplinary measures, as indicated in the following actions, should be initiated by the supervisor. Such disciplinary measures should be administered in an objective and constructive manner intended to motivate the employee toward proper conduct in the future. All disciplinary actions must be documented and a copy sent to Human Resources.

The handling of work performance problems not arising out of misconduct should be according to Performance Reviews and disciplinary action should not be taken.

B. Investigation of Misconduct

1. A supervisor who becomes aware of suspected employee misconduct should promptly commence a thorough investigation of the incident, and this must include asking the employee for an explanation of his/her actions.
2. If the suspected misconduct would constitute a serious offense, the

Administrative Manager should be notified as soon as possible. The employee may be suspended without pay while the investigation is being conducted for a period not to exceed seven (7) calendar days, if warranted by the nature of the offense and/or the employee's behavior. Any period of such suspension not converted to discharge or disciplinary time off will be treated as compensable time not worked.

C. Classification of Misconduct

1. Minor offenses are those violations of the Colorado River Indian Tribes Rules which are unacceptable if repeated, but for which the employee will not be discharged for the first offense.
2. Serious offenses are those willful or deliberate violations of the Colorado River Indian Tribes Rules of such a nature that the first offense may indicate that continued employment of the employee may not be in keeping with the best interest of the Tribes.

D. Classification of Disciplinary Action

There are four basic classifications of disciplinary action:

1. Employee counseling or oral reprimand - Employee is counseled by the supervisor following a minor offense in an effort to eliminate possible misunderstandings and to explain what constitutes proper conduct.
2. Written reprimand - Employee receives a written notice of discipline following intentional or repeated minor offenses. The purpose of a written reprimand is to make certain that the employee is fully aware of the misconduct he/she has committed and what is expected, thereby enabling the employee to avoid a recurrence of the incident.
3. Final written warning - Employee receives written notice of disciplinary action following serious misconduct or further repeated minor offenses; disciplinary time off without pay may also be given. The purpose of a final written warning is to make certain that the employee understands the seriousness of the misconduct and that further misconduct will most likely result in discharge.
4. Discharge - Employee is discharged as the result of a serious offense or the final step in the accumulation of minor offenses of the same nature.

If any employee disagrees with discipline given, the Grievance Procedure may be used.

will be made of recorded information about an individual to create legitimate, enforceable expectations of confidentiality.

Note CRIT Rule No. 30 and accompanying explanation, particularly 3rd paragraph, page 17, concerning protection of Tribal governmental and operational information

GRIEVANCE PROCEDURE

A. Policy

It is the policy of the Colorado River Indian Tribes:

1. To ensure that employees receive fair and equitable treatment;
2. To provide employees with an easily accessible procedure for expressing dissatisfaction;
3. To foster sound employee-supervisor relations through communication and ultimate reconciliation of work-related problems.

The employee Grievance Procedure described herein has been established as a primary means of meetings these policy objectives.

Department Heads and supervisors are responsible for making certain that employees under their jurisdiction have knowledge of and understand the Grievance Procedure, and that employees feel free to use the procedure without fear of criticism or action being taken against them affecting their job security, wage progression opportunity, or chance for job advancement.

B. Application

This policy has application to all employees.

C. Definition

GRIEVANCE. An expression of dissatisfaction relating to wages, hours of work, administration of personnel policies, perceived unfair or inequitable treatment or discipline, or other conditions of employment.

D. Administrative Guidelines

1. All time limits specified herein are calendar days. In the interest of the prompt resolution of employee complaints, the action at each step of the Grievance Procedure should be taken as rapidly as possible but not later than the prescribed time limit. In the event of extenuating circumstances, a time limit may be extended by mutual agreement of the parties at that step.

2. Grievance hearing will be scheduled at mutually satisfactory times. Grievance hearings are considered compensable hours worked, except in cases where the employee has been placed on suspension or terminated.
3. An employee may have the assistance of the Human Resources Director in preparing and processing a grievance at any step.
4. New grievance issues that were not raised at Step 1 may not be raised by either party at Steps 2 and 3.
5. A written summary of the complaint and facts and information accumulated should be made by the representative at each step and forwarded to the Human Resources Director and to the next higher level in the Grievance Procedure, together with copies of grievance appeals and responses.
6. Grievance information or testimony must be treated in a most discreet and confidential manner by all persons involved.

E. Administrative Procedure

1. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems and misunderstandings that have arisen. Accordingly, employees should first discuss any complaints or questions they may have with their immediate supervisors and are urged to initiate such discussions at the time the dissatisfaction or question arises. Supervisors, in turn, should take positive and prompt action to answer employee's questions and resolve complaints presented to them. Employees may also meet with the Administrative Manager prior to initiating a grievance to receive guidance and assistance.
2. If an employee's problem has not been resolved after presenting it to his/her supervisor, a grievance may be initiated with the Department Head at Step 1. To be accepted for consideration, a grievance must be initiated within ten (10) days following the date when the employee first had knowledge of the incident that gave rise to the grievance. The Department Head arranges a meeting with the employee to discuss the complaint, develops all the available facts and information relative to the grievance. In cases where an oral response has been given the employee, a memorandum summarizing the response should be prepared and forwarded to the Human Resources Director.
3. Step 2 – Human Resources Director
If a satisfactory resolution of the grievance is not reached at Step 1, the employee may request that the grievance be processed to the Administrative Manager for review at Step 2. The grievance must be in writing

and presented to the Administrative Manager within seven (7) days after receiving the Step 1 decision; the grievance is considered settled on the basis of the Step 1 decision if such a request is not presented. Upon receiving the grievance appeal, the Administrative Manager conducts a preliminary investigation as a background for analysis and discussion, and meets with the employee within seven (7) days after receiving the grievance to hear the employee's viewpoint. The Administrative Manager's written decision is presented to the employee within seven (7) days following the meeting, with copies to the Administrative Committee.

4. Step 3 - Administrative Committee

If a satisfactory resolution of the grievance is not reached at Step 2, the employee may request that the grievance be processed for review at Step 3. The request must be in writing and presented to the Administrative Committee within seven (7) days after receiving the Step 2 decision; the grievance is considered settled on the basis of the Step 2 decision if such a request is not presented. At the Administrative Committee's option, the grievance is reviewed and a final decision made:

- a. By the Administrative Committee, or
- b. By the Tribal Council

In cases where the Administrative Committee has elected to have the grievance considered by the Tribal Council, the Administrative Manager will arrange for a grievance hearing to be conducted within fourteen (14) days after receiving the Step 3 appeal. The Tribal Council will review all the available facts and information and issue a written decision within seven (7) days following the hearing.

A decision issued by the Administrative Committee or Tribal Council is final and binding on all concerned.

F. Exceptions to Grievance Procedure

- 1. In cases where an employee believes that the overall performance rating or a particular rating received under a Performance Review is unfair, the employee may discuss his/her concerns with the supervisor in an attempt to reach a satisfactory resolution and enter any remarks deemed appropriate in the section provided on the Performance Review form. If a satisfactory resolution is not reached, the employee may initiate a grievance at Step 1 of the procedure. Except in cases where the overall performance review rating is unsatisfactory, and/or where the employee has been suspended, placed on probation, or involuntarily demoted or transferred, the decision of the Department Head is final.

NOTE: A grievance initiated by an employee reporting directly to a Department Head may be appealed to Step 2 of the procedure for review and final decision by the Administrative Manager.

2. In cases where an employee believes that he/she should not have been involuntarily terminated (released or discharged), the employee may initiate a grievance at Step 2 of the procedure.
3. In cases where a grievance has been initiated by a new employee in probationary status, the decision of the Department Head at Step 1 of the procedure is final. Recommendations for other exceptions to the Grievance Procedure described herein must have the approval of the Administrative Manager and the Administrative Committee prior to submission to the Tribal Council.

HIRING

The Colorado River Indian Tribes (CRIT) is an equal opportunity employer and will not discriminate in the hiring process on the basis of sex, religion, race, color, age or national origin. The same actions apply to the hiring of any handicapped person unless the handicap is directly related to job performance.

There is a Tribal policy with respect to Indian preference as explained below:

Background: The history of granting Indians preference for employment within the outer boundaries of the reservation is quite extensive. The Act of June 30, 1834 (25 U.S.C. 45) stipulates:

“In all cases of the appointment of interpreters or other persons employed for the benefit of the Indians, as far as practicable be given to Indians in the employment of clerical, mechanical and other help on reservations and about agencies. “

A hundred years later, after the original enactment of legislation providing for Indian preference the Wheeler Howard Act of June 18, 1934 (25 U.S.C. 472) was enacted providing for,

“Standards for Indians appointed to Indian Office. The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed without regard to civil service laws, to the various position maintained, now or hereafter, by the Indian office, in the Administration of functions on services affecting any Indian tribe. Such qualified Indian shall hereafter have the preference to appointment to vacancies in any such positions.”

It is obvious and clear that it is the interest and policy to provide preference to Indians seeking employment within the Indian programs and Tribal operations.

POLICY

It is the policy as well as the intent of the Colorado River Indian Tribes to implement the various legislative enactments cited which provide for preference in the employment of Indians within exterior boundaries of the Colorado River Indian Reservation. Accordingly,

- A. When a qualified Indian* is available, she or he will be selected for initial appointment to vacancies unless there are valid and documented reasons of unsuitability or unsatisfactory performance as a basis for rejection.

*Indian in this document means a member of the Colorado River Indian Tribes.

- B. The Colorado River Indian Tribes will continue active recruitment efforts through all possible channels to locate qualified Indians.
- C. A thorough review will be made to determine whether the scope or responsibility of any vacant position may be structured to permit the appointment of a qualified Indians.
- D. To enhance the achievement of the goal and objective of the Colorado River Indian Tribes Preference Policy, persons of Indian descent will be given priority for promotions. When a position with promotional opportunity is available, qualified Indian employees and qualified Indian applicants will be given priority consideration within the precepts of good management. When applicants are basically equal, priority will be extended to Indians unless there are valid, documented reasons of unsuitability or unsatisfactory performance which would justify non-selection of the Indian employee or applicant.
- E. As a basic part of the overall policy of the Colorado River Indian Tribes to increase the involvement and participation of Tribal members in the management of their offices, the Colorado River Indian Tribes will aggressively promote career development and training programs which will give consideration to their needs. Training positions may be established, funded and monitored by tile Tribal Council; these positions to be scattered throughout operating units forming a bridge for advancement (career development) leading to an all-Indian operated organization.

VETERAN'S PREFERENCE

It is the policy of the Colorado River Indian Tribes regarding veteran's preference that a qualified Indian who is not a veteran will have preference over a non-Indian veteran. A qualified Indian who is a veteran shall have preference over a non-veteran Indian.

STATEMENT OF NON-SELECTION

In the event a non-Indian applicant for the position is selected where qualified Indian applicants are available, justification for such selection will be submitted by the hiring/selecting supervisor and approved by Tribal Administration officials before the appointment is finalized.

Complete records of this process will be kept and all job openings not filled from within the Colorado River Indian Tribes operating units will be placed as public ads with the local or surrounding area news media. The Human Resources Office must be contacted prior to undertaking any action to procure help. All hiring procedures must be adhered to.

The Colorado River Indian Tribes will also endeavor to hire the best qualified applicant. The selection will be based on qualifications, skill, training, personality, temperament and experience. All Department Heads will coordinate applications through Human Resources.

All new positions that are advertised will be posted for all present employees to note.

Files of applicants are maintained in the Human Resources office. These may be used and should be reviewed when seeking new employees.

PROCEDURES

Prior to employing an individual, certain preliminary steps must be taken to ensure uniformity of our Personnel practices and compliance with the various laws concerned with employment practices. These are the steps and procedures.

- A. The Department Head requesting additional or replacement people must submit in writing the request identifying the job position and need to Human Resources. The need for temporary employees would be anticipated at least several days in advance for the proper channels to be followed.
- B. Human Resources must then verify if a Job Description has been written and is up to-date. The Job Description must include a description of duties, responsibilities, qualifications, salary range, and performance standards.
- C. If the Job Description has not been written or is not up-to-date, Human Resources must do so together with the Head of the hiring department. This Job Description together with the request then goes to the Administrative Committee for approval.
- D. If the request is approved, the Department Head may rehire a person from the established Recall List of past employees which is held in Human

Resources. If a person is not hired from the Recall List, Human Resources will post the opening with the Job Description on all bulletin boards for a period of 10 working days.

- F. Employees may then apply for the opening. Applications must be submitted to Human Resources Office in writing.
- F. The Department Head is to review the applications submitted by employees. A suitable person from within the Colorado River Indian Tribes may be hired at this point. The Review Sheet must be completed for all applicants from any source for any job.
- G. If a suitable person is not available from within the Colorado River Indian Tribes, Human Resources is to review the files for persons on the Recall List. If a suitable person is not then available, applications on file in Human Resources must be reviewed and noted on the Review Sheet. Human Resources will keep all applications of the past 8 months. If a suitable person is not available from past applicants, advertisements and where they are to be placed must be submitted to Human Resources.
- H. The Human Resources Department must approve all advertisements and post the openings of jobs of greater than 5-day duration. All applications are to be kept by Personnel. Copies may be made of applications if a Department so wishes. The hiring of a presently employed person or a person from the Recall List are exemptions to the posting requirement.
- I. If a suitable applicant is found, he or she may then be hired.
- J. If desirable, the Human Resources Office may coordinate this process to allow an internal search, a Recall List review, and an outside search simultaneously to produce applicants.
- K. After an employee has been hired, Human Resources must be notified in writing and all pertinent information on the person supplied. Instructions will come from Human Resources.
- L. The actual hiring of persons will be made by an Officer of the Colorado River Indian Tribes or his/her authorized representative. Interviewing and selection may be done by persons designated by an Officer. Actions to begin the Employment Request must be initiated by an Officer, or in a written request to an Officer from a Department Head.
- M. The qualifications which we impose as necessary when hiring, must be directly related to successfully performing the job.

FORMS

The forms applicable to the hiring process are:

- A. Office Memo requesting the job position and need to Human Resources.

- B. Job Description
- C. Vacancy Announcement
- D. Employment Application
- E. Personnel Status Report
- F. W-4 Employees Withholding Allowance Certificate
- G. State Withholding Exemption Certificate
- H. Recommendation for Hire Form
- I. Drug Screening Consent Form

Copies of forms listed above are in the Department Head's office.

Holidays

A. Policy

It is the policy of the Colorado River Indian Tribes to afford qualifying employees eleven (11) paid holidays each year.

B. Application

This policy applies to all permanent full-time employees and permanent part-time employees normally scheduled to work at least thirty (30) hours per week.

C. Administrative Guidelines

1. Holidays Observed

- a. The Colorado River Indian Tribes observes the following holidays:

January 1	New Year's Day
January 19	Martin Luther King Birthday
Third Monday in February	Washington's Birthday
March 3	CRIT Observance Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Last Friday in September	Native American Day
November 11	Veteran's Day
4th Thursday & Friday in November	Thanksgiving Day
December 24 (1/2 Day)	Christmas Eve
December 25	Christmas Day
December 31 (1/2 Day)	New Year's Eve

- b. If a paid holiday falls on Sunday, Monday will be the paid holiday. If a paid holiday falls on Saturday, Friday will be the paid holiday.
- c. An employee who is scheduled to work on a holiday, or is on a scheduled day off when a holiday is observed, will be granted equivalent time off with pay, either before or following the holiday.
- d. If an employee desires time off to observe a holiday not listed above, such time off may be granted without pay or by a charge to annual leave, subject to staffing needs of the department.

2. Designated Holidays

- a. Holiday pay benefits for Native American Day, Independence Day (July 4), and Labor Day (First Monday in September) apply to all employees including temporary part-time employees, summer vacation relief employees and temporary student help.
- b. An employee who is on paid leave of absence, including leave due to occupational injury, will be eligible for holiday pay for a designated holiday observed during the leave of absence.
- c. If a designated holiday is observed during an employee's vacation period, the employee will be eligible for an additional time off with pay equal to the holiday time for which the employee is eligible.
- d. An employee with an unexcused absence immediately prior to or after a designated holiday, or equivalent day off, will not be paid for the holiday or equivalent day off.

INJURY

On the Job

- A. Regardless of the nature or severity, all injuries incurred while on the job must be reported to your supervisor at once.
- B. The Colorado River Indian Tribes insures employees against accidental injuries under the Workmen's Compensation Act of the State of Arizona. Injured employees are to be sent to Parker Community hospital for treatment.
- C. In case of serious injury your Supervisor may refer the employee to the treatment doctor on duty at the local hospital.
- D. An injured employee who is sent home by the doctor will be paid for the remainder of the work day. In no event shall an employee receive

remuneration in excess of base pay for time lost due to a work incurred injury. The injured employee becomes eligible on the eighth day and if continues until the fourteenth day retro to the first day of injured for compensation.

- E. Any employee who fails to report an injury during the work day in which the injury incurred, will be subject to disciplinary action. Examinations, follow-up, prescription, mileage, meals, accommodations, are provided under policy.

Information about current or former employees

- A. In order to protect the interests of the tribes and Tribal employees, information regarding employees is treated as confidential.
- B. All inquiries regarding current or former employees from any source outside the Tribes are referred to the Administrative Manager.
- C. Letters of reference or recommendation for employees leaving the Tribes are usually not provided. Any specific request for an exception is referred to the Administrative Committee through the Administrative Manager.
- D. The Administrative Manager or a duly authorized representative will provide certain employee information in accordance with the following guidelines:
 - 1. Verification of employment in respect to a prospective creditor via telephone.
 - 2. Verification of salary only in response to written requests for information from prospective employers or creditors.
 - 3. Necessary information only in response to written requests for information required to process an employee's credit application (home loan, etc.) making certain that the employee understands and agrees to Administrative Manager's processing such information.

INSUBORDINATION

There is a fine line between outright refusal to accept a supervisor's instructions, and legitimate questioning of an order. The former challenges the superior's authority and cannot be ignored; the latter may well have a constructive intent, even when it is crudely expressed.

When employee challenges a superior's authority, and uses a few choice words in the process, recognize that the superior cannot ignore the situation. It is a direct challenge to authority, particularly if other workers hear the remarks.

It should also be recognized that provocation, illness and stress are mitigating factors in cases of foul language. But no one will support an employee who

claims his words were free speech protected by the First Amendment.

One of the most justifiable reasons to refuse an order is a belief it would be unsafe to obey. However, unless the employee has a reasonable safety complaint it is usually better for all concerned to do the work now, and file a grievance later.

LATENESS

Employees are expected to be on time. Continued lateness will not be tolerated and may result in the employee's dismissal.

If you are going to be unavoidably detained, you should phone your supervisor and let him know.

Employees, in cooperation with their supervisor, must fill in their timecards and certify to their correctness.

Anyone found cheating on his/her timecard may be subject to immediate dismissal. Honest mistakes should be corrected immediately upon detection.

MAIL

All incoming mail is subject to examination. Mail addressed to employees may be opened as it is Colorado River Indian Tribes' standard practice to open all incoming mail. If employees do not wish to be subjected to this standard practice, they must have their mail sent to their place of residence.

Employees may use Tribal Courier service for outgoing mail. All employee outgoing mail must bear applicable postage.

MOONLIGHTING

DEFINITION When permanent full-time Colorado River Indian Tribes employees take employment outside Colorado River Indian Tribes.

The Colorado River Indian Tribes discourages its full-time employees from taking employment outside the Colorado River Indian Tribes.

If an employee is planning to take an outside job the employee's supervisor should be notified.

If an employee is unable to maintain high work performance at the Colorado River Indian Tribes as a result of his moonlighting at the outside job, the employee may be asked to terminate his outside job.

The Colorado River Indian Tribes will not pay medical benefits for injuries or sickness resulting from employment at an outside job.

ORIENTATION

Orientation activities for all full-time permanent employees are divided into two segments. The objective of an orientation procedure is to explain the Colorado River Indian Tribes' policies and procedures to new employees so they will have a thorough understanding of what is expected of them.

A. Orientation Procedures for First Day

Welcome the employee to the department and make him/her feel at home. Explain what the department does, its role in relation to the total, Colorado River Indian Tribes operation, and where the new employee's job fits into the total department and Colorado River Indian Tribes operations.

Tell the new employee about work schedule - starting time, quitting time, lunch hour, and breaks. Be sure to stress the importance of promptness.

Explain pay procedures. Tell employee when pay day is, how checks are distributed, and the length of pay periods.

Discuss procedures pertaining to absence from work. Employee should be told whom to call to state why they will be absent. Also explain the sick leave plan and stress the effect that absences will have on the employee's record. Stress importance of completing 90-day probationary period.

Explain that smokers must respect the right of non-smokers.

Introduce new employee to other workers and explain what other workers do and how their jobs relate to his/her job.

Show new employee where washroom, fire exits, drinking fountain, and vending machine are located. Also explain parking rules and location of parking lot.

Explain what holidays the Colorado River Indian Tribes celebrates and the policy on being paid for these holidays.

Discuss procedures for compensatory time and extent of new employee's role in working before and/or after regular starting and quitting time.

Explain the Colorado River Indian Tribes vacation policy; when vacations are scheduled, how long they last, and the pay policy for vacations.

Specify where first aid can be obtained and explain policy on filing an accident report if hurt on the job.

Give information on department safety rules, practices and procedures. Explain policy on making or receiving personal telephone calls during working hours.

Discuss courtesy and explain how it affects employee's image as well as Colorado River Indian Tribes' image with tribal members, the general public, fellow employees, and other individuals. Give new employee a copy of Colorado River Indian Tribes "MOTTO".

"I will meet all kinds of people today. Help me to help them all. If I meet any who are sad, help me to comfort them even if I can do no more than say a word of kindness and shake their hand. If I meet any who are depressed, help me to cheer them and send them on their way happier because they met me. If I meet any who are worried, help me ease their anxiety as far as I can. If I meet any who are overburdened, help me to lend them a hand, even if it means extra work for me and even if I have to go out of my way to do so. If I meet any who are disgruntled, even angry, help me to show them that things are not as bad as they think they are. If I meet any who are happy help me to share in their joy. Make me able to enter the minds and hearts of all I meet today and to bring joy and happiness wherever I go. And finally, make me ever mindful that courtesy is not only the least expensive thing I have at my immediate disposal but also that it is the most contagious."

B. Orientation Procedures During Second or Third Week

Discuss Colorado River Indian Tribes' policy regarding the solicitation of funds (collections and donations) during working hours.

Discuss employee benefits as pension, life insurance, and group medical plan.

Tell employee what procedures to follow in case of changes in personal status such as change of address, change of beneficiary, change of marital status, etc.

OUTSIDE ACTIVITIES

By and large, an employer cannot dictate the activities in which an employee may participate away from the employer's place of business. However, if an employee's activities off the job have a negative impact on his or her work, there may be valid reason for disciplining or terminating an employee in order to eliminate any difficulties caused by non-work activities.

Employees should avoid any outside activities which interfere with their work performance.

PERFORMANCE REVIEW

A. Policy

It is the policy of the Colorado River Indian Tribes to conduct Performance reviews with employees on a regularly scheduled basis as an employee development activity intended to assist and motivate employees to attain their maximum potential.

B. Objectives

The specific objectives of the Performance Review Plan are:

1. To motivate and guide employees toward greater self-development and improve performance by discussing significant strengths and areas needing improvement in a positive, constructive manner.
2. To provide a uniform means for supervisors to make tenure-merit salary determinations based upon their assessment of employee performance in relation to performance requirements.
3. To provide a means for evaluating employee suitability for continuation of employment beyond the probationary period and for job transfer and/or promotions.
4. To identify training resource needs.
5. To provide a record of employee progress.

C. Application

1. The performance of all employees should be reviewed on a regularly scheduled basis. The program described herein applies to all employees.
2. The review of unsatisfactory performance due to employee misconduct, rather than job inaptitude, should be handled under Employee Conduct and Discipline.

D. Administrative Guidelines

1. Performance Requirements

Performance requirements represent the level of performance that is expected of employees in fulfilling the duties and responsibilities of a position. Performance requirements are established by the Department Head and supervisor responsible for a position, and should be communicated to incumbent employees.

2. Reviewing Employee Performance

- a. Supervisors are responsible for conducting thorough, impartial and timely Performance Review with employees who report directly to them. Performance Reviews are a function of "rating" employees on the basis of their performance and length of time in the position in relation to the performance requirements, Reviews should not be made by comparing or "ranking" the performance of one employee against another employee's performance.
- b. Performance Review forms are intended to assist supervisors in recording their assessments of employee performance in

communicating their appraisals with employees.

- (1) Employee Performance in each criterion should be rated independently of the other criteria according to the following definitions of performance levels:

OUTSTANDING - Performance is consistently at the very highest level and far exceeds requirements. (Note: the supervisor must include explanatory comments)

SATISFACTORY- Performance is at an acceptable level and meets or exceeds requirements.

UNSATISFACTORY - Performance is at an unacceptable level and below requirements. (Note; the supervisor must include explanatory comments and notify employee 30 days in advance.)

- (2) Whenever a supervisor has insufficient information concerning performance, the supervisor should confer directly with the employee and with other supervisors who have knowledge of the employee's performance.
- (3) Space is provided on the forms to include pertinent comments relative to the employee's performance and together with the discussion of the Performance Review should lead to a complete understanding of why the rating has been made. If additional space is required, attach another sheet properly referenced.
- (4) In determining the Overall Employee Performance Rating, those criteria most important to the duties of the position should be given the most weight; the performance ratings should not be averaged.

- c. Should an employee disagree with the Performance Review, the employee should discuss the differences with the supervisor in an effort to reach a mutually satisfactory resolution. If unable to achieve such a resolution, the employee should note any unresolved issues on the form. The employee should also be advised that the dispute can be appealed to the supervisor's superior or the Department Head for review.
- d. Where it has been determined that the employee's performance is unsatisfactory and immediate improvement appears unlikely, the Department Head should confer with the Administrative Manager to arrange for the employee's release, demotion or transfer. Involuntary termination of employee initiated by the supervisor requires prior approval by the Department Head and Administrative Manager and, except in cases involving probationary employees, the Administrative Committee.

(See attached performance review form in the addendum)

3. Frequency of Performance Reviews

- a. The performance of an employee should be reviewed three (3) months after employment, six (6) months after employment, twelve (12) months after employment, and annually thereafter.
- b. Special Performance Reviews should be conducted at time other than the above when deemed necessary or appropriate by supervisors, e.g., unusual improvement or decline in work performance.
- c. Performance Review dates are adjusted as necessary to be consistent with changes in an employee's salary review date.
- d. Performance Review discussions should closely interface with the day-to-day informal coaching and guiding of employees in their development.

E. Administrative Procedure

1. Department Head or supervisor originates the Performance Review form as indicated in Frequency of Performance Reviews, (See D3.)
2. Supervisor prepares the Performance Review form and reviews completed form with the next higher level of supervision.
3. Supervisor discusses Performance Review with employee on or before the scheduled review date. Supervisor invites the employee to enter comments on the Performance Review form affording the employee a reasonable period of time to develop his/her comments, if requested.
4. Supervisor makes distribution of the form as follows:
 - a. Original – Human Resources Department
 - b. First copy - Department Head
 - c. Second copy - Employee
5. Human Resources Department reviews the Performance Review form to determine that it is consistent with administration policy guidelines.
6. Human Resources Department prepares annual departmental and overall summaries of the ratings and advises Department Heads on significant departures from the normal distribution.
7. As appropriate, the Department Head and supervisor will review the results of Performance Reviews in order to identify training needs and develop or recommend training programs or other specific

follow-up measures for individual employees or groups. Cost estimates for training or other measures will be included in annual budget request.

PERSONAL TELEPHONE CALLS

- A. Personal calls, both incoming and outgoing, are discouraged.
- B. The Colorado River Indian Tribes recognize that there may occasionally be times when personal calls must be made or received during business hours. Such calls must be held to a minimum and must not interfere with the employee's work. Workers are encouraged to make personal calls during their morning or afternoon breaks.
- C. In an emergency, phone calls may be made or received. An emergency is regarded as illness or a severe injury to a member of one's family, changed plans regarding an employee's transportation home from work, etc.
 - D. Where a long distance call must be made in an emergency situation, the call must be billed to the caller's home phone number.
- E. Long "chatty" telephone conversations on unimportant matters may result in disciplinary measures.

POLITICAL INVOLVEMENT

The Colorado River Indian Tribes encourage employees to participate in the political electoral process. It is each employee's duty to his government to do so. However, employees may not do the following on a personal as is during working hours:

- A. Work on political efforts during specific working hours.
- B. Use Colorado River Indian Tribes' stationary, staff services, employee's time, office equipment, materials or plant equipment, or any other Colorado River Indian Tribes' owned asset for political purposes. This includes telephone calls.
- C. Exploit their titles or positions within the Colorado River Indian Tribes.

POLITICAL CONTACTS

The Tribal Council has the sole authority to develop and represent the Tribes' position on any public issue, legislation or regulatory proposal.

Tribal Officers, with approval of the Tribal Council, have sole authority to represent the Colorado River Indian Tribes' position on the concerns in an open forum, including formal letters, personal telephone calls, conversations at public gatherings, etc.

Employees are encouraged to contact their governmental representative on their own time in any appropriate place and manner.

EMPLOYEES AS ELECTED OFFICIALS

The Colorado River Indian Tribes grant unpaid leaves of absence to employees who seek elective office. With the Administrative Committee's approval, employees who wish to participate in a temporary, full-time, campaign position may be granted a leave of absence for the duration of the election.

The possibility of conflict of interest precludes staff members and permanent full-time employees being appointed members of Tribal committees.

Committee appointees are expected to participate fully, and employees may not be able to provide the required time without adversely affecting their regularly assigned work.

PROBATION

New employees shall be on probation until they have completed three months satisfactory service. Employees in a probationary status may be discharged, or laid-off at the sole discretion of the Tribes.

No employee shall be credited with annual or sick leave until 90-day probationary period has been completed. At the completion of the probationary period the employer will be credited with the annual and sick leave applicable to the 90-day probationary period.

CETA Manpower personnel who have completed a 90-day probationary period prior to transferring to a CRIT Department will not be required to complete an additional 90-day probationary period for annual and sick leave purposes, but will have to complete an additional 90-day probationary period for job performance and punctuality purposes.

Any trainee, from CETA or any other program will, upon transfer to the Tribal payroll, start from zero hours annual and/or zero hours sick leave.

Department Heads, Program Managers and Other Key Employees hired to fill supervisory and/or management positions may be required to complete a longer than 3 months probationary period. Key positions as Comptroller, Librarian, Administrative Manager, etc, may be required to complete 12 months satisfactory service in a probationary status. This determination will be made at the time approved for hire is made by the Administrative Committee. Termination/Separation during probationary period is not subject to appeal.

OVERTIME

It is Colorado River Indian Tribes' policy not to work beyond the regular time of

duty which is from 8 a.m. to 5 p.m. The annual department budgets do not include funds for overtime work except in the Law and Order Department, Newspaper and Fish and Game Department. Emergency situations which arise during the year must be provided for and the use of compensatory time only would place an undue hardship on these departments resulting in a disruption of necessary services.

COMPENSATORY TIME

When it is necessary to work beyond the regular time, employees will be compensated in the form of time off during regular working hours at a later date. All compensatory time will be approved in advance by the supervisor, recorded as such on the time card, and should be taken during the same or immediately following pay period. Compensatory time not taken during designated time will be lost.

PROMOTIONS AND TRANSFERS

The Colorado River Indian Tribes will fill job openings and promote present employees whenever such employees are qualified. Specifically:

- A. Whenever job opening arises as a result of a resignation, transfer, or creation of a new position, present employees will be given first consideration.
- B. Persons outside the Colorado River Indian Tribes will be hired to fill vacancy only if no one working for the Colorado River Indian Tribes has the necessary qualifications and ability to fill the position.
- C. Factors to be considered in the promotion of employees include education, experience in present and previous jobs held with the Colorado River Indian Tribes, performance record, ability, character, skill, willing participation in on-the-job training programs, and health and physical fitness. Seniority will be a factor in the selection of employees for promotion only when two or more employees are equal in all other respects.
- D. This promotion policy is not applicable in following situations:

Temporary opening - that is a position which is established for a prescribed time period or for a specific project.

Reassignment of personnel which is not a promotion but is actually a reorganization of a department or several departments within the Colorado River Indian Tribes.

Reassignment of an employee made at the discretion of the Administrative Committee to correct a faulty placement, eliminate personal disagreement, and

compensate for physical problems. Such reassignments are not considered promotions but are made to improve Colorado River Indian Tribes organization, relationship between people working together, and provide suitable opportunities for handicapped workers currently on the payroll

RECORDS

Change of Employee Status Policy

- A. Employee personnel records. As required by law and for efficient operations, will be maintained by the Colorado River Indian Tribes. Employees are requested to report promptly changes in status listed below to their Department Head.

Change of:

- Name
- Address
- Telephone Number
- Marital Status
- Name, relationship and total number of dependents
- Formal education, courses completed and other training or skills acquired
- Person(s) to notify in case of emergency
- Physical or other limitations
- Pension Plan Beneficiary
- Life Insurance Beneficiary

- B. Department Heads are responsible for forwarding any of the above information received by them to the Personnel Department. In addition to the above, the Department Heads are responsible for reporting promptly changes in status of employees as listed below to the Personnel Department:

Change of:

- Completion of 3 months probationary period
- Annual leave allowance
- Annual salary
- Department with account number
- Job Title
- Duties and Responsibilities
- Working hours in conjunction with flex time program

Employees' personnel records maintained in the Personnel Department are the only personnel records officially recognized by the Colorado River Indian Tribes, employee personnel records maintained independently by Department Heads are not authorized and may not be recognized as "official".

RESIGNATION/TERMINATION

In the event you resign, advance notice is expected, i.e., at least ten (10) days for all employees in a non-supervisory position, and four (4) weeks for any employees in Supervisory /Management positions.

Should it be found necessary to terminate your employment because of lack of work or your inability to do the job successfully, you will be given advance notice, i.e., two (2) weeks for non-supervisory, and four (4) weeks for Supervisory/ Management personnel. Advance notice will not be granted if you are discharged for dishonesty or an infraction of rules or policies. Employees shall be given the opportunity to resign before being terminated.

All employees having completed their probationary period whose service is terminated for any reason will be paid all earned annual leave (vacation time).

Any compensation or other termination pay shall not extend the effective date of termination beyond the last day worked.

A. Policy

It is the policy of the Colorado River Indian Tribes to process terminating employees according to a standardized personnel procedure for the following purposes:

1. To ensure the consistent and equitable treatment of terminating employees, employees will be given the opportunity to resign before the power of termination is instituted.
2. To conduct exit interviews to receive suggestions that terminating employees may have for improving employment conditions.
3. To review group insurance conversion privileges and other pertinent employee benefit matters.
4. To reclaim credit cards and other Colorado River Indian Tribes' property.
5. To arrange for distribution of terminal paychecks.

B. Application

This policy applies to all departments and to all terminating employees.

C. Definitions

1. RESIGNED - Voluntary termination initiated by the employee for

such reasons as other employment, returning to school, leaving area, staying at home, dissatisfaction with payor working conditions.

- a. With Notice - Notification of intent to resign is given in advance of the last day of work according to the following schedule: non-supervisory employees, two weeks; supervisory employees, four weeks.
 - b. Without Notice - No notification of intent to resign is given. An employee absent without notification to, or prior approval by supervision for three consecutive days on which employee was scheduled to work is considered a voluntary resignation without notice.
2. RELEASED - Involuntary termination initiated by the Colorado River Indian Tribes due to the inability of the employee to perform satisfactorily the duties of position for reasons of job inaptitude, health problems, or lack of work.
 3. DISCHARGE - Involuntary termination initiated by the Colorado River Indian Tribes for cause, such as absenteeism, misconduct or poor work attitude.
 4. RETIRED - Termination in accordance with provisions of the Pension Plan (age 60); such terminations may be voluntary or involuntary.
 5. DECEASED - Termination due to death.

D. Administrative Guidelines

Terminal Pay

1. Terminal pay shall include:
 - a. Pay for work performed through the last hour worked; and
 - b. Pay in lieu of unused vacation allowance accrued for each full 40 hours of employment since most recent pay period.

Employees who are resigning or retiring without notice, of being discharged shall not receive the terminal pay supplement described in b. above.

2. Terminal pay shall be reduced by any:
 - a. Required legal deductions as loans outstanding;
 - b. Blue Cross and/or other insurance employee premiums, if due that payroll period;
 - c. Deductions for Colorado River Indian Tribes' property not returned;
 - d. Prepaid tuition, travel and per diem payment for courses of transportation not completed at date of termination.

3. Terminal paycheck(s) are normally made available on the regular payday next following the date of termination. Such checks are issued through normal payroll distribution channels; alternative arrangements may be made, however, for terminal paychecks to be mailed; issued during the exit interview, or retained in the Human Resources Department for issuance at a later date.

E. Administrative Procedure

1. It is the responsibility of an employee who intends to resign to notify the immediate supervisor as soon as possible to allow for the selection and training of a suitable replacement in a timely manner.
2. It is the responsibility of the **Department Head** or supervisor designated by the Department Head:
 - a. To originate Termination Notice and forward the Personnel Status Report form to the Human Resources Department.
 - (1) On the date that notice of intent to resign is given by an employee;
 - (2) On the date that an employee is notified of discharge or release; or
 - (3) On the third day of absence without notice from scheduled work.
 - b. To schedule an exit interview appointment with the Human Resources Department (normally the employee's last day of work).
 - c. To meet with terminating employee to discuss details of the termination
 - d. Process, including terminal. pay adjustments, return of company property, final performance appraisal, exit interview appointment, handling of the terminal paycheck(s) and to issue the Employee copy of the Termination Notice;
 - e. To forward terminating employee attendance records (time cards) to the Human Resources Department on the last day of work.
3. It is the responsibility of the Human Resources Department:
 - a. To conduct and record the exit interview;
 - b. To advise the employee with respect to group insurance conversion privileges and other pertinent employee benefits matters;
 - c. To determine if prepaid tuition, travel and/or per diem is due

the Colorado River Indian Tribes'

- d. To ensure that the employee's personnel record is complete and in order to be placed in the terminated employee files; and,
- e. To furnish a summary report of exit interview information to the Administrative Committee on a quarterly basis.

F. RE-HIRE

Employees terminated for cause will not be considered for re-hire without approval of a special written request by employee to Tribal Council through the Administrative Committee. The written request will set forth the facts surrounding the cause for termination with reasons why the Tribes should consider your application for re-hire.

SAFETY

The Colorado River Indian Tribes expect all employees to be safety conscious and to assist in finding conditions in offices which might cause an accident. Report any unsafe condition or injury received while at work to your supervisor or Department Head.

EVACUATION PROCEDURES IN CASE OF FIRE OR OTHER EMERGENCY

Established evacuation procedures prevail and can only be modified by the Safety Officer. Unless directed otherwise you will adhere to the following instructions to evacuate the building in case of emergency.

- A. Walk to nearest exit - DO NOT RUN! Once outside, proceed to the nearest parking lot and remain until your supervisor requests that you return to the work area.
- B. Department Head or Supervisor and/or alternate will insure that:
 - 1. Entire work area is cleared, including restrooms and storerooms.
 - 2. All safes or vaults and money are secure.
 - 3. Office business machines are turned off.
 - 4. Doors are closed upon exiting.

HORSEPLAY

Horseplay and practical joking can result in serious injury or death; therefore, anyone engaging in horseplay or practical joking will be subject to discipline and possible dismissal.

HOUSEKEEPING

A clean work area makes for a more pleasant, as well as a safer place to work. Employees in all departments are asked to help keep the surroundings as neat and orderly as possible.

Trash receptacles are located throughout the areas. Please use the bins, baskets and receptacles.

DRESS

The many changes that are influencing dress styles of people suggest that a position should be taken to adhere to safety regulations in some cases and to maintain an acceptable image for the employee in other cases:

Shoes: No thongs, no platform type shoes over 3 inches in elevation.

Pants: No short pants, no pants riddled with holes.

Shirts: No tank tops, no shirts with midriff exposed, shirts to be worn at all times

SEXUAL HARASSMENT

Employees have a grave responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance of tribal business and the maintenance of confidence of tribal members. Any employee conduct which violates these standards and confidence will be dealt with promptly and appropriately.

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment weakens morale and interferes in the work productivity of its victims and co-workers.

Sexual harassment is a prohibited personnel practice when it results in discrimination for or against an employee on the basis of conduct not related to performance, such as the taking or refusal to take a personnel action, including promotion of employees who resist or protest sexual overtures.

Specifically, sexual harassment is deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which are unwelcome.

A supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or affect career, salary, or job of an employee is engaging in sexual harassment. Similarly, an employee who behaves in this manner in the process of conducting Tribal business is engaging in sexual harassment.

Any employee who participates in deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which are unwelcome and interfere in work productivity is also engaging in sexual harassment.

It is the policy of the Colorado River Indian Tribes that sexual harassment is unacceptable conduct in the workplace and not be

condoned. Personnel management within the Tribal workforce shall be implemented free from prohibited personnel practices and sexual harassment is a prohibited personnel practice.

- A. The following options are open to the victim of sexual harassment:
1. Recognize it for what it is, and understand that it is not your fault. You have a right to complain and take action.
 2. If possible, confront the offender directly if you think he or she can be reasoned with or scared off. Make it clear you are not interested and that this behavior is unacceptable.
 3. Keep a written record of the incidents of harassment, and of your complaints and their results. If people are present during the harassment, say something like, "Did you see so-and-so do such-and-such" ? The observers will be more likely to remember the incident. Get their names down in your documentation.
 4. Talk to good friends, to co-workers, to relatives, It is important to have a strong support system at this time. If you keep feelings to yourself, you will most likely remain isolated and powerless. By speaking out and documenting the incident and forms of sexual coercion, you help yourself as you contribute to defining sexual harassment as a social problem. A sense of being able to affect your own life replaces the sense of isolation.
 5. To get information or advice taking further action against the harasser, contact one or more of the following:
 - a. Your supervisor or a supervisor above him/her.
 - b. Human Resources Department.
 - c. Human Resources Director.
- B. Choose among the suggested contacts on the basis of who is involved in the complaint and which person you could be comfortable to talk with.
- C. It is Tribal policy that complaints of harassment should be examined impartially and resolved promptly.

SOCIAL ACTIVITIES DURING WORKING HOURS

Informal coffee and cake parties during business hours, "long lunch hour" parties, etc., are not permitted.

The Tribal Council has set aside a liberal amount of time, the last Friday of each month, for employee get-together. This time has been officially designated - STAFF MEETING - on the monthly activity calendar. Each employee has a standing invitation to attend the monthly staff meetings and should consider this time as a part of his/her official tour of duty.

The Tribes discourage the participation of employees in certain social activities during working hours. Such activities include planning, organizing and attending informal parties in celebration of events, such as marriage, engagements, birthdays, resignation of employees, anniversaries, transfers of employees from one department to another, etc.

Although the Tribes discourage the above-mentioned practices, it is recognized that under certain unusual circumstances, some may be justifiable. Under no circumstance is the use of Tribal mail service, telephone facilities, or stationery and supplies justifiable. Supervisors serve as a reminder for all the above and shall place appropriate emphasis on applicable attendance at monthly staff meetings.

TEMPORARY EMPLOYMENT

- A. Definition: Management-assigned people on short notice to duties for a period lasting more than 40 hours, but less than three months.
- B. Source of temporary employees is list of prior employees, particularly those who participated in training programs (CETA) sponsored by the Colorado River Indian Tribes.
- C. Temporary assignments and/or temporary hires may be extended beyond the three (3) months but only in those instances where a few additional days are needed to finish a job which has been substantially completed.
- D. Temporary employees will be entitled to Workmen's Compensation Insurance.
- E. Temporary employees will not be entitled to:
 - 1. Accumulation of seniority
 - 2. Leaves of absence
 - 3. Use of grievance procedure
 - 4. Accumulation of annual and sick leave
 - 5. Pay for time lost due to sickness or other unavoidable absences
 - 6. Holiday pay, except Indian Day, July 4th, and Labor Day.
 - 7. Group insurance
 - 8. Life insurance

TIMECARDS - BASIC RULES

- A. Each employee's pay is based on information contained on a timecard.
- B. Every timecard must show:
 - 1. Employee number at the Top Left Side
 - 2. Department Account number at the Top Right Side
 - 3. Employee Name
 - 4. Pay period ending date
 - 5. Dates worked and hours worked on dates
 - 6. Annual leave, sick leave, administrative leave, compensatory time, and leave without pay when applicable.
 - 7. Total hours to be reimbursed at BOTTOM RIGHT SIDE
 - 8. Employee's signature on bottom line
 - 9. Supervisor's signature near employee's signature
- C. Timecards must be delivered to the Comptroller's office, Payroll Department, before noon on Monday after the Payroll period ends. If the Monday cited above falls on a holiday, timecards should be delivered on Friday, the last day of the pay period. This will greatly assist the Payroll Department in meeting the compressed schedule.
- D. In case of sickness, the employee should call in and his/her supervisor will write on the employee's timecard that he/she is out sick that day. In case of annual leave/vacation, the supervisor will also be responsible for the employee's timecard.

TRAINING AND EDUCATION

- A. Job related self-improvement in an employee's spare time is encouraged. Although no-formal training program is available, it is the policy of the Colorado River Indian Tribes to provide tuition reimbursement for those who are taking educational courses to improve themselves in their work. If an employee takes courses which are approved beforehand by the Colorado River Indian Tribes at a recognized institution he will be refunded a part or all of his/her tuition upon satisfactory completion.
- B. Employees receiving training sponsored by the Tribes (either on-the-job or at an approved program) will submit an evaluation report co-signed by the supervisor to the Administrative Manager within 30 days after completion of training.
- C. Training is an important part of each employee's career development

and will be a matter of permanent record.

- D. Technical training required to meet specific needs including the appropriate planning programming and budgeting is the responsibility of the Department Head.
- E. Assistance in fulfilling training needs will be provided by Personnel in the following areas:
 - 1. Assist in the development of training plans and programs.
 - 2. Makes arrangements for direct help through Adult Education programs or via cooperative efforts of the Bureau of Indian Affairs' training officer.
 - 3. Provides information about opportunities for and sources of specialized training.

TRANSFERS

The right to transfer employees where reasonably necessary is normally considered to be within the basic function of management.

A temporary transfer is usually made to cover a short-term vacancy and to avoid such alternatives as compensatory time and temporary/ part-time help. It is a recognized management tool used to help smooth over rough spots in the work flow.

Employees who wish to transfer are permitted to do so but only when there is a vacancy and a need. The Colorado River Indian Tribes reserves the right to transfer workers from one job to another or one department to another, according to need. If employees refuse to be transferred, and there is no work for them in their current position, for whatsoever reason, they may be subject to lay-off.

Only employees having completed their probationary period will be considered for inter-departmental transfer.

In the event an employee transfers from one department to another it must be the co-acceptance of both supervisors. Advance notice is expected, i.e., at least 10-days for all employees in a non-supervisory position and four weeks for employees in supervisory positions.

In the event an employee fails to comply with the advance notice provision stipulated above, the transfer action will be classified as a voluntary resignation without notice, resulting in forfeiture of accumulated sick leave and re-establishment of the 90-day probationary requirement beginning with effective date of re-hire.

TRAVEL

A. POLICY

All-travel must be authorized in advance and all out-of-state travel must be approved by the Administrative Committee.

B. Application

This policy applies to all employees.

C. Administrative Guidelines:

1. When you must travel in performance with your work you will be reimbursed for normal expenses associated with your trip.
2. Depending upon the circumstances you may travel by plane, train, bus, tribal-owned vehicle or by privately owned automobile.
3. Travel expenses or needs, lodging, taxi, etc., are authorized and reimbursed at approved cost per day rates.
4. Travel by private auto is reimbursed at a specific mileage rate in addition to reimbursable expense allowance. Under no circumstances will privately owned vehicles be used when tribal vehicles are available. The mileage rate is set annually by Tribal Council during budget hearings.
5. Tribal credit cards will be used only with prior approval of the Administrative Committee.
6. When two or more employees travel in the same privately owned vehicle, only one employee (owner/driver) will be reimbursed for mileage.
7. Reimbursable expenses covered by per diem rates are for cost of meals, lodging, laundry and incidental costs incurred by the employee while away from place of work over-night on tribal business. In addition, costs associated with long distance telephone calls, toll roads and bridges, and over-night parking while at locations other than place of work are reimbursable.
8. As a general rule, employee's certification for reimbursable costs shown on the CRIT CHECK REQUEST form is accepted as evidence that employee made the expenditures on behalf of the Colorado River Indian Tribes and in good faith. Unless it is determined that an employee expended money in direct violation of instructions, or that the employee deliberately falsified the Certificate Statement on the Check Request form, the employee will be reimbursed for the amount submitted.

9. It is presumed that employees exercise good judgment in making expenditures on behalf of the Tribes, it follows that employees will not hesitate to describe expenditures. Check Requests for travel costs are in the same category as timecards for salary payment; both must contain true statements of fact

10. Employees authorized to stay overnight on a business trip may find it more convenient to drive for an extended time after 6:00 p.m. in order to reach home and, be with the family. The Colorado River Indian Tribes do not encourage this practice; nevertheless, an employee who deems it necessary to travel after 6:00 p.m. in connection with an overnight trip will be authorized an allowance of \$6.00 for each period of 6 hours or fraction thereof. This allowance is in lieu of cost of lodging and dinner.

11. Employees will not be deemed to be in a travel status for per diem purposes when traveling in local areas as Blythe, CA., Lake Havasu City, AZ., Needles, CA., Yuma, AZ., Kingman, AZ., Prescott, AZ., etc., unless the assignment takes more than only one day to complete.

12. Employees authorized to go to Phoenix, Arizona or Riverside, California and return the same day will not be deemed to be in a travel status for per diem purposes. They will, however, be granted an allowance of \$6.00 for each period of 6 hours or fraction thereof that they are in a travel status before 6:00 a.m. and after 6:00 p.m.

13. Employees traveling under Grants/Contracts are subject to Federal Travel Regulations and should contact the Tribal Contract Administrator for additional information.

VACATIONS

Policy

It is the policy of the CRIT to grant vacations with pay to provide qualifying employees with periods of rest and recreation in recognition of service performed.

Administrative Guidelines

A. Vacation Allowance

The vacation allowance for eligible employees is based on length of service according to the following schedule:

COMPLETE YEARS OF SERVICE ANNUAL LEAVE ALLOWANCE
PER PAY PERIOD

Under 3 Years	4 HOURS*
3 - 15 Years	6 HOURS
Over 15 Years	8 HOURS

*Eligible to use after completion of 90-days probationary period. The effective date for accumulation of annual leave is the first day of any 90-day probationary period.

Military Service may be considered in above calculations provided employee submits evidence in form of an Honorable Discharge Certificate. A certified copy will suffice.

B. Eligibility Provisions - General

1. Vacation benefits apply to all personnel full-time employees and permanent part-time employees normally scheduled to work at least 30 hours per week.
2. The vacation year is defined as the 12-month period from January 1 through December 31.

C. Eligibility Provisions - Holidays , Leave of Absence , Illness Occurring During Vacation

1. If a designated holiday is observed during an employee's vacation period, the employee will be eligible for an additional time off with pay equal to the holiday time off.
2. An employee's vacation allowance will not be reduced by any paid leave of absence.
3. An employee will be allowed to use accumulated sick leave in lieu of vacation time (annual leave) due to illness occurring while on vacation. A Doctor's certificate must be provided upon return to duty.

D. Eligibility Provisions - Terminating Employees

1. In all cases, a terminating employee will receive pay in lieu of any unused vacation/annual leave allowance as of date of termination.
2. Additionally, a terminating employee will receive all pay and allowance occurred at completion of last day of work provided termination was due to one of the following reasons:
 - a. Resignation with notice
 - b. Release of the employee, including termination of grant or contract;
 - c. Retirement; or

d. Death of the employee

E. Vacation Pay

Vacation pay will be at the same rate as regular pay.

F. Vacation Scheduling

1. Vacation will be scheduled by Department Heads with due consideration given to staffing requirements, employees' length of service and employee preference, in the order listed. Scheduled starting dates must be announced and approved not less than sixty days in advance, except where individual circumstances preclude such notice.
2. Vacation time/annual leave may not be accumulated in excess of 240 hours. All accumulated annual leave in excess of 240 hours at midnight December 31 is dropped from the records.
3. Vacations should normally be taken in units of at least one week. Where possible, employees should take their total vacation.
4. Pay in lieu of vacation will not be granted; vacation in lieu of pay may be granted.
5. Personnel office will be notified prior to any vacation and this notification will include completion of PERSON IN CHARGE FORM. (Copy in Department Head's office)

VISITORS AND VENDORS

Visits by personal friends are discouraged.

Visitors to the Colorado River Indian Tribes who are there on business must identify themselves, sign the visitor's book, and state their business.

No visitor will be allowed to wander about the premises unescorted.

No visitors (particularly children) are allowed to break rules affecting safety running in halls, playing on stairs, and any employee seeing this happen should inform his/her supervisor.

Groups of visitors, such as school children, who wish a guided tour are welcome. Arrangements for this must be made well in advance.

Vendors will not be allowed in work areas during working hours.

WAGES

Garnishments

Request for Garnishment of Tribal employees wages or salaries will not be honored. The Personnel Department will notify the employee of attempted garnishments and will send a copy to the employee's Department Head.

Advances on Unearned Wages and Salaries

Advances on unearned wages and salaries will not be made. Distribution of pay checks prior to regularly scheduled payday may be made but must be recommended by a Department Head and approved by the Administrative Manager. The Department Head must show evidence that:

- A. The stipulated emergency was investigated and warrants consideration.
- B. Employee was provided advice and counseling with respect to personal financial management.
- C. A running log of emergencies approved is maintained and readily available for review by Administrative Manager.
- D. Repeat requests are given special attention by Department Head.

Pay Checks Lost

Employees are responsible for their pay checks after they have been issued. Checks lost or otherwise missing should be reported immediately to the Payroll Department so that a stop payment order may be initiated. The Comptroller with the approval of the Tribal Treasurer shall determine when and if a new check should be issued to replace a lost or missing check.

Final Pay Check for Dismissed Employees

Whenever possible, a final pay check should be issued to a dismissed employee at the time of dismissal.

Final Pay Check for Voluntary Resigning Employees

The final pay check for a voluntary resigning employee will be made available on the regular payday. In unusual circumstances a Department Head may make arrangements for earlier payment.

Pay Adjustment

Any request for adjustments in pay will be made in writing, setting forth the reasons, and will be approved by the responsible Supervisor, Comptroller, and the Tribal Treasurer before processing by the Payroll Department. A request for

adjustment must be made within 30 calendar days from receipt of pay for the day or days in question.

WARNING SYSTEM

The Colorado River Indian Tribes believe that there is no better way to deal with rule violations than by using a consistent and effective warning system. There are four good reasons why a formal warning system is essential:

- A. It acts as a deterrent to a repetition of the offense.
- B. It gives rule enforcement a consistency.
- C. Since copies of written warnings are sent to Personnel it pin-points recurring problems and focuses on departments having rule infractions.
- D. It reduces charges of favoritism.

A sample warning notice follows:

WARNING NOTICE

NAME _____ DATE _____

DEPARTMENT _____ EMP. NO. _____

WARNING FOR:

Unexcused Absence _____ Poor Housekeeping _____

Lateness _____ Horseplay _____

Leave Early _____ Safety Violations _____

Others (explain in comment) _____

COMMENT

Signed: _____
Employee Supervisor

CRIT DISCIPLINARY PROCEDURES:

- A. Supervisor must get all the facts:
1. Obtain detailed and complete statements of the incident by interviewing privately and separately each person who saw or heard what occurred and who therefore has firsthand information.
 2. If written statements are not secured, record the information obtained during, or immediately after, each interview.
 3. Interview the accused employee and obtain from him/her a written statement in which the employee admits, denies~ or explains the alleged improper actions.
 4. Make every effort to reconcile conflicting statements.
 5. Where necessary, examine pertinent records and make written notation of such information, as it may have a bearing on the case.
- B. Prepare a complete, accurate and unbiased report, setting forth the information obtained. The report should be in narrative form and should relate information obtained regarding each alleged improper action; all persons, places, dates, records, etc., mentioned in the report should be completely identified.
- C. Weigh the evidence.
- Review the report and weigh the evidence to determine whether the offense is one that warrants formal disciplinary action. Doubtful points should normally be resolved in favor of the employee.
- D. If discipline is called for, consider the following factors before deciding on a penalty:
1. How serious was the offense?
 2. What is the employee's past record?
 3. Has he or she been disciplined in the past for the same infraction?
 4. What is the attitude of the employee?

WORK SCHEDULES

Normal Work Schedule

1. The normal work day for all employees consists of 8 hours of work; interrupted by an unpaid period from 12 noon to 1:00 p.m.
2. The normal work week for all employees consists of 5 consecutive 8 hour days from 8 a.m. to 5 p.m.
3. Two (2) 15-minute break periods are provided, one in mid-morning and the other in the mid-afternoon.
4. Every employee is expected to start work promptly at the regularly scheduled starting time. Work, as referred to here, includes getting equipment and supplies, etc., ready for actual work, and putting them away at the end of the day.

FLEX-TIME SCHEDULE

Employees may make arrangements with approval of the Department Head, to establish starting and quitting times to satisfy a special or unique circumstance.

Basic Requirements:

- A. The Department Head must approve in advance all requests for any change from the regularly established 8-hour work day (8 AM to 12 Noon & 1 PM to 5 PM) Monday thru Friday.
- B. Employees are required to work 80 hours during a pay period regardless of starting and quitting time arranged.
- C. Supervision must be available for employee's reporting for work before 8 AM and those remaining after 5 PM.
- D. Supervisory personnel working in close proximity may assist one another in order to provide required supervision for employees starting early and quitting late.

Addendums:

Addendum A. Performance Review Form

Addendum B Substance Abuse Policy

Addendum C Shared Leave Policy

(Addendum A) The Colorado River Indian Tribes

PERFORMANCE REVIEW FORM

PURPOSES OF PERFORMANCE REVIEWS:

The principal purposes of staff reviews are to encourage staff development and to strengthen the Department's effectiveness. Some specific purposes are to:

1. Identify specific indicators of achievement
2. Pin-point areas of greatest/least effectiveness
3. Stimulate improved performance
4. Aid in promotion, retention and salary decisions
5. Develop mutually established goals
6. Increase employer-employee communication

The formal performance review occurs at the end of the probationary period and annually thereafter. The entire Performance Review form should be sent to the Office of Human Resources to be permanently filed.

DEFINITIONS OF TERMS:

CONSISTENTLY BELOW EXPECTATIONS: Performance is at a level below established objectives with the result that overall contribution is marginal and substandard. Performance requires a high degree of supervision.

BELOW EXPECTATIONS: Meets some of the established objectives and expectations but definite areas exist where achievement is substandard. Performance requires somewhat more than normal degree of direction and supervision.

MEETS EXPECTATIONS: Meets established objectives in a satisfactory and adequate manner. Performance requires normal degree of supervision.

CONSISTENTLY EXCEEDS EXPECTATIONS: Job performance easily exceeds job requirements, performance approaches best possible attainment.

INSTRUCTIONS:

Listed on the following pages are a number of Performance Factors that are important in the successful completion of most assignments. Factors 1-11 apply to all employees. Factors 11-16 apply only to administrators, Department Heads, and Supervisory personnel. To complete the Performance Review form. Place an "X" under the level of each of the Performance Factors you are **encouraged** to support your ratings with clarifying comments and specific examples which occurred during the review period that determined or affected the level of achievement marked. Factors rated "Consistently Exceeds Expectations" or "Consistently Below Expectations" **must** be supported with examples or reasons.

EMPLOYEE'S NAME		
Last:	First:	Date of Review:
Position:		PERIOD REVIEW
Department:		From: To:
PERFORMANCE FACTORS		RATING KEY
		1. Consistently Below Expectations
		2. Below Expectations
		3. Meets Expectations
		4. Exceeds Expectations
		5. Consistently Exceeds Expectations
		6. Unobservable or Not Applicable

1. **QUALITY OF WORK:** How accurate, neat and complete is the individual's work? Consider the degree work meets acceptable standards.

Examples or reasons for giving this rating are:

1	2	3	4	5	6

2. **PRODUCTIVITY:** Does individual produce and acceptable amount of work? Consider how person effectively uses available working time, plans and prioritizes work, sets and accomplishes goals and completes assignments on schedule:

Examples or reasons for giving this rating are:

1	2	3	4	5	6

3. **KNOWLEDGE OF JOB:** Is individual familiar with duties and requirements of position as well as methods, practices, and equipment to do the job? Consider knowledge gained through experience, education and specialized training. Consider if person maintains current knowledge about changes in policy and procedure: keeps abreast of new developments and major issues in field.

Examples or reasons for giving this rating are:

1	2	3	4	5	6

4. **ADAPTABILITY:** How does individual adjust to changes? Consider ability to learn quickly, to adapt to changes in job assignments, methods, personnel, or surroundings.

Examples or reasons for giving this rating are:

1	2	3	4	5	6

5. **DEPENDABILITY:** How reliable is individual in performing work assignments and carrying out instructions? Consider degree of supervision required and willingness to take on responsibilities and to be accountable for them.

Examples or reasons for giving this rating are:

1	2	3	4	5	6

6. **INITIATIVE AND RESOURCEFULNESS:** Does individual see things to be done and then take action? Consider ability to contribute, develop and/or carry out new ideas or methods. Consider ability to be self-starter, to offer suggestions, to anticipate needs and to seek additional tasks as time permits.

Examples or reasons for giving this rating are:

1	2	3	4	5	6

1	2	3	4	5	6
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7. JUDGEMENT: Does individual exercise ability to decide correct or choose best course of action when some decision must be made? Consider ability to evaluate facts and make sound decision, and use or reasoning to identify, solve and prevent problems. Works in a safe manner, preventing accidents, injuries and theft.

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Examples or reasons for giving this rating are:

8. RELATIONSHIPS WITH PEOPLE: Does individual work effectively with others. (Supervisors, peers, subordinates)? Consider respect and courtesy shown to others, how attitude affects the work area, willingness to accept supervision, and attitude exhibited toward CRIT as well as own job. Are apparel, manners and sociability appropriate to the job responsibilities?

1	2	3	4	5	6

Examples or reasons for giving this rating are:

9. ATTENDANCE AND PUNCTUALITY: How faithful is individual in reporting to work and staying on the job? Consider arrival times, observance of time limits for breaks and lunches. Consider patterns of sick leave, prior approval for vacation and prompt notice of absence due to illness.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

10. FOLLOWING DIRECTIONS: Does individual follow instructions faithfully and promptly. Consider ability to follow directions without out the need for additional encouragement.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

11. OVERALL JOB PERFORMANCE: Does the individual reliably perform the job duties as described in the job description? Consider the previous ten questions along with the expected job performance.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

IF THE PERFORMANCE REVIEW IS FOR NON-SUPERVISORY PERSONNEL, PROCEED TO PAGE 4

**ADMINISTRATORS, DEPARTMENT HEADS, AND SUPERVISORY PERSONNEL
(Complete this section in addition to performance factors 1 – 11)**

12. LEADERSHIP ABILITY: Is administrator, department head or supervisor able to get employees, and co-workers to do willingly and well the duties to be accomplished? Consider ability to get the work done with a high degree of morale and satisfaction on the part of those doing the work: the ability to function consistently and effectively in an objective and rational manner regardless of pressures.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

13. APPRAISAL AND DEVELOPMENT OF PEOPLE: Does administrator, department head or supervisor demonstrate ability to select, train and effectively develop subordinates by recognizing their abilities and improving their weaknesses? Consider ability to exhibit fairness and impartiality with employees in assigning job duties and objectively evaluate work performance.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

14. PLANNING AND ORGANIZATION: How effective is the administrator, department head or supervisor in setting effective goals, planning ahead and establishing priorities? Consider ability to make the most effective use of time, facilities, material, equipment, employee's skills and other resources. Examines ability to prepare and administer budget effectively,

1	2	3	4	5	6

Examples or reasons for giving this rating are:

15. COMMUNICATION SKILLS: To what extent does administrator, department head or supervisor demonstrate ability to communicate effectively in both oral and written expression with employees and his/her supervisor? Are issues confronted and resolved constructively? Consider ability to help employees with their work problems, ability to keep employees informed to decisions and plans for own office as well as policies and procedures of the Colorado River Indian Tribes.

1	2	3	4	5	6

Examples or reasons for giving this rating are:

16. INTERNAL CONTROL: Does administrator, department head or supervisor have an internal control program? If yes, how effective is the program? Consider how reliable the finance information is when received from the administrator, department head or supervisor. Does the individual safeguard assets? How effective and efficient is the operation? Does the administrator, department head or supervisor comply with the laws, regulations, policies and procedures?

1	2	3	4	5	6

Examples or reasons for giving this rating are:

Upon completion of above sections, proceed to back page.

SUMMARY REVIEW SHEET

Review the ratings assigned to the Performance Factors on the previous pages. Check the category below which most clearly describes the employee's total performance.

CONSISTENTLY
BELOW EXPECTATIONS

BELOW
EXPECTATIONS

MEETS
EXPECTATIONS

EXCEEDS
EXPECTATIONS

CONSISTENTLY
EXCEEDS EXPECTATIONS

JOB SKILLS BEING PERFORMED WELL:

IMPROVEMENT PLANS:

What can the employee do to improve his/her performance on the job?

What can the supervisor do to support the employee's performance improvement?

EMPLOYEE COMMENTS:

If the employee wishes to do so, any comments concerning the Performance Improvement Plan or the evaluation (for example, agreement or disagreement) may be indicated in the space provide below:

I have reviewed this document and discussed the contents with my supervisor. My signature means that I have been advised of my performance status and does not necessarily imply that I agree with this evaluation.

Employee's Signature

Date

Print Name

SUPERVISOR'S COMMENTS:

(Record here only those additional significant items brought up during the discussion with the employee which are not recorded elsewhere in this document)

Supervisor's Signature

Date

Print Name

The original Performance Review is to be forwarded to The Office of Human Resources upon completion

COLORADO RIVER INDIAN
TRIBES' SUBSTANCE ABUSE
POLICY

1. PURPOSE

As part of its commitment to safeguard the health of its employees, provide a safe place for employees to work and promote a drug-free community, the Colorado River Indian Tribes (hereinafter "the Tribe") establishes this Substance Abuse Policy ("Policy") on the use and abuse of alcohol and illegal drugs by its employees. Substance abuse, while at work or otherwise, can seriously endanger the safety of employees and the general public, and can create or contribute to a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the Tribe.

The purpose of this Policy is to communicate the Tribe's position on alcohol and drugs in the workplace and to provide guidance for the implementation of related programs within the Tribe.

The Tribe's policies, procedures, and substance abuse or employee assistance programs are not intended to create any contract, express or implied, between the Tribe and its employees, independent contractors or job applicants. The Tribe retains the right to terminate any employee at will or to refuse to hire any job applicant.

This Policy supersedes the Tribe's previous Alcohol and Drug Policy. To the extent anything in this Policy conflicts with or is inconsistent with any provision of the Tribe's Employee Handbook, the provision of this Policy shall control. In particular, the Grievance Procedure set forth in the Employee Handbook shall not apply to terminations of employment for violations of this Policy.

2. SCOPE

All Tribal employees, including management and administration, are covered by this Policy. As a condition of employment, employees are required to abide by the terms of this Policy.

3. SUBSTANCE ABUSE POLICY DISSEMINATION

- A. All employees are to be informed of this Policy. All current employees and new employees shall be required to sign an Acknowledgment of Receipt and Understanding.

- B. All applicants for employment shall be informed in writing of the Tribe's Policy of pre-employment testing and shall be required to provide written consent to drug testing prior to referral for a drug test.

3. DEFINITIONS

- A. Employee

Any person employed by the Colorado River Indian Tribes, including but not limited to those persons serving under appointment or employee contract whether in temporary, part-time or full time status.

- B. Illegal Drugs

"Illegal drugs" are drugs or controlled substances that are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful manner. Examples include, but are not limited to, cocaine, marijuana and methamphetamines, as well as prescription drugs that are not lawfully obtained or properly utilized (3) any drug or substance identified or defined as a "controlled substance" under the provisions of Chapter 13, Title 21, United States Code, § 812, as amended to the date of the violation. The term "illegal drug" also includes mind-altering and/or addictive substances that are not sold as drugs or medicines but are used for mind or behavior-altering effect.

- C. Legal Drugs

"Legal drugs" are those prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose for which they were prescribed and/or sold.

- D. Tribal Property

The term "Tribal Property" includes work sites; parking lots; vehicles or offices owned, rented, utilized, or serviced by the Tribe or by any members/vendors of the Tribe; employee-owned or employee-rented vehicles on the property of the Tribe or of any member/vendors of the Tribe while on Tribal business; and locations where an employee represents the Tribe in any capacity.

- E. On Duty

The term "on duty" includes all working hours, as well as meal periods and break periods, regardless of whether on premises, and all hours during which an employee is representing the Tribe in any capacity.

5. PROHIBITED CONDUCT

- A. The use, sale, purchase, possession, manufacture, distribution or dispensation of illegal drugs on Tribal property or while on duty is prohibited and will result in immediate termination.
- B. Reporting to work or performing work with the presence of illegal drugs or the metabolite of illegal drugs in the employee's body is prohibited and will result in disciplinary action in accordance with Section 8 of this Policy.
- C. Any employee who is taking any legal prescription or over-the-counter drug that might impair safety, effective job performance, or any motor functions must advise his or her supervisor before reporting to work under medication. Failure to do so may result in disciplinary action in accordance with Section 8 of this Policy. Improper use of legal drugs is prohibited and may result in disciplinary action in accordance with Section 8 of this Policy.
- D. The consumption, sale, purchase, possession, manufacture or distribution of alcohol on Tribal property or while on duty is prohibited and will result in immediate termination.
- E. Reporting to work or performing work under the influence of alcohol or with a breath alcohol content level of .02 or above is prohibited and will result in disciplinary action in accordance with Section 8 of this Policy.

6. TYPES OF TESTING

Testing will be mandatory under the circumstances described below. Any drug testing or alcohol impairment testing of employees normally will occur during, or immediately before or after, a regular work period. The Tribe will pay for all testing costs for current employees. Also for current employees, testing time will be compensated and transportation to and from the testing facility will be provided at the Tribe's expense.

- A. Pre-Employment Testing
 - 1. The Tribe requires a pre-employment drug test as a part of the application process prior to being hired.
 - 2. Pre-employment drug screening is required for all current/active employees who are considered for "new" employment opportunities within the tribal government.
 - 3. Applicants will be advised of the Tribe's pre-employment testing

requirements in writing prior to an offer of hire and asked to sign the PreEmployment Drug Screening Consent Form. The applicant must provide a money order or cashier's check made out to the Colorado River Indian Tribes and deliver payment to The Human Resources Department.

4. Applicants who receive a negative test result and who begin working for the Colorado River Indian Tribes will be reimbursed for the cost of the test.
5. The Human Resources Department will notify the Department Head if an applicant tests positive and the Department Head will then contact the applicant advising of a positive test result. The applicant will not be eligible for hire, nor will the applicant be reimbursed for the cost of the test. If an applicant's test is confirmed as positive by Medical Review Officer (MRO), this decision is final and can not be appealed.

B. Initial Implementation Testing

Upon initial implementation of this Substance Abuse Policy, all current employees will be subject to a mandatory substance abuse test as a condition of their continued employment.

C. Random Testing

1. Following initial implementation testing, all employees will be required to submit to drug and/or alcohol testing on a random basis.
2. Each month, a number of employees will be selected for random testing through the use of random number generation or other neutral selection process.
3. Selection at random for testing does not remove a covered employee from the pool of employees eligible for testing for any period of time. Every employee has the same chance of being selected for random testing each month.
4. The Procedures for Random testing will be as follows:

Initial Set-up and Up-dates: The Director of Human Resources or his/her Designee will provide the third party administrator with an up-to-date list of all employees on a computer program compatible with the testing facility and The Human Resources Department. The Director of Human Resources or his/her Designee will provide the third party administrator with an up-to-date list of all employees the 15th day of every month, deleting terminated

employees and adding new employees. The updated list will be e-mailed, faxed or mailed on a disc.

Method of Random Selection: The selection of employees for random alcohol/drug testing shall be generated electronically through a computerized random-pick program established by the third party administrator.

The number of employees to be randomly tested per month is 60 employees. Names will be randomly picked according to the following schedule: 7 employees selected 2 days per week.

Test Days: The days of random testing will be decided by the drug testing collection facility in conjunction with the third party administrator. A list of names that are randomly selected by the third party administrator will be e-mailed and faxed to The Director of Human Resources or his/her Designee between 8:00 - 10:00 a.m. by the third party administrator.

Notification to Employee/Department Head: The Director of Human Resources or his/her Designee will telephonically notify the Employee through their supervisor/designee between 10:00 a.m. and 12:00 noon. Each employee who is notified for random alcohol/drug testing shall immediately proceed to the drug testing collection facility as indicated on the Drug Screening Consent Form. If employee is not available due to approved travel status or other leave of absence, the third party administrator will be called to select additional employees needed to satisfy the count.

Employees who are on 24 hour shifts shall report to the drug testing collection facility as determined on the Drug Testing Consent Form and shall report within two (2) hours after starting their shift.

Drug Screening Consent Form: Supervisor/designee and Employee are to immediately process the Drug Screening Consent Form when notified by The Director of Human Resources or his/her Designee. Failure to process the consent form and/or notify the employee within the prescribed timeframe will be deemed as failure to follow a directive and may result in disciplinary action against the supervisor/designee.

Report Date and Time: Employee has two (2) hours to report to testing facility as determined by the Drug Screening Consent Form. Failure to report within the prescribed date and time frame will result in the employee being "positive" and disciplinary

action will be implemented pursuant to the Substance Abuse Policy.

Test Results: Employees and their supervisor will be notified as to the results of the random drug/alcohol drug test pursuant to the Substance Abuse Policy.

D. Reasonable Suspicion Testing

1. Employees may be required to submit to a drug and/or alcohol test based on a reasonable and articulable belief that their ability to perform work safely or effectively may be impaired. The reasonable and articulable belief will be based on specific physical, behavioral or performance indicators of unlawful possession or use as observed during, just before or just after an employee's work hours.
2. Factors that individually or in combination could result in reasonable suspicion include, but are not limited to, the following:
 - a. Direct observation of an individual engaged in substance abuse, or substance abuse related activity;
 - b. A pattern of abnormal conduct;
 - c. Unusual, irrational, or erratic behavior, or acute behavioral changes;
 - d. Unexplained, increased or excessive absenteeism or tardiness;
 - e. Deterioration in work performance;
 - f. Repeated failure to follow instructions or operating procedures;
 - g. Violation of the Tribe's safety policies or failure to follow safe work practices;
 - h. Unexplained or excessive negligence or carelessness;
 1. Discovery or presence of drugs or alcohol or drug paraphernalia defined as "drug paraphernalia" under the provisions of Chapter 13, Title 21, United States Code, § 863 (d) as amended to the date of the violation, in an employee's possession or near an employee's work station;
 - J. Odor or residual odor peculiar to some drugs or alcohol;
 - k. Arrest or conviction for a drug-related or alcohol-related crime;
 1. Information provided either by reliable and credible sources or independently corroborated;
 - m. Evidence that an employee may have tampered with a prior substance abuse test;
 - n. Various physical indicators, including red eyes, slurred speech, physical instability or lack of balance.

3. If a supervisor believes that reasonable suspicion exists, the supervisor should document his or her findings and observations and promptly report their written findings to The Director of Human Resources or his/her Designee. The supervisor will immediately notify the drug testing collection facility.
4. Any employee subject to reasonable suspicion testing will be suspended immediately without pay, and will not be allowed to return to duty pending results of the test. A supervisor or his/her designee will process the Drug Screening Consent Form and escort the employee to the collection site. The employee will not be permitted to operate a motor vehicle following the test.
5. Employees who receive a negative reasonable Suspicion test will be reinstated and returned to duty with full back pay. Reinstatement with back pay will occur only if the employee has not engaged in other misconduct supporting an unpaid suspension or discharge.

E. Post-Accident Testing

1. If requested by a police officer or a department head, an employee will be required to submit to a drug and/or alcohol test if the employee caused or contributed to, or is reasonably suspected of causing or contributing to, an accident or other occurrence that involves one or more of the following events: a fatality, an on-the-job injury to an employee or other individual, serious damage to vehicles, and/or serious damage to other property.
2. Any employee subject to post-accident testing will be suspended immediately without pay, and will not be allowed to return to duty pending results of the test, if supervisory personnel have a reasonable and articulable belief that the employee is engaged in substance abuse.
3. Employees who receive a negative post-accident test will be reinstated and returned to duty with full back pay. Reinstatement with back pay will occur only if the employee has not engaged in other misconduct supporting an unpaid suspension or discharge.

7. TESTING PROCEDURES AND RESULTS

A. Procedure

1. The presence of controlled substances will be tested through saliva for pre-employment drug testing. Saliva testing will be utilized as a

first preference for random drug testing, reasonable suspicion and post accident testing. However, if the testing facility is unavailable, the employee may be tested through a urine sample at the La paz Regional hospital for random drug testing, reasonable suspicion or post accident testing. Hair samples will be utilized only for the appeals process. Before being tested under this Policy, the applicant or employee will be informed of the substances for which testing will be performed through the consent form.

2. Test samples will be analyzed by a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA), the College of American Pathologist for Forensic Urine Drug Testing (CAPFUDT), or other national certifying body. All samples will be tested according to the following sequence:
 - a. All samples will be subjected to an initial screening process.
 - b. Samples having a negative initial screen (no illegal or illicit substance present at or above the cutoff limit) will be considered to have tested negative, and no further testing will be done on that sample.
 - c. Samples which do not contain enough specimen to test will be discarded and the applicant or employee must perform a new test.
 - d. Samples that test positive on the first screen will be tested more extensively by a second methodology to eliminate any false-positive tests and confirm or deny the initial positive test result.
 - e. Samples that test positive after the second methodology will be referred to the Medical Review Officer. The MRO will contact the employee or applicant directly. If the employee or applicant does not have a home phone or if the MRO has not been able to contact the employee or applicant after 2 business days, the MRO will contact The Human Resources Department. The Director of Human Resources or his/her Designee will contact the employee or applicant and allow them to utilize the phone and office in the Human Resources Department. The Medical Review Officer will evaluate the employee's or applicant's explanation and make sure the results were not impacted by any medications that might have been taken. At the conclusion of these discussions, the MRO may reclassify a positive substance abuse test as negative based upon the results of the consultation.
 - f. Samples which test positive for alcohol are not able to utilize the Medical Review Officer nor are they subject to the appeals process. Any employee or applicant's test which returns positive for alcohol will be immediately terminated.

4. The Director of Human Resources or his/her Designee will inform the employees of the final determination and will inform the employees in writing of any positive results. As set forth below, subject to the appeal process, a positive test will result in termination.

B. Refusal to Submit to or Interference With Substance Abuse Testing

1. An applicant who refuses to consent or submit to testing, fails to appear for testing, fails to cooperate with the testing procedures or tampers with the test (including but not limited to diluting, altering or substituting a sample) will be disqualified from consideration and ineligible for hire for a period of twelve months and must provide a certificate of completion of a substance abuse program prior to being considered for rehire.
2. An employee who refuses to consent or submit to testing, fails to appear for testing, fails to cooperate with the testing procedures or tampers with the test (including but not limited to diluting, altering or substituting a sample) will be terminated and will be ineligible for hire for a period of twelve months and must provide a certificate of completion of a substance abuse program prior to being considered for rehire.

C. Appeal of Confirmed Positive Test

1. After receipt of a confirmed positive test result from the testing laboratory and after consultation with the MRO, The Director of Human Resources or his/her Designee will inform the applicant or employee in writing of the positive test result and the consequences of the positive test result. Employee will be immediately suspended without pay pending the two days allowed for an employee to appeal. If the employee does not appeal in writing within 2 days the employee will be terminated. During the appeal process the employee will be suspended without pay until the results from the hair test results are received.
2. Positive screenings on alcohol cannot be appealed. Any employee or applicant's test which returns positive for alcohol will be immediately terminated or ineligible for employment opportunities.
3. The employee may request in writing and receive from The Director of Human Resources or his/her Designee a copy of his/her positive test result report from the testing laboratory.
4. The employee may request that a hair test be performed. This

request must be made in writing within two (2) business days after receiving notice of a confirmed positive test result. The employee will be responsible for all costs associated with conducting the hair test and must provide a money order or cashier's check made out to the Colorado River Indian Tribes and deliver payment to The Human Resources Department prior to it being conducted. If the hair test result is negative the Employee will be reimbursed and reinstated.

5. The Grievance Procedure set forth in the Employee Handbook shall not apply to terminations of employment for violations of this Policy if the hair test result is positive.

8. DISCIPLINARY ACTION

- A. Any employee who refuses to consent to drug or alcohol testing, fails to appear for testing, tampers with the test (including but not limited to adulterating a test sample), or fails to cooperate with the testing procedures is subject to termination.
- B. Any employee engaging in the use, sale, purchase, possession, manufacture or distribution of drugs or alcohol while on Tribal Property or while on duty is subject to termination.
- C. In the case of a first-time violation of the Tribe's Substance Abuse Policy, including a positive drug or alcohol test result the Employee will be subject to termination.
- D. Under this Policy pending the results of a drug/alcohol test or investigation an employee will be suspended. Unless otherwise determined by the Tribe, the suspension will be without pay.
- E. Any applicant/employee whose drug test result has been confirmed positive by the Medical Review Officer (or by Appeal) and/or any applicant/employee whose test result has been confirmed positive for alcohol, shall be banned from employment opportunities with the Colorado River Indian Tribes for a period of one (1) year from the date the test was confirmed positive or the termination date.

9. INVESTIGATION AND SEARCHES

- A. To ensure that illegal drugs and alcohol do not enter or affect the workplace, the Tribe reserves the right to search all vehicles, containers, desks, file cabinets or other items on Tribal property in furtherance of this Policy. Individuals may be requested to display personal property for

visual inspection upon the request of The Director of Human Resources or his/her Designee.

- B. Failure to consent to a search or to display personal property for visual inspection will be grounds for termination or denial of access to the Tribal premises.
- C. The Tribe will turn over all confiscated drugs to the proper law enforcement authorities. Furthermore, the Tribe will cooperate with and may enlist the services of the proper law enforcement authorities in the course of any investigation.

10. ARREST OR CONVICTION FOR ALCOHOL-OR DRUG-RELATED CRIME

- A. If an employee is arrested for or charged with an alcohol-or drug-related crime, the Tribe may utilize the drug-testing procedure. Being arrested for or being charged with a drug-related crime constitutes "reasonable suspicion" under this Policy.
- B. As a condition of employment, an employee shall notify The Director of Human Resources or his/her Designee of any criminal conviction or any plea of guilty, nolo contendere ("no contest") or suspended imposition of sentence that has been entered on a criminal drug charge. The employee must give notice in writing to the Tribe within three (3) business days of such conviction or any plea of guilty, nolo contendere ("no contest") or suspended imposition of sentence that has been entered on a criminal drug charge. Any employee, who fails to provide said notice, shall be immediately terminated.

11. CONFIDENTIALITY

The Tribe will keep all information concerning test results confidential. Medical records and communications pertaining to substance abuse testing will be maintained in a secure location with controlled access. Disclosure of test results will only be made:

- To the tested employee or applicant, or any other person or entity designated in writing by the employee or applicant;
- To The Director of Human Resources or his/her Designee or other individual(s) designated by the Tribe to receive and evaluate test results, hear the explanation of the employee or prospective employee, and other Tribal personnel involved in disciplinary action and/or who make employment decisions based upon such results and explanations;
- In conjunction with any lawsuit, arbitration, mediation, administrative

proceeding, or other claim or challenge of any nature, to which the employee and the Tribe are parties and in which the employee's treatment, medical history, or mental or physical condition is at issue; or

- As compelled by any judicial or administrative process or other specific provision of applicable law.

12. DRUG-FREE AWARENESS PROGRAM

- A. The Tribe will present or arrange for drug-free awareness presentation periodically. These programs will inform employees about the following;
 1. The dangers of drug and alcohol abuse in the workplace.
 2. The Tribe's policy of maintaining a drug and alcohol-free workplace;
 3. Available drug and alcohol counseling, rehabilitation, and employee assistance programs; and
 4. The sanctions that may be imposed for violations of the Tribe's Substance Abuse Policy.
- B. Employees are encouraged to approach their supervisor at any time with any questions they have about the Tribe's Substance Abuse Policy as stated herein.

13. RE-HIRE

- A. One-year wait period before reemployment; and
- B. And completion of Tribes normal hiring practice including pre-employment drug testing.