SITKA TRIBE OF ALASKA

EMPLOYEE HANDBOOK

Mission Statement

To exercise its sovereign rights and powers, preserve the integrity of tribal society, and improve the lives of individual Tribal Citizens.

Employee acknowledgment:

I have reviewed the Sitka Tribe of Alaska (STA) Employee Handbook attached. My questions were answered to my satisfaction, and I understand that if I have further questions, I may discuss them with my supervisor, or with the Human Resources Staff of STA.

I agree to comply with the policies and procedures outlined in the STA Employee Handbook.

Signed _____ Date _____

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DEFINITIONS

Eligible Employees – who are eligible for the various benefits, vary depending on the program and employee status. See details below.

Exempt (salaried) Employee: An exempt employee is an employee who is not entitled to overtime pay. Typically, exempt employees are salaried workers whose job duties and responsibilities meet specific criteria.

Federal Employee Health Benefits (FEHB): The FEHB Program is a comprehensive health insurance program that offers eligible employees the choice of enrollment to meet health care needs.

Full-Time: A permanent employee who works a minimum of 30 hours per week/ 1560 hours annually and up to 37.5 hours per week/ 1950 hours annually is considered full-time. Seasonal and Temporary employees are not considered a permanent employee regardless of the number of hours worked.

Non-Exempt (hourly) Employee: Non-exempt employees are individuals who are paid by the hour. STA has determined they are eligible for overtime pay for working more than 8 hours in a day or 40 hours per week.

On-Call: On-Call employees are not permanently employed. They are called to work on a need basis and may be employed for several months or a few days, depending on the nature of the work they have to perform.

Organizational Development Manager: the Tribal employee whose job description revolves around developing STA's organizational sustainability or who is chosen by the GM to address the Tribe's organizational development needs.

Part-Time: A permanent employee who works at least 16 hours per week/ 832 hours annually up to 29.99 hours per week/ 1559 hours annually is considered part-time. Regardless of the number of hours worked, part-time employees will not be eligible for benefits unless specified below.

Seasonal: A seasonal employee may work full-time or part-time during a specific season. Regardless of the number of hours worked, seasonal employees will not be eligible for benefits unless specified below.

Principal Insurance: Principal Insurance is a supplemental insurance program that offers eligible employees the option to enroll in vision, dental, short-term disability, accidental death and dismemberment, life insurance, and an employee assistance program. This supplements FEHB insurance.

Supplemental Insurance: Supplemental health insurance provides an extra level of coverage by helping employees meet out-of-pocket expenses and other costs not covered by their regular insurance.

Temporary Employee: A temporary employee may work full-time or part-time for up to one year. Regardless of the number of hours worked, temporary employees will not be eligible for benefits unless specified below.

Part 1 Introduction

Part 1.01 Core Mission Statement

The mission of Sitka Tribe of Alaska (STA) is exercising its sovereign rights and powers, preserving the integrity of tribal society, and improving the lives of individual Tribal Citizens.

Part 1.02 Purpose and Limitations of Handbook

This handbook is an outline of the basic personnel policies, practices, and procedures of the Sitka Tribe of Alaska. It contains general statements of STA policy but does not include all STA policies or the fine details of each policy and does not form an expressed or implied contract or promise that the policies discussed in the handbook will be applied in all cases.

STA will carry out this Handbook consistent with the duty of good faith and fair dealing with all employees. In any conflict between STA policies and applicable laws, applicable law shall prevail.

Part 1.03 Employment-At-Will

STA cannot guarantee or promise employment for any specific length of time. STA reserves the right to make employment decisions at its sole discretion. Employment may be terminated with or without notice or cause at any time at the option of STA or the employee.

While it is hoped that employment with STA will be long and mutually rewarding, the length of that employment is not for any fixed term. Employment shall be “at will” and shall be terminated “at will” by STA

or an employee of STA with or without cause. Any statements or promises to the contrary are not binding upon the employer, except when authorized in a written contract by the Tribal Council.

This policy shall not be modified by any statements contained in this or any other employee handbooks, employment applications, STA recruitment materials, STA memorandums, or other material provided to employees in connection with their employment, unless expressly stated in an employment contract. Apart from an actual employment contract, none of the listed documents, whether singly or combined, shall create an express or implied contract of employment or an express or implied contract concerning any terms or conditions of employment.

Part 1.04 Application of Policies

This Employee Handbook applies to all employees of STA. Certain employee benefits shall not be extended to part-time or seasonal employees. For more details on which benefits will not be applied, see *the STA Employee Benefits Handbook.*

Part 1.05 Interpretation and Questions

Any questions concerning interpretations of this Handbook, or any other employee personnel matter should be referred to the employee's direct supervisor or the Human Resources Manager.

Part 1.06 Amendment and Distribution

STA may add to the policies in the Handbook, or revoke or modify them from time to time for any reason. Changes, including modification, additions, or deletions to the Handbook, must be approved by the General Manager (GM) with a FYI to the Tribal Council prior to taking effect. The FYI to Tribal Council shall take the form of a memo summarizing the changes to the Employee Handbook, including in the packet for a regular Tribal Council meeting. GM changes will be made periodically and/or on an as needed basis.

Employee Handbooks are STA property. A copy of the Handbook will be available to each employee of STA.

Part 2 Non-Discrimination and Native Preference Policy

Part 2.01 Non-Discrimination Policy

STA does not discriminate on the basis of marital status, gender, sexual orientation, gender expression, age, color, religion, disability, or pregnancy.

Part 2.02 Tribal Citizen and Native Preference Policy

A. General Policy

Employment decisions, including hiring, promoting, transferring, training, and retaining staff, shall be made using the following Native preference:

1) STA Tribal Citizens
2) Members or descendants of any Alaska Native Tribe
3) Members or descendants of any other federally recognized Native American Tribe
4) Non-Indians supporting Alaska Native or Native American children
5) Other candidates

This policy is consistent with the STA Hiring Policy & Procedure.

B. Citizenship in Alaska Native Tribe or other federally recognized Native American Tribe

Citizenship in an Alaska Native Tribe or other federally recognized Native American Tribe may be proved by a Tribal enrollment card, or verification of Tribal enrollment by that Tribe. In the case of a descendant, the descendance may be verified by presentation of a letter of descendance from their Tribe, an Alaska Native Corporate Shareholder card with voting rights, a Certificate of Indian blood from the Bureau of Indian Affairs, or an Indian Health Service beneficiary card.

Part 3 General Information

Part 3.01 Business Ethics and Conduct

The successful business operation and reputation of STA is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations as well as adherence to the highest standards of conduct. Compliance with this policy is the responsibility of every STA employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Part 3.02 Client and Public Relations

STA expects all employees to establish and maintain effective working relationships with Tribal Citizens, co-workers, managers, and others at work, and to contribute to a positive working environment. No Tribal Citizen, staff, family members, or others associated with any STA program should be subject to any treatment which could be considered abusive or disrespectful to their person or rights.

Employees shall always treat clients and others who visit STA offices in a courteous and respectful manner. Employees shall refer complaints from the public to a supervisor.

STA is committed to providing excellent customer service. To achieve this goal, STA expects all employees to always meet the following seven (7) Standards for Service Excellence:

a. Make a positive first impression.
b. Treat others as guests.
c. Recognize cultural beliefs and practices.
d. Develop customer recovery skills.
e. Practice professionalism.
f. Serve others from a team-centered approach.
g. Project a positive attitude.

Part 3.03 Employee Productivity

STA expects employees to work hard and be productive during working hours. Employees may briefly, and occasionally, conduct personal conversations on their cell phones at their workstations. With approval of the employee's direct supervisor, the employee may take a short break to complete necessary longer conversations. Those breaks must fall under the guidelines of 5.02 C Breaks. If calls become excessive, the employee will be subject to prompt disciplinary action, up to and including termination of employment.

Part 3.04 Employee Relations

Employees shall always behave respectfully and cooperatively towards each other. Differences of opinion must be expressed respectfully. No employee shall hold another employee up to ridicule, interfere with another employee's work, or disrupt the workplace. If discussion among employees does not amicably resolve an issue dealing with STA policy or procedure, the employees should refer the question to their department director for resolution. When it does not conflict with or impede their own work performance, employees, if asked, will assist other employees in the execution of their duties, after receiving authorization from the employee's direct supervisor.

If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with Human Resources for advice and

consultation. An employee who has knowledge of illegal or unethical conduct at STA shall report it in accordance with the Whistleblower Policy in Part 4.13 of this Handbook.

Part 3.05 Cooperation with Supervisors

Employees shall comply with all reasonable requests or instructions of their supervisor or department director, or other management personnel such as the General Manager or Deputy General Manager.

Part 3.06 Conflicts of Interest

STA will comply with all applicable laws and regulations and expects its management and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws as well as the established STA policies and procedures, while refraining from any illegal, dishonest, unethical conduct, or such conduct that would give an appearance of a conflict of interest. See Code of Conduct for additional information.

Part 3.07 Acceptance of Gifts, Gratuities, and Stipends

Employees and members of the employee's immediate family are prohibited from accepting any gift valued at more than fifty dollars, or gratuities and stipends from:

1) Any person receiving benefits or services from STA;
2) Any person or entity performing services under contract with STA; or
3) Any person who is otherwise in a position to benefit from the actions of any employee of STA.
4) Any organization that provides payment for participation on a board, commission, committee, that you have been approved to use STA time to serve on. Any stipend received shall be turned over to the Tribe.

An exception to this policy: The following gifts are permitted regardless of the value:

1) Gifts that are received as an award or honor, customarily and publicly presented in recognition of public service.
2) Gifts that are obviously motivated by family or social relationships, as among immediate family members or family inheritances.
3) An organization provides a stipend to you for participating in events/activities and you are selected as an individual, not solely because of your status as an employee.
4) Tips that are received by Tribal Tours staff as a thank you for their service.

Part 3.08 Participation in Community Affairs

It is the policy of STA to encourage all employees to participate in civic affairs and to practice good citizenship. Employees are encouraged to take an active interest in community activities of a charitable, religious, fraternal, or civic nature. However, employee participation in community affairs must not adversely affect the employee's job performance or be detrimental to STA's interests. Time spent on such activities normally should be outside of the employee's working hours and will not be considered hours worked for pay purposes, except with the written approval of the General Manager.

STA has a right to take reasonable action when an employee's participation in community affairs reflects negatively on the Tribe, or conflicts with STA policy or interests.

Part 3.09 Political Activities

Employees will not support or promote any political activities or interests during work hours or with any STA resources. No employee, acting in the course of their duties as a STA employee, will make a decision based solely on any political consideration.

Employees who are interested in holding elected government seats i.e., City of Sitka Assembly, School Board, BIHA Board of Commissioners, applicable city committees, should request approval from their director and the General Manager to count time spent as working hours. Employees may run for a seat on Tribal Council, but they must resign from employment prior to being sworn in as a Tribal Council member. See Election Ordinance 3.03(a).

Part 3.10 Public Statements and Appearance

A. Communication with the media

Employees will not speak on behalf of STA to any representative of the media, except with prior approval from the General Manager. Inquiries from the media should be directed to the General Manager. See: Media Policy for additional guidance.

In the absence of the Chair and the General Manager, the Vice-Chair of the Tribal Council or the General Manager's appointed representative may respond to media inquiries and speak on behalf of STA to the media.

B. Public appearances

Employees asked by an outside agency or organization to appear on behalf of STA, or to speak about STA as guest speakers or program participants, must obtain prior approval from their department director and the General Manager.

Part 3.11 Workplace Violence Prevention

All employees shall always be treated with courtesy and respect and have the right to be safe in their workplace. Employees shall refrain from conduct that may be dangerous to others.

STA has a zero-tolerance for workplace violence and has a strict no-weapons policy in the workplace. To ensure a safe environment for employees, clients and visitors, STA prohibits the wearing, transporting, storage, or presence of firearms or other dangerous weapons in our facilities or on our property including anywhere STA conducts business. Any employee in possession of a firearm or other weapon while on STA property will face disciplinary action including termination. This no weapons policy applies to any person entering an STA facility. Any employee that observes anyone with a weapon on STA property or has information about a violation of this policy shall notify the Deputy General Manager and/or the Sitka Police Department immediately.

Exemptions: This policy does not apply to: Any law enforcement or STA personnel engaged in official duties i.e., Resource Protection employees who work in the field, non-STA security personnel engaged in official duties, any person engaged in military activities sponsored by the federal, state government while engaged in official duties.

STA will promptly and thoroughly investigate all reports of threats and or actual violence in the workplace, and of suspicious individuals or activities. The identity of the individual making the report will be protected, unless there is a legal issue. To maintain workplace safety and the integrity of its investigation, STA may suspend employees, either with or without pay, pending investigation.

Anyone determined by the General Manager to be responsible for threats or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

Part 3.12 Sexual and Other Workplace Harassment

A. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:

1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

2) Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or

3) Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include, but are not limited to: sexual touching, advances or propositions, use of sexually explicit language, jokes of a sexual nature, and the display in the workplace of sexually suggestive objects or pictures or images, including nude photographs, drawings, and computer-generated images or material.

B. Definition of Non-Sexual Harassment

Non-sexual harassment is any type of harassment that is not sexual in nature. Harassment violates STA policy when the conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class. It can include unwelcome conduct based on a person's race, color, religion, sex, national origin, age, disability, or genetic information. Harassment includes, but is not limited to:

- Offensive jokes, objects, or pictures;
- Name-calling, yelling, bullying;
- Physical assaults or threats; and
- Intimidation.

C. Policy

STA prohibits sexual and non-sexual workplace harassment (collectively, "harassment"). STA also prohibits relationships between a supervisor and their employee. Any employee who believes that they have been subjected to harassment should report the conduct immediately to their direct supervisor. If an employee believes that they have been sexually harassed by a direct supervisor, the employee should report the conduct

to the General Manager. Employees who believe they have been sexually harassed by the General Manager should notify the Chairperson of the Tribal Council.

To the degree possible allowing for a fair investigation, STA will investigate and document the complaint in the strictest confidence. No person shall be penalized or subjected to retaliation for filing a complaint of sexual harassment or for cooperating in the investigation of such a complaint.

Employees found to have violated the workplace harassment policy will be subject to prompt disciplinary action, up to and including termination of employment. Employees found to have retaliated against any employee for filing a harassment claim will be subject to prompt disciplinary action, up to and including termination of employment.

Part 3.13 Use of Vehicles

Employees using STA vehicles must provide a copy of their valid Alaska driver's license and sign the insurance form and must operate the vehicle in a safe and respectful manner, in compliance with traffic and parking laws and ensure cleanliness of the vehicle is maintained. Employees must also complete the mileage log noting miles at the beginning and end of the trip. STA encourages employees to use an STA vehicle, if available, opposed to personal vehicles for official business and work purposes. Employees must keep the vehicle clean and remove any trash or debris prior to returning the vehicle. Failure to do so will result in denial of use. If the vehicle is on low fuel ¼ tank or less, the employee will request the fuel card from Finance and fuel the vehicle prior to returning the vehicle.

Employees are authorized to use personal vehicles, including cars, trucks, and boats, for company business with prior management approval. Prior to using any personal car or truck employees must possess the required operator permits and the owner of the vehicle must have insurance as required by the policy. Employees should not use personal vehicles to transport children. STA will not be held liable for any damage that occurs to personal vehicles. STA will reimburse mileage for personal use pursuant to federal reimbursement guidelines. A mileage log must be kept and submitted in a timely fashion for reimbursement to be provided. STA will reimburse fuel costs for the use of personal boats for work purposes.

Part 3.14 Visitors in the Workplace

It is the director's responsibility to make certain that visitors in their department are authorized to be there.

Employees are discouraged from bringing their children to the work site during work hours, especially if it is disruptive to work productivity. Children are not permitted to remain at the work site for extended periods of time. Managers and supervisors may grant PTO to make childcare arrangements when unforeseen circumstances arise.

Part 3.15 Solicitation

Individuals and organizations may not solicit or distribute literature in the workplace without prior approval from the General Manager or their designee. Solicitors wishing to conduct business on STA premises should be directed to the General Manager or their designee for consideration.

Part 3.16 Safety

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, employee will be subject to prompt disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees shall immediately notify their direct supervisor, Human Resources Manager, and/or the Deputy General Manager. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures (*see Benefits Handbook: Section II(F) Workers Compensation Insurance*).

Part 3.17 Drug and Alcohol-Free Workplace

Sitka Tribe of Alaska enacted a Drug and Alcohol-Free Workplace Ordinance, Drug and Alcohol-Free Regulation and a Federal Transportation Administration Drug and Alcohol Testing Policy. The Ordinance and Regulations apply to all STA employees and the FTA Testing Policy applies to DOT funded positions.

A. General Enforcement & Procedures:

The full policy is the Sitka Tribe of Alaska, Drug & Alcohol-Free Workplace Ordinance, adopted October 29, 2003.

As a condition of employment, all employees must:

1) Abide by the terms of the Drug and Alcohol-Free Workplace Ordinance and Regulations; and

2) Notify their direct supervisor within one (1) working day of any criminal conviction or charge against their person for violation of a drug or alcohol statute, if the violation occurred at the workplace, while the employee was representing STA, or while the employee was on travel status for STA.

To the extent required by law or at the discretion of the General Manager, within thirty (30) calendar days after receiving notice of such a drug or alcohol charge or conviction, STA will take appropriate personnel action against the employee that may include suspension, referral to an approved substance abuse treatment provider for screening and treatment recommendations, and/or termination of employment.

B. Drug-Free Workplace Policy

Employees shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace, during the employee's work hours or during any time in which the employee is representing STA or on travel status. Employees may not report to work under the influence of a controlled substance used lawfully or unlawfully. Any employee that reports to work under the influence of a controlled substance will be subject to disciplinary action that may include suspension, referral to an approved substance abuse treatment provider for screening and recommendations, or termination of employment.

Lawful use of a controlled substance that impacts an employee's ability to work will be subject to a fitness for duty assessment by a physician.

Recreational use of marijuana is prohibited under federal law and is still regulated as a controlled substance therefore STA continues to test for marijuana as part of its drug testing program.
Visitors who appear to be under the influence of drugs will be politely informed of the policy and requested to return when they are not under the influence of drugs. Visitors on "the RIDE" and any Tribal Tours buses who appear to be under the influence of drugs may be politely informed of the policy and not be permitted to remain on the bus while under the influence.

Refer to the Drug and Alcohol Workplace Ordinance and Regulations for further information.

C. Alcohol-Free Workplace Policy

STA maintains an Alcohol-Free workplace. Employees shall not consume any alcoholic beverage in the workplace or during the employee's work hours. Employees shall not report to work under the influence of alcohol. Any employee that reports to work under the influence of alcohol will be subject to disciplinary action

that may include suspension, referral to an approved substance abuse treatment provider for screening and recommendations, or termination of employment.

Visitors who violate the no alcohol policy will be politely informed of the policy and requested to return when they are not under the influence of alcohol. Visitors on "the RIDE" and any Tribal Tours buses who appear to be under the influence of alcohol may be politely informed of the policy and not be permitted to remain on the bus while under the influence.

Refer to the Drug and Alcohol Workplace Ordinance and Regulations for further information.

D. Drug or Alcohol Violation Outside of Work Hours

An employee who is charged with, or convicted of, violating a drug or alcohol statute outside of the employee's work hours, or when the employee is representing STA or on travel status, must report the charge or conviction to their Direct Supervisor by the next workday. The employee may be subject to disciplinary action that may include suspension, referral to a substance abuse treatment provider for screening and treatment recommendations, and/or termination of employment.

Part 3.18 Tobacco-Free Workplace/Campus

Smoking, chewing tobacco or use of e-cigarettes are not permitted on or near any STA property, facility, vehicle, or boat. STA will not build or maintain any structures to facilitate smoking. Break time is governed under the guidelines of 5.02 B Breaks.
Employees may not have the smell of tobacco smoke on their person during work hours or while on company business. In general, employees should not use or consume any substance, the effects, or traces of which could interfere with the employee's presentation of a clean and professional appearance to clients and the public.

Employees who violate this policy will be subject to disciplinary action up to and including termination. Visitors who violate this policy will be politely informed of the policy and requested to cease their tobacco use.

Part 3.19 Confidential Information

All employees must exercise the utmost discretion regarding all matters of official business of STA, including but not limited to, information about community and Tribal matters, personnel actions, property acquisitions, financial transactions, and the development of policy. An employee will not communicate any information

concerning STA that has not been made public, except in the course of regular duties or by authorization of the employee's direct supervisor. An employee will not communicate personal information about clients or other staff that is not public information.

Information concerning clients and cases that are protected from disclosure by state or federal law is confidential and may be disclosed only in compliance with relevant provisions of law. All employees must assume the highest degree of confidentiality and integrity in the best interests of STA's clients. Employees who violate this policy will be subject to prompt disciplinary action up to and including termination..

Part 3.20 Personnel Records and Employment Reference Checks

A. Personnel file

It is the policy of STA to maintain certain records on each employee which are directly related to the employee's job with STA. Each employee's personnel file may include:

1) Application forms and materials, including job descriptions and references;
2) Background check
3) Payroll information;
4) Performance evaluations;
5) Medical information;
6) Disciplinary records; and
7) Employee status change forms.

An employee may inspect and make copies of their personnel records, upon written request, at a time convenient for the employee and the employee's direct supervisor. Employees are encouraged to review their personnel file annually for accuracy and completeness. STA human resources staff must be present at all times during the employees' inspection of the file. If an employee believes that certain material is irrelevant, inaccurate, or obsolete, the employee may place a written statement of disagreement in the file.

B. Requests for personnel information

All requests from outside of STA for personnel information concerning past or present employees of STA will be referred to the human resources office. The dates of employment, position held, and location of job site may be released without the consent of the employee. No other information concerning a past or present employee will be released without the written consent of the employee.

Part 3.21 Social Media and Internet Use

STA established this social media policy to provide guidance to employees for appropriate use of social media. This policy applies to all STA employees and contractors and shall apply to social media use during work hours and non-work hours.

Social Media is defined as all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with STA, as well as any other form of electronic communication. Social media includes but is not limited to: Facebook, Instagram, Pinterest, TikTok, Snapchat, LinkedIn, Twitter, YouTube, blogs, wiki, and online journals.

Any posting or online conduct that adversely affects your job performance, that adversely affects other individuals in the STA workplace, or that violates these guidelines may result in disciplinary action up to and including termination.

All access to social media sites from the workplace must comply with current STA policies. Prior to creating a Facebook page related to the Tribe, approval from the General Manager is required.

All staff shall comply with the following guidelines applicable to social media use:

- Do not use social media during work hours on STA equipment unless the use is work-related and is authorized by your supervisor and the General Manager.
- Do not use social media during work hours on STA equipment or a personal device to post anything regarding the STA Tribal Council annual election, unless pre-authorized by the General Manager.
- Do not use STA email addresses to register on social networks, blogs or other online tools utilized for personal use.
- Always be fair and courteous in postings to coworkers, Tribal Citizens, Tribal Council, customers, suppliers, and other people who work with STA.
- Do not post materials that are malicious, obscene, threatening or intimidating; that disparage customers, suppliers, and people who work on behalf of STA; or that might be seen as harassment or bullying.
- Always be respectful. Do not post materials meant to intentionally harm someone's reputation or that disparage another person on the basis of race, sex, disability, religion or any other status protected by

law.

- Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly.
- Never post information or rumors that you know to be false about STA or about any individual.
- Maintain the confidentiality of STA private or confidential information. Do not post internal reports, policies, procedures or business-related confidential communications.
- Never represent yourself as speaking for STA. If STA is the subject of the content, be clear and open about the fact that you are an employee and that your views do not represent those of STA. Include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of STA or any individual other than myself."

STA provides internet access for work purposes only and utilizes a filter to prevent access to inappropriate material on the Internet. Employees shall not abuse the privilege of internet access or download or view sites that are inappropriate for the workplace. Social networks and online shopping sites may be accessed during the workday only as part of an employee's official duties.

Part 3.22 Reporting Violations of Policy

Violations of the social media policy outlined in Part 3.21 shall be reported to the General Manager or Deputy General Manager. STA will investigate all complaints about postings or inappropriate use of social media. STA reserves the right to use necessary tools or software to monitor or review sites and social media use or postings that occur during work hours and from STA equipment and networks.

- Employees who violate Part 3.21 will be subject to disciplinary action up to and including termination. Action may also include direction to remove inappropriate postings/comments, or removal of any affiliation or association with STA.
- STA will report any illegal conduct or activity that is identified during an investigation.

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

Part 3.23 Sitka Tribe of Alaska Property

A. Issuance

An employee who is issued STA property, including but not limited to: keys, laptop computers, tablets, and cell phones, is responsible for the property. Employees will sign a receipt of property and use agreement for each assigned item. The consequences for lost equipment shall be outlined in the use agreement executed by the employee and STA management. Any employee who loses their keys will pay a $100.00 fee for each lost key and may be responsible for the cost of ensuring the security of the building.

B. Return at Separation

Upon separation of employment, an employee who possesses the items listed in *3.23A* must return them before a final paycheck will be released. Any items not returned are subject to that amount being withheld from their final check.

Part 4 Employment

Part 4.01 Employment Classifications

STA will classify positions as exempt or non-exempt in accordance with federal law, and the classifications shall be stated in each job description.

Part 4.02 Job Descriptions

STA will create and maintain accurate job descriptions for all positions within the organization. Each position description includes: a position summary section (giving a general overview of the job's purpose), a key duties and responsibilities section, a qualifications section (including education and/or experience, and any certification required), a skills section, physical requirements (if appropriate), and a supervisory control section.

The director or their designee will draft job descriptions as new positions are created and send to Human Resources to be reviewed and classified. Existing job descriptions are reassessed by the Human Resources Department and the reviewing manager when performance evaluations are conducted.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary.

Part 4.03 Attendance and Punctuality

Employees are expected to arrive at work and prepared to start the workday on or before their scheduled work start time. See 5.02A Office Hours/Work Schedules.

A. Approval for absence

Employees are required to receive advance approval from their supervisor for all PTO requests. An employee who will be absent from work that is not preapproved (is unscheduled) must notify the employee's direct supervisor as soon as possible prior to the beginning of the regularly scheduled workday or prior to leaving the workplace during a workday. In the event of an emergency, the employee shall notify their direct supervisor of absence as soon as reasonably possible. Employees may be subject to disciplinary action for excessive unscheduled absenteeism. STA utilizes the national acceptable absenteeism rate to determine what is excessive. A supervisor may require a doctor's note for absences longer than three workdays.

B. Deduction from accrued leave for excused absence

An absence or late report which has been reported and excused in accordance with the above paragraphs will be charged to accrued unused paid time off (PTO), as appropriate. An employee who does not have accrued and unused PTO will be charged Leave Without Pay for each such absence. The employee's paycheck for the pay period in which the absence occurred will reflect a reduction for Leave Without Pay when PTO was not available.

Part 4.04 Telework and Remote Work

To encourage collaboration in Tribal government and promote interaction with Tribal Citizens and the public, STA expects its employees to work at STA facilities in Sitka. However, the Tribe recognizes that remote work or telework can facilitate recruitment and retention of staff in a variety of circumstances.

A. Definitions

An alternate worksite is any worksite that is not an STA building or approved STA field work (e.g., work at Klag or Redoubt Lakes).

Routine telework is a work arrangement in which an employee performs and completes official duties and responsibilities from an alternate worksite up to one (1) day a week, but reports to the official worksite (i.e., an STA building) at least three (3) times a week if working part-time, and at least four (4) times a week if working full-time. An employee must be eligible for routine telework, complete a Telework Agreement, and have the

Agreement signed by their Department Director before the employee can begin a routine telework arrangement.

Situational telework is a work arrangement not previously part of an approved, ongoing, and regular telework schedule. Employees can use situational telework when they need a flexible work from home schedule; or when an employee works from an alternate worksite for a limited period of time not to exceed one month. An employee must be eligible for telework, complete a Telework Agreement, and have the Agreement signed by their Department Director before the employee can begin a situational telework arrangement.

Remote work is a work arrangement under which an employee performs assigned official duties and other authorized activities at an approved alternate work location (typically the employee's home) on a regular and continuing basis, without any requirement that the employee regularly report to an STA building. An employee must complete a Remote Work Agreement, and have the Agreement signed by their Department Director and the GM before the employee can begin remote work.

B. Eligibility for Telework

Employees are eligible for telework if:

1. Their position does not require daily physical presence at the official work site;
2. Their position does not require daily access to specialized equipment located at the official worksite;
3. They have no history of excessive absenteeism in the last 12 months; and
4. They are not currently and have not been recently subject to disciplinary action or a Performance Improvement Plan.

C. Eligibility for Remote Work

Eligibility for remote work is extremely limited. Employees are only eligible for remote work if they are exempt employees in good standing with STA, have worked at STA for a minimum of three years, and do not live in Sitka. The requirement to work for STA for a minimum of three years may be waived by the General Manager as staffing needs require.

D. Procedures for Telework and Remote Work

1. Telework and remote work employees must use a laptop computer and VPN provided by STA when conducting STA business to ensure the security of all STA work.

2. Telework and remote work employees are expected to work and be available during regular STA working hours by phone, email, and teleconference unless a different schedule is specifically approved in their Telework or Remote Work Agreement.
3. Telework and remote work employees are expected to perform their duties and responsibilities at a fully satisfactory level of competence. Telework and remote work arrangements may be changed, suspended, or terminated by the supervisor if an employee no longer meets the eligibility criteria or performance expectations.
4. Exempt telework and remote work employees may use the Flex policy described in Part 5.06.
5. Telework and remote work employees are required to follow policies for requesting and using approved leave as described in Parts 5 and 7 of the Employee Handbook and in the Employee Benefits Handbook.
6. Telework and remote work employees are eligible for the same travel benefits as non-remote work employees. See Travel Policy.
7. Telework and Remote Work Agreement Forms will be filed in the employee's HR file.

1. Telework-Specific Procedures

a) Telework Work Agreements will remain in effect until a change is initiated. Department Directors will review Telework Agreements within their Department at least once a year to ensure that the arrangement is meeting the needs of the Tribe. The Department Director or the teleworking employee may initiate a change to a Telework Work Agreement with a minimum ninety (90) day advanced written notice notification, except in emergency situations where the timeframe may be shorter. A Department Director may initiate change to a Telework Agreement for any business-related reason, including but not limited to changing needs of the Tribe and performance of the employee while working off-site.

b) STA reserves the right to call a teleworking employee back to the office, even on scheduled telework days, with at least three (3) days notice.

c) If a holiday falls on a day that the teleworking employee would normally come into the office, the employee does not need to make up that in-person day.

d) A Telework Agreement is not required for one-time telework arrangements that total fewer than three days. An employee need only reach out to their supervisor for approval to work remotely in such a circumstance.

e) Employees may appeal a denial of a Telework Agreement to the GM.

2. Remote Work-Specific Procedures

a) Remote Work Agreements will remain in effect until a change is initiated. The GM, in collaboration with the relevant Department Director, will review Remote Work Agreements at least once a year to ensure that the arrangement is meeting the needs of the Tribe. The GM or the remote working employee may initiate a change to the Remote Work Agreement with a minimum ninety (90) day advanced written notice notification, except in emergency situations where the timeframe may be shorter. The GM may initiate change to a Remote Work Agreement for any business-related reason, including but not limited to changing needs of the Tribe and performance of the employee while working off-site.

b) Remote work employees must connect with their supervisor via phone or teleconference at least once a week.

c) Remote work employees may be required to attend certain events in-person. In-person attendance requirements will be specified by the Department Director in the employee's Remote Work Agreement. Remote work employees may request reimbursement for the cost of traveling to Sitka to satisfy these mandatory in-person attendance requirements. The Department Director will approve such travel requests in accordance with the Travel Policy and as the Department's budget allows. Upon request from the remote work employee, the Department Director may make exceptions to these in-person attendance requirements on a case-by-case basis.

d) Remote work employees will receive the following equipment from STA so that they can fulfill their work duties:
    a. A laptop computer;
    b. Up to two external monitors (if the employee does not already own suitable external monitors);
    c. A printer (if the employee does not already own a suitable printer);
    d. A stipend for standard office supplies, including notepads, pens, printer paper, ink, and other consumables.

Part 4.05 Personal Appearance

A. Policy

The dress code is established by the Tribal Government to be followed during all working hours. Apparel shall reflect the dignity of the Tribal Government and the individual. Employees are expected to maintain a professional appearance at all times. Supervisors are responsible for ensuring their staff are wearing suitable attire.

B. Dress Code

Employees are expected to dress in clean, neat, and professional attire (business casual) for their department and typical duty activities within their departments. No hats should be worn during the workday. If you could go straight to the gym wearing your clothing it is too casual for work.

C. Casual Friday

On Friday, employees may wear casual attire. Acceptable casual attire is relaxed clothing, including zipped sweatshirt/pullover hoodies, a jacket, yoga pants and jeans of any color. Examples of unacceptable casual attire include but not limited to ripped jeans, athletic/sport shorts, sweatpants, tank tops, , inappropriate graphics on clothing i.e., alcohol advertisements, inappropriate gestures or language, drug advertisements etc., and flip flops.

D. Exceptions

Certain STA Departments may adopt special employment policies that allow for exceptions to this Dress Code or require employees to wear uniforms. Employees must wear appropriate attire for fieldwork, as authorized by their direct supervisor. .

Part 4.06 Employment of Relatives

Family and clan relationships are integral to Tlingit culture, and STA gives priority to its Citizens in employment, as outlined in Part 2 of this handbook. The Tribe's culture and its Native hiring preference are likely to result in members of the same family being employed by STA.

To avoid appearances and instances of favoritism as defined in the Code of Conduct, and to promote professionalism in the workplace, it is the general policy of STA to avoid situations where employees supervise or are supervised by an immediate family member, as defined in the Code of Conduct, Section 1.04(d). Except as provided below, the General Manager shall have the authority to waive this policy after consideration of the following factors:

- The intent of the Native preference policy
- The strength of the candidate pool for a position opening
- The performance of the related individuals in any current or previous employment at STA
- The risks of internal and external perceptions of conflict, which may vary depending on the nature of the positions involved.

The General Manager may not waive this policy for a member of their immediate family but may request that Tribal Council consider a waiver in this situation.

Part 4.07 Employment of Migrant Workers

Appropriate laws and regulations, particularly the Immigration Reform and Control Act of 1986 which prohibits employers from hiring "unauthorized migrant workers," will be followed and adhered to at all times. This policy is consistent with the STA Hiring Policy & Procedure.

Part 4.08 Employment of Minors

Minors may be employed as STA employees or volunteers. An STA work permit must be issued prior to hiring a minor under the age of 14. Hiring minors between 15-17 or dancers under 14 does not require an STA work permit. This policy is consistent with the STA Hiring Policy & Procedure.

Part 4.09 Training and Education

A. Training

Employees are encouraged to request and supervisors are encouraged to acquire training for staff to enhance their job skills and increase their impact at the Tribe. Meetings and conferences, which an employee would attend to stay abreast of current events and updates in their field, do *not* count as trainings.

Departments will pool compact funding for training, so that all employees have access to training resources, regardless of which department they are in. Some departments will be the recipients of grants that require that grant funds be used for training. Grant funds will not become a part of the pooled training resources for all staff. Department Directors are expected to assess their staff's training needs during the annual budget process and advocate that their staff have access to appropriate funding for their training needs. Department Directors, the GM or the GM's designee may initiate programs of in-service training so that their employees can render higher quality services to Tribal Citizens and so that employees can benefit from professional development. In-service trainings are professional development opportunities that take place in Sitka or that can be done remotely. In-service trainings may be conducted by STA staff or external firms. Department Directors, the GM or the GM's designee may also approve off-site trainings for employees. Off-site trainings are those that take place outside of Sitka. Reimbursement or direct payment for trainings and associated travel to off-site trainings may be approved if there is funding available. Time spent attending trainings counts as work hours.

B. Education

1. Policy

Employees are encouraged to seek out educational opportunities (i.e., courses at the university level) that are related to their current position, or that would allow them to advance within the Tribe. Employees may apply for scholarships to cover some or all of the cost of their classes. The funds for these scholarships will be collected from each Department's compact funding and made available to employees regardless of which Department they are in. Scholarship awards amounts will range, subject to budgetary constraints.

Employees who receive scholarships are expected to return to STA ready to share what they learned in their class with their co-workers and as appropriate. If an employee received a scholarship and participation in the university class required taking time away from STA, time spent taking a university class will not count as work hours (however the employee can flex those hours). If an employee did not receive a scholarship, their Director may approve up to two hours a week of time spent taking a university class as work hours, as long as the university class is related to their job description. Employees and their Department Director will memorialize their agreements regarding flex or class time counting as work hours in writing.

2. Application Process

Employees seeking a scholarship shall write a one-page summary of the class they wish to take, why the class will benefit them in their role at the Tribe, and any agreement between the Director and the employee regarding how the class will fit into the employee's work schedule, if the class takes place during work hours. This one-page summary serves as the employee's application for a scholarship. The Employee will email the application to the Organizational Development Manager, who will forward it to the rest of the Employee Scholarship Committee.

Employees may apply for up to $2000 in scholarship money each academic year. Applications may be filed at any time and will be reviewed on a rolling basis. If an employee fails to complete a class that was paid for in whole or in part using scholarship money, STA reserves the right to ask for reimbursement for the scholarship funds. STA will not ask for reimbursement if an employee could not complete a class due to unforeseen circumstances, such as the loss of a family member or a serious injury.

An employee may request Leave Without Pay for an extended period of time off work to pursue educational opportunities, sabbaticals, or temporary jobs with other organizations. This request must be made in writing and be approved by both the Supervisor and the General Manager.

3. Employee Scholarship Committee

The Employee Scholarship Committee will review these applications within two weeks of receiving them. The Employee Scholarship Committee will consist of five (5) employees, the Organizational Development Manager and four employees who volunteer to serve on the Committee. The Organizational Development Manager will serve indefinitely on the committee. All other committee members will serve one (1) year terms and cannot serve consecutive terms. There are no term limits for Committee members. The Committee will meet as needed to review applications. In the event that more than five (5) employees volunteer to serve on the Committee, the GM will make a determination of who will serve on the Committee and add the remainder to a waitlist. Employees may appeal the Employee Scholarship Committee's decision to the Education Committee.

C. Professional Licenses and Continuing Education Classes

All staff who maintain professional licenses to perform their STA duties (e.g., attorneys, social workers, human resources, etc.) may request payment or reimbursement for licenses fees and travel and registration fees for classes required to maintain their license ("Continuing Education classes") (e.g., Continuing Legal Education classes). Directors may approve payment or reimbursement, subject to their Department's budgetary constraints. Time spent taking these Continuing Education classes will count as work hours.

Part 4.10 Outside Employment

An employee will not engage in outside employment, whether full-time, part-time, temporary, or permanent, or self-employment (including owning your own business), without prior written approval of the Deputy General Manager. A request for approval of outside employment must be made in writing and must specify:

1) The nature of the work;

2) The name and address of the prospective employer;

3) The anticipated work hours;

4) The reasons for desiring outside employment; and

5) A statement that outside employment will not detract from or negatively affect the employee's efficiency, conflict with the primary employment, or the interests of STA, or discredit STA.

The decision to grant approval is solely within the discretion of the Deputy General Manager with a recommendation from the Supervisor. Requests should first be submitted to the Supervisor and then the Deputy General Manager.

Part 4.11 Performance Evaluations

Employees will receive evaluations at least once a year. A supervisor has the ability to provide an evaluation at the end of the employees first three (3) months of employment to provide feedback when a new supervisor is assigned, and at other times at the discretion of the supervisor. Reviews are completed by the supervisor and submitted to the Deputy General Manager (DGM) for review prior to meeting with the employee. After review by the DGM the written evaluation will be discussed with the employee, the employee must sign the evaluation. An employee may attach a written comment concerning information in the evaluation with which the employee disagrees. Nothing in this policy is intended to prohibit or discourage supervisors and employees from discussing an employee's performance on an informal basis at any time.

A performance evaluation is completed for each employee by the employee's direct supervisor. The performance is a written evaluation of the employee's job performance. It may include the direct supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period. Information derived from the performance appraisal may be considered when making decisions affecting an employee, including, but not limited to decisions concerning training needs and opportunities, merit pay increases, promotion, transfer, and continued employment.

Completion of an evaluation and discussion of employment objectives and goals is not a guarantee of continued employment with STA. The evaluation process is not an express or implied contract of any aspect of employment.

Part 4.12 Performance Improvement Plan

A performance improvement plan (PIP) may be utilized to provide an employee with the opportunity to improve their work performance, if their performance is less than fully satisfactory. The supervisor should contact Human Resources to discuss the options for a PIP. HR will assist in the development, guidelines, timeline of the plan and counsel the supervisor on the implementation of the plan.
A performance improvement plan will identify performance elements needing improvement, the timeframe for improving the work elements, specific actions the employee will take to improve performance, and what the supervisor will do to assist the employee throughout the PIP process. If the employee does not improve their work performance within the timeframe set forth in the PIP, the employee may be terminated, or transferred to another position if there is reason to believe they would be successful in a different role at STA.

Part 4.13 Progressive Discipline

The purpose of this policy is to establish equitable and consistent discipline standards for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels. Supervisors with concerns about the performance of their direct reports should contact Human Resources for guidance and assistance.

STA is committed to providing fair treatment of all employees and ensuring that disciplinary actions are prompt, as uniform as practicable, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for future satisfactory service. Employment with STA is based on mutual consent, and both the employee and STA have the right to terminate employment at will, with or without cause or advance notice. STA will, at its discretion, use the following progressive discipline approach when an employee's conduct in the workplace is unsatisfactory.

A. Progressive Discipline

Progressive disciplinary action may call for any of the following five steps, depending on the severity of the problem and the number of occurrences: corrective counseling, oral warning, written warning, suspension, or termination of employment. There may be circumstances when one or more steps are bypassed. Human Resources shall be notified for steps 1 and 2. Human Resources must be involved and participate in steps 3 thru 5. The general guidelines for STA's progressive discipline policy are as follows:

1. Corrective counseling/advising - is provided in a private conversation between the employee and supervisor in cases where the employee may not be aware of wrongdoing or detrimental conduct. Corrective counseling and advising shall be documented in an email format to the employee. A copy shall be kept in the supervisors' desk file for progressive discipline purposes;
2. Oral warning – is provided in a private conversation between the employee and the supervisor and shall be documented in an email format to the employee. A copy shall be kept in the supervisor's desk file for progressive discipline purposes;
3. Written warning – The supervisor and Human Resources staff prepare a memorandum to the employee that clearly and specifically identifies performance issues and provides directions for resolution. A copy of the memorandum is to be reviewed in person with the employee and placed in the employee's Personnel File;
4. Suspension - with or without pay, will be decided following an investigation if warranted (suspension without pay for exempt employees must be in full week increments unless the suspension is for a serious

safety violation); or

5. Termination of employment – termination from the position.

Part 4.14 Whistleblower Policy

Employees have a duty to report if the employee reasonably believes there is evidence of gross mismanagement of Tribal resources, federal contracts or grants, a gross waste of tribal or federal funds, an abuse of authority relating to expenditure of tribal resources or federal contracts or grants, a substantial and specific danger to public health or safety, or a violation of law, rule or regulation (including those approved by STA Tribal Council and the STA Constitution) related to Tribal resources or a federal contract or grant.

Employees shall not be discharged, demoted or otherwise retaliated against for making a good faith report of a Code of Conduct violation, a suspected violation of law, or a suspected violation of any regulation or Employee Handbook provision governing the operations of STA.

All reports shall be made to the General Manager. If the concerns relate to the General Manager, then the report shall be made to the Tribal Attorney. The Council shall be promptly informed when either the General Manager or Tribal Attorney receives a report pursuant to this Part.

Part 5 Timekeeping and Payroll

Part 5.01 Timekeeping

It is the responsibility of employees to complete and submit timesheets and reports concerning time worked and use of leave on a timely basis to avoid delays in processing the employee's paycheck. Upon completion, the employee shall submit this record to the employee's direct supervisor for verification and signature. Failure to submit timesheets in the timeline requested by Finance will result in a delayed paycheck for the employee. Employees and Supervisors must submit timesheets timely for processing. See Internal Control Procedure for more detail.

Part 5.02 Office Hours/Work Schedules

A. Regular work week/hours and lunch hours

The regular workday and week for full-time STA employees is from 8:00 A.M. to 4:30 P.M. The work schedule may be modified for a variety of reasons subject to applicable laws. Any permanent change in the work schedule being initiated by the supervisor must be discussed with the employee, a change being initiated by the employee must be approved by the employee's direct supervisor in writing and in advance. Employees will

be given an unpaid one-hour lunch break if their position allows, which will be taken at a time designated by the employee's direct supervisor. Lunch hours may be staggered so that the office is adequately staffed during each hour of the working day, if possible. A non-exempt employee must obtain prior approval from the employee's direct supervisor prior to being absent from the office (other than during a lunch or break period) during a scheduled working day.

B. Breaks

Employees are encouraged to make it a healthy practice to take a short break, no longer than 15 minutes, but not before two hours on the job or within two hours of the end of the day. Supervisors may schedule breaks and may require that no formal break be taken during a given shift due to the demands of a job. Employees taking a break must not disrupt the workflow of other employees.

C. Wellness Program

In support of employee physical and mental wellness, full time employees may use up to a half hour three times a week (up to one and a half hours per week) to participate in fitness or wellness activities during the workday. These activities include, but are not limited to walking, gym workout, exercise classes, therapy or doctor appointments, meditation, etc. **Employees must indicate use of the wellness program on the sign-in/out sheets (signified by writing a "W")** and provide advanced notice to their supervisor. Employees in grant-funded positions must work with their supervisor to determine whether their position qualifies to participate in this program.

D. Work Travel

See Travel Policy.

E. Employee Breastfeeding

STA will strive to support employees who are breastfeeding an infant, up to one year of age, in the workplace.

- Prior to breastfeeding at the office, employees will schedule a time to talk with their supervisor to develop a written plan establishing a private space for nursing/pumping and a shared expectation between supervisor and employee that the employee will be using extra breaks for nursing/pumping.
- STA will provide full-time breastfeeding employees with two (2) thirty-minute breaks, one during the first half of their shift and the second during the second half of their shift, to nurse the baby or to pump their breasts. These breaks are for the sole purpose of supporting breastfeeding and are not to be used for any other purpose.

- Employees may breastfeed or pump in the privacy of their own office or in another available private location in an STA facility. The employee may leave the STA facility if they choose to during their approved breastfeeding break times.

Part 5.03 Paydays

Employees are paid on a semi-monthly basis. The pay period starts the 1st of the month and ends on the 15th; the next pay period starts on the 16th of the month and ends on the last day of the month.

Paydays are every 10th and 25th of the month. If payday is an official STA holiday, the payday is the day before the holiday. If payday falls on a Saturday or Sunday, payday will be the Friday prior. See Part 5.01 Timekeeping for the requirement that employees submit timesheets timely. If a timesheet is not received by the due date, in order to meet the early pay date, finance will only process timesheets submitted on time.
Direct deposit statements are placed in the interoffice box (for the individual or department) on payday. It is the responsibility of each employee to promptly notify STA of any changes in personal data (e.g., bank account number, address, or phone number changes). Employees that receive a paper check may pick up their checks and statement at the Finance Department. Paper checks not picked up after three days will be mailed to the employee at their address on record.

Weather and postal service delivery may cause paychecks to be delayed. Employees who are requesting that a missing paycheck be canceled and reissued must wait 10 calendar days to receive the reissued check. Employees are encouraged to sign up for a direct deposit to ensure receipt of pay on payday.

Direct deposit forms are available at Human Resources or from the payroll office.

Part 5.04 Official Holidays

A. List of Holidays

1) New Year's Day—First of January
2) Martin Luther King Day – -Third Monday in January
3) Elizabeth Peratrovich Day—Sixteenth of February
4) Memorial Day—Last Monday in May
5) Independence Day—Fourth of July

6) Labor Day—First Monday in September
7) American Indian Day—Fourth Friday in September
8) Indigenous Peoples' Day – Second Monday of October
9) Alaska Day—Eighteenth of October
10) Veterans Day—Eleventh of November
11) Thanksgiving Day—Fourth Thursday in November
12) The day after Thanksgiving – Fourth Friday in November
13) Christmas Day—Twenty-fifth of December
14) The day after Christmas

B. Holidays falling on Saturday or Sunday

If a holiday falls on a Saturday, the preceding Friday is considered a holiday. If a holiday falls on a Sunday, the following Monday is considered a holiday. If a non-exempt employee observes the holiday falling on a Friday or Monday and works on the actual holiday (on Saturday or Sunday) they will be paid on the holiday at their regular rate of pay.

C. Work performed on holidays

At times, some employees (for example Cultural Resources/SNEP or Transportation department employees) may be required to work on an official holiday. In those instances, how that is handled depends on the FLSA status of the employee. Exempt employees will work with their supervisor to schedule an alternate day to take off in observation of working the holiday. Non-exempt employees who have to work the holiday will be paid at the rate of time-and-a-half for holiday work if the work was pre-authorized by the employee's direct supervisor. Non-exempt employees cannot schedule an alternate day off, they are paid to work the holiday.

D. Part-time, Temporary, On-Call and Seasonal employees

Part Time Employees and Temporary Employees are eligible to observe holidays (take the day off on a holiday and get paid). For example, if a part-time or temporary employee works 6.75 hours in a day and a holiday occurs on a day when that employee would typically work, they can take the holiday off and still be paid 6.75 hours . If the holiday falls on a day that the part-time or temporary employee doesn't normally work, they will not receive pay. If the part-time or temporary employee must work on a recognized Holiday, they will receive the holiday rate of pay (time and a half).

On-Call Employees are also eligible to observe holidays. If an on-call employee is scheduled to work on the same *week* that a Holiday falls, the on-call employee will be paid for that holiday. If an on-call employee must work on a recognized Holiday, they will receive the holiday rate of pay (time and a half).

For all temporary, on-call, and part-time employees observing holidays or working on holidays, Finance will look at hours worked over the past 3 pay periods to figure out appropriate payment.
Seasonal employees are not eligible to receive pay for observing a holiday but will receive the holiday rate of pay for hours worked on a holiday.
For more detail, see the Employee Benefits Handbook.

E. Religious/Cultural observances

Employees may take Paid time off or Leave Without Pay for any religious or cultural holidays not mentioned above with prior written approval of the employee's direct supervisor.

Part 5.05 Overtime

All employees are expected to complete work during office hours. Employees will from time to time be expected to perform services other than during the employee's established regular workday. For the purposes of calculating whether additional hours have been worked, the number of hours worked in a consecutive twenty-four (24) hour period beginning at 12:00 A.M. Sunday and ending at 11:59 pm on the following Saturday will be calculated.
Non-exempt employees who work in excess of eight (8) hours in a day or forty (40) hours in a week shall be entitled to overtime compensation at a rate of one and one-half times the regular rate of pay. In determining whether an employee has worked more than forty (40) hours a week, the number of hours worked shall be determined without including hours that are worked in excess of eight hours in a day. Employees entitled to receive overtime wages for working overtime must obtain written approval in advance from their direct supervisor before working any additional hours. Employees who are eligible to receive overtime wages (i.e. non-exempt employees) may NOT receive time off in lieu of overtime wages. Non-exempt employees who work overtime without approval from their direct supervisor will not be paid for those hours.

Part 5.06 Flex Time

Flex time is the modification of an employee's work hours within the pay period. Flex time may be used by any employee, exempt or non-exempt. The use of flex time must always be authorized by the employee's direct

supervisor in advance. If a non-exempt employee works more than 8 hours in a day, they will be paid overtime, they cannot flex another day.

Part 5.07 Pay Deductions and Garnishment

The law requires that STA make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. STA also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." STA matches the amount of Social Security taxes paid by each employee.

STA offers programs and benefits beyond those required by law (i.e., health insurance). Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs. Employees are encouraged to review the STA benefits handbook and consult with Human Resources on the availability and costs of benefits.

Pay garnishments are deductions taken by STA, usually to help pay off a debt or obligation to STA. In addition, STA shall comply with all federal, state, and local laws and court orders to garnish wages from employee earnings.

Part 5.08 Administrative Pay Corrections

STA takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event that there is an error in the amount of pay, Paid Time Off accruals, and tax withholdings, the employee is responsible for promptly bringing the discrepancy to the attention of the Finance Department so that corrections can be made as quickly as possible.

Part 5.09 Pay Advances

In an emergency, or if an employee is experiencing a financial hardship, an employee may request a salary advance, which will not exceed the gross amount due to the employee at the time the request is made; advances may be requested two times per calendar year per employee. Any salary advance shall be subject to applicable withholdings requirements. Salary advances will be deducted from the wages due on the next payday. No pay advances will be allowed beyond two per calendar year, no exceptions will be made.

Salary advances are requested in writing, stating how much is needed and when the advance will be deducted from the employee's check. The request is then routed to the employee's direct supervisor for signature and approval, routed to the General Manager for signature and approval, and finally submitted to the Finance Department in a timely manner. An emergency salary advance requested by the General Manager must be submitted in writing to the Chair for signature and approval.

STA does not provide pay advances on unearned wages to employees.

Part 5.10 Employment Separation

The employment relationship is at-will and may be terminated by the employee or STA.

STA will provide an opportunity for employees who are voluntarily leaving STA to complete an optional exit interview with Human Resources. The exit interview will afford the employee an opportunity to voice suggestions, comments, and questions about their employment, which will be reviewed by Management and the Department Director.

Where permitted by applicable laws, STA may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. All STA property must be returned by employees on or before their last day of work. STA may take all action deemed appropriate to recover or protect its property at the time of termination of the employment relationship.
Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination in the following manner: all accrued benefits that are due and payable at termination will be paid. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Resignation is a voluntary act initiated by the employee to terminate employment with STA. Although advance notice is not required, STA requests at least two weeks' written notice of resignation from all employees. Failure to give proper notice may be noted in the personnel file and may affect the employee's application for rehiring at any future date.

Unless otherwise stated by HR or the terminated employee's supervisor, the last day of employment is to be a working day and employees are expected to be in the office to close out their employment. Exceptions for remote

employees who do not live in Sitka may be granted by the employee's Department Director. Paid Time Off and Holidays are not appropriate as a final working day.

Part 6 Benefits

Refer to the Employee Benefits Handbook.

Part 7 Leave

Refer to the Employee Benefits Handbook.

Part 8 Grievances

Part 8.01 Who Can File a Grievance

The grievance procedures cover all full-time, part-time, seasonal, and temporary employees. The procedures do not cover independent contractors, consultants or applicants for employment who are not already employees.

Part 8.02 Informal Resolution

If an employee experiences a work-related problem, the employee is encouraged to discuss it openly and honestly with the parties involved. If the employee and those involved are unable to resolve the problem, the employee should work with their supervisor and/or HR to resolve the problem. If no resolution can be reached at this stage, the employee may file a grievance in accordance with the procedures below.

Part 8.03 Procedures

A. Time limit for filing a grievance

A grievance must be filed within ten (10) working days after the action complained of. Continuing or repeated actions or policies may be grieved at any time. For good cause, the person to whom the grievance is submitted may accept a late filing. Good cause means, but is not limited to, an illness, family emergency, or travel that prohibits the employee from filing within ten (10) days. "Day" always means calendar day. Working days are to be counted as follows:

1) The first day is excluded and the last day is included; and

2) Holidays recognized by STA, Saturday, and Sunday are also excluded.

B. Form

No specific form is necessary, but a grievance must be in writing. The employee must clearly state the problem, including a description of the actions that triggered the grievance and the date on which the actions occurred. Employees must state what relief they want as clearly and specifically as possible.

C. Jurisdiction

1. Grievance concerning the General Manager

Grievances concerning the General Manager, the grievance shall be submitted to the Chair of the Tribal Council. If the grievance is filed properly and in a timely manner, the Chair of the Council will provide the other Council members and the General Manager with a copy of the grievance. The General Manager will then respond to the grievance in writing and deliver such response to the Tribal Council Chair and the grievant within ten (10) working days of the receipt of the original grievance. For good cause, the person to whom the grievance is submitted may accept a late response. Good cause means, but is not limited to, an illness, family emergency, or travel that prohibits the employee from filing within ten (10) working days.

The Chair of the Council will then consult with the Tribal Attorney to determine if a there are grounds for the grievance, after a determination there are grounds, the Chair must deliver the grievance and any response and reply to the Grievance Committee.

The Grievance Committee shall serve on an ad hoc basis and consist of three members of the Tribal Council appointed by the Chair.

The Grievance Committee shall have the responsibilities outlined in Part D of this part to conduct fact-finding. The Grievance Committee shall make a decision based on its findings of fact and then deliver a written summary of the Committee's findings of fact and decision to the Chair of the Council within ten (10) working days of receipt of the grievance.

The Council shall then consider the findings of fact and the decision of the Committee as an advisory opinion. The Council, therefore, is not obligated to adopt the Committee's findings of fact or decision. At its discretion and before making a final decision, the Council may direct the Committee to conduct further fact-finding and then report to Council. The Council shall issue a final decision within ten (10) working days of receipt of the Committee's findings of fact and decision, unless the Council in its discretion determines that additional fact-finding is necessary. If additional fact-finding is requested, the Committee will have three (3) working days

from the receipt of the request to complete the fact-finding. The Council will then issue a final decision within ten (10) working days of receipt of the Committee's additional findings. The Council retains the final decision-making authority over the grievance and there is no further right of appeal.

2. All other grievances, including grievances concerning a direct supervisor

Grievances must be submitted to the HR Manager. Upon receipt of a grievance, the HR Manager will distribute a copy of the grievance to the party about which the grievance is written ("respondent") and to the grievant's and respondent's direct supervisors, as the HR Manager deems appropriate. If the grievance is filed in a timely manner, the HR Manager will provide a written decision within ten (10) working days of receipt of the grievance.

Within ten (10) working days of receipt of the HR Manager's written decision, the grievant or respondent may file a written appeal of the decision to the General Manager. If the appeal is filed in a timely manner or the General Manager determines that there is good cause to accept a late filing, the GM will appoint a committee of three non-interested staff members at different management and non-management levels to hear the appeal. Non-interested staff members are those who are not close friends or relatives with either party to the grievance, and who do not work in the same department as the parties to the grievance. The committee will then provide a copy of the written appeal to the respondent and give the respondent an opportunity to respond to the appeal within five (5) working days. After receiving the respondent's response, the committee will then issue a recommendation to the General Manager within ten (10) working days. The General Manager has discretion to accept the committee's recommendation or not. The General Manager's decision is final and not subject to appeal.

3. Fact-finding

For all grievances, the person or committee hearing the grievance shall make reasonable efforts to investigate the allegations made in a grievance and allow the grievant a reasonable opportunity to present evidence or argument. Fact-finding does not require a hearing or other oral presentation. When requested, witnesses shall appear before the decision-making person or committee.

4. Grievances and At Will Employment

Nothing in this Section prevents STA from exercising its right as an at will employer to suspend or terminate an employee, for any reason. If a respondent to a grievance is fired before the grievance process is over, the grievance process will immediately cease.

Part 8.04 Freedom from Retaliation or Threat of Retaliation

All employees are free to use these grievance procedures without fear of retaliation. To protect against retaliation, grievances must be kept in the strictest confidence, pursuant to Part 3.19 of this Handbook. No employee will retaliate or threaten retaliation against another for filing a grievance. If an employee retaliates against another for filing a grievance or for any other reason, the retaliating employee will be subject to prompt disciplinary action, up to and including termination of employment.

A. What is retaliation?

Retaliation occurs when a person in a position of power takes a materially adverse action against someone in a lesser position of power because the latter person reported a Code of Conduct violation, a suspected violation of law (such as a complaint of discrimination, or suspected fraud), or a suspected violation of any regulation or Employee Handbook provision governing the operations of STA. Examples of "materially adverse actions" include, but are not limited to:

- work-related threats, warnings, or reprimands;
- negative or lowered evaluations;
- transfers to less prestigious or desirable work or work locations;
- filing a civil action;
- threatening reassignment; scrutinizing work or attendance more closely than that of other employees, without justification;
- removing supervisory responsibilities;
- engaging in abusive verbal or physical behavior that is reasonably likely to deter protected activity, even if it is not yet "severe or pervasive" as required for a hostile work environment;
- taking (or threatening to take) a materially adverse action against a close family member (who would then also have a retaliation claim, even if not an employee).