

Personnel Policy No. 6

EMPLOYEE CONDUCT

I. CODE OF CONDUCT

All Tribal employees are expected to conduct themselves in a professional manner. Employees are expected to treat Tribal members, clients and other staff members courteously and to work as a team for the benefit of the Tribe.

The following rules are necessary and reasonable for the proper conduct of Tribal work. Conduct that is unsafe, inconsiderate, or illegal will not be permitted. Failure to adhere to these standards may result in disciplinary action, ranging from verbal or written warnings to termination of employment.

A. Attendance and Punctuality

All employees are expected to report to their work site at their scheduled work time. Absences and tardiness are considered in performance evaluations. Excessive absences or tardiness jeopardize continued employment and will result in disciplinary action.

If it is necessary to be late or absent from work because of illness or emergency, each employee must notify his/her Supervisor at the beginning of the work day to be missed, as soon as possible. **In any event, no later than one-half (1/2) hour after the employees scheduled work time.** In an emergency circumstance, the employee must notify his/her Supervisor as soon as possible.

If an employee fails to notify his/her Supervisor within the guidelines above, disciplinary action may be taken up to and including termination of employment.

B. Smoking

Smoking is prohibited in all locations on company property except those specifically designated as smoking areas. For purposes of this policy, "company property" includes all Tribal property and facilities including tribally owned vehicles.

C. Personal Appearance

Moderation and good taste in dress and grooming are required when conducting tribal business.

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D. Personal Business

The Tribe recognizes that personal business may need to be conducted during scheduled work hours. We ask however, that employees attempt to conduct personal business outside their scheduled work time. If an employee must leave the premises for any reason, she/he must obtain permission from his/her Supervisor prior to departing.

The Tribe also recognizes that daycare is not always available to employees with children. Children of employees shall be allowed in the tribal offices during working hours on a limited emergency case-by-case basis. The employee must receive permission from their Supervisor and Department Director. The employee **will supervise their child at all times** while they are present in the tribal office. The employee will be responsible to keep their child from all disruptive behavior and the employee will be responsible to clean up after their child. All complaints from other employees will be to the employee's supervisor. At no time will the child be allowed to disrupt the work of other employees at the work site.

E. Telephone Usage

All personal telephone calls will be kept to an absolute minimum. The Tribe does not accept collect phone calls. Abuse of telephone privileges will require repayment by the employee (if applicable), and will result in disciplinary action, up to and including termination of employment.

F. Misconduct

As explained earlier in this manual, our employment relationship is "at will." However, we would like you to be aware of some specific examples of misconduct that will not be tolerated, such as:

1. Theft, regardless of the amount, from the Tribe, a client of the Tribe, a co-worker, or any agent of the Tribe;
2. Falsifying records (including time sheets and/or employment application);
3. Habitual absences and/or tardiness;

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4. Sleeping or otherwise loafing during work time;
5. Insubordination; that is, the purposeful failure to obey the reasonable request or directive of a Supervisor;
6. Disorderly conduct, including mistreatment of other employees, Tribal members or clients;
7. Willful destruction or waste of Tribal property or materials;
8. Neglect or mishandling of Tribal property or supplies;
9. Unauthorized access to confidential information;
10. Use or possessions of a controlled substance or alcohol on Tribal property and/or during the workday (see Drug-Free and Alcohol-Free Workplace Policy);
11. Reporting to work under the influence of a controlled substance or alcohol;
12. Divulging proprietary or confidential information to employees or other individuals or entities not authorized to receive the information;
13. Sexual, racial, ethnic, religious, disability, age or other unlawful discrimination, retaliation, harassment or intimidation of any kind;
14. Violating any safety, health, security or other tribal rules; or
15. Failure to follow the established procedures provided for resolving problems arising out of the employer-employee relationship.
16. Misusing information obtained as a Yurok employee either to harm the Tribe and its business, or to benefit oneself.

II. CONFIDENTIALITY

A. In the course of their duties, employees are likely to come into contact with **confidential information** that is not made available to anyone other than certain tribal employees with a specific need to know. This information includes, but is not limited to:

- ◆ Personnel information;
- ◆ Client Information;
- ◆ Tribal membership lists and other information regarding Tribal members;
- ◆ Business plans;

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- ◆ Financial Data;
- ◆ Information on project bids or grants;
- ◆ Future plans and proposals; and
- ◆ Other matters of a confidential nature.

B. Each employee, as a condition of employment, shall maintain this information in the strictest of confidence, both during and after the person's employment with the Tribe.

C. Breaches of confidentiality cannot, and will not, be tolerated. Discussion of confidential information with any person absent a legitimate business need is strictly prohibited and will result in disciplinary action up to and including termination.

III. REQUESTS FOR INFORMATION

1. Employees are to direct all requests for information from any source to the appropriate individual as shown below:

Requests regarding information about:	Should be Directed to:
Verification of/or eligibility for membership in the Tribe	Enrollment Director
Yurok Employees (current or past)	Human Resource Director
Employment or Payroll Verification	Finance Director
Recruitment or interviews for specific positions	Human Resource Director
Persons Eligible to receive services	Appropriate Director
Tribal information in general	Executive Director or Chairperson

2. No one is authorized to disclose any information to an outside source (including the news media) unless explicitly authorized to do so in writing by the Chairperson or the Executive Director.

a. **Media Requests:** If a representative of the media approaches an—employee, she/he shall refer the request immediately to the Chairperson or Executive Director.

b. **Public Requests:** Employees asked by an outside agency or organization to appear on behalf of the Tribe, or to speak about Tribal programs as a guest speaker or program participant, must

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have prior approval by the Chairperson or Executive Director.

IV. NON-HARASSMENT POLICY

It is the policy of the Yurok Tribe to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

- A. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status, or sex. Special attention should be paid to the prohibition of sexual harassment
- B. No Tribal employee has the authority to engage in unlawful harassment, and any individual who harasses a Tribal employee is acting beyond the scope of any authority s/he may have from the Tribe.
- C. Any employee who believes s/he has been harassed by a co-worker, Supervisor, Tribal member or client should immediately report the incident to his/her Supervisor, the Human Resource Director, or the Executive Director.
- D. Each supervisor and manager has a responsibility to keep the work place free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
- E. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. This conduct includes:

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1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions.
2. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references.
3. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual.
4. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs.
5. Demeaning, insulting, intimidating, or sexual suggestive written, recorded, or electronically transmitted messages (such as email, instant messaging, and internet materials).

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, sex, national origin, religion, disability, pregnancy, age, or military status is also prohibited.

- F. Any employee who believes that a supervisor's, director's, manager's, other employee's, or non-employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaint should be made to the employee's supervisor or the department director.
- G. All directors and Supervisors must immediately report any incident of harassment of which they are advised, or which they may observe, to the Human Resource Director or Executive Director. Any Manager or Supervisor aware of a complaint of harassment who fails to take action will be subject to disciplinary action, up to and including termination.
- H. All harassment complaints will be investigated in accord with established Tribal Policy. Violations of the Tribe's non-harassment policy will not be

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tolerated, and will result in disciplinary action up to and including termination.

- I. Likewise, no employee shall be subjected to retaliation or adverse treatment of any nature because s/he complains of harassment or participates in the investigation of allegations of harassment.