

Personnel Policy No. 2 – General Employee Information

2.1 GENERAL PROVISIONS

2.1.1 Equal Opportunity Statement

The Yurok Tribe is proud to be an Equal Opportunity Employer and is committed to providing a work environment free from discrimination. This Tribe will not hire, discharge, or discriminate against an employee in compensation, working conditions, or any other term or benefit of employment because of the employee's race, religion, color, national origin, sex, age, citizenship, ancestry, physical or mental disability, medical condition, marital status, sexual orientation, or any other non-merit factor unless otherwise specified in federal grant regulations. This Tribe shall, however, exercise **a policy of Indian preference**, as provided in Personnel Policy No. 3-RECRUITMENT AND HIRING and the Yurok Tribe TERO Ordinance.

2.1.2 Policy Changes

These Personnel Policies may be modified by the Yurok Tribal Council as necessary to meet the changing personnel management needs.

The Employee Relations and Workplace Safety Committee, consisting of the Executive Director, no more than two Council Members, Human Resources, and three tribal staff (elected annually in December by all tribal staff), will review and make recommendations to the full Tribal Council regarding all Personnel Policies and salary structure changes.

The Human Resource Office will be responsible for maintaining this manual and issuing revisions as needed. Suggestions for revisions should be submitted in writing to the Human Resource Director.

Upon approval of any modifications to the existing policies by the Yurok Tribal Council, the Human Resource Office will give all Tribal employees a copy of the revision as soon as possible.

2.1.3 Administrative Committee

An Administrative Committee consisting of the Finance Director, Human Resource Director, Executive Director and Chairperson will review and approve all merits higher than three (3%) percent, new hires paid higher than entry, promotions, FMLA request over twelve (12) work weeks, and auto accidents to determine fault.

2.2 WORK TIME AND PAY DAYS

Employees are required to accurately record hours worked including:

- a. Time they begin and end each day

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- b. One half hour lunch period is automatically deducted
- c. Beginning and end of any split shift

2.2.1 Recording Time

- a. All employees will use the time clock to record their time.
- b. It is strictly forbidden for any employee to record another employee's time. This includes "clocking in or out" for another employee. Violations of this policy will result in disciplinary action.
- c. Time punched in early at the beginning of the workday and punched out late at the end of the workday will not be allowed to be used towards overtime, unless prior written approval is obtained from the immediate Supervisor.
- d. If there is a mistake on the time clock the employee must immediately inform his/her Supervisor. The Supervisor must then make and initial any necessary correction(s).
- e. No employee shall work through their lunch period and add it to hours worked.
- f. Employees may not use annual or sick leave to compensate for tardiness.
- g. Employees who punch in late more than five minutes will be docked one-quarter of an hour of pay.
 - 8:31 a.m. No docking
 - 8:36 a.m. Dock fifteen minutes
 - 8:46 a.m. Dock one-half hour
 - 9:06 a.m. Is considered absent without official leave (AWOL)

2.2.2 Pay Periods

- a. Employees are paid biweekly (every two weeks).
- b. The pay period begins at 12:01 a.m. on Sunday and ends at 12:00 midnight on the alternate Saturday.

2.2.3 Work Hours

- a. Office work hours are from 8:30 a.m. to 5:00 p.m., with a 1/2 hour unpaid lunch break. The standard work schedule for full-time employees is a 40-hour workweek comprised of five (5) eight-hour workdays.
- b. Field work hours will be determined by work need and may be comprised of four (4) ten hour days or other schedule as deemed in the best interest of the

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Yurok Tribe. The standard work schedule for full-time employees is a 40-hour workweek.

- c. Flexible time schedules may be permitted if approved in writing in advance by the employee's immediate Supervisor.

2.2.4 Work at Home

Under extraordinary circumstances employees may be permitted to work at home. Work at home request must be made in writing by the employee and may be permitted if approved in writing by the employee's immediate Supervisor, Department Director, and Executive Director. The Executive Director approval requires forty eight (48) hours notice prior to approval. The Department Director and Supervisor should consider the following factors in evaluating request for work at home:

- a. The nature and purpose for the request and if it will interfere with duties and responsibilities at their designated work site
- b. The benefits to be derived by the employee and the tribe
- c. The employee's level of responsibility and length of service with the tribe
- d. Cost savings if any
- e. Any potential lost time or productivity

Employees who work at home must use a daily log of activities to insure accountability. This daily log must be attached to the employee time sheet and must be signed by the Supervisor and Department Director. Employees must be available via the telephone at all times (if the employee works in an area where telephone service is unavailable they must check in with their office) and the employee must attend all required meetings at the Yurok Tribal office. The Fiscal Department will submit a monthly report of the number of employees who are working at home to the Executive Director.

2.2.5 Travel Time

- a. **Home to Work (Ordinary Situations):** An employee who travels from home before his/her regular work day and returns to his/her home at the end of the work day is engaged in ordinary home to work travel which is a normal incident of employment. This is true whether s/he works at a fixed location or at different job sites. Normal travel from home to work is not work time.
- b. **Home to Work (Emergency Situations):** During instances involving emergency situations, travel from home to work is work time. For example, if an employee who has gone home after completing his day's work is subsequently called out at night to travel a substantial distance to perform an emergency job for one of his employer's customers, all time spent on that travel is working time.

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- c. **Home to Work (Special Assignment):** When an employee who regularly works at a fixed location in one city is given a special one-day work assignment in another city. The time spent on this travel is work time. However, the employee's normal travel time may be deducted from the working time, since it falls in the "home to work" category because the employee would have had to report to his/her regular work site anyway. Also, the usual meal period may be deducted from the working time.
- d. **Travel as Part of the Day's Work:** Time spent by an employee in travel as part of his principal activity, such as travel from job site to job site during the work day, must be counted as hours worked. Where an employee is required to report to a meeting place to receive instructions or to perform other work, or to pick up certain items for work, the travel from the designated place to the work place is part of the day's work, and must be counted as hours worked.
- e. **Overnight Travel:** Travel away from home for an overnight trip is clearly work time when it cuts across the employee's regular workday. The employee is substituting travel for other duties. Travel time on nonworking days is also considered work time if conducted during normal work hours. For example, an employee who normally works 9 a.m. to 5 p.m. Monday through Friday must be paid for time spent traveling on Sunday only for travel between the hours of 9 a.m. and 5 p.m. Regular meal period time is not counted. Travel during non-work hours is not considered work time unless the employee is actually performing work while traveling.
- f. **Work Performed While Traveling:** Any work that an employee is required to perform while traveling must be counted as hours worked.

2.2.6 Overtime

It is the policy of the Tribe that all work be accomplished within the normal workweek. However, when the provision of quality services requires it, each employee may be asked to perform his or her duties during overtime hours. Non-exempt employees are covered by the Fair Labor Standards Act and hours worked in excess of 40 in a workweek shall be considered overtime. Overtime will be allowed when the employee's immediate Supervisor authorizes written approval in advance.

2.2.7 Time Sheets and Leave Request Forms

- a. Original signed time sheets must be received in Klamath's Fiscal office by noon on the Monday, or the first working day following the end of the pay period. This means that all employees except those in Klamath must mail their time sheets on Friday so they will arrive at Fiscal on time.

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- b. All time sheets must be signed by both the employee and Supervisor to attest that the hours recorded are complete and correct.
- c. If employee's leave time is to be used (e.g., sick or vacation leave) the leave request form must be filled out with the employee and Supervisor's signatures. All original signed leave request forms must be attached to the time sheets (unless previously approved and submitted to Fiscal).
- d. Faxed copies will be accepted. Original signed copy must be received by the Fiscal Department prior to the release of paycheck.
- e. Employees, who will be out of the office on days when time sheets are normally signed by the Supervisor or mailed to Klamath, should make arrangements to ensure their timesheets are signed and mailed on time.

2.2.8 Paydays

- a. Paychecks are issued on the Friday following the end of the pay period, for employees who have properly submitted his/her original, signed, and completed time sheet and leave request form(s).
- b. Employees who fail to get their time sheets and leave requests in by Monday noon must pick up their paycheck from the Executive office on Friday payday. If this happens on a regular basis further disciplinary action will be taken.
- c. When the regular payday falls on a holiday, the paychecks will be issued on the last working day before the holiday.
- d. Should an employee receive compensation for which she/he did not qualify, such overpayment shall be deducted from his/her next two pay checks. Any such deduction(s) will be documented and Fiscal will notify the employee in writing.

2.3 APPOINTMENT STATUS (TENURE)

Appointment Status determines whether or not an employee is eligible for benefits, including sick, vacation leave, holiday pay and health, vision and dental benefits. Positions may have an anticipated length of appointment as identified below.

Regular Employees who work at least **30 hours per week** are eligible for full health, dental and vision benefits. For Regular employees, time base also determines the prorated amount of vacation, sick leave, and holiday pay benefits for which the employee is eligible.

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2.3.1 Status

- a. **Regular Employee:** Employment which does not normally have an established ending date. These employees serve a six-month initial trial period and are eligible for benefits. If they work at least thirty (30) hours per week they are eligible for health, dental, and vision benefits. If work time is less than forty (40) hours per week then vacation and sick leave benefits will be prorated. After passing the initial six-month trial period they are eligible to enroll in the next 401 (k) Open Enrollment which occurs in June and December.
1. **Academic term employees (Education):** Employment which does not normally have an established ending date but work an academic term and may be laid off each year. These employees serve a six-month initial trial period and are eligible for benefits. Employee shall continue to receive health benefits during summer lay-off and their accrued sick leave shall be carried forward. Sick leave benefits shall not be paid or accrued during lay off status. Vacation benefits shall not be accrued.
 2. **Seasonal Employee:** Serves a six-month trial period and is eligible for vacation, sick and holiday time. The seasonal employee who works more than 90 days is also eligible for health benefits if they work at least 30 hours per week. Benefits will be prorated by the number of hours worked in each week. These employees are laid off when the season ends and may be reinstated the following year based on established criteria. Accrued sick shall be carried forward. Benefits are not paid or accrued while the seasonal employee is in lay-off status.
- b. **Temporary Employee:** A temporary employee is appointed to fulfill emergency or other short-term specific needs. Generally, the appointment is up to three (3) months in length, but can be extended up to six (6) months. This position is not eligible for benefits and does not have grievance rights. Temporary employees do not receive benefits regardless of their time base.
- c. **Intermittent Employee:** An intermittent employee does not have a consistent schedule and will be expected to work an irregular work week, as needed. This position is considered temporary but may have an appointment which does not have an established ending date. This position is not eligible for benefits or grievance rights.

2.3.2 Time Base

The time base for a position may be:

- **Full-time:** 40 hours and up per week
- **Part-time:** A consistent weekly schedule of less than 40 hours

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- **On-Call:** May not have a consistent schedule, may be needed as “ON CALL”, or expected to work an irregular schedule each week. Hours per week may range from 0 up to 40 hours.
- Regular employees who work at least 30 hours per week are eligible for full health, dental and vision benefits. For Regular employees, time base also determines the prorated amount of vacation, sick leave, and holiday pay benefits for which the employee is eligible.

2.3.3 Exempt/Non Exempt

- a. **Exempt:** These employees are exempt from the Department of Labor’s Fair Labor Standards Act (FLSA) because they fall under the definitions of Executive, Administrative or Professional employees. Salaried employees do not receive overtime compensation.
- b. **Non-Exempt:** These employees are covered by the FLSA. Hours worked in excess of 40 in a workweek shall be considered overtime.

2.4 INITIAL TRIAL PERIOD

- a. All new employees hired in “regular” status shall complete an initial trial period of six months commencing with their first day of employment. During this time, the employer and the employee will have an opportunity to determine whether further employment is appropriate.
 - Supervisors will complete the supervisor’s orientation form on the first day of employment.
 - Review job description and determine goals and objectives and time lines to achieve duties and responsibilities within the six month trial period.
 - Identifying training needs necessary to successfully complete trial period.
- b. Upon satisfactory completion of the initial trial period, the employee will be considered a “regular employee” and will have available certain benefits and rights as a regular employee. These benefits include:
 - The use of vacation leave.
 - Access to the grievance procedures as specified in Personnel Policy No. 9 - GRIEVANCES AND APPEALS.
- c. Employees who are promoted into a position at a substantially higher rate of pay, or having a substantial change of duties may be required to complete an additional trial period (length of trial period will be determined by the Department Director and Executive Director) in that new classification. If the employee has previously successfully completed a six- (6) month initial trial period as a new employee, and there is no break in employment, s/he will retain all benefits as a regular employee. For example, s/he will continue to be eligible to use accrued vacation time.

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- d. The Supervisor may elect to extend an employee's initial trial period when such an extension is deemed appropriate or beneficial. An employee whose initial trial period is extended will receive written notice from their immediate Supervisor stating the reason and duration of the extension.
- e. Supervisors will prepare written performance evaluations and discuss the evaluations with the employee during the initial trial period. The first evaluation will generally occur at three (3) months, midway through the initial trial period. The final evaluation will then occur at six (6) months. The written evaluations, signed by both the Supervisor and the employee, will be placed in the employee's personnel file.
- f. During this "getting acquainted" or "initial trial period," the employee's work habits, attitude and attendance record will be reviewed. Other criteria that will be considered include, but are not limited to, the following:
 - Quality of work
 - Quantity of work
 - Attendance
 - Ability to work with co-workers and Supervisors
 - Ability to work with public
 - Ability to supervise
- g. If the Tribe determines that the employment relationship is not beneficial to its needs, the Tribe has the right to terminate the employee at any time during the initial trial period, for any reason with or without advance notice.
- h. An employee terminated during the initial trial period may not invoke the grievance procedures contained in Personnel Policy No. 9 - Grievance Procedures.

2.5 NEPOTISM/CONFLICT OF INTEREST

2.5.1 Nepotism

Nepotism as used in this Policy is defined as preferential treatment accorded to a member of one's immediate family. Immediate family is defined as parents, spouse or significant other, son, daughter, sisters, brothers, grandparents, grandchildren, foster children or others raised in the employee's home, aunt, uncle, niece, nephew, and the following in-laws: son, daughter, brother, sister, mother, father, aunt, uncle, nephew, niece.

2.5.2 Conflict of Interest

Conflict of Interest as used in this policy is to require accountability of Yurok Tribal employees in exercising the authority vested with them as a matter of public trust. Employees will treat their positions as a matter of public trust, only using the power

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and resources of the tribal office to advance tribal interest and not to attain personal benefit or promote private gain. Yurok Tribal business will be conducted in an open and honest manner that allows the tribe to hold tribal employees accountable for their actions. Employees must abstain from using their position in a manner which could place, or appear to place, their personal interest before that of the tribe and its members.

2.5.3 Nepotism/Conflict of Interest and Conducting of Tribal Activities

In conducting tribal activities:

- a. No member of a Personnel Selection Committee or the Tribal Council shall participate in any portion of the selection process when a conflict of interest or nepotism exists, as defined in this section.
- b. No employee or the Tribal Council shall participate in a personnel action involving an individual when a conflict of interest or nepotism exists, as defined in this section. No Manager should promote or hire an employee that would create a conflict of interest or nepotism.
- c. There shall be one level maintained between a Supervisor and family member as defined in this section. No employee may be assigned to a unit supervised by a member of the family. In the event the Supervisory relationship is brought into existence by the promotion of an employee, the Human Resource Director shall recommend to the Chairman the proper personnel action to take on an individual case basis.
- d. Employees shall not accept outside employment or participate in an activity which interferes in any manner with the full and proper discharge of the duties of his or her position or results in a conflict of interest. A conflict of interest also exists if an employee's private activities interfere with the proper discharge of his or her official duties.
- e. No Program Manager with decision-making authority shall participate in any activity that creates a conflict of interest situation. A conflict of interest exists when a manager with decision-making authority uses, or appears to use, his or her position for benefits to himself/herself, relatives (as defined in this section), or business associates. If a manager with decision making authority pertaining to the activity subject to inquiry is involved in an outside interest which could be affected by a tribal project or activity, and a conflict of interest exists in reality or appearance, he or she must report the situation to the Executive Director immediately. The Executive Director will take necessary measures to remedy the Conflict of Interest situation. Such measures may include reassignment. Unless specifically authorized in writing, no manager shall participate in a conflict of interest situation and such participation shall be deemed a violation of this Policy.

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2.6 CHANGE OF EMPLOYEE INFORMATION

- a. It is the employee's responsibility to immediately advise the Human Resource Department and his/her Supervisor of any change in marital, W-4 status, telephone, address, or name, as this information may affect future paychecks and/or benefits.
- b. Changes must be submitted to the Human Resource Office by memo or on the Personnel Action Notice. The Human Resource Office will forward a copy of the Personnel Action Notice to the Fiscal Department.
- c. It is each employee's responsibility to immediately advise his/her Supervisor and Human Resource Office of any change, which may affect his/her ability to perform the job for which she/he was hired. This includes, but is not limited to, the onset of an illness or condition that requires prescription drugs; the onset of any disability; any suspension, limitation or revocation of driving privileges or a driver's license; conviction of any crime; etc.

2.7 PAYROLL ADVANCES

The Tribe does not allow employees to receive their paychecks early except if an employee will be absent on the normal pay date due to pre-approved leave, arrangements may be made to receive the payroll check when pay checks are processed in the pay week. A request by the employee in writing to receive the payroll check earlier than normal must be made through the Finance Director.

The Tribe does not provide payroll advances to employees except in an emergency. All payroll advances must have the prior approval of the immediate Supervisor and Department Director, and are subject to the following rules:

- a. All regular employees may be granted a payroll advance no more than three (3) times per calendar year.
- b. In extreme circumstances there may be request in excess of three. These requests require the approval of the Executive Director.
- c. An employee seeking a payroll advance must submit a written request to the Department Director.
- d. No payroll advances will be granted to any employee who has a payroll advance outstanding.
- e. An employee will not be advanced more money than has been earned at the time of the advance (i.e. no more than five days pay).

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- f. Approval of any payroll advance is subject to the employee's written agreement for the Tribe to withhold the amount sufficient to repay the advance in full by the next two (2) paydays.

2.8 CAREER DEVELOPMENT

2.8.1 Training at Recurring Seminars and Conferences

At the direction of the Yurok Tribal Council, work time may be used for staff meetings, committee participation, special education courses and conferences that will assist in employee development and improve the quality of work accomplished by the Tribe. Approval of employee attendance at regular scheduled seminars, workshops, and conferences will be to maintain or enhance staff's knowledge of various Department requirements and when appropriate to the employee's work assignment and functional responsibility.

All travel to, and attendance at, training sessions, conferences or other meetings will be canceled or reassigned upon notification of an employee's intent to terminate his/her employment with the Tribe. Any exception to this will be upon direction from the Tribal Council, and based upon their belief that it serves the best interest of the Tribe to allow the individual to attend.

2.8.2 Training Given Under an Individual Employee Development Plan

Training approved as part of an "Employee Development Plan" is the product of direct consultation between the individual employee and the immediate Supervisor during the yearly "Employee Appraisal". Employees interested in career development shall raise the issue at this time but for adequate planning purposes employees should raise the issue as soon as they have interest. The over-all objective is to enhance the employee's value to their Department and the Tribe. It can also address the employee's needs for personal development.

The work-related portion of the plan will have a time frame for accomplishment and the successful completion will be directly linked to the individual's yearly performance evaluation.

- a. Employees who want training through an "Employee Development Plan" must obtain approval from the Department Director and the Executive Director before enrollment.
- b. The Department Director and Supervisors should consider the following factors in evaluating requests for employee development:
 - The nature and purpose of the course of study;
 - The benefits to be derived by the employee and the Tribe;
 - The employee's level of responsibility and length of service;

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- The estimated cost; and
- Any potential lost time or productivity while the employee participates in the program.

2.8.3 Education Assistance

Education assistance may be provided under the Employee Development Plan utilizing the procedures established below:

- a. To be eligible for educational assistance employees must have regular status and at least one year of service with the Yurok Tribe.
- b. Eligible employees may receive assistance only for courses of study that the Supervisor and Department Director determines are directly related to the employee's present job or that will enhance the employee's potential for advancement to a position within the Tribe and to which the individual has a reasonable expectation of advancing.
- c. Department Director's must obtain funding approval for the assistance before making a recommendation for approval to the Executive Director.
- d. Employee's eligibility for educational assistance will be based upon the grade received for the course. Employees seeking educational expenses must agree in writing to repay the Tribe in full if they receive failed or incomplete grades.
- e. Employees seeking assistance for educational expenses must submit a transcript of their grades to the Human Resource Department to determine eligibility to participate in the Educational Assistance Program. These transcripts will be kept confidential.
- f. The Tribe will allocate up to \$200 per employee per semester to purchase books and assist with tuition if approved in the Department budget.
- g. Employees are expected under normal circumstances to schedule class attendance and the completion of study assignments outside of their regular working hours. The Tribe however, will offer flexible scheduling for employees taking college courses, provided that the objectives of the Department can be met in an efficient manner as determined by the Department Director. It is expected that educational activities will not interfere with the employee's work, and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and termination of employment.

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- h. Records of all programs completed by employees participating or utilizing the Educational Assistance Program will be maintained by the Human Resource Department. Such records will be subject to the confidentiality requirements of the Tribe.

2.9 SAFETY

All employees are responsible for exercising appropriate safety procedures necessary to prevent accidents and injuries. Violations that endanger any person's life, health or welfare will not be tolerated. Each employee's cooperation in meeting this responsibility is required. Any unsafe condition that any employee is aware of must be reported to his/her Supervisor and to Human Resource immediately.

2.9.1 Personal Injury while Working

- a. All employees are covered by workers' compensation insurance. Any accident or injury, no matter how small, must be immediately reported to the Supervisor. All employees involved in an accident that either (1) results in property damage in excess of five hundred dollars (\$500.00) with no personal injury; or (2) results in an employee requiring medical treatment that results in the filing of a State Industrial Insurance System (SIIS) worker's compensation must submit to a post-accident alcohol test within two hours after the accident and will be required to take a drug test at the same time at the nearest testing facility. If they employee is unable to take the tests within two hours due to medical treatment or lack of transportation from the accident site to the testing facility, or all available sites are closed, this must be documented by the employee's supervisor. A drug test will still be required to be taken up to twenty-four hours after the accident.
- b. The employee must provide their Supervisor with the following information:
 - Time
 - Location
 - Circumstances of accident
 - Description of injury
 - Witness names and addresses
- c. The Supervisor is responsible for giving the employee an industrial injury insurance form for completion and for notifying the Human Resource and Fiscal Department immediately. There is a legal requirement that the form be given to the employee within one working day after a Supervisor becomes aware of a possible injury.
- d. Once the employee returns the industrial injury insurance form, the Supervisor should complete their required section and return the form to the Human Resource Department immediately.

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- e. Employees, who are responsible for driving Tribal vehicles, must read and certify their understanding of the policy on “Use of Tribal Vehicles”.
- f. Employees who use Tribal equipment are responsible for following the rules specified in the current “Equipment Use Policies”.
- g. Employees are responsible for reading, following, and understanding any future operational policies that may be adopted.

2.9.2 First Aid

In each office a first aid kit is maintained and stocked at all times for use in the event of minor injuries. It is located in a designated area in each office. Should an injury occur, use common sense. Do NOT hesitate to call Emergency Services (911) for assistance if an accident occurs.

2.9.3 Fire Extinguishers

Fire extinguishers are located in various places on each floor in the buildings occupied by the Tribe. Locations of extinguishers are posted on each floor. Check with your Supervisor to identify the location of the nearest extinguisher.

2.10 USE OF BUILDING AND FACILITIES

Employees are not permitted to use the building, equipment, or facilities after business hours without prior written authorization by the Executive Director.

2.11 REPORTING TO WORK DURING EMERGENCY SITUATIONS

If, due to special circumstances, such as weather, electrical outage, or other uncontrolled incident, employees are unable to report to work, they are required to make every reasonable effort to contact the Supervisor, or other responsible person, to receive instructions about an alternate work site, or to give notice that they will not be able to attend work.

- a. Each employee will be given a list of emergency phone numbers which should be maintained for easy access when needed.
- b. Upon verification by the Supervisor and approval by the Executive Director, each employee who is unable to work due to the emergency conditions will receive a minimum of two (2) hours of payment as follows:
 - Employees who show up for work and are sent home by their Supervisor prior to having worked two hours.

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- Employees who attempt to show up but are not able to get into the building due to hazards, etc.
- c. Employees who work at least two hours and are then subsequently sent home under directive from the Executive Director, or his/her designee, will be compensated only for the hours worked, paid in ½ hour intervals. Employee will not be compensated for drive time to and from the office. Employees may choose to use vacation time for the hours between those worked and a normal full workday (8 hours).
- d. In accord with Personnel Policy No. 12-Leave of Absence, the Executive Director may authorize administrative leave under special and extraordinary circumstances.

2.12 COMMUNICATION AND EQUIPMENT

Directors are responsible for instructing employees on the proper use of the communications services and equipment used by the organization for both internal and external business communications.

- a. Most communications services and equipment have toll charges or other usage related expenses. Employees should be aware of these charges and should consider cost and efficiency needs when choosing the proper vehicle for each business communication. Employees should consult their Supervisor if there is a question about the proper mode of communication and equipment usage.
- b. All Tribal communication services and equipment, including the messages transmitted or stored by them, are the sole property of the Yurok Tribe. The Tribe may access and monitor employee communications and files as it considers appropriate. Communications equipment and services include, but are not limited to: mail, electronic mail (e-mail), courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services, Internet connections, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards. Employees whose communications may be monitored generally will be so advised.
- c. Employees may access on-line services and the Internet. On-line use is limited to work-related activities. In addition, employees should not, without proper authorization, duplicate or download any software or materials that are copyrighted, patented, trademarked, or otherwise identified as intellectual property. When Internet material is downloaded appropriately, it should be scanned using the Tribe's antivirus software. IT staff can access employee's computers and passwords for valid reasons and with proper approval of the Executive Director.

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- d. Tribal employees shall not use Tribal communication services and equipment for personal purposes. These communication services and equipment will be used by tribal employees only. Only in emergencies, or when extenuating circumstances warrant it and only then with Supervisor approval, will these communications and equipment be used for personal use. When personal use is unavoidable, employees must properly log any user charges and reimburse the Tribe for them.

However, whenever possible, personal communications that incur user charges should be placed on a collect basis or charged directly to the employee's personal credit card or personal account. Tribal communications property or equipment may not be removed from Tribal premises without written authorization from the employee's Supervisor.

2.13 SOCIAL MEDIA POLICY

The Yurok Tribe Social Media Policy applies to:

- All blogs, wikis, forums, and social networks hosted or sponsored by Yurok Tribe
- Your personal blogs that contain postings about Yurok Tribe's business, products, employees, customers, or partners
- Your postings about Yurok Tribe's business, products, employees, customers, or partners on external blogs, wikis, discussion forums, or social networking sites such as Twitter
- Your participation in any video related to Yurok Tribe's business, products, employees, customers, or partners whether you create a video to post or link to on your blog, you contribute content for a video, or you appear in a video created either by another Yurok Tribe employee or by a third party.

2.13.1 Guidelines:

At Yurok Tribe, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, tribal members, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all employees who work for Yurok Tribe.

- a. In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that

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- any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects tribal members, customers, suppliers, people who work on behalf of Yurok Tribe or Yurok Tribe's legitimate business interests may result in disciplinary action up to and including termination.
- b. Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager. Do not use Yurok Tribe email addresses to register on social networks, blogs or other online tools utilized for personal use. Personal social media activities must not interfere with your work or productivity at Yurok Tribe. Don't use company resources to set-up your own blogging environment, even if you are blogging about matters related to Yurok Tribe. Yurok Tribe resources, including servers, may be used solely in connection with formally authorized blogging environments that have been established following consultation with IT. Even if your social media activities take place completely outside of work, as your personal activities should, what you say can have an influence on your ability to conduct your job responsibilities, your co-workers' abilities to do their jobs, and Yurok Tribe's business interests.
 - c. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination. Do not post anything that is false, misleading, obscene, defamatory, profane, discriminatory, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or entity. Make sure to respect others' privacy. Third party Web sites and blogs that you link to must meet our standards of propriety. Be aware that false or defamatory statements or the publication of an individual's private details could result in legal liability for Yurok Tribe and you.
 - d. Be respectful: Always be fair and courteous to fellow employees, customers, tribal members, suppliers or people who work on behalf of Yurok Tribe. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, tribal members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.
 - e. Be honest and accurate: Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it

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quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about Yurok Tribe, fellow employees, tribal members, customers, suppliers, or people working on behalf of Yurok Tribe.

- f. Maintain the confidentiality of Yurok Tribe confidential information. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Protecting the confidential information of our employees, customers, partners, and suppliers is also important. Do not mention them in social media without their permission, and make sure you don't disclose items such as sensitive personal information of others or details related to Yurok Tribe's business with its customers. Third party social media services use servers that are outside of Yurok Tribe's control and may pose a security risk. Don't use these services to conduct internal Yurok Tribe business.
- g. If you do publish a blog or post online related to the work you do or subjects associated with Yurok Tribe, make it clear that you are not speaking on behalf of Yurok Tribe. It is best to include a disclaimer such as "The postings on this site are my own". Remember that you are not an official spokesperson for Yurok Tribe.
- h. Respect Copyrights: You must recognize and respect others' intellectual property rights, including copyrights. While certain limited use of third-party materials (for example, use of a short quotation that you are providing comment on) may not always require approval from the copyright owner, it is still advisable to get the owner's permission whenever you use third-party materials. Never use more than a short excerpt from someone else's work, and make sure to credit and, if possible, link to the original source.
- i. Stick to Yurok Tribe Topics on Yurok Tribe-Sponsored Blogs: Blogs that are hosted or run by Yurok Tribe should focus on topics that are related to Yurok Tribe's business. Take care to avoid subject areas that are likely to be controversial.