

No employee may eavesdrop on the conversations or communications of other employees or non-employees in accordance with the same standards set forth above.

From time to time MBCI may tape, record, videotape, or otherwise monitor conversations or other communications between employees and/or between employees and non-employees for legitimate business purposes. Generally, employees will be notified when such taping or recording occurs, in accordance with applicable laws and sound employee relations principles. Under certain circumstances, however, notice may not be given, such as where MBCI is conducting an investigation into allegedly unlawful or unethical activities, in conjunction with regulatory or other enforcement authorities, such as law enforcement investigation.

Violations of this part may result in disciplinary action against the offending employee(s), up to and including an unpaid suspension or termination of employment. Where the conduct engaged in is illegal, violators may also be subject to prosecution under applicable federal, state, or local laws.

XXI. CONFIDENTIALITY OF MBCI INFORMATION

The nature of business and the economic wellbeing of MBCI is dependent upon protecting and maintaining proprietary MBCI information. During the course of work, employees may have access to highly sensitive confidential and privileged information concerning citizens, customers, clients, vendors, and other employees. All such information is considered confidential and retained within MBCI. Continued employment with MBCI is contingent upon compliance with this policy.

It is the responsibility of all MBCI employees to safeguard sensitive MBCI information. The Office of Human Resources will be responsible for the orientation of employees to ensure enforcement of MBCI confidentiality.

Employees are advised to be most discreet in their handling of confidential and privileged information, even when talking to fellow employees. If there are questions concerning the disclosure or communication of any information, please consult the Office of Human Resources.

Certain information and material is, by its very nature, considered confidential information. The term "confidential information" includes, but is not limited to:

- a. files, papers, documents, and communications related to MBCI customers, clients, and vendors;
- b. personnel records, salary and benefit information, medical records or information, communication to or regarding MBCI employees;
- c. computer systems information, media, and passwords;
- d. negotiations and contracts;
- e. plans and strategies;

- f. financial data, budgets;
- g. inter- and intra-office communications among employees;
- h. information that employees have access to only because of his/her position;
- i. all other information regarding MBCI employees, customers, clients, contractors, and vendors; and
- j. student records.

Confidential information must never be discussed with, or disclosed to, anyone outside MBCI, or with any employee of MBCI who does not require the information in order to perform the functions of his or her job.

All personnel records and information provided to the Tribal Council's Committee on Human Resources, Training and Development under this Policy are confidential information and may not be discussed with, or disclosed to, anyone other than a member of the Tribal Council except by a duly-passed motion or resolution of the Tribal Council.

Files, papers, and documents relating to MBCI and its contractors, employees, computer systems, or computer media, must not be removed from the premises under any circumstances. This includes taking work home, unless given the approval of the employee's supervisor.

To facilitate access to communication systems and computers, passwords or security devices are known and approved by an employee's supervisor. Employee passwords and security codes should not be disclosed to, or used by, any other employee.

Personal computer passwords, and other passwords used by various employees for general access, are considered confidential. All employees are required to keep their passwords secret and protected at all times. Divulging confidential or privileged information may result in personal liability.

Department Directors may institute other rules regarding confidentiality of MBCI information as it relates to the efficient and effective functioning of their work areas. However, such rules shall not conflict with MBCI's policies or with laws regarding whistle blowing and reporting of illegal activities.

ANY EMPLOYEE COMMUNICATING OR DISTRIBUTING CONFIDENTIAL INFORMATION WITHOUT PRIOR APPROVAL MAY BE SUBJECT TO IMMEDIATE TERMINATION AND SUCH FURTHER LEGAL ACTION AS MBCI BELIEVES NECESSARY.