

For all political appointee positions requiring confirmation by the Tribal Council, including all political appointee positions in existence at the time of the effective date of this Policy, a person may serve in an “acting” role for no more than 180 days, except where the Tribal Council has not taken action on a nomination within that timeframe, in which case the time period in an “acting role” shall be tolled from the date the nomination was submitted to the Tribal Council for confirmation.

IX. ATTENDANCE AND PUNCTUALITY

The normal workweek is 40 hours, Saturday through Friday, at all tribal locations unless otherwise specified and approved by the Chief. Daily hours are from 8:00 a.m. to 4:30 p.m. with a one-hour lunch break between 12:00 and 1:00 p.m., unless otherwise decided by the Chief. Individuals may alter this schedule by prior agreement with their supervisors, provided the regularly scheduled hours are worked each week. Some positions may require employees to work nights and weekends.

All employees must report to work as scheduled. If you must be absent or tardy, you must notify your supervisor in advance of the anticipated tardiness or absence. If you cannot provide advance notice, call your supervisor as soon as possible, but in no event later than 30 minutes after your scheduled start time. You also may be required to submit documentation of the reason for your tardiness or absence.

Any employee absent from work for a period of two (2) consecutive workdays, without daily notification to your supervisor of the reasons for the absence, will be considered as having voluntarily resigned. It is not sufficient to leave a voice mail message; you must personally contact your supervisor. If for any reason you are unable to contact your supervisor personally, then you must contact your supervisor’s superior. In the rare case where neither can be contacted personally, you must leave your supervisor a voice mail message, stating the date and time you called, the reason for your absence, and where and how you can be reached.

In the event of an emergency situation (hurricane, flood, and severe weather) you should monitor media outlets including the Tribal website to determine if your specific work location is open for business. If you do not locate this information through media outlets, contact your supervisor. If you cannot reach your supervisor, contact the Office of Human Resources. If your work location is open for business, MBCI expects you to report to work if possible. If you are unable to report to work, you still must contact your supervisor to inform him or her why you are unable to report to work. MBCI will make every effort to make public notifications regarding closures in emergency situations through the media or Tribal website.

X. COMPENSATION

Salaries will be paid biweekly on Thursday with a two-week lag in reimbursement. All supervisors will submit two-week time sheets prior to each pay period for each nonexempt employee under their supervision and for exempt employees who take leave during the pay period.

Nonexempt employees who take time away from their duties must submit appropriate documentation to their supervisor, and their time sheets must reflect the absence. In the case of Education Contract Employees working only for the school year, employees will receive their contract salaries on a prorated basis during the entire year.

Overtime will be paid at the rate of one and one-half times any nonexempt employee's regular hourly rate for all hours worked in excess of the regularly scheduled 40-hour week. Overtime shall not be worked without the prior written approval of the employee's supervisor. Exempt employees are not eligible for overtime.

A. Salary Grades

Grades for each position may be reviewed before the beginning of each fiscal year for possible adjustments as determined by market considerations. Salary adjustments will not be automatic, will depend upon available funds, and may differ from job to job.

B. Hire-In Rates

Employees must be compensated at the minimum pay rate for the grade. However, an unusually well-qualified candidate or unusual market conditions may justify hire-in at a higher rate within the grade. When a candidate hire-in rate is above the mid-point pay rate for the grade, the Chief or the Chief's designee must include in a Human Resources Quarterly Report the position Job Title, the rate of pay approved, and the basis for the hire-in rate. The Quarterly Human Resources Report must be submitted to the Tribal Council's Committee on Human Resources, Training and Development on or before the tenth (10th) day of the calendar month immediately following the quarter to which the Human Resources Quarterly Report pertains.

In the case of persons hired as certified instructional staff and administrators in the Choctaw Tribal Schools, the Revised Education Pay Schedule will determine salary levels. Salary levels are determined by the employees' level of certification and their years of experience with a maximum of ten (10) years' experience credited from other school districts. Tribal members who become certified teachers or administrators will be credited for their years of experience as an instructional aide in the Choctaw Tribal Schools. Administrators for designated positions will be compensated in accordance with their corresponding position on the Revised Education Pay Schedule multiplied by an additional factor approved by the Chief and the Tribal Council.

C. Promotion Salary Adjustments

If an individual is promoted to a tribal job with a higher salary range, pay will be adjusted upward to step one of the range of the new position. If pay already exceeds step one, the individual will enter the new range at whatever step is next above his or her present pay.

All Tribal positions will have written job descriptions which will be used for position evaluation to determine equitable pay with public and private sector jobs comparable to those of the Tribe. The supervisor and employee will review the job description on an annual basis during employee performance reviews. The supervisor shall notify the Office of Human Resources of any recommended changes to the job description. All job description changes must be approved by the Office of Human Resources.

D. Outside Activities

Outside employment or activities of any sort must not interfere with the efficient performance of an employee's duties; involve a conflict of interest with regard to the employee's duties; or involve the performance of duties regularly performed by the employee in his or her employment with MBCI. Employment or economic activity outside of an employee's primary position with the Division of Tribal Government Services must be approved in advance and in writing by the Chief.

E. Transfer

The Chief may transfer employees from one job in the Division of Tribal Government Services to another for which they are qualified, without the job having to be advertised or announced. Transferring employees, including employees transferring from Tribal Council to Executive Branch employment, may transfer all of their accrued leave and will maintain other benefits. Employees may request a transfer by submitting a written request to the Director of Human Resources, and providing a copy of the written request to the Chief. For each employee transferred pursuant to this paragraph, the Chief must submit written notification to each member of the Tribal Council's Committee on Human Resources, Training and Development. Such written notification shall be included in a Human Resources Quarterly Report and shall include: employee's former and present job titles; date of transfer; amount of rate of pay change, if applicable; and all changes, additions, or deletions from the job description duties or responsibilities for the former and present positions, if applicable. The Human Resources Quarterly Report must be provided to the Tribal Council's Committee on Human Resources, Training and Development on or before the tenth (10th) day of the calendar month immediately following the quarter to which the Human Resources Quarterly Report pertains.

Each employee transferred pursuant to this section E must be evaluated by the immediate supervisor of his or her new position within 30 days of being transferred. MBCI may, within 90 days of transferring an employee, transfer the employee back to the position from which the employee transferred, or to another position, as MBCI deems reasonable under the circumstances.

F. Salary Advances

No employee can receive his or her salary or compensation in advance unless there is a death or hospitalization in the employee's immediate family as defined in the sick leave policy,

and the employee's paycheck has already been printed.

No emergency pay advance forms are to be taken to the Chief's office without first being approved by the Office of Human Resources. Emergency pay advance forms are not to be used upon resignation or termination of employees.

G. Working On-Call

The nature of some positions with MBCI requires that some employees in those positions be placed "on call." This will always be reflected in the position description and all new employees will be informed of this before they agree to accept a job offer. Employees that are placed "on call" are asked to respond to pagers, beepers or cellphones by reporting to their duty station within a reasonable time period.

XI. BENEFITS

MBCI offers a broad range of benefits to eligible employees. The summary plan descriptions and formal plan documents provide the eligibility requirements and an explanation of the benefits offered. Copies of the summary plan descriptions, the formal plan documents, or any other documents relating to employee benefit plans, will be made available to employees upon hire. If you have any questions regarding this information, or if you believe you did not receive any of the above-described information, please contact the Office of Risk Management.

XII. TIME OFF FROM WORK

A. Holidays

Employees are eligible for "holiday pay" on thirteen (13) holidays each year. The holidays recognized by MBCI are:

New Years' Day (Jan. 1)	Labor Day (first Monday in Sept.)
MLK, Jr. Day (3 rd Monday in Jan.)	Native American Day (4 th Friday in Sept.)
President's Day (third Monday in Feb.)	Veteran's Day (Nov. 11)
Good Friday (Friday before Easter)	Thanksgiving Day (4 th Thursday in Nov.)
Memorial Day (last Monday in May)	Native American Heritage Day (day after Thanksgiving)
Independence Day (July 4)	Christmas Day (December 25)
Nanih Waiya Day (2 nd Friday in August)	

If a holiday falls on a Saturday, it will be observed the day before on Friday. If a holiday falls on a Sunday, it will be observed on the following Monday.

To be eligible to receive holiday pay, however, an employee must work his or her scheduled hours, or be on pre-approved leave, on the workday immediately preceding and the workday immediately following the holiday. If any holiday occurs during an employee's approved annual leave, that day will not be charged against the employee's annual leave.