

1. MBCI Drug and Alcohol Policy;
2. DOT Drug and Alcohol Policy; and
3. FTA Drug and Alcohol Policy.

Each employee is required to sign an Employee Notice and Acknowledgement of MBCI's Drug and Alcohol Testing Requirements which will indicate which Drug and Alcohol Policy the employee is required to follow.

A. Criminal Charges Related to Drugs Or Alcohol

All employees are required to report, within five working days, any arrest for violation of a drug statute or alcohol violation to the Office of Human Resources and their supervisor. Refusal to submit to a drug or alcohol test as required by law enforcement shall be considered a positive test result.

MBCI shall, in the case of arrest or conviction of an employee, whether on or off duty, take appropriate personnel action against such employee and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes.

VII. SOCIAL MEDIA POLICY

A. Introduction

Social media tools are a powerful form of communication that can have a significant impact on organizational, professional, and individual reputations. Forms of social media include but are not limited to [Facebook.com](https://www.facebook.com), Google+, [LinkedIn.com](https://www.linkedin.com), [MySpace.com](https://www.myspace.com), and [Twitter.com](https://www.twitter.com), as well as personal websites and weblogs (blogs).

Employees must exercise care when participating in social media, as the lines between personal and professional content, lawful and unlawful, and between public and private content, are often blurred. Whether participating on behalf of MBCI or personally, employees should follow the same standards of behavior "online" as they would if in "person." Remember that the Internet is not anonymous, and it does not forget.

The purpose of this policy is to encourage clear and consistent communications with our employees, customers and the media and to protect the trade secrets and intellectual property rights of MBCI, and to promote compliance with applicable laws. Employees are also advised that MBCI maintains workplace policies prohibiting harassment, sexual harassment, and other misconduct, and such policies apply equally to social media activities by employees.

B. MBCI Policies Extend to Social Media Activities

Social media communication or participation is strictly prohibited while an employee is on duty, unless such communication or participation is conducted for official MBCI business and is specifically authorized by your supervisor. The following are general guidelines for employees'

participation in social media and online communications while they are off duty.

1. Take Responsibility and Be Transparent.
 - a. You are responsible for anything you write or do online.
 - b. Use good judgment when you post, and think about the consequences of what you are posting. Assume your writings will spread.
 - c. Ensure that your communications or postings do not violate any of the policies set forth in this Policy or otherwise, including but not limited to, Equal Employment Opportunity, Non-Harassment Policies, and the Integrity and Standard of Conduct policies.
 - d. Do not express, communicate or link to comments that are vulgar, obscene, threatening, pornographic, harassing or defamatory or which are a violation of the MBCI's workplace policies against sabotage, discrimination, hostility or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, political affiliation, or other protected class, status, or characteristic.
 - e. Managers and supervisors should avoid social media relationships with non-managerial employees, except in cases where the relationship is limited to business-related networking or there is a legitimate business purpose.
 - f. The Office of Human Resources is responsible for providing references to employees, in accordance with MBCI policies, as well as to comply with applicable employment laws. Managers and supervisors shall *not* provide references for current or former employees via social networking sites (i.e. LinkedIn).

2. Protect the Trade Secrets, Intellectual Property Rights, and Privacy Rights of MBCI, Its Employees, and Its Customers
 - a. The Tribe's livelihood depends on its trade secrets and intellectual property rights remaining protected. To this end, and in accordance with the Tribe's trade secrets, employees are prohibited from posting any information on social media that would reveal trade secrets, confidential strategic business initiatives (e.g., a new secret product line, acquisition, or "secret sauce"), or compromise MBCI's intellectual property rights in any way.
 - b. Similarly, and in accordance with applicable law, employees are prohibited from posting confidential personal information about customers or employees (social security numbers, protected health information, credit card numbers, drivers' license numbers, mother's maiden name, complete date of birth, minor children's names, etc.).
 - c. Employees also may not use any client or vendor trademarks or

logos, for commercial use, without their express permission. All employees must abide by all Copyright laws.

- d. Social media is not for everyone, and many employees opt not to socialize with their coworkers, via social media or otherwise. To this end, employees are not required to connect with any coworker or to “friend” them on social media sites. Employees are prohibited from threatening other employees to coerce them to engage in social media activities.

3. **Obligation to Report Violations of This Policy**

- a. If an Employee becomes aware of a violation of this social media policy, such violation should be reported to an appropriate supervisor or to the Office of Human Resources.

If an Employee feels he or she is being harassed, discriminated against or retaliated against for reporting a violation of the social media policy, he or she should immediately report this to his or her supervisor or to the Office of Human Resources.

VIII. EMPLOYEE CLASSIFICATION

A. Exempt Employees

Each employment position is classified as exempt or non-exempt under this Policy in accordance with the Department of Labor regulations at 29 C.F.R. Part 541.

Exempt employees are paid on a salary basis and, with certain exceptions, must be paid their full salary for any week in which they perform work. The exceptions for which an exempt employee’s pay may be reduced are as follows:

1. Employees who are absent for at least a full day because of sickness or disability will not be paid for that day unless they are eligible for benefits under MBCI’s paid time off, vacation, sickness, or disability policies. An exempt employee’s pay will not be reduced if he/she is absent for less than a full day because of sickness or disability.
2. Employees who take leave under the Family and Medical Leave Act (“FMLA”) will not be paid for that time unless they have accrued benefits under MBCI’s leave policies which run concurrent with the FMLA leave. Pay of employees on FMLA leave will be reduced by the hours missed even if it is less than a full day.
3. Employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day. If an employee is absent for less than a full day for personal reasons, his or her pay will not be reduced.
4. Employees who are absent from work for jury duty, attendance as a witness at a trial, or temporary military leave will have their pay reduced by the