

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

amount of payment they receive in the form of jury fees, witness fees, or military pay. Their pay will not be reduced by the number of hours or days they are absent from work unless they perform no work in a given week.

5. If an employee violates a safety rule of major significance while on duty, his or her pay may be reduced in an amount to be determined by MBCI as a penalty for that violation.
6. Employees may be suspended without pay for certain other types of workplace misconduct, but only in full-day increments. The reduction in pay will be proportionate to the number of days suspended.
7. Employees who work less than 40 hours during their first or last week of employment will be paid a proportionate part of their full salary for the time actually worked.
8. Exempt employees shall be at their designated worksite at all times during the work day. If an exempt employee will be away from their designated work site for more than a brief period of time and annual or sick leave has not been approved, they must obtain their supervisor's written approval to be away from the work site. It is entirely within the supervisor's authority to deny the request.

MBCI will reimburse any exempt employee whose pay is reduced in violation of this Policy. If you feel your pay has been improperly reduced, please notify your supervisor or the Director of Human Resources.

B. Nonexempt Employees

Nonexempt employees will be paid only for actual hours worked unless they receive benefits under MBCI's leave policies. All time worked by nonexempt employees in excess of forty hours in a workweek will be paid at one and one-half times the employee's rate of pay.

All hours of work must be accurately recorded. If you have been instructed to falsify time records by any person, you must report this matter immediately to the Director of Human Resources.

C. Probationary Employees

Probationary employees include employees who have not yet completed 90 calendar days of employment, and employees who are on disciplinary probation under part XVI, Section C of this Policy. Probationary employees who have not yet completed 90 calendar days of employment are subject to the provisions of Part V, Section E of this Policy. Probationary employees, whether they are on the initial 90-day probation or disciplinary probation, may take the following leave with pay: holiday, emergency leave, civil leave, administrative leave, bereavement leave, and military leave. Probationary employees are also eligible to take leave without pay. However, they may not take annual leave or sick leave.

D. Regular Full-time Employees

Employees who are regularly scheduled to work at least 40 hours per week and are eligible for full employee benefits.

E. Regular Part-Time Employees

Employees who are regularly scheduled to work less than 40 hours per week will be eligible for prorated sick leave, annual leave benefits, and workers' compensation.

F. Temporary Casual Employees

Employees hired for a specific and limited period of less than six (6) months are eligible only for workers compensation benefits. If it is determined at the conclusion of the six months to continue employment, temporary casual employees may be reclassified as Regular Part-Time or Regular Full-Time, which may make them eligible for employee benefits in accordance with this Policy.

G. Education Contract Employees

All employees with positions in the Department of Schools are Education Contract Employees. Education Contract Employees serve on the basis of an annual contract, with the exception of school principals, whose contracts may be for a period of up to three (3) years, subject to an annual evaluation.

Education Contract Employees will not receive annual leave, but will receive time off in the form of school holidays and personal leave. Personal Leave will be awarded at the beginning of each contract period in amounts determined by part XII. Time Off From Work.

Substitute employees in tribal educational programs, and any employees in the Tribal Health Center who work only as needed basis, are considered intermittent employees and are retained on an as-needed basis only, are not guaranteed any certain number of hours of work per week or pay period, and are eligible only for the benefit of workers' compensation.

H. Political Appointees

Political appointees are those persons occupying positions directly appointed by the Chief and supervised by the Chief or the Chief's designee. Political appointee positions may or may not be advertised, and will not be subject to an initial probationary period. Incumbents of such positions shall not have recourse to the grievance procedures described in this Policy as a result of termination or for any other cause. A Waiver of Native American Preference is not necessary for political appointee positions as the nature of these positions are at the discretion of the Tribal Chief who retains ultimate authority to select who is best qualified for the position.