

not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using MBCI tribal government equipment in the employee's residence, except to the extent MBCI is held liable by the Tribal Tort Claims Act.

Employees are responsible for the security of MBCI tribal government property and information in all work locations including telework locations.

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.

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.

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)
Nanah 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.

Exempt employees receive no additional compensation beyond their salary, base, or commissioned pay for holidays.