

# Human Resources Policies and Procedures



COLLEGE OF THE MUSCOGEE NATION  
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COLLEGE OF THE MUSCOGEE NATION  
HUMAN RESOURCES  
POLICIES AND PROCEDURES

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*“Preserving the Past, Cultivating the Future”*

## **MISSION STATEMENT**

The College of the Muscogee Nation is the institution of higher education for the Muscogee Creek Nation emphasizing native culture, values, language and self-determination. The College will provide a positive learning environment for tribal and non-tribal students as citizens of a tribal and global society supported by teaching excellence and will offer exemplary academic programs that meet student, tribal, and societal needs. Through instructional quality and visionary leadership, the College of the Muscogee Nation will encourage lifelong learners, for personal growth, professional development, and intellectual advancement.

## **VISION STATEMENT**

The College of the Muscogee Nation fosters the spirit of enthusiasm for learning, identity embedded in culture and appreciation for tradition that will serve our students well into the future benefiting the interests of the Muscogee Nation and enhancing greater participation within the tribal, local, and global communities.

## **CORE VALUES**

The College of the Muscogee Nation is committed to core values inherited from our tribal elders and the following we hold true:

VRAKKUECKV (RESPECT): We value our Native culture, language and community, honoring the rights and dignity of all people

FVTCETV (INTEGRITY): We are fair, honest and accountable for our actions

MECVLKE (RESPONSIBILITY): We are loyal, reliable, and diligent in all tasks

EYASKETV (HUMILITY): We are kind, concerned for the well-being of others and embrace equality

HOPORENKV (WISDOM): We gain insight from scholarly learning and the knowledge and experience of our elders

## **INTRODUCTION**

The College of the Muscogee Nation (CMN) was established in 2004 to fulfill the vision of our ancestors for higher education among the Muscogee and all indigenous people.

The purpose for the Human Resource (HR) Policies and Procedure Manual is to outline expectations between employee and employer while maintaining and respecting the rights of both parties, staying focused on our mission, and contributing to the advancement of the College of the Muscogee Nation.

The policies and procedures created for the College of the Muscogee Nation were designed to provide knowledge and guidelines regarding employment. This manual contains a general statement of policy and is subject to interpretation in how these guidelines will be used with regard to any particular situation while ensuring equality to all employees. Native American tribes are exempt from certain federal and state labor and employment laws. Therefore, employees should understand that they may not enjoy certain rights or protections normally afforded by such laws.

The Human Resource Policy and Procedure Manual does not create a contract of employment either expressed or implied, nor guarantee any contractual rights between the College of the Muscogee Nation and its employees. As a result, the policy manual does not in and of itself create any legal obligation.

The Human Resources Department is responsible for custody, maintenance, administrative revisions and distribution of the Human Resource Policy and Procedure Manual with the support and approval of assigned committees. Policies are reviewed annually, revised as needed and final drafts presented to the President and the Board of Regents for final approval. The official copy of the College of the Muscogee Nation, Human Resources Policy and Procedure manual will be located on the CMN Form's drive. This is available to all employees.

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|                                                                                   | General Provisions                                 | Originated         | 04/13/2005 |
|                                                                                   | Purpose                                            | Revised            | 09/18/2017 |

**Purpose:**

The purpose of the Human Resources Policies and Procedure Manual is to provide an administrative framework for the College of the Muscogee Nation (CMN) management to achieve the following:

1. Estimate the size and makeup of the future work force, helping CMN acquire the right number and types of people when they are needed.
2. Recruit and attract the best-qualified applicants to fill vacancies in compliance with applicable federal, tribal and higher education laws governing employment policies.
3. Set forth a uniform hiring process for each position within CMN.
4. Provide a training and development program that includes orientation activities that inform employees of policies and procedures, job skills education, and possibilities of future advancement.
5. Provide a system of compensation that is equitable to both CMN and the employee, attract qualified job applicants, and retain good employees.
6. Provide a method that facilitates an equitable settlement of grievances that arise in the workplace.

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|                                                                                   | General Provisions                                 | Originated         | 04/13/2005 |
|                                                                                   | Standards                                          | Revised            | 09/18/2017 |

### **Standards:**

The provisions of the Human Resources Policies and Procedures contained in this manual will be binding to all personnel. The interpretation of any provision of the Human Resources Policies and Procedure will be a function of Human Resources. The Human Resources Policies and Procedures of the College of the Muscogee Nation will be administered according to the following principles:

1. Employment consideration will be extended without regard to color, creed, national origin, or religion.
2. Promotion from within will be the first priority.
3. Every effort will be put forth to acquire the best available employee to fill employment opportunities.
4. Compensation will be based on job performance and will be comparable to prevailing rates and classifications in other higher education institutions.
5. Procedures will be established to ensure performance reviews are directly related to job performance, and that the performance review process is equitable to other employees that are within the same job classification.
6. Muscogee (Creek) and Indian preferences as to all employment actions will be implemented consistent with the spirit of the federal employment laws and in compliance with federal, tribal, and higher education laws.
7. Veteran preference as to all employment actions will be implemented consistent with the spirit of the federal employment laws and in compliance with tribal employment laws.
8. Points awarded in the employment process or Indian, Muscogee (Creek), and Veteran status identified in F and G above, will be added to scores on the Interview Report form as follows:
  - a. Muscogee Citizen/Veteran – 5 points; Muscogee Citizen – 4 points; Indian/Veteran – 3 points; Indian 2 points.
  - b. Points are contingent upon proof of citizenship in a federally recognized tribe and Veteran status.

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|                                                                                   | Scope and Application                              | Revised            | 09/18/2017 |

### **Scope and Application:**

The guiding principles contained in these Human Resources policies for the College of the Muscogee Nation applies to all classifications of employees.

Native American tribes are exempt from certain federal and state labor and employment laws. Therefore, employees should understand that they may not enjoy certain rights or protections normally afforded by such laws.

The sections of the Human Resources Policies and Procedures are as follows:

1. General Provisions

This section provides the standards, purpose, scope, and application of this manual.

2. Human Resource Employment System

The Human Resource Employment System will provide a comprehensive and integrated administrative framework so that the various personnel functions can be administered according to the purpose and policy set forth in the General Provisions of the Personnel Policies and Procedures. This section describes both the support systems needed and the uses to which those systems will be put in order to provide the required framework.

3. General Employment Policies

The General Employment Policy will be to set a uniform employment, transfer, and termination process administered according to the Purpose and Policy set forth in the General Provision section of this manual. Staffing will be accomplished through full-time, part-time (which includes institutional work study positions), temporary, contractual, and grant funded employment.

4. Wage and Salary

The policies, clarifications, and procedures described in this section have been consolidated to provide management with information on salary administration for all wage and salaried personnel.

5. Benefits

The Benefits Policies will provide an administrative framework that ensures the proper management of those activities associated with benefits management including leave, insurance, pension, career development, and associated health and safety.

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|                                                                                   | Definitions                                        | Revised            | 09/18/2017 |

1. Budgeted position – is defined as a position for which funds have been (1) authorized; (2) Appropriated; (3) A budget issued. (all three (3) criteria must be satisfied before a position is filled).
2. College premises – all building, offices, grounds, parking lots, lockers, places and vehicles owned, leased or managed by CMN or any site on which the College is conducting business.
3. Contractual – is defined as the positions that are defined based on a contract, agreed upon by both contractor and employer
4. Controlled Substance – is defined as cocaine, marijuana, opiates, amphetamines, and any other substance designated a “controlled substance” in schedules I through IV of Section 202 of the Controlled Substances Act ( 21 U.S.C. 812).
5. Conviction – is defined as a finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of a sentence, or both, by judicial body determining violations of federal or non-federal criminal drug statutes.
6. Criminal Drug Statute – is defined as a federal or non-federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.
7. Employee – is defined as all administrative and professional staff, classified staff, student trainees, and management personnel of the Muscogee (Creek) Nation and any independent agency, or division of the Nation.
8. Excessive leave without pay – is defined as the utilization of Leave without pay, twice within a two (2) week period.
9. Exempt employees – are generally executives, managers, professional, or administrative staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.
10. FERPA – Family Educational Rights and Privacy Act of 1974.
11. Fair Labor Standards Act (FLSA) – A federal statute with several provisions governing employment status – including stipulations regarding types of work for which overtime compensation must be paid and a minimum wage provided.
12. Full-Time Employee – employee who is scheduled to work the college’s full- time schedule, which is 40 hours per week. Full time employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.

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|                                                                                   | General Provisions                                 | Originated         | 04/13/2005 |
|                                                                                   | Definitions                                        | Revised            | 09/18/2017 |

13. Harassment – Any unwarranted and/or unwanted behavior that creates a hostile or intimidating environment in which verbal or physical conduct is severe or persistent enough to cause significant interference with a staff member’s work, education, or, onsite living conditions.
14. Human Resource Information System (HRIS) – is defined as a software or online solution that is used for data entry, data tracking and the data information requirements of an organization's human resources (HR) management, payroll and bookkeeping operations
15. Illegal drug- Drugs which are illegal under federal, state, or local laws include, but are not limited to marijuana, heroin, hashish, cocaine, hallucinogens, and depressants and stimulants not prescribed for current personal treatment by and accredited physician.
16. Immediate Family – is defined as a parent, spouse, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents of the employee or his/her spouse, and grandchildren of the employee, or “foster”, “step”, or “guardianship” situations within these relationships.
17. Institutional Work Studies (IWS) – student employees who are scheduled to work no more than 20 hours per week. IWS are considered part time and are not eligible for benefits.
  - a. Exception – IWS, Resident Assistants may work up to 25 hours per week.
18. Layoff – Lay-off is an involuntary loss of employment due to organizational restructuring, position elimination, operational changes, or financial constraints.
19. Major Department Head – is defined as the executive officer of a Department, Agency or other primary organizational unit within the government of the Muscogee (Creek) Nation
20. Medical Leave – is defined as medical leave longer than three (3) days.
21. Non-Exempt employee – employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from the law’s requirements concerning minimum wage and overtime.
22. Part-Time Employee – employee who will be scheduled to work no more than 34 hours per week. The number of hours a part time employee is scheduled to work will be based on the department’s needs. Part time employees are not eligible for benefits.
23. Project Director – is defined as an individual having administrative supervision over a project resulting from a federal grant or contract.
24. Projected position – is defined as those positions which are projected as a future need in an existing or new organization.

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25. Promotion - is the movement of an employee to a higher grade level either within the same department or to another department due to a change in duties and not due to a market adjustment in salary
26. Reduction-In-Force – Reduction in Force will be defined as an action taken when a person is displaced from his/her position due to inadequate funding, reclassification, and other causes that are of no fault of the employee.
27. Relative – is defined as a father, mother, son, daughter, brother, sister, uncle, aunt, nephew, niece, husband, wife, grandparent(s), grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, step grandparent(s), step grandchild, half-brother, or half-sister.
28. Sexual Harassment – is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. It is understood that “sexual harassment” includes any instance in which submission to a sexual favor or conduct is made – either implicitly or explicitly – as a term or condition of employment as well as when submission to or rejection of a sexual favor or conduct is used as the basis for employment decisions.
29. Sick leave abuse – is defined as an occurrence when an employee uses sick leave for an unauthorized purposed or misrepresents the actual reason for charging an absence of sick leave. Abuse may occur when an employee establishes a pattern of sick leave usage such as the date before or after a holiday, on Mondays or Fridays.
30. Supervisor – is defined as the person who has direct line authority over a particular position and may include the supervisor, manager, cabinet secretary, commissioner or other title, which is applicable to the particular section or part in question.
31. Unit/ Work Unit – is defined as the department, division, agency or other element, which is applicable to the particular section or part in question.
32. Workplace – College of the Muscogee Nation owned or controlled property or the site for performance of work.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Employee Classifications                           | Revised            | 09/18/2017 |

**Policy:**

The employee classifications for all positions at the College of the Muscogee Nation are defined as follows:

1. Full-Time Employee – employee who is scheduled to work the college’s full- time schedule, which is 40 hours per week. Full time employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.
2. Part-Time Employee – employee who will be scheduled to work no more than 34 hours per week. The number of hours a part time employee is scheduled to work will be based on the department’s needs. Part time employees are not eligible for benefits.
3. Institutional Work Studies (IWS) – student employees who are scheduled to work no more than 20 hours per week. IWS are considered part time and are not eligible for benefits.

Exception – IWS, Resident Assistants may work up to 25 hours per week.

4. Emergency Hire – If, due to a special need, a position must be filled immediately, an individual may be hired to fill the vacant position on an emergency temporary basis.
  - a. The length of the emergency temporary term of employment shall not exceed 12 workweeks (to coincide with FMLA).
  - b. An emergency temporary employee shall be classified as a full-time or part-time employee.
  - c. An emergency temporary employee may apply for the position they are filling if it becomes available or any other vacant position within the College of the Muscogee Nation. However, an emergency temporary employee shall receive the same consideration as an outside applicant.
5. Contractual – is defined as the positions that are defined based on a contract, agreed upon by both contractor and employer.
  - a. All contractual workers may be subject to the College of the Muscogee Nation Policies and Procedures. This includes, but is not limited to, policies related to background checks and drug testing.



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|                                                                                   | Employment System                          | Originated  | 04/13/2005 |
|                                                                                   | Employee Classifications                   | Revised     | 09/18/2017 |

- b. Contractual workers **must not** begin performing services until the department receives the approved, signed contract. Any work performed prior to this **will not** be compensated.
  - c. Contractual workers may be employed as specialists to provide the College of the Muscogee Nation with needed expertise in particular fields.
6. Non-Exempt employee – employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from the law’s requirements concerning minimum wage and overtime.
  7. Exempt employees – are generally executives, managers, professional, or administrative staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Employee List                                      | Revised            | 09/18/2017 |

**Policy:**

The employee list will be defined as a comprehensive listing of all full-time, part-time (which includes institutional work study positions), temporary, contractual, and grant funded employees who are employed with the College of the Muscogee Nation.

1. This list will be created and maintained on the Human Resource Information System (HRIS).
2. The HRIS can be used to generate reports as needed and may contain confidential employee information.
3. Any employee list generated will be treated as a matter of confidentiality and will not be released for public use. Employees have the right to see their own name and information listed therein.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Job Analysis                                       | Revised            | 09/18/2017 |

**Policy:**

Job analysis is the process of gathering, analyzing, and recording information concerning the duties, responsibilities, and qualifications that are required of individuals performing each job.

1. Job analysis will be conducted using the following guidelines:
  - a. Education Requirements
  - b. Skill Requirements
  - c. Experience
  - d. Physical Requirements
  - e. Responsibility
  - f. Working Conditions
  - g. Managerial Responsibility
2. The information provided by this process will serve as the primary source for the construction of job descriptions.

**Procedure:**

The Procedure is as follows:

Human Resources and Supervisors will review the job descriptions annually and as needed and submit any recommendations to the Human Resource Department.

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|                                                                                   | Employment System                                  | Originated  | 04/13/2005 |
|                                                                                   | Job Description                                    | Revised     | 09/18/2017 |

**Policy:**

1. The major duties and responsibilities which management has assigned to employees are described in their official job description. If an employee believes that their job description is inaccurate, incomplete, or out of date, the employee should meet and discuss possible changes with their immediate supervisor, so it can be updated.
2. The job description tells the employee where his/her position fits into the organization and describes the official duties and responsibilities of the employee. It does not necessarily limit the employee duties. Additional or different duties may be assigned by the supervisor at any time.
3. Job Descriptions will be reviewed annually and as needed to determine whether the duties and responsibilities have changed.
4. Job Descriptions will be constructed from the information provided by the job analysis process, which includes:
  - a. Education Requirements
  - b. Skill Requirements
  - c. Experience
  - d. Physical Requirements
  - e. Responsibility
  - f. Working Conditions
  - g. Managerial Responsibility

**Procedure:**

The procedure is as follows:

1. When a position becomes vacant, the job description for that particular job will be reviewed for accuracy by the immediate supervisor and Human Resources. If appropriate, the former job incumbent may be a part of this review process.
2. Regardless of occupancy, job descriptions for each position will be reviewed annually and as needed to affirm accuracy.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Recruitment Sources                                | Revised            | 09/18/2017 |

**Policy:**

Human Resources will develop a recruitment program, which has as its primary goal set to obtain qualified Muscogee (Creek) and other federally recognized Native American employees.

1. The program will include:
  - a. Developing and maintaining lines of communication with federally recognized Native American student groups at area colleges and vocational/technical schools.
  - b. Developing and maintaining lines of communication with tribal communities.
  - c. Representation at job/career fairs where there is a significant presence of Native American applicants.
2. The program will also focus on selecting current employees for vacant positions, so that outstanding employees may be retained.
3. The program will also be flexible during certain situations when expertise or education is needed and/or required for specialized positions within the college. Native American preference may be waived.
4. The recruitment program will be approved by the Director of Business Affairs and President.

**Disabled Employment:**

1. The College of the Muscogee Nation will not discriminate against hiring mentally/physically disabled citizens who are otherwise qualified for the job.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Positions and Advertisement                        | Revised            | 09/18/2017 |

**Policy:**

Employment opportunities will be advertised in a manner to ensure equal opportunity for employment.

1. Each position which appears as a budgeted position will be contained in the Human Resource Information System (HRIS).
2. Each position will have a corresponding Job Description on file with Human Resources.
3. Each vacant position will be advertised until filled.
4. All vacancy notices occurring within the College of the Muscogee Nation will be distributed by Human Resources through email.
5. Vacancies will be available for review through the College of the Muscogee Nation website, Muscogee (Creek) Nation website, social media, and other media outlets as needed.
6. A vacant or temporarily vacant position may be filled by an emergency hire for 90 days. Position will be advertised before being filled permanently.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Job Requisitions                                   | Revised            | 09/18/2017 |

**Policy:**

The Job Requisition will initiate advertisement for a vacant or new position at the College of the Muscogee Nation (CMN).

1. A Job Requisition will be completed electronically before a job is advertised or an employment offer can be made.
2. The department for which the vacancy occurs may request the position be advertised in the newspaper.

**Procedure:**

The procedure is as follows:

1. The supervisor requesting the hire must communicate a position vacancy to Human Resources, who will submit the Job Requisition electronically for approvals.
2. Once Human Resources submits the requisition it will go to accounting for approval.
3. Once approved by accounting the requisition will be sent to the Director of Business Affairs for authorization.
4. Once approved by The Director of Business Affairs the Job Requisition will post to the job opportunity page on CMN website.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Application and Interview Process                  | Revised            | 09/18/2017 |

**Policy:**

The application and interview process is in place to ensure equal opportunity for employment.

1. Each new candidate desiring employment must complete an application online.
2. The application for employment must be filled out as completely as possible to ensure that sufficient information is given for full consideration.
3. Individuals may only apply for posted positions. Applications will not be accepted after a position has closed.
4. Applications will be kept on file for one year.
5. The President of the College has final approval over all employment decisions.

Note: Current College of the Muscogee Nation employees are not subject to the normal hiring process. Based on the needs of the college the transfer and promotion of employees to other positions within the college may be made to maintain efficient and productive workflow, without posting the job announcement.

**Procedure:**

The procedure is as follows:

1. All applications are submitted electronically through the job opportunities page on the College of the Muscogee Nation website.
2. After the closing date of a position, the interview panel will screen applicants based on education, experience, tribal affiliation, and other applicable requirements based on the position requirements.
  - a. The interview panel consists of the supervisor of the department, a Human Resource representative, and one to three others chosen based on knowledge of the position.
3. The panel will chose three to five candidates to interview. After the interviews are complete, the candidates scores will be tabulated and based on the consensus of the panel a candidate is chosen.



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|                                                                                   | General Employment                                 | Revised            | 09/18/2017 |

**Policy:**

College of the Muscogee Nation (CMN) believes that hiring qualified individuals to fill positions contributes to the overall strategic success of the college. Each employee is hired to make significant contributions to CMN. The employment process will be uniform and standard to ensure each applicant is given the same opportunity for employment. In hiring the most qualified candidates for positions, the following hiring process will be followed

1. All candidates will be selected from the applicant pool created in the HRIS.
2. Qualified CMN employees will be given preference and are required to apply for the position electronically. These preferences shall be based on past job performance, education, and position requirements.
3. An applicant may be employed with a deficiency, however, such employment is conditional upon a written agreement between CMN and the employee to rectify the deficiency.
4. The panel will chose three to five candidates to interview. After the interviews are complete, the candidates scores will be tabulated and based on the consensus of the panel a candidate is chosen and offered the position.
5. The President of the College has final approval over all employment decisions.

Note: Current College of the Muscogee Nation employees are not subject to the normal hiring process. Based on the needs of the college the transfer and promotion of employees to other positions within the college may be made to maintain efficient and productive workflow, without posting the job announcement.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Pre-Employment                                     | Revised            | 09/18/2017 |

**Policy:**

All job offers are contingent upon successful completion of all pre-employment requirements. All positions require a drug screening and background check. The list of pre-employment requirements is not inclusive and may require additional mandates as they relate to the position. Failure to complete or successfully pass any pre-employment requirement will result in the job offer being withdrawn.

1. Each job candidate is required to submit to a drug test during orientation.
2. Any candidate that fails a drug test shall be withdrawn from employment consideration.
3. Reference checks will be conducted on each candidate before being offered a position.
4. Any candidate whose background check does not meet requirements (requirements differ by position) will be withdrawn from employment consideration.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Orientation Process                                | Revised            | 09/18/2017 |

**Policy:**

Responsibility for orientation will be shared by the employee, his/her supervisor, and Human Resources.

1. Human Resources will:

- a. Arrange the orientation schedule for the new employee.
- b. Discuss Human Resource policies and procedures with the new employee.
- c. Distribute a copy of the official job description to the new employee.
- d. Distribute a copy of the organizational chart to the new employee.
- e. Ensure completion of W-4 and I-9 forms by the new employee.
- f. Obtain from the new employee authorization to investigate motor vehicle operator information.
- g. Discuss the health, dental, and life insurance programs with the new employee.
- h. Complete orientation checklist.

2. The Supervisor will:

- a. Provide the employee a brief overview of the function of the organizational unit to which the new employee is being assigned.
- b. Present copy of handbook (if applies).
- c. Discuss departmental policies/procedures with the new employee.
- d. Discuss safety instructions with the new employee.
- e. Give a brief tour of the College of the Muscogee Nation.
- f. Introduce the new employee to staff.

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|                                                                                   | Orientation Process                                | Revised            | 09/18/2017 |

3. The new employee will:

- a. At the first opportunity, read the job description of their new job.
- b. Immediately consult their supervisor if they have any questions concerning their duties.
- c. Review Human Resources policies and procedures.
- d. Sign statement acknowledging they have read and understand policies.

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|                                                                                   | Conditional Employment                             | Revised            | 09/18/2017 |

**Policy:**

All new employees will undergo a sixty (60) day conditional employment period.

1. Each employee will be evaluated after sixty (60) calendar days of employment. Any time during the sixty (60) days, Conditional Employment period the employee may be terminated without the privilege of appeal.
2. Within five (5) days prior to the completion of the conditional employment period, the supervisor will conduct a performance evaluation.
3. Human Resources will notify each supervisor and department head prior to the end of the employee's conditional employment period.
4. All conditional employment employees who fail to obtain a satisfactory performance review may be terminated.
5. The successful completion of this period should not be construed as creating a contract or as guaranteeing employment for any specific duration or as establishing a just cause termination standard.

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|                                                                                   | Employment System                                  | Originated         | 04/13/2005 |
|                                                                                   | Training and Development                           | Revised            | 09/18/2017 |

**Policy:**

Human Resources will maintain a comprehensive list of employee participation in professional development and continuing education opportunities.

1. The primary goal of training and development participation will be threefold:
  - a. To increase the performance level of an employee in the employee's current position.
  - b. To enable the employee to obtain knowledge and skills, which would qualify the employee for promotions within the College of the Muscogee Nation.
  - c. To increase the ability, through its employees, of the College of the Muscogee Nation.
2. The participation in professional development must be approved by the department head and the President.

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|                                                                                   | Performance Reviews                                | Revised            | 09/18/2017 |

**Policy:**

Supervisors are encouraged to use performance review as an opportunity to confer with employees as to specific attributes of their job performance, and to give the employee specific suggestions on improving their job performance. Additionally, performance reviews may be a basis for implementing a wage increase.

1. Each employee will undergo a Performance Review annually.
2. Performance Reviews will be conducted by an employee's immediate supervisor.
3. Human Resources will notify each employee's supervisor and department head so that a performance review may be scheduled.
4. Performance Reviews may also be conducted at the end of a conditional employment period, at the end of a transfer evaluation period, and when an employee is considered for a promotion or wage increase.
5. Upon the completion of the performance review, a copy of the review will be sent to the department head and to Human Resources to be included in the employee's personnel file.

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|                                                                                   | Employee Conduct                                   | Revised     | 09/18/2017 |

### **Policy:**

College of the Muscogee Nation (CMN) seeks to provide and sustain an environment conducive to collaboration, mutual respect and trust, critical examination of knowledge and values, furthering the search for knowledge, and successfully allowing all employees to work towards the common purpose of achieving CMN's mission. A collaborative environment requires that all employees be responsible in the performance of their duties within their respective areas of competence, and educate or assist students and colleagues using appropriate standards of conduct that support the principles of diversity, collegiality, and academic freedom.

In particular, the Faculty's privileges and protections rest on the relationships between the Faculty's professional competence and expertise, academic freedom, and the programs and services of the CMN. These relationships generally drive the expectations and professional responsibilities for faculty members and, in many cases, those of staff members.

This document establishes goals, standards of responsibility, and core principles, which CMN regards as best practices for its employees. This document applies to all employees, whether probationary, non-probationary, full-time, or part-time.

### **CMN's Commitment to Employees**

This portion of the policy specifies the commitment of CMN to maintain conditions that support each employee's ability to fulfill their duties in working towards the common purpose of achieving CMN's mission, especially related to providing excellence in postsecondary learning.

In support of CMN's central functions and mission as an institution of higher learning, a major responsibility of the Board of Regents, President, and administration is to promote a collaborative and supportive working environment, and to protect, encourage, and recognize faculty and staff in the performance of their duties related to teaching, learning, student and institutional support, professional development, scholarly work/research, and community service.

All employees can expect administration to support:

- Free inquiry and collegial exchange of ideas;
- Enjoyment of responsible freedom of expression;
- Academic freedom when acting as a faculty member, including the right to present controversial material when it is relevant to a course of instruction;
- Freedom to address, in an open and constructive fashion, any matter of institutional policy or practice, whether or not as a member of an established committee of institutional governance;



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- Freedom to question the action(s) of an individual, if done with respect and following appropriate due process for that individual, with the understanding that only the individual's supervisor or executive administrators can take any disciplinary action;
- Participation of employees in the shared governance of CMN, as provided for in official CMN statements related to shared governance and in any other related policies and practices; and
- The establishment of fair procedures, policies, and due process, that allow for the voice of one's colleagues to be heard as recommendations in matters of promotion, and discipline, with the understanding that such recommendations should be based on the employee's professional qualifications, professional contributions, accomplishments, and conduct.

### **Professional Responsibilities of Employees**

The principles driving the professional responsibilities of faculty and staff encompass major areas traditionally found and reflecting best practices in higher education.

The responsibilities listed below are organized around an employee's responsibilities to colleagues (both faculty and staff) and the CMN community, and to students in teaching and support services. The general standards of responsibility listed below are not exhaustive.

### **Responsibilities of Employees as Members of the CMN Community**

The Employee Code of Ethics asserts that all CMN employees have certain key responsibilities as professionals and as members of the CMN community. Included are the responsibilities to:

- Observe and follow all duly established tribal, local, state, and federal laws;
- Respect the rights, opinions, privacy, and property of individuals, groups, CMN, and The Muscogee (Creek) Nation;
- Refrain from actions that deny other members of the CMN community their rights as described or provided for in policies of the CMN;
- Be knowledgeable of and follow all CMN policies;
- Carry out one's responsibilities and duties and understand the need for accountability;
- Recognize that, as an employee of CMN, one's primary focus should be on achieving CMN's mission and goals, and that secondary employment should be limited, particularly if it interferes with one's primary responsibilities and duties or is contrary to the best interests of the institution;

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- Collaborate and assist other CMN employees acting within the scope of their employment and duties as appropriate;
- Exhibit behavior that does not interfere with academics, professional development, scholarly work and research, or any CMN services, operations or activities;
- Promote a collaborative culture, and participate and be proactive in consensus-building problem solving within the institution's shared governance structure;
- When disagreeing with a decision, do so in an open and constructive manner, and understand that not all decisions will have full agreement;
- Be accountable for one's actions and the subsequent consequences;
- Adhere to all employee procedures, including but not limited to those for conflict resolution, providing accurate information to the CMN, and the completion of any disciplinary sanctions imposed for misconduct;
- When appropriate and following set policies and procedures, evaluate the professional competence of colleagues by criteria reflective of professional qualifications, performance, conduct, and contributions;
- Exhibit appropriate behavior both on and off campus when acting as a CMN representative; and
- When speaking or acting as a private person, avoid creating the impression that one is speaking or acting for a CMN area, sector, or College, or for the CMN as a whole.
- Do not send or receive personal mail through CMN.

### **Responsibilities to Students in Teaching and Support Services**

The integrity of the employee-student relationship serves as the foundation of CMN's educational and service mission. For faculty members, these relationships require responsible behavior from those who have authority and accountability as educators, mentors, and evaluators. For staff members, these relationships also require responsible conduct from employees who frequently serve as facilitators, counselors, and evaluators.

The unequal authority inherent in these relationships can heighten the vulnerability of the student and the potential for coercion or other inappropriate conduct by employees. The pedagogical relationship between a faculty member and student, and the support relationship between a staff member and a student, must be protected from influences or activities that can interfere with learning or with the services and mission of CMN.

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In this section, the term “student” refers to all individuals under academic supervision by members of the faculty, or under student support supervision/guidance by members of the staff.

Members of the College of the Muscogee Nation faculty and staff will:

- Encourage the free pursuit of learning and promote the principles of academic and intellectual honesty;
- Encourage students to study varying points of view and respect the rights of students to form their own views;
- Demonstrate respect for the student as an individual and adhere to the proper role as an educator, counselor, or mentor;
- Deal justly and considerately with each student;
- Not engage in discrimination or harassment in violation of CMN policy or state and federal laws, or in any arbitrary denial of access to programs and/or services;
- Respect the confidential nature of the relationship between faculty/staff member and student;
- Avoid exploitation of students for private advantage;
- Recognize and avoid situations with students where conflicts of interest may arise;
- Give recognition and acknowledgement of significant contributions by students to the faculty or staff member’s work and research;
- Respect the rights of students to pursue individual lifestyles;
- When necessary, share with appropriate individuals information about students’ educational needs;
- Seek constantly to improve learning, services, and the opportunities for learning and services;
- Participate in CMN student and college activities; and
- Travel to conferences and other college related functions as required.

#### **IV. Relationship of this Code to Possible Disciplinary Action**

The need and authority to discipline employees for misconduct in appropriate cases derives from the shared recognition by employees and the administration that the purpose of discipline is to preserve conditions that support the common purpose of achieving CMN’s mission.

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In some instances, conduct that is contrary to the aforementioned standards and responsibilities may be considered unacceptable, and may result in disciplinary action where the alleged misconduct is investigated and resolved in a fair, responsible and timely manner. Official CMN-level discipline and sanctions, should be reserved for employee misconduct that is either serious in itself or is made serious through its repetition and/or its consequences.

Employees may be subject to disciplinary action for conduct which, while not specifically contrary to one of the standards or responsibilities listed above, meets commonly recognized standards for unacceptable behavior.

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|                                                                                   | Code of Ethics                                     | Revised            | 09/18/2017 |

### **Policy:**

The College of the Muscogee Nation (CMN) is the institution of higher education for the Muscogee Creek Nation emphasizing native culture, values, language and self-determination. The College will provide a positive learning environment for tribal and non-tribal students as citizens of a tribal and global society supported by teaching excellence and will offer exemplary academic programs that meet student, tribal, and societal needs. Through instructional quality and visionary leadership, the College of the Muscogee Nation will encourage lifelong learners, for personal growth, professional development, and intellectual advancement.

To this end, members of the workforce, recognizing the critical role of the conscience in choosing among courses of action and taking into account the moral responsibility of life, must commit to:

1. Demonstrating the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities in order to inspire confidence and trust in our tribal college.
2. Serving the students, tribal citizens, and general public with respect, concern, courtesy, and responsiveness, recognizing that service to the public is beyond service to oneself.
3. Approaching college administration and operational duties with a positive attitude and constructively support open communication, creativity, dedication, and compassion.
4. Serving in such a way that undue personal gain is not realized from the performance of duties.
5. Avoiding any interest or activity which is in conflict with the conduct of official duties.
6. Respecting and protecting any privileged information to which access is gained in the course of official duties in compliance with the Family Educational Right and Privacy Act of 1974 (FERPA)
7. Accepting as a personal duty the responsibility to keep up to date on emerging issues and to administer the college's business with professional competence, fairness, impartiality, efficiency, and effectiveness.
8. Eliminating all forms of fraud and mismanagement of college funds and support responsible efforts to correct such fraud, mismanagement, or abuse.
9. Supporting CMN students, our tribal communities, to being good citizens, supporting good works and charities, and to carrying a fair share of the college workload.
10. Encouraging new technology, experiments, new ideas, and calculated risk-taking both in and out of the classroom.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Conflict of Interest                               | Revised            | 09/18/2017 |

**Policy:**

Employees are expected to adhere to high ethical standards and avoid situations that create an actual or perceived conflict between their personal interest and those of the college.

1. Employees are prohibited from soliciting or accepting money, benefits, gifts, or gratuities from their clients or persons with whom business is being conducted and who are seeking to influence the employee in the performance of their duties. Exceptions will include but not be limited to:
  - a. Family or personal relationships.
  - b. Acceptance of food, refreshments, and items of nominal value.
2. No board member or employee of the College of the Muscogee Nation will be permitted to enter into business contracts or do business with or as the College of the Muscogee Nation.
3. No board member or employee of the College of the Muscogee Nation will be permitted to conduct or do business as the College of the Muscogee Nation.
4. Board members and employees may represent the College of the Muscogee Nation, only when authorized by the President.

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|                                                                                   | Nepotism                                           | Revised            | 09/18/2017 |

**Policy:**

**CMN's Commitment to Employees**

The College of the Muscogee Nation shall have no restrictions on employment, salary, promotion, assignment, working conditions, or other factors based on kinship. However, no employee shall participate in any actions that would directly affect a relative.

1. Examples of prohibited actions include, but are not limited to, actions involving hiring, disciplinary action, performance review, or job or work assignment. No employee shall be a relative of anyone in his or her chain of command, up to the manager or dean level.
2. Relative shall mean father, mother, son, daughter, brother, sister, uncle, aunt, nephew, niece, husband, wife, grandparent(s), grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, step grandparent(s), step grandchild, half-brother, or half-sister.

**Responsibilities to Students in Teaching and Support Services**

The integrity of the employee-student relationship serves as the foundation of CMN's educational and service mission. For faculty members, these relationships require responsible behavior from those who have authority and accountability as educators, mentors, and evaluators.

1. Faculty should refrain from instructing relatives (as defined above).

Exceptions: If a student needs a specific class and the class is only offered by the relative instructor, the student may be allowed to enroll in this class. Instructor should advise supervisor of the situation.

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|                                                                                   | Political Activity                                 | Revised            | 09/18/2017 |

**Policy:**

1. All employees of the College of the Muscogee Nation shall be prohibited from serving on the Muscogee (Creek) Nation National Council or any Board or Agency where a conflict of interest may occur.
2. All employees shall be prohibited from engaging in Muscogee (Creek) Nation political election activities, directly or indirectly, during work hours.
3. Political posters will not be displayed on college property.
4. Political activity through social media is discouraged.



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|                                                                                   | Employee Liability                                 | Revised            | 09/18/2017 |

**Policy:**

1. The policy for automobile insurance shall be that all employees operating a college or tribal vehicle on college business must have a valid driver's license.
2. If an employee operates a personal vehicle while in the scope and course of their duties as an employee of the college, employee shall maintain personal liability with minimum liability limits. Employee operates personal vehicles at their own risk and should maintain comprehensive and collision coverage adequate to cover physical damage to the vehicle.
3. Non-employee passengers are not covered under the College's or Nation's insurance policy. Students are covered when on College business. A non-employee will be required to sign a waiver acknowledging that they understand they are not covered under the insurance policy before riding in a CMN vehicle.
4. Employees driving personal vehicles are discouraged from transporting students or other employees while on College business.

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|                                                                                   | General Employment                                 | Originated  | 04/13/2005 |
|                                                                                   | Work Hours and Reporting                           | Revised     | 09/18/2017 |

### **Policy:**

By defining work hours and reporting policies, College of the Muscogee Nation (CMN) promotes a shared understanding and ensures consistency and fairness among all employees.

### ***Work Hours***

1. A normal workday will be for eight (8) hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. These hours apply only to normal functions or services being administered and are not applicable to committee, council, community meetings or classes being conducted.
  - a. Alternate work hours, including shift work, will be communicated during the employee's interview and when the job offer is discussed.
  - b. Classroom hours may change each trimester and will be communicated to affected personnel.
2. Employees will be paid according to the time actually worked, even if this time does not coincide with the planned work schedule.
3. The CMN workweek generally starts at 12:00 a.m. on Sunday and ends at 11:59 p.m. the following Saturday.
4. When an employee uses approved leave the amount of paid time away from work used is equal to the scheduled work hours for that day.

### ***Alternate Work Hours***

Alternate work hours for select positions are determined by management and can be any combination of days and hours totaling no more than 40 hours in a workweek. The hours scheduled for work must not exceed those hours budgeted for the position. Examples of alternate scheduling with this policy include a schedule in which an employee works four days of 10 hours each for a total of 40 hours in the week.

### ***Lunch Break***

1. All employees are entitled to one (1) hour for lunch. Employees should take their lunch break between the hours of 11:00 a.m. – 2:00 p.m. A supervisor must authorize any variation from the prescribed lunch hours in advance. Supervisors should stagger the lunch schedules of their employees so that offices are staffed during business hours.

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### ***Work Breaks***

1. All employees are allowed two (2) fifteen (15) minute breaks, one (1) between the hours of 9:30 a.m.- 10:30 a.m. and one (1) between the hours of 2:30 p.m. – 3:30 p.m. Breaks cannot be divided to allow the employee more than one (1) in the morning and one (1) in the afternoon. They also cannot be combined into one (1) thirty (30) minute break or with lunch hour.
2. Employees are encouraged not to go off site for breaks.
3. Employees are allowed one (1) fifteen (15) minute walk break each day. This break is separate from the other break times. However, an employee may utilize their walk break in conjunction with either the morning break or afternoon break. During the walk break, an employee must walk; this time is not to be used for visiting, smoking, etc.
4. Taking or not taking a break is a voluntary action on the part of the employee. Therefore, an employee who does not take a break cannot accrue any type of leave time.

### ***Attendance***

Prompt and reliable attendance is an expectation of performance for all employees, as it directly impacts CMN's productivity and ability to meet operational needs and commitments. Employees are expected to report to work on time and to return from lunch and work breaks on time. Employees may be disciplined for unreliable attendance and/or lack of dependability. Authorized absences such as approved leaves of absence and pre-approved time off does not constitute violations of attendance expectations.

### ***Unscheduled Absence***

Unscheduled absences are all instances when an employee is scheduled to come to work and does not, unless the employee has an approved time off request. On each day that an employee takes an absence not scheduled in advance with the supervisor and requested through the HRIS, the employee must notify the supervisor, President of the College and Human Resources thirty (30) minutes before scheduled work time and give the expected return date and time. Excessive unscheduled absences or lack of notice during an absence is subject to disciplinary action, up to and including termination of employment.

### ***No call, No show***

Employees who fail to report to work without prior notice and have not reported to their workstation , nor called in within four (4) hours after start of work hours are considered a "No call, no show." Failure to report to work is cause for disciplinary action up to and including termination, unless extenuating circumstances are involved.

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|                                                                                   | Work Hours and Reporting                           | Revised     | 09/18/2017 |

### ***Job Abandonment***

Lack of notice to the supervisor for an absence of three consecutive days indicates that the employee has abandoned the job and is grounds for termination of employment.

### ***Pattern Absence***

Pattern absences are absences that consistently occur before or after scheduled holidays, or requested leave days; on days for which the time off request was denied; on a desirable day off; or on the same day each week or month. Disciplinary action up to and including termination may be taken when a pattern of absences has been identified. CMN retains discretion in determining what constitutes a pattern.

### ***Reporting Hours***

1. All Employees are required to report accurate work hours, as well as paid time away from work in the HRIS.
2. All employees must badge in and out to ensure correct reporting and leaving times. Failure to badge in and out may require use of leave without pay.
3. Employees are required to approve timesheets by Friday at noon before each payday. This may be adjusted for holidays.
4. Supervisors must approve all time sheets in the HRIS and will be subject to disciplinary action if they do not enforce this policy.
5. Anyone falsifying the reporting of time worked or paid time away from work is subject to disciplinary action, up to and including termination.
6. All leave requests must be made in fifteen (15) minute increments, as follows:

15 minutes = .25  
 30 minutes = .50  
 45 minutes = .75  
 60 minutes = 1 hour

### ***Tardiness***

All employees are expected to report to work at their scheduled reporting time, to work the full duration of the scheduled shift, and to take reasonable meal or break periods.

1. An employee is tardy if he or she fails to report to the assigned workplace, prepared to work, and at the scheduled time. This includes returning from breaks and meal periods.

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2. Employees who expect to be late must notify their Supervisor, President of the College and Human Resources thirty (30) minutes before the scheduled work time.
3. CMN understands that circumstances may occur that are out of the employee's control including, but not limited to, flat tires, a wreck en route, and traffic delays. Only under uncontrollable circumstances may a supervisor label a tardy excused, in all other circumstances the tardy will be labeled unexcused.
4. Excessive tardiness is grounds for disciplinary action, up to and including termination of employment and will be documented in your annual performance review or exit interview.
5. Supervisors will be subject to disciplinary actions if they do not enforce the tardy policy.
6. The following grid is designed to provide guidelines when addressing the total number of tardy occurrences in a rolling twelve (12) month period.

| Discipline Step | Unexcused Tardy | Action                |
|-----------------|-----------------|-----------------------|
| Step 1          | 2 occurrences   | Verbal Warning        |
| Step 2          | 4 occurrences   | Written Warning       |
| Step 3          | 6 occurrences   | Final Written Warning |
| Step 4          | 8 occurrences   | Termination           |

- a. Each tardy occurrence must be properly reported on the employee's timesheet.
  - i. All tardy occurrences must be reported in fifteen (15) minute increments, as follows:

15 minutes = .25  
 30 minutes = .50  
 45 minutes = .75  
 60 minutes = 1 hour

Example of tardy:  
 8:01 a.m. = .25 Leave  
 8:22 a.m. = .50 Leave

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- ii. If a tardy is properly reported by the employee before the timesheet is approved and submitted, the employee may use available leave time.
  - iii. If an employee approves and submits a timesheet with unreported tardy times, the unreported time shall be charged as Leave without Pay.
  - iv. Human Resources has the right to change/alter timesheets in accordance with this policy. (see a., iii )
- b. An employee, within his/her probationary period, who has two occurrences should receive a Written Warning; if the employee has more than two occurrences within the probationary period, employment may be terminated; should the probationary period be extended, this rule still applies.

#### ***Attendance Reward System***

During the twelve (12) month, rolling period CMN would like to give employees the chance to subtract tardy occurrences from their total.

- 1. If an employee has no unexcused tardy occurrences in a 20 working day (4 weeks) span, one tardy will be deducted from their total.

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|                                                                                   | Inclement Weather                          | Revised     | 09/18/2017 |

**Policy:**

The President or his/her designee of the college, if deemed appropriate, will order the facilities of College of the Muscogee Nation to be closed. Cancellations and closings due to inclement weather will be made in a timely manner to enable staff, faculty, and students to best provide for their personal safety.

1. Weather and road conditions will be monitored by administration through contact with appropriate agencies and authorities.
2. The President and the Director of Business Affairs will be updated by the Emergency Management Office, when, in their opinion, the road conditions are too hazardous or the safety and security of personnel may be jeopardized.
3. If inclement weather occurs during normal working hours employees will be notified and directed to leave or take other appropriate action.
4. If inclement weather occurs during non-working hours, employees will be notified by the college's mass notification system. Emails will be sent to all employees and attempts will be made to contact local radio and television networks for the announcements of closings.
5. Lost time due to the closing of the facilities because of inclement weather will be recorded as Inclement Weather Leave. If the facilities are open but employees are unable to get to work due to inclement weather in their area, the lost time will be recorded as annual or leave without pay.
6. Essential personnel will be asked to report to work. Essential personnel includes but is not limited to security, maintenance, and food services.
7. If the College of the Muscogee Nation closes for any unexpected reason (weather, building, or plumbing issues etc.) **and you have already requested to be off during those hours you must use the leave (annual, sick, personal, etc.) that you requested.** If a late start or early release corresponds with leave time requested, you are required to take the leave time requested.

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|                                                                                   | Emergency Facility Closing                 | Revised     | 09/18/2017 |

**Policy:**

Facilities personnel shall notify Administration of any facility closing, citing duration and cause.

1. Administration shall notify affected personnel if lost work time is anticipated.
2. Lost time shall be recorded as administrative leave, inclement weather leave, or leave without pay. Employees will be notified how lost time due to emergency facility closure shall be recorded.
3. **If an employee is currently on leave or preapproved leave, the employee is not subject to administrative or inclement weather leave.**



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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Dress Code                                         | Revised            | 09/18/2017 |

**Policy:**

It is the policy of the College of the Muscogee Nation that each employee's dress, grooming, and personal hygiene should be appropriate to the employee's current work situations.

1. Employees are expected at all times to present and portray a professional businesslike image to all students and visitors of the college. Favorable personal appearance is an ongoing requirement of employment with the College of the Muscogee Nation. Extreme deviations from conventional or personal grooming and hygiene standards are not permitted.
  - a. Flexibility may be allowed during extreme weather conditions at the discretion of the President.
2. Employees are expected to dress in a manner that is standard business attire. Shorts, t-shirts, tank tops, sweatpants, inappropriate footwear, and similar items of casual attire are not permitted as they do not display a businesslike appearance.
  - a. No rubber shoes (beach flip flops, rubber garden shoes/Crocs/Clogs, shower shoes or rubber slides). Dress sandals that are heeled or flat are acceptable. Shoes with no traction are a safety hazard.
  - b. Attire that is too revealing is inappropriate for the office. For example low-cut necklines that show cleavage, revealing back, short skirts or low-rise jeans/pants. Undergarments should not be visible.
  - c. T-shirts or clothing with derogatory statements, pictures, or logos will not be allowed.
  - d. Employees may wear jeans on Fridays (or last day of the workweek) with a CMN top, if not scheduled for meetings of importance where they will be representing the College of the Muscogee Nation.
  - e. During scheduled breaks when students are not present, employees may wear jeans with a CMN top, if not scheduled for meetings of importance where they will be representing the College of the Muscogee Nation.
3. Hair should be clean, combed, and neatly trimmed or arranged. All sideburns, moustaches, and beards should be kept neatly trimmed.

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|                                                                                   | Dress Code                                         | Revised            | 09/18/2017 |

4. Certain college employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature of the job and meeting all safety requirements.
5. Any employee who does not adhere to all standards set forth in this policy will be required to take corrective action to alleviate the problem, which may include but is not limited to leaving the college worksite. Any work time missed due to failure to comply with policy may result in the use of Annual Leave, Leave without Pay, and/or reprimand.
6. Enforcement of this policy will be responsibility of the Department Supervisor/Managers and Division Director. Failure to enforce said policy may result in disciplinary action.
7. Some employee groups may require uniform clothing. If clothing is provided, it must be worn during working hours (security, facilities, food services, etc.).

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|                                                                                   | Internet, Email, and Social Media                  | Revised     | 09/18/2017 |

**Policy:**

Internet, email, and social media access is intended for business related purposes, such as communicating with citizens, suppliers, and colleagues, researching relevant topics, and obtaining useful tribal business information.

A monitoring and reporting system has been installed at the College of the Muscogee Nation in order to track each employee as to web sites visited, duration of time spent on the internet, and quantity of email processed. Policing employees will be the responsibility of the Supervisors, Managers, and/or Directors.

The College of the Muscogee Nation has a right to monitor any and all aspects of their computer systems including, but not limited to: sites or news groups visited by employees, instant messaging, chat groups, material downloaded or uploaded by employees, and email sent or received by employees. **No user should have any expectation of privacy in any message, file, image, or data created, sent, retrieved, or received by use of the College of the Muscogee Nation's equipment and/or access.** Such monitoring may occur at any time, without notice, and without the employee's permission. (In addition, electronic records may be subject to the Freedom of Information Act (FOIA) and, therefore, available for public distribution.)

Any employee who does not follow the Internet, Email, and Social Media Usage policy will be subject to disciplinary action, up to and including discharge.

Any Supervisor, Manager, or Director who fails to uphold this policy will be subject to disciplinary action, up to and including discharge.

**Internet Policy provisions**

1. Internet access from the College of the Muscogee Nation is filtered by third-party software in the following categories: adult content, nudity, sex, gambling, chat lines, instant messaging, and games. If an employee wants to report a particular web page that they feel should fall into one of these categories, they can email the I.T. Department. If an employee is being blocked from a site that they need access to in doing their job, the department manager can send a request to the Network Administrator.
2. Employees may not download or distribute pirated software or data.
3. Employees may not download software or files from the internet except those that will be used to serve the College of the Muscogee Nation.

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|                                                                                   | Internet, Email, and Social Media                  | Revised            | 09/18/2017 |

4. Employees may not use the internet for private and/or commercial financial gain, advertising, or solicitation purposes.
5. Employees are prohibited from buying and/or selling merchandise online for personal use or gain. This includes, but is not limited to site such as EBay and Craigslist.
6. Employees may not do personal online banking or pay personal bills online.
7. Employees may not stream media from any internet site, unless it is directly related it the College of the Muscogee Nation business. This includes, but is not limited to, internet radio, internet television, and music videos.
8. Employees may not play any type of games on their computer. This includes, but is not limited to, internet games, and locally installed games.
9. Social networking sites are prohibited. This includes but is not limited to myspace.com, Facebook, twitter, adultfriendfinder, classmates, and hi5.
10. The following types of sites are prohibited: pornographic material, nudity, sexual, gambling, chat lines, instant messaging, games, and personal dating.

#### **Email Policy Provisions**

1. The conduct of employees using the College of the Muscogee Nation email accounts may be perceived as reflecting on the character and professionalism of the College. When engaging in such conduct, whether for personal or official purposes, employees are expected to do so in a responsible and professional manner. Email is intended solely for the use of college business.
2. Employees may not send chain letters, jokes, video links, or pictures unrelated CMN business.
3. Employees may not send material that would be considered inappropriate, offensive, or disrespectful to others.
4. Upon receiving any prohibited or suspicious material, an employee should notify CMN IT immediately so they can protect other users by adding it to a blocked list.

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5. There will be no personal email accounts set up on CMN computers and outside personal email cannot be accessed.
6. All employees are assigned an email account and it should be used for all official correspondence.

### **Social Media Provisions**

1. Employees are prohibited from using social media during work hours or on equipment provided by the College of the Muscogee Nation unless such use is work related or authorized by a supervisor.
2. Employees should not use the College of the Muscogee Nation's provided email addresses to register on social networks, blogs, or other websites for personal use.
3. Employer reserves the right to monitor the employee use of any social media and take appropriate action with respect to inappropriate or unlawful postings.
4. Employees are not allowed to speak on behalf of the employer, unless explicitly given permission.
5. Employees should act appropriately when posting online. Any online behavior should be consistent with the employer's policies and procedure with respect to ethics, confidential information, discrimination, and harassment.
6. Employees should not engage in any online conduct that would not be acceptable or appropriate in the workplace, including derogatory or discriminatory remarks, threats, intimidation, harassment, insults, slander, defamation, or pornography.
7. If an employee posts a complaint or criticism, the employee should avoid using any statements, photographs, videos, or audio that may be viewed as malicious, obscene, threatening, harassing, or abusive.
8. Employees should refrain from engaging inoffensive posting that may create a hostile or abusive work environment.

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|                                                                                   | Drug and Alcohol Policy                            | Revised            | 09/18/2017 |

### **Policy:**

In compliance with the Drug-Free Workplace Act of 1988, College of the Muscogee Nation (CMN) is committed to providing a safe, quality-oriented and productive work environment consistent with the standards of the community in which the College operates. Alcohol and drug abuse poses a threat to the health and safety of CMN employees, students, and to the security of the college's equipment and facilities. For these reasons, CMN is committed to the elimination of drug and alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace.

This policy applies to all employees and all applicants for employment of CMN. The Human Resource (HR) department is responsible for policy administration.

### **Substance Abuse Awareness**

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences.

Information about those consequences and sources of help for drug or alcohol problems is available from The Muscogee (Creek) Nation Behavioral Health.

### **Employee Assistance Program**

1. CMN will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other CMN policies. Such employees will be allowed to use accrued paid time off, may be eligible for FMLA, be placed on a leave of absence, and referred to treatment providers. Such employees will be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, use of FMLA, and possible discipline, up to and including termination, will be enforced.
2. Employees should report to work free of any adverse effects of drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees

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must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor. Employees are not required to disclose to CMN underlying medical conditions unless it will potentially affect the employee and the assigned job duties.

### **Work Rules**

1. When employees are working, operating any CMN vehicle, are present on CMN premises or are conducting college-related work offsite, they are prohibited from:
  - a. Using, possessing, buying, selling, manufacturing or dispensing of any alcohol, drug (to include possession of drug paraphernalia) or controlled substance on or offsite.
  - b. Being under the influence of alcohol, drugs, controlled substances, or un-prescribed substance.
2. The presence of any drug, controlled substance, or alcohol in an employee's system while performing College business on or off CMN property is prohibited, unless prescribed by a physician.
3. CMN employees are not allowed to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
4. Any alcohol, drugs, or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Required Testing**

#### ***Pre-employment***

All applicants must pass a drug test before beginning work. Refusal to submit to testing will result in disqualification of further employment consideration.

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### ***Random testing***

CMN will randomly test employees for compliance with its drug-free workplace policy. As used in this policy, “random testing” means a method of selection of employees for testing, performed by the HR department. The selections will result in an equal probability that any employee will be tested.

### ***Scheduled Periodic Testing***

CMN reserves the right to conduct periodic random testing on a regularly scheduled basis for employees

### ***Reasonable suspicion***

Employees are subject to testing based on (but not limited to) apparent workplace use of drugs and/or alcohol, possession or impairment. Employees who witness erratic behavior should report the behavior to their supervisor and HR; the employee will be required to submit a written statement regarding the incident. HR will meet with the employee to discuss the documentation and explain the next step of action, which will include testing. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of HR or CMN Security must escort the employee; HR will arrange for the employee to be transported home.*

### ***Post-accident***

Employees are subject to testing when they cause or contribute to accidents involving CMN staff, property or while doing business for CMN on or off CMN property. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

### ***Follow-up***

Employees who violate this policy, are subject to discipline, up to and including termination. If the employee has entered a rehabilitation program and either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be subject to immediate termination from employment.

### **Positive Test and Consequences**

1. Applicants who refuse to submit to or test positive to a drug test will not be hired and may not be allowed to reapply/retest for future employment opportunities.



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2. Employees who refuse to submit to required tests or who use, possess, buy, sell, manufacture or dispense any alcohol or drug in violation of this policy will be terminated. *If the employee refuses to be tested, yet the College believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.*
3. The first time an employee tests positive for alcohol and/or drug use under this policy, the consequences will be discipline up to and including termination.
4. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management and HR.
5. Employees who test positive for any drug(s) or alcohol have two options. First, the employee must agree to an assessment conducted by an authorized counselor or physician approved by CMN, at the cost of the employee, and must follow the recommended treatment program. The employee will also be randomly drug tested for a period of one year after returning from treatment. Second, the employee will be terminated immediately and will not be considered for rehire for a period of one year.
  - a. If the first option is chosen, the employee will be required to sign a release allowing CMN Human Resources to give and receive information from the approved counselor and/or physician, regarding the employees' assessment results and participation in treatment.

#### **Pre-employment, Random, Periodic, and Follow Up Drug Testing Protocol**

1. A licensed drug testing facility, which will follow testing standards established by the tribe, state and federal government, will do all testing. Testing will be conducted on a urine sample provided by the employee to the testing facility, to ensure privacy of the employee, while protecting against tampering/alteration of the test results.
2. All CMN employee and pre-employment drug and/or alcohol tests will be conducted during normal work hours.
3. For periodic, pre-employment, random and follow-up drug tests, employees must have transportation to and from the testing site.

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### Reasonable Suspicion and Post-Accident Testing Protocol

1. The employee will be advised that CMN believes that there is reasonable suspicion to believe that he or she is affected by drugs and/or alcohol and that this test is required to confirm or deny this suspicion.
2. The employee will be transported to one of the College's contracted testing facilities. One member of HR, an appointed designee or Security will accompany the employee. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*
  - a. Employees subject to alcohol testing should be driven to a CMN-designated facility where he/she must provide breath specimens. Trained technicians using federally approved breath alcohol testing devices capable of producing printed results should test breath specimens. Alcohol tests may include a breath, blood or saliva test, at the College's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the College as possible work rule violations of the Drug and Alcohol Policy.
  - b. Applicants and/or employees subject to drug testing may be driven to a CMN-designated facility and directed to provide urine specimens. Collected specimens will be tested for evidence of cocaine, ecstasy, marijuana, phencyclidine, opiates/morphine, benzodiazepine, amphetamines, barbiturates, methamphetamines, and methadone (where indicated, specimens may be tested for other illegal drugs). The facility will test all specimens and confirm all positive tests. There must be a chain of custody from the time specimens are collected through testing and storage. The facility will send all positive drug test results to a medical review officer (MRO) retained by the testing facility, who will offer persons with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's own expense. Such requests must be made at the time of notice of the initial test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event should a positive test result be communicated to CMN until such time that the MRO has confirmed the test to be positive.

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3. The employee to be tested must sign a consent form provided by the testing facility. Refusal to sign and complete the drug screen is addressed under the "Consequences" section of this document.
4. If the test is positive, HR will arrange to transport the person home. *Under no circumstances will the tested employee be allowed to drive himself or herself home.*

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential and maintained in secure files separate from normal personnel files. Such records and information are disclosed on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

### **Inspections**

CMN reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors are subject to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including termination.

### **Crimes Involving Drugs**

CMN prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on College premises or while conducting College business. CMN employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel will be notified, as appropriate, when criminal activity is suspected.

All employees who are convicted of, plead guilty to or are sentenced for a crime involving drugs and/or alcohol are required to report the conviction, plea or sentence to HR within five working days. CMN reserves the right to take appropriate disciplinary action for alcohol and/or drug use, sale or distribution while off College premises. Failure to comply will result in automatic termination. While review of charges, employee may be suspended without pay.

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### **Enforcement**

The HR department is responsible for policy administration and enforcement.

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|                                                                                   | Employee Organizations                     | Revised     | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation recognizes the utility of employee associations and their positive potential.

1. Prospective organizations must submit letter of intent to the College President.
2. No employee group shall be officially recognized until their group's constitution/by-laws have been granted written approval by the President.
3. The publication committee must review and approve constitution and bylaws.

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|                                                                                   | Employee Transfers                                 | Revised            | 09/18/2017 |

**Policy:**

It is the policy of the College of the Muscogee Nation to provide fair and equitable guidelines in transferring an employee.

1. Employees desiring to apply for a vacant position at the College of the Muscogee Nation must have completed their sixty (60) day probation and complete an application.
  - a. A hiring supervisor may select a qualified current employee for a vacant position without considering outside applications. However, if more than one (1) qualified current employee completes an application, each of the qualified current employees will be interviewed for the vacant position.
  - b. Based on the needs of the college the transfer and promotion of employees to other positions within the college may be made to maintain efficient and productive workflow, without posting the job announcement.
2. All transfer employees will undergo a sixty (60) calendar day transfer evaluation period.
3. Within five (5) days prior to the completion of the transfer evaluation period, a job performance review will be conducted by the supervisor.
4. When employees are transferring from Muscogee (Creek) Nation to College of the Muscogee Nation or vice versa, comp hours earned will not transfer. The transferring employee will be expected to use the earned comp time before transferring.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Employee Promotions                                | Revised            | 09/18/2017 |

### **Policy:**

College of the Muscogee Nation believes in providing opportunities for its employees to advance within the organization. Promotion opportunities to positions of higher responsibility for existing staff members will be limited only by the individual's ambition, attitude and qualifications in experience, education and capabilities.

1. An employee may be considered for a promotion at any time after six (6) months of employment is complete.
2. Based on the needs of the college the transfer and promotion of employees to other positions within the college may be made to maintain efficient and productive workflow, without posting the job announcement.

### **Procedures**

1. Promotion Within Same Department
  - a. Supervisors wishing to recommend a promotion for an employee because of a change in job duties being performed should review and revise the employee's job description in accordance with that employee's actual job duties, making note of major changes in responsibility that would warrant consideration of a promotion.
  - b. The Supervisor should submit the new job description, along with a completed salary authorization form outlining recommended grade/salary/title changes, and a memorandum outlining the recommendation to Human Resources.
  - c. Human Resources will review the documentation and compare it to market rate and the internal structure at and determine if the recommendation should be supported, modified or denied.
  - d. The Human Resources Specialist will provide all documentation with a final recommendation to the Director of Business Affairs and the President.
2. Promotion to Another Department
  - a. Employees who are interested in a posted position should make that interest known by applying for the position.

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- b. Internal candidates do not need the permission of their supervisor to apply for open positions. After applicants are reviewed by HR and if they are considered good candidates for the position, their supervisor will be notified of their application by HR.
- c. The maximum time that an employee may be kept in his or her current position after being accepted for another College of the Muscogee Nation position is 30 calendar days.

### **Pay Changes**

All changes in pay will be consistent with the guidelines listed in the College of the Muscogee Nation compensation plan. The salary offered for the new position will be determined based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds. Employees can choose to accept or decline offers without repercussions in their current position.



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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Reclassification                                   | Revised            | 09/18/2017 |

**Policy:**

A reclassification of a position is necessary when its duties have changed sufficiently to require a change of title. A reclassification always involves a change in title, but it may not necessarily involve a change in salary.

1. Reclassification may occur in one of two ways:
  - a. An employee's duties and responsibilities have changed substantially due to changes in organization, work, staffing requirements, or technology.
  - b. The classification assigned to the position may be inappropriate or was initially classified incorrectly.

**Procedure:**

The procedure for reclassification will be as follows:

1. The employee or department who is requesting the reclassification will submit in writing to Human Resources the suggested changes.
2. Human Resources along with the department head will then review the changes to determine if reclassification is needed.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Resignation                                        | Revised            | 09/18/2017 |

**Policy:**

Resignation occurs when an employee voluntarily severs his/her employment status.

1. Each employee is required to return all equipment issued for his/her use and render a final accounting by a supervisor or designee. Returned equipment must be in good working condition.
2. The final paycheck will normally be issued on the next payday but may be withheld until a final accounting takes place.
3. Employees who resign will not be eligible for rehire for six (6) months after resignation.

**Procedure:**

The procedure for resignation will be as follows:

1. The employee will submit a signed letter of resignation to their supervisor.
2. The immediate supervisor will review the resignation letter, then render a final accounting and only then approve the resignation. The supervisor will then forward the letter of resignation to Human Resources.
3. The Supervisor will conduct the exit interview. If the employee refuses or is unavailable, Human Resources will so note on the exit interview form.
4. Once informed, Human Resources will immediately notify the following departments:
  - a. IT – to shut down the employee’s computer and reroute incoming emails, as necessary.
  - b. Facilities – to change locks, if needed.
  - c. Payroll
5. Human Resources, upon completion of the resignation procedure, will send the Exit Interview form to payroll.

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|                                                                                   | General Employment                                 | Originated  | 04/13/2005 |
|                                                                                   | Employee Discharge                                 | Revised     | 09/18/2017 |

**Policy:**

Each discharge will be documented as to specific reasons for the action, including any history of disciplinary actions against the affected employee. Also included will be a history of corrective action, if any, taken by the employee, and any other pertinent data.

1. Any person convicted of embezzlement and/or theft, from any organization will not be eligible for hire/rehire.
2. Employees who have been discharged for any reason other than embezzlement and/or theft are not eligible for rehire for one (1) year after discharge.
3. Each employee is required to return all equipment issued for his/her use and render a final accounting by a supervisor or designee. Returned equipment must be in good working condition.
4. The final paycheck will normally be issued on the next payday but may be withheld until a final accounting takes place.

**Procedure:**

The procedure for employee discharge is as follows:

1. The supervisor will render a final accounting.
2. The supervisor will conduct an exit interview and review the disciplinary actions that led to the discharge. If the employee refuses or is unavailable, Human Resources will so note on exit interview form.
3. Once informed, Human Resources will immediately notify the following departments:
  - a. IT – to shut down the employee’s computer and reroute incoming emails, as necessary.
  - b. Facilities – to change locks, if needed.
  - c. Payroll

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4. Human Resources, upon completion of the resignation procedure, will send the Exit Interview form to payroll.

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|                                                                                   | General Employment                                 | Originated  | 04/13/2005 |
|                                                                                   | Employee Lay-Off                                   | Revised     | 09/18/2017 |

**Policy:**

Lay-off is an involuntary loss of employment due to organizational restructuring, position elimination, operational changes, or financial constraints. If the College of the Muscogee Nation determines that it must reduce employment because of adverse economic or other conditions, the lay-offs will be conducted in a manner that is consistent with the procedures below.

1. All employees are subject to lay-off from employment.
2. Employees in lay-off status will be eligible for the transfer process and will receive the same consideration when applying for a transfer as current employees.
3. While in lay-off status, the employee will be responsible for paying the monthly premium on all employee benefits in order for those benefits to remain in effect.
4. Employees who are laid off temporarily will be maintained on a recall list for ninety (90) days or until management determines the layoff is permanent, whichever comes first.
5. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should report to Human Resources Department if they become unavailable for recall. Employees who do not keep a current home address on record with HR or cannot be contacted will lose their recall status.
6. Once an employee is removed from the recall list their rights as an employee will be terminated according to the Employee Discharge Policy.

**Procedure:**

The procedure for an employee Lay-off will be as follow:

1. Management will attempt to notify all personnel affected by lay-off ten (10) days in advance; however, where such notification is not possible, management will notify the affected personnel as quickly as possible.
2. Upon notification that a lay-off will occur, Human Resources will prepare and issue to management for their signatures a notification of lay-off for distribution to the affected personnel citing the reason.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Reduction in Force                                 | Revised            | 09/18/2017 |

**Policy:**

Reduction in Force will be defined as an action taken when a person is displaced from his/her position due to inadequate funding, reclassification, and other causes that are of no fault of the employee.

1. An employee who is displaced as a result of reduction in force may be reassigned to a position at a lower salary grade. An employee who is displaced as a result of reduction in force also may be placed on lay-off status.
2. If an employee accepts a different position, they forfeit the right to return to the position that was affected by the reduction in force.
3. All employees are subject to a reduction in force.
4. When reductions in force or lay-offs affect a large portion of the workforce, the College of the Muscogee Nation will comply with the Worker Adjustment and Retraining Notifications Act if and to the extent that it is applicable to the College of the Muscogee Nation and the action being taken by the College .

**Procedure:**

The procedure for Reduction in Force will be as follows:

1. Management will attempt to notify all personnel affected by a reduction in force at least ten (10) days in advance; however, where such notification is not possible, management will notify the affected personnel as quickly as possible.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Employee Recall                                    | Revised            | 09/18/2017 |

**Policy:**

All employees will be eligible for recall to the last position held for ninety (90) days from the effective date of lay-off unless the employee has accepted another position.

1. When a work unit is informed that positions in lay-off status will be reactivated, that department will notify Human Resources.
2. Employees notified for recall will report for work no later than fourteen (14) calendar days after notification; failure to report is a forfeit of their right to the position.
3. Upon failure of a recalled employee to exercise his right, the position in question will be treated as a vacant position and treated accordingly.

**Procedure:**

The procedure for recall is as follows:

1. Upon notification by an affected department(s) that a position will be reactivated, Human Resources will issue a notification of recall by certified mail, return receipt requested to the qualified employee of record who last held the position.

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|                                                                                   | Disciplinary Action Standards                      | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation strives to serve its students in an efficient and timely manner. To achieve this goal it is necessary to establish standards of conduct which are understood by and communicated to all employees.

The ability of each employee to be aware of the standards necessary for a productive College is crucial to maintaining an efficient workplace. This in turn enables the College of the Muscogee Nation to better serve its students.

1. The acts listed below are not meant to be inclusive but are given as guidelines for personal conduct. Taking part in the listed conduct or other actions detrimental to the functioning of the College of the Muscogee Nation will be grounds for disciplinary action. Such action may include a verbal warning, written reprimand, probation, demotion, suspension, or discharge.
  - a. Unauthorized absence from the workstation or worksite.
  - b. Tardiness.
  - c. Violations of Leave Policies.
  - d. Loafing, wasting time, or sleeping on duty.
  - e. Violation of a safety rule or the performance of unsafe work practices.
  - f. Not accurately handling or reporting money (consistently over/short).
  - g. Embezzlement or unauthorized possession of, use of, loss of, or damage to college property, government property, or the property of others.
  - h. Conviction in a federal, state, or tribal court, on charges brought during the time of employment, which could bring embarrassment, distrust, or discredit to the College of the Muscogee Nation.
  - i. Uses or authorizes use of College of the Muscogee Nation owned or leased vehicles for other than official purposes.
  - j. Theft or conversion of College of the Muscogee Nation funds for personal use.
  - k. Disorderly conduct, fighting, threatening, or attempting to inflict bodily injury to another or engaging in dangerous horseplay.



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- l. Engaging in disrespectful, negative, or unprofessional language or conduct toward any College of the Muscogee Nation employee.
- m. Using, possessing, or selling drugs on or off duty.
- n. Deliberate misrepresentation, falsification, misstatement, exaggeration, or concealment of material fact in connection with any investigation, record, report, or document originating from employment or work with the College of the Muscogee Nation.
- o. Serious or repeated violations of traffic regulations while operating a College of the Muscogee Nation owned vehicle or vehicle leased for official business.
- p. Soliciting or accepting directly or indirectly any gift, gratuity, favor, entertainment, food, or other item of monetary value, from an individual or entity which has or is seeking business with the tribe, and is seeking to unduly influence the employee in the performance of their duties.
- q. Discourteous language or conduct toward the public.
- r. Failure or inability to perform duties of the position in which employed.
- s. Violation of any administrative policy.
- t. Any employee engaging in conduct, action, and/or behavior detrimental to self, other College of the Muscogee Nation employees, and/or general public, while on duty and/or on College of the Muscogee Nation property at any time, will be subject to disciplinary action. Supervisors, managers, and directors will be responsible for all work ethics, all employee personnel conduct, and will encourage and promote professionalism at all times during work schedules and assignments and while on College of the Muscogee Nation property.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Disciplinary Action Types                          | Revised            | 09/18/2017 |

**Policy:**

Disciplinary action is sometimes necessary to ensure adherence to the high standards of conduct expected of College of the Muscogee Nation employees. The form of the disciplinary action may vary according to several factors including, but not limited to, the seriousness of the action, any prior disciplinary actions in an employee's history, and length of service. Whenever disciplinary action is invoked it is with the understanding that the purpose of disciplinary action is to instruct rather than punish. The different types of disciplinary action are as follows:

1. A verbal warning is defined as an admonishment given to an employee when that employee commits or is about to commit an act that is contrary to the standards expected of the College of the Muscogee Nation employees. It is usually given only for minor infractions. The issuance of a verbal warning is at the sole discretion of the supervisor.
2. Probation is defined as being subjected to especially close supervision for a specific time period. The commission of any act during the probationary period which is contrary to the standards expected of the College of the Muscogee Nation employees, however minor, may lead to further disciplinary action. A probationary period will last at least thirty (30) calendar days but not more than ninety (90) calendar days.
3. Demotion is defined as a reduction in grade and may include the loss and/or reduction of pay and authority.
4. Suspension is defined as barring or denying an individual their status as an employee for a specific time period. Suspension may occur with or without pay. Suspension with pay is usually given only for investigatory purposes. Suspension without pay will affect any benefits based on hours or pay periods worked. A suspension period may last from three (3) to ninety (90) days.
5. Discharge is defined as an involuntary severing of employment status and the loss of all benefits and pay associated with that employment.

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|                                                                                   | Disciplinary Action Implementation         | Revised     | 09/18/2017 |

**Policy:**

If a particular issue persists, the supervisor will consult with Human Resources to determine the appropriate action. Management must obtain the concurrence of Human Resources **prior** to any action resulting in probation, suspension, demotion, or discharge. Failure to consult with Human Resources may result in disciplinary action for the supervisor or manager.

1. A Disciplinary Action Form will be completed by the supervisor. Special attention will be given to specific reasons for issuing the disciplinary action, including the occurrence date of the act in question, the date when the Disciplinary Action Form is completed, and the type of disciplinary action being invoked against the affected employee.
2. The supervisor will then notify the affected employee and conduct an immediate conference, along with the department Manager and Human Resources. The supervisor will inform the employee of the specific reasons for the disciplinary action. The supervisor will also explain the penalties carried by the type of disciplinary action being invoked.
3. At the end of the conference the employee will sign the Disciplinary Action Form. The supervisor will inform the employee that by signing the employee is not admitting guilt but is indicating the employee has been officially notified of the action being taken. If the employee refuses to sign or is unavailable, the supervisor will so note on the form. The Disciplinary Action Form will be signed by the immediate supervisor, Department Manager, and Human Resources.
4. The supervisor will retain a copy of the Disciplinary Action Form. A copy will be given to the employee and a copy will be forwarded to Human Resources, within five (5) days of the date the document was administered, to be placed in the permanent employee file.
5. If the disciplinary action invoked involves modification, suspension, or loss of benefits or pay, Human Resources will notify the appropriate work unit(s) immediately.

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|                                                                                   | Discipline Action Process                          | Revised     | 09/18/2017 |

### Policy:

The College of the Muscogee Nation's progressive discipline policy is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues.

The College of the Muscogee Nation reserves the right to administer the corrective action it deems appropriate depending on the facts of each situation and the nature of the offense.

If disciplinary action is needed for more than one issue within 30 days of each other, the steps should be taken in order (not beginning a new process for each issue).

Each employee will have 30 days to correct any issues listed in the warnings/and or counseling. If the issue is resolved within those 30 days employee will be notified and when and if a new issue occurs a new process will begin.

### Procedure:

The Steps of the Progressive discipline policy are outlined below.

1. **Step One: Counseling and Verbal Warning** – The immediate supervisor will meet with the employee to bring attention to the existing performance, conduct, or attendance issues. The supervisor will discuss with the employee the nature of the problem or violation of the College of the Muscogee Nation policies and procedures. On the Disciplinary Action Form the supervisor is expected to complete the improvement plan that clearly outlines expectations and steps the employee must take to improve performance or to resolve the problem.

***The supervisor will prepare written documentation of the verbal counseling.*** At the end of the conference, the employee will sign the Disciplinary Action Form. The supervisor will inform the employee that by signing the form, the employee is not admitting guilt, but is indicating the employee has been officially notified of the action being taken. The supervisor will retain a copy of the Disciplinary Action Form. A copy will be given to the employee and a copy will be forwarded to Human Resources, within five (5) days of the date the document was administered, to be placed in the permanent employee file.

2. **Step Two: Written Warning** – In the event that the behaviors documented in the verbal counseling are not corrected, the supervisor will issue a written warning. A written warning involves more formal documentation of the performance, conduct, or attendance issues and consequences.

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The immediate Supervisor and department Manager will meet with the employee and review any additional incidents or information about the performance, conduct, or attendance issues, as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations on the Disciplinary Action Form.

The supervisor will inform the employee that by signing, the employee is not admitting guilt, but is indicating the employee has been officially notified of the action being taken. The supervisor will retain a copy of the Disciplinary Action Form. A copy will be given to the employee and a copy will be forwarded to Human Resources, within five (5) days of the date the document was administered, to be placed in the permanent employee file.

3. **Step Three: Final Written Warning** – If performance does not improve, a final written warning will be administered to the employee. The immediate supervisor, Department Manager, and Human Resources will meet with the employee and review any previous verbal counsel and written warnings. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations on the Disciplinary Action Form.

The supervisor will inform the employee that by signing, the employee is not admitting guilt, but is indicating the employee has been officially notified of the action being taken. The supervisor will retain a copy of the Disciplinary Action Form. A copy will be given to the employee and a copy will be forwarded to Human Resources, within five (5) days of the date the document was administered, to be placed in the permanent employee file.

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|                                                                                   | Grievance Process                                  | Revised     | 09/18/2017 |

### Policy:

It is the policy of the College of the Muscogee Nation to ensure that all employees have access to a process whereby their grievances can be heard in a safe and fair atmosphere. The College of the Muscogee Nation recognizes the importance of open communication in resolving disputes. Therefore, a procedure is provided in which complaints shall receive full and fair consideration. When an employee feels they have been treated unfairly or that an unsatisfactory condition exists, they should bring it to the attention of the College of the Muscogee Nation through the grievance procedure provided.

No matter shall be considered a grievance until it is filed at the second step of the grievance procedure. A grievance must be filed within thirty (30) calendar days after the occurrence of the event or after the employee should have become aware of the occurrence of the event.

All time limits set forth in the grievance procedure shall be strictly observed, but may be extended by the mutual consent of both parties. If the employee fails to pursue the grievance within the established time limits, the grievance shall be considered resolved by the last answer given from management. If management fails to respond within the established time limits, the employee may proceed to the next step of the grievance procedure.

The Muscogee (Creek) Nation Employee Protection Act, NCA 95-07, is an ordinance of the Nation prohibiting retaliation against employees for certain protected actions, and creates The Muscogee (Creek) Nation Employee Protection Commission. All employees upon date of hire shall be given a copy of this act for their own review.

A special procedure has been established for complaints of sexual harassment.

### Procedure:

The Grievance Procedure will be as follows:

1. *Step One.* The employee shall discuss the grievance with their immediate supervisor. Informal discussion with the immediate supervisor is encouraged as the first step. However, if the employee does not believe a discussion with the supervisor is appropriate, the employee may proceed directly to *Step Two*.
2. *Step Two.* If the grievance is not resolved in step one the employee shall submit the grievance on a Grievance Form to the major department head (attachments to the form may be made if necessary). The major department head shall investigate the complaint and deliver a response on the Grievance Form (attachments may be made if necessary) to the employee within three (3) calendar days after the meeting with the employees.
3. *Step Three.* If the grievance is not resolved in step two, the employee may submit the grievance on a Grievance Form to Human Resources within four (4) calendar days after

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|                                                                                   | Grievance Process                                  | Revised            | 09/18/2017 |

receipt of the answer from the major department head (attachments to the form may be made if necessary). Within five (5) calendar days after receipt of the grievance, Human Resources shall complete a review of the grievance. The review may include meeting with the employee, representatives of department management, or other involved parties.

4. *Step Four.* Within three (3) calendar days of the review, the Human Resources representative shall issue in writing his/her finding of fact and recommended resolution. Human Resources shall send a copy to the employee using certified mail, return receipt requested and forward a copy to the Director of Business Affairs and the President.
5. *Step Five.* If the grievance is not resolved in Step Four, the employee may submit the grievance in writing to the Grievance Appeals Committee through the Office of Human Resources within four (4) calendar days after the recommended resolution is received or refused. The Grievance Appeals Committee shall conduct a hearing concerning the grievance within five (5) calendar days of receipt of the grievance. The Grievance Appeals Committee shall issue a written decision within three (3) calendar days of the hearing. Human Resources shall send a copy of the committee's decision to the employee using certified mail, return receipt requested. The decision of the Grievance Appeals Committee is final and is not appealable.

The Grievance Appeals Committee hearing shall include the following:

- a. Written materials submitted by Human Resources and grievant.
  - b. Testimony by the grievant and any witness willing to appear.
  - c. Testimony by a representative of the College of the Muscogee Nation and any witnesses for such willing to appear.
  - d. Questions from the Grievance Appeals Committee.
6. The Grievance process is for active employees of the College of the Muscogee Nation. Employees cannot file a grievance once they have been discharged or have resigned.

Exception: Whenever the grievance concerns a suspension without pay, the grievant may proceed directly to *Step Three* of the grievance procedure.

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|                                                                                   | Grievance Appeals Committee                        | Revised            | 09/18/2017 |

**Policy:**

1. The Grievance Appeals Committee is a three member board consisting of:
  - a. A Director or Agency Head, who will be designated the chairperson of the committee;
  - b. A Manager within a separate department or agency from that of the chairperson; and,
  - c. A non-supervisory employee from a department or agency separate from that of the other members.
2. Members of the Grievance Appeals Committee will be appointed by the President.
3. A new Grievance Appeals Committee will be seated for each grievance.

Exceptions:

- a. If one grievant or class of grievants have presented multiple grievances, the same committee may hear all the grievances.
  - b. A Director or supervisor may sit on up to three (3) consecutive Grievance Appeals Committees.
4. A Director or Supervisor will not sit on a Grievance Appeals Committee in which the grievant is under their direct or indirect supervision. This stipulation will not be excepted unless onerous circumstances are present.
5. A Director or Manager will not site on a Grievance Appeals Committee in which they are the subject of the grievance.



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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Sexual Harassment                                  | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation is committed to providing all employees with a work environment free of sexual harassment. Sexual harassment in any form is unacceptable. Any employee involved in sexual harassment shall be subject to disciplinary action, including discharge.

To promote this policy the College of the Muscogee Nation provides a mechanism to hear and resolve alleged cases of sexual harassment. Individuals subjected to sexual harassment are encouraged to use the sexual harassment complaint procedure.

When management is informed of sexual harassment, it is their duty to investigate the matter and put an end to any unwelcome behavior.

Sexual harassment is defined as any unwelcome or perceived comment, gesture, request, or physical contact of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or
3. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

**Procedure:**

1. *Step One.* An employee who feels they are being subjected to sexual harassment should document specific information regarding occurrence. Dates, time, places, specific types of harassment, and names of any witnesses should be included in the documentation. The employee is encouraged to let the harasser know that his/her actions are not welcomed.
2. *Step Two.* If the harassment continues, the employee shall submit a written complaint on a Sexual Harassment Complaint Form to their department head (attachments to the form may be made if necessary). The department head shall investigate the complaint and respond in writing within three (3) calendar days. If the employee feels the need to verbalize their complaint to someone of their same sex an individual shall be provided. If the employee feels that submitting a complaint to their department head would be non-productive, Step Three may be omitted. However, before the complaint is accepted in Step Four, a Human Resources

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representative shall confer with the employee as to employee's reason for omitting Step Three.

3. *Step Three.* If the complaint was not resolved in Step Two, the employee may submit the complaint on a Sexual Harassment Complaint Form (attachments to the form may be made if necessary) to Human Resources within four (4) calendar days after receipt of the answer from the major department head. Within five (5) calendar days after receipt of the complaint, the Human Resources Representative or his/her designee shall review the complaint. The review may include meeting with the employee, representative of department management, or other involved parties.
4. *Step Four.* Within three (3) calendar days of the review, the Human Resources representative shall issue in writing his/her finding of fact and recommended resolution. Human Resources shall send a copy to the employee using certified mail, return receipt requested and forward a copy to the President.
5. *Step Five.* If the complaint is not resolved in Step Four, the employee may submit the complaint in writing to the Grievance Appeals Committee (as defined in the Grievance Policy) through the Human Resources office within four (4) calendar days after the recommended resolution is received or refuse. The Grievance Appeals Committee shall conduct a hearing concerning the complaint within five (5) calendar days of receipt of the complaint. The Grievance Appeals Committee shall issue a written decision within three (3) calendar days of the hearing. Human Resources shall send a copy of the committee's decision to the employee using certified mail, return receipt requested. The decision of the Grievance Appeals Committee is final and is not appealable.
6. The Grievance Appeals Committee hearing shall include the following:
  - a. Written material submitted by Human Resources and the grievant.
  - b. Testimony by the grievant and any witnesses willing to appear.
  - c. Testimony by a representative of the College of the Muscogee Nation and any witnesses willing to appear.
  - d. Questions from the Grievance Appeals Committee.

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7. The time frames allowed for the investigation of such complaints may be extended upon management approval.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Safety and Work Environment                        | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation will make every effort to provide conditions that are as healthy and safe as feasible. Employees are expected to be equally conscientious about workplace safety, including proper work methods, reporting potential hazards and decreasing known hazards. In order to reach a high level of safety each employee must cooperate with the safety policy to ensure that public and work areas are free of hazardous conditions

**Responsibility:**

1. Risk Management will be responsible for administering, developing, and maintaining safety standards and procedures for the College of the Muscogee Nation. Safety standards will reflect applicable federal regulations. Managers and employees will be encouraged to exceed the recommended standards in order to create a safe and healthy working environment.

**Development:**

1. Risk Management will issue to the College of the Muscogee Nation Safety Officer periodic regulations setting forth minimum standards which must be followed in all work areas of the College of the Muscogee Nation.
2. Failure to comply with safety regulation will be grounds for discharge, suspension, probation, or demotion.
3. Upon receipt of a written request, Risk Management will issue a written interpretation of any regulation issued under this policy within ten (10) days.
4. Risk Management will be responsible for maintaining a master file of safety regulation and interpretations.

**Safety Education:**

1. Risk Management will develop, arrange, and conduct educational seminars on safety regulations and practices.
2. Courses will be held at least annually for management personnel, in order to update their knowledge of the safety regulations of the College of the Muscogee Nation.

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3. Courses will be held periodically for employees in order to promote greater awareness of safe work practices. It is the desire of the College of the Muscogee Nation that each employee attend all seminars offered.
4. Attendance of courses described in the policy will be mandatory condition of employment. Failure to participate in required safety seminars will be grounds for disciplinary action.

**College of the Muscogee Nation Safety Officer**

College of the Muscogee Nation Security  
Office - 918-549-2840  
Cell - 918-758-8410

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|                                                                                   | Visitors in the Workplace                          | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation welcomes the visits of family and friends of employees as an education tool. Due to safety and confidentiality concerns, however, the following policy is adopted:

1. **Employee will not provide child/adult care at their workstation or on campus.**
2. Visitors will not be allowed to operate any computers or equipment. An exception is the use of telephones. Local calls lasting no longer than three (3) minutes may be allowed.
3. Visitors should limit time spent at employee's workstations.
4. Supervisors are responsible for enforcing this policy.
5. Violation of this policy is grounds for disciplinary action, which may include dismissal.
6. An employee will immediately report to his/her supervisor and the Safety Officer any incident/accident involving himself/herself or a visitor while on the College of the Muscogee Nation premises, which he/she has been involved in, observed, or alerted to. The Safety Officer will complete an Incident/Accident Report. This report should describe the circumstances of the accidents, the condition of the person involved, and suggestions as to how similar accidents might be avoided. This report must be received by Risk Management within twenty-four (24) hours of incident.

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|                                                                                   | Incident /Accident Reporting                       | Revised            | 09/18/2017 |

### **Policy:**

College of the Muscogee Nation(CMN) takes every precaution to avoid incidents and/or accidents but they do happen; therefore, any injury must be reported. Reporting injuries promptly will help CMN provide the most appropriate care for injuries, and facilitates the process to help the individual. Failure to report an injury or file an Incident/Accident report will be grounds for a disciplinary action, up to and including termination.

Incident/Accident reports can be found on the CMN forms drive or upon request from the Security Office.

### **Employee Injury:**

1. CMN Security will be responsible for receiving and investigating Incident/Accident Reports pertaining to the College of the Muscogee Nation personnel or property.
2. Any employee who suffers an on-the-job injury will report the injury regardless of degree, immediately to their supervisor and to CMN Security.
3. It is the Supervisors responsibility to submit an Incident/Accident Report and must be completed within 24 hours of injury.
4. CMN may direct medical treatment as allowed by workers compensation. Any request for medical treatment should be made to the Muscogee (Creek) Nation's Benefits office as soon as possible.
5. Medical care without authorization may be at your own expense.
6. A copy of the report will be submitted to Muscogee (Creek) Nation (MCN) Risk Management within twenty-four (24) hours of the incident/accident by CMN Security for follow-up investigation if necessary.

### **Non-Employee Injury:**

1. Any injury involving a non-employee, that occurs on tribal property, an Incident/Accident report must be submitted to CMN Security within 24 hours of the incident.
2. The employee or supervisor who is witness to the occurrence or that was notified will be responsible for submitting the Incident/Accident report.

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**Property Damage or Loss:**

1. All incidents/accidents concerning CMN property damage or loss must be reported via an incident/accident form.
2. When a college vehicle is involved, the law enforcement agency that has jurisdiction must be notified.
3. Theft or vandalism must be reported to the law enforcement agency that has jurisdiction.

**Personal Property:**

1. Personal property brought on the CMN premises by the employee is the employee's responsibility and own risk.
2. Employees should take the necessary precautions to protect their personal property from theft, loss, or damage and should be secured at all times.
3. While CMN does all it can do to protect employee's property, CMN is not responsible for the loss or theft of personal belongings.
4. CMN will not reimburse the employee for lost, damaged, or stolen personal property.



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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Tobacco/Vape Free Campus                           | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation is dedicated to providing a healthy, comfortable, and productive environment for all employees and students. Therefore, vaping, smoking, and the use of all tobacco products are prohibited in all company vehicles and on property owned and/or leased by the College of the Muscogee Nation. This policy applies to all staff and visitors. Any violation of this policy may result in disciplinary action.

1. Employees will be informed of this policy through signs posted in all College of the Muscogee Nation facilities and vehicles, the policy manual, orientation, and training.
2. Visitors will be informed of this policy through signs.
3. The College of the Muscogee Nation will assist employees who wish to quit smoking by facilitating access to recommended smoking cessation programs and materials.
4. Any violation of this policy will be handled through the standard disciplinary procedures.

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|                                                                                   | Travel Standards                           | Revised     | 09/18/2017 |

**Policy:**

The purpose of this policy is to provide an administrative framework that will ensure the proper management of activities associated with official travel for the College of the Muscogee Nation.

The standards for travel are established based upon policies set forth in the following policies, the Federal Travel Regulations (FTR) contained in 41 CFR Subtitle F, OMB Circular A-87 and auditing standards.

Allowable travel events that are not covered by the policies set forth below will fall under the guidelines of the FTR.

1. The College's Travel Policy will not be less restrictive than the FTR.
2. The standard of prudence requires that travelers exercise the same care in incurring expenses and accomplishing a travel objective that a "prudent person" would exercise, and the travel is "reasonable and necessary" and within the scope of this policy. **Excessive costs, circuitous routes, delays, luxury accommodations, added cost for personal preferences which are unnecessary or unjustified in the performance of official business are not considered acceptable.**
3. Travel will be generally authorized for the following purposes:
  - a. Performance of official College business
  - b. Request by an external funding agency
  - c. Agency required meeting or training
  - d. Employee educational/training purposes
  - e. Program development
4. Alcohol will not be reimbursed

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|                                                                                   | Travel Responsibility and Authority                | Revised            | 09/18/2017 |

**Policy:**

Management will adhere to the following policies: Any deviation from these policies will be secured in writing and signed by the appropriate management giving justification for any such deviation(s).

1. Management will ensure that the projected travel is authorized by considering contract or program objectives, resolutions, directives, program staffing, etc., and that the minimum number of persons essential to the accomplishment of the travel objective will be placed on travel status.
  - a. Management will ensure that all transportation and lodging costs are the most economical use of all College of the Muscogee Nations resources, including time, funds, and personnel for the College.
  - b. Management will ensure the most economical mode of transportation and lodging is used, which will include the consideration of time spent in travel status.
  - c. Management will be responsible for informing the traveler of all requirements, review and follow up of all documents for Travel Authorizations and Travel Expense Reports.
  - d. In the event of employee termination, management will cooperate with the College Travel Coordinator to ensure that all outstanding travel is cleared before issuance of final payroll checks.
  - e. If possible, management will schedule travel for occurrence during the employee's normal working hours.
  - f. Administration will provide for a centralized agent for purposes of air travel reservations and tickets.
  - g. All travel outside of the College of the Muscogee Nation must have an activity form signed and approved prior to travel. Supervisor will forward a copy to Human Resources.
2. The Traveler will adhere to the policies stated herein. Any deviation will be stated in writing on the Travel Authorization form or by letter of justification with approval of the appropriate management personnel. The traveler will further ensure that:

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3. No cost will be incurred against the College of the Muscogee Nation for any unauthorized person or persons accompanying the traveler. Added costs for extra person(s) occupying rooms, taxis, etc., will be the sole responsibility of the traveler.
4. Any travel cost reimbursements, stipends, honorariums, and gratuities will be paid to the College of the Muscogee Nation, and will be used to offset costs of the charged program.

**Exception:**

In the event that the traveler is not on travel status, i.e. on Annual Leave, Personal Leave, or Leave without Pay, such reimbursements, stipends, honorariums, and gratuities may be retained by the traveler.

5. No employee will be allowed to travel on another programs budget, unless authorized by the funding program.
6. Employees on probation will not be allowed to travel until their probationary period has ended.
7. Any accident that occurs while driving a rental or College of the Muscogee Nation owned vehicle must report all accidents to Risk Management within twenty-four (24) hours or may be subject to disciplinary action or reprimand.

**Non-Employee Travel:**

On occasion, travel may be required for persons who are not employees, but rather represent CMN committees or boards, etc.

1. Travel will be approved contingent upon justification and prior approval of the appropriate management. Travel must be within the scope and purpose of the programs and the purpose of the committee or board member.
2. Non-employee travel will be subject to all policies stated above. Sponsoring programs are responsible for informing the traveler of all requirements, and for review and follow-up of all travel documents.

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**Conduct:**

1. Employees on travel status for the purpose of the official business or training are representatives of the college.
2. Conduct while on travel status will be governed by the policies stated in the College of the Muscogee Nation Human Resources Policies and Procedures Manual.
3. Violations of these policies will result in appropriate disciplinary actions and cause the traveler to be ineligible from travel status until such times as the ineligible status is lifted by the Administration.

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|                                                                                   | General Employment                                 | Originated         | 04/13/2005 |
|                                                                                   | Travel Request and Authorization                   | Revised            | 09/18/2017 |

**Policy:**

Approval of travel on the Travel Authorization (TA) form facilitates the encumbrance of funds to prevent unauthorized expenditures. Unapproved travel will not be reimbursed. In the event of an emergency, only the President of the College of the Muscogee Nation may approve a Travel Authorization after the fact.

1. All requests for travel must be prepared on the Travel Authorization form 14 days (two weeks) prior to travel. All supporting documents pertaining to the requested travel must be attached to the Travel Authorization.
2. The Travel Authorization form and instructions for completion are provided to traveling employees by the Accounting Office.
3. A Travel Authorization number (TA No.) will be issued by the College of the Muscogee Nation's Travel Coordinator. Air carrier agents will not issue tickets without a TA No.
4. Required registration fees will be indicated on, and paid from, the Travel Authorization form. However, such fees may be accomplished by a Purchase Requisition in instances where travel status is not involved.
5. Travelers will be responsible for excess costs and additional expenses incurred due to personal preference and convenience when such costs are not convenient or necessary to the College of the Muscogee Nation.
6. No Travel Authorizations will be processed for those travelers with outstanding travel advances or Travel Expense Reports which have not been submitted as required by College Policy.
7. Costs for travel for official business not covered by the issuance of a travel advance will be reimbursed upon submission of a travel expense report. Excess advance monies are due at the time of submission of the approved Travel Expense Report.
8. When the cost of travel is to be reimbursed by a third party, appropriate documentation supporting such reimbursement is to be submitted with the Travel Authorization request.
9. The College will not incur costs or be billed for the costs of an employee's personal travel or for the cost of relatives or companions who accompany employees.

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**Procedure:**

The procedure for approval will be as follows:

1. The accounting office will forward the Travel Authorization and all supporting documentation to the appropriate manager for approval.
2. The approving authority will determine the appropriateness and necessity of the request, compliance with travel policy, sign for approval and forward the TA to the accounting department for processing.
3. If the travel is not approved, the approving authority must inform the individual requesting the travel.

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|                                                                                   | Travel Agenda                                      | Revised            | 09/18/2017 |

**Policy:**

Management will ensure that the agenda be placed in accordance with the approved purpose and objectives stated for travel, and must be within the scope of the program and specific job duties of the requesting employee.

1. The Travel Authorization for out-of-state travel will not exceed one (1) day prior to scheduled meetings and one (1) day after such meetings or training contingent on flight availability. The “one day before” or “one day after” will not apply to in-state travel without prior justification and approval of Administration.
2. Copies of announcements, agendas, schedules and training offerings, or other documents establishing costs shall be submitted with the Travel Authorization form.
3. Copies of the flight schedule or justifications for use of a tribal vehicle or POV shall be submitted with the Travel Authorization form.
4. The traveler is required to return to work at the completion of the travel status when the trip ends during the normal work day, and if the return time so permits; otherwise, the traveler will be considered to be on leave.
5. Travel during off-hours will not be eligible for Comp Time or Overtime. However, in the event that travel is required during an official holiday, the employee may be given a day off in lieu of the missed holiday with approval from the President.



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|                                                                                   | Travel Advances                                    | Revised            | 09/18/2017 |

**Policy:**

Travel advances, where direct payments are made to other parties for conference fees, tuition, registration, etc., will be made within the scope of allowable advances.

1. Items of travel which are based on estimated allowable cost may be eligible for travel advances. The travel advances issued will be at 100% of the total estimated cost of travel, excluding fees and airfare.
2. No travel advance will be issued to employees with existing travel advances outstanding more than five (5) working days after the travel has occurred or with existing debt to the College if such indebtedness is the result of travel.
3. Travel advances will not be issued when overnight stay is not required.
4. Travel advances are for College business only and cannot be used for personal purposes.
5. No travel advance will be issued when the Travel Authorization is received after the last available check run date for such advance. Full reimbursement will be made upon submission of an approved Travel Expense Report.
6. When travel is canceled, the traveler is required to return all monies advanced immediately.

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|                                                                                   | Travel Transportation                              | Revised            | 09/18/2017 |

**Policy:**

Transportation for purposes for travel for official business will be incurred by the mode most cost effective and timely for the College of the Muscogee Nation (CMN).

1. Authorized modes of transportation will include (in order of preference) commercial airlines, CMN vehicle, or privately owned vehicle (POV). Rental vehicles may also be approved for ground travel (local transportation) as provided in this policy. Other modes of transportation may be approved dependent upon emergency situations when life, health, and/or tribal sovereignty may be at risk. Such situations will be evaluated on a case by case basis.
2. Travel by commercial airline is the preferred mode of transportation for all out-of-state travel, and must be used whenever possible and reasonable. This mode of travel provides the CMN with the least exposure to liability. Authorization is based upon the following:
  - a. Management will ensure that travel is planned in advance in order to take advantage of lowest cost pricing for airline tickets. Travelers must be aware of any special requirements involved with special pricing to ensure that only necessary costs are incurred.
  - b. Coach class or commuter accommodations are required for all CMN travel. First class travel may be permitted for health reasons with a written statement from the traveler's physician. First class travel will also be permitted for the college president.
  - c. Frequent flyer miles earned by employees traveling on official CMN business must be used for CMN business. Accumulated benefits are to be used to purchase tickets for official business. Accumulated benefits cannot be used to a higher class of service while on official travel.
  - d. The accounting office is responsible for contacting the CMN designated travel agent to obtain ticket pricing and schedules.
  - e. Purchasing a priority boarding pass/seat is not allowed with federal/CMN funds and reimbursement is not allowed.
  - f. The accounting office will, upon receipt of an approved Travel Authorization, schedule and confirm the travel with the designated travel agent and make arrangements for the delivery of the tickets.

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|                                                                                   | Travel Transportation                              | Revised     | 09/18/2017 |

3. CMN vehicles or GSA vehicles may be used on in-state travel status when prior approval is obtained through CMN or Fleet Management. Use of a CMN vehicle facilitates in-state travel or travel to bordering states where commercial air flights are not available. Travelers are encouraged to use tribal fuel cards when possible. In the event that a fuel card is not available to the program, fuel and vehicle expenses will be reimbursed at actual costs. The traveler must provide detailed invoices or receipts for all reimbursements requests.

**CMN insurance does not cover the transporting of non-employees in CMN vehicles.** A non-employee will be required to sign a waiver acknowledging that they understand they are not covered under the insurance policy before riding in a CMN vehicle.

4. Personally owned vehicles (POV) may be used with prior approval under the following guidelines:
  - a. Use of POV facilitates in-state travel or travel to bordering states where commercial air travel or a CMN vehicle is not available. For out-of-state travel, the use of a POV must be most advantageous to the CMN when considering cost, liability, and travel time involved.
  - b. Traveler must have prior approval of the appropriate management.
  - c. The rate of mileage reimbursement for use of a POV under all circumstances will be consistent with rates established by the IRS and/or policy established by the CMN. Reimbursement rates will be conditioned by the Federal Travel Rate (FTR):
    - i. Full reimbursement if no CMN vehicle is available for use by the traveler.
    - ii. Partial reimbursement of the following GSA rate if a CMN vehicle is available but traveler uses POV as personal choice.
    - iii. Partial reimbursement of the allowable GSA rate if there is no prior approval for use of POV.
    - iv. These rates may change to be consistent with the FTR.
5. Total amount of the reimbursement for POV mileage and cost for added lodging, per diem, etc., will in no situation exceed the lesser of the calculation of the above defined mileage

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rates of the cost of advance coach class or government rate (if applicable to program) airline ticket.

6. The traveler must submit a flight itinerary with the Travel Authorization Form, quoting advance coach class airfare to establish the most economical reimbursable rate (See #4 above).
7. Ground transportation expenses may incur while on travel status. Modes of ground travel include, but are not limited to, rental vehicles, or taxi cabs, and are permissible under the following guidelines:
  - a. Use of a rental vehicle will require justification and will be permitted only with prior approval, and must be cost effective to CMN when compared to other available means of local transportation. The traveler is responsible for determining if shuttle transportation is provided to and from the airport by the hotel agency.
  - b. Use of a taxi or rental vehicle will be restricted to official business including, but not limited to, transport between air terminal and lodging sites, and transport between lodging and meeting sites.
  - c. Use of a taxi or rental vehicle is permissible for the purpose of obtaining meals when such amenities are either cost prohibitive at, or are not provided by, the approved lodging site.
  - d. Use of a taxi or rental vehicle for purposes of entertainment is strictly prohibited as such use incurs added costs to CMN.
  - e. Rental vehicles will be limited to mid-size and compact vehicles only. Large size sedans, vans/SUVs are allowable only if the number of authorized travelers in the party can justify such. A minimum number of drivers sufficient to the purpose the travel will be designated on the vehicle rental agreement.
  - f. The traveler will not be reimbursed for the cost of insurance coverage, since CMN is self-insured. This insurance is provided as long as the driver is an employee of CMN and on official business. Traveler will be required to pick-up and return insurance card from MCN Risk Management.

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- g. Drop-off charges will require justification, and will not be reimbursed if such charges were not specifically required for the purpose of the travel.
- h. Any cost incurred by the traveler for additional charges (mileage etc.,) which are not directly within the purpose of the travel will not be reimbursed by CMN, but will be at the traveler's expense.

### **Local Transportation**

Use of POV is limited to direct routing from the employee's home or workstation to a temporary workstation or meeting and return to work or home. Use of a POV is limited to the following:

1. Use of a CMN/GSA vehicle is not available.
2. Mileage reimbursement is limited to the difference between the employee's normal mileage to and from work, and the total mileage required, i.e. if an employee normally drives twenty (20) miles to work, and twenty (20) miles home, reimbursement for mileage to a TDY (temporary duty or business travel) or meeting would be paid only if the round trip to work, TDY, and back to work or home exceeded the forty (40) miles.
3. Employees will not be reimbursed for miles driven which do not specifically meet the requirements of the job.
4. Reimbursements for mileage will be processed with a properly detailed Mileage Voucher and Activity Sheet.
5. Receipts for costs of parking (except valet parking) and toll fees may be submitted on the Mileage Voucher for reimbursement.

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**Policy:**

Lodging shall be approved within the guidelines of the Federal Tax Regulation (FTR)/ Continental United States (CONUS) for travel purposes when the destination is at a distance from the employee's residence or work station which will not permit and economical return or when the period of time will require temporary lodging, normally in excess of seventy-five (75) miles and for more than twelve (12) hours.

1. The traveler must determine if the rates offered by the lodging facilities are allowable in accordance with the FTR/CONUS. In the event the destination is not specifically listed by CONUS, rates established for towns/cities within the same county will be utilized. In the event that the destination city or boundary city/county is not listed by CONUS, the CONUS standard rate will be utilized. CONUS is set by lodging rates at 2 and 3 star establishments..
2. The accounting office is responsible for making lodging reservations. The reservation must be in the name of the traveler. The traveler is responsible for informing the accounting office if reservations need to be cancelled, if so required, within the period allowed by the hotel so that no costs for cancelled travel become the expenses of the College.
3. The traveler will be responsible for excessive costs for lodging as a result of a personal preference, or failure on the part of the traveler to obtain all information with regard to escalating room rates.
4. Each traveler is required to obtain a detailed room bill upon checking out of the hotel. A receipt for cash advance payment and/or "express checkout" does not constitute a detailed room bill. Only original receipts/invoices (not faxes or photocopies) are acceptable. The traveler should request a "zero receipt" at the time of checkout.
5. Room sharing for more than one person on authorized travel will be allowable when and where practical. However, the reservation must be made in the name of all persons sharing the room, and the traveler's reimbursement will be limited to one-half (approved rate divided by the number of authorized travelers sharing the room) of the approved rate. The name of each traveler must appear on the detailed room bill. Each traveler is required to pay his proportionate share of the cost of lodging.
6. In the event of travel for the purpose of official business (not including certain training/workshops/seminars), should available room rates exceed the rate allowable by CONUS, such rates shall not exceed 200% of CONUS. Such rates must be included and documented in the estimated cost applied for on the Travel Authorization form.
7. Lodging rates for conferences which are not required by any government agency, or not required to maintain tribal status, will be limited to not more than 125% of CONUS. The FTR defines training, workshops, and seminars as conferences for the purpose of establishing

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allowable lodging rates. (FTR Amendment 89) This includes but is not limited to third party vendor workshops.

8. Per Diem is provided for the purpose of meals and incidental expenses incurred by the employee during travel status, as provided for under the guidelines of the FTR/CONUS and the policies herein stated: Reimbursement for in room movies and snacks will not be allowed.

- a. Per Diem will not be paid for travel periods under twelve (12) hours.
- b. The allowable rate is established as in number 1 above and is calculated as follows:

| <b>Travel Time:</b>            | <b>Travel Date (s):</b> | <b>Per Diem Allowance:</b>    |
|--------------------------------|-------------------------|-------------------------------|
| More than 12 hrs, less than 24 |                         | Max of 75% of applicable M&IE |
| 24 hrs or more w/ lodging      | Day of departure *      | Max of 75% of applicable M&IE |
|                                | At TDY or destination   | 100% of applicable M&IE       |
|                                | Day of return *         | Max of 75% of applicable M&IE |

\*Travel time for application of per diem is established as the time the traveler leaves his/her residence or workstation and makes full return to his/her residence or workstation.

(First and last day per diem is limited to 75% (three quarters) and must extend into the beginning and ending quarter by no less than one (1) hour.)

- c. When meals and/or lodging are provided to the traveler without charge or are at a nominal cost, an appropriate deduction shall be made from the authorized per diem rate per the FTR. Snacks and/or continental breakfasts provided by commercial airlines, hotels, or by hosting entities are not deducted from allowable per diem.
  - d. Per Diem will not exceed one day prior to and/or one day after scheduled meetings.
9. Travelers selecting to travel by use of tribal vehicle or POV are entitled to lodging and per diem costs consistent with and not to exceed costs for a similar trip by commercial airlines.

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|                                                                                   | Travel Expense Reports                             | Revised            | 09/18/2017 |

**Policy:**

The Accounting Office will provide a Travel Expense Report, complete with instructions.

1. In the event that a Travel Expense Report is not submitted within the guidelines of this policy, the employee will be notified of the delinquency. Further delinquency will result in the full amount of the travel advance being deducted from the payroll immediately following the due date of the Travel Expense Report. Inability to comply due to illness or added travel status must be documented and approved by the President or Director of Business Affairs.
  - a. Travel Expense Reports are due within five (5) working days of the last travel day.
  - b. All original receipts including airline passenger receipts, detailed hotel room bill, receipts for toll roads, parking, taxi fare, etc., are to be attached to the Travel Expense Report.
 

Ticketless Airfare: The traveler will be required to obtain a receipt stub at the respective ticketing counter prior to departure.
  - c. All undersized receipts (i.e. tolls, taxi fare, fuel, parking, etc.) must be taped to a blank sheet of paper (8 ½ x 11). This sheet will include the traveler's name and Travel Authorization number.
  - d. When travel is for training purposes, a copy of a "Certificate of Completion" for such training will be submitted with the Travel Expense Report.
2. A narrative report, signed by the traveler, as well as any training documents obtained as a result of the travel may be required by the program manager.
3. All training materials and other handouts become the property of the sponsoring program.



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|                                                                                   | Travel Reimbursements                              | Revised     | 09/18/2017 |

**Policy:**

Reimbursement for travel will be in accordance with standards identified within this policy.

**Expense Reimbursements:**

1. Failure by the traveler to submit original receipts will cause a delay in reimbursement and can cause the expense to be disallowed.
2. Receipts are not required for per diem expenditures for meals and incidental expense (M&IE) unless the employee is on “Actual Cost Reimbursement” travel status or for reimbursement of meal deductions. Per Diem for M&IE is calculated based on guidelines established within the Federal Travel Regulations (FTR) and modified for college purposes.
3. In the event allowable costs exceed the amount of any travel advance, the traveler will be reimbursed by check after acceptance of the Travel Expense Report and supporting documentation.
4. In the event that any issued travel advance exceeds the allowable costs of the travel, the traveler is required to pay the balance owed to the College with the Accounting Office upon return from the trip. Failure to reimburse the College within five (5) days will result in a notice form the accounting department. Failure to reimburse within ten (10) days will result in a payroll deduction during the next pay period. **After three (3) payroll deductions, the traveler will no longer be eligible for travel expenses.**
5. Other legitimate costs associated with the travel may be reimbursed at full cost upon approval by management, provided appropriate, documentation is submitted with the Travel Expense Report. Such allowable costs include, but are not limited to:
  - a. Conference/meeting room rentals
  - b. Reproduction/copying costs
  - c. Fax/postage costs
  - d. Costs for audio-visual rentals
  - e. Parking and toll fees (the college does not reimburse costs for valet parking)

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6. Actual cost Reimbursement may be made by request of the traveler by so noting on the Travel Authorization form prior to approval. Actual cost reimbursement may be selected for lodging only and /or M&IE and will be based upon:
  - a. In the event that lodging costs cannot be held to 200% of the CONUS, and the purpose of the travel is for official business of the College, the traveler may request actual cost reimbursement not to exceed 300% of CONUS. Certain third party workshops and seminars may not be considered official business.
  - b. Actual cost of meals and incidentals in areas where such services are not available to the traveler at normal or reasonable rates.
  - c. Advances will be made based upon actual lodging costs and /or CONUS approve per diem rates.
  - d. Actual cost reimbursement requires the submission of receipts for all costs incurred during the travel.

#### **Third Party Reimbursements:**

1. When travel is to be reimbursed by a third party, a Travel Authorization is still required. The Travel Authorization will be so noted and documentation supporting the reimbursement is to be submitted with the Travel Authorization. Costs of the travel will be covered by the Nation under the policies set forth above, including advances, pending receipt of cost reimbursements from the hosting agency.
2. The traveler is responsible for submission of reimbursement request to the hosting agency and will further ensure that all reimbursements are to be made payable to the College of the Muscogee Nation. A copy of the reimbursement request and copies of detailed receipts will be forward to the college accounting office along with a Travel Expense Report. In the event that reimbursements are made directly to the traveler, the traveler will be required to repay the travel advance. In the event that the hosting agency does not fully cover the cost of the travel, cost will be borne by the CMN program based upon allowable costs. Such reimbursements made by the hosting agency may result in an IRS Form 1099 to be shown as taxable income to the traveler at the end of the year.

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### **Policy:**

Official documents and records arising from the College of the Muscogee Nation (CMN) are to be retained and preserved for documentation and future references in compliance with recommendations and guidelines prescribed by the Oklahoma Department of Libraries, Records, Management Division. Such documents and records may be copied and released, when necessary.

Many documents produced by CMN must be retained until official release can be secured. Other documents are required to be retained by federal laws, which are applicable because of federal funding received by CMN. Policy, therefore is established to comply with these two requirements and to provide a consistent procedure for document retention, for providing copies to agencies or individuals when requested in the public interest, and finally, proper disposal.

1. All CMN offices and departments are responsible for reviewing and maintaining records.
2. The head of each department at CMN is the considered the archivist for their individual department and is responsible for appraising and preserving the department records.
3. Each department is responsible for coordinating compliance with State requirements and initiates directives for records management. The department head approves requests to dispose of documents.
4. The timetable for retention of documents and records is contained on the Oklahoma Department of Libraries website and is to be used as guideline for retention and disposal of documents and records at CMN.

### **Procedure:**

1. The General Records Disposition Schedule for State Universities and Colleges does not specify which formats shall be used for records creation and retention. Individual institutions are charged with maintaining individual record series in the most efficient and cost effective format consistent with sound records management principles; state, federal, and tribal laws, rules and regulations, and court decisions; and its individual recordkeeping needs.
2. Unless statutory provisions, court decisions, Code of Federal Regulations (CFR), Oklahoma Rules and Regulations adopted in accordance with the Administrative Procedures Act (75 O.S. §250 et seq.), or other state, federal, and tribal regulations mandate longer retention periods, all records except those identified as original records may be destroyed when they are no longer required for administrative purposes provided the institution has identified all individual original

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records and the administrative units responsible for maintaining them for their entire stipulated retention periods.

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Wage and Salary Administration Policy              | Revised            | 09/18/2017 |

### **Administration Policy**

The policies, clarifications, and procedures described in this section have been consolidated to provide management with an information source on salary administration for all wage and salaried personnel. The availability of this information will provide management with an operating tool wherein employees can be rewarded and motivated on a systematic and realistic basis and consequently increase the efficiency of their operations and the overall performance of the College.

### **Application and Statement of Compensation Policy**

This policy on wage and salary administration will apply to all personnel of the College of the Muscogee Nation and those agencies, divisions, and/or organizations, which are subject to the authority of the College of the Muscogee Nation. The General Compensation Policy will:

1. Establish wage and salary ranges that reflect the monetary value to the College of individual jobs, as determined by the formal system of continuing job descriptions, job evaluation and review, considering the duties and degree of responsibility of each job.
2. Establish and maintain justifiable and realistic monetary differentials between job levels.
3. Ensure that, for comparable jobs, salary and benefits are equal to or better than an average wage, salary, and benefits offered by other employers providing similar employment.
4. Adjust wage and salary ranges when shifting economic and competitive factors, determined by periodic local and national surveys, warrant.
5. Encourage superior performance by adjusting wage and salary rates of each employee on the basis of his or her individual performance as determined by a systematic program of performance appraisal.
6. Ensure that compensations are not influenced by race, color, religion, sex, age, or national origin.
7. Publish the objectives and policy upon which the compensation program is based and to provide information to employees about the wage and salary structure and administration as it affects them individually.

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|                                                                                   | Wage and Salary Administration Policy              | Revised            | 09/18/2017 |

### **Statement of Compensation Objectives**

It is the objective of the College of the Muscogee Nation to maintain a compensations system that will:

1. Attract, retain, and reward qualified wage and salaried personnel at all levels of responsibility.
2. Reflect the degree of difficulty and responsibility of respective jobs.
3. Be externally competitive, internally consistent, and impartial.
4. Motivate employees to achieve specific and overall goals.
5. Contribute incentives for personal career growth and salary advancement on the basis of demonstrated performances.
6. To foster employee understanding by providing individual employees information on the salary structure and administration as it affects them.
7. Be a flexible and simple tool that will help rather than hinder management in the overall salary administration of their subordinate units.
8. Comply with applicable law and regulations.

### **Wage and Salary**

1. Wages and salaries for any operating budget unit within the College of the Muscogee Nation will be established and approved by the President.

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Wage and Salary Position Classification            | Revised            | 09/18/2017 |

**Policy:**

Human Resources and Management will review and assign appropriate pay classes and titles. Any new assignment(s) for a job position will not be implemented until approved by the President or his appointed representative.

1. The assignment of appropriate grades, titles, and pay scales are contingent upon the designation of specific duties to positions by the supervisor of each position.
2. If changes are desired in a position at any time, the supervisor must notify Human Resources. Then action may be taken to update the job description which may or may not result in change in pay class and title. All job descriptions should be reviewed annually or during the hiring process, to determine whether the duties, responsibilities or classification has changed.
  - a. The major duties and responsibilities which management has assigned to employees are described in their official job description. If an employee believes that their job description is inaccurate, incomplete or out of date, the employee should let their supervisor know. This does not necessarily limit the employee duties, additional or different duties may be assigned by the supervisor at any time.
3. Most positions are assigned to one of the different pay scales of the established wage schedules. Certain jobs, such as contract personnel, may be exempt from the classification system and may be paid under different pay systems.
4. All positions will have a set salary range which will match the wage band set for that specific position. Faculty, staff, instructors, and management will all be included in the assigned bands.

**Fair Labor Standards Act Classification**

To the extent that the Fair Labor Standards Act may be applicable to College of the Muscogee Nation, employees may be classified as exempt or non-exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Pay Scale                                          | Revised            | 09/18/2017 |

**Policy:**

1. In the interest of being equitable and competitive, College of the Muscogee Nation maintains six scales for salaries:

- a. Band A - Classified/Non-Exempt

The compensation of employees who are employed in a recognized trade, craft, other skilled occupation, an unskilled or skilled manual labor job, or in some cases a specialized professional field, is set under administrative policy in the Band A pay scale. These employees are paid hourly and considered non-exempt.

- b. Band B – Salaried/Non-Exempt

The compensation of employees who are employed in a recognized trade, craft, other skilled occupation, an unskilled or skilled manual labor job, or in some cases a specialized professional field, is set under administrative policy in the Band B pay scale. These employees are salary paid employees and considered non-exempt.

- c. Band C – Salaried/Exempt

The compensation of employees in professional, technical, or administrative capacities is set under administrative policy in the Band C pay scale. These employees are salary paid employees and are considered exempt.

- d. Band D – Executive Staff

The compensation of employees, who are considered administration, is set under administrative policy in the Band D pay scale. These employees are salary paid employees and are considered exempt

- e. Part Time – Classified/Non Exempt

The compensation of employees who work part time (20 hours or less), is set under administrative policy in the Part Time pay scale. These employees are paid hourly and considered non-exempt.



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|                                                                                   | Pay Scale                                          | Revised            | 09/18/2017 |

f. Instructor Pay Scale

The compensation of employees, who are instructors, is set under administrative policy in the Instructor pay scale. These employees are salary paid employees and are considered exempt.

2. Salary Increase

- a. Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties), and the availability of funds.
- b. Salary increases are given as people reach various education levels (the degree must be relevant to current job duties).
- c. When an employee applies for and is selected for a different position within the College, the employee will have their salary reevaluated and adjusted according to the position and duties.

3. Advancement for Educational Attainment

- a. College employees are encouraged to pursue continuous professional growth during their employment. Such growth activities may include the completion of college or university degrees. As a means of recognizing academic achievement beyond the education required for the employee's current job, the college may grant a pay increase upon successful completion of degrees (or additional graduate work for faculty) from accredited colleges or universities.

| College of the Muscogee Nation |       |                                         | Classified Staff / Non-Exempt |                           | Non Faculty Classification Structure |            |
|--------------------------------|-------|-----------------------------------------|-------------------------------|---------------------------|--------------------------------------|------------|
| Band                           | Grade | Salary Range                            | Job Family                    | Position                  | Classification                       | FLSA       |
| A                              | IWS   | 8.00<br><i>8,320.00</i>                 | Business Affairs              | Institutional Work Study  | Classified Staff                     | Non-Exempt |
| A                              | 1     | 10.15 - 13.00<br><i>21,112 - 27,040</i> | Business Affairs              | Custodian                 | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Cashier                   | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Cook                      | Classified Staff                     | Non-Exempt |
| A                              | 2     | 10.75 - 14.50<br><i>22,360 - 30,160</i> | Student Affairs               | Armed Security            | Classified Staff                     | Non-Exempt |
| A                              | 3     | 12.00 - 15.50<br><i>24,960 - 32,240</i> | Office Support                | Receptionist              | Classified Staff                     | Non-Exempt |
|                                |       |                                         |                               | Administrative Assistant  | Classified Staff                     | Non-Exempt |
| A                              | 4     | 13.50 - 17.00<br><i>28,080 - 35,360</i> | Business Affairs              | Maintenance Tech I        | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Accounting Assistant      | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Computer Tech             | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Human Resource Specialist | Classified Staff                     | Non-Exempt |
| A                              | 5     | 15.00 - 24.04<br><i>31,200 - 50,000</i> | Student Affairs               | Resident Manager          | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Administration                | Executive Assistant       | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Accounting Specialist     | Classified Staff                     | Non-Exempt |
| A                              | 6     | 16.50 - 28.85<br><i>34,320 - 60,000</i> | Student Affairs               | Case Manager              | Classified Staff                     | Non-Exempt |
|                                |       |                                         | Business Affairs              | Grant Coordinator         | Classified Staff                     | Non-Exempt |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

| College of the Muscogee Nation |       |                                        | Salaried Staff / Non-Exempt |                           | Non Faculty Classification Structure |            |
|--------------------------------|-------|----------------------------------------|-----------------------------|---------------------------|--------------------------------------|------------|
| Band                           | Grade | Salary Range                           | Job Family                  | Position                  | Classification                       | FLSA       |
| B                              | 11    | 15.00 - 20.00<br>31,200 - 41,600       | Business Affairs            | Food Service Supervisor   | Salary                               | Non-Exempt |
| B                              | 12    | 17.50 - 24.00<br>36,400 - 49,920       | Business Affairs            | Bookstore Manager         | Salary                               | Non-Exempt |
|                                |       |                                        | Business Affairs            | Facilities Supervisor     | Salary                               | Non-Exempt |
| B                              | 13    | 18.75 - 25.00<br>39,000 - 52,000       | Business Affairs            | Bursar                    | Salary                               | Non-Exempt |
|                                |       |                                        | Administration              | Research Specialist       | Salary                               | Non-Exempt |
| B                              | 14    | 22.51 - 28.53<br>46,820.80 - 69,342.40 | Administration              | Financial Aid Coordinator | Salary                               | Non-Exempt |
|                                |       |                                        | Enrollment Management       | Admissions and Records    | Salary                               | Non-Exempt |
|                                |       |                                        | Enrollment Management       | Registrar                 | Salary                               | Non-Exempt |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

| College of the Muscogee Nation |       |                                  | Salaried Staff / Exempt |                              | Non Faculty Classification Structure |        |
|--------------------------------|-------|----------------------------------|-------------------------|------------------------------|--------------------------------------|--------|
| Band                           | Grade | Salary Range                     | Job Family              | Position                     | Classification                       | FLSA   |
| C                              | 21    | 17.50 - 24.00<br>36,400 - 49,920 | Academic Affairs        | Academic Resource Specialist | Salary                               | Exempt |
| C                              | 22    | 18.75 - 25.00<br>39,000 - 52,000 | Academic Affairs        | Librarian                    | Salary                               | Exempt |
|                                |       |                                  | Student Affairs         | Student Success Counselor    | Salary                               | Exempt |
| C                              | ADJ   | 700.00 Per Credit Hr             | Academic Affairs        | Adjunct Instructor           | Salary                               | Exempt |
| C                              | 23    | 21.15 - 31.25<br>44,000 - 65,000 | Academic Affairs        | Instructor                   | Salary                               | Exempt |
|                                |       |                                  | Student Affairs         | Student Success Coordinator  | Salary                               | Exempt |
|                                |       |                                  | Business Affairs        | Network Administrator        | Salary                               | Exempt |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

| College of the Muscogee Nation |       |                                      | Executive Staff / Exempt |                              | Non Faculty Classification Structure |        |
|--------------------------------|-------|--------------------------------------|--------------------------|------------------------------|--------------------------------------|--------|
| Band                           | Grade | Salary Range                         | Job Family               | Position                     | Classification                       | FLSA   |
| D                              | 31    | 23.25 - 36.05<br>48,360 - 74,984.00  | Administration           | Dean of Student Affairs      | Salary                               | Exempt |
|                                |       |                                      |                          | Dean of Academic Affair      | Salary                               | Exempt |
| D                              | 32    | 31.25 - 50.00<br>65,000 - 103,999.00 | Administratin            | Director of Business Affairs | Salary                               | Exempt |
| D                              | 33    | 50.00 - 84.13<br>104,000 - 175,000   | Administration           | President                    | Salary                               | Exempt |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

**College of the Muscogee Nation**  
**Band A**  
**Classified Staff / Non Exempt**

| Salary Range | Minimum     | Midpoint    | Maximum     |
|--------------|-------------|-------------|-------------|
| AIWS         | \$8,320.00  |             |             |
| A1           | \$21,112.00 | \$25,064.00 | \$28,995.20 |
| A2           | \$25,500.80 | \$30,201.60 | \$35,006.40 |
| A3           | \$27,000.00 | \$31,280.00 | \$36,240.00 |
| A4           | \$28,080.00 | \$33,280.00 | \$38,750.40 |
| A5           | \$31,200.00 | \$42,400.00 | \$50,000.00 |
| A6           | \$34,320.00 | \$49,160.00 | \$60,000.00 |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

**College of the Muscogee Nation**  
**Band B**  
**Salaried Staff / Non-Exempt**

| Salary Range | Minimum     | Midpoint    | Maximum     |
|--------------|-------------|-------------|-------------|
| B11          | \$31,200.00 | \$36,400.00 | \$41,600.00 |
| B12          | \$36,400.00 | \$43,160.00 | \$49,920.00 |
| B13          | \$39,000.00 | \$45,500.00 | \$52,000.00 |
| B14          | \$46,820.80 | \$59,342.00 | \$69,342.40 |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

**College of the Muscogee Nation**  
**Band C**  
**Salaried Staff / Exempt**

| Salary Range | Minimum                  | Midpoint    | Maximum     |
|--------------|--------------------------|-------------|-------------|
| C21          | \$36,400.00              | \$43,160.00 | \$49,920.00 |
| C22          | \$39,000.00              | \$45,500.00 | \$52,000.00 |
| CADJ         | \$700.00 Per Credit Hour |             |             |
| C23          | \$44,000.00              | \$53,081.60 | \$60,000.00 |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.



| College of the Muscogee Nation Band D<br>Executive Staff / Exempt |              |              |              |
|-------------------------------------------------------------------|--------------|--------------|--------------|
| Salary Range                                                      | Minimum      | Midpoint     | Maximum      |
| D31                                                               | \$48,360.00  | \$61,672.00  | \$74,984.00  |
| D32                                                               | \$65,000.00  | \$77,480.00  | \$89,960.00  |
| D33                                                               | \$88,000.00  | \$119,860.00 | \$140,720.00 |
| D34                                                               | \$125,000.00 | \$150,000.00 | \$175,000.00 |

**College of the Muscogee Nation**  
**Part Time**  
**Classified Staff / Non Exempt, Exempt**

| Salary Range | Position/Title           | Hourly Rate         |
|--------------|--------------------------|---------------------|
| IWS          | Institutional Work Study | \$8.00              |
| A1           | Cook                     | \$13.41             |
| CADJ         | Adjunct Instructor       | \$700.00/credit hr. |

Salary increases are considered annually based on the needs of the institution, performance reviews, educational degrees (degree must be relevant to job duties) and the availability of funds.

|                                                                                   |                                                    |             |            |
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|  | <b>Human Resources<br/>Policies and Procedures</b> |             |            |
|                                                                                   | Section 4                                          | Page 1 of 2 |            |
|                                                                                   | Wage and Salary                                    | Originated  | 04/13/2005 |
|                                                                                   | Administration Operating Responsibility            | Revised     | 09/18/2017 |

**Policy:**

The administration of the wage and salary programs and procedures presented in this section are dependent upon the interaction of various functional units within the tribal organizational structure. These units and their respective operating responsibility relating to the administration of wage and salaries are as follows

***Operating Supervisor***

1. Using the wage and salary schedules represented in this section administer the wage and salary program for subordinates on a fair and equitable basis in conjunction with operating and budget considerations not necessarily discussed in this section. Also, originate all appropriate forms required to achieve the desired wage and salary actions.

***Human Resources***

1. Counsel and advise management in all areas of wage and salary administration. Develop, recommend, and implement programs and/or changes adjusting salary structures and ranges, management training and development programs and procedures, salary administration policies and generally insure that college wage and salary administration guidelines are followed within their area of operational responsibility.
2. Review and approve all input documents relating to salary actions for policy or guideline compliance. Be responsible for any wage and salary administration problem areas that require remedial action through effective communication with management.
3. Constantly review the wage and salary program for the purpose of recommending, developing, and implementing policies and/or procedures that will increase the effectiveness of the program. Maintain comprehensive wage and salary records for the purpose of supplying top-level management with various data and reports at their request.
4. Continually counsel all levels of management in wage and salary administration techniques and policy interpretations.
5. Approve the Wage and Salary Guide and Wage and Salary scales on an annual basis. Review specific areas of concern to ensure the fair and equitable job evaluation and technical qualifications. Review the wage and salary administration program to ensure that the program is accomplishing the objectives of the college. Review all exceptions to policy, deciding whether or not said exception should be directed to the attention of the President.

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Administration Operating Responsibility            | Revised            | 09/18/2017 |

***Payroll Function***

1. Process all approved salary actions.

***President***

1. The President will act as the final approving body for any salary administration exception to policy, as well as reviewing the overall wage and salary administration program approving or disapproving recommended changes in wage and salary administration procedure and policy.

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|                                                                                   | Wage and Salary                                       | Originated  | 04/13/2005 |
|                                                                                   | Salary Administration Approval Level of Determination | Revised     | 09/18/2017 |

### **Policy:**

The following represents the guidelines for securing approvals for adjustments within policy wage and salary actions.

### ***Originating Supervisor***

Recommend the employee for an increase using the appropriate form. The origination supervisor's signature will indicate his/her commitment that the employee's performance has justified the recommended increase. Requested salary increases will not proceed without approval from the major department head and the President.

### ***Next Level of Supervision***

Review the recommended increase with the originating supervisor determining in his/her own mind that the rationale concerning the increase is such that he/she can indicate his/her approval by signing the salary action form. The review will include consideration of budgetary limits. Forward approved form to Human Resources.

### ***Human Resources***

Review the projected salary action for compliance with the wage and salary administration guidelines and to ensure that all required information on the form is completed. In the event the recommendation does not conform to policy, Human Resources will return the recommended action for either completion or further consideration. Upon ascertaining that the recommended salary action is within policy, Human Resources will forward the action to the final approving body.

### ***President***

Approval by this level of management (or his/her designee) indicates final acceptance of the recommended wage or salary action. Upon approving the action, the President should return the form to Human Resources who will in turn process the salary action through the payroll office. Human Resources will then advise management of the affected work unit that the salary action has been approved. Human Resources will also inform the affected employee of the salary action.

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Administration Budget Forecast                     | Revised            | 09/18/2017 |

### **Preparation of Wage/Salary Planning Guide**

1. During the second quarter of each fiscal year, each organizational unit shall prepare a Wage and Salary Increase Planning Guide for the forthcoming year. The Guide shall consist of employee identification data, employee salary history data, and a section for anticipated wage/salary actions.
2. The Wage and Salary Planning Guide shall provide a vehicle whereby all levels of management and Human Resources can examine the college wage and salary increase plans for the coming year. The planning guide shall be designed specifically for exempt and non-exempt employees. The purpose of the planning guide is to provide management with the following:
  - a. A basis for developing and planning wage/salary expenditures for the forthcoming year, which includes consideration of employees' performance, position within range, and elapsed time since last increase.
  - b. Provide top-level management with the opportunity to review wage and salary procedures on a specific basis thereby ensuring the more effective use of dollars.
  - c. Provide a vehicle that shall enable the college to ensure as uniform as possible application of the wage and salary administration program throughout the college.
  - d. Provide management with a means whereby they can divide their total approved compensation dollar allocations into specific increase projections and thus increase the effectiveness of the compensation dollars to which they are allotted.

### **Procedure for Wage and Salary Administration Budget Forecast**

1. In the second quarter of each year, Human Resources shall discuss with the President and selected staff an increase in the compensation dollars anticipated for the forthcoming year. This discussion shall include all aspects of compensation that are not part of performance such as cost of living, etc.
2. After arriving at a conclusion and subsequent decision as to percentage of increase in compensations dollars, Human Resources shall advise the accounting office as to the percentage of increase.
3. The accounting office shall include this percentage figure in their instructions to management for preparation of their annual operating budgets.

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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Compensation                                       | Revised            | 09/18/2017 |

**Policy:**

Wage and Salary (Employee)

1. Each supervisor shall maintain time and attendance requirements on all persons under his/her direct supervision; each individual shall be responsible for completing his/her timesheet electronically.
2. Each individual and his/her supervisor shall approve the timesheet prior to the individual receiving pay for the period covered.
3. All personnel who submit their timesheets on a prompt basis shall be paid on a bi-weekly basis on the Friday following the regular pay period.
4. The falsifications of a timesheet may be grounds for immediate dismissal and/or potential criminal charges.
5. All payroll checks and deductions shall be computed by the payroll office.
6. Time and attendance shall be kept electronically through the HRIS according to the codes available in the HRIS.
7. Employee pay will be electronically deposited directly into one or more checking or savings accounts designated by each employee in the HRIS. Accounts must be established with banks or credit unions that support direct deposit.

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|                                                                                   | Wage and Salary                                    | Originated  | 04/13/2005 |
|                                                                                   | Completion of Timesheets                           | Revised     | 09/18/2017 |

**Policy:**

Each employee (including part-time and institutional work-studies) will complete and approve a timesheet online through the HRIS for each pay period. Each Supervisor will maintain time and attendance requirements on all persons under his/her supervision. The timesheets will be approved by the Supervisor and reviewed by Human Resources.

1. The deadline for completed timesheets to be received in Human Resources is 12:00 p.m. the Friday before the pay period ending date.
2. In case of Holidays, special instructions from Human Resources will be distributed.
3. Any timesheet received after these deadlines will be considered late and will be processed accordingly. Only those timesheets which are correctly filled out will be considered complete. Incomplete timesheets must be corrected before the appropriate deadline or they will be considered late. While Human Resources will attempt to notify an employee whose timesheet is incomplete, it is the responsibility of the employee and his/her supervisor to ensure the employee's timesheet is complete.
  - a. Employee Responsibilities
    - i. Each employee will approve his or her own timesheet. Any timesheet that is not approved by the proper employee will be considered incomplete.
    - ii. The entire timesheet must be approved. If the entire timesheet is not approved, it will be considered incomplete.
    - iii. All leave requests must be made in fifteen (15) minute increments, as follows:
 

15 minutes = .25  
 30 minutes = .50  
 45 minutes = .75  
 60 minutes = 1 hour
    - iv. Any hours worked over eighty (80) must be pre-approved and will be considered compensation time.



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|                                                                                   | Wage and Salary                                    | Originated         | 04/13/2005 |
|                                                                                   | Completion of Timesheets                           | Revised            | 09/18/2017 |

- v. Full-time employees will indicate on their timesheet a sum of eight (8) hours for each day worked. If the total of hours worked, is less than eight (8) then the appropriate approved leave must be indicated. Any full-time employee timesheet, which does not indicate eight (8) hours for each day, will be considered incomplete.

Exception: Employees who are scheduled to work alternate shifts (10 hr. shifts) will be responsible for his or her timesheet to reflect a total of eighty (80) hours per pay period depending on assigned schedule.

- vi. Each full-time employee will indicate on their timesheet a sum of eighty (80) hours on the totals section of the timesheet (i.e., the sum of hours worked and any type of leave will be eighty (80)). Any full-time employee timesheet that has a total that does not equal eighty (80) will be considered incomplete.

b. Supervisor Responsibilities

- i. Supervisors are responsible for verifying that all the information on the timesheet is correct.
- ii. Supervisors must approve the entire timesheet, only after the employee has completed the employee responsibilities and approved the entire timesheet.

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|                                                                                   | Wage and Salary                                    | Originated  | 04/13/2005 |
|                                                                                   | Overtime Compensation                              | Revised     | 09/18/2017 |

**Policy:**

All employees who are non-exempt based on the Fair Labor Standards Act will be given compensatory time at a rate of one and one-half (1 1/2) hours for each hour worked in excess of forty (40) hours per week. This time will be pro-rated to increments of time that are less than one (1) hour.

1. A compensatory time form will be completed by the employee, and submitted to his or her supervisor for authorization.
2. Authorized compensatory time by the supervisor will be less than eight (8) hours per any one week.
3. Eight (8) hours or more per individual per any one week will be authorized only by the President or his or her appointed representative.
4. Approved compensatory time for each pay period will be entered into the HRIS and available for request.
5. Employees must use accrued comp time within 30 days of acquiring time.
6. Accrued compensatory time must be exhausted prior to the granting of annual or sick leave.
7. Employees who are exempt under the Fair Labor Standards Act are eligible to accrue comp time and must follow guidelines set in this policy.
8. Upon separation of employment, salary for unused compensatory time will be paid to the employee along with his/her final paycheck.
9. Comp time may not transfer to Muscogee (Creek) Nation nor will MCN comp transfer to CMN.

**Procedure:**

1. A Compensatory Authorization Form shall be completed by the employee and submitted to his or her supervisor for authorization.
2. Upon separation of employment, salary for unused compensatory time shall be paid to the employee along with his/her final paycheck.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Benefit and Costs and Rates                        | Revised            | 09/18/2017 |

## Standards

This policy was taken from The Muscogee (Creek) Nation (MCN) Human Resource Policy and Procedure Manual. (<http://www.mcn-nsn.gov/wp-content/uploads/2017/03/Policies-and-Procedures-3.13.17.pdf>)

The Benefits Policy will be to provide an administrative framework that will ensure the proper management of those activities associated with benefits management including leave, insurance, retirement benefits, career development and associated health and safety.

1. A cost/benefit approach will be the methodology utilized in determining what benefits to be included in an employee benefit package.
2. Considerations will include:
  - a. The legal/requirements encountered in the employee/employer relationship.
  - b. The basic health (physical and mental) aspects of employee and family.
  - c. The economic security of present and future.
  - d. The personal growth and development of the individual employee.

## Cost and Fringe Benefits

1. Cost will be compatible with the federal government and private industry.
2. The benefits listed below are effective only for full-time employees.

### Benefits

F.I.C.A

State Unemployment Insurance

Workers' Compensation

Comprehensive Health & Life

Retirement

Career development Plan

3. All full-time hourly, salaried, and management employees will have the full range of benefits listed in 2.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Benefit and Costs and Rates                        | Revised            | 09/18/2017 |

4. The benefits listed below are effective only for part-time and temporary employees.

Benefits

F.I.C.A

State Unemployment Insurance

Workers' Compensation

5. The office of the MCN Controller will issue, on an annual basis, the benefits and rate effective for all full-time, part-time, and temporary hourly, salaried, and management employees for the Fiscal Year.
6. All contract classification employee benefits will be negotiable and specifically listed in the employment or resolution.
7. The applicable benefits will be applied for elected classification personnel as required by ordinance or resolution.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Administrative Leave                               | Revised            | 09/18/2017 |

**Policy:**

Administrative Leave shall be granted upon the discretion of the Principal Chief, leave of absence with pay may be granted to employees for tribal related activities that are not covered by any other paid leave activities.

1. Only the Principal Chief may grant administrative leave.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Annual Leave                                       | Revised            | 09/18/2017 |

**Policy:**

Annual leave will be granted to all regular full-time employees based on a schedule of reward associated with the number of years of uninterrupted service by the employee.

1. Employees will be eligible for annual leave upon the completion of the sixty (60) day conditional employment period.
2. The employee will base annual leave upon pay periods completed and the number of years of uninterrupted service. Accrual rates for all employees who begin employment on or after October 1, 2017. Annual Leave will be as follows:
  - a. 0 to 2 months of service: No hours earned
  - b. 2 months up to 5 years of service: 4 hours per pay period (104 hours annually or 13 days)
  - c. 5 years up to 10 years of service: 6 hours per pay period (156 hours annually or 19.5 days)
  - d. 10 years of service and over: 8 hours per pay period (208 hours annually or 26 days)

Exception: Employees who were employed with the College of the Muscogee Nation before October 1, 2017 will be held to the accrual rates that were given upon employment. The rates are as follows:

- a. 0 to 2 months of service: No hours earned
  - b. 2 months up to 1 year of service: 4 hours per pay period (104 hours annually or 13 days)
  - c. 1 year up to 10 years of service: 6 hours per pay period (156 hours annually or 19.5 days)
  - d. 10 years of service and over: 8 hours per pay period (208 hours annually or 26 days)
3. Full time employees may carry over up to two hundred forty (240) hours of unused Annual Leave to the next fiscal year.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Annual Leave                                       | Revised            | 09/18/2017 |

4. Employees who transfer from MCN or any MCN entity shall follow their current MCN accrual schedule, unless they are still in their first year of service. If the employee is in their first year on their CMN start date, they will follow the CMN accrual schedule.
5. Annual leave is considered a vested benefit. Upon separation of employment, salary for unused annual leave shall be limited to the maximum of two hundred forty (240) hours and shall be paid to the employee along with his or her final paycheck.
  - a. Payment for unused annual hours will be contingent upon all property issued to the employee while employed by the College of the Muscogee Nation is returned in good working condition.
6. All annual leave requests must be requested in advance and approved electronically through the HRIS.

Exception:

This stipulation will not apply when annual leave is being used in conjunction with the tardy policy.

7. In an emergency, annual leave will be available for periods up to eight (8) hours; provided that said individual requesting leave will contact their manager. Any individual requesting emergency annual leave and who does not have accrued leave will be counted as having taken leave without pay. If emergency annual leave is requested, then the employee may be required to submit verification.
8. The scheduling of annual leave will be a management prerogative. Managers or supervisors are encouraged to maintain an annual leave/vacation schedule for each employee within their department. This will ensure each office remains adequately staffed at all times.
  - a. It is advised that annual leave be taken in a timely manner. If requested at the end of the fiscal year, your request may be denied due to lack of coverage or job duty responsibilities.

**Procedure:**

The annual leave request procedure shall be as follows:

1. An employee desiring annual leave must request leave electronically through the HRIS.
2. The approval of annual leave will be a management prerogative.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Annual Leave Buy Back                              | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation understands that not all team members will have the opportunity or perhaps need to use all the annual leave that they accumulate. For this reason, employees may participate in the annual leave buy back program.

1. Annual leave buy back will be allowed twice a year:
  - a. First pay period of December.
  - b. First pay period of June.
2. Employee must maintain a minimum balance of eighty (80) hours, after buy back.
3. Employee can only sell up to a total of eighty (80) hours.
4. Hours will be sold at the employee's full rate of pay.
5. All annual leave paid out to employees will be taxed at their normal W-4 wage tax rate.

**Procedure:**

The procedure for the annual leave buy back is as follows:

1. Employee will submit the annual leave buy back form to Human Resources on or before the due date given by email to all employees.
2. After Human Resources has reviewed the hours requested, the form will be sent to the President or his/her designee for approval
3. Once approved, the form will be sent to accounting for processing.



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|                                                                                   | Benefits                                           | Originated  | 04/13/2005 |
|                                                                                   | Immediate Bereavement                              | Revised     | 09/18/2017 |

**Policy:**

In the event of the death of a member of a regular or regular part-time employee's immediate family, an employee may be granted a leave of absence with pay.

1. A maximum of three (3) consecutive working days, one of which shall be utilized to attend the funeral of the deceased, will be granted to the employee. The amount of time authorized shall be determined by the employee's unit manager and shall be allowed as the circumstances warrant.

Exception: Part time employees are limited to their regular scheduled hours for three (3) consecutive days.

2. Immediate bereavement leave may be used as needed during the fiscal year.
3. For the purpose of this section, an employee's immediate family is defines as a parent, spouse, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents of the employee or his/her spouse, and grandchildren of the employee, or "legal guardian," "foster" or "step" situations within these relationships.
4. Unit Managers may require verification of death and the relationship of the deceased to the employee.

**Procedure:**

The Immediate Bereavement Leave Request procedure shall be as follows:

1. An employee desiring Immediate Bereavement Leave must request leave electronically through the HRIS.
2. The approval of this leave will be a management prerogative.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Non-Immediate Bereavement                          | Revised            | 09/18/2017 |

**Policy:**

In the event of the death of a member of a regular or regular part-time employee's extended family or friend, an employee may be granted a leave of absence with pay.

1. An employee may be granted a leave of absence with pay for eight (8) hours per fiscal year.
2. Such leave shall not be charged to other types of leave but shall be in addition to those.

**Procedure:**

The Non-Immediate Bereavement Leave Request procedure shall be as follows:

1. An employee desiring Non-Immediate Bereavement Leave must request leave electronically through the HRIS.
2. The approval of this leave will be a management prerogative.

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|                                                                                   | Benefits                                   | Originated  | 04/13/2005 |
|                                                                                   | Overtime Compensation                      | Revised     | 09/18/2017 |

**Policy:**

All employees who are non-exempt based on the Fair Labor Standards Act will be given Compensatory time at a rate of one and one-half (1 1/2) hours for each hour worked in excess of forty (40) hours per week. This time will be pro-rated to increments of time that are less than one (1) hour.

1. A Compensatory time form will be completed by the employee, and submitted to his or her supervisor for authorization.
2. Authorized compensatory time by the supervisor will be less than eight (8) hours per any one week.
3. Eight (8) hours or more per individual per any one week will be authorized only by the President or his or her appointed representative.
4. Approved compensatory time for each pay period will be entered into the HRIS and available for request.
5. Employees must use accrued Comp time within 30 days of acquiring time.
6. Accrued Compensatory time must be exhausted prior to the granting of Annual or Sick Leave.
7. Compensatory time will **not** be used in conjunction with Leave without Pay.
8. Employees who are exempt under the Fair Labor Standards Act are eligible to accrue Comp time and must follow guidelines set in this policy.
9. Upon separation of employment, salary for unused Compensatory time will be paid to the employee along with his/her final paycheck.

**Procedure:**

1. A Compensatory Authorization Form must be completed by the employee and submitted to his or her supervisor for authorization.
2. Once form is approved by supervisor, the time will be available for request in the HRIS.

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|                                                                                   | Overtime Compensation                              | Revised            | 09/18/2017 |

3. Upon separation of employment, salary for unused Compensatory time may be paid to the employee along with his/her final paycheck.
  - a. Payment for unused Compensatory hours will be contingent upon all property issued to the employee while employed by the College of the Muscogee Nation is returned in good working condition.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Disaster Leave                                     | Revised            | 09/18/2017 |

**Policy:**

Disaster Leave may be granted if an employee encounters a disaster because of an event such as fire, explosion, flood, or violent weather.

1. An employee may be granted up to three (3) days of leave of absence with pay.
2. Management may require verification of the disaster.

**Procedure:**

The Disaster Leave Request procedure will be as follows:

1. An employee desiring Disaster Leave must request leave electronically through the HRIS.
2. The approval of Disaster Leave will be a management prerogative

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Event Compensatory Leave                           | Revised            | 09/18/2017 |

**Policy:**

Event Comp Leave shall be granted to all regular full-time employees based on the amount of hours volunteered for events through The Muscogee (Creek) Nation (MCN).

1. Employees must get preapproval from supervisor when attending MCN events during work hours. Employees do not earn Comp Time during regular work hours.
2. During The Muscogee (Creek) Nation Festival, CMN employees are limited to 16 hours of Event Comp Time. (Employee may choose to volunteer more hours after work but will only receive the 16 hours of Event Comp time).
3. Employees must sign in and out at every booth or event you work in order for the hours to count.
4. Once the Event Comp time has been received from MCN HR, it will be available to request through the HRIS.
5. Over eight (8) hours of Event Comp Time must be preapproved by the Supervisor and President.
6. Any Event Comp Leave time accrued will not transfer from one department to another.

**Procedure:**

The Event Comp Leave Request procedure shall be as follows:

1. A Compensatory Form must be completed by the employee and submitted to his or her supervisor for authorization.
2. Upon separation of employment, salary for unused Event Compensatory time may be paid to the employee along with his/her final paycheck.
  - a. Payment for unused Event Comp hours will be contingent upon all property issued to the employee while employed by the College of the Muscogee Nation is returned in good working condition.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Holiday Leave                                      | Revised            | 09/18/2017 |

**Policy:**

Each employee will be granted Holiday Leave on days observed as legal holidays.

1. The following days will be observed as legal holidays.
  - a. New Year's Day and the immediate preceding work day (if New Year's Day should fall on Saturday, then the holiday will be observed on Friday. However, if New Year's Day should fall on Sunday, then the holiday will be observed on Monday).
  - b. Good Friday
  - c. Memorial Day
  - d. Creek Festival
  - e. Independence Day
  - f. Labor Day
  - g. Veterans Day
  - h. Native American Day
  - i. Thanksgiving Day and the day following
  - j. Christmas Day and the immediate preceding work day (if Christmas Day should fall on Saturday, then the holiday will be observed on Friday. However, if Christmas Day should fall on Sunday, then the holiday will be observed on Monday).
2. To be eligible for Holiday leave employees must work the full day preceding the holiday and the day after or will have prior approved leave, not to include approved leave without pay.
3. No employee will be eligible to use Holiday Leave in conjunction with Medical Leave.
4. Timesheet must reflect the appropriate pre-approved leave.
5. No cash payments will be made in lieu of Holiday Leave.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Holiday Leave                                      | Revised            | 09/18/2017 |

**Procedure:**

1. The procedure for posting legal holidays will be as follows:
  - a. Human Resources will post a notice of holiday on entrances to all buildings within the college.

Note: College of the Muscogee Nation will close for a Mandatory Winter Break between the Christmas and New Year's Holidays. During this time, employees will be required to use accrued leave or leave without pay.



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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Inclement Weather                                  | Revised            | 09/18/2017 |

**Policy:**

The President or his/her designee of the College, if deemed appropriate, will order the facilities of College of the Muscogee Nation to be closed. Cancellations and closings due to inclement weather will be made in a timely manner to enable staff, faculty, and students to best provide for their personal safety.

1. Weather and road conditions will be monitored by administration through contact with appropriate agencies and authorities.
2. The President and the Director of Business Affairs will be updated by the Emergency Management Office, when in their opinion, the road conditions are too hazardous or the safety and security of personnel may be jeopardized.
3. If inclement weather occurs during normal working hours employees will be notified and directed to leave or take other appropriate action.
4. If inclement weather occurs during non-working hours, employees will be notified by the college's mass notification system. Emails will be sent to all employees and attempts will be made to contact local radio and television networks for the announcements of closings.
5. Lost time due to the closing of the facilities because of inclement weather will be recorded as Inclement Weather Leave. If the facilities are open but employees are unable to get to work due to inclement weather in their area, the lost time will be recorded as annual or leave without pay.
6. Essential personnel will be asked to report to work. Essential personnel includes but is not limited to Security, Maintenance, and Food Services.
7. If the College of the Muscogee Nation closes for any unexpected reason (weather, building, or plumbing issues etc.) and you have already requested to be off during those hours you must use the leave (annual, sick, personal, etc.) that you requested. If a late start or early release corresponds with leave time requested, you are required to take the leave time requested.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Jury Duty                                          | Revised            | 09/18/2017 |

**Policy:**

In the event of an employee being called for Jury Duty in a Court of the State of Oklahoma, Court of the Creek Nation, or U.S. Federal Court, the said employee shall be granted leave of absence with pay.

1. The employee may retain monies received from the court for expenses they received while on Jury Duty.
2. Upon notification that an employee is to serve on Jury Duty, he/she shall notify his/her supervisor of the Jury Duty and present a copy of his/her notification.
3. Employees are expected to report back to their working assignment during a normal work day when their presence is not required by the court.
4. Any employee who is subpoenaed as a witness to testify on any matter pertaining to their employment is not entitled to receive a witness fee or reimbursement for mileage.

**Procedure:**

The Jury Duty Request procedure shall be as follows:

1. An employee desiring Jury Duty Leave must request leave electronically through the HRIS.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Military Leave                                     | Revised            | 09/18/2017 |

**Policy:**

Leaves of absence for Military or Reserve Duty may be granted to all employees (except temporary employees).

1. Leave will be with pay for up to twenty (20) days per fiscal year, and the remainder of such leave will be without pay.
2. Employee must attach a copy of the military orders to the leave request form and submit these to the supervisor as soon as possible after receiving the orders.
3. Employee's eligibility for reinstatement after completed military duty or training is determined in accordance with applicable federal and state laws.

**Procedure:**

The Military Leave Request procedure with the addition of part b of this policy will be as follows:

1. An employee desiring Military Leave must request leave electronically through the HRIS.

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|                                                                                   | Benefits                                           | Originated  | 04/13/2005 |
|                                                                                   | Personal Leave                                     | Revised     | 09/18/2017 |

**Policy:**

Personal leave will be granted to all regular employees based upon a specific number of days per fiscal year.

1. Employees are eligible for personal leave upon completion of the sixty (60) calendar day conditional employment period.
2. Personal leave will be extended to each employee upon an equal basis. Each employee will be given three (3) days of personal leave per fiscal year (prorated on completion of sixty (60) day probation date).

a. Pro –rated totals

| Begin Employment | Probation Ending | Total Days |
|------------------|------------------|------------|
| Aug – Nov        | Oct – Jan        | 3          |
| Dec – March      | Feb - May        | 2          |
| April – July     | June – Sep       | 1          |

3. Personal leave must be taken within current fiscal year. There will be no carry over for personal leave from year to year.
  - a. It is advised that personal leave be taken in a timely manner. If requested at the end of the fiscal year, your request may be denied due to lack of coverage or job duty responsibilities.
4. The HRIS will track personal leave time usage for all employees.
5. Personal leave usage will be at the Manager, Supervisor, or President’s discretion.
6. Personal leave may be used for any reason with prior approval.
7. Upon separation of employment, salary for unused personal leave will be paid to the employee along with his/her final paycheck.
  - a. Payment for unused personal hours will be contingent upon all property issued to the employee while employed by the College of the Muscogee Nation is returned in good working condition.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Personal Leave                                     | Revised            | 09/18/2017 |

8. Because personal leave is issued in days, eight (8) hour increments, it must be used in eight (8) hour increments.

**Procedure:**

The personal leave request procedure will be as follows:

1. An employee desiring personal leave must request leave electronically through the HRIS.
2. The approval of personal leave will be a management prerogative.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Religious Leave                                    | Revised            | 09/18/2017 |

**Policy:**

In the spirit of the Muscogee (Creek) Nation history and culture and in an effort to accommodate religious observances, religious events, Green Corn and other cultural volunteerism; eight (8) hours of religious leave is granted per fiscal year.

1. Leave must be taken in the full eight (8) hour increment.
2. Must be preapproved by the Manager.
3. Religious leave form must be signed by the person in charge. Examples include:
  - a. Pastor
  - b. Micco
  - c. Chief
4. Form must be returned to the manager within three (3) days of the event for it to be an excused absence.
5. If form is not returned leave will be counted as annual leave or leave without pay.
6. Religious Leave must be taken within the current fiscal year. There will be no carry over for Religious Leave from year to year. Unused religious leave will not be paid upon separation of employment.

**Procedure:**

The Religious Leave Request procedure will be as follows:

1. An employee desiring Religious Leave must request leave electronically through the HRIS.
2. The approval of Religious Leave will be a management prerogative.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Sick Leave                                         | Revised            | 09/18/2017 |

**Policy:**

Sick Leave will be granted to all regular full-time employees based upon pay periods completed.

1. Employees will be eligible for Sick Leave upon the completion of the sixty (60) calendar day Conditional Employment period.
2. Sick Leave will be extended to each employee upon an equal basis. Each employee will accrue four (4) hours per pay period completed.
3. Full time employees may carry over any unused Sick Leave to the next fiscal year. However, at no time will an employee's accrued Sick Leave exceed one thousand forty (1040) hours.
4. All accrued Sick Leave will be available on HRIS and on employee check stub if an employee chooses to print
5. Sick Leave will include all leave time associated with an individual and their immediate families health (e.g. sickness, disability, physicals, doctor's office visits, mental health, etc.)
6. Any employee who takes Sick Leave, upon return to work, may be asked to present a doctor's statement or other documentation to verify the employee's ability to return to work.
7. Any employee under a physician's care or hospitalized must present a doctor's statement or other documentation to verify the employee's ability to return to work.
8. Sick Leave is not a reimbursable benefit and should not be considered as such upon separation of employment.

**Procedure:**

The Sick Leave Request procedure will be as follows:

1. An employee desiring Sick Leave must request leave electronically through the HRIS.
2. The approval of Sick Leave will be a management prerogative.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Sick Leave Donation                                | Revised            | 09/18/2017 |

**Policy:**

College of the Muscogee Nation recognizes that employees may have a family medical emergency resulting in a need for additional time off in excess of their available sick time. To address this need, all eligible employees will be allowed to donate sick time from their unused balance to their co-workers in need, in accordance with the policy outlined below. This policy is strictly voluntary.

1. The Donated Sick Leave Committee that consists of the President, Director of Business Affairs, Human Resources, and a CMN Staff member has final approval over all donated sick leave decisions.
2. Employees who would like to make a request to receive donated sick time from their co-workers must have a situation that meets the following criteria:
  - a. Medical emergency is defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available.
    - i. An immediate family member for this policy is defined as a spouse, child or parent.
    - ii. Prolonged/extended absence is defined as 1 week or more.
  - b. Employees who voluntarily seek help for substance abuse will be eligible for sick leave donations. Employees leave must coincide with FMLA and if applicable employee must follow all requirements listed in the CMN Drug and Alcohol Policy under Employee Assistance.
3. Employees can receive and donate to CMN employees only.

**Employees Eligible to Receive Donations:**

1. Must be an active employee and have one year of continuous service.
2. Must coincide with FMLA and complete all FMLA requirements.
3. Maximum amount of donated sick leave to receive is 480 hours (12 weeks).
4. Cannot accumulate leave while using donated sick leave.
5. Cannot utilize holiday pay in conjunction with donated sick leave.



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|                                                                                   | Sick Leave Donation                                | Revised            | 09/18/2017 |

6. Employees may only return to work with a physician statement. If the employee's absence is for the care of an immediate family member a physician's statement is not required.
7. Employees who are off work and receiving funds from workers compensation are ineligible for donated sick leave.
8. If the recipient employee has available sick leave in his or her balance, this time will be used prior to any donated sick leave.
9. Donated sick time may only be used for time off related to the approved request.
10. Muscogee (Creek) Nation transfer employees must complete the thirty (30) day transfer probation period before sick leave donations can be received.

#### Employees Donating Leave

1. All donations must be given voluntarily.
2. Hours must be given in eight (8) hour increments.
3. Maximum donation is unlimited but employees must maintain no less than eighty (80) hours in current sick leave balance after donation.
4. Minimum donation is eight (8) hours.
5. Donated sick time will not be reinstated or transferred back to the donating employee.

#### **Procedure:**

The Donating Sick Leave procedure shall be as follows:

1. Employees who would like to request donated sick time are required to complete the Donation of Sick Leave Application and submit to immediate supervisor for approval.
2. Once approved by immediate supervisor, employee will submit the application to Human Resources who will approve and submit to the donated leave request committee.

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|                                                                                   | Benefits                                   | Originated  | 04/13/2005 |
|                                                                                   | Voting Leave                               | Revised     | 09/18/2017 |

**Policy:**

Employees who wish to vote in Federal, State, County, Municipal or Public elections are encouraged to do so. Since the polls are open for long periods, employees are encouraged to vote before or after regular working hours.

1. If necessary, employees may arrive one (1) hour late or leave one (1) hour early to vote and it will be considered an excused absence.
2. Employees must notify their supervisor one day in advance, if they will need to take voting leave.
3. Employee must bring the decal/sticker that says "I voted" upon return to work for the absence to be counted as excused.
4. Leave on the timesheet will be documented as "worked time."

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Leave Without Pay                                  | Revised            | 09/18/2017 |

**Policy:**

Leave without pay will be considered on an individual basis by management

1. Leave without pay will be considered only for purposes germane to the health, safety, or welfare of the individual or employer.
2. Any unauthorized absences will be accounted for as unauthorized leave without pay.
3. Leave without pay will not be allowed if the employee has accumulated annual or sick leave.
  - a. Exception: This stipulation will not apply when disciplinary action is being instituted. A disciplinary action form must be completed and submitted to Human Resources.
4. Suspension without pay will be recorded on the employee time sheet as leave without pay.
5. Excessive use of leave without pay will be grounds for dismissal.
6. Unauthorized leave without pay within an employment year will automatically place the employee in a probationary status.
7. Failure to report an unauthorized absence will subject the supervisor to disciplinary action.

**Procedure:**

The leave without pay request procedure will be as follows:

1. An employee desiring leave without pay must request leave electronically through the HRIS.
2. The approval of leave without pay will be a management prerogative.

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|                                                                                   | Benefits                                   | Originated  | 04/13/2005 |
|                                                                                   | Family and Medical Leave                   | Revised     | 09/18/2017 |

### Policy:

Eligible Employees may be granted up to twelve (12) weeks of unpaid leave for certain family and medical reasons.

1. Employees are eligible if they meet **both** of the following:
  - a. The employee must have completed one (1) year of service: and
  - b. The employee must have worked at least 1,250 hours over the previous calendar year.
2. At the option of the employee or Human Resources, any applicable type of a paid leave of absence (i.e., Annual Leave or Sick Leave) may be substituted for unpaid leave.
3. Subject to the additions/exceptions contained in this policy, the request procedure will be identical to the annual leave procedure as given in this section
4. Exceptions to this provision may apply if certain business circumstances have changed ( e.g., if the employee's position is no longer available due to a job elimination.) Exceptions may also apply for certain higher compensated employees under certain conditions.
5. Employee must take leave without pay if taking short-term disability while on family medical leave.

### Reasons for Taking Leave

1. Unpaid Family and Medical Leave will be granted for any of the following reasons:
  - a. To care for the employee's child after birth, or placement for adoption or foster care
  - b. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition
  - c. For a serious health condition that makes the employee unable to perform the employee's job

### Job and Benefit Protection

1. For the duration of the Family and Medical Leave, the employee's benefits will be maintained. However, the employee must pay the monthly premiums for any benefit coverage. This includes health insurance and all other benefits that are normally withheld from the employees salary.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Family and Medical Leave                           | Revised            | 09/18/2017 |

2. Upon return from Family and Medical Leave, the employee will be restored to their original or an equivalent position with equivalent pay and benefits.
3. The use of Family and Medical Leave will not result in the loss of any benefit that accrued prior to the start of the employee's leave.
4. The accrual of Annual and Sick Leave will be suspended during the use of Family and Medical Leave.
5. While on Family and Medical Leave, the employee will not be paid for holidays. They must use either accumulated leave or leave without pay.

**Procedure:**

The Family and Medical Leave procedure will be as follows:

1. Contact CMN HR to notify and request appropriate forms to request and verify the need for FMLA.
2. The employee will be required to provide thirty (30) days advance notice when the leave is "foreseeable".
3. The employee will be required to provide medical certification to support a request for leave because of a serious health condition.
4. A doctor's statement or other documentation to verify an employee's ability to return to work will be required for any employee who has taken three (3) or more consecutive days of Family and Medical Leave for a personal serious health condition of the employee's which has prevented the employee from performing his/her job.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Health and Medical Insurance                       | Revised            | 09/18/2017 |

**Policy:**

An employee health and medical insurance plan, which includes dental and vision, shall be offered at a reasonable cost to each regular full-time employee. The College of the Muscogee Nation receives its health and medical insurance benefits through The Muscogee (Creek) Nation (MCN).

1. Employees are eligible for the insurance plan on the first day of the month following their sixty (60) calendar day Conditional Employment period.
2. Dependent coverage shall be offered on an optional basis to provide health and medical insurance for the employee's family as determined by the insurance carrier. The cost rate shall be determined by the Principal Chief.
3. The election for dependent coverage shall be an employee responsibility.
4. Conditions of insurance coverage shall be governed by the insurance policy.
5. MCN shall administer the health and medical insurance program for the College.

**Procedure:**

The procedure for obtaining health and medical insurance shall be as follows: any employee desiring policy information, additions, deletions, coverage, forms, etc., shall contact MCN Benefit office and CMN Human Resources for further direction.

1. Employee should complete insurance forms online through the HRIS.
2. Any employee desiring policy information, additions, deletions, coverage, forms, etc., shall contact Human Resources for further direction.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Life Insurance                                     | Revised            | 09/18/2017 |

**Policy:**

An employee life insurance plan will be provided at no cost to each full-time regular employee on the first day of the month following their probation date.

1. Basic Term Life and Basic Accidental Death and Dismemberment may pay two (2) times salary with a maximum of \$100,000.
2. Conditions of insurance coverage will be governed by the insurance policy.
3. The Muscogee (Creek) Nation Human Resources will administer the life insurance program.

**Procedure:**

The procedure for obtaining life insurance will be as follows:

1. Employee should complete insurance forms online through the HRIS and contact the MCN Benefit office.
2. Any employee desiring policy information, additions, deletions, coverage, forms, etc., will contact Human Resources for further direction.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Disability Insurance                               | Revised            | 09/18/2017 |

**Policy:**

A disability insurance plan shall be provided at no cost to each fulltime employee on the first day of the month following their sixty (60) day conditional employment period.

1. Disability insurance benefits shall be calculated based upon one-half (1/2) the wage or salary of the employee, computed on a biweekly basis.
2. Condition of the insurance coverage shall be governed by the insurance policy.
3. The Muscogee (Creek) Nation shall administer the Disability Insurance Program.

**Procedure:**

The procedure to obtain disability coverage is as follows:

1. Any employee desiring information concerning policy information, procedures, forms, etc., shall contact the CMN Human Resources and the MCN Benefits office.



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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Worker's Compensation                              | Revised            | 09/18/2017 |

**Policy:**

All employees and trainees, etc., will be insured by Workers Compensation.

1. All injuries will be filed with the appropriate accident reports.
2. The Muscogee (Creek) Nation Benefits Coordinator will administer the Worker's Compensation Insurance Program.

**Procedure:**

The procedure for Worker's Compensation will be as follows:

1. All injuries occurring during hours of work will be reported to the College of the Muscogee Nation Human Resources, Security, and The Muscogee (Creek) Nation Benefits Coordinator.
2. All reports will be directed to College of the Muscogee Nation Human Resources and The Muscogee (Creek) Nation Benefits Coordinator for processing.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | 401k Plan                                          | Revised            | 09/18/2017 |

**Policy:**

A 401k Plan shall be made available for all full-time regular employees starting on their date of employment.

- Each employee may contribute a portion of his/her salary each pay period; the maximum contributions allowed are based on annual limits set forth by the Internal Revenue Service (IRS).
- As of April 1, 2012, new employees are subject to the following vesting schedule:
  - 1 year of service – 25
  - 2 years of service – 50%
  - 3 years of service – 75%
  - 4 years of service – 100%
- No withdrawals shall be allowed unless an employee terminates (i.e., retirement, resignation or discharge. Lay-off does not qualify as terminated status).

Exception:

Approval of a Hardship Withdrawal; The employee's contributions as well as the College of the Muscogee Nations contribution shall cease and the employee must wait six (6) months before re-starting contributions.

- An employee may stop contributions at any time by contacting The Muscogee (Creek) Nation Human Resources.

**Procedure:**

The procedure to begin contributing to a 401k Plan is as follows:

- Upon hire, Human Resources shall give eligible employees the necessary forms for joining the 401k plan.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Career Development Standards                       | Revised            | 09/18/2017 |

### **Policy:**

Each year, a specified portion of the Career Development Program account shall be dedicated to Career Development. Upon the exhaustion of the specified amount, no further approvals for the Degree Program shall be processed for the given year. The Career Development Program is processed and paid through The Muscogee (Creek) Nation Human Resources office and is contingent upon available funds.

### **Purpose**

Increase and encourage quality productivity and intellectual awareness, improve the job skills of an employee, and create an interest in higher education and in seeking a college degree.

### **Goal**

Provide an opportunity for an employee to earn accreditation. The granting of approval shall be contingent upon whether the desired accreditation shall contribute to the employee's performance of his/her job. Accreditation may be acquired through four (4) programs: College Program, Degree Program, Professional Development Program, and the Tribal College Program.

1. Offered to regular full-time employees of The Muscogee (Creek) Nation upon completion of ninety (90) calendar days of uninterrupted service.
2. With the exception of the Tribal College Program, a Career Development Plan Form must be completed.
3. With the exception of the Tribal College Program, employees may only attend classes outside of their normal work hours or as listed in each program.
4. Employees doing course work while at work will be subject to disciplinary actions.
5. Degree or course must be job related.
6. Employees may use Annual Leave to attend classes after 2 p.m. however, the employee must claim Annual Leave through 5 p.m. or the end of his/her normal work time or as listed in each program.
7. To begin enrollment or obtain further information about Career Development contact The Muscogee (Creek) Nation Human Resources.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | College Program                                    | Revised            | 09/18/2017 |

**Policy:**

The College Program offers college courses through a cooperative agreement between The Muscogee (Creek) Nation and other area schools. The courses offered in this program are selected through the results of needs assessment surveys of The Muscogee (Creek) Nation.

1. A maximum of twelve (12) credit hours per year, beginning July 1, 2007 may be taken under this program.
2. Reimbursement of up to \$120 per credit hour and up to \$100 per book per course may be acquired.
3. An employee shall be reimbursed only for courses in which at least a 2.0 is obtained.

**Procedure:**

1. Employee/Student must submit a Career Development Plan Form through the appropriate management prior to enrollment.
2. Employees must pay their tuition and books up front with reimbursement coming only upon the issuance of a grade report.
3. Enrollment and payment is made through The Muscogee (Creek) Nation Human Resources office.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Degree Program                                     | Revised            | 09/18/2017 |

**Policy:**

The Degree Program offers a process through which and employee may complete a degree program.

1. A maximum of twelve (12) credit hours per year, beginning July 1, 2007 may be taken under this program.
2. Reimbursement of up to \$120 per credit hour and up to \$100 per book per course may be acquired.
3. An employee may be reimbursed only for courses in which at least a 2.0 is obtained.

**Procedure:**

1. Employee/Student must submit a Career Development Plan Form through the appropriate management prior to enrollment.
2. Employees must pay their tuition and books up front with reimbursement coming only upon the issuance of a grade report.
3. Final approval for entrance into the Degree Program will be given by The Muscogee (Creek) Nation Human Resources.
4. Reimbursement will be made by The Muscogee (Creek) Nation Human Resources.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Professional Degree Program                        | Revised            | 09/18/2017 |

**Policy:**

The objective of the Professional Development Program is to improve the professional skills required in a given position.

1. Courses eligible for inclusion under this program may include, but are not limited to, college credit and non-credit courses and other specialized seminars or workshops. However, courses taken under this program must relate specifically to the employee's current job.
2. An employee may be reimbursed only for courses in which at least a 2.0 is obtained.
3. Reimbursement for college non-credit courses and other specialized seminars or workshops will not require the issuance of a grade report. However, reimbursement will be dependent upon verification of attendance.
4. For college credit or non-credit courses a maximum of twelve (12) credit hours per fiscal year, beginning July 1, 2007, may be taken under this program.
5. Reimbursement of up to \$120 per credit hour and up to \$100 per book per course may be acquired by submitting a Career Development Plan.

**Procedure:**

1. Employee/Student must submit a Career Development Plan Form through the appropriate management prior to enrollment.
2. Employees must pay their tuition and books up front with reimbursement coming only upon the issuance of a grade report.
3. Approval and reimbursement will be made through The Muscogee (Creek) Nation Human Resources office.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Employee/Spouse/Dependent Child<br>Tuition Waiver  | Revised            | 09/18/2017 |

**Policy:**

The College of the Muscogee Nation offers tuition benefits to its full-time employees and employee spouse/dependent child for classes taken at the College of the Muscogee Nation. The Employee/Spouse/Dependent Child Tuition Waiver Application will be used to apply for the waiver. Requirements for the tuition waiver are as follows:

**EMPLOYEE**

Full-time employees enrolling in regular coursework receive a tuition benefit that waives all of their tuition and fees (excluding books, supplies, room, and board) for up to 6 hours per term.

1. Full-time employees may enroll in a course during the lunch hour or after 4 PM, at the approval of his or her supervisor, for a total of 3 credit hours during the work week per term. Additional enrollment outside of working hours does not require supervisor permission. Coursework cannot interfere with work responsibilities.
2. To receive the tuition benefit, special permission should be obtained from your supervisor and CMN Human Resources.
3. Enrollment fees for hours taken over the maximum will be charged at the full rate. Prior to enrollment, the employee must present a Faculty/Spouse/Dependent Child Tuition Waiver Application signed by the supervisor and CMN Human Resources.
4. For classes exceeding one hour, annual leave must be taken for the remainder of class time. No other leave may be taken to participate in classes during the workday.
5. To continue receiving tuition benefits, the employee must maintain satisfactory academic progress as defined by the College of the Muscogee Nation.

**EMPLOYEE SPOUSE/DEPENDENT CHILDREN**

The College of the Muscogee Nation offers tuition benefits to an employee's spouse and dependent children for classes taken at the College of the Muscogee Nation. Requirements for the tuition waiver are as follows:

1. The Employee Spouse/Dependent Child Tuition Waiver program will benefit enrolled students who are an employee spouse/dependent child, as defined:
  - Spouse- the individual married to an employee
  - Dependent Child- the child of an employee up to the age of 25
2. The waiver will cover the full cost of tuition and fees for the first 9 hours. This program supports the college's commitment to family and community values and remaining competitive with other institutions of higher learning.

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|                                                                                   | Benefits                                           | Originated         | 04/13/2005 |
|                                                                                   | Employee/Spouse/Dependent Child<br>Tuition Waiver  | Revised            | 09/18/2017 |

3. Enrollment fees for hours taken over the maximum will be charged at the full rate. Prior to enrollment, the employee must present a Faculty/Spouse/Dependent Child Tuition Waiver Application signed by the supervisor and CMN Human Resources.
4. This benefit is administered as a tuition waiver which is part of the student's total financial aid package. The employee spouse/dependent child must meet all requirements leading to admission at the college.
5. To continue receiving tuition benefits, the employee spouse or dependent child must maintain satisfactory academic progress as defined by the College of the Muscogee Nation.