

Subject: Classification of Employees
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Employee Classifications

Each employee is assigned to a pay classification of either non-exempt or exempt.

Non-exempt Employees

Non-exempt employees are paid hourly wages and are entitled to overtime pay. Non-exempt employees who work in excess of forty (40) hours in any work week (Sunday at mid-night through the following Sunday at 11:59 p.m.) may be paid time and one-half of the employee's regular rate of pay for hours worked in excess of forty (40) hours per week. All overtime must be approved by the supervising Director prior to working.

Exempt Employees

Exempt employees are those executive, administrative, professional, and some sales employees who do not receive overtime payment provided they meet the requirements. Exempt employees are paid on a guaranteed salary basis and excluded from overtime.

Pay for Exempt Employees may be reduced in whole day increments due to illness or personal reasons unless covered by accrued paid leave. Should an exempt employee have an approved FMLA absence, he or she will be required to use accrued paid leave time concurrently with the FMLA leave time.

Exempt employees may be suspended without pay for other types of workplace misconduct, but only in full-day increments. Their pay will be reduced in an amount that is proportionate to the number of days suspended.

Exempt employees who work less than 40 hours during their first or last week of employment will be paid a pro-rated salary for the time actually worked.

Improper Deductions from Pay---Kaw Nation will reimburse any exempt employee whose pay is reduced in violation of this policy. If you feel your pay has been improperly reduced, please notify your Director or the Human Resources Department.

Employee classification terms shall be interpreted as follows:

Regular, full-time employees:

Regular, full time employees are those employees who work 40 hours per week and who maintain a continuous regular employment status. All regular full-time employees are eligible for all employee benefits in accordance with established eligibility requirements for those benefits.

Regular, part-time employees:

Regular, part-time employees are those employees who work less than 29 hours per week but who maintain continuous regular employment status. Regular part-time employees are only eligible for administrative leave in accordance with established eligibility requirements for those benefits. Regular part-time employees will not receive any other benefits.

Temporary employees:

Temporary employees are those employees whose services are intended to be of limited durations, such as during summer months only. Temporary employees are not eligible for leave or paid holidays. Any Temporary employee who is hired shall not accrue or use any leave or benefits. Employees hired under grant provisions are not considered temporary employees.

Introductory employees:

New employees are subject to a introductory period with limited employment rights and benefits for six months. During this period, the employee may be granted travel at the discretion and approval of the Kaw Nation Chair. The employee may be dismissed without prior notice, with or without cause, and without employee recourse. Upon satisfactory completion of the introductory period, the employee may be granted regular status in accordance with the policy on Employment Conditions/Rules. Annual leave and sick leave are earned during the introductory period, but will not be available for use or pay for the first three months of employment during the introductory period. Introductory employees are eligible for paid Holidays and Administrative Leave.

Unsuccessful completion of the introductory period or termination during the introductory period shall result in all leave being forfeited and lost. When an employee has completed the introductory period and a change in employment status is approved, the employee will be a regular status employee. Human Resources will complete the Change Action Form after six months of employment to convert the employee to Full Time Regular status.

Tribal Official:

Tribal Officials are those persons who serve in elected or appointed positions. These persons, except the Chair and the Secretary are not employees of the Nation and do not accrue leave nor are they eligible for employee benefits under this Employee Manual unless mandated by the Constitution or other document approved by Tribal Council or General Council. If any additional benefits are afforded to a tribal official outside their constitutional or statutory authorization, they shall not be otherwise enforceable.