# OTEAM MEMBER HANDBOOK

TEAM MEMBER HANDBOOK

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Welcome! As a new team member of the ABC Resort and Casino Resort & Casino, you are part of a great economic renaissance the Confederated Tribes of ABC is now experiencing!

The people of the Confederated Tribes of the ABC Indian Reservation (ABC RESORT AND CASINO) are proud of our Native American heritage and our sovereignty. Working for a sovereign nation, such as the ABC RESORT AND CASINO, presents a unique employment opportunity and cultural environment.

ABC Resort and Casino Resort & Casino is a key component in the Tribes’ economic renaissance and it demonstrates the ABC RESORT AND CASINO’s commitment to quality, excellence and sound business practices. Every ABC Resort and Casino Resort & Casino employee, regardless of job held, is part of the ABC Resort and Casino team and makes an important contribution to the continuing growth and success of the ABC Resort and Casino and the ABC RESORT AND CASINO. We invite you to read this Handbook, it was developed to describe our expectations of our employees, who will be referred to as team members, and to outline the policies, programs and benefits available to eligible team members. During your employment at ABC Resort and Casino, you and I will be faced with some exciting and challenging situations, I believe you will enjoy meeting these challenges with us!

We are very pleased to have you as a team member and we invite you to dedicate yourself to the never-ending commitment to excellence that makes ABC Resort and Casino Resort & Casino the workplace and destination of choice in Eastern Oregon.

Sincerely,

, Chief Executive Officer

ABC Resort and Casino Resort & Casino

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1.01 ABC RESORT AND CASINO HISTORY

The ABC Resort and Casino Resort & Casino (ABC RESORT AND CASINO) is owned and operated by the ABC Indian Reservation, which is a federally recognized Indian tribe. The ABC Indian Reservation were first recognized in the Treaty of 1855, which created the reservation and the confederation of three tribes – The tribes adopted a Constitution and Bylaws in 1949 which is governed by an elected Board of Trustees. The tribes currently have over 3,000 enrolled members.

The ABC Resort and Casino Resort & Casino was originally conceived as part of a Master Development Plan that encompassed 640 acres of Tribal trust property and has grown under the following stages of development:

* In November 1994 ABC RESORT AND CASINO opened a temporary casino with 100 slot machines in a five trailer facility. This facility was used to train employees for the permanent facility under construction.
* In March 1995 ABC Resort and Casino opened its doors in a permanent facility offering 300 slots, blackjack, poker, keno, off track betting, bingo and two food venues, a snack bar and a restaurant. The casino has since undergone four expansions bringing us to our current size of 1200 slots, 12 gaming tables, a poker room, a bingo hall, keno, arcade, child entertainment center, conference/event space with the Cayuse Hall and the Rivers Event centers and six food venues – Wild Roast Deli, Hot Rock Café, Traditions Restaurant, Sports and Lobby Bars and the Plateau fine dining restaurant. In a 2011 expansion a five screen Cineplex, and new Arcade and Child Entertainment Center facilities were added.
* In March 1996 the ABC Resort and Casino Hotel opened with 100 rooms with an indoor pool and two meeting rooms. In 2011 ABC RESORT AND CASINO added the new 10 story tower with 200 additional rooms, a larger indoor pool, three meeting rooms, retail space and an outdoor patio for special events.
* In August 1997 the ABC Resort and Casino RV Park opened with 100 spaces, an outdoor pool and guest service facilities. The RV Park has since expanded its guest services to include the teepee village and camp spot rentals.
* In August 1997 the ABC Resort and Casino Golf Course opened our 18-hole championship golf course featuring five lakes and 65 sand bunkers, a driving range, pro shop and a café.
* The Arrowhead Travel Plaza was purchased by the ABC RESORT AND CASINO in 1999 with the new facility built in 2009. The travel plaza provides fuel, truck travel facilities, a convenience store and leases retail space to McDonalds. The Mission Market had been a community market for many years before the ABC RESORT AND CASINO rebuilt the new facility in 2003. Both enterprises joined the ABC RESORT AND CASINO team in January 2012 when they were moved from tribal to ABC RESORT AND CASINO management.

The ABC Resort and Casino Resort & Casino was developed for the purpose of diversifying the Tribes’ economic base, generate revenues and provide employment opportunities for ABC members. At its core, ABC RESORT AND CASINO is based upon the Tribes’ vision to promote and support its mission of economic self-sufficiency, self-determination and self-governance by providing a high quality, affordable destination resort.

1.02 ABC RESORT AND CASINO MANAGEMENT PHILOSOPHY & SERVICE STANDARDS

The ABC Resort and Casino Resort & Casino (ABC RESORT AND CASINO) is committed to providing our team members, our customers and our community a high quality guest experience through personal service by our professional, attentive staff. The following guiding principles outline the performance standards and expectations of all ABC RESORT AND CASINO team members.

COMMON PURPOSE

Our ABC RESORT AND CASINO team is united by a common goal - to serve our guests, internal and external, with an environment that creates a positive experience where our team members enjoy coming to work and serving guests who return again and again! Each ABC RESORT AND CASINO team member is empowered to promote this common purpose!

“Together we proudly create a fun, exciting and winning experience for everyone.”

PRINCIPLES OF CONDUCT

The success of our business is dependent on the trust and confidence we earn from our employees and guests. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching company goals solely through honorable conduct. It is easy to say what we must do, but the proof is in our actions. We at ABC RESORT AND CASINO dedicate ourselves to the following principles of conduct:

* We treat every person, both guest and fellow team member, with honor, dignity and respect.
* We share in the pride of the people of the Confederated Tribes of the ABC Indian Reservation (ABC RESORT AND CASINO) and the ethnic diversity of our workforce. We are sensitive to cultural heritages, history and traditions.
* We represent ABC RESORT AND CASINO and the ABC RESORT AND CASINO with integrity, which means modeling ethical behavior when complying with policies, laws, rules and regulations.
* We stress good human relationships to carry out our responsibility to serve our guests with dignity and professionalism.

KEY SUCCESS DRIVERS

ABC RESORT AND CASINO has identified seven factors that are used to target operational excellence. These factors are the Key Success Drivers (KSDs) and are used throughout ABC RESORT AND CASINO operational planning and development and include:

1. Team Members: ABC RESORT AND CASINO recognizes that our team members are the foundation of our service and when our team members are cared for, they in turn take care of our guests.
2. Customers: The reason we are here! ABC RESORT AND CASINO strives to provide our guests with an experience that will bring them back again and again.
3. Marketing: The method in which ABC RESORT AND CASINO promotes its story: who we are, what we have to offer, what we promise our guests, our involvement outside ABC RESORT AND CASINO, and so forth.
4. Financial: ABC RESORT AND CASINO is financially responsible, as the bottom line (revenue) supports tribal self-determination and self-sufficiency.
5. Integrity of Operations: ABC RESORT AND CASINO acts with honor, integrity and accountability in all areas of ABC RESORT AND CASINO operations.
6. Citizenship: ABC RESORT AND CASINO promotes community involvement and supports efforts to positively impact and contribute to the communities in which we live.
7. Leadership: ABC RESORT AND CASINO takes pride in the innovative thinking and actions of our team members, whose leadership empowers positive impacts on our guest experience, our workplace, and the ABC RESORT AND CASINO and local communities, helping to sustain ABC RESORT AND CASINO as a destination of choice.

QUALITY SERVICE STANDARDS

These five areas are critical aspects of our guests’ experience and are used to outline expectations from all team members toward providing excellent service.

1. Safety: Ensuring a safe experience by protecting the welfare of all
2. Integrity: Expecting personal accountability at every level
3. Courtesy: Creating an exceptional customer service experience for everyone
4. Team: Functioning together to create a cooperative and positive experience
5. Show: Providing a flawless experience – a clean and cared for resort

1.03 ABC RESORT AND CASINO ORGANIZATIONAL CHART



Each box identifies a department head

**Bold** boxes are also enterprise/division heads

1.04 INTRODUCTION TO THE HANDBOOK

ABC Resort and Casino Resort & Casino is owned and operated by the ABC RESORT AND CASINO. As an enterprise of the ABC RESORT AND CASINO, ABC RESORT AND CASINO is a self supporting for profit business whose revenues support tribal government programs and services for members of the ABC RESORT AND CASINO reservation community such as public safety, language preservation, elder’s services, education, social services, public works, natural resources protection, and many other areas that demonstrate the ABC RESORT AND CASINO’s ability to govern its Reservation and its members. As a ABC RESORT AND CASINO team member, your contribution does more than satisfy our guest service standards, but helps to empower a community rich in culture, values and traditions!

This handbook is designed to acquaint you with the ABC RESORT AND CASINO. This handbook will provide you with information about working conditions, team member benefits, and policies affecting your employment. You should read, understand, and comply with all provisions of the handbook.

No handbook can anticipate every circumstance or question about ABC RESORT AND CASINO operations or policy. As ABC RESORT AND CASINO continues to grow and operational needs arise, ABC RESORT AND CASINO, in its sole discretion, reserves the right, at any time, to amend, modify, alter or terminate any policies, benefits or statements of this handbook. The ABC RESORT AND CASINO Chief Executive Officer (CEO) reserves the ultimate authority to amend or render decisions on policy or practice as needed to resolve a situation or address an operational need.

To meet the needs of team members and business, change is necessary for development. In this light, these policies will be subject to review every three years through a formal review process that includes: open comment period, formation of a revision committee which is comprised of team members from various departments and staffing levels, an administrative and legal review, and final approval by the ABC RESORT AND CASINO’s Board of Trustees (BOT.)

Nothing contained in this team member handbook shall be construed to be a contract between ABC RESORT AND CASINO and any of its team members, where employment is considered at-will, so that either ABC RESORT AND CASINO, or a team member, are able to sever their employment ties at any time.

1.05 GUEST SERVICE STANDARDS

Exceptional guest service is more than just a catchphrase at ABC RESORT AND CASINO – it is the basis for our business and the formula for our success! ABC RESORT AND CASINO promotes a customer-friendly atmosphere and attitude and treats each guest as being the *most important part of our job*. ABC RESORT AND CASINO expects all team members to address each guest with a cheerful greeting, a pleasant smile, a helpful attitude, a listening ear, empathy with their issues and assistance with their concerns, and other personal actions that connect us with the guest, making their visit to ABC RESORT AND CASINO memorable and the basis for return visits.

It is the responsibility of every team member to maintain the cleanliness and appearance of ABC RESORT AND CASINO, whether working directly with guests, in administrative areas, or out on the golf course! Our team members show pride in our facility by picking up trash on the floor, reporting damaged or unsafe equipment promptly to security or appropriate staff, and by taking care to leave the workplace neat and clean for their co-workers, or the next shift.

At ABC RESORT AND CASINO we firmly believe that each team member has a direct effect on guest service. If you are not serving a guest, then your job is to be serving someone who is serving a guest! All ABC RESORT AND CASINO team members serve guests, whether internal or external and it is this type of teamwork that makes our jobs easier and results in exceptional guest service. We are here for the guest, for without the guest, ABC RESORT AND CASINO business does not exist.

DISABLED PATRON POLICY

ABC RESORT AND CASINO is sensitive to the needs of our disabled and elderly guests and shall provide them with common courtesy and assistance whenever possible. In addressing the personal care needs of the disabled guests, ABC RESORT AND CASINO staff shall comply with the Disabled Patron Policy, from which the following summary excerpts are taken for team member awareness and use.

All ABC RESORT AND CASINO facilities provide access to the disabled and are in compliance with applicable Federal and Tribal law protecting the disabled. Team members are trained to be sensitive and responsive to the special needs of our disabled patrons within the limits of applicable law, available staffing and the rules set forth in this policy. The governing principle for team members is to extend common courtesy in responding to the requests or needs of our disabled patrons. However, team members are prohibited from taking actions that would violate the Tribal Gaming Code, the Tribal-State Gaming Compact, other applicable law or this Policy.

1. ASSISTANCE TO DISABLED PATRONS

Team members may provide assistance to disabled patrons including removing obstacles to wheelchairs or walkers; provide wheelchairs/other aids (if available) in emergency situations, Open and close doors for disabled patrons exiting or returning to their vehicles; provide assistance up ramps or stairs; or permit use of an assistance animal subject to the limitations set forth in applicable law and this policy.

Team members shall not be required to provide assistance to disabled patrons when the requested assistance is beyond staff capability; when the request presents unacceptable risk to the disabled patron, other patrons, or staff; when the requests presents unacceptable liability exposure for ABC RESORT AND CASINO and its staff; or when it violates the Tribal Gaming Code, Tribal Gaming Commission regulations, the Tribal-State Compact or other applicable law.

Team members shall not provide the following forms of assistance to disabled patrons - serving as a personal attendant to the disabled patron; taking disabled patrons to the restroom; cutting up food for the disabled patrons; putting money in VLTs or other gaming equipment for disabled patrons; cashing VLT or other gaming tickets at kiosks or the ABC RESORT AND CASINO cage window; providing continuous wheelchair assistance; providing handicap equipment on a routine basis (i.e., wheelchairs, canes, etc.); and being responsible for storing or administering medications.

B. PATRON USE OF SERVICE ANIMALS

Service animals play an important role in ensuring the independence of people with disabilities and it is therefore our policy to welcome into public areas in ABC RESORT AND CASINO any dog that is individually trained to assist a person with a disability.

Most of the time, people with disabilities who use service animals may be easily identified without any need for questioning. If you are unsure whether an animal meets the definition of a service animal, you may ask the patron the following questions at the point that the patron enters the establishment:

1. Is this a service animal required because of a disability?
2. What tasks or services have the animal been trained to perform?

Do not ask a patron questions about his or her disability. Do not ask a patron to show certification or a special ID card as proof of the animal’s training. Once a patron with a service animal has answered the above questions, no staff may ask the patron any further questions about his or her service animal. You must permit service animals to accompany patrons with disabilities to all areas of the establishment normally used by patrons.

A disabled patron’s service animal will not be permitted to enter ABC RESORT AND CASINO, or may be removed from ABC RESORT AND CASINO after entry, if: the service animal is out of control or displays threatening conduct towards ABC RESORT AND CASINO patrons or staff; the service animal is not housebroken; the service animal is not harnessed, leased or tethered unless the patron’s disability prevents the patron’s use of such restraints or the restraints would prevent the safe or effective performance of the service animal’s work; the service animal is not cared for and supervised by the disabled patron; or the service animal is any animal other than a dog. If you have further questions about this policy, contact your supervisor.

SECTION 2: EMPLOYMENT

2.01 TEAM MEMBER RELATIONS

Recognizing that team members are the foundation of our business, ABC RESORT AND CASINO promotes employment practices that foster an effective relationship between team members and supervisors. ABC RESORT AND CASINO is dedicated to treating our team members fairly by providing good working conditions, competitive wages and benefits, and above all, the respect that each team member deserves.

Team members are strongly encouraged to voice any employment concerns openly and directly to their supervisor, in a professional, responsible manner, by following the department’s chain of command. Chain of command allows the primary supervisor the opportunity to address the situation, and if unable to satisfactorily resolve the issue, the team member may seek the next level of supervision. Supervisors will respond to team member concerns in a timely, professional and respectful manner

Human Resources (HR) is available as a tool to help clarify this Handbook, provide guidance on implementation and compliance, provide options/resources available to resolve disputes, and to help bridge communication by and between team members and their supervisors. HR assistance in no way circumvents the chain of command.

ABC RESORT AND CASINO management greatly values our ability to work directly with team members to address operational and personnel issues and do not feel that our team members would benefit from outside intervention into this relationship.

RIGHT TO WORK CODE

The ABC RESORT AND CASINO has adopted a Right to Work Code to govern employer-team member relations within the ABC Indian Reservation. The Code requires ABC RESORT AND CASINO, as an employer, to be “committed, both by policy and practice, to ensuring an employment environment…that promotes fair employment practices, projects team member health and safety and provides meaningful mechanisms to address workplace problems and personnel actions that may be taken against individual employees”. The Code also prohibits team members from being either forced to join and financially support a labor organization or to be penalized for joining such an organization.

2.02 EMPLOYMENT SELECTION

ABC RESORT AND CASINO promotes a diverse workforce, and will base employment selection on qualifications, merit, and abilities using the described selection factors and hiring preferences as described below.

A. SELECTION FACTORS

Selection factors considered include: how the applicant demonstrates how they meet the minimum qualifications, the interview, performance on demonstrated skill tests, previous ABC RESORT AND CASINO employment history, employment reference checks, criminal history checks for sensitive positions, hiring preferences as set forth in this section and confirmation of educational or professional accomplishments that are required for eligibility for an employment position.

B. HIRING PREFERENCES

ABC RESORT AND CASINO does not discriminate in employment and, consistent with Federal and ABC RESORT AND CASINO law, and this Handbook provides employment preferences as follows:

1. INDIAN PREFERENCE
2. ABC RESORT AND CASINO Tribal Preference – available to enrolled members of the ABC RESORT AND CASINO.
3. Indian Preference – available to enrolled members of any federally recognized Indian tribe.
4. VETERANS PREFERENCE – available to honorably discharged veterans of the United States Armed Services, including the Air Force, Army, Marines, Navy, Coast Guard and National Guard. A form DD 214 must be presented with the application to claim veteran’s preference.
5. ABC RESORT AND CASINO EMPLOYEE PREFERENCE (Defined as the process in

subsection C(1) below.)

C. HIRING PROCESS & APPLICANT PREFERENCE

When filling a vacant position, HR will screen applications submitted by the closing date. Those applicants who demonstrate that they meet the minimum qualifications for the position will be added to the list for interview consideration and will be coded with any employment preference provided above, and under one of the following applicant preference codes.

1. APPLICANT PREFERENCE - Applicants who demonstrate the minimum qualifications for the position may be included on the interview packet under the following applicant preference:

1. Current ABC RESORT AND CASINO team members – ABC RESORT AND CASINO provides an in-house hiring preference available to all currently employed ABC RESORT AND CASINO team members except emergency hires, to promote advancement opportunities. In house applicants are subject to the same employment preferences identified above (ABC RESORT AND CASINO, Indian, and Veterans).
2. Outside applicants – In the event the position is not filled by current ABC RESORT AND CASINO employees, all other applicants will be considered following the hiring preference outlined above.

As ABC RESORT AND CASINO often has multiple applicants applying for a position, the department head may select those they wish to interview from those qualified non-tribally enrolled applicants.

D. DISABILITIES

ABC RESORT AND CASINO will attempt to make reasonable accommodations for qualified applicants with known disabilities unless doing so would result in hardship for ABC RESORT AND CASINO, as determined in its sole discretion.

E. APPLICATION ACCURACY

ABC RESORT AND CASINO relies upon the accuracy of information contained in the employment application and any other data presented. Any misrepresentations, falsifications, or material omissions of this information or data may result in ABC RESORT AND CASINO’s exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

F. PREVIOUS ABC RESORT AND CASINO EMPLOYMENT

Applicants with previous ABC RESORT AND CASINO employment are welcome and encouraged to reapply, as they bring prior knowledge, training and experience to the workforce. Previous ABC RESORT AND CASINO team members whose ABC RESORT AND CASINO employment ended by termination or who quit shall include with their employment application a written letter of reconsideration explaining the circumstances surrounding their termination, or decision to quit, and clarify how the issue/situation that caused the separation has been addressed.

Team members terminated under the variance procedure may reapply to a cash handling position, only when the cash handling position is at a cash handling level lower than the position from which the team member was terminated.

Although a former team member may be allowed to reapply to ABC RESORT AND CASINO, management reserves the right to impose restrictions on what employment positions and duties the person may hold, based on the team members’ prior ABC RESORT AND CASINO employment history.

2.03 TRANSFERS AND RECLASSIFICATIONS

ABC RESORT AND CASINO team members may apply to other positions within ABC RESORT AND CASINO that may better suit their career path interests, skills and experience, or their personal needs using the application process outlined above. The following policy outlines when a team member may not be eligible to apply to other positions, or the process used when the team member is selected and transfers to another position within ABC RESORT AND CASINO.

A. ELIGIBILITY TO TRANSFER

Team members seeking to apply to other positions within ABC RESORT AND CASINO must meet the minimum qualifications required for the position AND the following transfer eligibility requirements. An electronic form will be sent to the applicant’s department head seeking confirmation of team member eligibility by HR. The form should be returned to HR within 48 hours.

The team member will be eligible to apply if:

1. Current attendance level is not more than 6 unscheduled absences or 6 tardies.
2. Must have no progressive disciplinary actions at the written level in the past 45 days;
3. Must be performing current job at a satisfactory level (3.0 on last evaluation);
4. Must have completed at least six months in their current position (F/T or P/T)

TRANSFER ELIGIBILITY WAIVER

A team member wishing to apply to another position due to qualifications/experience, personal/scheduling needs, work conditions, etc., and who does not meet the transfer eligibility requirements, may seek a waiver of the requirements by submitting a written request to the HR Director outlining why the criteria should be waived. This request must be submitted within the application deadline, or it will not be considered. The HR Director will review the waiver request in reference to the team member’s justification request, performance history, and approve or deny the request for waiver. The HR Director’s waiver decision shall be in writing and if approved, will accompany the application.

B. TRANSFERS

Team members who apply and are hired for another position within ABC RESORT AND CASINO must provide a minimum two (2) weeks’ written notice to the department prior to transfer. This transfer notice will alleviate any undue hardship on staffing or operations, and the Department head from which the team member is leaving, shall provide the release date for the team member transfer close to the end of the workweek, whenever possible. A Monday start date will make payroll transitions easier.

When a team member is hired for another position they will begin a new review period for the new job duties they are fulfilling, including a new performance appraisal date.

Transfers will not affect the team member’s benefit eligibility, unless there is a change in status, i.e. FT to PT. Transfers will also include the transfer of the team members’ attendance file and any progressive disciplinary actions taken within the past year, to the new department. HR will facilitate this transfer of records.

TRANSFERS BETWEEN ATP/MM and ABC RESORT AND CASINO

Team members transferring between ABC RESORT AND CASINO and ATP/MM are processed like all other ABC RESORT AND CASINO transfers, except in regard to the ATP/MM Paid Time Off (PTO) leave plan.

1. Team members transferring to ATP/MM from a ABC RESORT AND CASINO department shall have the face dollar value of their accrued vacation leave balance deposited into the PTO format. PTO use shall be paid at the team member’s current rate of pay. Accrued sick leave does not transfer.
2. ATP/MM team members transferring to a ABC RESORT AND CASINO department shall have the face dollar value of their accrued PTO balance deposited into the ABC RESORT AND CASINO vacation leave pool. Vacation leave use shall be paid at the team member’s current rate of pay.
3. All transfers between ABC RESORT AND CASINO and ATP/MM shall comply with the group medical enrollment guidelines for that plan.
4. The original hire date will remain the same so there is no impact on their length of service.

C. RE-CLASSIFICATION of a team member most often occurs when there is a status change (F/T to P/T or vice versa) and may also occur when the existing job description is revised and may include any of the following:

1. Additional job responsibilities
2. A change in the statement of work or job functions
3. When separate jobs are combined into one
4. When a job function/position is moved to another department

At no time shall a reclassification be used to develop or staff a new position, or to bypass the hiring process. All requests for reclassification must be submitted by the department head to the CEO, who in consultation with HR, will approve or deny the request. Reclassifications are not considered transfers to a new position and team members will retain their position hire date for seniority and their annual evaluation date.

D. DEPARTMENTAL REASSIGNMENTS

Transfers may also be used during a departmental or staffing reorganization when a team member may be reassigned to another allocated position within the department for which there is no change in their rate of pay. Any department transfer must be approved by the enterprise/division head in consultation with HR. Transfers may not be used to promote a team member into a position of higher responsibility and/or authority, or as a means to bypass the hiring process. This reassignment will trigger the transfer procedures outlined in section B, above.

E ADMINISTRATIVE TRANSFER

The transfer of a ABC RESORT AND CASINO team member without going through the normal hiring process is an option available to the CEO, in consultation with the HR Director, and is based on business or staffing needs. Transfers may not be used to promote a team member into a position of higher responsibility and/or authority, or as a means to bypass the hiring process. This transfer will trigger the transfer procedures outlined in section B, above.

2.0~~4~~ EMPLOYMENT OF FAMILY

ABC RESORT AND CASINO operates in a small community environment where team members are often related. Due to these circumstances, ABC RESORT AND CASINO may allow immediate family members to work within the same department, but whenever possible, these related team members shall be assigned to work on different shifts or in different areas.

IMMEDIATE FAMILY is considered to be a spouse (legal or common law), parent, step parent, parent in-law, child, step child, sibling, grandparent, or grandchild. For purposes of this policy, persons residing in the same household as the team member shall also be considered immediate family. At no time shall a team member directly supervise a member of their immediate family. The department head shall closely monitor any employment of relatives within the same department for potential conflict affecting ABC RESORT AND CASINO operations.

Relatives of persons currently employed by ABC RESORT AND CASINO may fill a position only if they will not be working directly for, or supervising an immediate family member.

If an immediate family relationship between team members is established after employment, it is the team member’s responsibility to immediately notify their supervisor and department head.

Team members involved in a relationship with another team member should make every effort to keep that relationship from impacting the workplace. If a conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment. The department head, in consultation with the enterprise/ division head and HR Director, will implement this decision.

2.05 FRATERNIZING

To promote an environment where the supervisor/team member working relationship is professional and objective, Supervisors are not allowed to become romantically involved with team members they supervise, including dating or sexual relations. This restriction also applies to supervisors involved with their co-workers where a relationship may affect the workplace, their working relationship or management responsibilities. If a relationship develops, the supervisor must immediately report it to department management, who will take corrective action to alleviate any conflict, including possible reassignment of either team member, demotion, or termination. Supervisors who fail to provide such notification as required will be subject to termination.

2.06 CONFLICTS OF INTEREST

A conflict of interest occurs when a team member is in a position to influence a decision that may result in a personal gain, directly or indirectly for that team member or for an immediate family member as that term is defined in this Handbook. Team members have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest.

Team members must report in writing to their supervisor, any appointments, memberships or affiliations with organizations outside ABC RESORT AND CASINO. ABC RESORT AND CASINO will determine if the appointment is a conflict interest or competes with ABC RESORT AND CASINO business.

When a conflict of interest arises, the department head will act to alleviate such conflict and any negative impact on ABC RESORT AND CASINO operations, including team member reassignment, transfer, demotion or termination, or, if an appointment or membership in an outside organization, the team member may be asked to remove themselves from such appointment/membership as deemed appropriate by ABC RESORT AND CASINO management. ABC RESORT AND CASINO management action will be in writing.

A. GAMING & PROMOTIONS

As ABC RESORT AND CASINO operates games of chance, the guests oftentimes perceive team members as having inside knowledge that creates a winning edge. ABC RESORT AND CASINO conscientiously promotes the integrity of operations by prohibiting team members from participating in certain gambling activities, in special events or promotions, and other marketing endeavors created to increase guest visitation and play. Third Party Vendor gaming promotions are promotions we contract out and whose rules and regulations apply. These promotions do not allow any ABC RESORT AND CASINO team member or their immediate family members (as that term is defined in Section 2.04) to participate. Rules for participation for Third Party promotions may vary, and the employee should refer to the official rules and internal fact sheets for any additional exclusion or restrictions.

It is the team member’s responsibility to notify their family members when they are not eligible to participate in a promotion. If a team member is chosen as a winner for any of these promotional plays they must identify themselves as an employee and not eligible. If any immediate family or household members are drawn for a promotional prize, they may be subject to having the prize award voided due to ineligibility.

B. OUTSIDE EMPLOYMENT CONFLICT

Team members who work outside ABC RESORT AND CASINO may do so as long as it doesn’t conflict with their ABC RESORT AND CASINO work schedule, job performance, or leave status. If the outside employment is deemed to compete with ABC RESORT AND CASINO business operations, this is construed as a conflict of interest.

Examples when outside employment is considered to be a conflict of interest:

* When a team member works for another company while on approved medical leave from ABC RESORT AND CASINO.
* When a ABC RESORT AND CASINO blackjack dealer works as a dealer at a local card room – a direct competition with ABC RESORT AND CASINO business and a conflict of interest.

Outside employment may be allowed when the team member is on approved Family Medical Leave (FML), if the reason for leave is due to ABC RESORT AND CASINO’s inability to accommodate a medical restriction. The department head shall determine if the outside employment conflicts or competes with ABC RESORT AND CASINO and if so, shall compel a choice of employment between remaining at ABC RESORT AND CASINO or resigning the outside employment.

2.07 IDENTIFICATION BADGES

All ABC RESORT AND CASINO team members shall be issued an identification badge that clarifies their position and access to work areas within ABC RESORT AND CASINO. Team members must properly display their gaming or non-gaming identification badge whenever on duty. The badge must be worn on the chest area for an unobstructed view by Security or Surveillance personnel. The front of the badge must remain free of adornments i.e., buttons, pins, pictures, stickers, money, etc. Upon separation of employment, all gaming and identification badges must be returned to HR during the exit interview process.

A. GAMING BADGE

All ABC RESORT AND CASINO positions working within the casino environment, including gaming and those administrative support divisions/departments are required to obtain a gaming license issued by the ABC RESORT AND CASINO Gaming Commission. It is the team members’ responsibility to retain the licensing level required for their job, including complying with the license renewal process so it does not interrupt their ability to perform their job. There are three licensing levels established for gaming positions: Primary Management Official (PMO whose badge is green, High Security (HS) whose badge is red, and Low Security (LS) whose badge is blue.

The team member will pay for the cost of the licensing fee through payroll deduction and once the team member has successfully completed their 90-day review period, ABC RESORT AND CASINO will reimburse the fee paid on the following pay period. The fee charged to the team member is the costs of processing the background investigation, as the badge remains the property of the Gaming Commission.

The gaming license issued is valid for three (3) years. Renewal fees for current team members shall be paid by ABC RESORT AND CASINO. The Gaming Commission will charge a fee to replace a currently valid license if it is lost, stolen or mutilated. Any replacement cost is the team member’s responsibility.

Team members who have their gaming license denied or revoked after issuance by the Tribal Gaming Commission, will be subject to immediate termination Team members whose license is temporarily suspended by the Gaming Commission will be notified through HR and their Supervisor that they are not eligible to work or use ABC RESORT AND CASINO paid leave for the suspension period. These team members shall retain their employment status up to two weeks, during which time the team member must address the suspension issue. If the team member’s license has not been released in this time frame, ABC RESORT AND CASINO will terminate their employment, for which they are able to re-apply once the license issue is resolved.

Team members who possess a gaming license but whose primary job does not require one, may continue to work in their primary position during the gaming license suspension period until it is determined if a renewal license is needed or will be processed.

B. NON-GAMING BADGE

Team members working in non-gaming areas will be issued an identification badge by HR. Non-gaming badges are yellow and are to be worn whenever on duty as outlined above. HR will charge a fee to replace a non-gaming badge if it is lost, stolen or mutilated. The replacement cost is the team member’s responsibility.

C. TEMPORARY OR REPLACEMENT BADGE

Team members reporting to work without their identification badge must obtain a “temporary” badge from the back Security podium. Temporary badges issued shall not exceed three consecutive days, at which time the team member must acquire a new gaming badge from the Gaming Commission, or HR for non-gaming badges, and pay the appropriate replacement fee.

2.08 GIFTS/LOST ITEMS/FOUND MONEY

To protect the integrity of ABC RESORT AND CASINO operations and team members, the following rules shall govern team members when being offered gifts by ABC RESORT AND CASINO vendors or customers or when team members discover items lost in ABC RESORT AND CASINO facilities.

A. GIFTS

Team members offered gifts from vendors or customers should discourage the gesture, and failing that, report any gifts received immediately to their supervisor. The team member shall comply with whatever instructions s/he receives from their supervisor about the disposition of the gift.

B. LOST ITEMS

Items found by ABC RESORT AND CASINO team members on ABC RESORT AND CASINO property shall be governed by the following rules:

1. All money, including cash of $5.00 or more, or any checks, money orders, ATP, ABC RESORT AND CASINO and Cineplex gift cards, casino chips and VLT tickets discovered by team members shall immediately be turned over to Security for processing according to internal controls and/or department policy; and
2. All other items discovered by team members shall be handled pursuant to policies developed by each ABC RESORT AND CASINO enterprise/division, which policies may require filing a report on the item found, storing the item for a specified number of days to permit the owner of the item to reclaim it, and the donation of the item to a charitable purpose in the event it is unclaimed.

2.09 NON‑DISCLOSURE AND CONFIDENTIALITY

The protection of confidential business information and trade secrets is vital to the interests and the success of ABC RESORT AND CASINO. Team members will have access to various business information and practices which are considered confidential and proprietary and is not to be disclosed. Such confidential information includes, but is not limited to, the following examples:

Customer lists and/or personal information

Financial information

Marketing strategies

Customer gaming activities

Player ratings

Security procedures

Internal control procedures

Surveillance procedures

Count Room/Cage/Vault procedures

Table games procedures

Personnel information

Vendor contracts

Confidential information

Salary information

ABC RESORT AND CASINO passwords

Team members will be required to sign a non‑disclosure agreement as a condition of employment during the department orientation. Team members who improperly use or disclose trade secrets or confidential business information, or who disrupt the workplace with confidential information, will be subject to disciplinary action, up to and including termination of employment and possible legal action, even if they do not actually benefit from the disclosed information.

Team members who leave ABC RESORT AND CASINO employment to work for a business competitor, and who disclose confidential ABC RESORT AND CASINO information, shall be deemed to have violated this policy and may be subject to legal action.

2.10 GUIDELINES FOR DEALING WITH REGULATORY AGENCIES

ABC RESORT AND CASINO deals with many agencies that regulate various ABC RESORT AND CASINO operations. To best coordinate communication and compliance with such agencies team members should immediately inform the Compliance Manager and their supervisor when any of the following seek admittance:

ABC RESORT AND CASINO Gaming Commission

OSP Tribal Gaming Unit

Internal Revenue Service (IRS)

Tribal Fire Marshall

Federal Occupational Safety and Health Administration (OSHA)

Federal, Tribal, State and County Law Enforcement

Oregon Liquor Control Commission (OLCC)

National Indian Gaming Commission (NIGC)

Environmental Protection Agency (EPA)

All other agencies and visitors should be required to contact the front desk personnel, or if in the casino, a Security Officer, who shall notify the appropriate management official as soon as the agency representative(s) or visitor(s) present themselves.

SECTION 3: EMPLOYMENT STATUS & RECORDS

3.01 EMPLOYMENT CATEGORIES

Team members will be identified by employment categories that outline their work status and eligibility for various ABC RESORT AND CASINO benefits.

A. POSITION CLASSIFICATION: EXEMPT or NON-EXEMPT

Each position is designated as either Exempt or Non-Exempt from federal wage and hour laws, using Fair Labor Standards Act (FLSA) guidelines, which require specific wage and performance criteria in classifying positions.

1. EXEMPT: Team members classified as Exempt must meet two requirements – be paid at or above the established minimum weekly wage and hold a position whose duties qualify under FLSA designations. Exempt positions are typically those in management, supervisory, professional fields, outside sales, or computer professionals. Exempt team members are paid on a salaried basis, receiving the same rate of pay each pay period, regardless of the number of days or hours worked. Exempt team members do not receive overtime pay or additional pay for holidays. Exempt team members may have leave deducted from accrued leave balances when they are away from the workplace for personal reasons. If no accrued leave is available, LWOP may be used which will reduce their pay. Deductions shall be in hourly increments, with two hours being the minimum amount allowed.

Exempt team members are held to a higher standard than non-exempt team members, including working beyond a 40 hour work week as business dictates, working holidays/weekends, taking leave when convenient for business and exhibiting professional accountability standards at all times. ABC RESORT AND CASINO operates 24/7 and relies on exempt team members to work an assigned schedule or shift, and holding exempt team members accountable to such assignments does not violate their exempt status.

2) NON-EXEMPT: Commonly called "hourly employees,” non-exempt team members

are paid for each hour of work at a standard rate of pay. Non-Exempt team members

receive overtime pay at time and a half their primary rate of pay for all hours worked

over the 40-hour work week, and other compensable time when eligible and

authorized by policy.

B. EMPLOYMENT STATUS

In addition to the above classification, each team member shall also belong to one of the following status categories which define their work schedule and eligibility for benefits:

1. FULL‑TIME (F/T) team members are those regularly scheduled to work 40 hours per week. Scheduled hours may occasionally be lower based on ABC RESORT AND CASINO business needs and when approved by the enterprise or division head. F/T team members are eligible for ABC RESORT AND CASINO’s medical plan, holiday pay, annual performance rate adjustments, accrued leave, 401(k) retirement plan and other benefit programs as outlined.
2. PART-TIME (P/T) team members are provided to supplement business needs and may be regularly scheduled, or scheduled intermittently as business needs dictate. P/T team members may not be scheduled for more than 29 hours a week, or less than 20 hours a week.

P/T team members may be eligible for the medical benefits plan as outlined by plan coverage. They are eligible to accrue leave at a half time rate, receive holiday pay, participate in the 401(k) retirement plan, are eligible for an annual performance appraisal rate adjustment and other benefit programs as outlined. At no time shall a P/T team member be allowed to work in two regular P/T positions, whether at ABC RESORT AND CASINO, ABC RESORT AND CASINO, or at any business owned and operated by the ABC RESORT AND CASINO.

3) EMERGENCY HIRE team members are hired to temporarily supplement the work

force and are expected to comply with all ABC RESORT AND CASINO policies. E-hires may be utilized full-

time but are not to exceed thirty (30) calendar days unless cleared by the HR Director.

E-hires are subject to employment at-will and do not receive any benefits except

holiday pay if they work the holiday. E-hires do not qualify for in-house hiring

preference.

1. CONTRACT team members are personnel brought in to perform a specific function for a pre-determined period. This contracting system is geared to enable a temporary fill of a needed job position, not to exceed 1 year or as identified by contract. Contract team members receive ABC RESORT AND CASINO benefits as set forth in their contract. All contract employment requires the approval of the CEO. This classification should not be confused with an Independent Contractor who is not considered an employee, but a vendor hired to perform a business service and paid under a 1099
2. DUAL RATE classifications are used to supplement the workforce by assigning a team member to work in a “relief” status for an existing position, to work a secondary position, or to charge work hours to another department. Dual rated team members may not exceed the work week hours allowed for their employment status. Dual rate assignments are made at the discretion of the department head and are not subject to the hiring process described in section 2.02 of this Handbook. Dual rate use includes:
3. Supervisory Relief Position: Dual relief positions provide an opportunity for the team member to step into a lead or supervisory role for which they will receive a dual rate of pay when performing those functions and be evaluated on their performance of those functions. Dual rated positions should not exceed two shifts per week, unless authorized by the department head due to business needs. Team members working in a dual capacity on a holiday, shall receive holiday pay at the dual rate. The yearly performance rate adjustment and use of accrued leave shall be paid at the team member’s primary rate of pay.
4. Cost-Code: Charge a job function to another department or budget area, when

pre-approved by the department head. e.g., a buffet server working as a plateau server.

c) Secondary Position: Allows team members to temporarily work within ABC RESORT AND CASINO in a secondary job outside their department, where the following conditions apply:

1. The secondary job must not infringe upon the schedule, functions or performance abilities of the primary job for which the team member was hired; and

2. The manager of the primary job must approve the secondary job request; and

3. If the secondary job hours place the team member in overtime status, the OT

hours are charged to the secondary position. This may impact the amount of

hours available to work in the secondary position; and

4. If the secondary job impacts the team members performance in their primary

position steps to terminate the secondary job will be initiated by the primary

department head.

Example of when a secondary job may be allowed:

* Team member who fills in as a Bartender or Banquet Server for a special event.
* Bingo team members who may be scheduled to work in another position when the bingo hall is scheduled for special events/promotions.

SECONDARY TRIBAL EMPLOYMENT refers to the condition when a ABC RESORT AND CASINO team member seeks secondary employment with the ABC RESORT AND CASINO tribal government or another ABC RESORT AND CASINO enterprise. ABC RESORT AND CASINO is owned and operated by the ABC RESORT AND CASINO and as such, for overtime pay purposes, the IRS views an employee working for both the ABC RESORT AND CASINO and ABC RESORT AND CASINO as working for the same employer.

Because ABC RESORT AND CASINO is an enterprise of the ABC RESORT AND CASINO, no team member shall be active on any other ABC RESORT AND CASINO payroll, including Tribal government, Yellowhawk Clinic or other ABC RESORT AND CASINO owned and operated enterprises. Team members who fail to report such conflicting employment will be subject to disciplinary action, including termination.

Example:

1. A full time ABC RESORT AND CASINO employee works as a P/T ABC RESORT AND CASINO Dealer working 16 hours per weekend. IRS would recognize the employee’s work for both the ABC RESORT AND CASINO and ABC RESORT AND CASINO as work for the same employer. Therefore the employee would have to be paid overtime for the 16 hours of work at ABC RESORT AND CASINO.

PROBATIONARY STATUS - All team members will operate under a probationary period for the first 90 days following hire or transfer. Within the probationary period, the team member’s performance is being evaluated to determine whether continued employment in that position is appropriate.

3.02 PROBATIONARY PERIOD

All new and transfer team members work on a probationary basis for the first 90-days after their date of hire/transfer. During this period the team member’s performance will be evaluated to determine if continued employment in this position is appropriate. The probationary period will be extended for team members having any significant length of absence from the job, usually two (2) consecutive weeks or more.

A. NEW TEAM MEMBERS

During the probationary period, new team members are eligible for those benefits that are required by law. Although eligible team members start to accrue leave, they may not utilize leave, health benefits or other coverage plans until allowed, or the probationary period is complete. Upon successful completion of the probationary period, and based on their employment status, they are eligible to use all other benefits subject to the terms and conditions of each benefits program.

New team members in their probationary period may be separated from employment with or without cause, when approved by the department head. New team members separated during the probationary period do not have access to the appeal process set forth in this Handbook.

Team members who complete the probationary period but whose performance is below a satisfactory level (3.0) during this period and who the department wishes to retain, may have their probationary period extended an additional 30 days, for which the supervisor shall develop a plan of action detailing the areas of improvement necessary for the team member to continue their ABC RESORT AND CASINO employment.

Team members who exceed their probationary period by more than two weeks without a performance review conducted by their supervisor, shall be deemed to have successfully completed the probationary period.

B. TRANSFER TEAM MEMBERS

Team members transferred to another position within ABC RESORT AND CASINO, whether a regular or administrative transfer, will begin a new probationary period, triggering new performance appraisal dates: the 90-day probationary and the yearly. Transfers who successfully pass the probationary period move into regular status for the position hired.

Transfers to other positions will not affect the benefit eligibility of the team member, unless their eligibility status changes. They may continue to use accrued leave, health benefits, 401(k), and any options for which the team member may be enrolled and eligible.

C. UNSATISFACTORY PERFORMANCE

Transfer team members who perform unsatisfactory (below 3.0) during the probationary period will have their probationary period extended up to 30 days with a written plan of corrective action that details the areas of improvement necessary for the team member to bring their performance level to an acceptable standard. If the team member fails to satisfy the plan of corrective action during the extended period, one of the following actions as determined by and at the discretion of the department head, will occur:

1. Dependent on department needs, the team member may be assigned to another position within the department that is currently available; or,
2. Team member will be terminated from ABC RESORT AND CASINO employment.

Transfer team members terminated for unsatisfactory performance during the probationary period may utilize the appeal process.

3.03 PERFORMANCE APPRAISALS & PAY ADJUSTMENTS

Team member performance is a key factor in ABC RESORT AND CASINO’s guest focused environment. ABC RESORT AND CASINO provides various formats for recognizing team member performance efforts, including the formal performance appraisal process, and pay adjustment plans.

A. PERFORMANCE APPRAISALS

Appraisals are an opportunity to discuss and document the team member’s job

performance and is completed prior to the end of the team member's 90-day probationary period and at the annual anniversary date for the position held.

1. Appraisal Process: The supervisor will provide the appraisal form to the team member two weeks prior to the end of the probationary period or annual appraisal date, to complete the self evaluation comments. The supervisor will review the team member comments and will complete the supervisory portion of the evaluation and will review the appraisal with the department head before arranging a meeting to discuss the appraisal with the team member.
2. Appraisal Adjustment: Dependent on business and budget conditions ABC RESORT AND CASINO management will establish a default adjustment rate to be used for annual appraisal adjustments. Team members rating a 3.0 (satisfactory) or better during their annual review will receive the default rate adjustment. The team member may be eligible for a rate adjustment up to 5% when supported by a written justification by the department head, and approved by the enterprise or division head. The written justification needs to expand in detail how this team member’s performance exceeds the minimum standards and why they should be considered above the default rate. Annual appraisal pay adjustments shall be processed at the pay period nearest the evaluation due date. Adjustments requested above the established percentage level will be processed under the merit incentive pay provisions of this section.

To receive an appraisal adjustment, team members must also be eligible for an adjustment as outlined in the Attendance policy. Team members who are at an attendance level that prohibits an annual adjustment when their annual performance appraisal is due, will not be eligible for an annual adjustment, merit incentive pay, nor the flat cap pay. The Supervisor will provide a copy of the team members’ attendance log with the performance appraisal to show their eligibility for an adjustment.

Team members who experience a tardy violation for weather, traffic interruptions, or other incidents as excused by the ABC RESORT AND CASINO CEO or his designee, shall not have this violation count against them for being eligible for a rate adjustment during their annual evaluation. Such waivers may include unscheduled absences as designated.

3. Past Due Appraisals: Performance appraisals are conducted annually and are the responsibility of the supervisor. When a team member fails to submit a self evaluation, the supervisor shall process the appraisal without the team member input. Appraisals processed more than six months after the appraisal due date shall be considered past due and shall result in progressive disciplinary action being taken against the supervisor, as this performance impacts the team member and supervisor work relationship, but also the department budget that may be impacted by retroactive pay across budget years.

B. MERIT INCENTIVE PAY

When a team member exhibits exceptional work habits, performance, and/or efforts that positively impact ABC RESORT AND CASINO business operations, the department head may authorize a merit incentive pay, which is separate from the yearly performance appraisal. The department head shall provide written justification outlining the rationale for the adjustment and that the merit incentive pay is operationally sound and financially feasible. The request shall be submitted to HR who will provide a recommendation and process the request through the CEO.

C. FLAT CAP PAY

Team members performing at a satisfactory level or better during their annual performance appraisal whose rate of pay is “capped” under the salary range for their current position may be eligible for a flat cap pay.

Team members may be eligible for a flat cap pay when:

1) They receive a satisfactory (3) rating or better on their annual performance appraisal, and

1. They are employed in a position where they have hit the salary cap and will not receive a rate adjustment during the annual appraisal process, and
2. On the performance appraisal due date, the salary range for their position remains capped, and
3. They are not at an attendance level that prohibits an adjustment.
4. Team members who are within five cents (.05) of the salary cap during the annual evaluation and who are eligible for a rate adjustment as outlined above, shall be eligible to receive the flat cap pay for that evaluation period.
   * Example: A Cashier is currently at $12.30 hr., and the cap for this position is $12.33. This evaluation would provide a three cent (.03) increase to the cap AND the Cashier would be eligible for the flat cap pay for this evaluation period.

This pay will be a flat (after taxes) $500 payment provided during their annual appraisal due date, to compensate for their tenacity and loyalty in service provided ABC RESORT AND CASINO while capped. The team member will be eligible for a flat cap pay each year thereafter, as long as they remain eligible under the criteria outlined above.

Example: Blackjack Dealer with appraisal due in March:

* March 2015 – received a 3% adjustment to the salary cap
* March 2016 – salary cap remains the same so no pay increase provided, butthe Dealer may be eligible for a flat cap pay if meeting all the criteria described above.

3.04 SEPARATION OF EMPLOYMENT

When a team member must leave ABC RESORT AND CASINO for whatever reason, the Supervisor will initiate the separation process including forwarding the resignation notice, or if a termination, advising the team member of the termination action being taken and forward all supporting paperwork to HR for completion of the exit process.

There are two types of separation of employment – Voluntary or Involuntary. The type of separation may determine the team member’s status for rehire, eligibility to use the appeal process, and the final pay check release. Final paychecks are issued on regular business days, which is the Monday through Friday administration schedule. Team members who leave ABC RESORT AND CASINO under adverse actions (quit, terminated) are not eligible for rehire without submission of a reconsideration letter as outlined in section 2.01 Employment Selection.

A. VOLUNTARY SEPARATION – When the team member initiates the separation from ABC RESORT AND CASINO and includes:

1. RESIGNATION - Initiated when the team member provides a written two week notification of their intent to leave ABC RESORT AND CASINO employment. Anything less, including a verbal notice, is classified as a “quit”. ABC RESORT AND CASINO expects the team member to perform job duties throughout the notice period, and reserves the right to implement an earlier effective date as determined by department management. The team member shall return all ABC RESORT AND CASINO property and issued items on the last day of work, and the final paycheck will be available on the following business day. All team member resignations are eligible to re-apply at any time. Team members wishing to rescind their written resignation must do so in writing, but the decision to accept or deny the request is at the discretion of the department head in consultation with HR.
2. QUIT - Employment separation initiated by the team member when the team member fails to provide a written 2 week notice and/or abandons their job without notice (walking off the job.) Upon return of ABC RESORT AND CASINO property and issued items the final paycheck will be available within five (5) business days, or pay day, whichever occurs first.

B. INVOLUNTARY SEPARATION – When ABC RESORT AND CASINO initiates the employment separation and includes:

1. TERMINATION -ABC RESORT AND CASINO initiates the separation of employment of the team member whether at will, for unsatisfactory performance, or other violations of policies or procedures. The team member shall return ABC RESORT AND CASINO property and issued items and the final paycheck will be available within 24 hours, or if a weekend, on the following business day.

Team members terminated may reapply to ABC RESORT AND CASINO after six (6) months. Team members who have two (2) terminations within a twelve (12) month period must wait one (1) year before being considered for re-employment.

Terminations Ineligible for Rehire - Team members terminated under the following conditions shall not be eligible for rehire at ABC RESORT AND CASINO. These conditions include, but are not limited to: theft, fraud, assault, harassment, or similar such violations, including team members who quit while under investigation for any of these factors. Team members in this category may seek reconsideration for hire by submitting a written appeal to the CEO, who will review the circumstances of the termination, the content of the appeal letter, review of appropriate policy and procedures, and who shall issue a decision to allow or deny reconsideration, and any restrictions that may apply.

2. EMERGENCY HIRES (EH) – Team members who successfully complete the employment period that they were hired to fill on an emergency basis shall have their final paycheck available on the following business day. Emergency hires in this category are considered to be in good standing and are eligible for rehire.

3. REDUCTION IN FORCE (RIF) – in periods of business decline, ABC RESORT AND CASINO may implement a reduction in its workforce as directed by the CEO. When a reduction is necessary, the department head will determine the staffing needs and based on job merit, team member performance, tribal preference, seniority and employment classification, determine which team members shall be released. A two week written notice will be provided the team member. Severance pay may be available for F/T team members who are subject to a RIF, as determined by the CEO

4. LICENSE REVOCATION – Team members working in a position requiring a gaming license and whose gaming license is denied or revoked after issuance by the Tribal Gaming Commission, will be subject to immediate termination.

Team members transferring to a position requiring a higher licensing level may, if their license application is denied, be considered to continue employment at a lower license level when approved by the department head for an existing vacant position and the gaming commission if a gaming position.

C. EXIT PROCESS

Once HR receives a notice of separation and all supporting documentation, a notice to payroll will occur to process the final paycheck. HR will administer the exit process including accepting the return of ABC RESORT AND CASINO property and issued items, conducting an exit interview and releasing the final paycheck.

The team member is responsible for returning all ABC RESORT AND CASINO property and issued items, including uniforms, gaming license or identification badge, policy and procedural handbooks, keys, cellular phones, radios, locker locks, computer equipment and other items assigned. Items not returned may be charged to the team member and withheld from their final paycheck.

This withholding from the final paycheck also applies to any regular deductions the team member has authorized or incurred, i.e., 401(k), relocation funds, outstanding licensing fees, dependent benefit payments, travel advances, NSF checks, uniform deductions, tribal payments or Arrowhead costs the team member may have. In the event the final paycheck is insufficient to collect all costs due ABC RESORT AND CASINO, including Arrowhead, ABC RESORT AND CASINO may collect those unpaid costs upon rehire of the team member.

HR staff will conduct an exit interview where the team member is given an opportunity to share their experience with ABC RESORT AND CASINO, clarify personnel information to be shared with future employers, understand rehire and benefit continuation options and other concerns/questions the team member may have. All final paychecks and tips will be released through HR during the exiting process.

3.05 PERSONNEL INFORMATION AND FILES

HR maintains personnel information and data for ABC RESORT AND CASINO team members, including the hiring documents, personal information, position and pay, benefit enrollment, disciplinary actions, training, employment verifications, and other related documents.

A. PERSONNEL FILE

HR maintains the official personnel file for each team member of ABC RESORT AND CASINO, which includes employment information and actions taken.

Personnel files are the property of ABC RESORT AND CASINO and are maintained under a strict confidentiality and records management systems. Access to the information they contain is restricted and generally, only supervisors and management personnel with a legitimate reason to access information in a file are allowed to do so. All requests to review personnel files are made through HR, who will monitor information use and access.

A team member requesting to review their personnel file should schedule with reasonable advance notice, an appointment with HR. A HR representative will facilitate the review. Team members may request copies of their files with a written notice, and by paying twenty-five cents (.25) per page or twenty dollars ($20) for the file.

B. RECORDS ACCURACY

In compliance with the Immigration Reform and Control Act, employees are required to complete the Employment Eligibility Verification Form I‑9 and present documentation establishing identity and employment eligibility. The I-9 form must be retained for all employees, including maintaining valid identification. When an identification piece expires, HR will notify the team member that a valid identification is needed. The team member is required to provide a copy to HR within two weeks of notification.

C. EMPLOYMENT VERIFICATION & INQUIRIES

Only HR shall be authorized to respond to employment verification inquiries and requests on ABC RESORT AND CASINO team members, past or present. All such inquiries shall be directed to HR. In response to requests or inquiries, HR shall only confirm current employment status except where a current or former team member authorizes in writing, a release of additional information such as the dates of employment, position(s) held, and reason for leaving (voluntary or involuntary).

ABC RESORT AND CASINO shall comply with all requirements imposed by law to report information on its team members. ABC RESORT AND CASINO shall honor garnishment orders issued by the courts, including the ABC Tribal Court in compliance with the ABC RESORT AND CASINO Financial Responsibility Code. ABC RESORT AND CASINO shall honor child support and related enforcement orders as required under the ABC RESORT AND CASINO Family Law Code.

ABC RESORT AND CASINO team members shall not share any personal information about a ABC RESORT AND CASINO team member with anyone outside ABC RESORT AND CASINO. This information includes team members work schedules, personal phone numbers, addresses, etc. Team members releasing such information shall be subject to disciplinary action up to and including termination.

SECTION 4: TEAM MEMBER CONDUCT

4.01 TEAM MEMBER CONDUCT AND WORK RULES

To ensure orderly and lawful operations and to provide the best possible work environment, ABC RESORT AND CASINO expects team members to comply with all ABC RESORT AND CASINO policies, procedural manuals, codes, applicable laws and regulations to protect the interests and safety of the ABC RESORT AND CASINO, ABC RESORT AND CASINO, it’s team members and guests.

As ABC RESORT AND CASINO provides class II and III gaming, strict industry regulations require team members to carry out their job duties and conduct themselves in a manner that complies with the Tribal-State Compact, the Tribal Gaming Code, Tribal Gaming Commission regulations, the Indian Gaming Regulatory Act (IGRA) and National Indian Gaming Commission regulations as well as ABC RESORT AND CASINO internal controls and procedures.

It is not possible to list all the forms of behavior considered unacceptable in the workplace. The following is a non-exclusive list of examples of infractions or rules of conduct that may result in disciplinary action, up to and including termination of employment:

1. Violation of this ABC RESORT AND CASINO Team Member Handbook.
2. Any criminal act in the workplace.
3. Providing poor customer service and/or not maintaining service standards.
4. Working under the influence of alcohol, illegal drugs or misuse of prescribed drugs.
5. Theft, inappropriate removal, possession or defacing of property.
6. Unlawful possession, distribution, sale of alcohol or illegal drugs in the workplace, while on duty, or while operating employer owned vehicles or equipment.
7. Fighting, instigating or threatening violence in the workplace.
8. Disruptive activity in the workplace, including personal conflicts/issues brought into the workplace.
9. Any use of profane or abusive language.

#### Insubordination or other disrespectful actions or language to a supervisor.

1. Negligence or improper conduct leading to damage of employer, customer, or team member owned property.
2. Non-sufficient funds (NSF) checks written to ABC RESORT AND CASINO.
3. Disrespectful conduct to either guests or co-workers.
4. Violation of safety, security or health regulations.
5. Smoking in prohibited areas.
6. Soliciting gratuities from customers.
7. Sexual or other unlawful or unwelcome harassment
8. Malicious gossip.
9. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
10. Excessive absenteeism, absence without notice, or unauthorized absence from workplace or workstation during the workday.
11. Unauthorized or inappropriate use of computers, telephones, mail system, or other employer owned equipment.
12. Unsatisfactory job performance or personal conduct.
13. Bullying behavior is construed as actions that intimidate, belittle, or negatively target others in a personal manner.
14. Behavior or actions construed as retaliation or reprisal.
15. Loitering during breaks/meal periods in operational areas, or being in an unauthorized area during workday.
16. Unauthorized disclosure of business secrets, ABC RESORT AND CASINO personnel information or confidential information.
17. Unprofessional or undignified behavior of team members representing ABC RESORT AND CASINO, whether on duty or off duty, including comments made about ABC RESORT AND CASINO guests or team members on social network sites as defined in the Computer policy of this Handbook.
18. Team members are expected to comply with all applicable laws when performing their job duties.
19. Team members are expected to comply with the regulatory requirements of the gaming industry (IGRA, NIGC, Tribal Gaming Code, Tribal Gaming Commission regulations Tribal-State Compact, minimum internal controls), whenever they are on property whether on the clock or not.
20. Violation of ABC RESORT AND CASINO departmental and operating procedures.
21. When a team member is charged with any Tribal, State or Federal criminal offenses occurring outside of ABC RESORT AND CASINO raising a serious question about the team members ability to perform their job duties responsibly or posing a threat to the safety, security, fairness or integrity of gaming operations at ABC RESORT AND CASINO.
22. Providing false or inaccurate information or failing to provide pertinent information requested on a ABC RESORT AND CASINO application, licensing application or other document required or held by ABC RESORT AND CASINO.
23. Possession or use of personal cell phones or electronic devices while working, unless approved by their supervisor for ABC RESORT AND CASINO business needs.
24. Improper use of paid or unpaid leave.
25. Unprofessional or disruptive behavior, while a guest of ABC RESORT AND CASINO.

4.02 ATTENDANCE POLICY

A good attendance record is a vital part of a team member’s permanent personnel record and is considered in determining job advancement and salary increases. Absenteeism and tardiness seriously affect the team member’s job performance, the morale of co-workers who have to fill the absent team members role, and ABC RESORT AND CASINO business operations. As staffing schedules directly affect ABC RESORT AND CASINO guest service standards, team members are strongly encouraged to pre-plan leave.

ABC RESORT AND CASINO utilizes an attendance calendar as a tracking tool to document leave taken, to monitor leave requests, and to document team member attendance patterns. All absences and tardies will be processed as outlined below and applies to all ABC RESORT AND CASINO non-exempt team members.

A. TYPES OF ABSENCES – Whenever a team member is scheduled to work and doesn’t, one of the following absences will apply.

1. PRE-APPROVED ABSENCE is defined as any absence submitted at least 48 hours in advance on a leave form. The Supervisor shall review the request and reply within 24 hours of request, by returning the leave form advising if the leave request is approved or denied. If the request is submitted more than one month in advance, and dependent upon the reason for leave, the Supervisor may advise the team member that a decision on the leave request will be issued at least a month before the requested leave.

It is the Supervisors’ responsibility to ensure adequate staff coverage to meet ABC RESORT AND CASINO service needs, while responding to the team member’s request. It is the team member’s responsibility to ensure that leave is pre-planned and that it has been approved before taking the leave. If approved, the team members schedule will reflect approved leave. Absences not meeting these minimum timeframes will be considered an “unscheduled absence”. Leave approval may vary depending on the length of absence, the type of leave requested and the reason for leave, so the Supervisor should check the appropriate leave policy.

1. UNSCHEDULED ABSENCE is defined as anytime a team member is scheduled to work and who calls in that s/he is unable to work, is a No Call/No Show or when a team member reports to work and then requests permission to leave before they have completed the first half of their shift. Team members calling in on consecutive days for the same reason will only count for one absence, this includes team members who go home ill and who call in the next day still ill.

NO CALL/NO SHOW (NC/NS) is when a team member does not call or show as scheduled by the end of the first hour of their shift. Team members reporting to work after the first hour may be allowed to work for the remainder of the shift or sent home without pay, at the discretion of their supervisor. Team members will receive a final written warning for the first NC/NS. A second NC/NS in a 12-month period will result in termination. NC/NS are also considered and documented as an unscheduled absence.

Use of paid leave for the period of the unscheduled absence will be at the discretion of the supervisor, based on the team member’s leave use, attendance history or circumstances. Team members unable to work their scheduled shift due to a funeral, or for a qualifying FML absence, shall be charged with an “unscheduled absence due to funeral/FML” and if the team member reaches a 12th unscheduled absence/tardy, this incident shall not be counted toward their termination due to attendance. Absences due to the death of an immediate family member as defined in the funeral leave policy of this Handbook shall not be counted toward an unscheduled absence.

Each unscheduled absence shall be tracked on the attendance log and when a non-exempt team member reaches twelve (12) unscheduled absences in a 12-month period, s/he shall be terminated. Team members who reach an 11th level three times within a six (6) month period may be subject to reclassification to PT and placed on a reduced schedule.

3) UNACCEPTABLE ABSENCE ISSUES – The following attendance issues are examples considered unacceptable to ABC RESORT AND CASINO business needs and when they occur they are addressed through progressive discipline:

1. Calling in to say they will be in late and then not showing up.
2. Calling in to say they will be late and arriving more than an hour past their scheduled start time.
3. Calling in after leave has been denied for that time period.
4. Absence for a mandatory meeting or training
5. Unauthorized absence from the workplace or workstation during the work day.
6. Patterns of attendance that are detrimental to business such as calling in on the team members Friday or Monday, special events, holidays, etc.

Team members with unacceptable absence are subject to progressive discipline and may not use paid leave for the absence. Exempt team members assigned to work a specific shift who are absent without approved leave may be subject to progressive discipline.

CALL IN PROCEDURES

When a team member will not be reporting to work as scheduled they must contact their immediate supervisor using the established call-in process described by their department. The call-in procedure will differ depending on department operations and staffing needs, and may include a minimum of one (1) hour to four (~~4~~) hour notice, as established and advised by each department. A team member leaving a message with any other team member, or by not adhering to the call in process, will subject the team member to progressive discipline. A call initiated by the supervisor is not considered a call-in from the team member.

Call-ins are considered unscheduled absences, and are documented as outlined above.

ABSENCE ON HOLIDAYS/SPECIAL EVENTS

Due to holidays and special events being high business days, staffing needs remain critical. Each department is responsible for advising team members of designated special event days at least five (5) days in advance through schedule markings, memo postings, etc. The following disciplinary measures will apply to unscheduled absences during these times.

1. UA on ABC RESORT AND CASINO holiday - no holiday pay received
2. Call in during an identified special event - progressive discipline applied

B. TARDY is defined as clocking in after the scheduled start time and before the end of the first hour. Team members reporting to work after the first hour will be considered an “unacceptable absence” and allowed to work at the discretion of their supervisor. As tardiness is unfair to business operations and other team members who cover the shift of the tardy staff, team members are strongly encouraged to notify their supervisor of any delay in their arrival. Team members are not able to use paid leave when reporting to work tardy.

Tardies will not apply to team members who are called in to fill an emergency scheduling need, whether on their day off, or through a schedule change.

Each tardy is tracked on the attendance log so that when a team member reaches twelve (12) tardies within a 12-month period, s/he would be terminated. Team members who reach an 11th level three times within a six (6) month period may be subject to reclassification to P/T and placed on a reduced schedule**.**

In support of team members reaching the workplace safely during extremely adverse weather including emergency road closures, the CEO or designee, may waive assignment of any tardies by providing a written notice identifying the time period affected. The tardy will be documented on the attendance log with a notation that it is “weather” related. In the event the team member reaches 12 tardies within a 12 month period, this incident shall not be counted toward their termination due to attendance.

C. ATTENDANCE TRACKING

Every department will maintain an attendance log where all absences and tardies shall be tracked for non-exempt team members. One side will be a calendar to chart all absences, and the reverse side will be an Unscheduled Absence/Tardy /NC/NS log to record all unscheduled absences and/or tardies. Information recorded will include reason, date and length of absence that both the team member and supervisor will be required to initial following each incident.

D. ATTENDANCE DISCIPLINARY ACTIONS

1. NON-EXEMPT TEAM MEMBERS - For each unscheduled absence or tardy, the following steps will be documented and used when the non-exempt team member reaches these levels:

Sixth incident Verbal Warning

Ninth incident Written Warning/No appraisal rate adjustment, merit or

flat cap pay, and possibly no incentive program pay.

Eleventh incident Final Warning

Twelfth incident Termination

Unscheduled absences and tardies are considered separate incidents and are tracked on a rolling 12-month period. Team members who are at the ninth (9th) level or higher on their annual performance review due date will not be eligible for an annual performance rate adjustment, merit incentive pay, flat cap pay or possibly no incentive program pay.

At the discretion of the supervisor, negative workplace practices such as excessive absenteeism or tardiness, may subject a team member to a schedule change, demotion from a dual or supervisory position, or a reclassification of the team member to a part-time status.

2. EXEMPT TEAM MEMBERS

In regard to exempt team members, where disciplinary actions tied to time tracking may violate their exempt status, progressive discipline is available to address attendance issues that impact the team members job responsibilities/functions, or ABC RESORT AND CASINO operations. Exempt team members are often assigned to work specific shifts/hours and when coverage of the assigned shift is lacking due to the team member’s absence, or, exempt team members who abuse their exempt status by routinely working partial days while still receiving full salary, ABC RESORT AND CASINO may apply progressive discipline to refocus the team member on the work expectations and responsibilities.

ABC RESORT AND CASINO reserves the right to review each situation on a case-by-case basis. The department head, in consultation with the HR Director, shall review and respond to the specific attendance situation.

4.03 PERSONAL APPEARANCE STANDARDS

Dress, grooming, and personal cleanliness standards contribute to the morale of all team members and affect the business image ABC RESORT AND CASINO presents to customers and visitors.

While on duty, team members are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

A. UNIFORMED TEAM MEMBERS

Team members working in positions requiring uniforms will be issued standard wear items that may include a shirt, vest, slacks, hat, belt, apron, etc. Uniformed team members shall wear pressed black or khaki slacks, black socks and shoes, as established by the department. A black skirt may be worn and at a length no more than three inches above the knee. No hats are to be worn inside unless required for safety or sanitary reasons by the enterprise/division head, and then only ABC RESORT AND CASINO issued hats may be worn. Team members working outdoors under hot climatic conditions may be allowed to wear black or khaki shorts when permitted by their department head. Jeans may be allowed for positions whose job includes daily heavy cleaning or maintenance, as permitted by the department head.

Team members are responsible for maintaining these uniform standards.

All ABC RESORT AND CASINO issued uniforms are the property of ABC RESORT AND CASINO and can be worn only during actual work hours. No alterations are allowed to any ABC RESORT AND CASINO issued uniform items. Uniforms returned that have been altered shall be considered unusable and charged to the team member.

B. NON UNIFORMED TEAM MEMBERS

Non uniformed team members shall maintain a professional appearance at all times and dress appropriate for the job, including clean, pressed slacks, shirts, skirts/dresses, business suits, etc. At no time shall jeans, tee shirts, tank tops, ill-fitting clothing, sweat suits or shorts be allowed. Stretchy spandex or nylon type leggings may be worn with a shirt/skirt covering that reaches to the fingertips. Jeans may be worn when authorized by the department head for unusual job tasks or during special events or promotions when authorized by ABC RESORT AND CASINO management. Team members working under hot climatic conditions may be allowed to wear shorts when permitted by their department head.

C. EXPECTED STANDARDS OF APPEARANCE

The following outline of expected standards is provided to guide a consistent presentation of the ABC RESORT AND CASINO team.

Expected standards of appearance in the workplace include:

* Appropriate daily hygiene practices
* Clean, pressed clothing
* No distractive markings (hickeys, facial bruises,)
* Hair must be clean and well groomed
* No unnatural hair color or extreme styles
* Job safety may require restrictions with hair, shoes, clothing, etc.
* Mustaches/beards - must be clean and neatly trimmed
* No sun glasses worn indoors
* No excessive, offensive or “fad” style jewelry, including facial and visible body piercing
* The only pierced jewelry allowed is that worn on ear lobes
* Tattoos may require covering measures depending on job position
* Only ABC RESORT AND CASINO issued recognition buttons/pins allowed
* No personal cell phones carried/used during working hours unless ABC RESORT AND CASINO issued for business needs
* No personal listening/entertainment devices allowed for team members working in public areas during working hours
* Items that may be offensive or distract from the uniform or professionalism of the position, as determined by the department head

D. BODY LANGUAGE - Team members are reminded that their body language and actions can speak louder than words, and to be aware of their behavior at all times while on duty.

Team member conversations in or adjacent to public areas may appear innocent, but if they are complaining about their schedule, a co-worker, policies, etc., this behavior reflects poorly on both the team member and ABC RESORT AND CASINO. Team members are advised to keep personal issues personal and addressed in the correct forum, and to display a positive, professional demeanor for our guests and co-workers at all times.

E. CORRECTIVE MEASURES – The supervisor is responsible for ensuring compliance with these appearance standards and shall address the area of concern with the team member, including counseling, sending the team member home or other measures intended to promote acceptable standards. Team members who fail to maintain an acceptable appearance are subject to progressive discipline, up to and including termination.

4.04 UNLAWFUL HARASSMENT AND DISCRIMINATION

ABC RESORT AND CASINO commits to providing a work environment free of discrimination and unlawful harassment from either team members and/or guests. There shall be no tolerance of actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, sexual orientation or any other characteristic.

A. FORMS OF HARASSMENT

Harassment, sexual or otherwise (both overt and subtle) and bullying are forms of team member misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

When team members experience discomfort with any words or actions used, they should first address the issue directly with the person responsible for the offending act or words. If the action continues, or is of such a nature the team member feels intimidated by the action, the team member should immediately report the incident to their supervisor.

B. REPORTING HARASSMENT

Any claims of harassment must be reported to the supervisor, department head or HR as soon as possible or within five (5) days of occurrence. The supervisor will immediately contact HR for assistance in conducting an investigation.

The investigation must be conducted within ten (10) days, when a summary of facts and findings will be shared with the department head who in conjunction with the HR Director and the enterprise/division head, will render a decision and take the appropriate disciplinary action.

C. RETALIATION/REPRISAL

Team members can raise concerns and make reports without fear of reprisal. If, after filing a harassment claim or following any disciplinary action administered in response to the claim, a team member is subjected to acts of retaliation or reprisal, they should immediately report it to HR or any member of management. Acts of reprisal or retaliation will not be tolerated in any form and will result in disciplinary action up to and including termination.

4.05 DRUG AND ALCOHOL FREE WORKPLACE

While on ABC RESORT AND CASINO premises or while performing job duties off the premises, no team member shall use, consume or be under the influence of alcohol, or use, possess, distribute, sell, or be under the influence of illegal drugs. The use of prescribed drugs may be permitted only if it does not impair a team member’s ability to perform the essential functions of their job in an effective and safe manner. It is the team member’s responsibility to immediately inform their supervisor of any prescribed medications that may impact their performance.

A. DRUG AND ALCOHOL TESTING

Drug and Alcohol testing shall be administered through HR who conducts all pre-employment and random testing, while Security conducts all for-cause and post-accident testing. ABC RESORT AND CASINO utilizes an on-site screen device, from which positive drug screens are sent for confirmation to a certified laboratory and Medical Review Officer (MRO), and positive alcohol screens are confirmed with a Blood Alcohol Confirmation (BAC) through the ABC Tribal Police Department (UTPD).

ABC RESORT AND CASINO shall maintain a program of alcohol and drug testing as follows:

1. PRE-EMPLOYMENT DRUG TESTING is conducted for applicants considered for employment. Any offer of employment shall be contingent on the applicant passing a drug screen with a negative result.
   1. If the applicant tests positive for marijuana only, they will be advised that due to changes in State marijuana laws, they are being moved forward as eligible for hire, BUT advised that ABC RESORT AND CASINO does not recognize this legalization within the workplace and once on board as an employee IF they test positive for marijuana under a for cause or post accident testing, they are subject to the ABC RESORT AND CASINO policy that prohibits such drugs.
2. REASONABLE SUSPICION/FOR CAUSE TESTING is conducted when a team member is suspected of being under the influence of alcohol and/or drugs while on duty and includes both a urine drug screen and an alcohol saliva screen being used.
3. POST ACCIDENT/INJURY/INCIDENT TESTING is conducted whenever the following occur and requires both a urine drug screen and an alcohol saliva screen being used:

* there is an on-the-job injury requiring medical attention beyond simple first aid
* when the injury/incident interrupts the team members ability to work
* for all accidents that damage property
* when a team member driving a vehicle on ABC RESORT AND CASINO business is involved in an accident
* if the injury or incident involves more than one team member~~s~~, both team members will be tested

Team members who refuse medical attention when it is evident that attention is needed as determined by both their supervisor, the Security Supervisor, or by an EMT, may impact their eligibility to file a worker compensation claim.

Team members confirmed with a blood alcohol content (BAC) at or above .02 are considered not fit for duty and considered a positive for alcohol. Team members testing at or above .08 percent, the tribal/state level for driving impaired,

shall be prohibited from driving themselves home. Either the team member can

arrange for transportation or ABC RESORT AND CASINO Security shall transport. Team members who

refuse the transportation offer and drive off in their personal vehicle will be reported to ABC Tribal Police for driving while impaired.

4) RANDOM TESTING is used whenever a team member has previously tested positive for alcohol and/or drugs during a for cause or post accident incident. Random Testing can be administered by HR at any time, up to twelve (12) months following the positive result.

B. ACTIONS STEPS FOR POSITIVE ALCOHOL OR DRUG TEST RESULTS

1. Team members who refuse to sign an alcohol/drug testing consent release form, and/or who refuse to submit to a test as authorized by this Handbook shall be treated the same as a confirmed positive result.
2. Any team member testing positive under for cause or post accident/injury/ incident, will be suspended without pay until the test results are confirmed.
3. New team members having a confirmed positive during their probationary period shall be terminated from employment.
4. Except for new team members during their probationary period, a positive result from the drug or alcohol test will result in the team member being required to seek rehabilitation or recovery. Team members testing positive shall be subject to random testing upon their return from rehabilitation, or following disciplinary action, for up to 12 months. The team member must consent to the random testing and must authorize the release of treatment information/status to HR for continuation of employment. Team members testing positive more than once, or during a random test, are subject to disciplinary action, including termination.
5. Any team member terminated for a positive drug/alcohol test will be considered for re-hire only after providing documentation confirming that professional assistance has been sought and the treatment plan completed.
6. Except for team members being suspended for possession of alcohol or illegal drugs, team members whose test results are confirmed by the MRO as a “true negative” will be reimbursed for scheduled hours of work missed due to the temporary suspension. Team members whose results are confirmed as a true negative due to a prescribed medication that may impact their performance and who had not reported this use to their supervisor, will be reinstated to work without compensation for hours missed.

C. SUBSTANCE ABUSE TREATMENT LEAVE

Team members who feel they have a possible substance abuse problem are encouraged to address the matter before it negatively impacts their job and personal life.

1. Voluntary treatment leave - ABC RESORT AND CASINO will provide a leave of absence for substance abuse treatment, up to 60 days for self-referred team members. To qualify for a voluntary treatment leave of absence, the team member must have been employed at least one (1) year and have worked at least 1,250 hours.
2. Mandatory treatment leave – ABC RESORT AND CASINO will provide up to 30 days for mandatory treatment leave. To qualify for mandatory treatment leave the team member must have successfully completed their 90 day probationary period. A team member placed on a mandatory treatment plan must comply with the conditions of employment outlined in that plan, or they will be subject to termination.

Team members on an approved treatment leave of absence requires that the team member utilize applicable accrued leave before leave without pay applies. The team member shall be entitled to have their job retained, unless doing so would be detrimental to ABC RESORT AND CASINO operations, in which case a comparable position may be offered upon their return. If the team member fails to complete the voluntary or mandatory treatment for which leave is granted, the team member may be subject to disciplinary action up to and including termination. If terminated, ABC RESORT AND CASINO may seek repayment of the medical benefit premiums paid on the team member’s behalf during the leave period.

4.06 ILLEGAL ACTIVITIES

The integrity of ABC RESORT AND CASINO depends upon the conduct and trustworthiness of its team members. Team members having information about illegal actions or activities are expected to make reports without fear of reprisal, through any member of ABC RESORT AND CASINO management.

A. INTERNAL FRAUDULENT ACTIVITIES:

Team members suspected of fraudulent activities occurring within ABC RESORT AND CASINO may be subject to immediate suspension pending the findings of an investigation. This suspension may be with or without pay, depending on the circumstances or situation, as determined by the department head. If the investigation confirms illegal activities, the team member may be terminated and criminal prosecution initiated. If the charges are unfounded, the team member will be reinstated and may be entitled to back pay of wages for scheduled hours missed as determined by the department head.

Progressive discipline may be utilized for internal fraudulent activity, including team member counseling to correct fraudulent activities, such as non-sufficient funds (NSF) checks written to ABC RESORT AND CASINO. Team members with knowledge of fraudulent activities occurring within ABC RESORT AND CASINO and who fail to notify the proper authorities will be subject to disciplinary action up to and including termination of employment.

As outlined in this Handbook, ABC RESORT AND CASINO team members are expected to comply with applicable regulations, codes and policies whether off duty or on. Team members terminated for internal fraudulent or illegal activities, may also be subject to eviction from ABC RESORT AND CASINO property, as determined appropriate by the CEO.

B. EXTERNAL ILLEGAL ACTIVITIES:

Team members who are charged or arrested for any Tribal, State or Federal criminal offense should immediately report any such charges or actions to their department head who will gauge any impact to ABC RESORT AND CASINO, including any potential to threaten the fairness, integrity, security or honesty (FISH) of ABC RESORT AND CASINO operations or gaming activities or the team member’s gaming license. The team member may be suspended with or without pay pending a review of the circumstances. Based upon this review, ABC RESORT AND CASINO will determine the action to be taken, which may include reassignment, demotion or termination.

Team members charged or arrested for criminal charges that do not pose such a threat to FISH may be permitted to continue working at ABC RESORT AND CASINO at the sole discretion of ABC RESORT AND CASINO management

4.07 SOLICITATION/POSTINGS

In an effort to ensure a productive and harmonious work environment, ABC RESORT AND CASINO prohibits any solicitation or distribution of literature or goods in the workplace at any time, for any purpose. Under no circumstances will non-team members be permitted to solicit or distribute written materials or goods for any purpose on ABC RESORT AND CASINO property.

POSTINGS

A. Public/Official ABC RESORT AND CASINO boards - The posting of non ABC RESORT AND CASINO materials on company bulletin boards and walls is restricted. All posted material in public areas or boards shall be processed through HR, who shall review material, date stamp posting, and remove items not approved or expired.

ABC RESORT AND CASINO considers community involvement as one of our key success drivers and, to support this end, ABC RESORT AND CASINO will consider promoting events and activities by charitable or youth groups such as United Way, Red Cross, youth fund raising efforts, cancer walks, etc.

B. Department boards – Department heads will ensure compliance with this policy for bulletin boards or postings maintained within departments.

C. Acceptable types of ABC RESORT AND CASINO materials for posting - The bulletin boards and wall displays provide important ABC RESORT AND CASINO information, and team members should consult them frequently for:

* Internal memoranda
* Job openings
* Organization announcements
* Payroll information
* Benefits & Training information
* Special events or promotional information
* Applicable regulations and/or standards
* Community events as approved by HR
* Team member personal ads when approved by HR (seeking ride to work, personal items for sale, etc.) shall be displayed only on the board in the team member break room.

4.08 SECURITY INSPECTIONS

To maintain a work environment free of illegal drugs or alcohol, firearms, explosives, or other improper materials, ABC RESORT AND CASINO prohibits the possession, transfer, sale, or use of such materials on its premises, except for alcohol sales to patrons within ABC RESORT AND CASINO enterprises as permitted by ABC RESORT AND CASINO law. ABC RESORT AND CASINO requires the cooperation of all team members in administering this policy.

Desks, lockers, and other storage devices are provided for the convenience of team members but remain the sole property of ABC RESORT AND CASINO. Accordingly, if illegal activities are suspected, Security or the department head can inspect them and any articles found within them. This inspection may be performed with or without advance notice. Any ABC RESORT AND CASINO team member suspecting illegal activity shall immediately report this information to their Supervisor/Manager or any member of ABC RESORT AND CASINO management.

ABC RESORT AND CASINO prohibits theft or unauthorized possession of the property of ABC RESORT AND CASINO, team members, visitors, and customers. To facilitate enforcement of this policy, ABC RESORT AND CASINO management may inspect any property or persons on ABC RESORT AND CASINO premises, where ABC RESORT AND CASINO has a reasonable suspicion of illegal activities. If team members do not want their property or personal effects inspected, they should not bring them onto ABC RESORT AND CASINO’s premises.

4.09 PROGRESSIVE DISCIPLINE

Although ABC RESORT AND CASINO is an at-will employer where employment may be severed by either the team member or ABC RESORT AND CASINO with or without cause, ABC RESORT AND CASINO recognizes the benefits of progressive discipline as ensuring fair treatment of all team members and in making certain that disciplinary actions are prompt, appropriate and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the team member for satisfactory service in the future.

Progressive discipline means that with respect to most disciplinary problems, action may call for any of four steps. These steps are normally followed for the same infraction or collective behavior. If more than 12 months have passed since the last disciplinary action for a particular infraction, the process will start over.

Collective behavior may be considered under one category, such as when a team member displays disrespectful conduct to a co-worker and then disrespectful conduct with a guest – this is related behavior and does not require separate levels of disciplinary action.

A. STEPS OF PROGRESSIVE DISCIPLINE:

1. A VERBAL warning is the first step taken to identify a problem area or concern and to provide corrective counseling. This verbal warning is documented in writing.
2. A WRITTEN warning is used when the team member continues to exhibit unsatisfactory performance or behavior. This written counseling will document what has occurred and the corrective measures that have been taken to prevent re-occurrence.
3. DISCIPLINARY action is taken when the team member has been unsuccessful in following ABC RESORT AND CASINO expectations and directives. Disciplinary actions include a 1 to 3 day suspension without pay depending on the severity of the infraction, demotion, reclassification from F/T to P/T, shift change, placed on a disciplinary review period, or other actions as appropriate for the performance/behavior concern. Team members suspended for any reason are not allowed on the premises during their suspension unless pre-arranged through the department head.
4. The final stage will lead to TERMINATION of employment.

ABC RESORT AND CASINO recognizes there will be team member situations that are serious enough to waive the steps of progressive discipline and justify either a suspension, or, in extreme situations, termination of employment without going through the lower steps of progressive discipline, including but not limited to acts such as theft, fraud, assault, harassment, flagrant insubordination, disregard of job duties and other such violations.

ABC RESORT AND CASINO management reserves the right to depart from imposing progressive disciplinary measures in its sole discretion and may terminate at-will, with or without cause. Any at-will terminations sought outside the probationary period must be approved by the HR Director and the CEO. These at-will terminations are not eligible for the appeal process.

B. SUSPENSION WHILE UNDER INVESTIGATION

When a team member is the subject of an investigation for possible misconduct and placed on suspension with or without pay pending completion of an investigation, the period of suspension is not considered progressive discipline. Should the investigative findings confirm misconduct, the suspension period may then be used as progressive discipline. Should the investigative findings indicate no support for the allegations under investigation, the team member will be reimbursed for the suspension period and returned to work with no restrictions. When a team member refuses to comply with the investigation or quits while the investigation is in progress, the team member will be separated from ABC RESORT AND CASINO employment and will not be eligible for rehire.

C. SUSPENSION OF EXEMPT TEAM MEMBERS

ABC RESORT AND CASINO reserves the right to determine if and when corrective action will be used with exempt team members.

In the event an exempt team member is disciplined for performance/behavior, the following guidelines will apply:

1. 1 - 3 days suspension without pay when the team member violates a safety regulation or policy which may place ABC RESORT AND CASINO at risk of legal action/costs.
   * Example: Supervisor fails to respond to a report of a broken thermometer on the food cooler resulting in food temperatures falling below safety ranges creating potential risks of food poisoning and liability claims, and a cost of lost product.
2. 1 week suspension without pay for performance or behavioral concerns that reoccur after being addressed.

4.10 APPEAL PROCESS

Team members will make every attempt to settle their differences through team member-supervisor discussion as the very first step in the department chain of command. When team members experience disciplinary actions that the team member believes is in violation of ABC RESORT AND CASINO policy or procedures, the team member may utilize the Appeals process to appeal disciplinary actions taken.

A. ACTIONS ELIGIBLE FOR APPEAL:

1. Written warning issued under progressive discipline;
2. Reclassification from F/T to P/T status.
3. Adverse personnel actions, which include suspension without pay, demotion in position or pay, or termination of employment.

B. ACTIONS NOT ELIGIBLE FOR APPEAL:

1. Written warning level for an unscheduled absence or tardy
2. Suspensions issued under the variance policy, as variances are measurable operational standards
3. Suspensions issued for positive alcohol/drug tests
4. Termination of a new team member within their 90-day review period
5. At Will terminations
6. When a team member quits

C STEPS OF APPEAL

Team members who wish to file an appeal shall do so using the following steps and conditions. All appeals shall be in writing with the team member outlining the reason for appeal and the basis the team member feels the action was unwarranted or did not comply with ABC RESORT AND CASINO policy. All appeals shall be filed with HR who will administer the appeal process, including mailing the decision letter to the team member via certified mail.

Step 1. Disciplinary Action: The team member has five (5) calendar days from the date disciplinary action rendered to appeal the decision. The Department head shall respond to the appeal within ten (10) calendar days with a written decision that upholds or overturns the disciplinary action.

This is the final stage of appeal for written disciplinary or reclassification actions.

Step 2. Adverse Action: If the decision rendered in step 1 upholds an adverse

Action that is eligible for further appeal, the team member has ten (10) calendar days from the date the decision letter was mailed to file a Step 2 appeal. The appeal shall be filed with HR, which shall conduct an investigation and shall prepare a summary of findings within thirty (30) days. The HR investigative report and findings shall be provided to the enterprise or division head, or CEO as appropriate, who shall make the decision to uphold or overturn the disciplinary action.

This is the final stage of appeal if the CEO renders the Step 2 appeal decision.

Step 3 Final Review: If the decision in step 2 is upheld by an enterprise or division head, the team member has ten (10) calendar days from the date the decision letter was mailed to appeal to the final stage of review. This stage will be conducted by the CEO, who shall review all written materials used in each step of appeal, and who shall render a decision to uphold or overturn the disciplinary action.

SECTION 5: WORK CONDITIONS

5.01 SAFE AND HEALTHY WORKPLACE

To assist in providing a safe and healthy environment for team members and customers, ABC RESORT AND CASINO promotes safety policies and practices that alleviate risk of injury or exposure to hazardous conditions. The following sections outline these programs and plans and shall guide team members in maintaining a safe workplace.

A. ABC RESORT AND CASINO SAFETY POLICY – ABC RESORT AND CASINO has established a workplace safety program, entitled the ABC RESORT AND CASINO Safety Policies and Procedures Plan that the ABC RESORT AND CASINO Compliance department is responsible for implementing, administering and evaluating. Each department maintains a desk copy of this plan. These policies will be monitored by a Safety Committee, a group of team members assigned from various departments, who meet regularly to discuss safety concerns, identify potential hazards, conduct inspections and share information with ABC RESORT AND CASINO departments.

B. WORKPLACE SAFETY

The success of workplace safety depends on the alertness and personal commitment of all team members. Each team member is expected to obey safety rules and to exercise caution in all work activities. Departments will provide safety training and guidance to team members upon hire and as needed to maintain safety knowledge and practices. Team members must immediately report any unsafe conditions to their supervisor who will act to correct the hazard appropriately. Team members who violate safety standards, cause hazardous or dangerous situations, fail to report, or, where appropriate, remedy such situations, may be subject to disciplinary action.

In the case of accidents involving team members or guests that result in injury or illness, regardless of how insignificant the injury or illness may appear team members shallimmediately notify their supervisor who will initiate an injury/illness report with the Security department. Such reports are necessary to comply with applicable laws and to initiate insurance and workers' compensation benefits procedures. The Tribal Worker Benefit Code, which applied to all ABC RESORT AND CASINO team members, requires that on the job injuries be reported to their supervisors within three days.

C. SAFETY TRAINING

ABC RESORT AND CASINO will promote training on a variety of topics to facilitate safety knowledge, outline safety standards and practices and comply with applicable laws and codes. Training may include:

1. General Safety training – Provided during new hire orientation and as needed by specific departments to ensure team members are aware of general safety practices such as proper lifting, MSDS forms, safety signage, preventing slips, trips and falls, means of egress, reporting an injury, and other common safety standards.
2. Department Safety Training – All departments will review with each new hire, the safety hazards and risks associated with the job position, outline the operational safety standards expected and monitor performance of those standards.
3. Food Handlers/Serv-Safe – These programs ensure that food items are handled safely and appropriately. Team members performing such functions shall be required to obtain and maintain these certifications. ABC RESORT AND CASINO provides training opportunities on a regular basis for new hires and renewal certificates and it is the team member’s responsibility to keep their Food Handlers or Serv-Safe certificate current and failure to do so may result in disciplinary action being taken.
4. Alcohol Service – ABC RESORT AND CASINO promotes the responsible sale and consumption of alcohol through responsible alcohol service. Alcohol sales and service require all ABC RESORT AND CASINO team members to ensure that applicable laws, agreements, licenses and policies are complied with. All team members authorized to serve alcohol will possess a valid OLCC server’s permit or obtain a permit within thirty days of hire. Team members may be subject to periodic training to ensure that all laws and policies are understood and upheld. The ABC RESORT AND CASINO Alcohol Service Policy and Procedure Manual will be provided to team members engaged in alcohol sales and service and provides all details for responsible alcohol service.
5. Safety training will be provided annually and may include: Exposure Control plan, Hazardous Communication, Electrical safety, Emergency Evacuation, Ergonomics, Crisis Management plan and other safety related topics.

D. MEDICAL CONDITIONS & ILLNESSES

Team members with any irregular medical conditions or possible exposure to a contagious illness or communicable disease must report this information to their supervisor or the HR department as soon as the condition is known.

It is the team member’s responsibility to adhere to any medical restrictions or directives issued by their treating physician. Team members on leave for these conditions will be required to provide a doctor’s note with any medical restrictions during the absence period.

Working in a people focused environment may result in exposure to illness, so team members are reminded to practice good hygiene habits at all times that reduce exposure and health risks such as frequently washing their hands, covering their mouths when coughing/ sneezing, staying home when ill, following doctors’ orders, etc. In the event of a pandemic illness and the potential impact a mass exposure might have on ABC RESORT AND CASINO, team members will be expected to stay home when ill. ABC RESORT AND CASINO management will post a notice when a pandemic exposure period is in place.

Information regarding a team member’s medical condition or history is maintained separately from the personnel file under strict confidentiality and limited access guidelines. Team members presenting medical documents for employment related issues should submit the document to their supervisor. The supervisor will take appropriate steps to address the issue and then will forward the medical documents to HR for the team member’s file. Departments will not retain copies of these documents.

Team members with life threatening illnesses, such as cancer, heart disease, HIV and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. ABC RESORT AND CASINO supports these endeavors as long as team members are able to meet acceptable performance standards. As in the case of other disabilities, ABC RESORT AND CASINO will attempt to make reasonable accommodations to allow qualified team members with life threatening illnesses to perform the essential functions of their jobs. However, when a team member’s illness or condition prevents the team member from performing their job duties, ABC RESORT AND CASINO will take appropriate personnel action including demotion, reclassification, transfer or termination, as deemed appropriate by ABC RESORT AND CASINO.

5.02 WORK SCHEDULES

Work schedules are developed according to business staffing needs and will vary by department needs. Schedule variations may include scheduled workdays, the length of the workday, shift changes, and holiday schedules.

A. SCHEDULE STANDARDS

To implement a standard measure of the workday and workweek, the following guidelines shall apply:

1. WORKDAY – The ABC RESORT AND CASINO workday begins with graveyard as the first shift of the day, and ends with swing shift. There will be fluctuations between starting times across shifts and to ensure a consistent understanding and application of the time clock system, the following format will apply for scheduling:
   1. Graveyard – scheduled to start at 11:00 pm or later. Any scheduled start times before 11:00 pm shall be applied as a swing shift.
   2. Day shift – generally scheduled to start at 7:00 am, give or take an hour
   3. Swing shift – generally scheduled to start at 3:00 pm, give or take an hour.
2. WORKWEEK – The ABC RESORT AND CASINO work week starts with graveyard shift on Monday and ends with the swing shift on Sunday.
3. DAILY HOURS – Dependent on staffing needs and team member classification, scheduled hours will vary from five (8) hour days or four (10) hour days for F/T team members to less than (30) hours a week for P/T team members.

B SCHEDULE POSTING

Regular schedules for team members will be posted at least five (5) days prior to effective date and based on staffing needs may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Schedules vary by department needs and staffing levels. Some schedules stay consistent for months, while others change weekly. It is the team member’s responsibility to know when they are scheduled to work and what the department reporting guidelines are, so contact your supervisor for schedule posting times, rotation, leave request format, etc.

When schedules are changed after regular posting, the adjusted schedule will be posted and the supervisor must immediately notify those team members affected. If an affected team member is not notified of a schedule change, they will not be subject to disciplinary action. Team members are allowed in team member areas only when they are on the clock.

ABC RESORT AND CASINO recognizes that team members have personal lives and pursuits outside ABC RESORT AND CASINO, and whenever possible and when business allows, will strive to accommodate specific scheduling requests, i.e., for religious beliefs, family care needs, etc. ABC RESORT AND CASINO promotes flexibility with team member scheduling, but requires first and foremost, that schedules reflect the service standards required for their job positions and for ABC RESORT AND CASINO business.

C. EARLY OUTS

As business dictates, such as very slow business days with limited guests, non-exempt front line team members may be asked to shorten or adjust their workday at the discretion of their supervisor or manager. The supervisor shall administer these “early out” periods equitably, with the team member electing to use available vacation leave or LWOP for early-outs of thirty (30) minutes or more. Early outs are allowed only for slow business days and not for personal leave needs, which is handled under pre-approved leave.

D. TRAVEL TIME

When team members are scheduled away from the workplace for ABC RESORT AND CASINO business, travel time will be paid as outlined in the ABC RESORT AND CASINO Non-Gaming Operational Manual.

5.03 OVERTIME

ABC RESORT AND CASINO is a 24 hours/7 days a week customer driven business and as such may require team members to work overtime hours at the discretion of their supervisor. Overtime compensation is paid to all nonexempt (hourly) team members. Overtime pay is based on actual hours worked above the 40-hour work week and paid at time-and-a-half the team member’s regular rate of pay. Team members with more than one rate of pay (dual rates) shall be paid overtime at the weighted average.

Overtime is mandatory and whenever possible, advance notice of scheduled overtime will be provided by the supervisor who will distribute an overtime assignment as equitably as possible to team members qualified to perform the work.

A team member may be disciplined for any of the following:

* Failure to work scheduled overtime
* Failure to work unscheduled overtime when required by business needs
* Working overtime without receiving prior authorization

5.04 REST AND MEAL PERIODS

Team members are provided rest and meal “breaks” during the workday to take care of personal needs, eat, or rest. These break periods will vary by department operational needs and team member status. The following guidelines provide rest and meal break requirements for non-exempt team members.

A. REST PERIOD BREAKS - Each workday, team members working 8-hours or more a day, are allowed two (2) rest period breaks consisting of a 15-minute break  before and after their lunch period. Team members working a 6-hour, but not less than a four-hour day, are provided with at least one 30-minute lunch break period.

Unused break periods may not accumulate, nor can break and meal periods be combined to shorten the workday. Supervisors will advise team members of the break period length and schedule.

For front line workers in high guest service areas, breaks will vary greatly, based on department and job function. For some positions, breaks are short and frequent, and others, less frequent and longer, as business dictates.

B. MEAL BREAK –Team members working 6-hours or more a day, are allowed a thirty (30) minute lunch period. Unused meal break periods may not accumulate, nor can break and meal periods be combined to shorten the workday. Supervisors will advise team members of the meal break schedule.

To maintain ABC RESORT AND CASINO service standards and ensure that team members receive timely break and meal periods, team members must not be absent from their workstations beyond the allotted break/ meal time.

Team members may take breaks in designated team member areas and are not to take breaks in other department or public areas.

Whenever team members leave the ABC RESORT AND CASINO workplace for personal reasons, including rest or meal breaks, they must clock out when doing so.

C. PAID MEAL PERIOD

Because ABC RESORT AND CASINO operates on a “business dictates” mode where team members may be required to shorten their meal period to care for our guest service needs, ABC RESORT AND CASINO provides a paid lunch break for team members, except for ATP team members. This paid lunch allowance is 30 minutes and is based on staffing and business needs and requires team members to remain on the premises. Departments may opt for a non-paid lunch and allow team members to clock out and leave the premises for the established lunch period. This schedule policy must be pre-approved by the enterprise or division head and the CEO before implementation.

E. MEAL PROVIDED

Implemented to provide a quick meal break to keep our team members readily accessible to our guests service needs, the casino provides a team member café where team members receive one complimentary “lunch” meal while on shift. Team members are reminded that ABC RESORT AND CASINO operates on staggered schedules including meal periods, so taking only one meal and serving will ensure other team members have food available when their break occurs.

Team members are asked to eat their meals in the café and not to remove food from the café, including placing café food containers in their lockers, in food coolers, etc. ATP team members are allowed to pick up and take their lunch meal to the ATP break area. ABC RESORT AND CASINO reserves the right to adjust the team member meal format, based on space to accommodate team member meals, usage and costs. A nominal fee may be assigned as determined by ABC RESORT AND CASINO management.

F. OTHER MEAL OPTIONS

Team members may elect to bring a lunch from home, or may purchase items from the vending machines or other ABC RESORT AND CASINO food outlets.

ABC RESORT AND CASINO’s food & beverage facilities are geared to cater to the needs of the ABC RESORT AND CASINO guests so team members may be restricted from using these establishments during work hours based on business. The restaurant facilities may be used by ABC RESORT AND CASINO staff for business related events (business meals/meetings).

5.05 PARKING

All ABC RESORT AND CASINO team members reporting for duty must use designated team member parking areas. These areas are easily accessible to the team member entrance and do not interfere with customer access areas.

Team members may park only in the areas marked as such and at no time shall team member’s park or sit idling in areas designated for deliveries and emergency vehicles, including the team member entrance which has a lot of pedestrian traffic. Team members should also refrain from parking in reserved spaces, i.e., Handicapped, Team Member of the Month, Hotel parking lot, and the Visitors parking spaces.

As the parking area services team members, vendors, applicants and emergency personnel, it is crucial that defensive driving and safety practices are followed at all times. Speed limits are posted to prevent accidents or injury and any violations should be reported promptly to Security personnel.

Security personnel have the responsibility to monitor team member and guest parking areas, and as such may approach team members who exhibit risky traffic behavior. This behavior includes speeding, failing to obey stop signs, reckless driving, or parking in the fire or other no parking zones. Upon notice of a traffic safety infraction, the department head will initiate progressive discipline to deter the team member from further traffic hazards.

To ensure that all personal property is secure, team members are asked to lock their vehicles at all times, as ABC RESORT AND CASINO is not responsible for any loss or damages incurred. It is also recommended that items of considerable worth not be stored in the vehicle, as this may invite vandalism.

Team members witnessing any suspicious individuals or activities in the parking lot should report this immediately to Security personnel.

5.06 SMOKING

In keeping with ABC RESORT AND CASINO’s intent to provide a safe and healthful work environment for all team members, smoking, including e-cigarettes/vapor devices, or use of chewing tobacco in the workplace is restricted to the following designated areas and times:

* In the break area designated for team members
* Smoking/chewing is permitted only during a team member’s scheduled break
* Team members working outdoors may not smoke/chew while working
* Team members on duty will not be allowed to smoke/chew in any public or guest

service areas, including the restaurant, casino, hotel, Cineplex, building lobbies, exterior entrances, in ABC RESORT AND CASINO vehicles, etc.

* All team members utilizing the smoking/chewing privileges are required to maintain

the cleanliness of these areas.

* Failure to comply with this policy will result in disciplinary action.

Team members are reminded that this policy respects the rights of team members to smoke, but in the event that smoking habits become intrusive or disruptive to other team members, to ABC RESORT AND CASINO business, or is conducted in violation of this policy, ABC RESORT AND CASINO may eliminate team member smoking areas entirely.

5.07 USE OF ABC RESORT AND CASINO EQUIPMENT AND VEHICLES

When using ABC RESORT AND CASINO property team members are expected to exercise care, perform required maintenance, follow all operating instructions and safety standards. Prompt reporting of damages, defects, and the need for repairs prevent deterioration of equipment and possible injury to team members or others. The supervisor is responsible for training and answering any questions about a team member’s responsibility for maintenance and care of equipment or vehicles used on the job.

A. DRIVER REQUIREMENTS & COVERAGE

Team members using any vehicle on ABC RESORT AND CASINO business, must have a valid state driver's license and be covered by their own automobile insurance policy. Drivers operating ABC RESORT AND CASINO vehicles must also be listed on ABC RESORT AND CASINO’s insured driver’s list, which is maintained in HR. If team member is excluded from the driver’s list as uninsurable under ABC RESORT AND CASINO policy, the department head will review the impact of this exclusion in relation to the team member’s position. If operation of a vehicle is a primary job function, the department head will immediately remove the team member from operating a vehicle and shall have two weeks to initiate one of the following:

* the team member may be accommodated to an existing comparable position within the department if they meet the qualifications for that position;
* the team member may apply to another position for which they qualify;
* the team member will be released from employment for failing to meet the qualifications of the job.

Authorized team members using their personal vehicles for ABC RESORT AND CASINO business will be reimbursed at the current mileage rate. Team members shall submit a Mileage Reimbursement form, which will detail each trip by date, mileage, destination and reason, to the department head. The manager will review the form and process appropriately. If reimbursement is in order, finance will issue a check to the team member.

While motorized equipment such as the golf carts, Kubota’s, gators, and other similar styles, do not require a driver’s license or insurance requirements, team members operating such equipment are moving between facilities on paved roads and parking areas and are expected to take all precautions to operate this equipment similar to a motor vehicle. Team members who violate safe operational practices shall be subject to disciplinary action, including removal from operating equipment. If operating this equipment is a requirement of the job, the team member will be subject to the options/ consequences listed above for licensed drivers.

B. EQUIPMENT USE

ABC RESORT AND CASINO equipment and materials are provided for business operational needs and team members are to refrain from using these for their personal use. This includes copiers, fax machines, computers, vehicles, office supplies, telephone/cell phones, tools and equipment.

Any misuse or abuse of company equipment, including improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

5.08 COMPUTER USE

ABC RESORT AND CASINO utilizes a number of technical and computerized systems to conduct business. This equipment is highly technical and costly, so proper operation and care should be taken at all times. All computers and associated peripherals are the property of ABC RESORT AND CASINO, including all files on any computer, and are subject to occasional inspections by the department head in conjunction with MIS. Team members having access to IT equipment and systems shall be required to review and sign acknowledgement of the MIS policy prior to access.

All messages created, sent or retrieved through ABC RESORT AND CASINO networks and systems are the property of ABC RESORT AND CASINO. Computers are not to be used to generate personal documents (letters, resumes, graphic designs, employment concerns, political documents, etc.,) solicitation or other unauthorized usage. No data is to be brought to, taken from, or installed on any computer by anyone other than MIS staff unless authorized.

A. PASSWORDS

Computer User ID’s and passwords are used to identify and protect access to ABC RESORT AND CASINO computer systems. User ID’s are generated by the user under MIS’s password software system and are not to be disclosed to anyone.

B INTERNET & SOCIAL NETWORKING

Internet messages are public communication and are not private. Internet activity and surfing habits may be monitored to ensure appropriate Internet use. Team member participation in newsgroups, chat sessions and e-mail discussion groups is permitted only when it is directly related to specific job duties. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

ABC RESORT AND CASINO recognizes the increased popularity of social networking sites such as Twitter, Facebook, Instagram, Snapchat, weblogs, LinkedIn, etc. ABC RESORT AND CASINO respects the right of team members to use such sites as a medium of self expression and communication. Team members are reminded that internet postings do not have an expectation of privacy and have the potential to reach a world wide audience and that careful consideration should be given about the type of information posted.

Access to and use of social networking sites using ABC RESORT AND CASINO equipment is prohibited unless directly related to the team members esssential job functions. Team members may access or use these sites on their personal devices during their personal rest or meal break periods, but if the use conflicts with their job duties the device may be prohibited.

Consistent with other ABC RESORT AND CASINO policies that protect ABC RESORT AND CASINO business operations and prohibit any form of harassment, team members who post offensive, sexually explicit, harassing or bullying behavior, or negative comments about ABC RESORT AND CASINO guests or team members on social network sites, shall be subject to disciplinary action, regardless of whether the posting was made from the workplace or outside work.

Only authorized team members may communicate on the internet on behalf of ABC RESORT AND CASINO. Team members who express opinions or personal views could be miscontrued as being those of ABC RESORT AND CASINO. Any postings should represent the team member only and should not create a conflict of interest or reflect poorly on ABC RESORT AND CASINO.

Inappropriate or unauthorized use of ABC RESORT AND CASINO computer equipment or internet usage, including social network postings about ABC RESORT AND CASINO guests or team members, may result in disciplinary action up to and including termination.

5.09 VISITORS IN THE WORKPLACE

To provide for the safety and security of team members and the facilities at ABC RESORT AND CASINO, only authorized visitors with a legitimate business need are allowed in the staff areas. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards team member welfare, and avoids potential distractions and disturbances.

When entering the casino, all visitors/vendors must immediately check in at the Security podium where a temporary visitor badge will be issued. Dependent upon the location of business, the visitor may be escorted to their destination.

Because of safety and security reasons, family and friends of team members are discouraged from visiting team members in the workplace. Family and friends are welcome as guests, but are not to visit extensively with team members they know. Team members are responsible for the conduct and safety of their visitors and are expected to inform their family and friends of this policy.

Off-duty ABC RESORT AND CASINO team members are treated as visitors and are not to be in any sensitive or team member only areas, including the team member café and break room. Team members seeing unauthorized persons in staff areas should immediately notify their supervisor or Security.

5.10 GAMBLING

ABC RESORT AND CASINO operates class II and III games, which require compliance with various regulations and authorities.

* Class II games include Bingo and Poker, where players must be at least 18 years of age.
* Class III games include Slots, Table games and Keno, where players must be at least 21 years of age.

A. TEAM MEMBER GAMBLING

ABC RESORT AND CASINO team members may gamble on the premises under the following conditions:

1. When not scheduled to work and/or on the time clock
2. When on pre-approved leave, but not on a day when they incurred an unscheduled absence
3. Team members shall not gamble in their uniform
4. Team members must park in the casino customer parking lot
5. Team members may not enter any team member work areas during their off-duty time

B. GAMBLING RESTRICTIONS

To protect the integrity of the games and the perception of team members having an unfair inside advantage, the following restrictions will apply to team members gambling at ABC RESORT AND CASINO:

1. Team members may not gamble in the area in which they work or have supervisory or signatory authority over.
2. Table games team members may only play poker
3. Security Officers – No Slots or Table games play, except for poker
4. Bingo – All ABC RESORT AND CASINO team members may play bingo except Bingo team members, Casino General Manager, CEO, Controller, Accounting Manager, Revenue Auditors, Compliance staff.
5. Club Wild – Club Wild team members may play any game, but they are not eligible to enroll in Club Wild.

At NO TIME shall any of the following team members gamble on the premises (unless stated as eligible to play Bingo).

CEO

Gaming licensed enterprise/division/department heads

Accounting

Compliance/Internal Audit

MIS

Manager on Duty (MOD)

C. GAMING PROMOTIONS

ABC RESORT AND CASINO team members may enroll in Club Wild and earn/ redeem points, but they are not eligible to receive comps based on play. ABC RESORT AND CASINO team members are not allowed to participate in any promotions or complimentary events based on play (Club Wild promotions); WAPs (wide area progressives), tournament play, with the exception of poker tournaments or where otherwise specified.

Team members who are directly involved with facilitating ABC RESORT AND CASINO promotions (issuing qualifiers, entry forms, etc.), and their immediate family members are not eligible to participate in ABC RESORT AND CASINO promotions. Third Party Vendor gaming promotions are promotions we contract out and whose rules and regulations apply. These promotions do not allow any ABC RESORT AND CASINO team member or their immediate family members (as that term is defined in Section 2.04) to participate. Rules for participation for Third Party promotions may vary, and the employee should refer to the official rules and internal fact sheets for any additional exclusion or restrictions.

It is the team member’s responsibility to notify their family members when they are not eligible to participate in a promotion. If a team member is chosen as a winner for any of these promotional plays they must identify themselves as an employee and not eligible. If any immediate family or household members are drawn for a promotional prize, they may be subject to having the prize award voided due to ineligibility.

Any team member violating this policy shall be subject to disciplinary action, up to and including termination. If management determines this policy too difficult to administer due to frequent and consistent violations, all gaming privileges for ABC RESORT AND CASINO staff may be revoked.

5.11 RESPONSIBLE ALCOHOL SERVICE & USE

ABC RESORT AND CASINO provides alcohol service to our guests and as such we have a legal obligation to ensure that our team members are properly trained to promote responsible alcohol consumption by ABC RESORT AND CASINO patrons through responsible alcohol service.

A. ALCOHOL SERVICE

ABC RESORT AND CASINO is committed to give our staff the necessary knowledge and skills to prevent alcohol sales to minors and visibly intoxicated persons.

Only the following ABC Resort and Casino team members are authorized to serve alcohol:

1. Team members who possess a valid OLCC server’s permit
2. Team members who have submitted a completed OLCC service permit application and successfully completed the training within thirty days of submitting their application

ABC RESORT AND CASINO team members serving alcohol must be at least 21 years of age and must maintain their OLCC server’s license during their ABC Resort and Casino employment involving alcohol sales or service. Team members shall keep in their possession their temporary or permanent server’s permit while engaged in the service of alcohol at ABC RESORT AND CASINO.

The following rules apply in accordance with the ABC RESORT AND CASINO Alcohol Service Policy and Procedure (ASPP) manual:

1. No service to persons under the age of 21 years
2. No ABC RESORT AND CASINO patron, visitor or team member shall be permitted to bring alcoholic beverages purchased outside of ABC RESORT AND CASINO onto or into ABC RESORT AND CASINO property.
3. If a guest is suspected of being a visibly intoxicated person, ABC RESORT AND CASINO staff will stop further service and make a good faith effort to stop the guest from driving a motor vehicle.

B. ALCOHOL CONSUMPTION BY TEAM MEMBERS

ABC RESORT AND CASINO team members 21years or older may purchase and consume alcohol at ABC RESORT AND CASINO venues when visiting ABC RESORT AND CASINO as a guest, under the following conditions:

1. When the team member is not scheduled to work, including volunteer work, nor on the time clock
2. When not wearing their uniform or badge;
3. When not restricted by their department as ABC RESORT AND CASINO departments reserve the right to prohibit their staff from consuming alcohol at ABC RESORT AND CASINO.
4. When behavior does not violate this ABC RESORT AND CASINO Handbook.

Team members who violate these policies, including being requested to leave ABC RESORT AND CASINO premises due to behavior related to alcohol consumption may be subject to disciplinary actions.

5.12 EMERGENCY PROCEDURES/CLOSINGS

At times, emergencies such as severe weather, fires, power failures, earthquakes or other natural disasters can disrupt ABC RESORT AND CASINO operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs, local radio and/or television stations will be asked to broadcast notification of the closing. The department head will implement the notification of staff of any closure or delay.

When the decision to close is made AFTER the team member's workday has begun, non-exempt team members will receive official notification from their immediate supervisor and will be paid for all scheduled hours that day. When the decision to close is made BEFORE the team member's workday has begun, time off from scheduled work will be unpaid, or the non-exempt team member may utilize available vacation leave to supplement their hours off. Exempt staff may be asked to work on a day when operations are officially closed.

SECTION 6.00 PAYROLL

6.01 TIMEKEEPING

Timekeeping is an important aspect to ensure that our team members are properly paid for hours worked and for monitoring compliance with ABC RESORT AND CASINO policy and other employment laws. ABC RESORT AND CASINO uses three modes to track non-exempt team members hours worked and includes the department schedule, the time clock and the sign in/out log.

A. TIMECLOCK

ABC RESORT AND CASINO utilizes a time clock to track non-exempt team member hours. Team members will use a biometric finger mode to clock in/out. The time clock is set up with a 15 minute window which allows team members to “clock in” up to 10 minutes prior to the start of the team member’s scheduled shift and “clock out” up to 5 minutes after the end of the shift. Any time clocked in outside this “window” may result in overtime. Team members clocking in/out beyond their regularly scheduled hours must have prior authorization from their supervisor or they are subject to disciplinary action.

Department schedules are loaded into the time clock system and initiate the 15 minute window. Once the schedule is loaded, time clock reports are available and used by the supervisor to track work schedules, exceptions, those approaching overtime, labor costs, leave use, etc. It is the supervisor’s responsibility to ensure that schedules are input and maintained in the time clock system. When schedules are not entered, there is no initiation of the 15 minute window so clocked time may incur daily overtime, as well as there being no schedule standard to measure compliance with the attendance policy. Supervisors who fail to maintain this policy will be subject to progressive discipline.

Exempt team members use the time clock strictly for recordkeeping purposes, not for pay purposes.

B. SIGN IN/OUT LOGS

ABC RESORT AND CASINO requires team members to sign-in/out at their designated work station as a back-up measure if the time clock goes down, and as a safety measure in the event an evacuation is necessary as the sign-in sheet would identify and help account for all team members currently on shift. It is recommended that team members keep a personal log of scheduled and actual hours worked for payroll discrepancies or inquiries.

Team members, exempt or non-exempt, leaving the workplace at any time for personal reasons and who later return to fulfill their shift, must clock out and then back in upon return.

Any altering, falsifying, or tampering with time records, including clocking in for another team member, or clocking in and leaving the premises, may result in disciplinary action.

6.02 PAYROLL

ABC RESORT AND CASINO operates under a bi-weekly payroll where team members are paid every other Friday. The pay period begins on Monday and ends on the second Sunday from the start date. The work hours pulled from the time clock system includes hours worked and paid leave applied, and is used to generate a paycheck for the two week period. As required by federal and state regulations, all earnings are subject to applicable taxes and deductions.

A. PAY OPTIONS

Payroll is distributed through two modes - direct deposit which is an electronic transfer to the team member’s bank account or through a live check released in the workplace. Team members can opt for one or the other, or a combination of both.

1. Direct deposit – requires the filing of a ABC RESORT AND CASINO direct deposit form with a voided deposit slip from the team members banking account. Once received, the direct deposit will become effective on the second pay period after the request is received.
2. Live check – any pay due not included in a direct deposit amount will be paid in a live check. Checks are released to the department head during swing shift the Thursday before payday so swing and graveyard checks can be issued to team members working those shifts.

Team members receiving paychecks before payday (Friday) are reminded that they cannot cash those checks until payday, and doing so may result in progressive discipline.

B. PAY DISCREPANCIES

When a team member feels that their paycheck is not accurate they should contact their supervisor who will assist them research the missing hours, provide copies of appropriate documentation, and complete a Payroll Inquiry/Adjustment form and forward it to payroll for correction. Once processed, payroll will generate an adjustment check for the team member (usually the Tuesday following payday).

C. PAY STATUS CHANGE

When a team member experiences a change in tax exemption, marital status, name change, address and/or state tax exemption requirements, this information must be reported as soon as possible, using the W-4 and Payroll Option forms and filing these forms with HR.

D. STATE EXEMPTION

Because ABC RESORT AND CASINO is a ABC RESORT AND CASINO enterprise located on the ABC Indian Reservation, the application of state income tax laws differ. Team members enrolled with a federally recognized tribe, and who live and work within the reservation boundaries are eligible to request exemption from state income taxes. Those team members wanting such status must file a State Income Tax Exemption form with HR and provide supporting documentation including tribal identification. It is the team member’s responsibility to accurately report and adhere to appropriate tax laws and regulations.

E. PAY DEDUCTIONS

ABC RESORT AND CASINO offers programs and benefits beyond those required by law, with payment of those benefits available through payroll deduction. Eligible team members may voluntarily authorize these deductions from their paycheck to cover the costs of participation in these programs. If at any time, the team member’s paycheck becomes “insufficient” to cover the cost of the deductions authorized, the deduction will be cancelled. Contact the payroll office for any questions regarding pay deductions or options that are available.

6.03 TIP REPORTING

In the hospitality business, guest service appreciation is often displayed when guests tip team members for exceptional service. Tips are considered as cash or chips (tokes) given to the team member. Under IRS regulations, tips received of $20 or more in any month is classified as income and subject to taxation. Tips must be reported to payroll on the Monday prior to payroll. Tip reports received after this time will be included in the next pay period’s wages. The federal tax law states that team members are responsible for keeping a record of tips received.

It will be mandatory that all ABC RESORT AND CASINO staff employed in the following job classifications must sign a “Tipped Rate Agreement” form. The tip categories differ by type and include:

1. Tip Pool – blackjack dealers, cage cashiers, slot floor workers, bingo workers, baristas, cashier/cooks, CEC attendants, and banquet servers.
2. Percentage of sales – Plateau servers, gift shop commission, bartenders, room service.
3. Flat rate for each hour worked - Plateau bussers, Golf grill, Plateau hostess, Traditions servers, beverage servers, shuttle drivers, valet, and bellmen.
4. Actual tips – keno writer/runner, room attendants, and Poker dealers.

If you make more than the above amounts, you will still be taxed at the amount stated in the Tip Rate Agreement. If you receive more than the tip average and wish to show all actual income, you may voluntarily report this rate from your tip report sheet and be taxed at the higher rate. If you believe that you make less than the amount stated in the Tip Rate Agreement, you should keep very good daily records that you can show the IRS that you were unable to meet the tip rate in the agreement, then you are taxed at the lower amount. Team members with questions regarding reporting of tips, should consult their department supervisor or payroll.

Soliciting tips from patrons is strictly prohibited.

SECTION 7.00 BENEFITS

7.01 BENEFITS

Eligible team members at ABC RESORT AND CASINO are provided a wide range of benefits. A number of the programs (such as Social Security, Workers' Compensation, and Unemployment Compensation Insurance) cover all team members in the manner prescribed by law. Other benefits are provided based on team member employment classification and eligibility.

Please note that not all ABC RESORT AND CASINO team members receive the same benefits. Arrowhead Travel Plaza and Mission Market are similar with all benefits except for Paid Leave.

The HR department and this handbook can identify the programs for which you are eligible. All descriptions of benefit programs contained in this handbook are described more fully in plan documents and master contracts/documents. In the event of any contradiction between the information appearing in this handbook and plan documents or master contracts, the plan documents and master contracts shall govern in all cases.

The following benefit programs may be available to eligible team members:

Health insurance continuance at termination

Educational Benefits

Employee Incentive Program

Employee Assistance Program (EAP)

Training

Family and Medical Leave

Flexible Spending Account (FSA)

Jury Duty Leave

Leave Without Pay (LWOP)

Term Life Insurance w/ Accidental Death & Dismemberment

Major Medical/Dental/Vision Insurance

Military Duty Leave

Paid Leave/or Paid Time Off (PTO)

Relocation Benefits

Retirement Plan (401k)

Severance Pay

Volunteer policy

Witness Duty

Some benefit programs require contributions from the team member, but most are fully paid by ABC RESORT AND CASINO. The benefit programs offered are subject to revision or cancellation from time to time and ABC RESORT AND CASINO reserves the right to require or increase team member premium contributions toward any benefits at its discretion. Team members will be advised when benefit program changes are scheduled to occur.

7.02 INSURANCE PACKAGE

Team members that have successfully completed their probationary period may be eligible to participate in the following insurance plans, dependent on the eligibility criteria stated in the insurance or benefit plan. HR provides assistance with enrollment, and understanding and utilizing the benefit plans.

A. GROUP MEDICAL PLAN -

ABC RESORT AND CASINO provides medical plan options that includes medical, dental, prescription and vision insurance coverage for team members:

1. Coverage may be provided for F/T team members at no cost, or a share of the premium may be required.
2. Coverage may be provided for P/T team members at a shared cost of the premium.
3. Team members will be eligible for coverage after 60 days from hire, effective the first of the following month
4. Team members must enroll within 30 days of eligibility, by submitting their enrollment form to HR.
5. Dependent/family coverage is available and paid by the team member through payroll deduction. Medical premiums paid by the team member qualify under an IRS Section 125 plan, which means the premium amounts paid are not subject to income tax.
6. Team members who do not enroll in the plan when eligible, must wait for a qualifying event or open enrollment, to enroll themselves or dependents.

Assistance with understanding Plan coverage information such as co-pays, deductibles, annual out-of-pocket cost, exclusions, etc., is available to team members through HR.

B. BASIC LIFE INSURANCE

ABC RESORT AND CASINO provides the cost of basic life insurance coverage for FT team members who complete their probationary period. Basic Life coverage provided is a $50,000 term life insurance with an Accidental Death and Dismemberment clause.

C. VOLUNTARY LIFE INSURANCE

Voluntary life insurance is available to F/T team members through payroll deductions at rates determined by the applicant’s age.

D. OTHER VOLUNTARY PRODUCTS AVAILABLE

All team members passing their 90 day probationary period are eligible to participate in various voluntary insurance products offered through payroll deduction including:

1. A flexible spending account (FSA) is available to FT team members
2. Supplemental insurance coverage for individuals/ families, accident, disability, cancer, etc.
3. A safety shoe program

Portions of this coverage plans may qualify for Section 125 (pre-taxed deductions).

7.03 RETIREMENT PLAN

ABC RESORT AND CASINO has established a 401(k) retirement plan for its team members. ABC RESORT AND CASINO team members may contribute a percentage of their salary toward their 401(k) retirement account, which contribution may be matched by a ABC RESORT AND CASINO payment as provided in the ABC RESORT AND CASINO 401(k) retirement plan.

A. ELIGIBILITY

Team members eighteen years of age or older, are eligible to enroll in the 401(k) Plan after completing one year of employment and having worked at least 1,000 hours.

B. ENROLLMENT

The 401(k) plan uses an auto enroll option which means that when a team memberbecomes eligible they are enrolled in a default contribution plan that begins the first quarter following their eligibility. Team members who do not wish to participate in the retirement plan must sign a “opt out” form before the auto enroll starts.

The investment broker is on-site quarterly to assist team members with enrollment, making plan changes, and understanding the investment options. ABC RESORT AND CASINO may match the team members’ contribution as outlined by the plan document. The team member’s share will be deducted from their paycheck before taxes are computed.

A requirement of the plan is that all eligible team members must either enroll in the plan or sign a waiver of participation. The waiver is non-binding and may be changed by enrolling during any quarterly enrollment period. Contact HR for information on this plan.

7.04 WORKERS' COMPENSATION INSURANCE

ABC RESORT AND CASINO provides a comprehensive workers' compensation insurance program at no cost to team members, which is governed by and administered under the ABC RESORT AND CASINO Workers Benefit Code. This program covers injuries or illness sustained by ABC RESORT AND CASINO team members in the course and scope of their employment at ABC RESORT AND CASINO requiring medical treatment as provided in the ABC RESORT AND CASINO Workers Benefit Code. Workers’ compensation benefits under the ABC RESORT AND CASINO Workers Benefit Code is the exclusive remedy for ABC RESORT AND CASINO team members who are injured during the course and scope of their ABC RESORT AND CASINO employment. ABC RESORT AND CASINO Team members are not eligible for, nor is ABC RESORT AND CASINO liable for providing, worker compensation laws or benefits of the State of Oregon, or any other State.

A. REPORTING AN ON THE JOB INJURY/ILLNESS

Team members sustaining work-related injuries or illnesses must inform their supervisor immediately and file an Injury/Illness report with Security. Team members who fail to report a work related injury/illness within three (3) days of the injury/illness and who later receive medical attention for such incident, will be denied worker comp benefits under the ABC RESORT AND CASINO Workers Benefit Code, which would subject the team member to paying for those medical costs.

B. DRUG TESTING

All team members sustaining an on-the-job injury that requires medical attention beyond first aid, or is of such an extent that it interrupts the team members ability to work, will undergo “post accident/injury/incident” testing for drugs and/or alcohol conducted by Security.

Team members testing positive to the drug and/or alcohol testing, shall be suspended without pay pending confirmation testing through the MRO, as outlined under the Drug and Alcohol testing procedures outlined in this Handbook. Team members with a confirmed positive test may have their worker comp claim denied.

C. TIME LOSS OR ACCOMMODATION FROM WORK

1. Time Loss - Team members who incur a work related injury may be eligible to use leave or receive lost wages benefits. Team members will use available sick and then vacation leave up to 40 hours for the first seven days off, after which time worker compensation lost wages under the ABC RESORT AND CASINO Workers Benefits Code may be paid. Team members released from work may not return to work until medically released to do so by their treating physician.
2. Accommodated duty - If an injury requires a temporary accommodation or a light duty assignment for the team member to return to work, ABC RESORT AND CASINO will look at one of three options to meet the needs of the restricted duties:
   1. Department accommodation will be the first option considered. If the department is able to accommodate the temporary restriction, the team member will work in that capacity until medically released to return to full duty.
   2. If the department is unable to accommodate the restricted duty, HR may review options to utilize the Early Return to Work (ERTW) Program to place the team member in a viable, productive work role that the team member is capable of performing. The department hosting the accommodated duty shall pay the accommodated duty wages at the prevaling rate for that position. HR shall facilitate all temporary or accommodated work assignments involving worker compensation claims with the department head. ABC RESORT AND CASINO reserves the right to deny accommodation when such action would create undue hardship on the department, or the needs of the business.
   3. If no accommodation is available the team member shall be eligible to receive worker compensation lost wages.

D. COMPLIANCE WITH MEDICAL TREATMENT & COVERAGE

Once an injury/illness report is filed, the team member must fully comply with requirements to administer the claim including: signing a release of information, wage and/or medical history, keeping medical appointments arranged, complying with physician/ERTW requirements, etc.

Failure to comply with any of these requirements will impact the team member’s worker compensation claim and may result in a denial of benefits. Team members on a worker’s compensation medical leave must comply with medical directives and are responsible for maintaining payment on any voluntary deductions authorized, including any medical, dental, vision, or life insurance premiums due, or any standard payroll deductions the team member has opted to have withheld from their paycheck. This amount must be paid by due date to maintain benefit coverage.

E. CONCURRENT POLICY COVERAGE

For ABC RESORT AND CASINO team members who are injured on the job and placed on a worker compensation medical leave, or accommodated duty within the department or under the ERTW, ABC RESORT AND CASINO may apply eligible family medical leave to run concurrent with the restricted duty or medical leave. Team members who exhaust their family medical leave allocation for a work related injury may be subject to release from employment. The department head may request a waiver of termination for team members who exhaust their family medical leave allowance, by requesting a leave of absence (LOA) through HR and the CEO. See 8.01 of this Handbook-Family Medical Leave benefits and requirements

Team members unable to return to work after an on the job injury and receiving disability/lost wages benefits under the ABC RESORT AND CASINO Workers Benefits Code are not eligible to work outside of ABC RESORT AND CASINO during the disability period and doing so may jeopardize their worker comp claim and their employment at ABC RESORT AND CASINO, except in cases where the team member is receiving partial disability income benefits and is able to return to work with medical restrictions which ABC RESORT AND CASINO is unable to accommodate. In this situation, the team member’s department head in consultation, with HR, shall approve the outside employment if it is determined that the work outside ABC RESORT AND CASINO does not conflict with ABC RESORT AND CASINO employment or the team member’s medical restrictions and recovery.

Neither ABC RESORT AND CASINO nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during a team member’s voluntary participation in any on or off‑duty recreational, social, or athletic activity sponsored by ABC RESORT AND CASINO. Team members involved in any fraudulent actions or claims shall be subject to disciplinary action, including termination.

7.05 HEALTH INSURANCE CONTINUATION

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives team members and their qualified beneficiaries the opportunity to continue health insurance coverage under ABC RESORT AND CASINO’s health plan when a "qualifying event" would normally result in the loss of eligibility. With enrollment in the Federal Employee Health Benefits (FEHB) plan continuation of coverage is restricted to the Temporary Continuation of Coverage (TCC), which will govern any continuation for group medical coverage. Some common qualifying events for COBRA or TCC are as follows: resignation, termination of employment, death of a team member, a reclassification affecting benefit eligibility, a leave of absence, a team member’s divorce or legal separation, a dependent child no longer meeting eligibility requirements and team members exhausting the family medical leave allowance who opt to continue their medical coverage.

Under COBRA or TCC, the team member or beneficiary pays the full cost of coverage at ABC RESORT AND CASINO’s group rates plus a small administration fee. ABC RESORT AND CASINO provides each eligible team member with a written notice describing rights granted under COBRA/TCC when the team member becomes eligible for coverage. The notice contains important information about the team member’s rights and obligations. It is the team member’s responsibility to notify ABC RESORT AND CASINO of any qualifying event not initiated by ABC RESORT AND CASINO.

To maintain their insurance coverage, the team member must provide the full premium amount due by the first day of the month. Acceptable payments include cash or money order, for which a receipt will be issued. Any delinquent payments may cancel the insurance coverage. For more information about COBRA or TCC eligibility, contact HR.

7.06 EDUCATIONAL BENEFITS

ABC RESORT AND CASINO recognizes that a well-trained and developed workforce is the key to success for business growth and productivity. ABC RESORT AND CASINO promotes the personal and professional development of all team members and will support these efforts for self-improvement.

A. INDIVIDUAL DEVELOPMENT PLAN

As growth may encompass many avenues, ABC RESORT AND CASINO supports any academic pursuit, be it through personal, professional or vocational/technical development. Each team member will participate in an Individual Development Plan (IDP) during which areas of interests are discussed, and personal development goals and interests identified. This information is used to gauge the team members’ interest and efforts to grow and to identify training topics of interest for planning purposes.

B. CAREER DEVELOPMENT PATH

The CDP (career development path) is a tool for the team member and supervisor, with guidance from ABC RESORT AND CASINO Training to identify and plan career goals and strategies of what the team member needs to do to reach their goals. HR will help identify resources available and opportunities for the team member to reach these aspirations.

C. EDUCATIONAL BENEFIT AWARD

There is a yearly $500 Educational Benefit Award available to team members enrolling in institutes of higher education to pursue their educational goals. The award is available for full-time team members successfully completing their probationary period, or, to part-time team members after one year of employment. The benefit will be provided as a direct reimbursement *after* the team member has completed the following steps:

1.) Filed the pre-authorized ABC RESORT AND CASINO educational form with HR.

2.) Provides a receipt showing payment for the course(s)

3) Provides a document of completion (transcript or certificate of completion),

showing a passing grade (C or better.)

To receive this benefit, the completed reimbursement form *must* be received in HR within 30 days of enrollment. If courses pursued are job related as confirmed by the department head, an additional $500 will be available to the team member.

This cost reimbursement applies to tuition, lab fees and books only and will not cover supplemental costs (transportation, living expenses, etc.) Reimbursement applies only to those fees the student paid out of pocket and is not available when other supplemental funding sources are used (i.e. Financial Aid (except loans), Pell Grant, tribal scholarship, etc.).

All courses must be attended during a team member’s “off duty time” and may not interfere with their job schedule or performance. Special scheduling to accommodate coursework will not be standard practice, but may be considered on an individual basis for severe scheduling conflicts, at the discretion of the department head. If the coursework impacts the team member’s performance or business operational needs, the supervisor may deny, or, ask that the training be condensed or postponed and continued at a more convenient time period.

D. EDUCATIONAL LEAVE

ABC RESORT AND CASINO strongly encourages professional development and supports team members pursuing academic degrees related to their job by granting an unpaid educational leave of absence.

1. Eligibility - F/T Team members performing above average and after completing two years of ABC RESORT AND CASINO employment may request educational leave. Educational leave may be granted or denied by the department head, based on the position held and the impact on business operations.
2. Leave Status - The leave may be granted as full or part-time, and shall not exceed a one-year period. Educational leave requests exceeding one year must be pre-approved by the CEO. Team members granted part time leave may, with the approval of the department head, adjust their work schedule to fulfill their part-time job assignment.
3. Job/Benefits Coverage - During the team member’s educational leave of absence, ABC RESORT AND CASINO will continue to hold their position whenever possible and to provide their group medical coverage. In the event ABC RESORT AND CASINO cannot hold the position vacant, a similar position or level may be considered for placement upon the team member’s return. Team members will use available accrued vacation leave before LWOP applies and are eligible to use ABC RESORT AND CASINO educational reimbursement funds if they meet the criteria. If the team member fails to return to ABC RESORT AND CASINO following their leave of absence, the team member will be terminated and will be responsible for repaying the medical coverage costs provided.
4. Team members on educational leave may not work in any job considered to be direct competition with ABC RESORT AND CASINO business, as determined by their department head.

E. BASIC SKILL SUBSIDY

ABC RESORT AND CASINO promotes basic skills development for all team members currently enrolled in a certified Adult Education program.

1. Eligibility - ABC RESORT AND CASINO team members striving to complete their high school diploma or GED are eligible for one hour of subsidized study time per week, up to six (6) months maximum.
2. Enrollment & tracking - Team members utilizing this subsidy, must file a Basic Skill Subsidy form with HR, which monitors and tracks hours submitted/paid. The team member must present the attendance sheet as signed by the instructor to HR who will enter the training hour into Stromberg. Subsidized study hours shall not impact the team member’s schedule and do not qualify as hours worked for overtime projections.
3. Job Advancement - ABC RESORT AND CASINO Team members or tribal member applicants lacking a high school diploma or GED, who are interested in applying to a position where these minimum qualifications prohibit consideration, may apply for the position by electing to participate in the basic skill subsidy option. Once selected for the position and committed to participate in the subsidy program, the team member shall have 6 to 9 months to attain this minimum qualification or be subject to removal from the position.

7.07 TRAINING/STAFF MEETINGS

ABC RESORT AND CASINO realizes that team member training is an opportunity to enhance business success through a workforce striving toward career options and personal development. Mandatory training and meetings shall require seven (7) days notification to allow team members to make necessary arrangements to attend.

ABC RESORT AND CASINO provides various training opportunities that may include blackjack, poker, craps, roulette, keno, cash handling, supervisory, guest service, CPR, computer, workplace safety, food handler, alcohol service, etc. Team members attending trainings voluntarily may not use work time, nor be paid to attend the training unless it is mandated for a team member whose job functions require such knowledge.

Mandatory training’s are scheduled and paid as hours worked so failure to attend will result in progressive discipline. Team members showing up for scheduled training that is not conducted for whatever reason (no trainer/training room, etc.) are compensated with one hour’s wages for their good faith efforts. After waiting fifteen minutes, the team member should sign their name on a sign-in sheet, listing the scheduled training topic, location, date and time and forward to HR. HR will review the situation, notify the appropriate parties and if justified, process pay for those team members in attendance.

Because mandatory trainings and meetings are paid work times, it is necessary that team members attend these events as if they “were reporting to work” which means dressing appropriately and not bringing their children, spouse, or other non-team members with them.

7.08 EMPLOYEE ASSISTANCE PROGRAM (EAP)

ABC RESORT AND CASINO may provide an Employee Assistance Program (EAP) to help team members with problems or concerns affecting their physical, mental, emotional or financial well-being. EAP staff are trained and licensed counselors, therapists, consultants and trainers. Team members may utilize the EAP service anonymously and free of charge. Consult team member bulletin boards, brochures or HR for more information.

7.09 EMPLOYEE INCENTIVE PROGRAM

ABC RESORT AND CASINO has established an employee incentive program which is focused on sharing the impact our team members efforts bring to the success of ABC RESORT AND CASINO. ABC RESORT AND CASINO values and respects the work performed by our staff and their commitment to excel at ABC RESORT AND CASINO and the ABC RESORT AND CASINO. As noted in our KSDs, ABC RESORT AND CASINO is a team member driven business where ABC RESORT AND CASINO believes that team members shape ABC RESORT AND CASINO and by working together, our staff will perform at a higher level and achieve ABC RESORT AND CASINO goals approved by the ABC RESORT AND CASINO.

The incentive program year runs from November through October annually and is based on the principle that all team members are important and administered by the following factors:

1. Employment Service
   1. Length of Service – a set dollar amount of $3.00 is provided for each month of continued employment.
   2. Hours Worked – a set amount of .25 cents is provided for each regular hour worked in the current year. Holiday hours are included for Exempt team members who do not receive additional pay for these hours. Total hours for any team member shall be capped at 2080 hours.
2. Profit Share – when ABC RESORT AND CASINO’s net profit exceeds the prior year’s net profit, a percent of that increase is added to the bonus pool for distribution. If profits don’t exceed prior year, then no profit share is provided.
3. Limitations – The annual ABC RESORT AND CASINO employee incentive program will not exceed the sum of the annual ABC RESORT AND CASINO dividend distribution for the same time period.

Eligibility – Regular FT and PT team members passed their probationary period by the end of the incentive period (Oct. 31st) are eligible for the employee incentive plan. Team members in their probationary period shall receive a flat rate amount. Team members must be employed on the date of distribution. Team members who are at the 9th attendance level at the end of the incentive period (Oct. 31st) will not be eligible for an incentive that year.

ABC RESORT AND CASINO Management reserves the right to amend, discontinue, or modify the terms of this incentive program with or without notice at anytime and for any reason, including the convenience of ABC RESORT AND CASINO. Interpretation of any aspect of this program is the prerogative of ABC RESORT AND CASINO Management.

SECTION 8.00 LEAVE

8.01 FAMILY MEDICAL LEAVE

Family Medical Leave (FML) is designed to provide team members with time off work to take care of family medical needs while retaining their employment at ABC RESORT AND CASINO.

A. QUALIFYING CONDITIONS

In mirroring the federal government's Family and Medical Leave Act, ABC RESORT AND CASINO provides similar Family Medical Leave for eligible team members to take time off from work to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition (or disability); or when the team member has a serious health condition (or disability). A serious health condition means an illness, injury, impairment, or physical or mental condition involving inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

B. TEAM MEMBER ELIGIBILITY

Team members identified as eligible must have been employed by ABC RESORT AND CASINO for at least twelve months AND have worked at least 1,250 hours during that timeframe.

C. LEAVE PERIOD

1. Eligible team members may take up to twelve (12) weeks leave, up to 480 hours, within a 12-month period. This leave may be one continuous period or intermittent, but shall not exceed the 480 hours within a 12-month period. An eligible team member with more than one qualifying event within a 12-month period is not entitled to a separate 12-weeks period of leave for each event.
2. Military leave laws have been expanded to provide military caregiver leave (up to 26 weeks) to care for a covered family service member suffering from serious injuries or illnesses arising from military service.
3. When two Team members work at ABC RESORT AND CASINO and take leave for the same qualifying medical condition – birth or adoption of a child or care for a dependent with a serious health condition – they are restricted to a combined total of twelve weeks of leave within any twelve month period or a combined total of twenty-six weeks for military caregiver leave.

D. LEAVE TRACKING

1. The FML leave is tracked on a “rolling or retroactive” method, which looks back 12-months from the start date for FML leave. The amount of time off available will depend on when and how much leave was used during the previous 12-months.
2. Intermittent - Except for leave due to childbirth, adoption, or placement of a child, an eligible team member may take intermittent leave (on/off) or reduced leave (working half days), if medically necessary, for which ABC RESORT AND CASINO may temporarily re-assign the team member as business demands.
3. All FML leave must be pre-authorized and supported with medical confirmation. Failure to provide this documentation may result in the team member being denied FML and subject to release from work due to inability to work as scheduled.

E. REQUEST FOR LEAVE PROCEDURE:

Eligible team members must complete and submit a PTO form, along with supporting documents (health care provider statements, adoption papers, etc.,) to their department head for approval at least 30 days prior to the first day of leave, or within two days for unforeseeable events. Team members experiencing an unscheduled absence due to a qualifying family medical leave event shall have the absence documented as an unscheduled absence, but also noted as FML. In the event the team member reaches the 12th level within a 12 month period, the FML incident would not be counted toward their termination due to attendance.

The department head must immediately submit the leave request and supporting documents to HR for FML processing. Supplemental information may be required to verify the need for leave and failure to provide these supporting documents may be grounds for denial, or delay of FML leave. Within 5 days, HR will provide a written notice to the team member of their FML leave status and guidelines.

When on approved FML leave, it is the team member’s responsibility to keep their supervisor/manager, up-to-date of their leave status. The supervisor/managers are responsible to keep HR informed of the team member’s leave and return to work status.

F. PAY DURING TIME OF LEAVE:

A requirement of team members during their FML leave is to apply all of their appropriate accrued paid leave before taking leave without pay. Team members on approved FML may not work outside ABC RESORT AND CASINO during the leave period, unless their FML is due to ABC RESORT AND CASINO’s inability to accommodate a medical restriction at which time outside work may be an option when pre-approved by the department head and HR.

G. CONTINUATION OF BENEFITS:

Subject to the terms, conditions, and limitations of the applicable plans, ABC RESORT AND CASINO continues to provide Medical/Dental/Vision/RX (health) insurance benefits for the full period of the approved leave, on the same basis of continued active employment, regardless of whether the leave is paid or unpaid. ATP/MM team members will continue to be eligible for coverage and must maintain their premium payments.

The team member is responsible for paying any dependent coverage amounts of the Medical/Dental/Vision/Rx insurance normally deducted from their paycheck. The team member is also responsible for any voluntary premiums normally deducted from their paycheck (i.e. Aflac, Voluntary Life, etc.), as outlined in the FML leave notice. HR must receive any payments due at the end of each month in order to continue uninterrupted coverage. If the voluntary premium is more than 30 days late, the voluntary coverage will be dropped for the duration of the leave.

Benefit accruals are suspended during the FML segment, as all accruals are generated by actual hours worked. The benefits accrual will resume upon return to active employment. Team members who exhaust their FML allowance and who may be authorized to continue their employment under an authorized leave of absence will be required to continue any medical coverage under COBRA/TCC as appropriate.

RETURN TO WORK:

Team members returning from FML will confirm their return to work date with their supervisor/manager, who will inform HR. Team members on medical leave must provide a written physician’s release to return to work. When the leave ends, the team member will be reinstated to the same position or if unavailable, to a comparable position (in pay, benefits, and working conditions) for which the team member is qualified.

If the team member fails to report to work promptly at the end of the approved leave period, ABC RESORT AND CASINO will assume that the team member has quit and the team member may be subject to repayment of medical benefit costs provided by ABC RESORT AND CASINO during this leave period.

8.02 PREGNANCY LEAVE

ABC RESORT AND CASINO has adopted a Pregnancy leave plan that allows those F/T team members who do not meet FML criteria, with up to six (6) weeks of leave to deliver and care for a newborn child.

Pregnancy leave is submitted and applied under the following conditions:

1. The team member has been employed with ABC RESORT AND CASINO for less than 1 year and successfully completed their 90 day review period;
2. The department must be able to release the team member from the schedule

without undue hardship on department operations (staffing, schedules, etc.)

1. ABC RESORT AND CASINO will track and count pregnancy leave toward the team members FML allocation as applicable.

8.03 NURSING MOTHERS

ABC RESORT AND CASINO supports mothers who provide natural nourishment to their newborn child by encouraging flexible scheduling to allow mothers who nurse. Nursing mothers may consolidate their paid breaks and lunch periods to provide this care for their child, when pre-arranged with the supervisor. It is at the discretion of the department to accommodate this flexibility or not, as business and operational needs allow.

8.04 PAID LEAVE

ABC RESORT AND CASINO provides eligible team members with paid leave and is used when the team member needs to be away from the workplace during a regularly scheduled shift. Paid leave is broken down into two types of leave plans:A Paid Time Off (PTO) plan used for ATP/MM team members and a Paid Leave plan used for ABC RESORT AND CASINO team members.

A. PAID TIME OFF (PTO) – ATP/MM Team Members

ABC RESORT AND CASINO provides eligible team members with compensated leave. This leave is identified as a “paid time off” (PTO) benefit and is used when the team member needs to be away from the workplace during a regularly scheduled shift. The accrual starts on the team member’s date of hire.

1.) PTO Accrual and Use

PTO accrued leave is generated by the number of “regular” hours worked plus any PTO hours used each pay period with the accrual for exempt team members capping at 80 hours in the pay period. New team members are not eligible to use any accrued leave until successfully completing a 90-day probationary period. All PTO leave is accrued and carries over into the next calendar year.

PTO will accrue for all ATP/MM team members under the following schedule projection for F/T team members:

|  |  |  |
| --- | --- | --- |
| Months of Service | Accrual Rate/Hr Worked | Days Earned/Yr |
| 0 – 2 years | .0577 per hour | Up to 15 days |
| 2 – 4 years | .0769 per hour | Up to 20 days |
| 4 – 9 years | .0962 per hour | Up to 25 days |
| 9+ years | .1154 per hour | Up to 30 days |

P/T team members would accrue at half this rate.

2.) PTO USE

Team members are encouraged to pre-plan leave use, submitting their leave request as soon as possible. This process assures the team member that leave is available and allows ATP/MM to plan for schedule coverage in a timely manner. Once submitted, the leave form is either approved or denied by the supervisor, who promptly notifies the team member. Leave approval remains at the discretion of the supervisor/manager and is based on the team member’s available leave, leave history and business or staffing needs. Once leave has been pre-approved, it can only be rescinded by the department head for extreme business circumstances.

Any abuse of paid time off, including chronic attendance problems, unauthorized absence(s) and misuse of allocated leave, will result in progressive discipline, and may subject the team member to reclassification of employment status, suspension or termination.

Anytime a team member is away from the workplace, pre-approved or unscheduled, a PTO form must be submitted, identifying date(s) and type of leave. The supervisor is responsible to ensure that PTO forms are processed timely using appropriate available leave before leave without pay (LWOP) is considered.

3) PTO Cash Out

Team members experiencing emergency situations may request a cash-out of accrued PTO. An emergency shall be considered a critical health condition, a death in the family or a personal crisis requiring immediate action. The team member will submit the vacation leave cash out form to their manager, who shall validate the emergency need and authorize/deny the request. If approved, the form will be forwarded to payroll for processing. This cash-out policy is intended to alleviate any undue hardship presented the team member and will be available only one time per rolling 6 month period, at a rate not to exceed 50% of their accrued leave balance.

4) PTO Transfers

Team members transferring to positions between ABC RESORT AND CASINO and ATP/MM shall have the following guidelines apply to their accrued paid leave:

1. Team members transferring to ATP/MM from a ABC RESORT AND CASINO department shall have the face dollar value of their vacation leave balance deposited into the PTO format. PTO use shall then be paid at the team member’s current rate of pay.
2. ATP/MM team members transferring to a ABC RESORT AND CASINO department shall have the face dollar value of their PTO balance deposited into the ABC RESORT AND CASINO vacation leave pool. Vacation leave use shall be paid at the team member’s current rate of pay.

5) PTO Paid Upon Termination

Upon termination of employment, team members who have passed their 90-day probationary period will receive payment for all PTO hours earned through the last day of work on their final paycheck.

B. PAID LEAVE – ABC RESORT AND CASINO Team Members

ABC RESORT AND CASINO provides eligible team members with paid leave that is used when the team member needs to be away from the workplace during a regularly scheduled shift. Paid leave is broken down into two types of leave – accrued or allocated.

1. ACCRUED LEAVE

Accrued leave is generated by the number of “regular” hours worked plus any paid leave hours used each pay period, with accrual for exempt team members capping at 80 hours in the pay period. Accrued leave starts accruing on the team member’s date of hire. New team members are not eligible to use any accrued leave until successfully completing their 90-day probationary period.

Team members qualifying under the Veteran’s preference shall, after one year of employment, gain an extra year of service for leave accrual purposes only. This accrual will start after the team member has provided HR with an honorable discharge form.

A). SICK LEAVE

Sick leave is provided to cover absences when the team member is unable to work due to illness or injury. Full time team members may accrue up to eight (8) days of sick leave per year, at a rate of .0308 per hour worked. Part time team members accrue at a half  time rate and may accrue up to four (4) days of sick leave per year.

1. Sick Leave Use - Team members may use sick leave for an absence due to their own illness or injury, or that of an immediately family member. It can also be used for medical appointments or treatment attributing to the team member’s well being. Sick leave can be used in amounts of one (1) hour or more, with a leave form submitted by the team member for a pre-approved medical appointment, or, at the discretion of the supervisor if the team member calls in sick.

For team members who have exhausted all available sick leave, vacation hours will be used to cover the deficient leave. Those team members with no sick or vacation leave available will receive leave without pay (LWOP). The team member must provide medical documentation when out for three (3) consecutive days of sick leave use, and depending upon the circumstances and at the discretion of the supervisor/manager, medical proof may be requested whenever sick leave is used.

Sick leave benefits are solely intended to provide income protection in the event of illness or injury, and may not be used for any other absence, except Family Medical Leave or during the 7-day waiting period under a worker compensation claim.

1. Sick Leave Carry Over - Unused sick leave benefits will be allowed to accumulate from year to year and shall max-out after reaching five hundred (500) hours. Unused sick leave benefits will not be paid to team members upon termination of employment. As an incentive and in recognition of team members who accrue and carry one hundred fifty (150) hours of sick leave into the new benefit year, ABC RESORT AND CASINO will provide a wellness award annually.

B. VACATION LEAVE

Vacation leave is intended to provide team members time off for personal rest, relaxation, and care of personal business.

1. Vacation Leave Use – Vacation leave is typically used to pre-plan personal time off. For leave requests of one week or more, the request form must be submitted to the supervisor one month in advance. Vacation leave may be used for less than one day at the discretion of the supervisor and to supplement “early outs” of thirty minutes or more; or to supplement sick, funeral or traditional leave that has been exhausted. The team member is responsible for submitting vacation leave requests to their supervisor and for ensuring that the leave has been authorized prior to being used.
2. Vacation Pay – Approved vacation leave is paid at the team member’s primary rate of pay and does not include overtime or average earnings (dual rates, tips, commissions, etc.).
3. Vacation Leave Carry Over – Unused vacation leave will be allowed to accumulate from year to year and shall max out when the total amount of vacation time reaches three times the annual vacation accrual amount. For any vacation leave accrual over this maximum amount, ABC RESORT AND CASINO will cash out and compensate the team member for the excess accrued vacation leave.
4. Vacation Leave Paid Upon Separation – Upon termination of employment, team members who have passed their 90-day probationary period will receive payment of unused vacation time earned through the last day of work on their final paycheck.
5. Vacation Leave Accrual Chart:

FULL TIME LEAVE ACCRUAL SCHEDULE

|  |  |  |
| --- | --- | --- |
| Months of Service | Hours Earned/Pay Period | Hours/Days Earned Yearly |
| 0 – 24 months | Up to 2 hrs | Up to 52 hrs/6.5 days |
| 25 - 48 months | Up to 4 hrs | Up to 104 hrs/13 days |
| 49 – 108 months | Up to 6 hrs | Up to 156 hrs/19.5 days |
| 109 months and more | Up to 8 hrs | Up to 208 hrs/26 days |

PART TIME LEAVE ACCRUAL SCHEDULE

|  |  |  |
| --- | --- | --- |
| Months of Eligible Service | Hours Earned/Pay Period | Hours/Days Earned Yearly |
| 0 – 24 months | Up to 1 hr | Up to 26 hrs/3.25 days |
| 25 – 48 months | Up to 2 hrs | Up to 52 hrs/6.5 days |
| 49 – 108 months | Up to 3hrs | Up to 78 hrs/9.75 days |
| 109 months or more | Up to 4 hrs | Up to 104 hrs/13 days |

6) Vacation Leave Cash Out - Team members experiencing emergency situations may request a cash-out of up to 50% of their accrued vacation leave. An emergency shall be considered a critical health condition, a death in the family or a personal crisis requiring immediate action. The team member will submit the vacation leave cash out form to their manager, who shall validate the emergency need and authorize/deny the request. If approved, the form will be forwarded to payroll for processing. This cash-out policy is intended to alleviate any undue hardship presented the team member and will be available only one time per rolling 6 month period.

7) Vacation Leave Donation- Team members may donate accrued vacation leave to another ABC RESORT AND CASINO team member, or other employees of the ABC RESORT AND CASINO, including tribal government, and the Yellowhawk clinic who are experiencing a situation where they are unable to work and who have exhausted all applicable paid leave. The department head may support or deny a request to call for leave donation for their team member, dependent on the team members’ leave use history. If approved, the department head will forward that request for leave to HR Benefits who will post a flyer calling for donated leave. HR will maintain the leave donation board, including providing an update each Wednesday on the team members leave status by indicating if the team member is In Need of leave or Has Enough leave for the pay week.

ABC RESORT AND CASINO team members may donate up to 50% of their accrued vacation leave balance. Donated leave will be computed over to and paid at the recipient team member’s primary rate of pay. Team members wishing to donate leave should fill out a leave donation form that once approved by their department head, will be forwarded to payroll. Payroll shall transfer the donated leave at the face dollar value of the leave to that team members’ donated leave pool from which payroll shall apply hours as needed each week.

Team members released to work who have an unused leave balance of one day (8 hours) or less shall retain that amount in their vacation pool. Any amount above that rate shall be subject to return to the leave donor if so indicated on the leave donation form. Team members returning to work on a partial or intermittent schedule shall continue to maintain and use their donated leave pool balance until fully released to work, and then they will be subject to the return process described.

Leave donation is available only when in conformance with this Handbook. At no time shall leave donation conflict with or supersede any existing policy and ABC RESORT AND CASINO management reserves the right to monitor, rescind, modify or deny leave donation use, as determined in the interest of business operations.

C. ALLOCATED LEAVE

ABC RESORT AND CASINO provides leave that is allocated on a yearly basis and that if unused, does not carry over into the next calendar year. Allocated leave is provided for ABC RESORT AND CASINO team members and may include ATP/MM when noted. Allocated leave includes:

1) BIRTHDAY LEAVE – All regular F/T and P/T ABC RESORT AND CASINO and ATP/MM team members who have successfully completed their probationary period are eligible to take one day off (up to eight hours as regularly scheduled) in recognition of their birthday. Birthday leave must be pre-approved by their supervisor and used during the month of or in the month following, their birthday.

2) FUNERAL LEAVE – ABC RESORT AND CASINO Team members who have successfully completed their probationary period shall be eligible for Funeral leave – 40 hours for F/T and 20 hours for P/T team members per calendar year. Funeral leave may be used to attend funeral or final services. The team member shall request leave as soon as the need for Funeral Leave exists, which and shall be processed, approved or denied, by the immediate supervisor.

Death of Immediate Family Members - Team members who experience the death of an immediate family member as identified below, shall be eligible for the following funeral leave:

* Within the probationary period, may utilize the initial level of funeral leave allowed - 40 hours for F/T and 20 hours for P/T.
* Team members past the probationary period, shall be eligible for an additional 40 hours, up to eighty hours (80) maximum for F/T team members and 40 hours maximum for P/T team members.

Immediate family members for funeral leave are defined as:

Parent/Stepparent/Parent In law

Child/Stepchild

Spouse (legal or common law)

Sibling

Grandparent

Grandchild

Team members needing additional time shall be required to take Vacation Leave and then possibly Leave Without Pay (LWOP). It is at the discretion of ABC RESORT AND CASINO management to approve or deny LWOP requests beyond the allotted timeframe. Team members may be asked to validate the use of Funeral Leave by the department head if the leave request is questionable. Misuse of funeral leave will result in disciplinary action being taken.

3) TRADITIONAL LEAVE - In support of tribal efforts to promote team member knowledge, understanding and participation in ABC RESORT AND CASINO traditional ways and practices, ABC RESORT AND CASINO affords sixteen (16) hours of traditional leave annually for ABC RESORT AND CASINO team members to participate in ABC RESORT AND CASINO traditional events and practices. Participation includes: first food ceremonies, memorials, name-giving’s, medicine dances, healing ceremonies, ceremonial food gathering and other traditional cultural events. Traditional leave is allowed solely to participate in ABC RESORT AND CASINO practices and does not extend to other Indian Tribes or reservations. Traditional leave is available to all ABC RESORT AND CASINO team members and must be pre-approved through their supervisor. The supervisor has the authority to act on the leave based on staffing levels, business needs and the team member’s attendance history.

4). HOLIDAY PAY - As a 24-hour/365 days a year business operation, staff is expected to work various shifts and schedules, including holidays, which are considered heavy business days. ABC RESORT AND CASINO recognizes nine (9) major holidays per year, for which all non-exempt ABC RESORT AND CASINO and ATP/MM team members will receive eight hours of holiday pay under the following guidelines:

1. Holiday Work Hours – Team members who are scheduled and work the holiday, will be paid for holiday hours worked at a rate of time and a half their regular rate of pay. Team members working in a dual capacity on a holiday, shall receive holiday pay at the dual rate for all dual hours worked.
2. Eligibility Requirements for Holiday Pay
3. The team member must have worked their scheduled shift both before and after the holiday, when both days are included in the same pay period. Team members on leave for any portion of their previous or following the holiday shift, paid or unpaid, will not receive holiday pay unless the leave is granted as an early out or has been pre-approved according to the leave policy.
4. Team members requesting pre-approved leave for a holiday may use LWOP to offset their paid holiday pay when the holiday would place them at 6 days of pay in that workweek. LWOP is not an option outside these circumstances.

Example: The team member is scheduled M-F, Saturday is the holiday which would give the team member 6 days of pay. The team member

may elect to take Friday off as LWOP and still receive 5 days of pay.

1. Team members who are scheduled to work the holiday and who call in absent do not receive holiday pay.
2. Exempt Team Members - Do not receive any additional pay for holidays, but may flex their schedule to realize a paid day off when pre-approved by their supervisor. Flexing a day off in recognition of the holiday should occur within thirty (30) days of the holiday.
3. Administrative Closures – Departments working standard business hours (M-F) may close the office for the holiday, receiving a paid day off while saving ABC RESORT AND CASINO time and a half pay. If the holiday falls on a weekend, administrative departments may close the office on the nearest work day in recognition of the holiday when the recognized day falls within the same pay period.
4. Holiday Schedules - To alleviate any team member from having to work every holiday, department supervisors and managers will make every attempt to rotate staff so each is able to enjoy the holiday(s) off, or receive the time and half rate.

Holidays recognized are:

New Year’s Day (January 1st)

Martin Luther King Day (3rd Monday in January)

Memorial Day (last Monday in May)

ABC RESORT AND CASINO Treaty Day (Monday or Friday nearestJune 9th)

Independence Day (July 4th)

Labor Day (1st Monday in September)

Veterans Day (November 11th)

Thanksgiving (4th Thursday in November)

Christmas (December 25th)

C. LEAVE REQUEST & PROCESSING

Due to staffing for ABC RESORT AND CASINO business, ABC RESORT AND CASINO expects team members to pre-plan leave use, submitting their written leave request as soon as possible. The minimum timeframe for pre-approved leave is (48 hrs), or one month when requesting a week or more of leave. This process assures the team member that leave is available so they can confirm personal plans (purchase tickets, place deposits, make commitments, etc.,) and allows ABC RESORT AND CASINO to plan for schedule coverage in a timely manner. Once submitted, the leave form is either approved or denied by the supervisor, who notifies the team member within 48 hours. Leave approval remains at the discretion of the supervisor/manager and is based on the team member’s available leave, leave history and business or staffing needs. Once leave has been pre-approved, it can be rescinded by the department head if the team members falls below the approved leave balance prior to the leave period or for extreme business circumstances. Refer to policy response time month out.

Any abuse of paid time off, including chronic attendance problems, unacceptable absence(s) and misuse of leave, will result in progressive discipline, and may subject the team member to reclassification of employment status, suspension or termination.

Anytime a team member is away from the workplace, pre-approved or unscheduled, a leave form must be submitted, identifying date(s) and type of leave. The supervisor is responsible to ensure that leave forms are processed timely using appropriate available leave before leave without pay (LWOP) is considered.

D. EXEMPT TEAM MEMBERS USE OF LEAVE

Exempt team members are expected to maintain a regular 40-hour workweek, which may fluctuate with business needs. Generally, full salary must be paid regardless of the number of days or hours worked in a workweek, except that a team member need not be paid for any workweek in which he performs no work.

ABC RESORT AND CASINO may require exempt team members to use accrued leave whenever they are away from the workplace for personal reasons. Exempt team members may have leave deducted from accrued leave balances in hourly increments, with two hours being the minimum amount allowed.

Exempt team members away from work due to personal reasons shall submit a leave form identifying the appropriate leave use – sick, vacation, traditional, civic, as appropriate for the absence. Exempt team members who exhaust accrued leave may be charged leave without pay (LWOP) for absences of a full day or more.

It is at the discretion of the supervisor, knowing the exempt team members work schedule, work load, leave history, etc., to require or waive use of accrued leave.

8.05 LEAVE WITHOUT PAY (LWOP) & LEAVE OF ABSENCE (LOA)

When team members experience situations that require time off when leave is unavailable or has been exhausted, they may be eligible for LWOP or a LOA. Because any absence from the workplace impacts operations - short staffing, timeliness of service delivery, project completion, overtime, schedule changes, etc., - providing an extended period of unpaid leave is the last option considered for a team member. To control this use of leave the following guidelines will apply.

A. LEAVE WITHOUT PAY (LWOP)

LWOP will be provided when the following conditions apply:

1. New team member~~s~~ absent from work during their 90 day probationary period.
2. When a team member incurs an absence after exhausting all appropriate accrued or allocated leave.
3. For early-outs due to slow business, the team member may elect to use LWOP or Vacation leave.
4. When required as part of a disciplinary action.
5. For absences involving progressive discipline.
6. For unscheduled absences as determined by the supervisor.
7. Pre-approved LWOP may only be approved in advance by the department head so long as the LWOP request does not exceed three (3) days.

B. LEAVE OF ABSENCE (LOA)

Team members who have exhausted all leave and who request additional time away from the workplace for personal reasons may be allowed a leave of absence (LOA). A LOA is provided at the discretion of the department head based on business and staffing needs and is processed as unpaid leave.

LOA may be provided when the following conditions apply:

1. When the team member has exhausted their family medical leave and who requests additional time to obtain the medical release.
2. For the death of an immediate family member after the team member has exhausted available funeral and vacation leave.
3. For unexpected situations where all appropriate leave has been exhausted and for which the department requests a LOA to retain the team members employment.

LOA PROCESS & LIMITS

1. Department Directors/Managers have the authority to allow up to ten (10) calendar days of LOA for team members who have exhausted all available leave.
2. Any leave requested beyond ten days will require the pre-approval of the HR Director in consultation with the CEO.
3. Team members on LOA may not work outside ABC RESORT AND CASINO during this leave period.
4. Team members on approved LOA shall be responsible for making payments for voluntary deductions they have authorized, including medical/dental/vision dependent coverage, AFLAC, Pre-Paid Legal, Athletic Club, etc., or they may find their coverage cancelled for non-payment.
5. If the team member does not return by the date authorized, their employment may be terminated as job abandonment (quit) and they may be required to repay costs incurred to maintain their benefit coverage during their LOA.

ABC RESORT AND CASINO reserves the right to review and grant LOA requests based on the circumstances and on business needs.

8.06 APPROVED CIVIC DUTY LEAVE

ABC RESORT AND CASINO encourages team members to fulfill their civic responsibilities by serving jury duty, witness duty, tribal committee/commission appointments, and military leave duty when required.

A. JURY DUTY – F/T team members who are selected for jury duty may be eligible for up to two weeks of jury duty leave annually, under the following guidelines:

1. Team member will provide a copy of the jury duty selection letter to their supervisor as soon as received. The department will forward the notice to HR for the team members file.
2. Team members reporting to jury duty will receive pay at their primary rate for the actual hours spent at jury duty. Jury duty pay does not include travel time to and from jury duty.
3. Team members who are selected and serve on a jury for six hours or more in a day shall receive pay for the entire day and may not be required to report to work if the team member’s shift is scheduled within eight hours of jury duty service when confirmed with the supervisor.
4. Team members must provide a note from the court confirming jury duty time spent. The supervisor will enter the jury duty hours into the time clock system. The court note shall be attached to the leave form and filed with payroll.
5. Team members who are selected and serve less than four hours on jury duty are expected to report to work whenever their jury duty schedule allows.
6. Team members required to serve jury duty beyond the two week period provided may use available vacation leave.
7. Team members may keep the jury pay and the mileage allowance for reporting to jury duty.

Either ABC RESORT AND CASINO or the team member may request an excuse from jury duty if, in ABC RESORT AND CASINO’s judgment, the team member’s absence would create serious operational difficulties.

B. WITNESS DUTY - If team members have been subpoenaed or otherwise requested to testify as a witness on behalf of ABC RESORT AND CASINO, they will receive pay at their primary rate of pay for the period of witness duty. The team member shall provide a copy of the request or summons to provide witness testimony their supervisor as soon as received. The supervisor will confirm the request/summons is related to ABC RESORT AND CASINO business and arrange for witness leave.

C. MILITARY LEAVE DUTY - A military leave of absence will be granted to F/T team members to attend scheduled drills or training, when supported by written orders. The leave will be unpaid, although team members may use available vacation leave for the absence. ABC RESORT AND CASINO team members activated for military deployment will be processed under conditions similar to USERRA (uniformed services employment/reemployment rights), with termination processed. Upon release from military duty, the team member shall submit an application for reemployment within the established length of service timeframes: not to exceed five-year service limitation and that the separation from service was not disqualifying. Once received, ABC RESORT AND CASINO will reinstate the team member to their job with no break in their seniority status for accrual purposes and with a reentry wage that includes merit pay that would have been earned if there were not a break for military duty. ABC RESORT AND CASINO will make reasonable efforts to reemploy team members with a military duty incurred disability whenever possible, whether in the same or similar position, when the placement is conducive to business and operational needs.

D. TRIBAL DUTY LEAVE is available when team members are appointed to serve on a tribal commission, committee, or board, or to attend tribal General Council meetings. Team members are allowed up to eight (8) hours per month to participate in such duties and requires pre-approval from their supervisor. Time required outside this timeframe will require the team member to use available vacation leave.

Team members attending meetings during their regular work hours for approved tribal duty participation are not eligible for any stipends or honorariums provided.

E. COMMUNITY/CIVIC DUTY LEAVE

Community giving is a key success driver for ABC RESORT AND CASINO and as such, team members are encouraged to engage in activities and events that promote that sense of community. The following provide opportunities for ABC RESORT AND CASINO team members to support these efforts.

1. Civic Match Leave - ABC RESORT AND CASINO promotes team member involvement in activities and efforts that positively impact our community by encouraging team members to volunteer for community boards, public awareness campaigns, special fund raising events, non-profit organizations, emergency shelters and food banks, etc. To encourage such volunteerism, ABC RESORT AND CASINO will match the team member’s use of vacation leave by 100% for one day (eight hours) a year, with a minimum use of 1 hour at a time.

The match leave request must be pre-approved at least one month in advance with the team member providing their supervisor with a completed ABC RESORT AND CASINO Volunteer Form that identifies the event, date(s), sponsor, contact person and number. Once the supervisor approves the request, the team member participates in the event and provides the proof of participation required to their supervisor, the civic match leave pay will be processed in the time clock system.

Examples:

* Team member volunteers on the United Way Board that conducts quarterly meetings running two hours in length. The team member would use 1 hour of vacation leave and ABC RESORT AND CASINO would match with one hour of match leave.
* Team member volunteers for Relay for Life Cancer walk, a two day event. The team member uses one day of vacation leave and ABC RESORT AND CASINO would match one day of volunteer leave.

F. VOLUNTEER ABC RESORT AND CASINO EVENTS

In compliance with labor laws that protect team members from unlawful labor practices, ABC RESORT AND CASINO diligently adheres to paying team members for all hours worked, including overtime hours. ABC RESORT AND CASINO will continue to ensure these requirements for all ABC RESORT AND CASINO team members.

ABC RESORT AND CASINO team members often request to participate in various ABC RESORT AND CASINO sponsored activities and events on a volunteer basis. This participation is a positive mode that allows team members to engage in entertainment events focused on the guest, which are often fun filled, extravagant and energizing. Special events/activities may include concerts and other types of performances, charity events, cultural celebrations, special promotions, and other ABC RESORT AND CASINO sponsored situations deemed appropriate by ABC RESORT AND CASINO management.

ABC RESORT AND CASINO does offer opportunities for team members to volunteer for ABC RESORT AND CASINO events subject to the following volunteer criteria:

ABC RESORT AND CASINO team members may volunteer to assist with ABC RESORT AND CASINO special events/activities when:

1. That event/activity is not a primary responsibility or function of their job.
2. The time volunteered does not interfere with their job schedule/performance.
3. The team member is not subject to any pressure or threat to volunteer and is not punished in any manner for refusing to volunteer.
4. Volunteer time is not compensated time, including overtime or flex time.
5. The volunteer must be pre-approved by their supervisor and the event coordinator to assist with the special event/activity.
6. ABC RESORT AND CASINO team members who incur an injury while performing volunteer duties are eligible to file a worker compensation claim.

Team members interested in volunteering may do so after signing a volunteer policy form in HR. HR will maintain a list of team member volunteers from which departments needing assistance with special events, may request volunteers.

SECTION 9.00 GLOSSARY

12 month rolling period A period of 12 months prior to today’s date.

ACA Affordable Care Act

Adverse action Actions taken that impact a team member’s pay, including demotion, suspension without pay, and termination of employment.

ASPP Alcohol Service Policy & Procedures

ATP/MM Arrowhead Travel Plaza/Mission Market, the two retail enterprises moved from tribal government oversight to ABC RESORT AND CASINO oversight.

At-Will Separating a team member from work with or without cause.

BOT The elected governing body of the ABC RESORT AND CASINO is the Board of Trustees.

Chain of Command A reporting structure team members are expected to follow in seeking clarification, addressing concerns, etc., within their department.

Class II Games Poker, bingo and pull tabs where players must be at least 18

years of age.

Class III Games Blackjack and other house banked variations, craps,

roulette, slots, keno and off track betting (OTB), where players must be at least 21 years of age.

CEO Chief Executive Officer

Confidentiality The protection of ABC RESORT AND CASINO information regarding team members, guests, and business operations and procedures considered proprietary and not to be disclosed without management approval.

ABC RESORT AND CASINO Confederated Tribes of the ABC Indian Reservation

Customer Individual utilizing ABC RESORT AND CASINO services, whether as a paying guest or as a team member whose role is to provide services to other team members.

Department An operating unit specializing in a focused field of work,

e.g., accounting, custodial, slots, gift shop, etc., which reports to an enterprise or division head.

Department head Person responsible for managing the operations of a

department.

Disciplinary actions Actions taken to address performance issues, including

counseling, suspensions, demotions, terminations.

Division An operating unit which provides administrative support services to ABC RESORT AND CASINO enterprises and operations.

Division head Responsible for directing/managing an administrative division.

Drug testing ABC RESORT AND CASINO conducts on-site drug testing for the presence of drugs or alcohol.

Dual rate team member When ABC RESORT AND CASINO team members work in more than one capacity at different rates of pay, they are considered a dual rated team member.

Enterprise Enterprises are revenue generating entities and include: the

Casino, Hotel/RV Park, Golf course, Cineplex, Arrowhead Travel Plaza and Mission Market.

Enterprise head Responsible for directing/managing a ABC RESORT AND CASINO enterprise.

Executive management Team comprised of the Chief Executive Officer, Head of Finance, Casino General Manager, Marketing Director and the HR Director.

Exempt team member Team member who receives the same amount of pay each pay period regardless of the number of days or hours worked, and who does not receive overtime or holiday pay.

F/T Full time team member

Flat cap pay Pay processed for a team member who has reached the ceiling cap during the annual performance appraisal

FEHB Federal Employee Health Benefits is the group medical plan available to federal and tribal employers.

FLSA Fair Labor Standards Act is a federal law that outlines employment classifications, overtime pay provisions and record keeping requirements.

FML Family Medical Leave allows team members to take time off for the birth of a child, or to care for medical needs of self or family.

For cause testing Drug and alcohol testing conducted by security for team members suspected of working under the influence of alcohol or drugs.

Gaming license License issued by the ABC RESORT AND CASINO Gaming Commission, which allows a team member to work in a gaming area.

GM Casino General Manager

Guest Individual utilizing ABC RESORT AND CASINO services.

Harassment Behavior, words, or actions that continue after a team member has made it known that the actions are unwelcome, unwanted or offensive.

HR Human Resources

IGRA Indian Gaming Regulatory Act is a federal law that outlines gaming regulations for Indian Tribes operating gaming enterprises.

Immediate family Considered to be a spouse (legal or common law), parent, step parent or parent-in-law, child or step child, sibling, grandparent, or grandchild.

Internal controls Written procedures for gaming area operations.

IRS Internal Revenue Service is a federal agency that administers tax codes/levies for businesses and individuals.

Insubordination Behavior (words or actions) that refute or challenge the authority and/or directives of a supervisor.

LOA A Leave of Absence is a period of time a team member is granted after all paid leave has been exhausted.

LWOP Leave Without Pay applies wherever an team member is absent from work during their probationary period, due to disciplinary actions, for unauthorized absences and when appropriate leave use has been exhausted.

Medical release Team members who have a medical restriction from work, must provide a release from their physician prior to their return to work.

Merit incentive Pay adjustment initiated when the department head submits a written justification to compensate a team member for performance or incentive based reasons.

MIS Management information systems is the name of ABC RESORT AND CASINO’s computer and information technology department.

MOD Manager on Duty is a delegated position responsible for overseeing ABC RESORT AND CASINO operations on assigned shift.

MRO Medical Review Officer is the drug and alcohol testing consultant retained by ABC RESORT AND CASINO to assist in the implementation of its drug and alcohol testing.

Outside employment When Team members work outside ABC RESORT AND CASINO in jobs that may conflict or compete with ABC RESORT AND CASINO policies, operations or business.

NC/NS When a team member does not call in to work, nor show up by the end of the first hour of their scheduled shift, is considered a No Call/No Show.

NIGC National Indian Gaming Commission is a federal commission that oversees Indian gaming regulations.

Non-exempt team member Team member who receives pay for hours worked, and overtime pay at time and a half for hours worked beyond a 40-hour work week.

NSF checks Non-sufficient funds checks are checks team members present for payment, but for which insufficient funds are available to cover the amount.

OLCC Oregon Liquor Control Commission administers the rules and regulations of Oregon liquor laws and practices.

OSHA Occupational Safety & Health Administration is a federal agency that oversees workplace safety regulations and practices.

OSP Tribal Gaming Unit Oregon State Police representatives assigned to the Tribal Gaming Unit to oversee compliance of the tribal/state gaming compact.

P/T Part time team member.

PAF Payroll action form is used to document a team member’s hire, job title, employment classification, rate of pay, employment status and any changes related to such actions.

Paid Leave The leave plan used by ABC RESORT AND CASINO team members consisting of accrued and allocated leave.

Performance appraisal Form used to document a team member’s job performance; used for their 90-day and yearly evaluations.

Performance adjustment During the team member’s yearly performance appraisal, a rate adjustment may be processed for those achieving a satisfactory (3) or better rating.

Personnel file Official, confidential team member file maintained in HR that includes employment documents, pay actions, evaluations, benefit coverage, performance counseling, disciplinary actions, medical file and leave forms.

Post accident testing Team members involved in an on-the-job injury that interrupts their work, or that requires medical attention, are required to submit to a drug & alcohol test conducted by security.

Primary rate of pay Rate of pay received by the team member for performing the job duties of the position for which they were hired.

Pre-approved leave When a team member submits a leave form requesting time off with a minimum 48 hours notice. Length of requested leave will dictate pre-approval timeframe so reference the appropriate leave policy.

Pre-employment testing Applicants offered a position at ABC RESORT AND CASINO must submit to a urine drug screen and successfully pass with negative results before a job offer is made.

Premiums The cost paid by the employer or team member for benefit plan coverage.

Progressive discipline Documented stages of progression used by supervisors when corrective action is needed to improve team member performance.

PTO Paid time off is the leave plan used by ATP/MM team members.

Quit When a team member terminates their ABC RESORT AND CASINO employment without notice.

Random drug testing Testing allowed up to one year for team members who previously tested positive under for-cause or post accident, following their positive results.

Reconsideration letter Previous ABC RESORT AND CASINO team members who quit or were terminated from employment and who wish to reapply, must submit a letter outlining why ABC RESORT AND CASINO should reconsider them for rehire.

Resignation Written document provided by the team member giving a two week notice of their intent to leave ABC RESORT AND CASINO employment.

RIF When ABC RESORT AND CASINO must reduce its workforce due to some compelling business need.

Salary cap The cap or highest rate of pay in the salary range for a position.

Severance pay When a RIF is implemented, eligible team members may receive severance pay to offset their termination of employment.

Solicitation The posting, distribution, promotion, selling, invoking participation, etc., of materials, information, goods, etc., for non ABC RESORT AND CASINO related operations/events.

State tax exempt Enrolled Native Americans living and working on a federally recognized Indian reservation may request exemption from paying state tax after completing the exempt form in HR.

Suspension When a team member is removed from the workplace for a period of time due to various reasons - disciplinary action, workplace investigation, under progressive discipline, etc.

Tardy Clocking in after the scheduled start time but before the end of the first hour.

Termination When ABC RESORT AND CASINO ends the employment of a team member for various reasons.

Tribal-State Compact Written agreement between the ABC RESORT AND CASINO and the State of Oregon on ABC RESORT AND CASINO gaming operations.

Unscheduled absence When a team member is scheduled to work and calls in to say they are unable to work.

WAP’s Wide area progressives are ABC RESORT AND CASINO slot machines that are linked to a group of slot machines outside ABC RESORT AND CASINO.

ABC RESORT AND CASINO Management ABC RESORT AND CASINO management team headed by the CEO

Worker compensation Program designed to assist team members reporting an on-the-job injury.