

Legislative Branch Employee Handbook Fair Employment Leave Policy

FAIR EMPLOYMENT STATUTE LEAVE POLICY (FEL)

- A. In accordance with Waganakising Odawak Statute #2008-011 Fair Employment, employees are eligible for unpaid leave, known as Fair Employment Leave (FEL) for domestic violence, military and medical as delineated in this policy. FEL may be requested by an employee on their first day of work.
- B. Qualified leave pursuant to Section XI Domestic Leave and Military Leave, and Section XII Employment Leave For Victims of Violence is defined as:
1. care for an employee's child after birth or placement for adoption or foster care,
 2. care for an employee's spouse, son or daughter, or parent who has a serious health condition,
 3. care for an employee's serious health condition that makes the employee unable to perform the occupational functions of their job,
 4. required military duty of oneself or a spouse or parent of a person called to military service lasting longer than 30 days, and
 5. for an employee who is a victim of domestic abuse, sexual assault, stalking, or other domestic violence-related crimes.
- C. Employees that qualify for FEL under the criteria listed above will be permitted to take unpaid leave for the prescribed amount of time as defined below. Employees that are able to return to work within their defined and approved leave period without restrictions, will be designated as active and returned to the position or like position that the employee held prior to their approved leave.

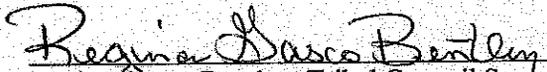
Leave Eligibility Criteria:

- A. Employees employed for less than one (1) year are eligible for a maximum of 30 days of unpaid leave for any qualified event.
- B. Employees employed for more than one (1) year and have worked a minimum of 1250 hours within a twelve (12) month rolling period¹ from the date of requested FEL will be eligible for a maximum of twelve (12) weeks leave for any qualified event during a twelve (12) month rolling period. FEL must not exceed twelve (12) weeks total within the rolling twelve (12) month period.

¹ 12 Month Rolling Period is calculated from the date of the FEL request, backwards 12 months, to identify the qualifying hours worked to include PTO, Personal Time, and Flex Time (when applicable).

- C. Employees employed for more than one (1) year and have worked a minimum of 1250 hours within a twelve (12) month rolling period from the date of requested FEL, and need to care for a covered military service member with a serious injury or illness will be eligible for a maximum of twenty (26) weeks of FEL.
- D. Any Employee who is a victim of domestic abuse, sexual assault, stalking, or other domestic violence-related crime is eligible for 30 days of FEL. Additional leave can be requested if there are other qualified events as a result of the situation.
- E. Employees that use approved FEL time will be required to use any accrued PTO, Personal Time, and if all other paid time is exhausted, Flex Time can be used while they are on leave. Time will be assessed to their payroll during their absence by their manager. A bank of 24 accrued PTO hours can be left available to the employee upon their return to active status.

This Policy was approved by Tribal Council on:


Regina Gasco Bentley, Tribal Council Secretary

10-8-12
Date