



# STANDING ROCK SIOUX TRIBE

## *Job Classification Policy*

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Nothing in this policy should be considered a waiver of tribal sovereignty regarding the compensation of employees. The Standing Rock Sioux Tribe has not adopted the Fair Labor Standards Act (FLSA), but instead classifies employees and job positions as being *Eligible* and *Not Eligible for Compensatory Time (comp-time)*.

### **I. PURPOSE**

Standing Rock Sioux Tribe (“The Tribe”) will determine job position status and classify all employees as *Eligible for Comp-time* and *Not Eligible for Comp-time*, for the purpose of compensation administration.

### **II. POLICY OBJECTIVES**

Key provisions of the Tribe’s job classification policy are as follows:

- A. Employment with the Tribe is voluntary.
- B. Employees are free to resign at will at any time with or without notice or cause.
- C. The Tribe may likewise terminate the employment relationship with employees at will at any time, with or without cause. This is known as employment at will.
- D. Employees are classified as either eligible for comp-time or not eligible for comp-time, and job position status will be determined within the categories of:
  - a. regular full-time
  - b. regular part-time
  - c. temporary
  - d. seasonal, or
  - e. intermittent.

### **III. JOB POSITION STATUS**

The Human Resources Department will determine job position status for employees classified within the following categories:

#### **A. Regular Full-Time Status**

Regular Full-time employment status job positions require employees to work no less than thirty (30) hours per week, and successfully complete the required probationary



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period. Employees in these positions are eligible to participate in available benefits in accordance with the specific eligibility requirements of the benefit plans.

**B. Regular Part-Time Status**

Employees in Regular Part-time employment job positions are required to work no less than sixteen (16) hours and no more than twenty nine (29) hours per week and successfully complete the required probationary period. These positions are eligible to participate in available benefits provided in accordance with the specific eligibility requirements of the benefit plans.

**C. Temporary Employment Status**

Employees are assigned to fill Temporary employment status positions in cases when a prospective applicant is deemed qualified for an advertised position, the duration of which is not expected to exceed sixty (60) calendar days. Employees in Temporary status positions shall not accrue annual or sick leave, are not eligible to participate in available benefit plans and may be terminated at any time with or without notice, but are entitled to receive pay for designated holidays, provided a full day of work is completed immediately before and after the holiday

**D. Seasonal Employment Status**

Employees in Seasonal employment status positions are assigned these positions in cases when a prospective applicant is deemed qualified for an advertised seasonal position, and the termination dates and expected duration of the seasonal employment is clearly defined. Seasonal status positions shall not accrue annual or sick leave, and are not eligible to participate in available benefit plans, except in cases required by law.

**E. Intermittent Employment Status**

Intermittent employment status positions are utilized to provide work on an as-needed basis, and employees in these positions are subject to irregular work hours, depending on the needs of the department, variation of work load, or the need for services that do not require the need for continuous employment beyond the immediate work demands. Employees in Intermittent employment status positions are not authorized to work more than twenty-eight (28) hours per week, do not accrue annual or sick leave, and are not eligible to participate in available benefit plans. Intermittent employment status positions are compensated based on the classification of the job position and actual hours worked. An intermittent employment status employee shall not be hired into a regular position without following the required recruitment policy and procedures.



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Intermittent employment status positions will expire one (1) year from the employee's start date.

#### **IV. CLASSIFICATION OF JOB POSITIONS AS NOT ELIGIBLE FOR COMP-TIME AND ELIGIBLE FOR COMP TIME**

##### **A. Job Positions *Not Eligible for Compensatory Time* (Comp-Time)**

Employees in job positions identified as *Not Eligible for Comp-time* are compensated on a salaried basis, and typically include: executive, administrative, learned professional employees, outside sales representatives, certain highly skilled computer professions, as well as those possessing supervisory responsibilities.

##### **B. Job Positions *Eligible for Compensatory Time* (Comp-Time)**

Employees in job positions identified as *Eligible for Comp-time* are those who are compensated on an hourly basis, and will receive comp-time calculated at one and one-half (1 ½) times the employee's regular rate for actual hours worked beyond the standard forty (40) hours in the work week, and for holidays worked when authorized and directed.