

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 113-20

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act and is federally recognized by the United States Government through the Secretary of the Interior for the Administration of programs and services for the residents of the Reservation; and

WHEREAS, the Pyramid Lake Paiute Tribal Council is the duly elected governing body of the Pyramid Lake Paiute Tribe, charged with the responsibility of establishing policy and taking action to provide administration guidelines; and

WHEREAS, the Pyramid Lake Tribal Human Resources department acknowledges the importance of protecting employees from possible exposure to the highly contagious COVID-19 coronavirus may result in modification to existing policies & processes and has submitted Section 10.14a Pandemic Administrative Leave (Amended); and

WHEREAS, the Pyramid Lake Paiute Tribal Council established a Tribal Personnel Committee to review the Personnel Policies and Procedures Manual, recommending revisions by resolution determined necessary for the proper management and administration of the Personnel System; and

WHEREAS, the Personnel Committee has reviewed proposed addition of Section 10.14a Pandemic Administrative Leave (Amended) policy) and recommends approval of amendment during the COVID-19 Pandemic period; and

WHEREAS, the Executive Team in conjunction with Tribal Chairman have reviewed the proposed addition to the Personnel Policies and Procedures Manual and recommends approval of the same.

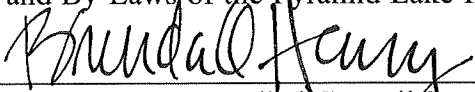
WHEREAS, all employers need to consider how best to decrease the spread of acute respiratory illness and lower the impact of COVID-19 in their workplace in the event of an outbreak. The Tribal Administration hereby incorporates provisions to address the current status of Pandemic Administrative leave during pandemic period; and

NOW, THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, hereby accepts the recommendation of the Personnel Committee and approves the attached temporary revision to the Tribal Personnel Policies and Procedures Manual:

SECTION 10.14A PANDEMIC ADMINISTRATIVE LEAVE

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, the governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom nine (9) constituting a quorum were present at a meeting duly held on the 20th day of November 2020, was adopted by the affirmative vote of seven (7) for and zero (0) against and one (1) abstentions pursuant to the authority contained in the Constitution and By-Laws of the Pyramid Lake Paiute Tribe.



Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council

SECTION 10. ATTENDANCE AND LEAVE POLICY

10-14a. PANDEMIC ADMINISTRATIVE LEAVE

- A. **Pandemic Emergencies:** Leave with pay may be allowed during public emergencies that effectively prevent an employee from attendance at work or continuance of work in a normal and orderly manner. A public emergency includes fire, explosion, power failure, flood, earthquake, snowstorm, protest, demonstration, riot, sabotage, pandemic illness, and other comparable occurrences. When an employee is absent because of personal reasons resulting from a public emergency, the employee should charge this absence to accrued vacation or leave without pay.
- B. The primary consideration is to provide a path to work for all employees to the extent possible and to mitigate the impact for those who cannot work due to COVID-19 related circumstances.
1. Supervisors are expected to enable on-site or remote work and be as flexible as possible to support keeping employees as productively working as operationally feasible.
 2. Employees are expected to engage in conversations with their supervisor and be flexible when trying to balance work with personal responsibilities.
 3. If on-site or remote work is not possible, Administrative Leave may be appropriate as determined consistent with the guidelines and parameters set forth below.
- C. **Approval:** Administrative Leave will only be granted for COVID-19 related circumstances after a showing that the employee cannot work, intermittently or otherwise, on-site or via telecommute.
1. Employees must exercise good faith in making their request for use of Administrative Leave.
- D. Following are the guidelines and parameters for paid Administrative Leave eligibility and implementation:
1. The period authorized for paid Administrative Leave is March 23, 2020 up through December 30, 2020 or until such time this leave assistance is no longer needed. Authorization per eligible employee is based on their regular effort time up to an average of 40 hours per week.
 2. Paid Administrative Leave for employees unable to work or telework because of the need to care for their child whose school/place of care is closed or child care provider is unavailable due to COVID-19 are authorized for up to 80 hours. When this limit is reached, employees may consider using other leave options such as their own personal accrued leave balances.
 3. Supervisors shall identify and approve which employees have been approved for paid Administrative Leave. Employees must code "Admin Leave" on their time for supervisors to approve in EWS for accurate tracking of Administrative Leave usage.

4. Employees who are gradually resuming on-site work during the resumption of onsite work transition period may continue to use paid Administrative Leave intermittently only for the portion of time they are not authorized for on-site presence and are unable to telework. Paid Administrative Leave is not authorized for any portion of time the employee is authorized to perform on-site work. Accrual of paid leave time is exempt from Administrative Leave hours within the employee's payroll period.
5. Exempt salaried employees may code Administrative Leave in half or full day increments; Non-exempt hourly employees should code Administrative Leave in hourly increments.
6. Administrative Leave may be used intermittently as needed, in consultation with the supervisor, provided that such use shall not adversely affect the delivery of essential services. This means that employees, in coordination with their supervisor, may work a partial day as regular work time and a partial day on paid Administrative Leave.
7. Paid Administrative Leave is calculated on the compensation that would have been paid at the time that the leave is taken.
8. Administrative Leave for employees who work less than full-time shall be prorated according to the percent of the appointment.
9. Administrative Leave cannot be donated to another employee.
10. All employee types may be eligible for the one-time allotment of the paid Administrative Leave. On-call/Interim/Probationary employees may not qualify for paid Administrative Leave.
11. Employees who separate from employment while the authority for paid Administrative Leave is in effect, will lose eligibility for Paid Administrative Leave. There will be no payout as this is not a balance.