

PERSONNEL PROCEDURE	OSLH PROCEDURE No. 2009001 January <u>21</u> , 2009
OGLALA SIOUX (LAKOTA) HOUSING	

OSLH now hereby establishes a new Procedure as follows:

RE-EMPLOYMENT STANDARDS FOR TERMINATED OSLH EMPLOYEES

OSLH terminates employees for cause. In some cases those employees are prohibited from being considered for re-employment for a specific period of time. In other cases, no such time period has been expressed in the termination notice, the OSLH policies or rules existing at the time of termination or in OSLH policies or rules existing at the time re-employment is sought.

In addition to current OSLH policies and rules, the following are OSLH re-employment standards. These procedures cannot conflict with any existing policy or rule but are simply intended to provide further requirements and procedures for re-employment situations.

A. RE-EMPLOYMENT DECISIONS. Any former OSLH employee whose last employment at OSLH was terminated for cause may not be considered for any kind of employment at OSLH unless that employee submits the appropriate employment application and the OSLH Chief Executive Officer (C.E.O.) has determined in writing that such ex-employee is eligible for re-employment. Once such a determination is made the former employee's application will be processed like all other applications.

The C.E.O. shall use the special re-employment standards listed in Section B and C below in deciding whether such former employees are eligible for re-employment.

B. STANDARDS FOR RE-EMPLOYMENT

1. When Re-Employment was Specifically Precluded. If at the time of termination the terminated employee was advised in writing that he or she could never be re-employed by OSLH and the ex-employee is otherwise eligible for re-employment under these procedures, the CEO may, using his or her own discretion, decide that the ex-employee is once again eligible for re-employment.

2. When There Was a Waiting Period. If under the terms of the termination or under current OSLH policies and rules the ex-employee is not yet eligible for re-employment because of a specific designated waiting period, then the ex-employee may not be considered for re-employment.

3. Prohibited Re-Employment. The following ex-employees are prohibited from being re-employed.

- a. Ex-employees who owe money to OSLH or have an outstanding balance still left on a payback agreement.
- b. Ex-employees who are serving a sentence or are on probation for a felony crime or misdemeanor.
- c. Ex-employees terminated for or as a result of drug distribution/use or abuse of alcohol and there is evidence at the sole discretion of the C.E.O. that they have used or distributed those substances in the last twelve (12) months.
- d. Ex-employees who have committed a felony or misdemeanor in the last five years.
- e. Ex-employees who were involved in an event or incident that they were terminated for and it resulted in monetary damages to OSLH, another OSLH employee or any third party and the ex-employee has not fully compensated those parties.
- f. Ex-employees who have an outstanding legal claim against OSLH, it's Board or its supervisory staff.
- g. Ex-employees who have been charged with a criminal felony or misdemeanor that has yet to be adjudicated.
- h. Ex-employees who have been convicted of assault or sexual misconduct involving an OSLH tenant, homebuyer, program participant, occupant or unit visitor during the employee's working hours or as a result of the employee's OSLH employment status.
- i. Ex-employees who have embezzled money from OSLH.

C. Other Additional Factors to be Considered by the C.E.O. If an ex-employee is not disqualified by any of the preceding standards set out in Section B above, the OSLH CEO shall consider the following additional factors and then, using his or her sole discretion, decide whether to make the ex-employee eligible for re-employment.

Terminated for use/abuse of drugs or alcohol or anger management and the ex-employee has not undergone or completed treatment

Terminated for use/abuse of drugs or alcohol and the ex-employee refuses to sign an affidavit vowing that he or she will no longer use drugs or consume alcohol with the further agreement that if the ex-employee is found by OSLH doing so he or she will be immediately terminated

Terminated for use or abuse of drugs and alcohol and there evidence that the employee has used drugs or alcohol in the past twelve (12) months

Evidence that the employee distributed or sold drugs in the past three (3) years

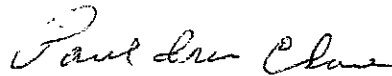
Number of times the ex-employee has been terminated by OSLH

After carefully reviewing prior employment and the ex-employee's personnel file, any reasons to not re-employ the employee

Ongoing participation in counseling or treatment for chronic illnesses

Appearance, in the sole discretion of the CEO, to be a threat to OSLH property, employees or program participants

I make the preceding Procedure No. 3
effective this 21 day of January 2009.



Paul Iron Cloud, C.E.O.
Oglala Sioux (Lakota) Housing