

 ONEIDA STANDARD OPERATING PROCEDURE	TITLE: Employment Eligibility	ORIGINATION DATE: November 4, 2021 REVISION DATE: November 19, 2021 EFFECTIVE DATE: After last signature
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DIVISION: All	APPROVED BY: <i>Executive Human Resources Director</i>	
EEO REFERENCE #: 5592	Pages: 1 of 2	

1.0 PURPOSE

- 1.1 To determine employment eligibility of applicants who were previously terminated from the Oneida Nation.
- 1.2 To determine employment eligibility of applicants who were the subject to an investigation and had their employment separated or terminated prior to completion of the investigation.

2.0 DEFINITIONS

- 2.1 Separation: Non-disciplinary action used for resignations, quits, job abandonment, license revocation and license suspension.
- 2.2 Termination: Formal disciplinary action for policy violation(s) resulting in an employee separation for policy violations.

3.0 WORK STANDARDS

- 3.1 Employees who are terminated for Drug and Alcohol-Free Workplace (DAFWP) Violations, the eligibility guidelines as stated in the DAFWP Policy, shall apply.
- 3.2 Terminated employees in the appeals process are not eligible for employment until the appeals process is exhausted and after the employment eligibility criteria listed below is satisfied.

Pardon Required for Employment Eligibility

- 3.3 Employees who are subject to an investigation for Theft, Sexual Harassment or Workplace Violence and their employment is separated or terminated prior to the completion of the investigation.
- 3.4 Employees who are terminated for Theft, Sexual Harassment or Workplace Violence.
- 3.5 Employees who receive a Pardon shall not be eligible for employment for one (1) year after the date of termination or resignation.

One (1) Year Employment Ineligibility from Date of Termination or Resignation

- 3.6 Employees who were terminated for reasons other than theft, sexual harassment, or workplace violence.

4.0 REFERENCES

- 4.1 Oneida Nation's Personnel Policies and Procedures
- 4.2 Drug and Alcohol-Free Workplace Policy
- 4.3 Workplace Violence Policy
- 4.4 Pardon and Forgiveness Law
- 4.5 Pardon and Forgiveness Application