

**TRADITIONAL
COUNCIL**

CHAIRMAN
Estavio Elizondo, Menikapah

SECRETARY
David P. Valdez, Sr., Pietoetaka

TREASURER
David Trevino, Wepikaoda

MEMBERS
Kendall R. Scott, Metaa
Nanate Hernández, Nanatea

KICKAPOO

**TRADITIONAL
TRIBE OF TEXAS**

2212 Rosita Valley Road
Eagle Pass, Texas 78852



Traditional Council

RESOLUTION No. 2016-K-004

RESOLUTION DULY ADOPTED BY THE KICKAPOO TRADITIONAL COUNCIL

**APPROVING THE ADOPTION OF THE
KICKAPOO TRADITIONAL TRIBE OF TEXAS
SOCIAL MEDIA POLICY**

WHEREAS, The Kickapoo Traditional Tribe of Texas is an Indian tribe organized under Section 16 of the Indian Reorganization Act of June 18, 1934, (48 Stat. 984), codified at 25 U.S. C. 476, et seq., and under the Tribal Constitution, which was approved by the United States Secretary of Interior on July 11, 1989; and

WHEREAS, The Tribal Council of the Tribe is the governing body of the Tribe as specified under Article III, Section I of the Tribal Constitution; and

WHEREAS, The Tribal Council has the powers necessary to act for the Tribe and to represent the Tribe in all matters under powers vested in it by Article VII of the Tribal Constitution; and

WHEREAS, The Tribal Council has the authority to regulate the peace, safety, welfare and political integrity of the Tribe as well as being responsible for the day to day operations of the Tribe; and

WHEREAS, The Kickapoo Traditional Tribe of Texas has grown into a complex entity which comprises a large number of employees; and

WHEREAS, The Tribal Council finds that with the rise of the internet, the Kickapoo Traditional Tribe of Texas and its employees live in a modern and ever-changing world; and

WHEREAS, The Tribal Council finds that a Social Media Policy outlines a company's set of guidelines for employee conduct in regard to the use of social media and social networking websites; and

WHEREAS, The Tribal Council finds that adopting a Social Media Policy can make KTTT employees aware of any obligation they may have to protect confidential and/or proprietary information to which they may have access to upon the performance of their duties.

WHEREAS, The Tribal Council finds that it is in the Tribe's best interest to adopt the Social Media Policy attached hereto as Exhibit "A" to outline the KTTT's set of guidelines for employee conduct in regard to the use of social media and social networking websites.

NOW THEREFORE, BE IT RESOLVED, that the Kickapoo Traditional Tribe of Texas Tribal Council officially approves the adoption of the Kickapoo Traditional Tribe of Texas Social Media Policy as stated in Exhibit "A". The adoption of such policy shall outline the KTTT's set of guidelines for employee conduct in regard to the use of social media and social networking websites, thus enabling the Tribe to protect its confidential and/or proprietary information. The Social Media Policy shall also make KTTT employees aware of any obligation they may have to protect the Tribe's confidential or proprietary information they may have access to upon the performance of their duties. **LET IT FURTHER BE RESOLVED,** that this resolution takes effect immediately upon Tribal Council Signatures.

ATTESTATION

We, the undersigned Kickapoo Traditional Tribal Council members acting in our official capacities as the legal leadership of the Kickapoo Traditional Tribe of Texas certify that the above resolution is true and accurate resolution adopted at a meeting called and conducted on **February 16, 2016** at the Kickapoo Tribal Governmental offices located at the Kickapoo Village in Eagle Pass, Texas with a quorum being present. Each signatory below indicates the vote by circling the choice on Resolution **2016-K-004** as follows:



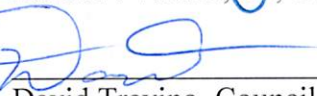
Estavio Elizondo, Council Chairman

FOR / AGAINST 2-16-16
Date



David P. Valdez, Sr., Council Secretary

FOR / AGAINST 2-16-16
Date



David Trevino, Council Treasurer

FOR / AGAINST 2-16-16
Date

absent

Kendall R. Scott, Council Member

FOR / AGAINST —
Date



Nanate Hernandez, Council Member

FOR / AGAINST 2-16-16
Date


CERTIFICATION

I, David P. Valdez, Sr., the Secretary of the Kickapoo Traditional Tribe of Texas Traditional Council, or designated agent, hereby certify that a duly called meeting was held and that Resolution **2016-K-004** was approved and enacted on **February 16, 2016**. The Traditional Council voted as follows:

4 in favor
____ opposed
____ abstain
1 absent

David P. Valdez, Sr., Secretary

By:



Signature
David P. Valdez

Printed Name

Title:

Secretary

Date: 2-16-16

Kickapoo Traditional Tribe of Texas

2212 Rosita Valley Rd
Eagle Pass, TX 78852
Tel# 830-773-2105 Fax # 830-758-0325



SOCIAL MEDIA POLICY

This "Social Media Policy" applies to all employees of all Tribal Employers of the KICKAPOO TRADITIONAL TRIBE OF TEXAS, including the KTTT; Kickapoo Lucky Eagle Casino, LLC; Kickapoo Empire, LLC; and Kickapoo Lucky Eagle Convenience Store, LLC (hereinafter, "KTTT"). The KTTT recognizes social media¹ can be used by employees for personal and business purposes. The KTTT acknowledges its employee's right to use social media. This "Social Media Policy" recognizes, however, that employees' use of social media shapes the way the public, customers, vendors, and employees view the KTTT. The KTTT is committed to insuring such communications via social media serve, advance, and protect the KTTT's interests, identity, integrity, and reputation consistent with the KTTT's values and purposes.

1. **PERSONAL BLOGGING AND SOCIAL NETWORKING:** The KTTT shall not tolerate employees who access and use personal social media internet sites, and browse the internet during working hours. The KTTT shall not tolerate employees' use of KTTT equipment or property such as computers, telephones or internet service to access and use social media during working hours. Working hours shall include the employee's schedule time at work, but not include a designated lunch hour or break.
2. **AUTHORIZATION:** All employees must obtain written authorization from the KTTT's Tribal Administrator or KTTT Legal Department prior to the employee publishing on social media any review, promotion, comment, or advertisement of any KTTT project, service, product, facility, employee, official, or activity of any kind. If written authorization is received, the employee must clearly and conspicuously disclose in social media the employee's employment relationship with the KTTT. The KTTT shall not tolerate any employee's anonymous publishing on social media as an attempt to circumvent this policy.

¹ . Social networking includes but is not limited to: texting, blogging, internet forums, chat rooms, message boards, online group discussions, and social and professional networking sites such as LinkedIn, Facebook, Google+, Twitter, Instagram, YouTube, Snapchat, Periscope, etc.

3. **LEGITIMATE BUSINESS PURPOSES:** Any employee engaged in social media for legitimate business purposes must receive from the employee's supervisor a written approval of all content related to the KTTT prior to publishing any content otherwise prohibited herein. KTTT employees who are engaged in social media for legitimate business purposes shall be responsible for complying with all KTTT policies.
4. **DISCLAIMERS & DISCLOSURES:** Any employee who mentions the KTTT on any social media, regardless of whether posted during or outside working hours, must include a disclaimer and disclosure, stating specifically that any published content or expressed opinions are solely those of the employee and the employee is not representing the KTTT.
5. **RESTRICTIONS ON SOCIAL CONTACTS:** Employees are prohibited from soliciting KTTT customers and vendors as "friends" or contacts on any social media except where the contact has been disclosed in a writing delivered to the employee's immediate supervisor, or where a pre-existing relationship between the employee and contact existed prior to enacting this "Social Media Policy." Employees shall not review, promote, comment on, advertise, or sell any service, products, facilities, or activities of the KTTT or any KTTT vendor without written approval of the employee's immediate supervisor.
6. **PROPRIETARY AND CONFIDENTIAL INFORMATION:** Employees shall not publish on social media any confidential data belonging to KTTT, KTTT members, vendors, customers, visitors, employees, or applicants for employment with the KTTT. This includes but is not limited to, information about trademarks, release of services or products, finances, investments, strategies, or any information not publicly disclosed by the KTTT previously. Employees shall not use KTTT trademarks or logos without written permission from the KTTT legal department.
7. **FALSE INFORMATION AND ACCUSATIONS:** The KTTT shall not tolerate employees' publishing of false or inaccurate information at any time for any reason, including on social media.
8. **DISCRIMINATION AND HARASSMENT:** All KTTT policies and procedures apply in full force and shall not be limited, narrowed, or restricted by this "Social Media Policy." Specifically, the KTTT shall not tolerate any employees' use of social media to harass, bully, discriminate against, or retaliate against any individual or entity. No KTTT employee shall publish, transmit, via social media information that contains derogatory or inflammatory information about any legally protected characteristics or groups, including but not limited to age, race, color, national origin, citizenship, ancestry, disability, genetic information, gender (including pregnancy) marital status, religion, military service, political views, or sexual orientation or preferences. The intent of this "Social Media Policy" is to prohibit statements and conduct via social media that would otherwise be prohibited in other forms or forums.

9. **MEDIA CONTACTS:** All KTTT employees shall immediately notify the Tribal Administrator about any contact from any member of the media, regardless of whether such contact was initiated because of the KTTT employees' communications on social media, and all such media contacts shall be immediately referred and disclosed to the KTTT Legal Department where such contact involves a KTTT project, service, product, facility, employee, official, or activity of any kind.
10. **CONDUCT AWAY FROM WORK:** KTTT employees are expected to be mindful of their employment with KTTT in the use of social media conduct "Away from Work," which means:
 - a. DO NOT engage in any conduct which damages the reputation or standing of the KTTT or portray the KTTT or its members, employees, customers, vendors, or visitors in a false or unfavorable light.
 - b. DO NOT engage in any conduct which is a threat, harassment or bullying or jeopardizes the safety or physical, mental or emotional health of any KTTT member, employee, vendor, customer, or visitor.
 - c. DO NOT invade the privacy of KTTT members, employees, vendors, customers, or visitors through nonconsensual intrusions into their personal solitude, property and communications.
 - d. DO NOT vandalize or destroy the property of KTTT members, employees, vendors, customers, or visitors, or otherwise engage in the unauthorized use of such property, or engage in theft or conversion of such property.
 - e. DO NOT violate the law.
 - f. DO NOT disclose information or offer opinions regarding the KTTT or its members, employees, vendors, customers or visitors which has not been authorized by the KTTT.
 - g. DO NOT share inappropriate pictures, images, videos or audio recordings of the KTTT or its members, employees, vendors, customers or visitors without the approval of the KTTT.
11. **ELECTRONIC MONITORING AND RECORDING:** KTTT employees shall possess no expectation of privacy with respect to any information transmitted over, received by, or posted on social media. The KTTT reserves all rights to monitor public social media for the purpose of protecting its interests and insuring compliance with this policy. The KTTT's failure to monitor or otherwise identify any violation of this social media policy shall not constitute a waiver of the KTTT's right to subsequently enforce this policy. The KTTT reserves the right to access any KTTT property and electronic communications to enforce this policy, including but not limited to

web browsers, computer systems, emails accounts, texts, instant messages, application logs, computers, servers, routers, telephones, electronic devices of any kind whatsoever.

12. **REPORTING:** Every KTTT employee shall contemporaneously with its discovery immediately report any violation of this "Social Media Policy" to the KTTT Tribal Administrator, who shall immediately report same to the KTTT Legal Department. If unable to report contemporaneously with the discovery, the KTTT employee shall make every attempt to preserve evidence of the violation, including taking screen shots, photographs or making other documentary evidence of the violation. The KTTT may investigate the alleged violation. The KTTT's failure to investigate or take action shall not constitute a waiver of the KTTT's right to subsequently enforce this social media policy.
13. **VIOLATIONS OF POLICY:** Any KTTT employee who violates this policy, or who fails to report or preserve evidence of a violation, may be subject to discipline, including but not limited to termination. Violations may result in a civil lawsuit for damages.
14. **EMPLOYEE RIGHTS:** This policy shall not and will not restrict any employee's right to discuss wages, hours, and working conditions with co-workers, or in any way limit an employee's exercise of rights under the KTTT LABOR & EMPLOYMENT RIGHTS CODE (LERC)(so long as the discussion does not take place on social media). A summary of employees rights under LERC is posted at the KTTT workplace. Employees shall not be disciplined or retaliated against for engaging in activities protected under LERC. Employees who have concerns or questions regarding their rights under LERC should contact the KTTT immediate supervisor or KTTT Human Resources Department.