

Oneida Tribe of Indians of Wisconsin



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution 04-25-12-E Independent Contractor Policy Emergency Amendments

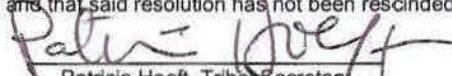
- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America, and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council, and
- WHEREAS,** the Independent Contractor Policy regulates the hiring of persons to complete work the Oneida Tribe is unable to complete through use of its own employees, and
- WHEREAS,** the Independent Contractor Policy requires attorney review of all contracts prior to the Oneida Tribe entering into any contracts, and
- WHEREAS,** based on federal employment tax withholding and overtime statutes, the Law Office has identified concerns with the Oneida Tribe entering into contracts with current tribal employees or employee-owned businesses, and
- WHEREAS,** entering into contracts with current tribal employees or employee-owned businesses could result in federal employment tax issues that are detrimental to the Oneida Tribe, and
- WHEREAS,** the Administrative Procedures Act (APA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months, and
- WHEREAS,** the emergency adoption of amendments to the Independent Contractor Policy is necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the regular APA adoption requirements for passage of laws would be contrary to public interest.

NOW THEREFORE BE IT RESOLVED, that the following amendments to the Independent Contractor Policy (attached) are hereby adopted on an emergency basis:

- 1-2(2) No employee or employee-owned business shall be hired as Independent Contractor, this shall include tribal officers, and members of Boards, Committees and Commissions.
- ~~2-4. This policy does not apply to construction contracts.~~
- 2-5(7) "Employee-owned Business" means a for-profit business which is majority owned and managed by the employee. Employee-owned Business includes, but is not limited to, a sole proprietorship, partnership, corporation, joint venture or franchise.
- 2-5(7) shall be renumbered to 2-5(8) and 2-5(8) shall be renumbered to 2-5(9).

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 5 members were present at a meeting duly called, noticed and held on the 25th day of April, 2012; that the forgoing resolution was duly adopted at such meeting by a vote of 3 members for; 0 members against; and 1 member not voting; and that said resolution has not been rescinded or amended in any way.


Patricia Hoeft, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."