



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

# Oneida Tribe of Indians of Wisconsin

## BUSINESS COMMITTEE



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.

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**GTC Resolution # 1-05-09-A**

*Personnel Policies and Procedures Amendments to Comply with the Amended Drug and Alcohol Free Workplace Policy*

- 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 Drug and Alcohol Free Workplace Policy (the "Policy") requires that employees be drug and alcohol free and regulates testing; and
- WHEREAS,** the Policy states that an employee is suspended until test results are received but does not clearly address what occurs if the results are negative; and
- WHEREAS,** the Oneida Business Committee adopted amendments to the Policy which included changes to address back pay for lost wages and personal and vacation time accruals when an employee tests negative for drugs or alcohol; and
- WHEREAS,** the Personnel Policies and Procedures needs to be amended in order to accommodate the amended Drug and Alcohol Free Workplace Policy.

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the following amendments shall be made to the Personnel Policies and Procedures:

- V.D.2.IV.d. Use of alcohol or illegal controlled substances during work hours. (S/T) ~~[RE: Section E for policy concerning referral procedure.]~~
- V.D.2.IV.e. Reporting for work under the influence of alcohol or illegal controlled substances. ~~(W/S/T) [RE: Section E for policy concerning referral procedure.]~~
- **D. 3. ACCUMULATED DISCIPLINARY ACTIONS WARRANTING TERMINATION**  
(Provided that the Drug and Alcohol Free Workplace Policy shall govern disciplinary actions warranting termination for drug or alcohol related violations.)
  - a. The accumulation of three (3) upheld warning notices within any twelve (12) month period. (T)
  - b. The accumulation of two (2) upheld suspensions within any twelve (12) month period. (T)
  - c. The accumulation of three (3) of any combination of upheld warning notices and/or upheld suspensions within any twelve (12) month period. (T)
- Delete the following:

V.D.4 SUBSTANCE ABUSE DISCIPLINARY PROCEDURE

a. Violations of rules 2.c.IV.d and 2.c.IV.e will result in the immediate suspension without pay of the employee and the automatic referral of the employee to an appropriate and approved Chemical Dependency Program by the HRD Manager.

1) Upon suspension, the supervisor will notify the HRD Manager who will investigate the incident to determine whether the incident merits further action. This determination will take place after the intake assessment performed by the Chemical Dependency Program of referral.

a) If the employee refuses to undergo the intake assessment, the HRD Manager will terminate the employee. This action may not be appealed.

2) Upon the recommendation of a treatment program by the Chemical Dependency Program of referral, the HRD Manager will issue a final disciplinary action. This action may be:

a) Suspension without pay for a period of up to five (5) days; or

b) Suspension with pay dependent upon the participation by the employee in the recommended treatment program; or

c) Return to work if recommended by the Chemical Dependency Program and consistent with the treatment program.

b. A second offense for rules 2.c.IV.d and/or 2.c.IV.e will result in the immediate suspension without pay of the employee and the automatic referral of the employee by the HRD Manager to an appropriate and approved Chemical Dependency Program.

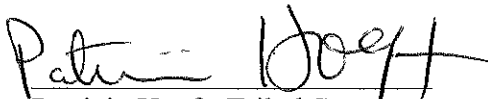
1) A second offense will result in suspension without pay until the successful completion of a recommended treatment program.

2) Failure by the employee to submit to an intake assessment and/or to participate in a recommended treatment program for this second offense will result in the immediate termination of the employee. This termination may not be appealed.

c. A third offense for rules 2.c.IV.d. and/or 2.c.IV.e will result in the immediate termination of the employee without appeal.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of 1,158 members present at a meeting duly called, noticed and held on the 5th day of January 2009; that the foregoing resolution was duly adopted at such meeting and that said resolution has not been rescinded or amended in any way.

  
Patricia Hoelt, Tribal Secretary  
Oneida Business Committee