

Oneida Personnel Commission Bylaws

Article I. Authority

- 1-1 *Name.* The name of this entity shall be the Oneida Personnel Commission and may be referred to as the OPC for the purpose of these bylaws.
- 1-2 *Authority.* The OPC was created by the General Tribal Council as the Personnel Selection Committee and renamed the Personnel Commission by the Personnel Commission and the Oneida Business Committee Resolution (#4-13-90A). The original bylaws were amended by approval of the Oneida Business Committee on April 29, 1998 and April 28, 2010.
- 1-3 *Office.* The official mailing address of the OPC shall be:
Oneida Personnel Commission
P.O. Box 365
Oneida, WI 54155

The physical meeting place shall be determined at the first meeting of the OPC and may change from time to time as determined by the OPC and approved by the OBC but shall be within the boundaries of the Oneida Reservation unless noticed to the membership prior to designating the meeting location.

- 1-4 *Commission Membership.*
- a. *Number of Commissioners.* The OPC shall be made up of no less than twelve (12) members and no more than fifteen (15) members serving five (5) year terms.
 - b. *Qualifications.* Commissioners shall be appointed by the Oneida Business Committee and shall meet the following qualifications:
 1. An enrolled member of the Oneida Tribe of Indians of Wisconsin.
 2. The entire combined Commission may not consist of more than two (2) members from any one division of the Oneida Tribe, or less than seven (7) community members who are not employed by the Tribe.
 3. Be free of any and all direct conflicts of interest or appearances of conflict as defined under various laws and policies of the Tribe, including but not limited to the oath of office, the OPPP, the Ethics Code, the Judicial Code and the Oneida Rules of Civil Procedure.
 4. A member may not be an employee of the Human Resources Department, any advocacy group (department), or any other recognized hearing body within the Oneida Tribe, e.g. Personnel Relations Officers and Paralegals.
 5. Commissioners shall be available for meetings, training, interviews, pre-screening, reassignments, grievance hearings and other duties as needed. Three (3) unexcused absences to attend to such duties may be reported to the OBC, if deemed appropriate by the OPC, as indicated in 1-4.f. below.
 6. Both formal and informal communications with any entity by any commissioner on behalf of the OPC will be as directed by the Commission, or as routinely may be required by Officers. Specific policy governing all communications of the OPC may be set forth in an OPC Communications SOP which shall provide procedural guidance on determining when, how and by whom OPC communications are made.
 - c. *How Vacancies are Filled.* Vacancies shall be filled in accordance with the Comprehensive Policy Governing Boards, Committees and Commissions and the person filling the vacancy shall serve a full term. When a vacancy occurs or is

anticipated, the OPC shall direct the OPC Chair to give formal written notice of such vacancy to the Tribal Chairperson and Tribal Secretary requesting that the OBC take appropriate action to fill the vacancy. The OPC Chair shall also provide the Tribal Chairperson a copy of qualifications for Commissioners, as set forth in these bylaws, to refer to in their consideration in selection and screening of appointments.

- d. *Resignation.* Resignation shall be submitted, in writing within five (5) working days of initial verbalization of intent to resign to an officer of the OPC. The resignation shall be acted on by the OPC at the next duly called meeting and accepted upon succession of pending OPC assignments to other Commissioners. Upon acceptance of the resignation, the OPC shall commence the process set forth above in 1-4.c.
- e. *Complaints Against Commissioners.* Complaints against a Commissioner shall be processed by the OPC in accordance with the Process for Complaints Regarding Commissioners SOP, originally approved by the OPC on January 27, 2003 and amended by the OPC on January 12, 2010.
- f. *Termination of Appointment.* When a Commissioner has been found to have acted in violation of his or her responsibilities as a Commissioner for the OPC, the OPC may recommend to the OBC to terminate the Commissioner's appointment and request that the vacancy be timely filled as set forth in 1-4.c. above.

Article II. Officers

- 2-1 *Officers.* The OPC shall have four officers - Chairperson, Vice-Chairperson, Secretary and Treasurer.
 - a. The officers shall serve terms of two (2) years and shall be elected by a majority vote at the bi-annual meeting in October. Terms of office start the first of November. In the event of a vacancy, the successor shall be appointed by the OPC for the duration of the unexpired term at the next regular meeting.
 - b. Formal communications with the attorney to the OPC shall be directed by the Officers, or as required by the circumstances.
 - c. In addition to the officer responsibilities found in these bylaws, specific internal administrative responsibilities of officers shall be indicated in the OPC SOP file. The OPC Manual shall also contain a section relating to responsibilities for OPC officers.
- 2-2 *Chair Duties.* The Chairperson shall call meetings and notify members with the assistance of the Administrator. When present, the Chairperson shall preside over all regular and special meetings.
- 2-3 *Vice-Chair Duties.* When present, the Vice-Chairperson shall preside at all meetings in the absence of the Chairperson and appoint a Vice-Chairperson *Pro Tem* for that meeting. The Vice-Chairperson shall work with the Chairperson in all matters that concern the OPC.
- 2-4 *Secretary Duties.* The Secretary shall keep accurate minutes of all meetings, both regular and special, assuring that minutes are reported in the proper format and presented for review and approval to the OPC at the next regular scheduled meeting. It is the responsibility of the Secretary to forward all approved minutes to the OBC.
- 2-5 *Treasurer Duties.* The Treasurer shall report at each regular scheduled monthly meeting on the financial status of the OPC budget.
- 2-6 *Standing and Special Committees.* Standing and special committees shall be created when deemed necessary by the OPC.

2-7 *Employees of the Commission.* The Administrator of the OPC shall be supervised by the Chairperson of the OPC.

Article III. Meetings

3-1 *Regular Meetings.* The OPC officers shall establish a schedule of regular meetings for the upcoming year beginning in November. Notice of meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Administrator. Robert's Rules of Order shall be used as a guideline for conducting meetings.

3-2 *Special Meetings.* Special meetings shall be called not less than three (3) days prior to the date of a special meeting.

3-3 *Emergency meetings.* Emergency meetings shall be scheduled as needed and provide details of the *emergency*.

3-4 *Legislative Sessions.* When considering revisions or suggestions to the OPC regarding the labor laws of the Tribe, a Legislative Session may be scheduled to devote a focused exclusive convened working meeting of the OPC to specifically address amendment or revision of existing or proposed labor laws of the Tribe. An internal OPC SOP may be drafted governing the procedures to be followed in implementing such Legislative Session.

3-5 *Quorum.* A quorum shall consist of a majority of the OPC members. In the absence of the Chairperson and the Vice-Chairperson, the members present at the meeting shall elect a Chairperson *Pro Tem* to preside over the meeting.

3-6 *Order of Business.* The meetings of the OPC shall follow the order of business as set out herein:

- a. Call to order
- b. Approval of agenda
- c. Review/Approval of Minutes
- d. Old Business
- e. New Business
- f. Correspondence
- g. Standing or Special Committee Reports
- h. Other
- i. Adjourn

3-7 *Voting.* Voting shall be in accordance with Robert's Rules of Order.

3-8 *Open Meetings.* All meetings of the OPC shall be open except when it is determined that a closed meeting is appropriate and permissible under Tribal law. A confidential record shall be maintained when the OPC has determined that a meeting be closed and shall be available only upon specific directive of the OPC and upon good cause shown.

3-9 *Standard Operating Procedures (SOPs).* The OPC may adopt SOPs that facilitate their various *internal* responsibilities, such as administrative processes, uniform procedural guides, such as Initial Review and Employee Protection petitions, and addressing special circumstances such as Complaints against Commissioners.

- a. Each Commissioner is mandated the responsibility to be trained on each SOP at least once each year as directed and scheduled by the OPC.
- b. The OPC Manual, which includes the Training Plan, shall list all SOPs to fulfill the mandatory requirement.

Article IV. Reporting

- 4-1 *Format.* Agenda items shall be in an identified format by the OPC or OBC.
- 4-2 *Minutes.* Minutes shall be typed and in a consistent format designed to record the topics, discussions and actions taken as well as a record of adoption.
- 4-3 *Attachments.* Any documentation relating to the agenda may be attached to the minutes and agenda, or may be kept separately, provided that all materials can be identified to the meeting in which they were presented and discussed.
- 4-4 *Reporting.* The Chairperson shall report to the OBC and/or OGTC subsequent to action of the OPC and consistent with the Comprehensive Policy Governing Boards, Committees and Commissions.

Article V. Amendments

- 5-1 *Amendments to Bylaws.* Amendments shall be made to these bylaws at a regular or special meeting of the OPC provided that written notice of the proposed amendments was made at a prior regular meeting. Amendments are effective upon adoption and approval of the OPC, Legislative Operating Committee and Oneida Business Committee.

Article VI. Educational Requirements

- 6-1 *Training.* All training shall be **mandatory**. Exceptions may be made for good cause shown regarding specific training events, however, alternative training shall be provided that insures that all commissioners are equally knowledgeable of their duties and responsibilities. Such alternative training shall occur within the time frames specified in the OPC Training Plan. Failure to attend without formal exception for good cause may result in suspension of all further assignments and may be reported to the OBC if so determined and deemed appropriate by the OPC.

References

Oneida Constitution

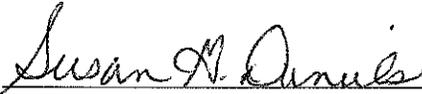
Oneida Administrative Procedures Act

Comprehensive Policy Governing Boards, Committees and Commissions

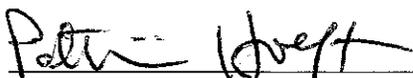
Robert's Rules of Order (Parliamentary Procedure)

CERTIFICATION

These bylaws as amended and revised, are hereby attested to as adopted by the Oneida Personnel Commission at a duly called meeting by the Chairperson's signature on the 23rd day of February, 2010.

Signed: 
Susan G. Daniels, Personnel Commission Chairperson

And approved by the Oneida Business Committee at a duly called meeting held on the 28th day of April, 2010 by the Secretary of the Oneida Business Committee's signature.


Patricia Hoeft, Tribal Secretary