

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

Session: Open Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

 7/25/16

Primary Requestor:

Submitted by: Maureen Metoxen, Executive Assistsant, HRD

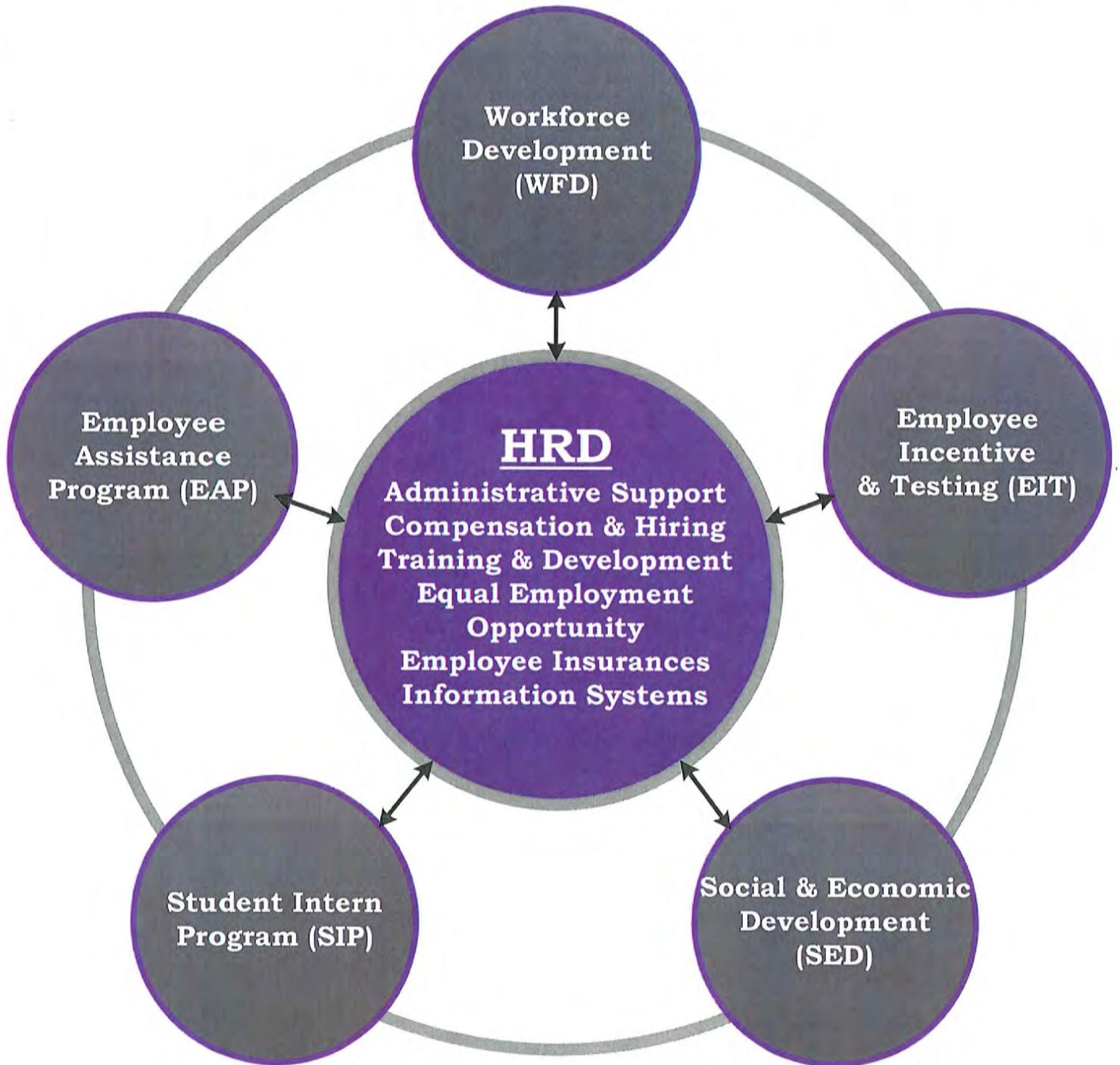
Additional Requestor:

Additional Requestor:



Human Resources Department (HRD)

3rd Quarter Report - FY'16



ADMINISTRATION

- **STRATEGIC WORKFORCE PLANNING**

Strategic workforce plans are used to anticipate the future demands and needs of the organization based on the strategic plans of the business unit and organization. The plan determines how the organizational hierarchy should be set-up and employees deployed to meet those strategic goals. By understanding what skills and talents the current workforce has and comparing that with the future skills and talents the organization will need, the workforce can be shaped for success.

This project will take a minimum of 5-7 years to implement. The planning phase has revealed some systemic changes and milestones that must be met in order for SWP to work for the Oneida Nation. The Strategic Workforce Planning Core Team is working on completion of a charter to outline all of the steps that are necessary for this project to be a success. The first draft of the charter was shared with the BC in the July work meeting. At that meeting, the following next steps were discussed:

1. The SWP Core Team will make a list of the potential “hang ups” SWP will have due to current policies and procedures.
2. The SWP Core Team will begin to gather data to report to the BC on which areas have Strategic Plans, which don’t, how old they are, etc.
3. The draft SWP Charter will include a section to detail how SWP will continue beyond the implementation phase and how that will need to be structured in the organization.
4. Recommendations to the BC on what BC direct reports can begin to report out on how that will get them into the mindset of SWP. For example, they can report out on the status of their business units strategic plans, etc.
5. The team will continue to draft the charter and seek approval

As a final note, during the July BC Work Meeting, the recommendation was made to assign a new lead to the project. A possible consideration is to have the new Organizational Development Specialist work on this project when they are hired.

- **EMPLOYMENT LAW.** The Human Resources Department (HRD) continues to assist the Legislative Operating Committee (LOC) with the development of the draft Employment Law which was originally added to the LOC’s Active Files List on September 17, 2014. The draft Employment Law will provide a fair, consistent and efficient structure to govern all employment matters of the Oneida Tribe.
 - HRD was also given the responsibility to draft the Rules that will provide expectations and standards for implementing the draft Employment Law.
 - The information includes recommended changes to the hiring process, disciplinary process, performance evaluations, holidays, paid time off, etc.
 - The draft Employment Law and Rules, HR is waiting on next steps.

- **DONATION OF HOURS.** HR has communicated to the employment base about the changes, along with the new standard operation procedure, and the required form. HR has received 23 requests, 21 were approved and 1 denied. Currently we have **53 employees** (Total hours are at **957.27 hours** – 13 Exempt and 40 Non-exempt Employees) with donated hours.

- **EXEMPT STATUS CHANGES.** The Department of Labor has revamped the federal overtime laws. One of our main goals is to not wrongly classify a job/position to avoid paying overtime. There are five categories of exempt positions: Executive, Administrative, Professional, Creative Professional, and Computer professional.
 - Weekly earnings threshold increases from \$455 to \$913.
 - Duties test has not been changed by the Department of Labor. Exemptions include the following:
 1. **Executive Exemption.** To qualify for the executive employee exemption, all of the following tests must be met:
 - a. The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
 - b. The employee must customarily and regularly direct the work of at least two (2) or more other full-time employees or their equivalent; and
 - c. The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.
 2. **Administrative Exemption.** To qualify for the administrative employee exemption, all of the following tests must be met:
 - a. The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
 - b. The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
 3. **Professional Exemption.** To qualify for the learned professional employee exemption, all of the following tests must be met:
 - a. The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
 - b. The advanced knowledge must be in a field of science or learning; and,
 - c. The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.
 4. **Creative Professional.** To qualify for the creative professional employee exemption, all of the following tests must be met:
 - a. The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.
 5. **Computer Employee Exemption.** To qualify for the computer employee exemption, the following tests must be met:

- a. The employee must be compensated either on a salary or fee basis at a rate not less than \$913 per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- b. The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below; The employee's primary duty must consist of:
- c. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
- d. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
- e. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
- f. A combination of the aforementioned duties, the performance of which requires the same level of skills.

Please NOTE: Exempt status is not determined by the title or recommended title of the position, but rather by the scope of work the position or employee performs.

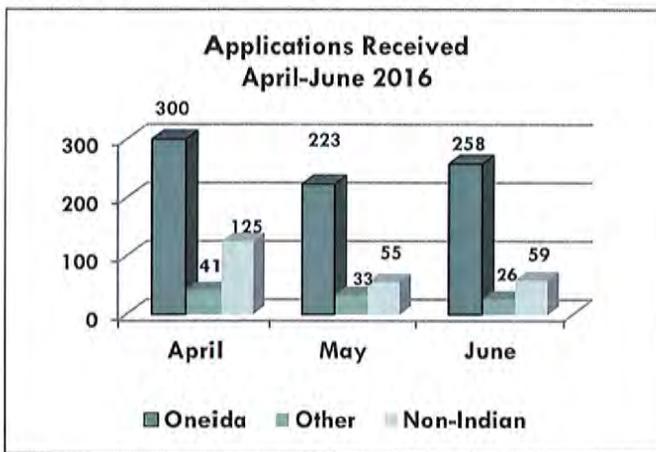
- There are approximately, 623 exempt employees.
 - The impact may be as many as 193 employees in the Programs and other Enterprises being changed to non-exempt employees. HR will review all job descriptions from Grade E01 to E04 which will include updated wage/salary analysis for each position.
 1. Gaming has completed 156 of 160 position salary analysis to determine the new grade.
 2. As of July 22, Gaming has transitioned 33 positions from exempt to non-exempt.
 - Please note the exemption salary threshold is going to be monitored with World at Work and SHRM associations. SHRM is projecting by 2020 the salary threshold is going to be \$1,364.73 weekly or \$70,966/annually.
- **WAGE INCREASE SOP.** The Human Resources Department approved a Standard Operating Procedure (SOP) for implementing wage/salary increases. This SOP will provide guidance on how HRD will implement the increases moving forward. Some of the highlights include:
 - No increase for new hires, contracted-based on language, temporary employees, etc.
 - Employees over the maximum of their pay grade will be frozen. However, they will receive their increase in a one-time lump sum payment.
 - No increase for those employees who ranked unsatisfactory on their annual evaluation.

Budget: HRD submitted the following budget for FY 16:

Department	Budget Amount	Funding Source	Spending YTD	Variance
Human Resources	\$2,099,123	Indirect Cost	\$ 1,557,620	\$ 541,503
Employee Assistance	\$ 188,285	Tribal Contribution	\$ 143,840	\$ 44,445
Workforce Development	\$ 322,618	Grant 79% & TC	\$ 193,039	\$ 129,579
Student Intern Program	\$ 122,686	Tribal Contribution	\$ 46,474	\$ 76,212
Employee Incentive & Testing	\$ 12,707	Tribal Contribution	\$ 7,045	\$ 5,662

The Employee Incentive and Testing budget is used to recognize employees who have 25, 30, 35, and 40 years of service or more with a Years of Service gift. This past year, the Tribe had employees who reached their 40th year of service with the Tribe.

EMPLOYEES: Human Resources Dept. has 33 employees, Workforce Development has 3 employees and EAP has 2 employees. Three positions were eliminated in the budget process.



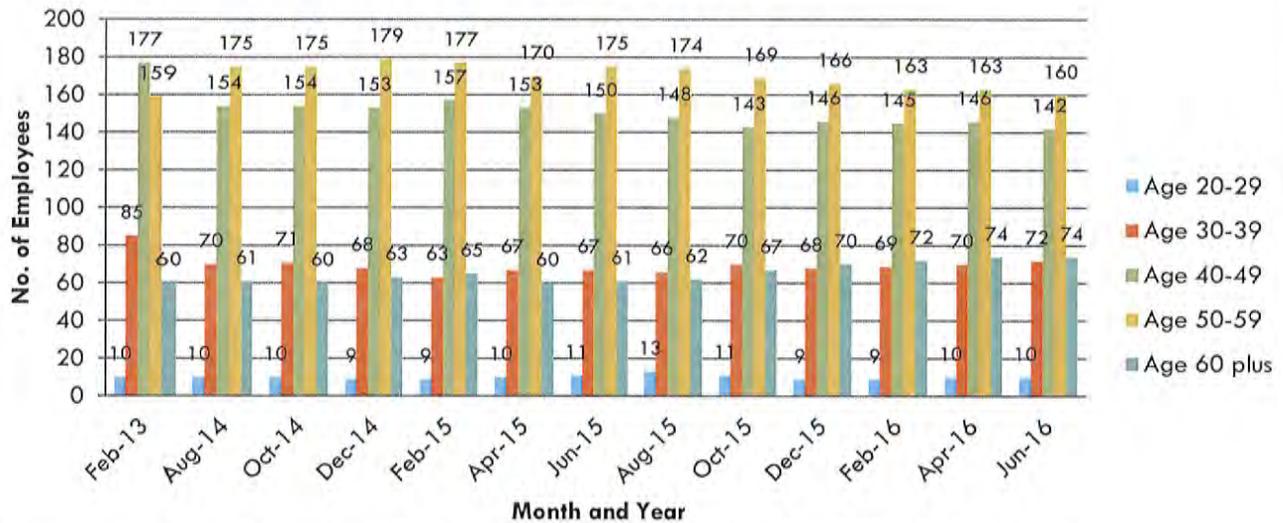
Administrative Staff at Skenandoah Complex Left to Right: Yasiman Metoxen and Megan White



Human Resources' signage. HR has worked with Oneida Printing to develop a "Now Hiring" sign. The sign is intended to attract more people to apply for employment with the Oneida Nation. The sign is placed on the front lawn of the Skenandoah Complex and another at Employee Services on Airport Drive. We will be working on similar signage to place in various locations throughout the Nation. Stay tuned, we are working on a new look for the "job openings" bulletin board in the lobby of the Skenandoah Complex. We will also be looking at other avenues for posting jobs such as Craig's list, Casino Careers, a recruiting firm.

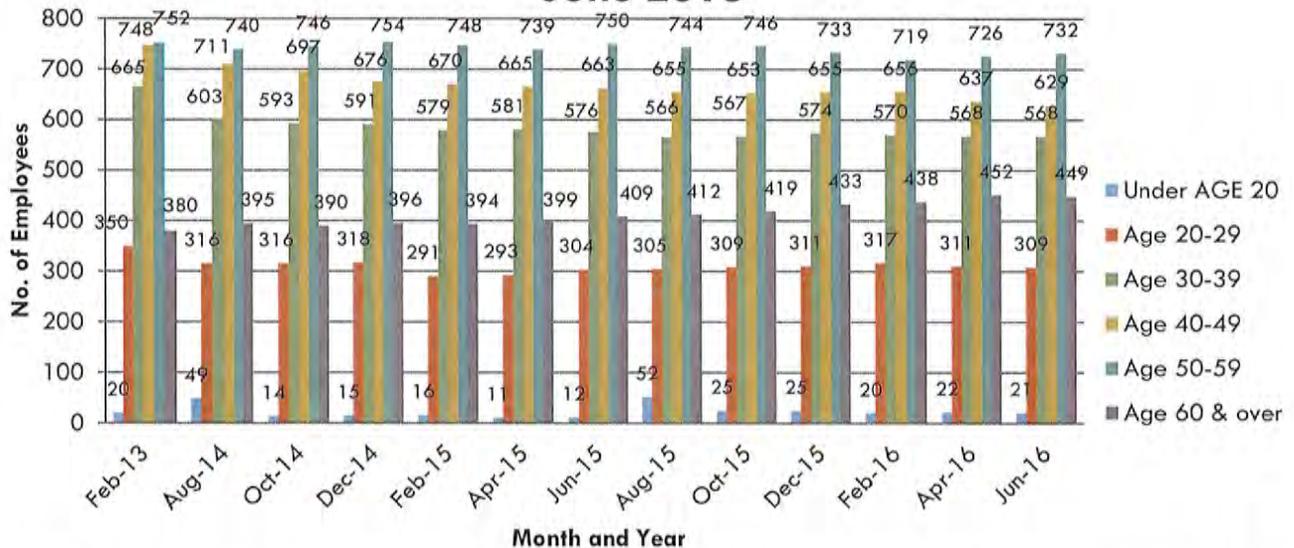


All Supervisors by Age Group June 2016



Currently, there are 458 supervisors; in 2013 there were 491, decrease of 33. Of the 458 supervisors, 35.21% of the supervisors are in the age group 50-59. 15.98% of supervisors fall into the 60 plus age group.

All Employees by Age Group June 2016



This chart represents all 2708 employees of the Nation. The trend is steady for most age groups. The 20 to 29 year old group does not show any change. This can mean, they are either going to school and not working or this can be attributed to shortage of people for positions. The age group of 60 and over have gone from 380 in 2013 to 449 in 2016.

Human Resources is working on a Succession Plan to present to the OBC in the near future to address filling any critical positions that may become vacant as a result of an employee retiring.

- **SUCCESSION PLANNING. PURPOSE:** A succession planning process helps prevent the loss of vital organizational history or knowledge due to retirements, vacancies, and/or resignations. The succession planning process will assess all employees. See age charts on page 5.

It's important to follow a succession planning process to ensure employees are recruited and properly developed so they have the competencies, skills, education, certifications/licenses, and experience necessary to fill vital positions. The HR management team will look at the following:

- Identifying critical positions which are instrumental to achieving strategic and operational goals.
- Anticipating gaps in those positions due to retirement and other factors.
- Defining the qualifications and competencies required to perform successfully in the position.
- Implementing focused strategies to attract and develop pools of qualified candidates who will be ready for emerging opportunities.
- Ensuring that support for the strategies and processes are in place to retain and fully engage employees.

○ **MANAGEMENT INTERVIEWS**

A. If HRD developed a succession planning process, what would you like to see it include? What don't you want it to include? RESPONSE:

- a. Need the process to find a successor to be as fast. Need the person leaving to have time with successor.
- b. Smooth transition.
- c. Need a talent pool, database that has a variety of data on employees knowledge, skill, desires, competencies, licenses, education, and certifications.
- d. To include a transition period where the successor has time to work with employee vacating the position.
- e. Revised job descriptions that are revised with supervisor.
- f. A plan to provide funding to other areas who need succession planning.
- g. Training offered by Oneida such as Oneida Civics, History, Leadership, Tribal Budgets/Processes, etc.
- h. Flexibility in whole process.
- i. Allowing employees to be mentored in other areas to see if they like that job.
- j. Incentives, merits, promotions for those who go above and beyond.
- k. Do not use years of service as a qualifier.
- l. Don't want HR to stop us from selecting the successor we think is best.

B. What are the barriers HRD faces in developing and implementing a succession planning process? RESPONSE:

- 1) Qualified candidates.
- 2) Politics.
- 3) People not following the rules or adhering to the process.
- 4) Favoritism.
- 5) Jealousy.
- 6) Lack of trust.
- 7) Policies.
- 8) Need funding to allow time to mentor/train.
- 9) Funding.

- 10) Not making a decision.
- C. What recommendations do you have regarding the succession planning process? RESPONSE:
- 1) Have a tribe wide process and open it to all.
 - 2) Identify top performers, talk to them, train them and continually communicate with them.
 - 3) Need time, effort and patience.
 - 4) Work on it constantly.
 - 5) Mandate succession planning and keep pushing it.
 - 6) HRD needs to listen.
 - 7) Start small then go larger.
 - 8) Look at vacation/personal time and prior to person leaving, make sure they use that up.
 - 9) Have process match Tribe's vision, priorities, and core values.
 - 10) Place a value on commitment.
 - 11) Keep engaged employees engaged. Don't promise things that can't happen and be straight forward on what they can expect.
 - 12) Need talent pool with competencies, licenses, education, skills, etc.
 - 13) Keep talent pool updated.
 - 14) Ensure structure is in place for succession planning.
 - 15) Develop a process for contracting with person leaving so they can come back and assist as consultants. Not full time but "as needed".

HUMAN RESOURCES INFORMATION SYSTEMS (HRIS)/RECORDS DEPT.

The team consists of Melinda K. Danforth-HRIS Manager, Terry Skenandore-HRIS Specialist and Vicki Cornelius-Records Technician.

We ensure the HRIS Systems and applications, such as Supervisor Inquiry, Self-Service, Internal Reference Directory and Workforce Detail support the needs of the Human Resources Department. Enter all personnel data into the HR/Payroll System (Infinium), provide personnel data reports (Cognos) to management, complete verification of employment and unemployment requests and oversee the Human Resources personnel files (OnBase).

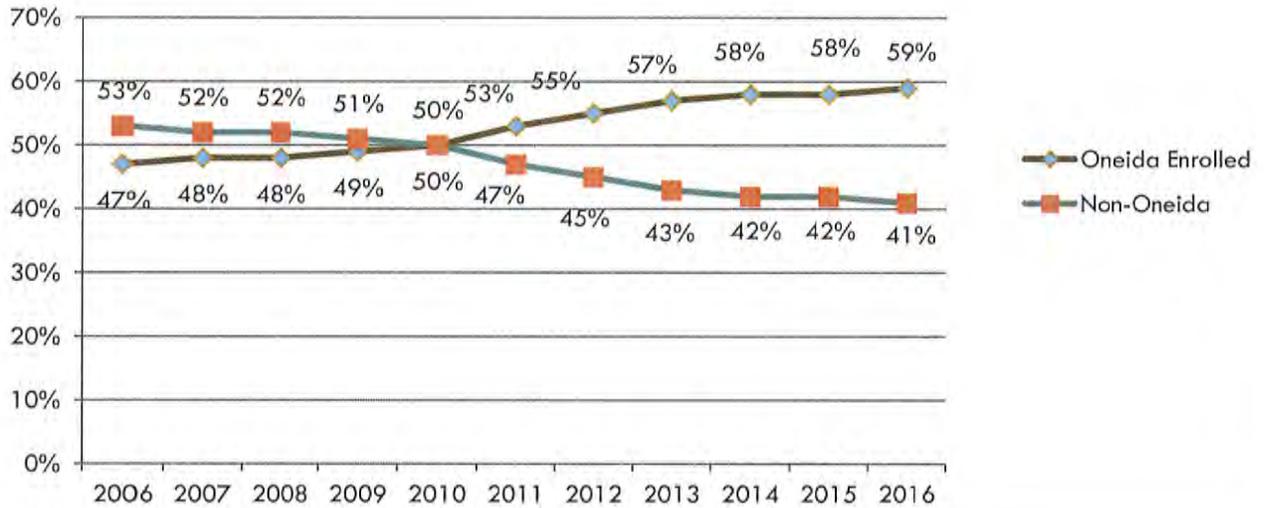
Assisted with the internal systems regarding the Employee Benefits ACA - 1094 testing, Workforce Development Application and Employee Self Service employee wage data.

Functions	Apr	May	June	Total
HR/Payroll Entry Transactions	542	660	651	1853
Employee Self-Service Entries	38	50	26	114
Employment Verifications	197	234	232	664
Unemployment Requests	31	27	134*	192

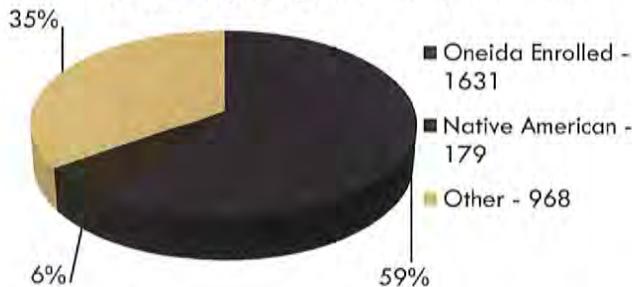
*Unemployment volume due to school/head start summer layoffs.

COMPENSATION AND HIRING

Ethnicity Report 2006 through 2016



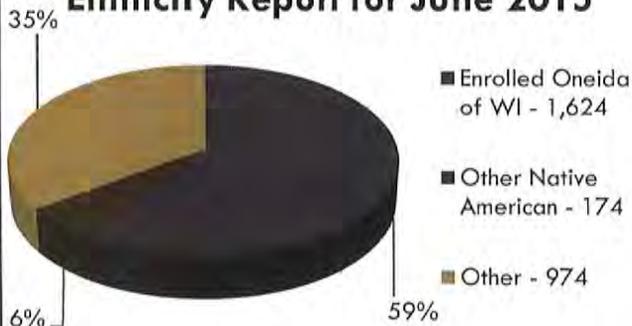
Ethnicity Report - June 2016



The Ethnicity report percentages increase for Enrolled Oneida due to the hiring of Summer Student Interns and Summer Youth Workers to 59% in June 2016.

Increase in Number of Employees in comparison to the previous year. There were 2772 employees in June of 2015 and 2,778 employees in June 2016. This is an increase of only six (6) employees in comparison to the previous year.

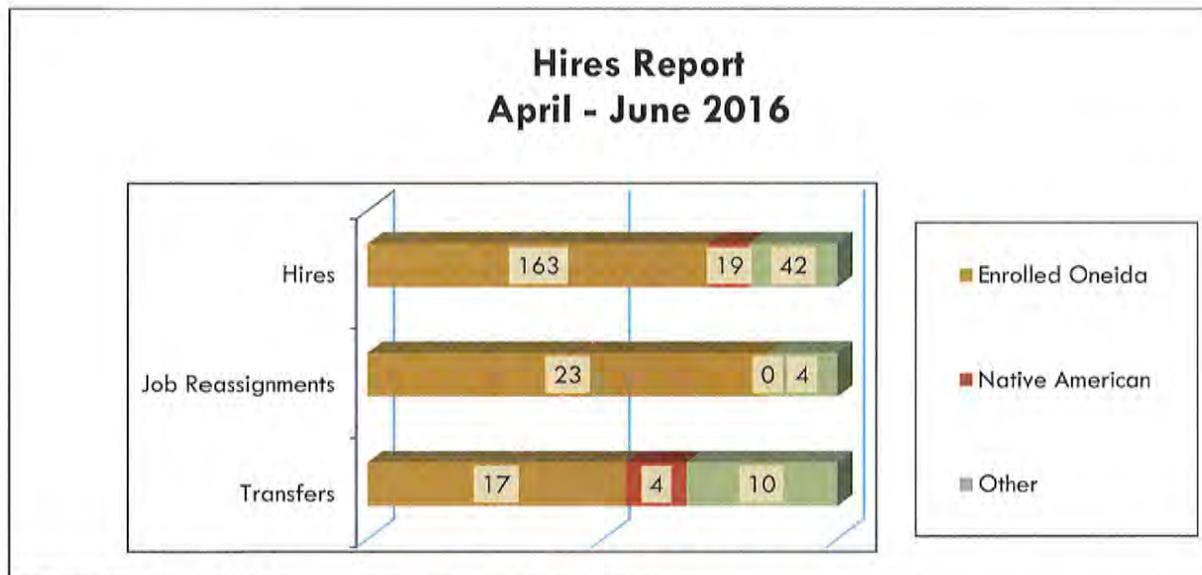
Ethnicity Report for June 2015



Hires Report

For April – June 2016

- 73% of all hires were filled with enrolled Oneida Tribal members.
- 85% of all job reassignments were filled with enrolled Oneida Tribal members.
- 55% of all transfers were filled with enrolled Oneida Tribal members.



For April – June 2015

- 94% of all hires were filled with enrolled Oneida Tribal members.
- 86% of all job reassignments were filled with enrolled Oneida Tribal members.
- 75% of all transfers were filled with enrolled Oneida Tribal members.



NOTE: There were 41 Summer Youth Workers and 30 Student Interns hired during the month of June. Although there were more hires for this quarter this year in comparison to last year, there are only an overall total of six (6) more total employees in comparison to the previous year during this time period.

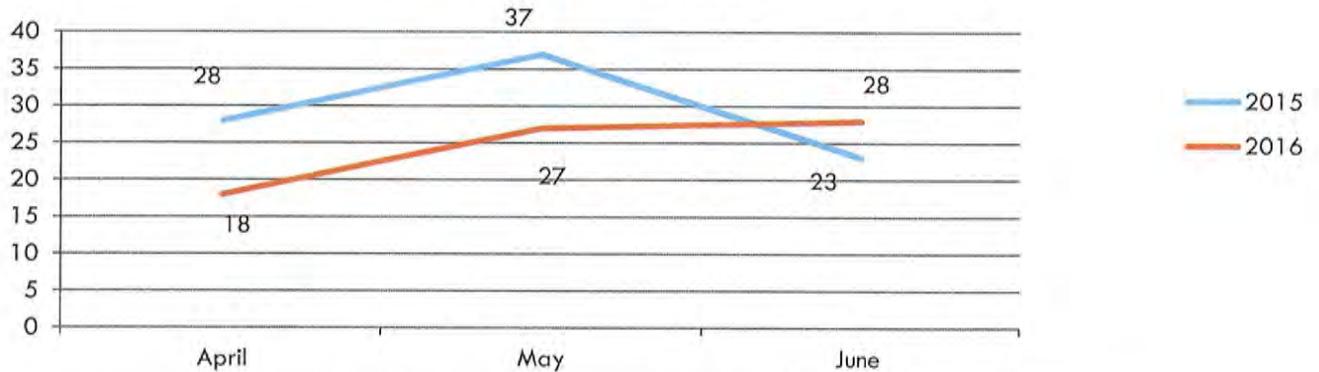
Job Postings

Job Postings by Division for April, May and June 2016				
	April	May	June	TOTAL
Gaming	8	8	11	27
Comprehensive Health	1	4	6	11
Development	1	1	0	2
Land Management	0	0	0	0
Environmental, Health & Safety	1	1	0	2
Internal Services	0	1	0	1
Enterprise	0	0	0	0
Finance	0	0	0	0
Non-Divisional	5	6	4	15
Governmental Services	2	6	7	15
Total	18	27	28	73

Job Postings by Division for April, May and June 2015				
	April	May	June	TOTAL
Gaming	5	5	3	13
Comprehensive Health	8	7	3	18
Development	0	2	0	2
Land Management	0	1	1	2
Environmental, Health & Safety	0	1	1	2
Internal Services	2	3	1	6
Enterprise	0	0	0	0
Finance	0	2	0	2
Non-Divisional	4	8	6	18
Governmental Services	9	8	8	25
Total	28	37	23	88

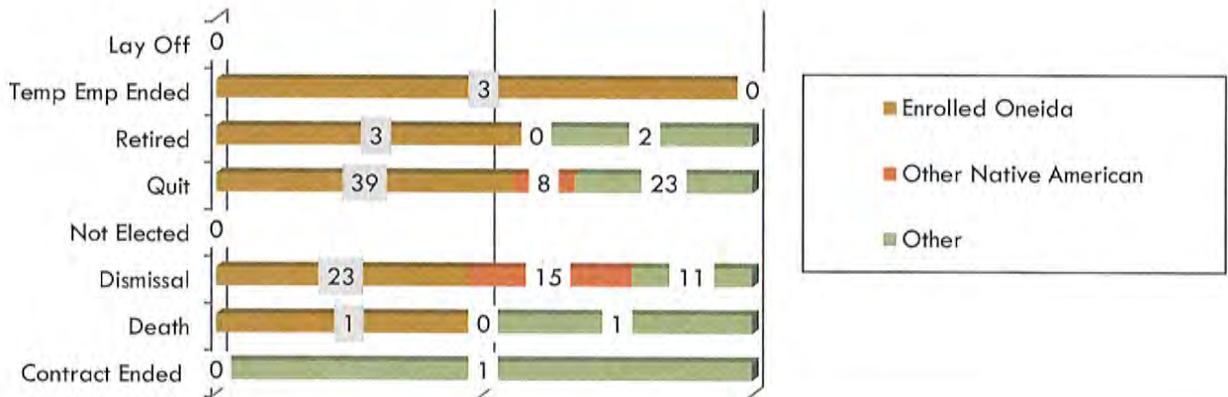
There were 15 fewer job descriptions posted during this quarter in FY2016 in comparison to FY2015.

Comparison of Job Postings for 3rd Quarter (April - June) of 2015 to 2016

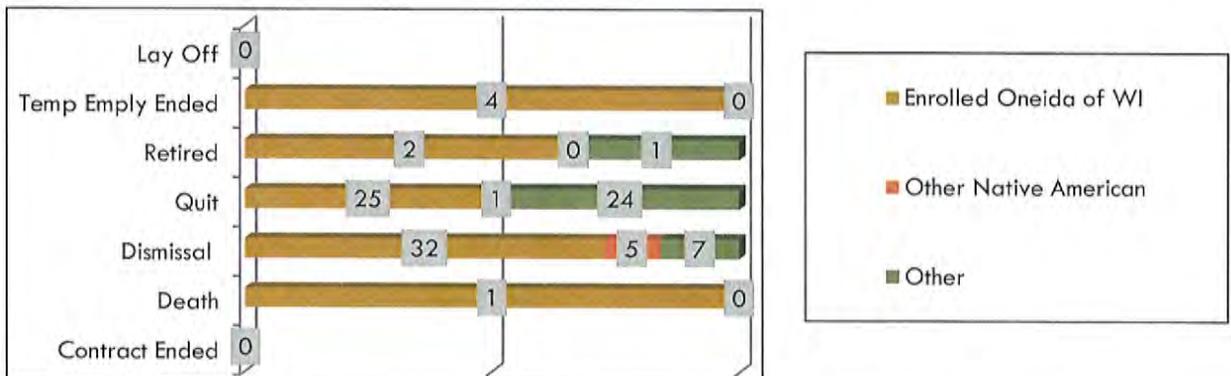


Employee Separations Reports

Employee Separation Report for April - June 2016 by Ethnicity - 130 Separations



Employee Reasons for Separation April - June 2015 - 102 Separations.



There were a total of 130 employee separations for the period April through June 2016, compared to 102 employee separations for April - June 2015.

WORKFORCE DEVELOPMENT DEPT.

	April	May	June	TOTAL
TrANS	0	15	0	15
Work Certified	10	0	0	10
OutStanding Applicant	4	5	0	9
NWTC	0	11	11	22
Youth Employment Solution Success	5	4	0	9
Supportive Services	4	5	3	12
Mock Interviews	12	9	9	30
Presentations	11	20	4	35
Client Outreach	69	210	427	706
Collaboration with partners	10	28	57	95
Total	125	307	511	943

During the 3rd Quarter, Workforce Development did outreach to a total of 943 clients. Our Vision is to ***Build a Strong Oneida Workforce*** our project has two (2) objectives :

Objective 1: By October 2018, we will build an Oneida workforce by providing classes and training that will increase the knowledge, skill set, employability and earning potential for 180 Oneida community members

Objective 2: By October 2018, build both internal and external partnerships with employers and colleges to help 120 program participants obtain full-time employment within the community.

For this past quarter 15 people (this includes our partnership numbers) applied for TrANS. Fifteen participants were chosen and completed TrANS, 90% of the participants are currently employed. This program has given these participants confidence and building tools to start a career in the trades. Some of the instruction/certifications received were OSHA-10, Flag Certification, CPR/AED & First Aid Certification, Blue print reading certification and Fork Lifting Certification. Ten people were recruited for Work Certified and eight (8) were chosen and completed the program.

WFD has partnered with NWTC and CMN. We provided CDL training, Forklift training, and assistance for assorted classes to get in good standing with Higher Education. WFD has sponsored two (2) Forklifting classes that twenty-two (22) people signed up and twenty-two (22) completed and received Forklift Certification. We have reached out to all of our clients to assess where they are now and what are their current needs. WFD partnered with Economic Support to provide a Job Fair at the Radisson. We had one-hundred and forty (140) attendees, and advertised on our Facebook page where six-thousand (6000) people viewed the event and one-hundred and seventy-nine (179) said they were going. Forty (40) employers attended the event.

EMPLOYEE INSURANCES

During the third quarter of FY16, the Employee Insurance Department worked on the electronic submission of the 1094-C / 1095-C forms to the IRS. The electronic submission was completed and was "Accepted with Errors". Employee Insurance is evaluating the submission to identify why the errors are occurring and what can be done to correct those errors.

The Employee Insurance Department provides benefit administration and employee assistance for: medical, dental, vision, disability, retirement plans, voluntary benefits, flex spending, orientation, and workers compensation.

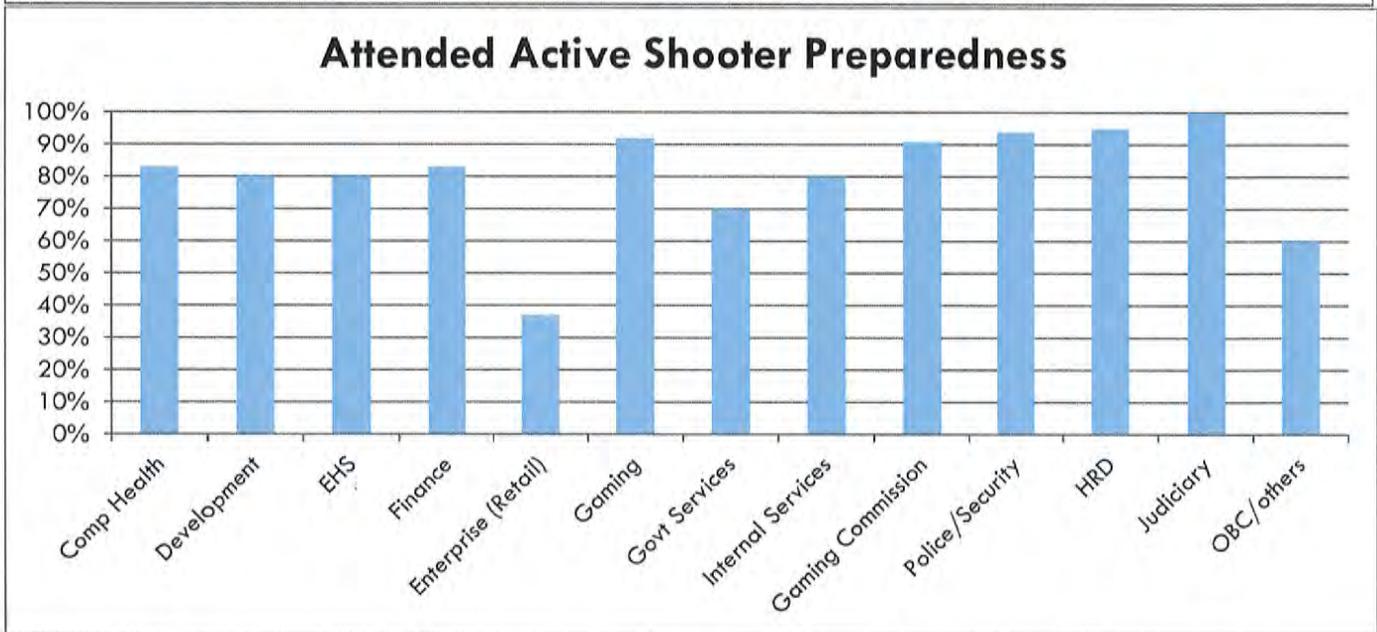
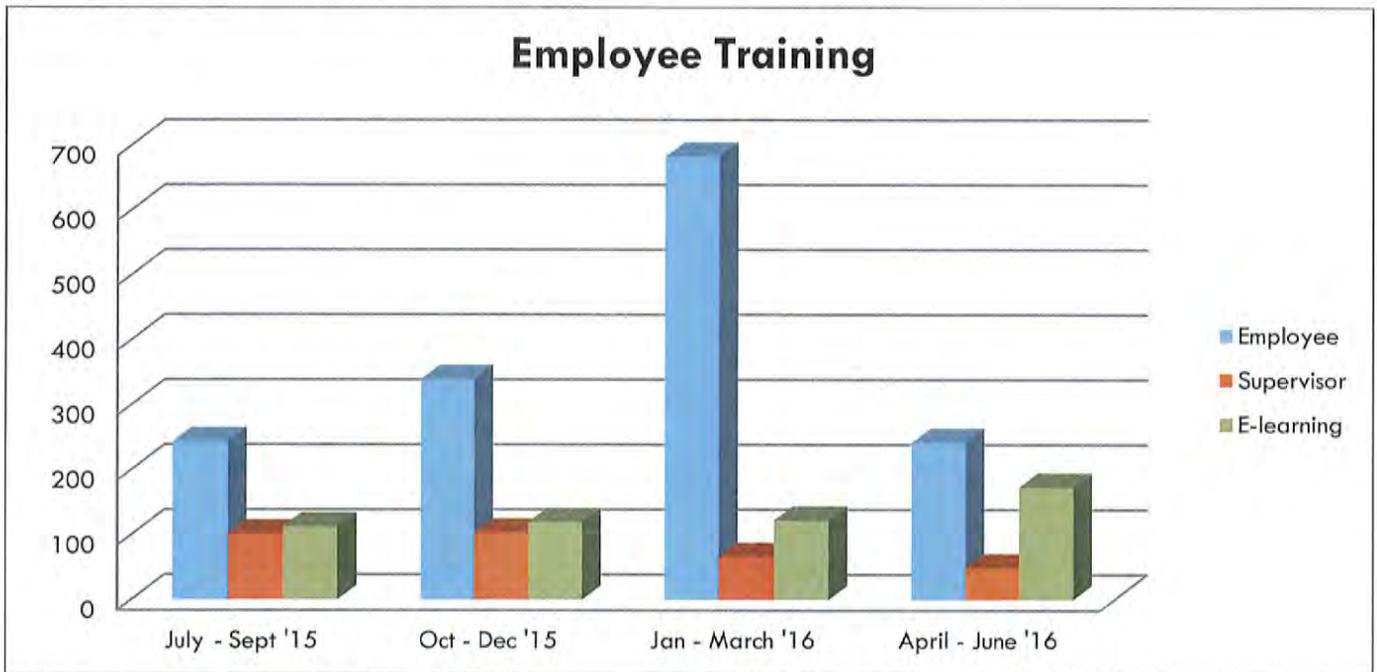
Insurance Requests Processed – Third Quarter FY16	
Type of Requests	# of Requests Processed
Leaves/Return to Work	180
Applications, Insurance Changes, Beneficiary, etc.	145
Disability	54
RAS Completions	77
Wellness Incentives	143
Note: This is not a complete listing of requests and does not take into account phone calls, walk-ins, emails, and other miscellaneous requests.	

MONTHLY INSURANCE COUNT – June 2016

Breakdown	Employee Count	COBRA count	Breakdown	Employee Count	COBRA count
401K	1,687		Medical – Single	834	1
LIF52	2,526		Medical - Limited Family	475	
Short Term Disability	2,081		Medical – Family	608	
Long Term Disability	2,082				
Delta Dental – Single	665	7	Vision - Single	784	3
Delta Dental- Limited Family	465	1	Vision - Limited Family	537	1
Delta Dental - Family	616		Vision - Family	706	
Dental Associates – Single	127				
Dental Associates – Limited Family	74				
Dental Associates - Family	93				

The Employee Insurance Department consists of: Christina Blue Bird, Kimberly Schultz, Kristin Jorgenson and Josh Cottrell

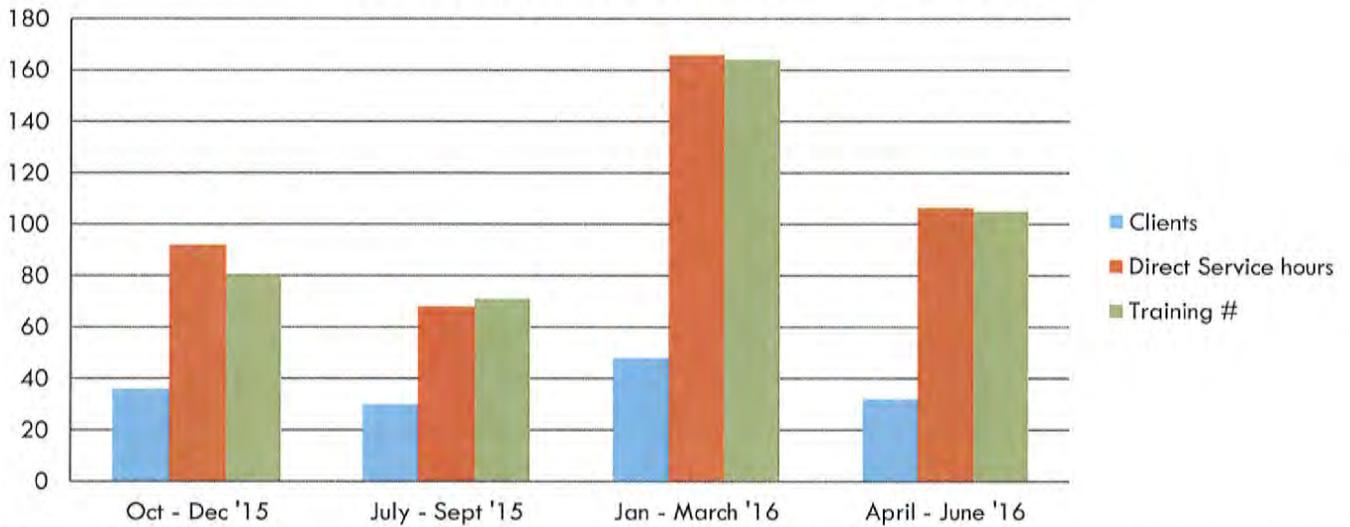
HRD TRAINING AND DEVELOPMENT



Total employees trained by Special Agent Brian Kastelic: **2017 (37 in February)**. Radisson/Wingate employees trained: 47. The numbers above do not include employees unable to attend due to leave of absence or layoff. GSD - Youth workers were removed from the percentage to more accurately reflect the percentage of employees required to attend.

HRD Training team coordinated the event, with assistance of event registration volunteers mainly from HRD and Gaming Employee Services. Resources to hold the training came from Tourism (printed material), Risk Management, Emergency Management and the Radisson room and equipment rental and coffee.

Oneida Employee Assistance Program

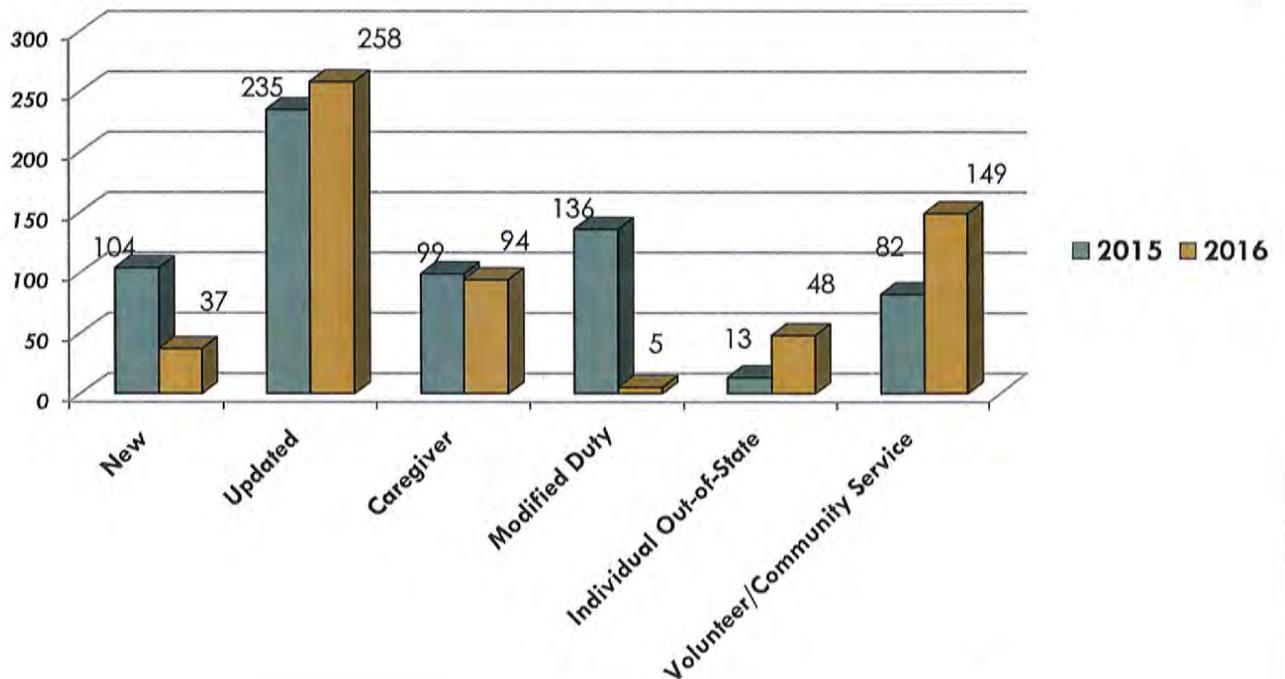


EAP Training includes: Book Clubs, Brown Bag lunch topics, Stress Management and Supervisor training.

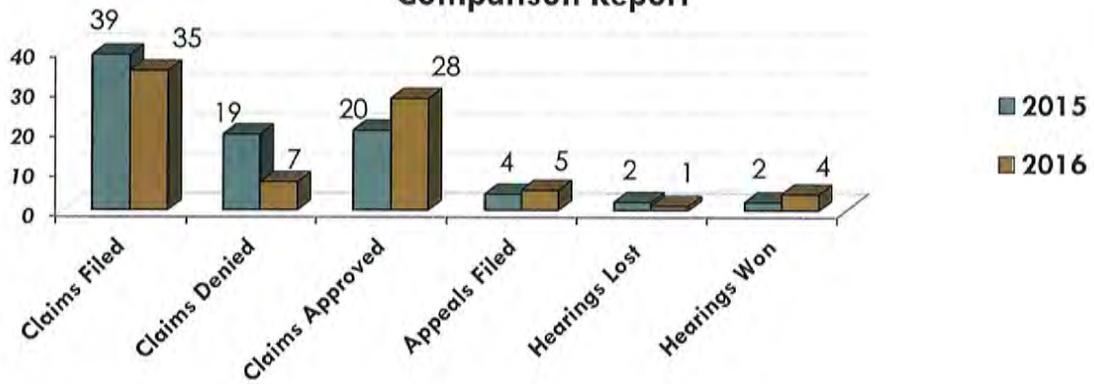
*There was 4 DAFWP Return to Work Agreements this quarter

EQUAL EMPLOYMENT OPPORTUNITIES (EEO) DEPT.

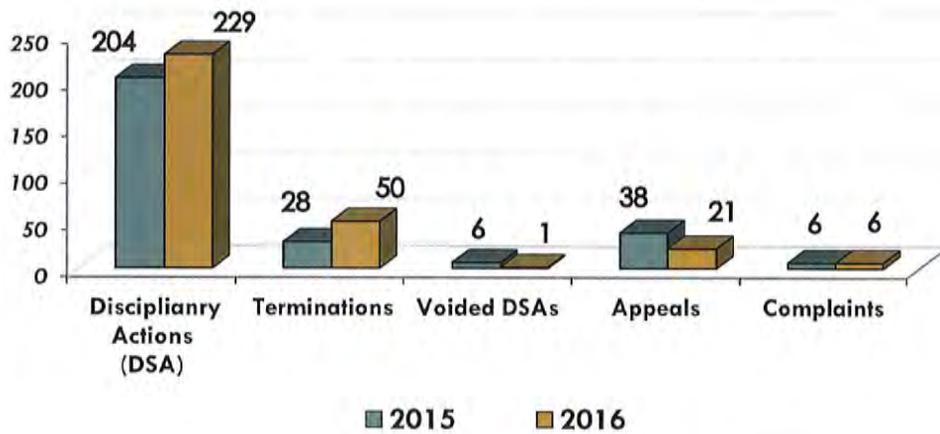
Background Investigations Comparison Report



Unemployment Comparison Report



Equal Employment Opportunity (EEO) Comparison Report



Continuous Improvement Mediation (CIMS) Comparison Report

