

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 13 / 15

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept the Oneida Personnel Commission FY '15 2nd quarter report

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:

Primary Requestor:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

At the April 22, 2015, Business Committee meeting, the Oneida Personnel Commission's (OPC) FY '15 2nd quarter report was submitted to the agenda. The report was deferred back to the Chairperson of OPC for clarification on the fourth paragraph of the Chairwoman's Personal Comments section.

That clarification was completed and the attached, corrected report was submitted.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

ONEIDA PERSONNEL COMMISSION
 FY 2015 Quarterly Report Second Quarter
 January, February and March 2015
 Submitted by: Susan Daniels

NAMES

Officers: Susan Daniels, Chairperson
 Yvonne Jourdan, Vice-Chairperson
 Kevin Shilka, Treasurer
 Rochelle Powless, Secretary

Members: Arlene Danforth
 Clifford Danforth
 Julie Clark
 Sandra Dennett
 Eric Krawczyk
 Pearl Webster

Carol Smith
 Gary Smith
 Dorothy Skenandore

MINUTES

All approved minutes have been submitted to the Office of the Tribal Secretary.
 January 13, 2015 Regular Meeting (Approved)
 February 10, 2015 Regular Meeting (Approved)
 March 10, 2015 Regular Meeting (Approved)

FINANCIAL

See attached R&E statements for the months of January, February and March 2015. (March's R & E's have not been received from Accounting at the time of this submission.)

SPECIAL EVENTS AND TRAVEL

No out-of-state travel/training occurred during this quarter.

LOCAL TRAINING

Training for the third quarter of this fiscal year included standard initial reviews, grievance hearings, and grievance decisions training which took place in October, November and December.

ACTIVITY REPORT

Oneida Personnel Commission

Activity	January	February	March	Totals
Pre-Screens	4	27	21	52
Interviews	5	15	14	34
Reassignments	4	7	7	18
Initial Reviews	2	0	4	6
Grievances	0	1	0	1
Deliberations	0	0	0	0

Decision Writing	0	1	0	1
Motion Decisions	2	3	0	5
Regular Meetings	1	1	1	3
Special Meetings	0	0	0	0
Training*	2	1	3	6
Non-Gaming Employees with an advocate	0	2	0	2
Non-Gaming Employees without an advocate	0	0	0	0
Gaming Employees with an advocate	1	0	0	1
Gaming Employees without an advocate	0	0	0	0
Non-Gaming Management with an advocate	0	0	0	0
Non-Gaming Management without an advocate	0	2	0	2
Gaming Management with an advocate	0	0	0	0
Gaming Management without an advocate	0	0	0	0

Training could mean attending out-of-state, local training, or in-house training. New commissioners are mentored by existing commissioners during Initial Reviews, Grievance Hearings, Decision Writing, Hearing Officer Responsibilities, and Motion Decisions. This type of involvement is also considered training.

PERSONAL COMMENTS - Susan Daniels, Chairperson - OPC

The Oneida Personnel Commission currently has three positions that need to be filled. Postings were made; however, there was an error in that posting regarding composition of the membership. A second posting took place with a deadline date of April 17, which is yet to come for this reporting period. A letter was sent to the OBC Chairperson requesting she take into consideration the qualifications and vetting process that was approved by the OPC during this quarter.

The Oneida Personnel Commission has developed a new training plan which was approved. Efforts now need to be made to create a concise, a comprehensive schedule pulling from all available resources within the Tribe. HRD's Training and Development component has assisted greatly in the development of this plan and will play a significant

role in providing several of the training sessions.

The Oneida Personnel Commission is also pursuing its appeal with the Oneida Judiciary System in its efforts to address internal posting concerns. The OPC has filed a brief for a Declaratory Ruling in order to understand how these matters should be interpreted. This case is still pending until the new judiciary takes it up for consideration.

The Oneida Personnel Commission is making inquiry into representation for supervisors and managers during the OPC hearing process. At one time, the effort was to make sure employees had representation, now that concern has flipped. Oftentimes, managers, as respondents, appear before the commission without representation. A request was made to both the Oneida Law Office and our liaison. A deadline date for response from the Oneida Law Office was given for the end of January. To date, we have received no response.

The Oneida Personnel Commission has retained an attorney who is currently in the process of providing interpretation of the newly adopted laws and how they apply to the work performed by the commission. The attorney contract has gone before the OBC twice and has been returned for further clarification.

The Oneida Personnel Commission is concerned about its present physical location. Although our office was temporarily located from the NHC to the OLC for what was to be a six month period, several years have transpired and we are currently faced with yet another situation that creates a transient environment. Administrative staff of the OPC is working with appropriate internal departmental staff to identify a more permanent location that is conducive to the work done by the OPC.

GOALS AND OBJECTIVES – FY2015

- | | |
|--|-------------------|
| 1. Personnel Commission By-Laws | REVIEWING |
| 2. Training Manual | IN PROGRESS |
| 3. Updating Qualifications for Commissioners | IN PROGRESS |
| 3. Interdepartmental Relationships | NEEDS IMPROVEMENT |
| 4. Updating Personnel Commission SOP's | IN PROGRESS |

OBJECTIVE STATEMENT – FY 2015

1. Optimize organizational efficiency and effectiveness
2. Learning and growth perspective
3. Owner/customer/stakeholder perspective

MEETING REQUIREMENTS

Oneida Personnel Commission By-Laws, 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 the 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.

FOLLOW-UP

- Amendment of OPC by-laws to incorporate approved commissioner qualifications.
- Bring forward findings of statistical analysis regarding advocates/representatives for supervisors and managers during OPC hearing process.
- Follow up and tracking of training to be provided by judges of the Oneida Judiciary
- Tracking of status of Declaratory Ruling filed with the Oneida Judiciary