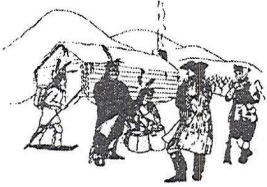


Oneida Tribe of Indians of Wisconsin



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 11-12-09-A

Emergency Amendment to the Personnel Policies and Procedures Relating to Vacation and Personal Day Accumulation

- 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 budget for Fiscal Year 2010 is being finalized by the Oneida Business Committee based on revenue projections calculated according to best practices used in economic and financial projection and planning; and
- WHEREAS,** the Oneida Business Committee has been reviewing those revenue projections and have determined that revenues are not being generated as anticipated, causing shortfalls; and
- WHEREAS,** there is an immediate need to address these shortfalls to reduce deficit spending and Tribal debt; and
- WHEREAS,** the Personnel Policies and Procedures currently places no cap on the amount of time an employee can accrue for personal time; and
- WHEREAS,** the Tribe has an estimated liability of approximately seven (7) million dollars in unpaid vacation and personal time; and
- WHEREAS,** it is necessary to impose a cap on personal and vacation time in order to stem the Tribe's exposure to liability; and
- WHEREAS,** it is essential to the general welfare of the reservation population to act immediately in order to protect against further erosion of the Tribe's fiscal condition; 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,** emergency adoption of amendments to the Personnel Policies and Procedures 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 amendment to the Personnel Policies and Procedures is hereby adopted on an emergency basis:

COMPENSATION AND BENEFITS

5. Vacation/Personal Days

...

c. Except as provided for in section g, The accrual of personal days shall be as follows:

- 1) 0-3 years service - ~~6~~ 5 days per year;
- 2) 4-7 years service - ~~8~~ 7 days per year;
- 3) 8-14 years service - ~~10~~ 9 days per year;
- 4) 15 + years service - ~~12~~ 11 days per year;

d. Except as provided for in section g, The accrual of vacation days shall be as follows:

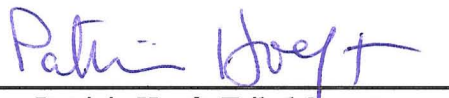
- 1) 0-3 years service - 12 days per year;
- 2) 4-7 years service - 15 days per year;
- 3) 8-14 years service - 20 days per year;
- 4) 15 + years service - 25 days per year.

g. Vacation and personal days shall be capped at 280 combined hours. An employee shall cease to accrue vacation and personal hours when he or she has reached 280 total hours. Supervisors shall notify their employees when said employees have accumulated ~~300~~ 200 total hours of vacation and personal time.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Joint Executive Team shall make a recommendation to the Oneida Business Committee on a procedure that addresses those employees who have accumulated over 280 hours of combined vacation and personal time no later than November 25, 2009, so that the Oneida Business Committee can adopt a resolution that addresses those employees. If the recommendation is not provided by November 25th, this resolution shall no longer be in effect.

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. 7 members were present at a meeting duly called, noticed and held on the 12th day of November 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 5 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."