

# 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 12-11-13-F Amendments to the 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 Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council, and
- WHEREAS,** the Oneida Business Committee originally adopted the Drug and Alcohol Free Workplace Policy (Policy) on October 25, 1995, and made amendments on October 20, 1999 and again on December 5, 2007, and
- WHEREAS,** amendments to the Policy were sought in order to provide clarity and consistency for supervisors who need to utilize this Policy, and
- WHEREAS,** the amendments to the Policy include an added definition of "prohibited drugs" to address prescription and over-the-counter medications, and
- WHEREAS,** the amendments to the Policy also clarify that the Policy applies to job applicants and not just employees, which therefore expands the scope to include pre-employment testing, return-to-work/follow-up testing and work-related accident testing, as well as new testing requirements for former employees who were terminated for violating this Policy but who are seeking re-hire, and
- WHEREAS,** the amendments to the Policy limits the back pay an employee can receive while on leave pending testing results so an employee would not receive back pay for work missed due to the employee's choice to delay the process, and
- WHEREAS,** additional amendments were made to add specific provisions to prohibit employees from using intoxicants or prohibited drugs while on official business travel while the conference or meeting they are attending is in session, and
- WHEREAS,** amendments were also added requiring former employees who seek to be re-hired after they are terminated for violating this Policy, including: employees terminated for a third violation must receive forgiveness under the Pardon and Forgiveness Law in order to regain employment eligibility, and
- WHEREAS,** other amendments include a new provision that, regardless of the progressive penalties for violations, any employee who is caught using, possessing or selling prohibited drugs will immediately be terminated from employment with the Tribe, and
- WHEREAS,** minor other amendments are being made to update the format to comply with the Legislative Procedures Act and make it more efficient, and
- WHEREAS,** a public meeting on these amendments was held on September 19, 2013 in accordance with the Legislative Procedures Act.

**NOW THEREFORE BE IT RESOLVED**, that the attached amendments to the Drug and Alcohol Free Workplace Policy are hereby adopted and shall go into effect ninety (90) days from the date of adoption of this Resolution.

#### **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; 5 members were present at a meeting duly called, noticed and held on the 11<sup>th</sup> day of December, 2013; that the forgoing resolution was duly adopted at such meeting by a vote of 4 members for, 0 members against, and 0 members 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."