

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

# Oneida Tribe of Indians of Wisconsin



UGWA DENOLUH YATENE  
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.

Phone: 869-2771



Oneida, WI 54155

*Approved  
as noted on  
August 15, '83  
Regular  
Mtg*

## SPECIAL MEETING

THURSDAY, AUGUST 11, 1983

Meeting called to order at 1:30 P.M. by Vice-Chairman, Richard Hill.

Present: Richard Hill, Kathy Hughes, Gordon McLester, Lois Powless, Mark Powless, Loretta Metoxen, Lloyd Powless.

Excused: Purcell Powless, Tony Benson

Others: Jerry Hill

### REVIEW OF ONEIDA TRIBAL MANAGEMENT SYSTEM APPEAL PROCEDURE - Jerry Hill

Jerry reviewed the Oneida Tribal Management System relating to the proper procedure applicable to appeal from the Personnel Selection Committee recommendation. The case at hand involved two persons who were the subject of certain charges brought against them by their supervisor, which charges were heard by the Personnel Selection Committee on August 9, 1983. The Personnel Selection Committee, pursuant to the Oneida Tribal Management System, made a determination in favor of the employee on one charge and against the employee on the other charge. They further made a recommendation/order specifying the disciplinary resolution that stated a suspension for a term of five (5) days and further directed the employee to return to work on August 11, 1983.

It appears that there are two issues to be dealt with in this analysis: 1) The procedures for an appeal or grievance and, 2) The rights of an employee who is being charged with a particular violation of the Oneida Tribal Management System. In this particular case, the matter is in the second category, and it would appear that the direction of the Oneida Tribal Management System on Page 59 directs the manner in which a suspension or dismissal is processed. It also provides for a reversal of an order by the Personnel Selection Committee by five (5) concurring votes of the Business Committee. Thus, it would appear that the authority for the Business Committee's actions in all matters decided before the Personnel Selection Committee is existing as it pertains to grievances and as it pertains to charges against an employee. The two (2) sections specified authorize orders of the Personnel Selection Committee and recommendations of the Personnel Selection Committee may be reversed or overturned by five (5) concurring

votes to that affect.

Although it is not specified in the Oneida Tribal Management System specifically, an employee may appeal a decision of the Personnel Selection Committee regarding charges, it appears that the practice of permitting an appeal to the Business Committee of recommendations and order of the Personnel Selection Committee.

After reviewing this, the Business Committee took the following action: Gordon made a motion to approve the findings of the Personnel Selection Committee on August 9, dealing with Claudette Schuyler/Ken Ninham: Findings of the Committee, (Claudette Schuyler) in reference to the charge of violation Item #6, the Committee unanimously enters an order that the employee Claudette Schuyler did violate item #6. Committee recommends suspension of five (5) days without pay commencing August 4, 1983 through August 10, to return to work on August 11, 1983. The Committee also recommends that policy and procedures of the Oneida Health Center needs to be examined and the line of authority and procedure needs to be clarified.

In reference to charges Page 82 part II, Item #5, the Committee finds the warning notice dated August 3, 1983 inappropriate and not in compliance to procedures stated in the Oneida Tribal Management System. The Committee discarded the warning dated August 3, 1983 as inappropriate.

Findings of the Committee, (Ken Ninham) in reference to charge of violation of Item #6, the Committee unanimously enters an order that the employee did violate Item #6. The Committee recommends suspension of five (5) days without pay commencing August 4, 1983 through August 10, 1983, to return to work on August 11, 1983.

In reference to charge of violation of Item #8, the Committee enters an order in favor of the employee for lack of documented evidence to show cause.

In reference to charges, Page 82 part II Item #5, the Committee finds the warning notice dated August 3, 1983, inappropriate and not in compliance to procedures as stated in the Oneida Tribal Management System. The Committee discarded the warning dated August 3, 1983 as inappropriate.

Lloyd seconded. Mark Powless did not vote on this issue as he had prejudiced himself. Motion carried.

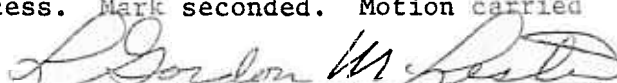
2:30 P.M. Continuation of Tribal budget for FY '84.

REQUEST FOR TRAVEL - Loretta Metoxen

Loretta requested to travel to Wausau on August 12 in the afternoon for attend a NCAI Planning session. Lloyd made a motion to approve the request. Lois seconded. Loretta abstained. Motion carried.

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4:00 P.M. Gordon made a motion to recess. Mark seconded. Motion carried

  
H. Gordon McLester, Tribal Secretary