

Oneida Tribe of Indians of Wisconsin

Legislative Reference Office

P.O. Box 365
Oneida, WI 54155
(920) 869-4376
(800) 236-2214
<http://oneida-nsn.gov/LOC>



Committee Members

Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
David P. Jordan, Councilmember
Jennifer Webster, Councilmember

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA

Business Committee Conference Room-2nd Floor Norbert Hill Center
May 20, 2015 9:00 a.m.

- I. Call To Order and Approval of the Agenda**
- II. Minutes to be approved**
 - 1. May 6, 2015 LOC Meeting Minutes
- III. Current Business**
 - 1. ONGO Amendments
 - 2. Violence Against Women Act (VAWA)
 - 3. Industrial Hemp Law
 - 4. Election Board Bylaws Amendments
 - 5. Personnel Commission Bylaws Amendments
 - 6. Investigative Leave Policy Amendments
 - 7. Marriage Law Amendments
- IV. New Submissions**
 - 1. Petition: Cornelius- Special GTC meeting to address 4 Resolutions
- V. Additions**
- VI. Administrative Updates**
- VII. Executive Session**
- VIII. Recess/Adjourn**

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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center

May 6, 2015 9:00 a.m.

PRESENT: Tehassi Hill, Jennifer Webster, Fawn Billie, David P. Jordan

EXCUSED: Brandon Stevens

OTHERS PRESENT: Taniquelle Thurner, Danelle Wilson, Fawn Cottrell, Jacob Metoxen, Josh Cottrell, Leyne Orosco, Candice Skenandore

I. Call To Order and Approval of the Agenda

Tehassi Hill called the May 6, 2015 Legislative Operating Committee meeting to order at 9:02 a.m.

Motion by Jennifer Webster to approve the agenda with the addition of Industrial Hemp; seconded by Fawn Billie. Motion carried unanimously.

II. Minutes to be approved

1. April 15, 2015 LOC Meeting Minutes

Motion by Fawn Billie to approve the April 15, 2015 LOC meeting minutes; seconded by Jennifer Webster. Motion carried with David P. Jordan abstaining.

III. Current Business

1. Marriage Law Amendments (02:06-04:05)

Motion by Fawn Billie to direct the Legislative Reference Office to prepare the Marriage Law Amendments for Oneida Business Committee consideration; seconded by Jennifer Webster. Motion carried unanimously.

2. Real Property Law Amendments (04:10-04:53)

Motion by Jennifer Webster to forward the Real Property Law Amendments to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

3. Leasing Law (05:23-07:41)

Motion by David P. Jordan to forward the Leasing Law to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

4. Furlough Policy (07:56-15:08)

Motion by Jennifer Webster to direct the Legislative Reference Office to make final changes

to the Furlough Policy and bring back when ready; seconded by David P. Jordan. Motion carried unanimously.

5. Comprehensive Policy Governing Boards, Committees and Commissions Amendments (15:13-16:55)

Motion by Jennifer Webster to defer the Comprehensive Policy Governing Boards, Committees and Commission to a Legislative Operating Committee work meeting; seconded by David P. Jordan, motion carried unanimously.

6. Employment Law (17:05-17:58)

Motion by Jennifer Webster to defer the Employment Law to a Legislative Operating Committee work meeting; seconded by Fawn Billie. Motion carried unanimously.

IV. New Submissions

1. Petition: Genskow-OBC Accountability, Repeal Judiciary & Open Records Law (18:07-19:13)

Motion by Jennifer Webster to add the Petition: Genskow- OBC Accountability, Repeal Judiciary & Open Records Law to the active files list with David P. Jordan as the sponsor; seconded by Fawn Billie. Motion carried unanimously.

2. Tribal Flag Code(19:29-21:10)

Motion by Jennifer Webster to add the Tribal Flag Code to the active files list with herself as the sponsor and defer the Tribal Flag Code to a Legislative Operating Committee work meeting; seconded by Fawn Billie. Motion carried unanimously.

V. Additions

1. Industrial Hemp (21:12-22:38)

Motion by Jennifer Webster to request the Industrial Hemp legal opinion to be completed and brought back to the next Legislative Operating Committee meeting; seconded by Fawn Billie. Motion carried unanimously.

VI. Administrative Updates

VII. Executive Session

VIII. Recess/Adjourn

Motion by David P. Jordan to adjourn the May 6, 2015 Legislative Operating Committee Meeting at 9:25 a.m.; seconded by Fawn Billie. Motion carried unanimously.



Legislative Operating Committee

May 20, 2015

ONGO Amendments

Submission Date: September 17, 2014

LOC Sponsor: Brandon Stevens

<input type="checkbox"/> Public Meeting: <input checked="" type="checkbox"/> Emergency Enacted: 5/1/15 Expires: 11/1/15

Summary: *Amendments are being sought to permanently amend the Law to ensure compliance with NIGC requirements as well as update the Law.*

9/17/14 LOC: Motion by Jennifer Webster to add the Amendments to the Oneida Nation Gaming Ordinance to the Active Files List on an emergency basis; seconded by Fawn Billie. Motion carried unanimously.

Motion by Fawn Billie to direct the Legislative Reference Office to bring back an analysis, resolution and statement of effect for the October 1, 2014 LOC meeting; seconded by Tehassi Hill. Motion carried unanimously.

Note: Brandon Stevens will be the sponsor.

10/01/14 LOC: Motion by Tehassi Hill to approve the resolution with the change from seven years to three years, and to forward it to the Oneida Business Committee; seconded by Fawn Billie. Motion carried unanimously.

10/08/14 OBC: Motion by Tehassi Hill to adopt resolution 10-08-14-C Oneida Nation Gaming Ordinance Emergency Amendments, seconded by Fawn Billie. Motion carried unanimously.

03/25/15: Oneida Gaming Commission requests a six-month extension so that all appropriate revisions can be made prior to permanent ONGO revisions are adopted by the LOC/OBC.

04/15/15 LOC: Motion by Fawn Billie to forward the ONGO Emergency Amendments to the Oneida Business Committee for consideration; seconded by Tehassi Hill. Motion carried unanimously.

04/22/15 OBC: Motion by Brandon Stevens to adopt resolution 04-22-15-B ONGO Emergency Amendments Extension, seconded by Fawn Billie. Motion carried unanimously.

Next Steps:

- Review the permanent amendments proposed by the Oneida Gaming Commission and defer ONGO to the LRO to make changes to the draft. In addition, direct that a legislative and fiscal analysis be developed once draft is completed.

To: Legislative Operating Committee

From: Oneida Gaming Commission

Re: Updated changes to ONGO for NIGC compliance

Date: May 15, 2015

Background:

When the Oneida Tribe of Indians of Wisconsin submitted changes to NIGC of ONGO because of updates to the Judiciary, NIGC responded with some additional changes that needed to be implemented for Oneida to be in compliance with NIGC regulations. On April 22, 2015 those initial recommendations were incorporated in to emergency amendments.

The Oneida Business Committee approved an emergency amendment that would (1) add requirements to keep the identity of each person interviewed in the course of a background investigation confidential; (2) require certain documents from the Oneida Gaming Commission to be retained for at least three years from the date of an employee's employment being terminated; and (3) if the Oneida Gaming Commission suspends, conditions or revokes a license based on information from NIGC, the Commission is required to forward that decision to NIGC within forty-five days of NIGC's notification that an employee is not eligible for a license.

In addition to the original three (3) recommendations, NIGC submitted six (6) additional recommendations to be incorporated to allow ONGO to comply with NIGC regulations. The additional emergency amendments would (1) identify the Oneida Gaming Commission as the agency that will take fingerprints; (2) require the Oneida Gaming Commission to create and maintain an investigative report on each background investigation; (3) require the Oneida Gaming Commission to submit a notice of results of the applicant's background investigation to the NIGC no later than sixty (60) days after the applicant begins work; (4) require the Oneida Gaming Commission to notify the NIGC of the issuance of a license to a primary management official or key employee within 30 days; (5) if the Oneida Gaming Commission decides not to issue a license to an applicant, the Oneida Gaming Commission shall forward copies of its eligibility determination and notice of results to NIGC for inclusion in the Indian Gaming Individual Record System; and (6) Upon receipt of notification from the NIGC that a primary management official or a key employee is not eligible for employment, the Gaming Commission shall: immediately suspend the license, provide the licensee with written notice of the suspension and proposed revocation, and provide the licensee with notice of a time and place for a hearing on the proposed revocation of the license.

Proposed Changes:

The Oneida Gaming Commission is proposing adopting the following changes. Cites to the NIGC regulation are included for reference, but should not be included in ONGO. Please find the six (6) additional changes that allow ONGO to comply with NIGC regulations:

21.12-2(m). The Oneida Gaming Commission shall be the agency that takes fingerprints (pursuant to 25 CFR § 556.6(b)(1)) consistent with procedures adopted by the Commission which meet criteria set forth in 25 CFR 522.2(h)

21.12-5. NIGC Review. When a Gaming Employee begins employment at a Gaming Operation, the Commission shall:

(a) Forward to the NIGC a completed application for employment that contains the notices and information listed in section 21.12-2 and ~~any other necessary reports~~ an investigative report on each background investigation that includes the steps in conducting the background investigation, results obtained, conclusions reached and the basis for those conclusions. (Pursuant to 25 C.F.R. § 556.6(b)(1)).

21.12-5(d). Prior to issuing a license to a primary management official or key employee, ~~Forward submit, after determination of eligibility, a report~~ a notice of results of background investigation (Pursuant to 25 C.F.R. § 556.6(b)) to the NIGC within sixty (60) days after the Applicant begins employment at a Gaming Facility for inclusion in the Indian Gaming Individual Record System (Pursuant to 25 C.F.R. § 25 C.F.R. § 558.3(d)), which shall include:

1. the applicant's name, date of birth and SSN;
2. date on which the applicant began or will begin work as a primary management official or key employee;
3. a summary of the information presented in the investigative report, including:
 - a. license(s) that have previously been denied;
 - b. gaming licenses that have been revoked, even if subsequently reinstated;
 - c. every known criminal charge brought against the applicant within the last 10 (ten) years of the date of the application;
 - d. every felony of which the applicant has been convicted or any ongoing prosecution.
4. a copy of the eligibility determination.

(Pursuant to 25 C.F.R. § 556.6(b)(2))

21.12-5(d)(15). Notify the NIGC of the issuance of a license to a primary management official or key employee within 30 days. (Pursuant to 25 C.F.R. § 558.3(b)). During a thirty (30) day period, beginning when the NIGC receives a report submitted pursuant to subsection (d) above, the Chairman of the NIGC may request additional information from the Commission concerning the Applicant. Such a request shall suspend the thirty (30) day period until the Chairman receives the additional information.

21.12-5(d)(1-4) will have to be changed to 21.12(d)(5-8) for formatting.

21.12-5(e). Upon receipt of notification from the NIGC that a primary management official or a key employee is not eligible for employment, the Gaming Commission shall:

1. immediately suspend the license;
2. provide the licensee with written notice of the suspension and proposed revocation; and
3. provide the licensee with notice of a time and place for a hearing on the proposed revocation of the license.

(Pursuant to 25 C.F.R. § 558.4(b)).

Please contact the Gaming Commission if you have any questions.



Legislative Operating Committee

May 20, 2015

Violence Against Women Act (VAWA)

Submission Date: March 18, 2015

☐ Public Meeting:
☐ Emergency Enacted:

LOC Sponsor: Jennifer Webster

Summary: *This item will look at how the Tribe can exercise jurisdiction over non-Indians in domestic abuse cases on the Reservations being that the State of Wisconsin is a PL 280 state.*

3/18/15 LOC: Motion by Tehassi Hill to add the Violence Against Women Act to the active files list; second by Fawn Billie. Motion carried unanimously.

Note: Jennifer Webster will be the sponsor.

Next Steps:

- Review and accept the memo from the sponsor regarding the Violence Against Women Act (VAWA).

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Fawn Billie, Councilmember

David P. Jordan, Councilmember

Jennifer Webster, Councilmember

Memorandum

TO: Legislative Operating Committee
FROM: Jennifer Webster, LOC Member
DATE: May 20, 2015
RE: Violence Against Women Act

On March 18, 2015, the Legislative Operating Committee (LOC) added the Violence Against Women Act (VAWA) to the Active Files List with myself as the sponsor. Approximately sixty days have passed since the LOC added this item to the Active Files List and this memorandum serves as an update as to where the legislation is at in the LOC process.

Because of the recent vacancy in the Legislative Reference Office, the Law Office has taken over drafting duties on a temporary basis. Michelle Mays in the Law Office is continuing to develop the VAWA. I am asking that you defer this item back to my office for further work and I will bring back the VAWA when it is ready.

Requested Action

Motion to accept the memorandum regarding the status of the VAWA as FYI.



Legislative Operating Committee

May 20, 2015

Industrial Hemp Law

Submission Date: March 18, 2015

☐ Public Meeting:
☐ Emergency Enacted:

LOC Sponsor: Tehassi Hill

Summary: *The 2013 Farm Bill authorizes institutions of higher education or State departments of agriculture, in states where it is legal to grow hemp, to grow hemp for research or agriculture pilot programs. Because the State of Wisconsin does not have hemp legislation, this new Law will govern how industrial hemp will be grown on the Reservation, pending the appropriate federal permits are obtained.*

3/18/15 LOC: Motion by Jennifer Webster to add the Industrial Hemp Law to the active files list with Tehassi Hill as the sponsor; seconded by Tehassi Hill. Motion carried unanimously.

5/6/15 LOC: Motion by Jennifer Webster to request the Industrial Hemp legal opinion to be completed and brought back to the next Legislative Operating Committee meeting; seconded by Fawn Billie. Motion carried unanimously.

Next Steps:

- Review and accept the memo from the sponsor regarding the Industrial Hemp Law.

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David P. Jordan, Councilmember

Jennifer Webster, Councilmember

Memorandum

TO: Legislative Operating Committee
FROM: Tehassi Hill, LOC Vice Chairperson *T.H.*
DATE: May 20, 2015
RE: Industrial Hemp Law

On March 18, 2015, the Legislative Operating Committee (LOC) added the Industrial Hemp Law (Law) to the Active Files List with myself as the sponsor. Approximately sixty days have passed since the LOC added this item to the Active Files List and this memorandum serves as an update as to where the legislation is at in the LOC process.

Because of the recent vacancy in the Legislative Reference Office, the Law Office has taken over drafting duties on a temporary basis. Attorney Rebecca Webster is currently developing an Industrial Hemp Law draft and the Law Office is developing a legal opinion pertaining to Industrial Hemp and will forward the opinion to the LOC when it is ready.

On May 1, 2015, I had a telephone conversation with Michael Bowman, a hemp farmer and advocate. We discussed economic development opportunities as well as legislative development.

I am asking that you defer this item back to my office for further work and I will bring back the Law when it is ready.

Requested Action

Motion to accept the memorandum regarding the status of the Industrial Hemp Law as FYI.



Legislative Operating Committee

May 20, 2015

Election Board Bylaws Amendments

Submission Date: March 18, 2015

☐ Public Meeting:
☐ Emergency Enacted:

LOC Sponsor: Brandon Stevens

Summary: *The Election Board had requested amendments to their Bylaws per the current Election Law and previous GTC action.*

3/18/15 LOC: Motion by Jennifer Webster to add the Election Board Bylaws Amendments to the active files list, and to defer this item to the Legislative Reference Office for processing and to bring back when ready; seconded by Tehassi Hill. Motion carried unanimously.

Note: Brandon Stevens will be the sponsor.

Next Steps:

- Review and accept the memo from the sponsor regarding the Election Board Bylaws Amendments.

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Tehassi Hill, Vice Chairperson

Fawn Billie, Councilmember

David P. Jordan, Councilmember

Jennifer Webster, Councilmember

Memorandum

TO: Legislative Operating Committee
FROM: Brandon Stevens, LOC Chairperson 
DATE: May 20, 2015
RE: Election Board Bylaws Amendments

On March 18, 2015, the Legislative Operating Committee (LOC) added the Election Board Bylaws Amendments to the Active Files List with myself as the sponsor. Approximately sixty days have passed since the LOC added this item to the Active Files List and this memorandum serves as an update as to where the legislation is at in the LOC process.

Because of the recent vacancy in the Legislative Reference Office, the Law Office has taken over drafting duties on a temporary basis. Attorney Pat Garvey in the Law Office has been working with the Election Board to develop the amendments for these bylaws. Currently, Attorney Garvey is processing additional, minor changes based on issues raised in the legislative analysis. It is anticipated that the amendments will be finalized and submitted for LOC consideration for the next LOC meeting.

Requested Action

Motion to accept the memorandum regarding the status of the Election Board Bylaw Amendments as FYI.



Legislative Operating Committee

May 20, 2015

Personnel Commission Bylaws Amendments

Submission Date: March 18, 2015

☐ Public Meeting:
☐ Emergency Enacted:

LOC Sponsor: Fawn Billie

Summary: *The Personnel Commission has identified the need to revise its Bylaws in order to outline more specifically the qualifications for appointed commissioners. The type of work done by the Personnel Commission is more detailed and advanced than it was when first created and as a result, the appointed commissioners need a higher degree of qualifications than originally identified.*

3/18/15 LOC: Motion by Fawn Billie to add the Personnel Commission Bylaws Amendments to the active files list; seconded by Jennifer Webster. Motion carried unanimously.

Note: Fawn Billie will be the sponsor.

Next Steps:

- Review and accept the memo from the sponsor regarding the Personnel Commission Bylaws Amendments.

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David P. Jordan, Councilmember

Jennifer Webster, Councilmember

Memorandum

TO: Legislative Operating Committee
FROM: Fawn Billie, LOC Member *FB*
DATE: May 20, 2015
RE: Personnel Commission Bylaws Amendments

On March 18, 2015, the Legislative Operating Committee (LOC) added the Personnel Commission Bylaws (Bylaws) Amendments to the Active Files List with myself as the sponsor. Approximately sixty days have passed since the LOC added this item to the Active Files List and this memorandum serves as an update as to where the legislation is at in the LOC process.

Because of the recent vacancy in the Legislative Reference Office, the Law Office has taken over drafting duties on a temporary basis. Pat Garvey in the Law Office met with the Human Resources Department on May 18, 2015 to address concerns pertaining to the Bylaws. Attorney Garvey is reviewing the proposed Bylaws to see if any necessary changes need to be made and will forward the draft to the Legislative Reference Office for a legislative analysis.

Requested Action

Motion to accept the memorandum regarding the status of the Personnel Commission Bylaws Amendments as FYI and to defer this item back to my office and will bring back when ready.



Legislative Operating Committee

May 20, 2015

Investigative Leave Policy Amendments

Submission Date: December 17, 2014

✓ Public Meeting: **4/30/15**

□ Emergency Enacted:

LOC Sponsor: Jennifer Webster

Summary: *Amendments to the Investigative Leave Policy were requested to delete a section of the Policy which prohibits the use of investigative leave when a complaint is filed. While the original intent of the section was to prohibit the use of investigative leave when one employee files a complaint against another, as defined under the Personnel Policies and Procedures, a decision by the Oneida Appeals Commission has interpreted the Policy to apply anytime the term "complaint" is used in an investigation. This could prohibit a supervisor from taking action to protect the Tribe in cases of misappropriation if inappropriate activities are identified based on a complaint arising out of a disciplinary or complaint process. The amendments would also reduce the time period of the investigation from 30 days to 15 days.*

12/17/14 LOC: Motion by Jennifer Webster to add the Investigative Leave Policy Amendments to the active files list with herself as the sponsor; seconded by Tehassi Hill. Motion carried unanimously.

02/18/15 LOC: Motion by Tehassi Hill to defer the Investigative Leave Policy Amendments for a legislative analysis and a fiscal impact statement; seconded by Fawn Billie. Motion carried unanimously.

4/3/15 LOC: Motion by Jennifer Webster to make the changes as discussed and forward to an April 30th, 2015 Public Meeting; seconded by Tehassi Hill. Motion carried unanimously.

4/30/15: Public Meeting Held.

Next Steps:

- Review the public meeting comment and make any necessary changes and/or direct the LRO to prepare the Investigative Leave Policy Amendments for OBC consideration.

**Oneida Tribe of Indians of Wisconsin
Legislative Reference Office**

Lynn A. Franzmeier, Staff Attorney
Taniquelle J. Thurner, Legislative Analyst
Candice E. Skenandore, Legislative Analyst



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Memorandum

TO: Legislative Operating Committee
FROM: Jo Anne House, Chief Counsel
Candice E. Skenandore, Legislative Analyst
DATE: May 20, 2015
RE: Investigative Leave Policy Amendments: Public Meeting Comment Review

On April 30, 2015, a public meeting was held regarding proposed amendments to the Investigative Leave Policy (Policy). Amendments to the Policy include:

- Remove language that states that investigative leaves do not apply to investigations regarding appeals of disciplinary actions or employee complaint investigations.
- Reduce how long an employee can be placed on investigative leave, this timeframe has been reduced from 30 calendar days to 15 calendar days.
- Reduce how long an employee's investigative leave can be extended, this timeframe has been reduced from 30 calendar days to 15 calendar days.
- Require the employee's supervisor to notify the employee when to return to work and/or the disciplinary action that will be taken.
- Amend the appeal process, only allowing the employee to appeal a disciplinary action that arises from and investigation.

This memorandum is submitted as a review of the oral and written comments received during the public meeting process. The public meeting draft with comments, as well as the comments received, have been attached for your review.

Comment 1. Multiple Investigations when allegations include criminal or licensing issues.

From line 75-82 of the analysis: This Policy says that the employee's supervisor and/or area manager is responsible for completing the investigation [See 7-1]. The Policy then says that if the allegation includes criminal actions or actions that may affect licensing, that the investigation may be completed by an appropriate agency [See 7-2]. This could be interpreted that if allegations involve criminal or licensing issues that two investigations are conducted, one by the supervisor and/or area manager and one by an appropriate agency. The LOC may want to consider clarifying whether or not two investigations will occur when an allegation involves criminal or licensing issues.

Barb Kolitsch: The other thought that I have is in partial agreement with Candace's comment below regarding two investigations going at the same time. In some cases, such as a case HRD had many years ago, and what I say in training is that a supervisor shouldn't put someone on investigative leave waiting for a conviction if they have enough evidence to terminate. If they do need investigative leave to conduct their own investigation, do so, and then follow the sequence of supervisor "completing" the investigation to the best of their ability.

A generic example such as this...employee's purse is stolen at work. Camara's in Skenandoah show clearly that Jim Bob stole the purse. Why would we wait for a conviction of theft before we terminated? When the Police go to Jim Bob's house, they find the stolen purse in his car. So, in this type of situation, no investigative leave would be needed because we have the evidence to terminate, and the theft investigation and case may not go to court until months later.

Response

It is possible that a supervisor may be reviewing actions that affect employment and licensing or criminal activity. However, the employment related investigation does not depend on the licensing or criminal investigation to be concluded. It is possible that a supervisor may find an action to be in violation of employment policies that do not rise to a criminal action and may have no bearing on a license. Further, although this is less likely, an action may be criminal or in violation of a license and have no bearing on the employment environment. In the event the non-work related action which results in a criminal conviction or a license suspension or revocation, then the supervisor may need to take additional employment related action. Recommendations have been made to revise section 7-2 to address this comment.

7-2. If the allegations against the employee include criminal actions, or actions that may affect licensing, the supervisor shall conclude the employment related investigation without waiting for the results of a criminal or licensing investigation ~~investigations may be completed by an appropriate agency, including but not limited to: Police Departments, District Attorneys, Oneida Security, the Oneida Gaming Commission, and Social Services.~~

Comment 2. Comment on HRD Manager's Role.

5-1. This leave, or an extension of this leave, shall only be used when an employee's supervisor receives prior approval from the Human Resources Department Manager or his or her designee and:

- (a) their Division Director; or
- (b) if there is no Division Director, the person at the highest level of the chain of command.

5-2. If the Human Resources Department Manager of his or her designee and the Division Director or his or her equivalent do not agree with placing the employee on investigative leave, then the final decision shall rest with the Human Resources Department Manager or his or her designee.

Mike Debraska: I just want to renew what I had stated earlier at the April 3rd LOC meeting, Brandon, which was, I think, too much power is being vested in the HR Manager to determine a lot of these.

Response

The Human Resources Department Manager is reviewing initial information provided by the supervisor. They are then weighing the needs of the employer to conduct an unimpeded investigation versus the needs of the employee to continue working and earning a paycheck during the investigation process. The needs of the employer are balanced by meeting two criteria – first, limiting investigative leaves to those occasions where the employee could alter or destroy

evidence related to the investigation, and second, by limiting the amount of time in which the investigation must be conducted. The Human Resource Department Manager's opinion is limited and objective – you either meet the criteria or you do not. No amendments to the language are recommended.

Comment 3. Comment on Investigator(s) and Reports

7-1. The employee's supervisor and/or area manager shall be responsible for completing the investigation. If the employee being investigated reports directly to the Oneida Business Committee, the Tribal Equal Employment Opportunity Officer shall conduct the investigation.

7-2. If the allegations against the employee include criminal actions, or actions that may affect licensing or background eligibility, the investigations may be ~~completed~~ conducted by an appropriate agency.

7-3. The person(s) conducting an investigation shall prepare a written report that shall include the findings of the investigation, and provide a copy of the written report to the employee and, if someone other than the employee's supervisor conducts the investigation, a copy of the written report shall be provided to the employee's supervisor.

(a) If the employee's supervisor conducts the investigation, the written report shall inform the employee when to return to work if applicable and/or of what disciplinary action will be taken against the employee based on the report.

(b) If someone other than the employee's supervisor conducts the investigation, within forty-eight (48) hours of receiving the written report, the supervisor shall complete the investigation by determining any corrective actions needed, inform the employee in writing when to return to work if applicable, and/or inform the employee of any applicable ~~what~~ disciplinary action will be taken against the employee based on the report.

Barb Kolitsch: I made recommended edits in the document via strikeout deletions and red font additions. I think that if an "outside" agency does an investigation, it's not their decision, nor can they take the action, so they can't "complete" the process. I say in training that the investigation isn't closed until the supervisor takes all the required action needed, which can include updating sop's and communication to the "need-to-know's." The supervisor has to take action, so I said that the outside agency conducts the investigation and the supervisor completes the investigation through the actions they take based on the investigation findings.

Response

The recommendations by the Human Resources Department clarify sections 7-1 and 7-3. It is recommended that those amendments be included. It is recommended that the response to Comment 1, above, be utilized instead of the recommendation proposed by the Human Resources Department.

Conclusion

There was a comment received at the public meeting and comments received in writing which the LOC may want to consider incorporating into the Policy as appropriate. After the LOC reviews the comments and provides direction as to any changes necessary based on the comments, the draft and analysis should be updated and may be prepared for OBC consideration.

Investigative Leave Policy

Article I. Purpose and Policy
Article II. Adoption, Amendment, Repeal
Article III. Definitions
Article IV. Scope
Article V. Authorization
Article VI. Employee Notice
Article VII. Investigator(s) and Reports

Article VIII. Duration
Article IX. Employee Responsibilities
Article X. Pay and Benefits
Article XI. Enforcement
Article XII. Appeal
Article XIII. Confidentiality

<i>Analysis by the Legislative Reference Office</i>					
Title	Investigative Leave Policy (Policy)				
Requester	Chief Counsel	Drafter	Lynn A. Franzmeier	Analyst	Candice E. Skenandore
Reason for Request	It has recently been interpreted that this Policy cannot be utilized if a “complaint” has been filed. The intent of this Policy was to prohibit an employee complaint about another employee (i.e. personal issue between two employees or a peer level complaint affecting the work environment), not a “complaint” in an investigation. In addition, it has been requested that the investigation period be reduced to 15 days.				
Purpose	The purpose of this Policy is to address investigative leave for employees undergoing work-related investigations <i>[See 1-1]</i> .				
Authorized/ Affected Entities	This Policy affects Tribal employees employed by any program or enterprise but does not pertain to elected or appointed officials and political appointees <i>[See 3-1 (a)]</i> . Other identified entities include the employee’s supervisor and/or area manager, Human Resource Department (HRD), HRD Manager, Division Directors or their equivalent and possibly the Equal Employment Opportunity Officer.				
Due Process	An employee can appeal any disciplinary action arising out of an investigation pursuant to the Tribe’s personnel policies and procedures <i>[See 12-1]</i> .				
Related Legislation	Back Pay Policy <i>[See 10-4]</i> , appeals and releasing confidential information will follow the processes set out in the Tribe’s personnel policies and procedures <i>[See 12.1 & 13-1]</i> ,				
Enforcement	Any violation of this Policy is subject to disciplinary action as set out in the Tribe’s personnel policies and procedures <i>[See 11-1]</i> .				

Overview

An employee will be placed on investigative leave when a situation requires an investigation and the employee’s presence can influence the outcome or if an employee allegedly commits an act which prevents the employee from meeting employment eligibility such as required licenses, Tribal fidelity bond or background investigation requirements. This Policy; however, cannot be used as a form a discipline *[See 4-1 & 4-2]*. The Policy will:

- Require the supervisor to obtain prior approval before placing an employee on investigative leave *[See 5]*;
- Call for the supervisor to place an employee in an alternative work assignment during the investigation so long as alleged action does not prevent the employee from working elsewhere in the Tribe, an alternative work assignment is available and the employee meets the minimum qualifications of the of the alternative work assignment *[See 5-4]*;
- Require the supervisor to provide written notice to the employee being place on investigative leave *[See 6]*;
- Identify who is responsible for completing the investigation *[See 7]*;
- Set out how long an employee can be placed in investigative leave *[See 8]*;
- Specify the employee’s responsibilities while on investigative leave *[See 9]*;
- Explain how pay and benefits are handled while the employee is on investigative leave

including when an employee is eligible for back pay *[See 10]*;

- Subject the employee to discipline in accordance with the Tribe's personnel policies and procedures if the employee violates this Policy *[See 11]*;
- Identify how appeals are conducted *[See 12]* and
- Require information related to the investigation to be confidential and can only be released in accordance with relevant laws and personnel policies and procedures *[See 13]*.

Proposed Amendments

The following are proposed amendments to the Policy:

- The term "disciplinary action" has been removed from the Policy, the definition of "employee" has been revised to be consistent with other Tribal laws and the definition for "investigative leave" has been enhanced to better reflect the intent of the Policy *[See redline 3-1]*.
- This Policy no longer states that investigative leave does not apply to investigations regarding appeals of disciplinary actions or employee complaint investigations *[See redline 4-3]*. This amendment will help avoid any further confusion as to whether this Policy can be utilized when a complaint is filed.
- Currently, the HRD Manager must, among other things, decide to place an employee on investigative leave to either approve or deny that request. Because there may be times when the HRD Manager is not available when a request is made, language has been added that allows the HRD Manager or his/her designee can make the necessary determinations *[See 5-1 & 5-2]*.
- The current Policy allows the supervisor to authorize an alternative work assignment for the employee placed on investigative leave if the alleged action does not preclude the employee from working elsewhere in the Tribe. The proposed Policy will also require that an alternative work assignment be available and the employee meets the minimum qualifications of the alternative work assignment prior to the supervisor authorizing an alternative work assignment *[See 5-4]*.
- The timeframe for how long an employee can be placed on investigative leave has been reduced from 30 calendar days to 15 calendar days. In addition, if an extension is granted to the investigative leave, that extension can only last an additional 15 calendar days instead of 30 calendar days which is current practice *[See 6-2 & 8-1]*. This amendment will reduce the amount of time a supervisors and/or area manager will be required to complete an investigation; however, the amount of time an employee is subject to an investigative leave is cut in half.
- The Policy now clarifies that no matter who conducts the investigation, the employee's supervisor is responsible for notifying the employee when to return to work and/or of what disciplinary action will be taken *[See 7-3]*.
- An enforcement provision was added to the Policy that subjects an employee to disciplinary action in accordance with the Tribe's personnel policies and procedures if the employee violates this Policy *[See 11-1]*.
- An employee can only appeal a disciplinary action that arises from an investigation pursuant to the Tribe's personnel policies and procedures *[See 12-1]*. The current Policy allows an employee to appeal the findings in the written report and/or a decision in accordance with the Tribe's personnel policies and procedures; however, the Personnel

Policies and Procedures only allow employees to appeal disciplinary actions [See *Personnel Policies and Procedures Section V.D.3*].

Considerations

The Legislative Operating Committee may want to consider the following:

- There are inconsistencies with how the Tribe views political appointees. There are times when Tribal legislation includes political appointees in the definition for “employee” and other times political appointees are excluded from the “employee” definition. For example, this Policy does not apply to political appointees but the proposed Furlough Policy will apply to political appointees [See 3-1 (a) and proposed Furlough Policy draft 3, 3-1 (a)].
- This Policy says that the employee’s supervisor and/or area manager is responsible for completing the investigation [See 7-1]. The Policy then says that if the allegation includes criminal actions or actions that may affect licensing, that the investigation may be completed by an appropriate agency [See 7-2]. This could be interpreted that if allegations involve criminal or licensing issues that two investigations are conducted, one by the supervisor and/or area manager and one by an appropriate agency. The LOC may want to consider clarifying whether or not two investigations will occur when an allegation involves criminal or licensing issues.¹

Miscellaneous

A public meeting was held on April 30, 2015. Minor language changes have been made to provide more clarity to the Policy.

Article I. Purpose and Policy—

1-1. The purpose of this Policy is to ~~addresses~~address investigative leave for employees undergoing work-related investigations.

1-2. It is the policy of the Oneida Tribe of Indians of Wisconsin to maintain confidentiality and avoid undue influence when conducting an investigation into an employee’s alleged wrong doings.-

Article II. Adoption, Amendment, Repeal

2-1. This Policy was adopted by the Oneida Business Committee by resolution BC-~~#~~04-07-99-A, and amended by resolution BC-~~#~~08-13-14-D; and _____.

¹ **Barb Kolitsch:** The other thought that I have is in partial agreement with Candace’s comment below regarding two investigations going at the same time. In some cases, such as a case HRD had many years ago, and what I say in training is that a supervisor shouldn’t put someone on investigative leave waiting for a conviction if they have enough evidence to terminate. If they do need investigative leave to conduct their own investigation, do so, and then follow the sequence of supervisor “completing” the investigation to the best of their ability.

A generic example such as this...employee’s purse is stolen at work. Camara’s in Skenandoah show clearly that Jim Bob stole the purse. Why would we wait for a conviction of theft before we terminated? When the Police go to Jim Bob’s house, they find the stolen purse in his car. So, in this type of situation, no investigative leave would be needed because we have the evidence to terminate, and the theft investigation and case may not go to court until months later.

2-2.— This Policy may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

2-3. Should a provision of this Policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Policy which are considered to have legal force without the invalid portions.

2-4. In the event of a conflict between a provision of this Policy and a provision of another policy, the provisions of this Policy shall control.

2-5. This Policy is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

Article III. Definitions

3-1. This section shall govern the definitions of words and phrases used within this Policy. All words not defined herein shall be used in their ordinary and everyday sense.

~~(a) —“Disciplinary action” shall mean the process as set forth in the Tribe’s personnel policies for dealing with job-related behavior that does not meet expected and communicated performance standards.~~

~~(b)~~(a) “Employee” shall mean any individual who is employed by the Tribe and is subject to the direction and control of the Tribe with respect to the material details of the work performed, or who has the status of an employee under the usual common law rules applicable to determining the employer-employee relationship. “Employee” includes, but is not limited to; an individual employed by any program or enterprise of the Tribe, but does not include elected or appointed officials or ~~individuals employed by a Tribally Chartered Corporation, and political appointees. For purposes of this Policy, individuals employed under an employment contract as a limited term employee are employees of the Tribe, not consultants~~political appointees.

~~(c)~~(b) “Investigative leave” shall mean a temporary absence ~~without from~~ regular job duties ~~and without pay~~ for the purpose of ~~determining~~conducting an investigation to determine whether conduct or ~~not~~alleged conduct by an employee should result in disciplinary action ~~needs to be taken~~and/or termination of employment.

~~(d)~~(c) “Tribal” or “Tribe” shall mean the Oneida Tribe of Indians of Wisconsin.

Article IV. Scope

4-1. An employee shall be placed on investigative leave when one (1) of the following occurs:

(a) ~~An~~A situation requires an investigation ~~needs to~~ be conducted and ~~an~~the employee’s presence ~~would~~may influence the outcome.—

(b) An employee allegedly commits an act which would preclude ~~them~~the employee from meeting employment eligibility including required Licenses, the Tribal Fidelity Bond, or Background Investigation requirements.

4-2. This Policy shall not be used as a form of discipline.

~~4-3. —Investigative leave shall not apply to investigations regarding appeals of disciplinary actions or employee complaint investigations.~~

Article V. Authorization

5-1. This leave, or an extension of this leave, shall only be used when an employee’s supervisor receives prior approval from the Human Resources Department Manager or his or her designee and:

(a) their Division Director; or

(b) if there is no Division Director, the person at the highest level of the chain of command.-

5-2. If the Human Resources Department Manager of his or her designee and the Division Director or his or her equivalent do not agree with placing the employee on investigative leave, then the final decision shall rest with the Human Resources Department Manager or his or her designee.²

5-3. The prior approval requested in 5-1 shall be granted or denied within forty-eight (48) hours of receiving the request.-

5-4. During the investigative leave, the employee's supervisor shall authorize an alternative work assignment if all the following occur:

(a) The alleged action does not preclude the employee from working elsewhere in the organization.-

(b) An alternative work assignment authorized is available and

(c) The employee meets the minimum job requirements of the alternative work assignment.

5-5. If an employee placed in an alternative work assignment under ~~this~~ section 5-4, the alternative work assignment shall be considered a part of the investigative leave and the employee shall continue to receive their same rate of pay.

Article VI. Employee Notice

6-1. When the employee is placed on investigative leave, the employee shall immediately receive a written notice from the employee's supervisor; the notice shall contain the following:

(a) The specific allegation(s) being investigated;

(b) The employee shall be on unpaid status, unless he or she is placed in an alternative work assignment;

(c) The alternative work assignment, if appropriate;-

(d) The expected length of the investigation;

(e) Whether or not the investigation is being forwarded to an outside agency;

(f) The telephone number and name of person to contact in case of questions;

(g) The procedures to return to work upon completion of the investigation; and

(h) That the employee still remains as an employee with the Tribe.

6-2.-If the employee's investigative leave is extended past the original ~~thirty (30)~~ fifteen (15) calendar days pursuant to section 8-1, the supervisor shall immediately notice the employee in writing of this extension and the reason for the extension.

Article VII. Investigator(s) and Reports

7-1. The employee's supervisor and/or area manager shall be responsible for completing the investigation. If the employee ~~is one who reports~~ directly ~~reports~~ to the Oneida Business Committee, the Tribal Equal Employment Opportunity Officer shall conduct the investigation.

7-2. If the allegations against the employee include criminal actions, or actions that may affect licensing, the investigations may be completed by an appropriate agency, ~~including but not limited to: Police Departments, District Attorneys, Oneida Security, the Oneida Gaming Commission, and Social Services.~~

² **Mike Debraska:** I just want to renew what I had stated earlier at the April 3rd LOC meeting, Brandon, which was, I think, too much power is being vested in the HR Manager to determine a lot of these.

7-3. The person(s) conducting an investigation shall prepare a written report that shall include the findings of the investigation, and provide a copy of the written report to the employee and, if necessary, someone other than the employee's supervisor. ~~conducts the investigation, a copy of the written report shall be provided to the employee's supervisor.~~

~~(a) 7-4. Within~~ If the employee's supervisor conducts the investigation, the written report shall inform the employee when to return to work and/or of what disciplinary action will be taken against the employee based on the report.

~~(b) If someone other than the employee's supervisor conducts the investigation, within~~ forty-eight (48) hours of ~~creating or~~ receiving the written ~~reports~~ report, the supervisor shall ~~be responsible for informing~~ inform the employee in writing when to return to work, and/or ~~deciding the discipline which may~~ inform the employee of what disciplinary action will be ~~appropriate~~ taken against the employee based on the report.³

Article VIII. Duration

8-1. An investigative leave shall be no longer than ~~thirty (30)~~ fifteen (15) calendar days, with the ability to extend one (1) time for an additional ~~thirty (30)~~ fifteen (15) calendar days with a valid explanation of the reason for the extension. The extension shall be determined by the same individuals who placed the employee on investigative leave in section 5-1. However, if the investigation is forwarded to an outside agency, these timelines shall not apply.-

8-2. Investigative leave shall end upon any of the following occurrences:

- (a) the expiration of the ~~thirty (30)~~ fifteen (15) calendar day time limit, if applicable;
- (b) the expiration of the ~~thirty (30)~~ fifteen (15) calendar day extension if granted;
- (c) termination of the employee's employment based on the investigation;
- (d) the employee's return to work ~~when the based on the written report submitted to the employee after an~~ investigation is completed ~~prior to the expiration of the time limits given in (a) and/or (b) as officially documented by whomever is designated as the official investigative body~~; or
- (e) the employee chooses to resign or retire.

Article IX. Employee Responsibilities

9-1. An employee placed on investigative leave shall:

- (a) ~~-Not~~ report to work or the worksite without prior supervisory approval;
- ~~—~~(b) Abide by all Tribal laws and policies, including prohibited gaming activities; and
- (c) Fully cooperate with the investigation as requested by those conducting the investigation.

Article X. Pay and Benefits

10-1. Paid leave shall not be authorized ~~in accordance with the Tribe's personnel policies and procedures and the Oneida Nation Gaming Ordinance.~~

³ Barb Kolitsch: I made recommended edits in the document via strikeout deletions and red font additions. I think that if an "outside" agency does an investigation, it's not their decision, nor can they take the action, so they can't "complete" the process. I say in training that the investigation isn't closed until the supervisor takes all the required action needed, which can include updating sop's and communication to the "need-to-know's." The supervisor has to take action, so I said that the outside agency conducts the investigation and the supervisor completes the investigation through the actions they take based on the investigation findings. [See Memo for recommended changes].

10-2. An employee placed on investigative leave shall not receive any wages or benefits unless placed in an alternative work assignment. If the employee refuses the alternative work assignment and is returned to work, the employee shall not receive any back pay or benefits.

10-3. If an alternative work assignment is not available, the employee may use his or her accrued vacation and/or personal time while on investigative leave.

10-4. An employee shall receive back pay and benefits for the time the employee was on investigative leave, ~~including prorated credit for vacation/personal time~~ pursuant to ~~Section 4-4~~ of the Back Pay Policy if all of the following occur:

(a) The employee was not offered an alternative work assignment when placed on investigative leave; and-

(b) The employee is returned to his or her position; and-

(c) The employee is not disciplined ~~or terminated~~ based on the investigation.

Article XI. ~~Enforcement~~ ~~Appeal~~

11-1. ~~In Any employee found violating this Policy shall be subject to discipline in~~ accordance with the ~~Tribe's~~ personnel policies and procedures.

Article XII. ~~Appeal of the Tribe, an~~

12-1. ~~An~~ employee ~~can~~ may appeal ~~the findings in the written report and/or the decision any disciplinary action~~ arising out of ~~the an~~ investigation ~~within ten (10) business days of receiving the written report required in 7-3. in accordance with the Tribe's personnel policies and procedures.~~

Article ~~XII~~ XIII. Confidentiality

~~1213~~-1. Information related to an investigation is confidential. ~~Access or sharing of this information shall be limited to those who have a legitimate "need to know" and may only be released~~ in ~~compliance~~ accordance with relevant laws and personnel policies and procedures.-

~~1213~~-2. All investigation materials shall be maintained in the ~~employees~~ employee's personnel file with the Human Resources Department.—

End.

OBC Approved 4-07-99-A
Amended- 08-13-14-D

Candice E. Skenandore

From: Geraldine R. Danforth
Sent: Wednesday, April 08, 2015 11:56 AM
To: Candice E. Skenandore
Subject: FW: Investigative Leave Policy Amendments
Attachments: Investigative Leave PM Draft (Draft-3) bk edits.docx; Investigative Leave PM Draft (Draft 3) bk edits.docx

Follow Up Flag: Follow up
Flag Status: Flagged

See attached recommended changes, highlighted in yellow.

From: Barbara A. Kolitsch
Sent: Wednesday, April 08, 2015 7:58 AM
To: Geraldine R. Danforth; Maureen A. Metoxen; Matthew J. Denny; Kendall J. Barton; Lisa L. Hock; Wendy M. Alvarez; Marianne J. Close; Joshua C. Cottrell
Subject: RE: Investigative Leave Policy Amendments

I made recommended edits in the document via strikeout deletions and red font additions. I think that if an "outside" agency does an investigation, it's not their decision, nor can they take the action, so they can't "complete" the process. I say in training that the investigation isn't closed until the supervisor takes all the required action needed, which can include updating sop's and communication to the "need-to-know's." The supervisor has to take action, so I said that the outside agency conducts the investigation and the supervisor completes the investigation through the actions they take based on the investigation findings.

The other thought that I have is in partial agreement with Candace's comment below regarding two investigations going at the same time. In some cases, such as a case HRD had many years ago, and what I say in training is that a supervisor shouldn't put someone on investigative leave waiting for a conviction if they have enough evidence to terminate. If they do need investigative leave to conduct their own investigation, do so, and then follow the sequence of supervisor "completing" the investigation to the best of their ability.

A generic example such as this...employee's purse is stolen at work. Camara's in Skenandoah show clearly that Jim Bob stole the purse. Why would we wait for a conviction of theft before we terminated? When the Police go to Jim Bob's house, they find the stolen purse in his car. So, in this type of situation, no investigative leave would be needed because we have the evidence to terminate, and the theft investigation and case may not go to court until months later.

From: Geraldine R. Danforth
Sent: Tuesday, April 07, 2015 2:38 PM
To: Maureen A. Metoxen; Matthew J. Denny; Kendall J. Barton; Barbara A. Kolitsch; Lisa L. Hock; Wendy M. Alvarez; Marianne J. Close; Joshua C. Cottrell
Subject: FW: Investigative Leave Policy Amendments

Please review

From: Candice E. Skenandore
Sent: Friday, April 03, 2015 10:11 AM
To: Geraldine R. Danforth; Matthew J. Denny
Subject: Investigative Leave Policy Amendments

Good Morning,

At the LOC meeting today the LOC asked for HRD's input on the following issue. 7-1 says that the supervisor and/or area manager must complete the investigation. 7-2 says that if the allegations include criminal or licensing issues, that the investigation can be completed by an appropriate agency. Does this mean that 2 investigations will occur when allegations include criminal or licensing issues or if the allegations are criminal or licensing, is only the appropriate agency required to investigation?

Does HRD have any suggestions? I copied the sections below and also attached the proposed Draft . This item is going to a public meeting on April 30th which means we need to have this to Kali by April 9th. Your quick response is much appreciated.

7-1. The employee's supervisor and/or area manager shall be responsible for completing the investigation. If the employee reports directly to the Oneida Business Committee, the Tribal Equal Employment Opportunity Officer shall conduct the investigation.

7-2. If the allegations against the employee include criminal actions, or actions that may affect licensing, the investigations may be completed by an appropriate agency.

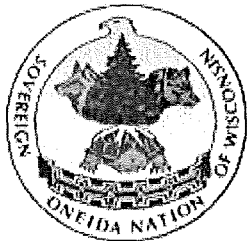
Candice E. Skenandore

Legislative Reference Office

Legislative Analyst

(920) 869-4312 office

(920) 869-4040 fax



Investigative Leave Policy

Article I. Purpose and Policy
Article II. Adoption, Amendment, Repeal
Article III. Definitions
Article IV. Scope
Article V. Authorization
Article VI. Employee Notice

Article VII. Investigator(s) and Reports
Article VIII. Duration
Article IX. Employee Responsibilities
Article X. Pay and Benefits
Article XI. Appeal
Article XII. Confidentiality

Article I. Purpose and Policy

1-1. The purpose of this Policy is to address investigative leave for employees undergoing work-related investigations.

1-2. It is the policy of the Oneida Tribe of Indians of Wisconsin to maintain confidentiality and avoid undue influence when conducting an investigation into an employee's alleged wrong doings.

Article II. Adoption, Amendment, Repeal

2-1. This Policy was adopted by the Oneida Business Committee by resolution BC-04-07-99-A, and amended by resolution BC-08-13-14-D and _____.

2-2. This Policy may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

2-3. Should a provision of this Policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Policy which are considered to have legal force without the invalid portions.

2-4. In the event of a conflict between a provision of this Policy and a provision of another policy, the provisions of this Policy shall control.

2-5. This Policy is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

Article III. Definitions

3-1. This section shall govern the definitions of words and phrases used within this Policy. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Employee" shall mean any individual who is employed by the Tribe and is subject to the direction and control of the Tribe with respect to the material details of the work performed, or who has the status of an employee under the usual common law rules applicable to determining the employer-employee relationship. "Employee" includes, but is not limited to; an individual employed by any program or enterprise of the Tribe, but does not include elected or appointed officials or political appointees.

(b) "Investigative leave" shall mean a temporary absence from regular job duties for the purpose of conducting an investigation to determine whether conduct or alleged conduct by an employee should result in disciplinary action and/or termination of employment.

(c) "Tribal" or "Tribe" shall mean the Oneida Tribe of Indians of Wisconsin.

Article IV. Scope

4-1. An employee shall be placed on investigative leave when one (1) of the following occurs:

(a) A situation requires an investigation be conducted and the employee's presence may influence the outcome.

(b) An employee allegedly commits an act which would preclude the employee from

meeting employment eligibility including required Licenses, the Tribal Fidelity Bond, or Background Investigation requirements.
4-2. This Policy shall not be used as a form of discipline.

Article V. Authorization

5-1. This leave, or an extension of this leave, shall only be used when an employee's supervisor receives prior approval from the Human Resources Department Manager and:

(a) their Division Director; or

(b) if there is no Division Director, the person at the highest level of the chain of command.

5-2. If the Human Resources Department Manager and the Division Director or his or her equivalent do not agree with placing the employee on investigative leave, then the final decision shall rest with the Human Resources Department Manager.

5-3. The prior approval requested in 5-1 shall be granted or denied within forty-eight (48) hours of receiving the request.

5-4. During the investigative leave, the employee's supervisor shall authorize an alternative work assignment if the alleged action does not preclude the employee from working elsewhere in the organization. An alternative work assignment authorized under this section shall be considered a part of the investigative leave and the employee shall continue to receive their same rate of pay.

Article VI. Employee Notice

6-1. When the employee is placed on investigative leave, the employee shall immediately receive a written notice from the employee's supervisor; the notice shall contain the following:

(a) The specific allegation(s) being investigated;

(b) The employee shall be on unpaid status, unless he or she is placed in an alternative work assignment;

(c) The alternative work assignment, if appropriate;

(d) The expected length of the investigation;

(e) Whether or not the investigation is being forwarded to an outside agency;

(f) The telephone number and name of person to contact in case of questions;

(g) The procedures to return to work upon completion of the investigation; and

(h) That the employee still remains as an employee with the Tribe.

6-2. If the employee's investigative leave is extended past the original fifteen (15) calendar days pursuant to section 8-1, the supervisor shall immediately notice the employee in writing of this extension and the reason for the extension.

Article VII. Investigator(s) and Reports

7-1. The employee's supervisor and/or area manager shall be responsible for completing the investigation. If the employee **being investigated** reports directly to the Oneida Business Committee, the Tribal Equal Employment Opportunity Officer shall conduct the investigation.

7-2. If the allegations against the employee include criminal action(s), or action(s) that may affect **licensing or background eligibility**, the investigations may be **completed** conducted by an appropriate agency.

7-3. The person(s) conducting an investigation shall prepare a written report that shall include the findings of the investigation, and provide a copy of the written report to the employee and, if

someone other than the employee's supervisor conducts the investigation, a copy of the written report shall be provided to the employee's supervisor.

(a) If the employee's supervisor conducts the investigation, the written report shall inform the employee when to return to work **if applicable** and/or of what disciplinary action will be taken against the employee based on the report.

(b) If someone other than the employee's supervisor conducts the investigation, within forty-eight (48) hours of receiving the written report, the supervisor shall **complete the investigation by determining any corrective actions needed**, inform the employee in writing when to return to work **if applicable**, and/or inform the employee of **any applicable** ~~what~~ disciplinary action will be taken against the employee based on the report.

Article VIII. Duration

8-1. An investigative leave shall be no longer than fifteen (15) calendar days, with the ability to extend one (1) time for an additional fifteen (15) calendar days with a valid explanation of the reason for the extension. The extension shall be determined by the same individuals who placed the employee on investigative leave in section 5-1. However, if the investigation is forwarded to an outside agency, these timelines shall not apply.

8-2. Investigative leave shall end upon any of the following occurrences:

- (a) the expiration of the fifteen (15) calendar day time limit, if applicable;
- (b) the expiration of the fifteen (15) calendar day extension if granted;
- (c) termination of the employee's employment based on the investigation;
- (d) the employee's return to work based on the written report submitted to the employee after an investigation is completed; or
- (e) the employee chooses to resign or retire.

Article IX. Employee Responsibilities

9-1. An employee placed on investigative leave shall:

- (a) Not report to work or the worksite without prior supervisory approval;
- (b) Abide by all Tribal laws and policies; and
- (c) Fully cooperate with the investigation as requested by those conducting the investigation.

Article X. Pay and Benefits

10-1. Paid leave shall not be authorized.

10-2. An employee placed on investigative leave shall not receive any wages or benefits unless placed in an alternative work assignment. If the employee refuses the alternative work assignment and is returned to work, the employee shall not receive any back pay or benefits.

10-3. If an alternative work assignment is not available, the employee may use his or her accrued vacation and/or personal time while on investigative leave.

10-4. An employee shall receive back pay and benefits for the time the employee was on investigative leave pursuant to the Back Pay Policy if all of the following occur:

- (a) The employee was not offered an alternative work assignment when placed on investigative leave; and
- (b) The employee is returned to his or her position; and
- (c) The employee is not disciplined based on the investigation.

Article XI. Appeal

11-1. An employee may appeal any disciplinary action arising out of an investigation in accordance with the Tribe's personnel policies and procedures.

Article XII. Confidentiality

12-1. Information related to an investigation is confidential and may only be released in accordance with relevant laws and personnel policies and procedures.

12-2. All investigation materials shall be maintained in the employee's personnel file with the Human Resources Department.

End.

OBC Approved 4-07-99-A
Amended- 08-13-14-D

Legislative Reference Office

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(920) 869-4375
(800) 236-2214

**Committee Members**

Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
Jennifer Webster, Councilmember
David P. Jordan, Councilmember

LEGISLATIVE OPERATING COMMITTEE

Public Meeting on Investigative Leave Policy Amendments and Removal Law Amendments
Business Committee Conference Room-2nd Floor
Norbert Hill Center
April 30, 2015 12:15 p.m.

PRESENT: Brandon Stevens, Tehassi Hill, Fawn Billie, David P. Jordan, Tani Thurner, Candice Skenandore, Danelle Wilson, Edward Delgado, Brian Doxtator, Brad Graham, Bill Graham, Matt J. Denny Sr., Rae Skenandore, Mike Debraska (videoconference from SEOTS)

Investigative Leave Policy Amendments Public Meeting (00:01-03:00)

Brandon Stevens: The Public Meeting, the Investigative Leave Policy Amendments and the Removal Law amendments. Okay, we get a list of who's speaking? Okay, we'll start with the Investigative Leave Policy Amendments. Okay, we'll go briefly over what the amendments are proposed: Remove language that states that investigative leaves do not apply to investigations regarding appeals of disciplinary actions or employee complaint investigations; reduce how long an employee can be placed on investigative leave, this timeframe has been reduced from 30 calendar days to 15 calendar days; reduce how long an employee's investigative leave can be extended, this timeframe has been reduced from 30 calendar days to 15 calendar days; require the employee's supervisor to notify the employee when to return to work and/or the disciplinary action that will be taken; add an enforcement provision; amend the appeal process, only allowing the employee to appeal a disciplinary action that arises from an investigation. All right. So we have the Removal Law amendments... so we'll start with the Investigative Leave Policy Amendments – is there anyone who wishes to speak on the Investigative Leave Policy Amendments?

Mike Debraska: I just want to renew what I had stated earlier at the April 3rd LOC meeting, Brandon, which was, I think, too much power is being vested in the HR Manager to determine a lot of these.

Brandon Stevens: Okay, we got that noted, and if there's any other questions or concerns regarding the Investigative Leave Policy we'll move to the Removal Law amendments.



Legislative Operating Committee

May 20, 2015

Marriage Law Amendments

Submission Date: November 11, 2014

☒ Public Meeting: **4/2/15**

☐ Emergency Enacted:

LOC Sponsor: Fawn Billie

Summary: *Amendments to the Marriage Law were proposed after the U.S. Supreme Court denied certiorari to consider overruling the lower court's finding that Wisconsin's same-sex marriage ban is unconstitutional. Questions were raised since the Tribe's Marriage Law does not allow for same-sex marriage and would not recognize a marriage conducted legally in Wisconsin.*

11/05/14 LOC: Motion by Fawn Billie to add the Marriage Law Amendments to the Active Files List; seconded by Jennifer Webster. Motion carried unanimously.

Note: Fawn Billie will be the sponsor.

1/21/15 LOC: Motion by Jennifer Webster to defer the Marriage Law Amendments for a legislative analysis and fiscal impact statement; seconded by Fawn Billie. Motion carried unanimously.

3/4/15 LOC: Motion by Jennifer Webster to forward the Marriage Law Amendments to an April 2, 2015 public meeting; seconded by Fawn Billie. Motion carried unanimously.

4/2/15: Public meeting held.

5/6/15 LOC: Motion by Fawn Billie to direct the Legislative Reference Office to prepare the Marriage Law Amendments for Oneida Business Committee consideration; seconded by Jennifer Webster. Motion carried unanimously.

Next Steps:

- Review the fiscal impact statement and forward the Marriage Law Amendments to the OBC for consideration.

Oneida Tribe of Indians of Wisconsin

Legislative Reference Office

P.O. Box 365
Oneida, WI 54155
(920) 869-4376
(800) 236-2214
<http://oneida-nsn.gov/LOC>



Committee Members

Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
David P. Jordan, Councilmember
Jennifer Webster, Councilmember

Memorandum

To: Oneida Business Committee
From: Brandon Stevens, LOC Chairperson
Date: May 27, 2015
Re: Marriage Law Amendments

Please find attached the following for your consideration:

1. Resolution: Marriage Law Amendments
2. Statement of Effect: Marriage Law Amendments
3. Fiscal Impact: Marriage Law Amendments
4. Marriage Law Amendments (redline)
5. Marriage Law Amendments (clean)

Overview

On November 5, 2014 the Legislative Operating Committee (LOC) decided to amend the Marriage Law (Law) after the U.S. Supreme Court denied a review to consider overruling the lower court's findings that Wisconsin's same-sex marriage ban is unconstitutional. This decision led to same-sex marriage being legal in the State of Wisconsin. The Law did not allow for same-sex marriage and would not recognize a marriage that was conducted legally in Wisconsin; therefore, the LOC decided the Law should be amended.

Amendments to the Law include the following:

- The definition of "marriage" replaces "husband and wife" with "spouses".
- Language has been removed that requires marriage to be between two adults of the "opposite sex".
- The Court will no longer be responsible for establishing guidelines for registering traditional tribal practitioners or spiritual or religious leaders who qualify as an "officiating persons" under the Law. This amendment was proposed by the Family Court Judge in order to avoid confusion that the Court has the authority to determine who qualifies as traditional tribal practitioner or spiritual or religious leader. The Court will; however, draft and maintain registration forms for officiating persons.

A public meeting on the proposed amendments was held on April 2, 2015 in accordance with the Legislative Procedures Act.

Requested Action

Approve the Resolution: Marriage Law Amendments.

BC Resolution _____
Marriage Law Amendments

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 Oneida Business Committee originally adopted the Marriage Law (Law) on April 28, 2010; and

WHEREAS, On October 6, 2014 the United States Supreme Court denied a review of the lower court's decision which ruled Wisconsin's same-sex marriage ban unconstitutional; and

WHEREAS, same-sex marriage is now legal in the State of Wisconsin; and

WHEREAS, the amendments to the Law will now recognize legal marriages in the State of Wisconsin; and

WHEREAS, the amendments to the Law replaces "husband and wife" with "spouses" when defining marriage; and

WHEREAS, the amendments to the Law remove language that requires a marriage to be between two adults of the opposite sex; and

WHEREAS, the amendments to the Law no longer require the Court to establish guidelines for registering traditional tribal practitioners or spiritual or religious leaders who qualify as an "officiating person" under this Law; and

WHEREAS, a public meeting on these amendments was held on April 2, 2015, in accordance with the Legislative Procedures Act.

NOW THEREFORE BE IT RESOLVED, that the attached amendments to the Marriage Law are hereby adopted.

Oneida Tribe of Indians of Wisconsin

Legislative Reference Office

P.O. Box 365

Oneida, WI 54155

(920) 869-4240

(800) 236-2214



Committee Members

Melinda J. Danforth

Vince DelaRosa

David P. Jordan

Paul Ninham

Brandon Stevens

Statement of Effect

Marriage Law Amendments

Summary

This Resolution amends the Marriage Law (Law) to authorize the Tribe to recognize legal marriages in the State of Wisconsin. In addition, the Resolution amends the Law to no longer require the Court to establish guidelines for registering traditional tribal practitioners or spiritual or religious leaders who qualify as an “officiating person” under this Law.

By Candice E. Skenandore, Legislative Analyst, Legislative Reference Office

Analysis from Legislative Reference Office

This Resolution adopts amendments to the Marriage Law (Law), which was originally adopted by the Oneida Business Committee on April 28, 2010 and amended on June 12, 2013. These amendments were proposed because of the United States Supreme Court’s decision to deny a review of the lower court’s decision which ruled Wisconsin’s same-sex marriage ban unconstitutional. Because of the Supreme Court’s decision, same-sex marriage is legal in the State of Wisconsin. This Resolution adopts amendments to the Law that recognizes legal marriages in the State of Wisconsin.

The definition of “marriage” is amended to replace “husband and wife” with “spouses”. In addition, language has been removed from the Law that requires a marriage to be between two adults of the “opposite sex”.

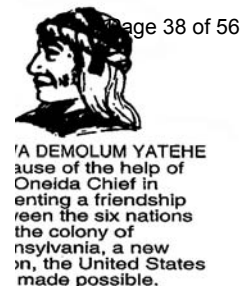
Another amendment to the Law no longer requires the Court to establish guidelines for registering traditional tribal practitioners or spiritual or religious leaders who qualify as an “officiating person” under the Law.

A public meeting was held on April 2, 2015 in accordance with the Legislative Procedures Act.

Conclusion

There are no legal bars to adopting the Resolution.

ONEIDA TRIBE OF INDIANS OF WISCONSIN



ONEIDA FINANCE OFFICE

Office: (920) 869-4325 • Toll Free: 1-800-236-2214
FAX # (920) 869-4024

MEMORANDUM

DATE: February 24, 2015
FROM: Rae Skenandore, Project Manger
TO: Larry Barton, Chief Financial Officer
Ralinda R. Ninham-Lamberies, Assistant Chief Financial Officer
RE: **Financial Impact of the Marriage Law Amendments**

I. Background

BC Resolution 5-12-93-A resolved that an ordinance be drafted setting forth the requirements for the recognition of civil marriages. The Marriage Law was adopted by the Oneida Business Committee by resolution BC-04-28-10-F. Resolution BC-06-12-13-E amended the marriage law to resolve a disagreement with the State on the filing of the original marriage document.

On October 7, 2014 the United States Supreme Court denied certiorari on the constitutionality of Wisconsin's ban on same sex marriage even through the Seventh Circuit Court of Appeals held the ban was unconstitutional. Upon the denial of certiorari, the State of Wisconsin started issuing marriage licenses to same sex partners. The Oneida Marriage Law does not allow a marriage of same sex couples and Wisconsin does. The Oneida Marriage Law was amended to be consistent with Wisconsin law.

II. Executive Summary of Findings

Marriage licenses will be issued by Oneida Licensing. Currently the Department administers vendor, motor vehicle, alcohol and food/restaurant licensing. The Department has been working with the State of Wisconsin to finalize procedures since 2013.

In FY'13, startup funds of \$2,000 were expensed to purchase a copy of Brown County's marriage license data base. The database expense would be considered a sunk cost. Existing personnel will take on the added duties of issuing the licenses. Staff has already relocated to accommodate privacy requirements. Added space, equipment, and supplies are estimated at approximately \$400 annually with documentation costs estimated at \$1,500 annually. The operating budget for Oneida Licensing in FY '15 is \$176,876 with estimated external sales of \$183,255.

The Statistician reviewed Oneida's demographic information and compared it to both State and national marriage rates & other domestic partnerships. It's estimated that approximately 102 couples could potentially purchase a marriage license from Oneida. Oneida Licensing intends to keep fees comparable to other local governments. Currently Brown County charges \$115 for a license and an additional \$25 (\$140 total) to waive the 6 day waiting period. If Licensing charges the same or a similar rate, Oneida would recognize approximately \$11,730 in revenue. Oneida Licensing anticipates that 60 days will be needed to implement the law once approved.

III. Financial Impact

Added revenue is anticipated to offset the minimal staff time and supply costs for an estimated positive impact of approximately \$9,830.

III. Recommendation

The Finance Department does not make a recommendation in regards to course of action in this matter. Rather, it is the purpose of this report to disclose potential financial impact of an action, so that General Tribal Council has full information with which to render a decision.

CHAPTER 71 MARRIAGE Yeny@kta>

71.1. Purpose and Policy
71.2. Adoption, Amendment, Conflicts
71.3. Definitions
71.4. Marriages, Generally

71.5. Marriage Document and Marriage Ceremony
71.6. Marriages Conducted to Avoid the Law and Immaterial Irregularities
71.7. Penalties

Analysis by the Legislative Reference Office					
Title	Marriage (Law)				
Requester	Brandon Stevens	Drafter	Lynn Franzmeier	Analyst	Candice Skenandore
Reason for Request	Same-sex marriage is now legal in Wisconsin; however, the current Law does not recognize same-sex marriage.				
Purpose	The purpose of these amendments is to have the Law recognize legal marriages.				
Authorized/ Affected Entities	The Licensing Department (Department), Family Court, and anyone that wishes to marry in accordance with this Law.				
Due Process	Any person issued a fine under this Law can appeal to the Court [See 71.7-2].				
Policy Mechanism	Department can issue marriage documents including a marriage license [See 71.5-1 & 71.5-3 (g)].				
Enforcement	A person who knowingly violates this Law can be fined; the Department is responsible for enforcing such fines [See 71.7-1 & 71.7-2].				

Overview

On October 6, 2014 the United States Supreme Court denied a review of a lower court's decision which ruled Wisconsin's same-sex marriage ban unconstitutional. Therefore same-sex marriage is now legal in the State of Wisconsin. It is because of this decision that the Law is being amended.

Proposed Amendments

The following are proposed amendments to the Law.

- The General Tribal Council is no longer authorized to amend or repeal this Law [See 71.2-1].
- The definition of "marriage" is updated to reflect that a marriage results in the creation of a legal status of spouses, as opposed to a legal status of husband and wife [See 71.3-1 (d)].
- Two adults of the same sex can now marry. The current Law only allows two adults of the opposite sex to marry [See redline 71.4-1 (b)].
- This Law contains a requirement that if neither applicant resides on the Reservation, the marriage ceremony must be held on the Reservation. If one or both applicants reside on the Reservation, the marriage ceremony must be held within the State of Wisconsin [See 71.5-3]. This requirement is found within the current Law; however, language has been added which requires the applicants to be noticed of this requirement prior to applying for a marriage license.
- The parties themselves can be officiating persons under this Law so long as they both mutually declare to take each other as spouses. The current Law requires the parties to take each other as husband and wife [See 71.5-4 (a) (6)].
- The Court will no longer establish guidelines for registering traditional tribal practitioners

or spiritual or religious leaders who qualify as “officiating persons” [See Redline 71.5-4 (b)]. The Family Court Judge requested this change in order to avoid confusion that the Court has the authority to determine who qualifies as traditional tribal practitioner or spiritual or religious leader. The Court is comfortable drafting and maintaining registrations forms for traditional tribal practitioners or spiritual or religious leaders to use when registering as officiating persons.

Considerations

The LOC may want to consider the following:

- The Oneida Judiciary Rules of Evidence (Rules of Evidence) has a section entitled *Husband-wife and domestic partner privilege*. Although this title seems to conflict with this Law, the actual rule grants this privilege to spouses, not just between a husband and wife [See Rules of Evidence 155.8-4]. To avoid confusion the LOC may want to consider amending the title of this section in the Rules of Evidence.

Miscellaneous

A public meeting was held on April 2, 2015. Revisions have been made to this Law that comply with drafting styles.

71.1. Purpose and Policy

71.1-1. *Purpose*. It is the purpose of this Law to exercise the sovereign right of the Oneida Tribe to regulate the rights and responsibilities relating to marriage.

71.1-2. *Policy*. Marriage is a foundation of Tribal society that stabilizes families which the Tribe acknowledges by recognizing the legal relationship of a union between two adults.

71.2. Adoption, Amendment, Conflicts

71.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-04-28-10-F and amended by resolutions BC-06-12-13-E, and

71.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Oneida Administrative Legislative Procedures Act ~~by the Oneida Business Committee or the Oneida General Tribal Council~~.

71.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

71.2-4. In the event of a conflict between a provision of this Law and a provision of another law, ~~including the Administrative Procedures Act~~, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

71.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

71.2-6. *Rules*. If rules addressing a certain area of this Law have not been enacted in accordance with Tribal law and the Court is faced with a question, the Court may, in its discretion, refer to other Indian tribal law or state law for guidance, to the extent that such law is not inconsistent with this or any other Tribal law.

71.3. Definitions

71.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Court" means the ~~current~~ judicial system of the Tribe which is assigned to handle all family law matters.

(b) "Court of competent jurisdiction" means a court that has the power and authority to dissolve a marriage.

(c) "Department" means the licensing department of the Tribe that is responsible for administering and issuing licenses in accordance with Oneida laws.

(d) "Marriage" means the civil contract to which the consent of the parties capable in law of contracting is essential, and which creates the legal status of ~~husband and wife~~ spouses.

(e) "Marriage document" means that document issued by the Department which includes the marriage license as well as information concerning the marriage ceremony, the signatures of the witnesses and officiating person(s), and proof of filing.

(f) "Marriage license" means that portion of the marriage document designated as such, which is the authorization for the marriage to take place.

(g) "Officiating person" means the person or persons who perform the marriage ceremony.

(h) "Reservation" means all the land within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) "Tribe" or "Tribal" means the Oneida Tribe of Indians of Wisconsin.

71.4. Marriages, Generally

71.4-1. *Who May Marry.* A marriage may be contracted under this Law between two (2) adults who:

(a) have a marriage document issued by the Department;

~~(b) are of the opposite sex;~~

~~(c)~~ (b) have attained the age of eighteen (18), except as provided in 71.4-3; and

~~(d)~~ meet all other provisions under this Law.

71.4-2. *Who May Not Marry.* Persons may not enter into marriage if they:

(a) are currently legally married to another person; or,

(b) have been legally divorced for less than six (6) months with a judgment of divorce from a court of competent jurisdiction; or,

(c) are not legally competent; or,

(d) are closer in relationship than second cousins, except first cousins may marry if both parties are fifty-five (55) years old or older.

71.4-3. *Minors.* Individuals under the age of sixteen (16) shall not marry. Individuals who meet the above requirements, except for 71.4-1~~(e)~~ (b) and are over the age of sixteen (16) but under the age of eighteen (18) may marry if they present:

(a) written consent by his or her parent or guardian, signed and notarized before the person issuing the marriage license; or

(b) proof that they have been legally emancipated.

71.5. Marriage Document and Marriage Ceremony

71.5-1. *Marriage Document.* The Department shall issue a marriage document to the applicants within five (5) business days after the application is filed if, in addition to the other requirements in this Law, the following conditions are met at the time a marriage license is applied for:

(a) Either (1) or (2) applies to the applicants:

(1) each applicant:

(A) is a Tribal member; or

(B) resides on the Reservation and is a member of an Indian tribe, band or community which is recognized by a state or the federal government.

(2) one of the applicants meets the requirements of (1)(A) or (B) and the other applicant consents to the Tribe's jurisdiction to issue the license. The completion of an application for a marriage license represents a person's consent to the Tribe's jurisdiction to grant the license.

(b) Both applicants appear in person at the Department to complete the marriage license application.

(c) The applicants provide any information necessary to complete the application, which may include: social security numbers, birth certificates, proof of residence, proof of tribal membership, documentation of a judgment of divorce, annulment, or death certificates from most recent marriages, parents' full names, mothers' maiden names, date and place of marriage ceremony, and the name, address, and phone number of the officiating person(s).

(d) The applicants swear under oath that the information provided is true and accurate and sign the application in the presence of a notary public.

(e) The applicants pay the required fee.

71.5-2. *Objections.* Any relative of the applicants, Department official, or applicant that objects to an upcoming marriage may file a petition and sworn affidavit with the Court objecting to the marriage.

(a) The petition shall state grounds for the belief that a marriage license should not be issued to the applicants or a marriage license that has already been issued should be revoked.

(b) The Court shall approve the petition only if the marriage, if conducted, would violate this Law.

(c) If the petition is approved by the Court, the applicants shall show cause why the license should be issued or why the license should not be revoked.

71.5-3. *Marriage Ceremony.*

(a) The applicants shall marry not less than six (6) days after the license is issued and not more than thirty (30) days after the license is issued. The marriage license shall contain notification of these time limits.

(b) If neither applicant resides on the Reservation, the marriage ceremony shall be held on the Reservation. If one (1) or both of the applicants reside on the Reservation, the marriage ceremony shall be held within the State of Wisconsin. The applicants shall be notified of this requirement when applying for a marriage license.

(c) The ceremony shall be solemnized by an officiating person(s) with two (2) competent adult witnesses present.

(ed) The parties shall vow by mutual declarations, before the officiating person(s) and witnesses, that they take each other in lawful matrimony.

(de) The parties, the officiating person(s), and the witnesses shall, at the conclusion of the ceremony, sign and date the marriage document.

(ef) The officiating person(s) shall deliver the original completed marriage document to the Department within three (3) business days after the ceremony. The Department shall deliver the original marriage document to the Wisconsin Vital Statistics Department within ten (10) business days after it is filed. The Department shall retain a file stamped

copy and provide a file stamped copy to the married couple.

(fg) The Department shall keep a marriage license docket and shall enter therein a complete record of the marriage applications and issuance of marriage licenses which shall be available for public inspection during regular business hours.

71.5-4. *Officiating Persons.* The following persons are authorized as officiating persons under this Law:

~~(a) The following persons are authorized as officiating persons under this law:~~

~~(1a)~~ a traditional tribal practitioner or spiritual or religious leader who is commonly recognized as such by the Oneida community or other Indian community and has registered with the Court ~~as such~~; or

~~(2b)~~ a Judge from the Court or a tribal, federal, or state judge or commissioner authorized to solemnize marriages under tribal, federal or state law; or

~~(3c)~~ the Tribal Chairperson or a person designated by the Tribal Chairperson at the request of the persons being married; or

~~(4d)~~ any ordained clergyperson of any religious denomination, society, or sect; or

~~(5e)~~ any person licensed by a religious body or appointed by a high-ranking clergy member, if the religious denomination, society, or sect allows the person to solemnize marriages; or

~~(6f)~~ the parties themselves, by mutual declarations that they take each other as husband and wife~~spouses~~, in accordance with the customs, rules, and regulations of any religious denomination, society, or sect to which either of the parties belongs.

~~(b) Registration. The Court shall establish guidelines for registering traditional tribal practitioners or spiritual or religious leaders who qualify as "officiating persons" under this law.~~

71.6. Marriages Conducted to Avoid the Law and Immaterial Irregularities

71.6-1. If a person is prohibited from marrying another under this Law and goes to another jurisdiction and there contracts a marriage that is prohibited under this Law, such marriage shall not be recognized by the Tribe.

71.6-2. No marriage shall be contracted under this Law by a party residing and intending to continue to reside in another jurisdiction, if such marriage would be void if contracted in such other jurisdiction. Every marriage celebrated in violation of this provision shall be void.

71.6-3. *Immaterial Irregularities.* A marriage shall be recognized as valid if the marriage is consummated with the full belief on the part of the persons so married that they have been lawfully joined in marriage, and:

(a) the officiating person(s) did not have the authority to solemnize the marriage; or

(b) the marriage license was issued by a department or person who did not have jurisdiction to issue the license; or

(c) the marriage license or application for the marriage license had an informality or irregularity; or

(d) either or both of the witnesses to the marriage were incompetent; or

(e) the marriage ceremony was solemnized outside of the Reservation boundaries, or Brown or Outagamie County, when applicable, or outside of the required time lines listed on the marriage license.

71.7. Penalties

71.7-1. A person who knowingly violates this Law may be penalized as follows:

(a) Any person who swears to a false statement to obtain a marriage license or to help

another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).

(b) Any person who is not an officiating person who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).

(c) The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).

(d) Any person who goes to another jurisdiction to avoid this Law and contracts a marriage prohibited under this Law shall be fined no less than five hundred dollars (\$500.00).

(e) Any person who violates any other provision of this Law shall be fined no less than one hundred dollars (\$100.00).

71.7-2. The Department shall be the responsible entity for the enforcement of this section.¹ All fines issued shall be paid within thirty (30) days of the issuance of the fine. Any person issued a fine under this Law may contest the fine by filing an appeal with the Court prior to the deadline to pay the fine. The filing of an appeal shall stay the requirement to pay the fine. The notice of penalty issued shall inform the person penalized of the process to file his or her appeal.

End.

Adopted-BC-04-28-10-F
Amended-BC-06-12-13-E

CHAPTER 71 MARRIAGE Yeny@kta>

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Irregularities
71.7. Penalties

71.1. Purpose and Policy

71.1-1. *Purpose.* It is the purpose of this Law to exercise the sovereign right of the Oneida Tribe to regulate the rights and responsibilities relating to marriage.

71.1-2. *Policy.* Marriage is a foundation of Tribal society that stabilizes families which the Tribe acknowledges by recognizing the legal relationship of a union between two adults.

71.2. Adoption, Amendment, Conflicts

71.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-04-28-10-F and amended by resolutions BC-06-12-13-E and _____.

71.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

71.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

71.2-4. In the event of a conflict between a provision of this Law and a provision of another law, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

71.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

71.2-6. *Rules.* If rules addressing a certain area of this Law have not been enacted in accordance with Tribal law and the Court is faced with a question, the Court may, in its discretion, refer to other Indian tribal law or state law for guidance, to the extent that such law is not inconsistent with this or any other Tribal law.

71.3. Definitions

71.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Court" means the judicial system of the Tribe which is assigned to handle all family law matters.

(b) "Court of competent jurisdiction" means a court that has the power and authority to dissolve a marriage.

(c) "Department" means the licensing department of the Tribe that is responsible for administering and issuing licenses in accordance with Oneida laws.

(d) "Marriage" means the civil contract to which the consent of the parties capable in law of contracting is essential, and which creates the legal status of spouses.

(e) "Marriage document" means that document issued by the Department which includes the marriage license as well as information concerning the marriage ceremony, the signatures of the witnesses and officiating person(s), and proof of filing.

(f) "Marriage license" means that portion of the marriage document designated as such, which is the authorization for the marriage to take place.

(g) "Officiating person" means the person or persons who perform the marriage

ceremony.

(h) "Reservation" means all the land within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) "Tribe" or "Tribal" means the Oneida Tribe of Indians of Wisconsin.

71.4. Marriages, Generally

71.4-1. *Who May Marry.* A marriage may be contracted under this Law between two (2) adults who:

- (a) have a marriage document issued by the Department;
- (b) have attained the age of eighteen (18), except as provided in 71.4-3; and
- (c) meet all other provisions under this Law.

71.4-2. *Who May Not Marry.* Persons may not enter into marriage if they:

- (a) are currently legally married to another person; or,
- (b) have been legally divorced for less than six (6) months with a judgment of divorce from a court of competent jurisdiction; or,
- (c) are not legally competent; or,
- (d) are closer in relationship than second cousins, except first cousins may marry if both parties are fifty-five (55) years old or older.

71.4-3. *Minors.* Individuals under the age of sixteen (16) shall not marry. Individuals who meet the above requirements, except for 71.4-1(b) and are over the age of sixteen (16) but under the age of eighteen (18) may marry if they present:

- (a) written consent by his or her parent or guardian, signed and notarized before the person issuing the marriage license; or
- (b) proof that they have been legally emancipated.

71.5. Marriage Document and Marriage Ceremony

71.5-1. *Marriage Document.* The Department shall issue a marriage document to the applicants within five (5) business days after the application is filed if, in addition to the other requirements in this Law, the following conditions are met at the time a marriage license is applied for:

(a) Either (1) or (2) applies to the applicants:

(1) each applicant:

(A) is a Tribal member; or

(B) resides on the Reservation and is a member of an Indian tribe, band or community which is recognized by a state or the federal government.

(2) one of the applicants meets the requirements of (1)(A) or (B) and the other applicant consents to the Tribe's jurisdiction to issue the license. The completion of an application for a marriage license represents a person's consent to the Tribe's jurisdiction to grant the license.

(b) Both applicants appear in person at the Department to complete the marriage license application.

(c) The applicants provide any information necessary to complete the application, which may include: social security numbers, birth certificates, proof of residence, proof of tribal membership, documentation of a judgment of divorce, annulment, or death certificates from most recent marriages, parents' full names, mothers' maiden names, date and place of marriage ceremony, and the name, address, and phone number of the officiating person(s).

(d) The applicants swear under oath that the information provided is true and accurate

and sign the application in the presence of a notary public.

(e) The applicants pay the required fee.

71.5-2. *Objections.* Any relative of the applicants, Department official, or applicant that objects to an upcoming marriage may file a petition and sworn affidavit with the Court objecting to the marriage.

(a) The petition shall state grounds for the belief that a marriage license should not be issued to the applicants or a marriage license that has already been issued should be revoked.

(b) The Court shall approve the petition only if the marriage, if conducted, would violate this Law.

(c) If the petition is approved by the Court, the applicants shall show cause why the license should be issued or why the license should not be revoked.

71.5-3. *Marriage Ceremony.*

(a) The applicants shall marry not less than six (6) days after the license is issued and not more than thirty (30) days after the license is issued. The marriage license shall contain notification of these time limits.

(b) If neither applicant resides on the Reservation, the marriage ceremony shall be held on the Reservation. If one (1) or both of the applicants reside on the Reservation, the marriage ceremony shall be held within the State of Wisconsin. The applicants shall be notified of this requirement when applying for a marriage license.

(c) The ceremony shall be solemnized by an officiating person(s) with two (2) competent adult witnesses present.

(d) The parties shall vow by mutual declarations, before the officiating person(s) and witnesses, that they take each other in lawful matrimony.

(e) The parties, the officiating person(s), and the witnesses shall, at the conclusion of the ceremony, sign and date the marriage document.

(f) The officiating person(s) shall deliver the original completed marriage document to the Department within three (3) business days after the ceremony. The Department shall deliver the original marriage document to the Wisconsin Vital Statistics Department within ten (10) business days after it is filed. The Department shall retain a file stamped copy and provide a file stamped copy to the married couple.

(g) The Department shall keep a marriage license docket and shall enter therein a complete record of the marriage applications and issuance of marriage licenses which shall be available for public inspection during regular business hours.

71.5-4. *Officiating Persons.* The following persons are authorized as officiating persons under this Law:

(a) a traditional tribal practitioner or spiritual or religious leader who is commonly recognized as such by the Oneida community or other Indian community and has registered with the Court; or

(b) a Judge from the Court or a tribal, federal, or state judge or commissioner authorized to solemnize marriages under tribal, federal or state law; or

(c) the Tribal Chairperson or a person designated by the Tribal Chairperson at the request of the persons being married; or

(d) any ordained clergyperson of any religious denomination, society, or sect; or

(e) any person licensed by a religious body or appointed by a high-ranking clergy member, if the religious denomination, society, or sect allows the person to solemnize marriages; or

(f) the parties themselves, by mutual declarations that they take each other as spouses, in

accordance with the customs, rules, and regulations of any religious denomination, society, or sect to which either of the parties belongs.

71.6. Marriages Conducted to Avoid the Law and Immaterial Irregularities

71.6-1. If a person is prohibited from marrying another under this Law and goes to another jurisdiction and there contracts a marriage that is prohibited under this Law, such marriage shall not be recognized by the Tribe.

71.6-2. No marriage shall be contracted under this Law by a party residing and intending to continue to reside in another jurisdiction, if such marriage would be void if contracted in such other jurisdiction. Every marriage celebrated in violation of this provision shall be void.

71.6-3. *Immaterial Irregularities.* A marriage shall be recognized as valid if the marriage is consummated with the full belief on the part of the persons so married that they have been lawfully joined in marriage, and:

- (a) the officiating person(s) did not have the authority to solemnize the marriage; or
- (b) the marriage license was issued by a department or person who did not have jurisdiction to issue the license; or
- (c) the marriage license or application for the marriage license had an informality or irregularity; or
- (d) either or both of the witnesses to the marriage were incompetent; or
- (e) the marriage ceremony was solemnized outside of the Reservation boundaries, or Brown or Outagamie County, when applicable, or outside of the required time lines listed on the marriage license.

71.7. Penalties

71.7-1. A person who knowingly violates this Law may be penalized as follows:

- (a) Any person who swears to a false statement to obtain a marriage license or to help another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).
- (b) Any person who is not an officiating person who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).
- (c) The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).
- (d) Any person who goes to another jurisdiction to avoid this Law and contracts a marriage prohibited under this Law shall be fined no less than five hundred dollars (\$500.00).
- (e) Any person who violates any other provision of this Law shall be fined no less than one hundred dollars (\$100.00).

71.7-2. The Department shall be the responsible entity for the enforcement of this section. All fines issued shall be paid within thirty (30) days of the issuance of the fine. Any person issued a fine under this Law may contest the fine by filing an appeal with the Court prior to the deadline to pay the fine. The filing of an appeal shall stay the requirement to pay the fine. The notice of penalty issued shall inform the person penalized of the process to file his or her appeal.

End.

Adopted-BC-04-28-10-F
Amended-BC-06-12-13-E



Legislative Operating Committee AGENDA REFERRAL FORM



1) Today's Date: 5 / 14 / 2015 Date of Referral Action: 5 / 13 / 2015

2) Entity that referred this item to LOC: Oneida Business Committee

3) Individuals or Entities to contact regarding this item: Tribal Secretary's Office

4) Item referred: Petition: Cornelius- Request Special GTC meeting to report on Seven Generations present 4 resolutions

5) Background information, including applicable actions and dates: A petition was submitted to the Tribal Secretary's Office on April 28, 2015 and the signatures were verified by the Enrollment's Department on the same date. The petition is requesting a special GTC meeting for Frank Cornelius to report on 7 Gens and present four resolutions to be voted on by the GTC. The resolutions are 1) Full forensic investigation on 7 Gens, 2) Have 7 Gens return the money to the tribe, 3) Direct the Kalihwisaks to print any article as freedom of the press, 4) Impose a "tax" on the BC for not dissolving 7 Gens.

6) Due date: update due 6/24/15, analysis due 7/8/15

Please send this form and all supporting materials to:

LOC@oneidanation.org

or

Legislative Operating Committee (LOC)

P.O. Box 365

Oneida, WI 54155

Phone 920-869-4376

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 01 / 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:

1) To acknowledge receipt of the petition submitted by Frank Cornelius **2)** Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed **3)** Direct the Law, Finance and Legislative Offices to submit the analyses to the Tribal Secretary within 60 days and a that a progress report is submitted in 45 days **4)** Direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary within 30 days.

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:

Additional Requestor:

Additional Requestor:

Oneida Business Committee Agenda Request

6. Cover Memo:

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

This memorandum serves as a request for the Oneida Business Committee (OBC) to formally acknowledge receipt of a verified petition, and to send this petition to the Law, Finance, Legislative Reference and Direct Report Office for analyses.

On April 28, 2015, the Tribal Secretary's office received a petition which states the following:

"In accordance with Article 111, Section 4 of the constitution, the below listed voters request a special General Tribal Council meeting for Frank Cornelius to report on 7 Gens and present four (4) resolutions to be voted on by the General Tribal Council. 1) Full forensic investigation on 7 Gens 2) Have 7 Gens return the money to the Tribe 3) Direct the Kalihwisaks to print any article as freedom of the press 4) Impose a "tax" on the BC for not dissolving 7 Gens."

The petition was submitted to the Enrollment Department for verification Article III, Section 4 of Oneida's Constitution requirement for requesting a Special General Tribal Council (GTC) meeting were met. The Enrollment Department completed and submitted the required verification.

The next step is for the OBC to acknowledge receipt of the verified petition and then send the petition to the Law, Finance, Legislative Reference and Direct Report Offices for all appropriate analyses to be completed.

Once the analyses are complete, they will be submitted to the OBC agenda for acceptance. The final step will be for the OBC to determine an available GTC meeting date where the identified petition issues can be addressed.

Requested OBC Action:

1. Accept the verified petition submitted by Frank Cornelius.
2. Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for the legal, financial, legislative and administrative analyses to be completed.
3. Direct the Law, Finance and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days, and that a progress report be submitted in 45 days.
4. Direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days.

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 Tribe of Indians of Wisconsin
ENROLLMENT DEPARTMENT

Latf'shanalo'loks
 (They Gather the Names)

P.O. BOX 365, ONEIDA, WI 54155-0365

PHONE: (920) 869-6200 * 1-800-571-9902 FAX: (920) 869-2995
www.oneidation.org/enrollment



TO: Oneida Tribal Secretary
 FROM: Cheryl Skolaski, Enrollment Director *up*
 DATE: April 28, 2015
 SUBJECT: GTC Petition Verification Results

On 4/28/2015 the Oneida Enrollment Department received a petition authored by Frank Cornelius regarding 7 Generations.

Results:

163	Number of Printed Names on petition
160	Number of Printed Names verified as Enrolled Tribal Members
1	Number of Tribal Members that did not meet the age criteria of 21 years
0	Number of Printed Names that could not be verified
2	Number of Printed Names that were submitted more than once
0	Number of Tribal Members invalidated due to Incompetency

(See Attached Legal Opinion dated 9/4/2014)

Verified by:

Cheryl Skolaski

 Signature and Title

4/28/15

 Date

If there are any questions please contact the Enrollment Department.

RECEIVED
APR 28 2015
Office Enrollment Dept.

160
163
Signatures
Verified
2 Dupl.
1 Not 21
Chung
Shah
4/28/15

NAME OF PETITIONER: FRANK CORNELIUS

PURPOSE: In accordance with ARTICLE 111, Section 4 of the constitution, the below listed voters request a special General Tribal Council meeting meeting for FRANK CORNELIUS, to report on 7 Gens and present four (4) resolutions to be voted on by the General Tribal Council. 1. full forensic investigation on 7 Gens. 2. Have 7 Gens return the money to the tribe. 3. Direct the Kalihwisaks to print any article as freedom of the press. 4. Impose a "tax" on the BC for not dissolving 7 Gens.

Print Name	Address	D.O.B.	Enrollment #	Signature
			6397	✓
			94	✓
			10709	✓
			296	✓
			6450	✓
			6581	✓
			3322	✓
			5109	✓
			3562	✓
			3105	✓
			0906	✓
			4997	✓
			5957	✓
			14049	✓
			8156	✓

15 Verified ap

May 2015

May 2015							June 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	1	2	7	1	2	3	4	5	6
10	11	12	13	14	8	9	14	8	9	10	11	12	13
17	18	19	20	21	15	16	21	15	16	17	18	19	20
24	25	26	27	28	22	23	28	22	23	24	25	26	27
31					29	30		29	30				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 26	27	28	29	30	May 1	2
4/26 - 5/1							
	3	4	5	6	7	8	9
5/3 - 8		2:00pm 4:00pm Vehicle Driver PM Comment Review (ECR) - Candice E. Skenandore		9:00am 2:00pm LOC Meeting (BCCR)			
	10	11	12	13	14	15	16
5/10 - 15				BC Meeting (BCCR)			
	17	18	19	20	21	22	23
5/17 - 22				9:00am 2:00pm LOC Meeting (BCCR) 1:30pm 2:30pm Higher Education (ECR) - LOC_Calendar		Oneida Code Talkers E	
	24	25	26	27	28	29	30
5/24 - 29		Memorial Day Holiday		BC Meeting (BCCR)			
	31	Jun 1	2	3	4	5	6
5/31 - 6/5							

June 2015

June 2015							July 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	5	6	7	1	2	3	4
14	8	9	10	11	12	13	12	13	14	8	9	10	11
21	15	16	17	18	19	20	19	20	21	15	16	17	18
28	22	23	24	25	26	27	26	27	28	22	23	24	25
	29	30							29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 31 - Jun 6	May 31	Jun 1	2	3	4	5	6
		6:00pm 9:00pm GTC Meeting (Radisson)	3:00pm 4:30pm FW: Vehicle Driver PM Comment Review (BCCR) - Candice E. Skenandore	9:00am 2:00pm LOC Meeting (BCCR) - LOC_Calendar			
Jun 7 - 13	7	8	9	10	11	12	13
		3:00pm 4:30pm Tribal Flag Code Work Meeting (ECR)		BC Meeting (BCCR)			
Jun 14 - 20	14	15	16	17	18	19	20
		3:00pm 4:30pm Employment Law Work Meeting (ECR) - LOC_Calendar		9:00am 2:00pm LOC Meeting (BCCR) - LOC_Calendar			
Jun 21 - 27	21	22	23	24	25	26	27
				BC Meeting (BCCR)			
Jun 28 - Jul 4	28	29	30	Jul 1	2	3	4