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2 **PERSONNEL SELECTION COMMITTEE BY-LAWS**
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4 **Article I. Authority**

5 1-1. *Name.* The name of this entity shall be the Personnel Selection Committee, and
6 may be referred to as the Committee.
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8 1-2 *Establishment.* The entity was created by the Oneida Business Committee by
9 resolution #BC-04-11-18B Creation of the Personnel Selection
10 Committee.
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12 1-3 *Authority.* The Personnel Selection Committee was created by the General Tribal
13 Council to protect against issues of nepotism and enforce Oneida and
14 Indian preference. The Personnel Selection Committee was renamed the
15 Personnel Commission by the Oneida Business Committee in 1990 by
16 Resolution #BC-4-13-90-A. In 1993, the Oneida Business Committee expanded the
17 Personnel Commission's duties to include hearing authority for employment matters.
18 In 2013, the General Tribal Council adopted the Judiciary Law, and
19 amended the Constitution to adopt Article V- to create an independent
20 Judiciary. In 2013, the General Tribal Council reaffirmed that action.
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22 Since then, the Oneida Business Committee has worked to move hearing
23 authorities to the Judiciary- which reflects the GTC action to create an
24 Oneida Judiciary Law. In an effort to continue to consolidate hearing
25 authorities, the Oneida Business Committee recreated the Personnel
26 Selection Committee- a Committee without hearing authority by
27 Resolution # BC-04-11-18-B.
28

- 29 (a) The Committee does not:
30 (1) have authority to score applicants during the interview process,
31 (2) have hearing body authority,
32 (3) have authority to enter into contracts,
33 (4) have authority to create policy or legislative rules.
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35 1-4 *Office.* The official mailing address of the Committee shall be:
36 Personnel Selection Committee
37 P.O. Box 365
38 Oneida, WI 54155
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40 1-5 *Membership.* The Committee shall:
41 (a) Consist of five (5), and not more than eight (8) members.
42 (1) Each member shall hold office until his or her term expires, until
43 his or her resignation, or until his or her appointment is terminated
44 in accordance with the Comprehensive Policy Governing Boards,
45 Committees and Commissions.
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- 47 (b) Each Committee member shall be appointed in accordance with the
48 Comprehensive Policy Governing Boards, Committees and Commissions
49 to serve a three (3) year term. The first term shall be staggered with three
50 (3) members receiving a one (1) year term, three (3) members receiving a
51 two (2) year term and two (2) members receiving a three (3) year term.
52 Each appointment after the initial staggered terms shall receive a three (3)
53 year term.
- 54 (c) *Vacancies.*
- 55 (1) *Filling of Vacancies.* Vacancies shall be filled in accordance with
56 the Comprehensive Policy Governing Boards, Committees, and
57 Commissions
- 58 (2) *Resignation.* A member may resign at any time verbally at a
59 meeting or by delivering written notice to the Committee.
- 60 (A) *Effective Date of Resignation.* A resignation is effective
61 upon acceptance by motion or delivery of notice.
- 62 (B) *Filling of Vacancies if Resignation is Deferred.* A vacancy
63 that may occur at a specific later date by reason of
64 resignation may be filled before the vacancy occurs, but the
65 new member may not take office until the vacancy occurs.
- 66 (3) *Terms of Replacement Member.* A replacement member shall hold
67 office through the unexpired portion of the term of the member
68 whom he or she has replaced.
- 69 (d) *Qualifications.* Committee members shall be appointed by the Oneida
70 Business Committee and shall meet the following qualifications:
- 71 (1) An enrolled member of the Oneida Nation.
- 72 (2) Be available for meetings and interviews during the work day,
73 evenings and weekends.
- 74 (3) Be free of any and all direct conflicts of interest or appearances of
75 conflict as defined under various laws and policies of the Nation,
76 including but not limited to the oath of office, the laws and policies
77 regarding employment, the Code of Ethics, and the Comprehensive
78 Policy Governing Boards, Committees, and Commissions.
- 79 (4) A member may not be an employee of the Human Resources
80 Department.
- 81 (5) Shall have hiring experience, or an Associate's Degree, or
82 equivalent experience or education.
- 83 (e) *Duties and Responsibilities.*
- 84 (1) Committee members who are employed by the Nation shall take
85 personal or vacation time for all Committee related activities.
- 86 (2) Shall complete HRD's Interview 101 training and any other
87 internal training deemed appropriate by the Oneida Business
88 Committee. All training must be completed before committee
89 members may participate in interviews.
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- 91 1-6 *Termination.* A member's appointment may be terminated in accordance with the
92 Comprehensive Policy Governing Boards, Committees and Commissions.

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Article II. Officers

2-1. *Chairperson, Vice-Chairperson and Secretary.* There shall be a Chairperson, a Vice-Chairperson and a Secretary.

2-2. *Responsibilities of the Chairperson.* The responsibility, duties and powers of the Chairperson of the Committee are as follows:

- (a) Preside at all meetings of the Committee.
- (b) Shall be an ex officio member of all subcommittees of the Committee, may call emergency meetings, and keep the Committee informed as to the business of the Committee.
- (c) The Chairperson and the Secretary shall submit reports to the Oneida Business Committee for publication in the General Tribal Council annual and semi-annual reports.
- (d) Submit quarterly reports as required by the Comprehensive Policy Governing Boards, Committees and Commissions.
- (e) Forward meeting location, agenda and materials with the assistance of the Secretary.

2-3. *Responsibilities of the Vice-Chairperson.*

- (a) In the absence of the Chairperson, the Vice-Chairperson shall conduct meetings of the Committee.

2-4. *Responsibilities of the Secretary.*

- (a) *Secretary Duties.* The responsibilities, duties and powers of the Secretary are as follows:
 - (1) Keep minutes of the Committee meetings in an appropriate format.
 - (2) Along with the Chairperson, provide notice of regular and emergency meetings of the Committee.
 - (3) Act as custodian of the records.
 - (4) Attend to all correspondence and present to the Committee all official communications received by the Committee.
 - (5) Along with the Chairperson, submit reports to the Oneida Business Committee for publication in the General Tribal Council annual and semi-annual reports, and submit quarterly reports to the Oneida Business Committee.
 - (6) Work with the Business Committee Support Office to administer the budget.

2-5. *Selection of Officers.* The officers of the Committee shall be appointed by the Committee for a one (1) year term. Officers may hold only one officer position.

- (a) Each officer shall hold his or her office until:
 - (1) the member resigns; or
 - (2) the member has his or her appointment terminated in the manner set out in the Comprehensive Policy Governing Boards, Committees and Commissions.

139 (b) A vacancy of any officer shall be filled by the Committee for the
140 unexpired term at the next regular or emergency meeting.
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142 2-6. *No Authorized Personnel.* The Business Committee Support Office shall assist the
143 Committee with administrative duties.
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145 2-7. Officers do not have the authority to take action on the Committee's behalf on their own
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147 **Article III. Meetings**

148 3-1. *Regular Meetings.* Regular meetings shall be determined by the Committee. The regular
149 meeting time, place and agenda shall be determined at a regular meeting. If no alternate
150 designation is made by the Committee, the regular meetings shall be the last Tuesday of
151 every month. If the Committee does not have any business to discuss or actions that need
152 to be taken, it is not necessary for the Committee to meet every month. Notice of meeting
153 location, agenda and materials shall be forwarded by the Chairperson with the assistance
154 of the Secretary. Meetings shall be run in accordance with Robert's Rules of Order or
155 another method approved by the Oneida Business Committee. Meetings shall comply
156 with the Open Records and Open Meetings law.
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158 3-2. *Emergency Meetings.* Emergency meetings shall only be called when time sensitive
159 issues require immediate action. Emergency meetings of the Committee may be called
160 by the Chairperson or upon written request of any two (2) members. The Chairperson
161 shall designate a time and place for holding an emergency meeting.

162 (a) Within seventy-two (72) hours after an emergency meeting, the entity
163 shall provide the Nation's Secretary with notice of the meeting, the reason
164 for the emergency meeting, and an explanation of why the matter could
165 not wait for a regular meeting.
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167 3-3. *Quorum.* A majority of the Committee members shall constitute a quorum for transaction
168 of business, which shall include the Chairperson or Vice-Chairperson.
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170 3-4. *Order of Business.* The regular meetings of the Committee shall follow the order of
171 business as set out herein:

- 172 (a) Call to Order
- 173 (b) Roll Call
- 174 (c) Approving of Previous Meeting Minutes
- 175 (d) Subcommittee Reports
- 176 (e) Old Business
- 177 (f) New Business
- 178 (g) Adjournment
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180 3-5. *Voting.* Voting shall be in accordance with the simple majority vote of the Committee
181 members present at a duly called meeting.

- 182 (a) The Chairperson shall vote only in case of a tie.
- 183 (b) The committee shall decide if electronic voting polls may be used. If the
184 entity decides to use e-polls, it shall use any e-poll procedures adopted by

185 law.

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187 **Article IV. Expectations**

188 4-1. *Behavior of Members.* Members are expected to treat each other in accordance with
189 kalihwiyo, “The use of the Good Words about ourselves, our nation and our future.”
190 Failure to treat each other with respect shall be cause for termination from the
191 Committee. Appointed members of entities serve at the discretion of the Oneida
192 Business Committee. Upon the recommendation of a member of the Oneida Business
193 Committee or the entity, a member of an appointed entity may have his or her
194 appointment terminated by the Oneida Business Committee.

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196 4-2. *Prohibition of Violence.* Intentionally violent acts committed by a member of the entity
197 that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another
198 person, or damage to property during a meeting or when acting in an official capacity are
199 strictly prohibited and grounds for immediate termination of appointment on the
200 Committee and/or the imposition of sanctions and/or penalties according to laws and
201 policies of the Nation.

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203 4-3. *Drug and Alcohol Use.* Use of alcohol and illegal drugs by a member of an entity when
204 acting in their official capacity is strictly prohibited.

205
206 4-4. *Social Media.* Committee members abide by the Nation’s Social Media Policy.

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208 4-5. *Conflict of Interest.* Committee members shall abide by all laws of the Nation governing
209 conflicts of interest.

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211 **Article V. Stipends and Compensation**

212 5-1 *Stipends.* Committee members are eligible for the following stipends:

- 213 (a) One (1) monthly meeting stipend
214 (b) One (1) stipend per day for participating in interviews and/or job
215 description pre-screens conducted by the Human Resource Department.
216 (c) Stipends for Judiciary hearings
217 (i) A member of an entity may receive a stipend for attending an
218 Oneida Judiciary hearing if that member is specifically
219 subpoenaed.
220 (d) Required training offered by the Nation as established by the Oneida
221 Business Committee.

222
223 5-2 *Compensation.* Committee members are not eligible for any other type of compensation.
224

225 **Article VI. Records and Reporting**

226 6-1 *Agenda Items.* Agendas shall be maintained in a consistent format.
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228 6-2 *Minutes.* Minutes shall be typed and in a consistent format that generates an informative
229 record of the Committee’s meetings. The Business Committee Support Office shall
230 prepare the minutes within thirty (30) days of the Committee’s meeting.

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232 6-3 *Attachments.* Handouts, attachments, memoranda, etc. shall be attached to the
233 corresponding minutes and the agenda Minutes and attachments shall be kept
234 electronically by the Business Committee Support Office.

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236 6-4 *Oneida Business Committee Liaison.* The Committee shall regularly communicate with
237 the Oneida Business Committee member who is their designated liaison. The frequency
238 and method of communication shall be agreed upon by the Committee and the Liaison.

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240 6-5 *Audio Recordings.* The Committee shall audio record meetings and submit the
241 recordings to the Business Committee Support Office within two (2) business days.
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243 **Article VII. Amendments**

244 7-1 *Amendments to By-laws.* Any amendments to bylaws shall conform to the requirements
245 of the Comprehensive Policy Governing Boards, Committees and Commissions and any
246 other policy of the Nation. Amendments to by-laws shall be approved by the Oneida
247 Business Committee prior to implementation.