

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Gina Buenrostro,
Petitioner

v.

CASE NO: 18-EMP-005

Bradley W. Graham,
Oneida Business Committee,
Respondent

SETTLEMENT AGREEMENT AND ORDER

The Court approves the following stipulated agreement and incorporates it into this order.

Oneida Nation and the Employee do obligate themselves as follows:

1. Any unemployment compensation paid by Oneida to the State of Wisconsin for an involuntarily separated employee shall be deducted from the Employee's back pay award.
2. The total back pay owed to the Employee, pursuant to the Back-Pay Policy, is as follows: The Employee is entitled to full back pay retroactive to March 19, 2018 and until the date of settlement.
3. The amount paid to Employee is subject to all applicable state and federal income tax, Social Security, and Medicare deductions.
4. Employee will receive prorated credit for vacation/personal time which would have accrued during the back-pay period.
5. Insurance benefits will be reinstated for the back-pay period. Oneida shall deduct the Employee's share of premiums paid from the back-pay award.
6. Oneida agrees to overturn and expunge the termination issued on March 19, 2018.
7. The employee does not accept assignment to the OBC support office and will be placed on lay off status.
8. Further, the employee agrees that submission of the Agreement to the Judiciary will constitute a request for closure of case # 18-EMP-005.
9. The parties understand the terms of this Agreement and enter into it voluntarily.
10. This document constitutes a final and complete statement of the Agreement between the parties.

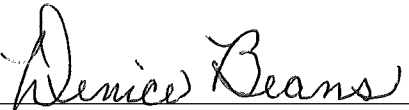
The Court **GRANTS** the request to close case #18-EMP-005.

ORDER

The Court orders case #18-EMP-005 closed.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council and Order signed on August 24, 2018. Case #18-EMP-005.



Denice Beans, Chief Trial Court Judge

CONFIDENTIAL

**ONEIDA NATION
SETTLEMENT AGREEMENT**

This [Settlement] Agreement ("Agreement") is entered into by and between Gina Buenrostro ("Employee") and the Oneida Nation, ("Oneida").

On March 19, 2018, Employee was issued a disciplinary action in the form of a termination, and

Employee timely appealed the aforementioned disciplinary action to the Oneida Judiciary.

It is in the best interest of Oneida and the employee to pursue settlement in lieu of formal litigation.

Oneida and the employee do obligate themselves as follows:

1. Any unemployment compensation paid by Oneida to the State of Wisconsin for an involuntarily separated employee shall be deducted from the employee's back pay award.
2. The total back pay owed to the employee, pursuant to the Back Pay Policy, is as follows: The employee is entitled to full back pay retroactive to March 19, 2018 and until the date of settlement.
3. The amount paid to Employee is subject to all applicable state and federal income tax, Social Security, and Medicare deductions.
4. Employee will receive prorated credit for vacation/personal time which would have accrued during the back pay period.
5. Insurance benefits will be reinstated for the back pay period. Oneida shall deduct the employee's share of premiums paid from the back pay award.
6. Oneida agrees to overturn and expunge the termination issued on March 19, 2018.
7. The employee does not accept assignment to the BC support office and will be placed on lay off status.
8. Further, the employee agrees that submission of this Agreement to the Judiciary will constitute a request for closure of case # 18-EMP-005.
9. The parties understand the terms of this Agreement and enter into it voluntarily.
10. This document constitutes a final and complete statement of the Agreement between the parties.

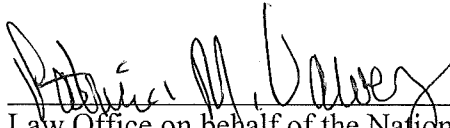
IN WITNESS WHEREOF, Oneida has caused this Agreement to be executed by its duly authorized representative and Employee has executed this Agreement as of the day and year as indicated herein.

EMPLOYEE:



Dated: 8-23-2018

ONEIDA NATION:

By: 

Law Office on behalf of the Nation

Dated: 8-23-2018