



COVID-19 Core Decision Making Team Declaration
Suspension of Premium Pay and All Temporary Pay Increases
March 23, 2020

The world is currently facing a pandemic of the coronavirus disease 2019 (COVID-19). The COVID-19 outbreak originated in Wuhan, China and has spread to many other countries throughout the world, including the United States. The World Health Organization has identified that the spread of COVID-19 is now a pandemic resulting in many countries experiencing the effects of illness and health issues related to COVID-19 and economic impacts.

On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” regarding COVID-19 which set into place the necessary authority should action need to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses.

On March 17, 2020, the Oneida Business Committee adopted emergency amendments to the Emergency Management and Homeland Security law to create and delegate authority to a COVID-19 Core Decision Making Team (COVID-19 Team). [3 O.C. 302.10]. When a public health emergency has been declared, the COVID-19 Team has the authority to declare exceptions to the Nation’s laws, policies, procedures, regulations, or standard operating procedures during the emergency period which will be of immediate impact for the purposes of protecting the health safety, and general welfare of the Nation’s community, members, and employees. [3 O.C. 302.10-2].

The Oneida Business Committee has declared a public health emergency, closed gaming operations, and instituted Tier IV budget contingency to conserve cash flow for essential governmental services and to meet payroll needs. The Oneida Business Committee has also committed to maintain payroll during the initial public health emergency to ensure that employees have funding to meet their family financial needs.

With no gaming revenue being generated, the Nation needs to reduce all expenses. The following Standard Operating Procedures and Resolutions impact salary and employee time.

- Standard Operating Procedures:
 - Premium Pay Tribal Work Standards: authorizes premium pay for certain holidays. In addition, requests have been made to authorize premium pay for employees who are coming in to work in offices and work sites.
 - Compensation for Additional Duties Work Standards and Procedures: authorizes compensation for performing additional duties for vacant position responsibilities or special projects.
 - Exercise at Work: authorizes 30 minutes of paid physical activity time.
 - Holiday Work Standard: defines how Tribal holidays are recognized and paid.
 - Interim Job Reassignment: identifies that interim assignment pay can be between the minimum and maximum compensation for the grade.
 - On-Call Pay: authorizes payment for being prepared to be called into work.
 - Salary Wage Adjustment: identifies process for organization-wide salary or wage adjustments.

- Reorganizing Positions: authorizes compensation adjustments as positions are shifted within the organizational structure and/or modified.
- Parental Leave, Resolution # BC-03-02-1994: authorizes paid time off to attend child related activities.

The COVID-19 Team recognizes that public contact within retail locations and between employees in offices and work sites causes concern for employees. We have instituted measures regarding critical employees maintaining social distancing as suggested by the CDC and implemented work from home as well as self-isolation. The COVID-19 Team also recognizes the extra duties, time and actions that are being taken by employees to continue to conduct their duties during this pandemic.

The COVID-19 Team also recognizes that hiring new employees during this time should be placed on hold. This will allow for the re-assignment of existing employees who wish to come into work opportunities to continue employment after the initial 30-day public health emergency period.

The COVID-19 Finance Team has identified that the Oneida Nation does not have sufficient funds to authorize premium pay or other pay increases during this time. Any increase in wages results in negatively impacting the ability to make payroll and provide essential governmental services.

During this public health emergency period, the Finance COVID-19 Team and the Human Resource Department will continue to review these policies for permanent amendments at or before the conclusion of the Emergency period should permanent amendments be needed.

The COVID-19 Team hereby declares:

1. That all premium pay, temporary pay increases, interim duties, holiday pay, parental leave, exercise paid time, and similar actions shall not be authorized during the Public Health Emergency.
2. That the following Standard Operating Procedures are suspended during the Public Health Emergency. Provided that, there are specific exceptions to the Standard Operating Procedures identified below.
 - a. Premium Pay Tribal Work Standards
 - b. Compensation for Additional Duties Work Standards and Procedures will also apply to all employees currently receiving additional duties compensation.
 - c. Exercise at Work
 - d. Holiday Work Standard
 - e. Interim Job Reassignment applies only to pay, interim job reassignments would be authorized.
 - f. On-Call Pay, provided that, areas may forward on-call pay standard operating procedures to the COVID-19 Team for approval.
 - g. Salary Wage Adjustment
 - h. Reorganizing Positions, applies only to pay, reorganizing positions would be authorized.
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3. That Parental Leave, Resolution # BC-03-02-1994, is suspended during the Public Health Emergency.
4. All vacant positions shall be withdrawn from posting, all offers shall be withdrawn, all new hires who have not appeared for work shall be notified that the offer of employment is withdrawn. The COVID-19 Team shall consider all requests to post or hire based on the information provided in the request, critical need, and financial status of the Nation.
5. Employees receiving COVID emergency pay not be eligible for: lead pay, shift differential, and similar pay adjustments.

6. Section III(D) of the Personnel Policies and Procedures regarding employees moving from employment probation shall be awarded the increase at the conclusion of the probationary period.

This declaration shall be made effective immediately and shall remain in effect for the duration of the Nation's public health emergency.



Oneida Nation Chairman