

Oneida Nation

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Oneida, WI 54155

BC Resolution # 11-07-22-A

Extension of the Emergency Amendments to the Oneida Personnel Policies and Procedures

- WHEREAS,** the Oneida Nation 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 Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Personnel Policies and Procedures (“the Law”) sets forth the Nation’s various employment related policies and procedures; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a “Declaration of Public Health State of Emergency” regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, which was subsequently extended by the Oneida Business Committee until January 18, 2023, through the adoption of resolutions BC-03-26-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, and BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, BC-09-22-21-A, BC-11-24-21-F, BC-01-12-22-B, BC-03-23-22-A, BC-05-11-22-E, BC-07-13-22-F, BC-09-14-22-C, and BC-10-26-22-H; and
- WHEREAS,** the COVID-19 pandemic interrupted many business operations and had vast effects on employment throughout the country; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act; and
- WHEREAS,** on November 24, 2021, the Oneida Business Committee adopted emergency amendments to the Law through the adoption of resolution BC-11-24-21-A to improve the Nation’s hiring capacity and service delivery in the tight labor markets that have resulted from the COVID-19 pandemic; and
- WHEREAS,** after the adoption of emergency amendments to the Law through resolution BC-11-24-21-A, it became clear that additional emergency amendments to the Law would be necessary to clarify inconsistencies that arose as a result of the last emergency amendments; and

WHEREAS, the Oneida Business Committee then adopted additional emergency amendments to the Law on May 11, 2022, through the adoption of resolution BC-05-11-22-A for the purpose providing additional clarifications on the appeal rights and payout of accrued vacation/personal time of a terminated employee in their original probation period, to improve the Nation's hiring capacity and service delivery in the tight labor markets that have resulted from the COVID-19 pandemic; and

WHEREAS, the emergency amendments to this Law were, and continue to be, necessary for the preservation of the general welfare of the Reservation population in order to continue to simplify the Nation's hiring selection procedures so they are more effective so that the Nation can improve its hiring capacity and service delivery during increasingly tight labor markets that have resulted from the COVID-19 pandemic; and

WHEREAS, observance of the requirements under the Legislative Procedures Act for adoption of the emergency amendments to this Law were, and continue to be, contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to allow the Nation the ability to adequately address its hiring selection procedures in the tight labor markets resulting from the COVID-19 pandemic; and

WHEREAS, emergency legislation is effective for a period of six (6) months, renewable for an additional six (6) months by the Oneida Business Committee; and

WHEREAS, the emergency amendments to the Law will expire on November 11, 2022; and

WHEREAS, a six (6) month extension of the emergency amendments is being requested to allow for the emergency amendments to remain in effect while the Legislative Operating Committee finalizes the development of permanent amendments to the Law to be presented to the General Tribal Council for adoption; and

NOW THEREFORE BE IT RESOLVED, that the emergency amendments to the Oneida Personnel Policies and Procedures are hereby extended for an additional six (6) month period effective November 11, 2022, and shall expire on May 11, 2023.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 5 members participated in an electronic vote (e-poll) which closed on the 7th day of November, 2022; that the forgoing resolution was duly adopted by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way. The results of the e-poll will be entered into the record at the next Oneida Business Committee scheduled on November 30, 2022.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."