

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

**Rita M. Schmitt,
Petitioner**

v.

**Oneida Nation School System,
Respondent**

CASE NO: 23-EMP-005

DATE: September 1, 2023

FINAL ORDER

This case has come before the Oneida Trial Court, Honorable Layatalati Hill presiding.

BACKGROUND

The Petitioner filed an appeal of the Area Manager's decision transferring supervision over Petitioner to another supervisor and limiting her job duties. The Parties agreed to Peacemaking. On August 23, 2023, the Peacemaker submitted a Peacemaking agreement for the Court's consideration.

ANALYSIS

If the parties request or agree to participate in peacemaking, the trial proceedings may be stayed up to forty-five (45) days in order for the parties to work towards reaching an acceptable solution. Here, Peacemaking resulted in an acceptable solution. The agreement provides as follows:

1. Petitioner's current job description and Oneida Nation School System 2023-2024 academic organizational chart will reflect Sharon Mousseau as Petitioner's immediate supervisor.
 - a. As a result, Petitioner's primary office will be located at the ONES, but will also have an office at the High School.
 - i. Petitioner will pick up her office keys and key card from Sharon Mousseau to access her offices.

- b. Petitioner will continue to work with student services, child study teams, assessments for students needing the WIDA assessment, working on assessments for the Gifted/Talented Program, as outlined in her job description.

The Court finds the Peacemaking agreement reasonable and, as a result, incorporates the agreement into this order.

FINDINGS

1. The Court has subject matter and personal jurisdiction over this matter.
2. Notice was given to all those entitled to notice.
3. Petitioner appealed the Area Manager's decision to the Oneida Trial Court on April 26, 2023.
4. Before the Court addressed the filing, the parties agreed to participate in Peacemaking.
5. On August 23, 2023, the Peacemaker submitted a Peacemaking agreement for the Court's consideration.
6. The Peacemaking agreement is reasonable.

PRINCIPLES OF LAW

Title 8. Judiciary - Chapter 803 Oneida Rules of Civil Procedure

Section 803.12-1(a)(5) Facilitating settlement.

(A) If the parties request or agree to participate in peacemaking or mediation, the trial proceedings may be stayed up to forty-five (45) days in order for the parties to work towards reaching an acceptable solution.

ORDER

1. Petitioner's current job description and Oneida Nation School System 2023-2024 academic organizational chart will reflect Sharon Mousseau as Petitioner's immediate supervisor.
2. Petitioner's primary office will be located at the ONES and will also have an office at the High School.
3. Petitioner shall pick up her office keys and key card from Sharon Mousseau to access her offices.
4. Petitioner shall continue to work with student services, child study teams, assessments for students needing the WIDA assessment and working on assessments for the Gifted/Talented Program, as outlined in her job description.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary Trial Court pursuant to BC Resolution 03-13-19-C this Order is signed on September 1, 2023.

A solid black rectangular box used to redact the signature of the Chief Trial Court Judge.

Layatalati Hill, Chief Trial Court Judge