


<p style="text-align: center;">ONEIDA NATION</p>  <p style="text-align: center;">ONEIDA</p>	<p>TITLE:</p> <p>Complaint Process for Direct Reports to the Oneida Business Committee</p>	<p>ORIGINATION DATE: 11/26/2012</p> <p>REVISION DATE: 11/13/2024</p> <p>EFFECTIVE DATE: Upon HRD review</p>
<p><i>DIVISION:</i> Non-Divisional</p>	<p>APPROVED BY: <i>Oneida Business Committee</i></p> <p>See attached OBC Meeting Minutes</p>	<p>DATE: 11/13/2024</p>
<p><i>DEPARTMENT:</i> Oneida Business Committee</p>	<p>REVIEWED BY: <i>HRD</i> Todd VanDen Heuvel</p> <p><small>Digitally signed by Todd VanDen Heuvel Date: 2025.01.02 10:41:52 -06'00'</small></p>	<p>DATE: 01/02/2025</p>
<p><i>REVISED:</i> Kristine Hill, Government Operations Manager</p>		<p>PAGE NO: 1 of 4</p>

1.0 PURPOSE

1.1 To create a standardized process for handling complaints for employees who are direct reports to the Oneida Business Committee (OBC) in alignment with the Oneida Personnel Policies and Procedures.

2.0 DEFINITIONS

- 2.1 Direct Reports: means an employee of the Oneida Nation who reports directly to the OBC as defined by resolution.¹
- 2.2 Government Operations Manager: means the position that is the liaison from the OBC to the Human Resources Department; this position is part of the Professional Support Staff housed in the Government Administrative Office.
- 2.3 Master File: means the digital location all materials related to the complaint are stored for reference and record keeping.
- 2.4 OBC Officers: means the Chairperson, Vice-Chairperson, Treasurer, and Secretary.
- 2.5 OBC Officers Session: means the monthly sessions for discussion of personnel related matters.

¹ Most recent resolution is resolution # BC-11-13-24-L Setting Supervision and Management of Direct Reports to the Oneida Business Committee and Political Appointments

3.0 WORK STANDARDS

- 3.1 The OBC Officers may authorize a designee, or multiple designees if needed due to recusal of OBC Officers from an investigation.
 - 3.1.1 If designee(s) are required, the Government Operations Manager submits documentation of the determination to the Master File.
- 3.2 The OBC Officers will make every attempt to conclude the investigation within thirty (30) calendar days of receipt.
- 3.3 The Government Operations Manager may schedule special OBC Officers Session(s) to ensure complaints are addressed in a timely manner.

4.0 PROCEDURES

Receiving a Complaint

- 4.1 All complaints must be in a written format, such as a letter or e-mail, and addressed to the OBC Officers.
- 4.2 All complaints must be delivered to the Government Operations Manager for processing immediately.
- 4.3 Within two (2) business days, the Government Operations Manager will:
 - 4.3.1 Date stamp each page of the complaint.
 - 4.3.2 Mark each page of the complaint “Confidential”.
 - 4.3.3 Submit a copy of the complaint to each OBC Officer.
 - 4.3.4 Create a Master File.
 - 4.3.5 Submit the complaint to the Master File.
- 4.4 The Government Operations Manager adds the complaint to the next OBC Officers Session agenda for the OBC Officers to review the complaint and to determine if the complaint has merit.
- 4.5 The Government Operations Manager contacts the complainant and provide them with a date and time to meet with the OBC Officers to discuss their complaint.

Determining Merit

- 4.6 If the complaint is determined to have merit:
 - 4.6.1 The Government Operations Manager will submit documentation of the determination to the Master File.
 - 4.6.2 The OBC Officers assign no less than two (2) OBC Officers to a Sub-team to investigate the complaint.
 - 4.6.3 Within two (2) business days of the determination, the Government Operations Manager:

- 4.6.3.1 Provides the complainant with written notice that the complaint is under investigation.
- 4.6.3.2 Submits a copy of the written notice to the Master File.
- 4.6.4 Refer to 4.8.
- 4.7 If the complaint is determined to have no merit:
 - 4.7.1 The Government Operations Manager submits documentation of the determination to the Master File.
 - 4.7.2 Within two (2) business days of the determination, the Government Operations Manager:
 - 4.7.2.1 Provides the complainant with written response indicating the complaint is closed.
 - 4.7.2.2 Submits a copy of the written response to the Master File.
 - 4.7.3 The complaint is closed.

Investigating a Complaint

- 4.8 The Government Operations Manager will facilitate the investigate process using the Complaint Investigation Checklist.
- 4.9 The Sub-team will investigate the complaint.:
 - 4.9.1 Review the complaint to gain a background on the issue(s) presented.
 - 4.9.2 Determine what relevant information is still needed, if any, relating to the complaint.
 - 4.9.3 Initiate the investigation.
 - 4.9.4 Develop and agree to a list of questions which must be answered.
 - 4.9.5 Develop a list of people, including the complainant, to interview.
- 4.10 Upon the conclusion of the investigation, the Sub-team will submit a written report to the next OBC Officers Session. The written report will include:
 - 4.10.1 a summary of the complaint,
 - 4.10.2 investigation methodology,
 - 4.10.3 results of the investigation, and
 - 4.10.4 recommended action(s).
- 4.11 The Government Operations Manager submits the written report to the Master File.
- 4.12 The OBC Officers review the written report and finalize recommended action(s).
 - 4.12.1 The OBC Officers may, by majority:
 - 4.12.1.1 support the recommended action(s); or
 - 4.12.1.2 modify the recommended action(s).
 - 4.12.2 When appropriate, refer to OBC SOP entitled “Disciplinary Process for Direct Reports to the Business Committee”.
 - 4.12.3 Upon finalizing the recommended action(s), the complaint is closed.

- 4.13 Within two (2) business days of the finalized actions, the Government Operations Manager:
 - 4.13.1 Provides the complainant with written response indicating the complaint is closed.
 - 4.13.2 Submits a copy of the written response to the Master File.
 - 4.13.3 Includes a summary of the OBC Officers finalized actions in the OBC Officers Session notes.

Duties and Responsibilities for Investigation

- 4.14 The Sub-team will:
 - 4.14.1 Conduct themselves in accordance with the approved complaint process and may work with the Government Operations Manager if additional assistance is required.
 - 4.14.2 Recuse themselves if a real or perceived conflict of interest exists in accordance with the Conflict of Interest Policy and the Code of Ethics Law.

5.0 RECORDS

- 5.1 Record Maintenance
 - 5.1.1 Complaint records are be maintained by the Government Operations Manager in the Master File.
 - 5.1.2 Records are be held in accordance with the Open Records and Open Meetings Law.

6.0 REFERENCES

- 6.1 Personnel Policies & Procedures, Section V.D
- 6.2 Complaint Investigation Checklist
- 6.3 OBC SOP - Disciplinary Process for Direct Reports of the Business Committee

E. Approve nomination of Jennifer Webster to Indian Health Service Tribal Self-Governance Advisory Committee (01:52:18)

Sponsor: Melinda J. Danforth, Intergovernmental Affairs Director

Motion by Jameson Wilson to approve nomination of Jennifer Webster to Indian Health Service Tribal Self-Governance Advisory Committee, seconded by Jonas Hill. Motion carried:

Ayes: Lawrence Barton, Jonas Hill, Kirby Metoxen, Marlon Skenandore,
Jameson Wilson, Brandon Yellowbird-Stevens
Abstained: Jennifer Webster
Not Present: Lisa Liggins

F. Approve nomination of Debra Danforth to National Institutes of Health (NIH) Tribal Advisory Committee (01:53:19)

Sponsor: Melinda J. Danforth, Intergovernmental Affairs Director

Motion by Jennifer Webster to approve nomination of Debra Danforth to National Institutes of Health (NIH) Tribal Advisory Committee, seconded by Jameson Wilson. Motion carried:

Ayes: Lawrence Barton, Jonas Hill, Kirby Metoxen, Marlon Skenandore,
Jennifer Webster, Jameson Wilson, Brandon Yellowbird-Stevens
Not Present: Lisa Liggins

G. Approve the Oneida Business Committee Standard Operating Procedures entitled Complaints Process for Direct Reports to the Oneida Business Committee (01:53:38)

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to approve the Oneida Business Committee Standard Operating Procedures entitled Complaints Process for Direct Reports to the Oneida Business Committee, seconded by Brandon Yellowbird-Stevens. Motion carried:

Ayes: Lawrence Barton, Jonas Hill, Kirby Metoxen, Marlon Skenandore,
Jennifer Webster, Jameson Wilson, Brandon Yellowbird-Stevens
Not Present: Lisa Liggins

H. Approve the Oneida Business Committee Standard Operating Procedure entitled Complaint Process for Direct reports to Individual Oneida Business Committee members (01:53:59)

Sponsor: Lisa Liggins, Secretary

Motion by Kirby Metoxen to approve the Oneida Business Committee Standard Operating Procedure entitled Complaint Process for Direct reports to Individual Oneida Business Committee members, seconded by Jennifer Webster. Motion carried:

Ayes: Lawrence Barton, Jonas Hill, Kirby Metoxen, Marlon Skenandore,
Jennifer Webster, Jameson Wilson, Brandon Yellowbird-Stevens
Not Present: Lisa Liggins

Secretary Lisa Liggins returned at 10:24 a.m.

Reference 6.1.

Personnel Policies & Procedures are within the Oneida Nation Employee Manual.

Access to the Oneida Nation Employee Manual is provided at this web address:
<https://oneida-nsn.gov/oneida-nation-employee-manual/>

This web page is maintained by the Human Resources Department.

Complaint Investigation Checklist

Rev. 1/20/2025 KH

Purpose: This checklist is to be used once a complaint is deemed to have merit by the Business Committee Officers and a sub-team of BC Officers or members is assigned.

Facilitator: Government Operations Manager.

Documents for this process are located:

Complaint Received Date:	Complaint #: DRO-	Officer Session discussion for Merit:
Complainant's Name	Interview Date	Prep Meeting w/Sub-team:
Direct Report Name	Interview Date	Officer Session Final Completion date:
Witness #1	Interview date	BC Sub-team #1
Witness #2	Interview date	BC Sub-team #2
Witness #3	Interview date	BC Sub-team #3 (optional)

- Send complainant a letter (Email is sufficient) to notify receipt of complaint. Attach SOP to communication.
- Add complaint to next Officer Session agenda for merit determination.
- IF NO MERIT: Compose draft letter for Officer review at next Officer Session.
- IF MERIT: Schedule prep meeting between BC Sub-team and Operations Manager to review the complaint and determine who needs to be interviewed, to include;
 - a. Complainant: the person(s) who wrote the complaint
 - b. Direct Report: employee supervised by the OBC that the complaint is about.
 - c. Witnesses: other people identified in the complaint (individuals, employees in the department, witnesses, etc.)
- Schedule investigation interviews with OBC Sub-team with:
 - a. Complainant
 - b. Witnesses
 - c. Direct Report, explaining:
 - The BC received a complaint that was deemed to have merit by the Officers.

- Our (BC) responsibility is to investigate the complaints and bring back our findings and recommendations to the Officers at the next Officers Session.

- Assist in drafting interview questions for:
 - a. Complainant
 - b. Direct report
 - c. Witnesses
- Attend interviews to take notes for:
 - a. Complainant
 - b. Direct report
 - c. Witnesses
- Schedule debrief meeting with OBC Sub-team
- Wrap up – create/review OBC Sub-team decision and communication, which must include:
 - a. Summary of complaint,
 - b. Investigation methodology, (interviews, sources used, etc.)
 - c. Results of the investigation,
 - d. Recommended action
- Follow up- Officer session agenda
 - a. Officers review the Recommended Actions in the report and may:
 - i. Accept the recommendation
 - ii. Modify the recommendation, or
 - iii. Reject the recommendation
 - b. Once the Officers determine the recommended action the investigation is considered complete, and the complaint will be considered closed.
 - c. When appropriate, the Sub-team or designee(s) will follow through on a disciplinary action and complete close out communication delivery to the complainant.
 - d. If discipline is appropriate action; meet with designee to provide guidance on disciplinary procedures.
 - e. Attend disciplinary meeting upon request.
- Add Final result report out to the next Officer Session agenda to be captured in notes.

REFER TO: OBC SOP, “Disciplinary Process for Direct Reports to the Business Committee.”

Reference 6.3.

Oneida Business Committee Standard Operating Procedures are Public Information in accordance with section 107.5. of the Open Records and Open Meetings law.

Access to OBC SOPs is provided at this web address:
<https://oneida-nsn.gov/government/business-committee/standard-operating-procedures/>

This web page is maintained by the Government Administrative Office.