



## **LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA REVISED**

Business Committee Conference Room - 2nd Floor Norbert Hill Center

August 20, 2025

9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be Approved**
  - 1. August 6, 2025 LOC Meeting Minutes (pg. 2)
- III. Current Business**
  - 1. Independent Contractor Law Amendments (pg. 4)
  - 2. Workplace Violence Law Amendments (pg. 18)
  - 3. Public Use of Tribal Land Law Amendments (pg. 48)
- IV. New Submissions**
  - 1. Disposition of Excess Tribal Property Policy Repeal or Amendments (pg. 62)
  - 2. Child Custody, Placement, and Visitation Law Amendments (pg. 71)
- V. Additions**
- VI. Administrative Updates**
  - 1. E-Poll Results: Approval of the LOC FY25 Third Quarter Report (pg. 77)
- VII. Executive Session**
- VIII. Recess/Adjourn**



**LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES**  
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center  
August 6, 2025  
9:00 a.m.

**Present:** Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore

**Excused:** Kirby Metoxen

**Others Present:** Clorissa N. Leeman, Grace Elliott, Carolyn Salutz, Billie J. Cornelius-Adkins

**Others Present on Microsoft Teams:** Patricia Charnon, David Jordan, Eric Boulanger, Melissa Alvarado, Rhiannon Metoxen, Fawn Cottrell, Terri Schilz, Jason Martinez, Louise Cornelius, Michelle Tipple, Peggy Helm-Quest, Fawn Billie, Rae Skenandore, Sarah White, Taryn Webster, Tavia James-Charles

**I. Call to Order and Approval of the Agenda**

Jameson Wilson called the August 6, 2025, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda; seconded by Jonas Hill. Motion carried unanimously.

**II. Minutes to be Approved**

**1. July 2, 2025 LOC Meeting Minutes**

Motion by Jennifer Skenandore to approve the July 2, 2025 LOC meeting minutes and forward to the Oneida Business Committee; seconded by Marlon Skenandore. Motion carried unanimously.

**III. Current Business**

**1. Independent Contractor Law Amendments**

Motion by Jonas Hill to approve the draft of the Independent Contractors Law Amendments and direct the Legislative Reference Office to complete a Legislative Analysis; seconded by Jennifer Webster. Motion carried unanimously.

**IV. New Submissions**

**1. Marriage Law Amendments**

Motion by Jonas Hill to add the Marriage Law Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.



**V. Additions**

**VI. Administrative Updates**

**1. Approval of the Fall LOC Community Meeting Notice**

Motion by Jennifer Webster to approve the Fall LOC community meeting notice and schedule a community meeting to be held on September 17, 2025; seconded by Marlon Skenandore. Motion carried unanimously.

**VII. Executive Session**

**VIII. Adjourn**

Motion by Jennifer Webster to adjourn at 9:15 a.m.; seconded by Jonas Hill. Motion carried unanimously.



Legislative Operating Committee  
August 20, 2025

## Independent Contractors

<b>Submission Date:</b> 6/19/24	<b>Public Meeting:</b> N/A
<b>LOC Sponsor:</b> Jonas Hill	<b>Emergency Enacted:</b> N/A

**Summary:** *This item was added to the Active Files List on June 19, 2024, at the request of RaLinda Ninham-Lamberies, the Nation's Chief Financial Officer. Amendments are being sought to update the law, specifically sections 503.5-1 and 503.5-2 to ensure the Nation is adequately reporting any independent contractor relationships to the IRS.*

**6/19/24 LOC:** Motion by Kirby Metoxen to add the Independent Contractor Policy Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

**9/16/24:** *Work Meeting.* Present: Jonas Hill, Kirby Metoxen, Fawn Cottrell, Fawn Billie, Kristal Hill, Stephanie Metoxen, Sarah White, Ralinda Ninham-Lamberies, Tonya Webster, Marque Smith, Thomas Eggert, Carolyn Salutz, Clorissa Leeman. The purpose of this work meeting was to review the changes to the law the LRO currently has; it's been since 2017 that our office has worked on amendments. Carolyn specifically wanted to review section 503.5. Most concerns focused on establishing requirements for independent contractors to correctly report/license/contract and how to ensure and require proper classification for the Nation to reduce liability and tax penalties.

**11/08/24:** *Work Meeting.* Present: Stephanie Metoxen, Sarah White, Ralinda Ninham-Lamberies, Heidi Janowski, Marques Smith, Thomas Eggert, Jameson Wilson, Jennifer Webster, Marlon Skenandore, Kristal Hill, Maureen Perkins, Carolyn Salutz. The purpose of this work meeting was to continue reviewing the draft. We did a line-by-line review of the entire draft. Ralinda mentioned that the IRS just came out with guidance about independent contractor classification and about board members no longer being classified/considered employees and now being independent contractors. It was mentioned that this change might warrant its own meeting to discuss implications. Mentioned that some independent contractors do use their individual SSN, like doctors. (Carolyn will have to research that) Other than that, minor changes were discussed, like wording and numbering.

**1/23/25:** *Work Meeting.* Present: Stephanie Metoxen, Sarah White, Ralinda Ninham-Lamberies, Heidi Janowski, Tonya Webster, Alexandria Powless, Marques Smith, Kong Meng Moa, Thomas Eggert, Beth Schirck Smith, Jameson Wilson, Jennifer Webster, Kristal Hill, Maureen Perkins, Fawn Billie, Carolyn Salutz. The purpose of this meeting was to review the newest amendments; the law is short; we did a line-by-line review. Sarah and Ralinda gave the most suggestions, and mentioned they will send written suggestions. Once Carolyn gets those written suggestions, she'll make those changes and then schedule the next work meeting.

**4/29/25:** *Work Meeting.* Present: Stephani Metoxen, Sarah White, Ralinda Ninham-Lamberies, Heidi Janowski, Tonya Webster, Marque Smith, Kong Meng Moa, Thomas Eggert, Beth Schirck Smith, Jameson Wilson, Jennifer Webster, Kristal Hill, Carolyn Salutz, Clorissa Leeman. The purpose of this meeting is to review the latest draft. We did a line-by-line review and then discussed some sections. Most discussion was around conflict of interest and when an employee may not be hired as an independent contractor.

**6/20/25:** *Work Meeting.* Present: Stephanie Metoxen, Sarah White, Ralinda Ninham-Lamberies, Tonya Webster, Marques Smith, Kong Meng Moa, Thomas Eggert, Beth Schirck Smith, Jameson Wilson, Kirby Metoxen, Marlon Skenandore, Kristal Hill, Carolyn Salutz. The purpose of this work meeting was to review the latest draft. We did a read-through, noting the only change that was made since the last work meeting, which starts on line 145. It was mentioned that the order of approval needs to be changed. Right now, under section 503.7, the law has: insurance, contract, purchase order, tax ID, vendor license. The correct order should be license, insurance, tax ID, purchase order, contract. There was brief discussion about insurance approval requirements, but nothing that needs to be or should be addressed in this law. In lines 145-150 “department” should be changed to “division.” No other suggestions were made.

**7/31/25:** *Work Meeting.* Present: Sarah White, Marques Smith, Kong Meng Moa, Thomas Eggert, Sarah Miller Jessica King, Alexandria Powless, Heidi Janowski, Jameson Wilson, Marlon Skenandore, Kirby Metoxen, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting was for the LOC to do one final read-through with the group and approve a final draft. Group did complete a read-through. Carolyn needs to make a few grammatical changes and correct section numbers. Sarah White also had a suggestion on line 121-122 and will send Carolyn suggested language. Once Carolyn can make these final changes, ideally be tomorrow (Friday, 8/1/25), we can add the draft to the LOC’s next meeting on 8/6.

**8/12/25:** *Memo to LOC.* On Tuesday, August 12, 2025, the LOC received a memo from Law Office attorney Peggy Van Gheem with some suggestions for edits to the draft. On August 13, 2025, the drafting attorney, Carolyn Salutz, incorporated those edits.

**Next Steps:**

- Accept the updated draft, legislative analysis, and direct the Legislative Reference Office to schedule a public meeting.

## Title 5. Business – Chapter 503- INDEPENDENT ~~CONTRACTOR POLICY~~ CONTRACTORS

503.1. Purpose and Policy  
503.2. Adoption, Amendment, Repeal  
503.3. Definitions  
~~503.4. Application~~

503.~~45~~. Worker Classification  
503.~~56~~ Form of Contract  
503.~~67~~ Approval Requirements  
503.7 Conflict of Interest

### 503.1. Purpose and Policy

503.1-1. *Purpose.* The purpose of this ~~Independent Contractor Policy~~ law is to require proper worker classification for compliance with tax regulations. ~~regulate the hiring of persons to complete work in order to minimize the costs of Independent Contractors.~~

503.1-2. *Policy.*

(a) It is the policy of the ~~Tribe~~Nation to utilize Native American businesses to complete work that the ~~Tribe~~Nation is unable to complete through use of its own employees. All programs, enterprises, and government agencies are encouraged to seek within their own employees those with expertise in any matter before going to independent contractors.

(b) It is further the policy of the ~~Tribe~~Nation that the order of preference, as set out in the ~~Tribe's~~Nation's Indian Preference Law, be used in the selection of independent contractors and in accordance with this law.

### 503.2. Adoption, Amendment, Repeal

503.2-1. This ~~policy~~law was adopted by ~~motion of~~ the Oneida Business Committee by motion on July 27, 1994, and ~~was~~ amended by resolution BC-02-27-13-A.

503.2-2. This ~~policy~~law may be amended ~~pursuant to the procedures set out in Tribal law or repealed~~ by the Oneida Business Committee or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

503.2-3. Should a provision of this ~~policy~~law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this ~~policy~~law which are considered to have legal force without the invalid portions.

503.2-4. In the event of a conflict between a provision of this ~~policy~~law and a provision of another ~~policy~~law, the provisions of this ~~policy~~law shall control.

503.2-5. This ~~policy~~law is adopted under authority of the Constitution of the Oneida ~~Tribe of Indians of Wisconsin~~Nation.

### 503.3. Definitions

503.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Deliverable” means quantifiable goods and tangible or intangible products to be provided upon the completion of a project. ~~an object with specified content and format and must be adequately described as to final content.~~

(b) “Employee” means any individual who would qualify as an ‘employee’ of the Nation according to the Fair Labor Standards Act and the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service. ~~is employed by the Tribe and is subject to the direction and control of the Tribe with respect to the material details of the work performed, or who has the status of an employee under the usual common law rules applicable to determining the employer-employee relationship. “Employee” includes, but is not limited to, individuals employed by any program or enterprise of the Tribe, but does not include elected or appointed officials or individuals employed by a Tribally Chartered Corporation.~~ For purposes of this ~~policy~~ law,

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individuals employed under an employment contract as a limited term employee are employees of the ~~Tribe~~ Nation, not consulted ~~independent contractors~~.

(c) “Employee-owned business entity” means a ~~for-profit~~ business which is majority owned and managed by an individual who is employed as an employee by the ~~Tribe~~ Nation. An ~~e~~Employee-owned business entity includes, but is not limited to, a partnership, corporation, or limited liability company.

(d) “Independent contractor” means an individual who would qualify as an ‘independent contractor’ for the Nation according to the Fair Labor Standards Act and the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service. ~~receives payments for services or deliverables, and who receives any tax reporting form other than a W-2 at the end of a taxable year.~~

(e) “Nation” means the Oneida Nation.

(f) “Scope of work” means the total deliverables or services to be performed by an independent contractor upon completion of the work the independent contractor was hired to complete.

(g) “Service” means an action performed by an independent contractor and must be adequately described as to the actions that will be taken and the final result of those actions ~~taken.~~ ~~(f) “Tribal” or “Tribe” means the Oneida Tribe of Indians of Wisconsin.~~

#### 503.4 Worker Classification

503.4-1. The Nation must classify a worker as either an employee or an independent contractor according to the Fair Labor Standards Act and should use the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service.

#### **503.56. Form of Contract**

503.56-1. All contracts with the ~~Tribe~~Nation shall be in a ~~the~~ format approved by the Oneida Law Office. All departments, programs, enterprises, and other agencies of the ~~Tribe~~Nation shall use Oneida Law Office-approved contracts.

503.56-2. All contracts shall be reviewed and approved by the Oneida Law Office and the Oneida Purchasing Department. An approved purchase order is required prior to execution of a contract. ~~before being executed.~~

503.56-3. At a minimum, the Oneida Law Office ~~review~~ shall verify ~~consist of the following:~~ (a) ~~verification that:~~

(a) sovereign immunity has not been waived;

~~verification that Independent Contractor~~

(b) worker classification, according to the most recent guidance from the U.S Department of Labor and the U.S. Internal Revenue Service, is accurate; and ~~status has not been violated; and verification that~~

(c) the content of the contract meets the legal needs for the protection of ~~Tribal~~the Nation’s assets; and adequately describes ~~the scope of work~~, payment, and other similar items.

#### **503.67. Approval Requirements**

503.6-1. Contract. The Oneida Law Office and the Oneida Purchasing Department must review and approve a contract according to the requirements of section 503.5 of this law.

503.6-2. Purchase Order. The Oneida Purchasing Department issues a purchase order based on the approved contract in accordance with the Oneida Nation procurement sign-off authority.

503.6-3. Vendor License. Unless an independent contractor is exempted from the requirements of obtaining a vendor license, the independent contractor will be issued a vendor license, subject to any other requirements of the Nation’s Vendor Licensing law.

503.6-4. Insurance. Before the independent contractor performs any work, the independent contractor must demonstrate proof of appropriate and adequate insurance coverage.

(a) What constitutes appropriate and adequate insurance coverage will be determined by the Nation's Risk Management Department and will be based upon the scope of work.

503.6-5. Tax Identification. Before an independent contractor begins work, they are required to submit tax identification information to the Nation through one of following:

(a) Employer Identification Number.

(b) Social Security Number. If an independent contractor operates a sole proprietorship, their default tax identification number may be their social security number.

(c) Taxpayer Identification Number. If an independent contractor operates a sole proprietorship and is not eligible for a social security number.

503.6-6. Release of liability. An independent contractor may not begin work until a contract is executed according to the requirements of section 503.5 of this law and all other approval requirements of section 503.6 are met. If an independent contractor begins work before the requirements of section 503.5 and 503.6 are met, the Nation is released of potential liability.

### **503.7. Conflict of Interest**

503.7-1. The ~~Tribe~~Nation may ~~hire an individual who is also~~contract with an employee or an employee-owned business entity of the Tribe as an independent contractor, if:

(a) all requirements of section 503.6 of this law are met;

(b) the work ~~services~~ performed by the individual as an employee ~~of the Tribe are not related to the services~~ is not related to the scope of work to be provided ~~by the individual~~ as an independent contractor;

(1) even if the employee qualifies for Indian preference as an independent contractor; and even if the employee were the only independent contractor who would qualify for Indian preference, this requirement still applies;

(2) if the work performed by the employee does relate to the scope of work the employee or the employee-owned business entity would provide the Nation as an independent contractor, the Nation may still contract with that employee or employee-owned business entity as long as the Nation contracts with that employee or employee-owned business entity as an independent contractor in a different division than the division in which the employee works.

(c) there is no relation between the wages paid to the individual as an employee ~~of the Tribe~~ and the compensation received by the individual for the scope of work services to be provided as an independent contractor;

(d) the individual is engaged in an independent trade, business, or profession that is traditionally pursued by an independent contractor, ~~and~~ the scope of work services to be provided by the individual as an independent contractor relates to such trade, business, or profession, and the Nation has no significant investment in that business entity; and ~~(d) the individual offers services as an Independent Contractor in such trade, business or profession to the general public.~~

(e) the individual offers services or deliverables as an independent contractor in such trade, business, or profession to the public.

~~503.7-6. The Tribe may engage an employee-owned business entity as an independent contractor if the following conditions are met:~~

~~(a) the employee-owned business entity has a valid Tax Identification Number which is different than the employee's Social Security number.~~

~~(b) the Tribe has no right to direct or control the employees of the employee-owned business entity; and~~

~~(c) all payments for independent contractor services are made directly to the employee-owned business entity, not to an individual.~~

End.

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144  
145 Adopted - 7-27-94, motion  
146 Adopted - BC-2-15-95-A, Emergency Action [Article VII \(503.7-\)](#)  
147 Adopted - BC-7-5-95-B, Emergency Action [Article VII \(503.7-\)](#)  
148 Emergency Amended – BC-04-25-12-E-  
149 Emergency Extension Amended – BC-10-10-12-B-  
150 Amended – BC-02-27-13-A

## Title 5. Business – Chapter 503 INDEPENDENT CONTRACTORS

503.1. Purpose and Policy  
503.2. Adoption, Amendment, Repeal  
503.3. Definitions  
503.4. Worker Classification

503.5 Form of Contract  
503.6 Approval Requirements  
503.7 Conflict of Interest

### 503.1. Purpose and Policy

503.1-1. *Purpose.* The purpose of this law is to require proper worker classification for compliance with tax regulations.

503.1-2. *Policy.*

(a) It is the policy of the Nation to utilize Native American businesses to complete work that the Nation is unable to complete through use of its own employees. All programs, enterprises, and government agencies are encouraged to seek within their own employees those with expertise in any matter before going to independent contractors.

(b) It is further the policy of the Nation that the order of preference, as set out in the Nation's Indian Preference Law, be used in the selection of independent contractors and in accordance with this law.

### 503.2. Adoption, Amendment, Repeal

503.2-1. This law was adopted by the Oneida Business Committee by motion on July 27, 1994, and amended by resolution BC-02-27-13-A.

503.2-2. This law may be amended or repealed by the Oneida Business Committee or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

503.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

503.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

503.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

### 503.3. Definitions

503.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Deliverable" means quantifiable goods and tangible or intangible products to be provided upon the completion of a project.

(b) "Employee" means any individual who would qualify as an 'employee' of the Nation according to the Fair Labor Standards Act and the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service. 'Employee' does not include elected or appointed officials. For purposes of this law, individuals employed under an employment contract as a limited term employee are employees of the Nation, not consulted independent contractors.

(c) "Employee-owned business entity" means a business which is majority owned and managed by an individual who is employed as an employee by the Nation. An employee-owned business entity includes, but is not limited to, a partnership, corporation, or limited liability company.

(d) "Independent contractor" means an individual who would qualify as an 'independent contractor' for the Nation according to the Fair Labor Standards Act and the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service.

(e) "Nation" means the Oneida Nation.

(f) “Scope of work” means the total deliverables or services to be performed by an independent contractor upon completion of the work the independent contractor was hired to complete.

(g) “Service” means an action performed by an independent contractor and must be adequately described as to the actions that will be taken and the final result of those actions.

#### **503.4 Worker Classification**

503.4-1. The Nation must classify a worker as either an employee or an independent contractor according to the Fair Labor Standards Act and should use the most current guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service.

#### **503.5. Form of Contract**

503.5-1. All contracts with the Nation shall be in a format approved by the Oneida Law Office. All departments, programs, enterprises, and other agencies of the Nation shall use Oneida Law Office-approved contracts.

503.5-2. All contracts shall be reviewed and approved by the Oneida Law Office and the Oneida Purchasing Department. An approved purchase order is required prior to execution of a contract. 503.5-3. At a minimum, the Oneida Law Office shall verify:

(a) sovereign immunity has not been waived;

(b) worker classification, according to the most recent guidance from the U.S Department of Labor and the U.S. Internal Revenue Service, is accurate; and

(c) the content of the contract meets the legal needs for the protection of the Nation’s assets and adequately describes the scope of work, payment, and other similar items.

#### **503.6. Approval Requirements**

503.6-1. *Contract*. The Oneida Law Office and the Oneida Purchasing Department must review and approve a contract according to the requirements of section 503.5 of this law.

503.6-2. *Purchase Order*. The Oneida Purchasing Department issues a purchase order based on the approved contract in accordance with the Oneida Nation procurement sign-off authority.

503.6-3. *Vendor License*. Unless an independent contractor is exempted from the requirements of obtaining a vendor license, the independent contractor will be issued a vendor license, subject to any other requirements of the Nation’s Vendor Licensing law.

503.6-4. *Insurance*. Before the independent contractor performs any work, the independent contractor must demonstrate proof of appropriate and adequate insurance coverage.

(a) What constitutes appropriate and adequate insurance coverage will be determined by the Nation’s Risk Management Department and will be based upon the scope of work.

503.6-5. *Tax Identification*. Before an independent contractor begins work, they are required to submit tax identification information to the Nation through one of following:

(a) Employer Identification Number.

(b) Social Security Number. If an independent contractor operates a sole proprietorship, their default tax identification number may be their social security number.

(c) Taxpayer Identification Number. If an independent contractor operates a sole proprietorship and is not eligible for a social security number.

503.6-6. *Release of liability*. An independent contractor may not begin work until a contract is executed according to the requirements of section 503.5 of this law and all other approval requirements of section 503.6 are met. If an independent contractor begins work before the requirements of section 503.5 and 503.6 are met, the Nation is released of potential liability.

#### **503.7. Conflict of Interest**

503.7-1. The Nation may contract with an employee or an employee-owned business entity as an independent contractor if:

- (a) all requirements of section 503.6 of this law are met;
- (b) the work performed by the individual as an employee is not related to the scope of work to be provided as an independent contractor;
- (1) even if the employee qualifies for Indian preference as an independent contractor; and even if the employee were the only independent contractor who would qualify for Indian preference, this requirement still applies;
- (2) if the work performed by the employee does relate to the scope of work the employee or the employee-owned business entity would provide the Nation as an independent contractor, the Nation may still contract with that employee or employee-owned business entity as long as the Nation contracts with that employee or employee-owned business entity as an independent contractor in a different division than the division in which the employee works.
- (c) there is no relation between the wages paid to the individual as an employee and the compensation received by the individual for the scope of work to be provided as an independent contractor;
- (d) the individual is engaged in an independent trade, business, or profession that is traditionally pursued by an independent contractor, the scope of work to be provided by the individual as an independent contractor relates to such trade, business, or profession, and the Nation has no significant investment in that business entity; and
- (e) the individual offers services or deliverables as an independent contractor in such trade, business, or profession to the public.

*End.*

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Adopted - 7-27-94, motion

Adopted - BC-2-15-95-A, Emergency Action Article VII (503.7)

Adopted - BC-7-5-95-B, Emergency Action Article VII (503.7)

Emergency Amended – BC-04-25-12-E

Emergency Extension Amended – BC-10-10-12-B

Amended – BC-02-27-13-A



## INDEPENDENT CONTRACTORS LAW AMENDMENTS LEGISLATIVE ANALYSIS

### SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
<b>Intent of the Legislation or Amendments</b>	<ul style="list-style-type: none"> <li>▪ Rename the law from “Independent Contractor Policy” to “Independent Contractors.” [5 O.C. 503].</li> <li>▪ Clarify that the purpose of this law is to require the Nation to properly classify its workers for compliance with tax regulations. [5 O.C. 503.1-1].</li> <li>▪ Clarify in the definitions what it means to be an “employee” versus an “independent contractor.” [5 O.C. 503.3-1(b); 503.3-1(d)].</li> <li>▪ Clarify in the definitions what it means to have the “scope of work”, including updated definitions of “deliverables” and “services.” [5 O.C. 503.3-1(f); 5 O.C. 503.3-1(a); 5 O.C. 503.3-1(g)].</li> <li>▪ Add in a requirement that the Nation must categorize all workers as either an independent contractor or an employee according to guidance issued from the U.S Department of Labor, the U.S Internal Revenue Service and according to the Fair Labor Standards Act. [5 O.C. 503.4].</li> <li>▪ Clarify the approval requirements for an independent contractor; including, contract, purchase order, vendor license, and tax identification number. [5 O.C. 503.6].</li> <li>▪ Clarify conflict of interest. It will not be a conflict of interest for the Nation to hire an employee as an independent contractor if it is within a different division than the division in which the employee works, even if the work the employee would be providing as an independent contractor is substantially similar to the work they do as an employee. [5 O.C. 503.7].</li> <li>▪ Various grammatical changes and other minor changes throughout the law.</li> </ul>
<b>Purpose</b>	The purpose of this law is to require proper worker classification for compliance with tax regulations. [5 O.C. 503.1-1].
<b>Affected Entities</b>	The Nation’s Finance Department, the Purchasing Department, the Licensing Department, the Risk Management Department, the Oneida Law Office, all Oneida Nation employees and visitors, and all current and future independent contractors for the Nation.
<b>Related Legislation</b>	Oneida Vendor Licensing law, Indian Preference in Contracting law, Fair Labor Standards Act.

<b>Enforcement</b>	The Independent Contractors law requires the Nation to classify all workers as either an employee or an independent contractor. [5 O.C. 503.4]. The law also requires the Oneida Law Office to review and approve the contract for services; making sure the Nation has not waived sovereign immunity, worker classification is correct, and the contract sufficiently protects the Nation, and describes the scope of work. [5 O.C. 503.5-3].  The law further specifies the approval requirements for any independent contractor. [5 O.C. 503.6].
<b>Due Process</b>	The Independent Contractors law requires the Oneida Law Office, the Oneida Purchasing Department, and the Oneida Risk Management Department to assist an independent contractor in executing a contract, obtaining a vendor license, if necessary, verifying insurance, and submitting appropriate tax information. [5 O.C. 503.6].
<b>Public Meeting</b>	A public meeting has not yet been held.
<b>Fiscal Impact</b>	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not been requested.

## SECTION 2. LEGISLATIVE DEVELOPMENT

- A. **Background.** The Independent Contractor Policy was originally adopted by the Oneida Business Committee on July 27, 1994, by motion. The Oneida Business Committee adopted emergency amendments on February 15, 1995, through resolution BC-2-15-95-A; on July 5, 1995, through resolution BC-7-5-95-B; on April 25, 2012, through resolution BC-04-25-12-E and extended those emergency amendments on October 10, 2012, through resolution BC-10-10-12-B. The Oneida Business Committee adopted amendments on February 27, 2013, through resolution BC-02-27-13-A.
- B. **Request for Amendments.** This item was added to the Active Files List on June 19, 2024, at the request of RaLinda Ninham-Lamberies, the Nation's Chief Financial Officer, to update sections 503.5-1 and 503.5-2 to ensure the Nation is adequately reporting to the IRS any independent contractor relationships. The sponsor of the Independent Contractor Policy amendments is Councilman Jonas Hill.

## SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments participated in the development of the amendments to this Law:
  - Finance Department;
  - Purchasing Department;
  - Licensing Department;
  - Risk Management Department; and
  - Oneida Law Office;
- The following laws and policies of the Nation were reviewed in the drafting of this analysis:

- Vendor Licensing law [5 O.C. 506]; and
- Indian Preference in Contracting [5 O.C. 502]
- The following laws and policies of the United States were reviewed in the drafting of this analysis:
  - The Fair Labor Standards Act [29 USC §201-219];
  - United States Department of Labor guidance, “Employee or Independent Contractor Classification Under the Fair Labor Standards Act” [29 CFR 795].

## SECTION 4. PROCESS

- A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
- On June 19, 2024, the Legislative Operating Committee added this Law to its Active Files List for amendments this legislative term an appointed Councilman Jonas Hill as the sponsor.
  - On August 6, 2025, the Legislative Operating Committee approved the draft of the Independent Contractor Policy amendments and directed that a legislative analysis be developed.
- B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to this law:
- September 16, 2024: LOC work meeting with the Finance Department, Indian Preference Department, Purchasing Department, and Licensing Department;
  - November 8, 2024: LOC work meeting with Finance Department and Purchasing Department;
  - January 23, 2025: LOC work meeting with Finance Department, Purchasing Department, and Licensing Department;
  - April 29, 2025: LOC work meeting with Finance Department, Indian Preference Department, Purchasing Department, and Licensing Department;
  - June 20, 2025: LOC work meeting with Finance Department, Indian Preference Department, Purchasing Department, and Licensing Department;
  - July 31, 2025: LOC work meeting with the Finance Department and Purchasing Department where the LOC informally approved the final draft.

## SECTION 5. CONTENTS OF THE LEGISLATION

- A. **Purpose of the Law.** The proposed amendments to the Law clarify it is the purpose of this law to require the Nation to properly classify its workers for compliance with tax regulations. [5 O.C. 503.1-1].
- *Effect.* The proposed amendments clarify that the Nation will classify all workers as either employees or independent contractors for compliance with Federal law and tax regulations.
- B. **Redefining “employee” and “independent contractor” and clarifying “Worker Classification.”** The proposed amendments require the Nation to follow Federal law and guidance issued from the U.S. Department of Labor and the U.S. Internal Revenue Service when classifying a worker as either an employee or an independent contractor. [5 O.C. 503.3-1(b); 503-1(d); 503.4].
- *Effect.* The proposed amendments make clear that the Nation is required to follow Federal law and can use the most recent guidance from the U.S. Department of Labor and the U.S. Internal Revenue Service when classifying a worker as either an employee or an independent contractor. It is easier for the Nation to reference Federal law and guidance because it changes so often.
- C. **Clarifying the “Form of Contract.”** The proposed amendments clarify the requirements for the Nation to approve a contract with an independent contractor. The proposed amendments clarify that all

contracts between the Nation and an independent contractor must meet the requirements of this law; which means all contracts: must not waive sovereign immunity; must accurately classify an independent contractor according to Federal law and Federal guidance; and must adequately protect the Nation's assets. [5 O.C. 503.5].

**D. *Redefining approval requirements.*** The proposed amendments clarify the approval requirements between the Nation and an independent contractor. [5 O.C. 503.6].

- *Effect.* These proposed amendments clarify what is needed in order for the Nation to approve the work of an independent contractor; making it easier for the Nation and all independent contractors to identify what is needed.

**E. *Clarifying Conflict of Interest.*** The proposed amendments clarify that even if the services an independent contractor would provide are related to the work that the independent contractor might perform for the Nation as an employee, the Nation can still hire that employee as an independent contractor in a different division than the division in which that independent contractor works as an employee. [5 O.C. 503.7].

- *Effect.* This proposed amendment allows the Nation to contract with employees but still protects the Nation by requiring any employee that may be hired as an independent contractor, be hired in a different division from the division where that employee works as an employee.

**F. *Other amendments.*** Overall, a variety of other amendments and revisions were made to the law to address formatting, drafting style, and organization that did not affect the substance of the law.

## SECTION 6. EXISTING LEGISLATION

**A. *Related legislation.*** The following laws and policy of the Nation are related to the proposed amendments to this law:

- *Vendor Licensing.* The Vendor Licensing law is currently being amended. One proposed amendment is to change the purpose of the Vendor Licensing law. Currently the purpose of the Vendor Licensing law is to regulate and license all vendors who provide a service for and do business with the Oneida Nation and provide revenue for the Nation by collecting fees from vendors for a license to perform a service for or do business with the Nation. [5 O.C. 506.1-1]. The proposed amendments make the purpose of the Vendor Licensing law to regulate and license vendors who provide deliverables or services for and do business with the Oneida Nation and ensure the Nation's safety, regulate compliance, minimize risk, and protect the Nation's assets. [5 O.C. 506.1-1].
  - According to the Vendor Licensing law, any vendor that is not exempt from obtaining a vendor license must follow certain procedures.
  - To obtain a new vendor license a vendor must demonstrate adequate insurance coverage, must complete a CSRA and technology assessment.
  - The proposed amendments to the Vendor Licensing law would no longer require a vendor to pay a licensing fee. Currently, the law requires a fee for new vendor license applications and renewal applications.
  - The proposed amendments to the Independent Contractors law align with the proposed amendments and the current version of the Vendor Licensing law by incorporating the requirements of obtaining a vendor license into the requirements of being contracted as an independent contractor for the Nation.

- *Indian Preference in Contracting.* The purpose of this law is to establish an Indian Preference Office and increase economic benefits for the Nation and members of the Nation by providing for the maximum utilization of Indian workers and businesses on projects of the Nation which occur on or near the Reservation. [5 O.C. 502.1].
  - This law expects the Nation to apply Indian preference fairly in all situations and to ensure that all entities that enter into contracts with the Nation utilize a labor force of Indian workers and businesses. [5 O.C. 502.1-2].
  - The proposed amendments to the Independent Contractor Policy align with the Indian Preference in Contracting law by still allowing the Nation to utilize Indian preference in contracting but clarifying that even if there is only one independent contractor available and even if that independent contractor qualifies for Indian preference, the nation may still not hire that independent contractor to perform the same work in the same division in which that independent contractor already works for the Nation as an employee. [5 O.C. 503.7-1(b)(2)].

## SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

- A. The proposed amendments make it clearer the Nation is responsible for properly classifying its workers. [5 O.C. 503.4].
- B. The proposed amendments clarify all information the Nation must obtain in order to properly contract with an independent contractor. [5 O.C. 503.6].
- C. The proposed amendments require the Nation to properly classify an independent contractor, properly execute a contract for scope of work, and meet all approval requirements before an independent begins working for the Nation. [5 O. C. 503.5; 503.5-6].

## SECTION 8. OTHER CONSIDERATIONS

**Fiscal Impact.** Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures Act,*” provides further clarification on who the Legislative Operating Committee may direct complete a fiscal impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.

- *Conclusion.* The Legislative Operating Committee has not yet directed that a fiscal impact be completed.



Legislative Operating Committee  
August 20, 2025

# Workplace Violence Law Amendments

<b>Submission Date:</b> 2/6/19	<b>Public Meeting:</b> N/A
<b>LOC Sponsor:</b> Jennifer Webster	<b>Emergency Enacted:</b> N/A

**Summary:** *This item was carried over from the last two (2) terms. This request for amendments to the Workplace Violence law was added to the AFL in February 2019 upon request of the Nation's Human Resources Department. The Nation's Human Resources Department requested amendments to the Workplace Violence law to address investigative enforcement. Amendments are being sought to delegate authority to investigators to put employees on investigative leave, and discipline employees. An amendment was also sought so that if terminated, an employee would be ineligible for employment with the Nation but may request forgiveness after five (5) years. This item was added to the AFL in conjunctions with a request for amendments to the Oneida Personnel Policies and Procedures and the Investigative Leave Policy.*

**2/6/19 LOC:** Motion by Jennifer Webster to add the Workplace Violence law, Investigative Leave Policy, and Oneida Personnel Policies and Procedures to the active files list and assign David P. Jordan as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

**10/7/20 LOC:** Motion by Jennifer Webster to add the Workplace Violence Law Amendments to the Active Files List with Marie Summers as the sponsor; seconded by Marie Summers. Motion carried unanimously.

**8/18/21 LOC:** Motion by Kirby Metoxen to accept the information provided in the request *[for amendments to the Workplace Violence law to address employment eligibility after termination due to workplace violence]* as FYI; seconded by Marie Summers. Motion carried unanimously.

**8/29/22:** *Work Meeting.* Present: Todd Vanden Heuvel, Matthew Denny, Nicolas Reynolds, Wendy Alvarez, Whitney Wheelock, Clorissa Santiago, Carolyn Salutz, David Jordan, Jennifer Webster, Kirby Metoxen, Kristal Hill, Rhiannon Metoxen. The purpose of this work meeting was to review the law line-by-line and collect input from LOC and HRD.

**9/07/22:** *Work Meeting.* Present: David Jordan, Kirby Metoxen, Marie Summers, Clorissa Santiago, Carolyn Salutz, Grace Elliott, Rhiannon Metoxen, Kristal Hill. The purpose of this work meeting was to gather LOC input on HRD's suggested amendments.

**9/21/22:** *Work Meeting.* Present: David Jordan, Kirby Metoxen, Marie Summers, Jennifer Webster, Daniel Guzman, Clorissa Santiago, Carolyn Salutz, Grace Elliott. The purpose of this work meeting was to review proposed line edits to the law. The LOC made several suggestions, including adding in "social media"; clarifying Section 223.4 Applicability; making sure the supervisor will be notified throughout the process of reporting and investigation. Overall, the law is still wordy and could be simplified and reduced.

- 1/6/23:** *Work Meeting.* Present: David Jordan, Kirby Metoxen, Marie Cornelius, Jennifer Webster, Daniel Guzman, Todd Vanden Heuvel, Matthew Denny, Nicholas Reynolds, Rita Reiter, Carolyn Salutz, Grace Elliott. The purpose of this work meeting was to review the procedures of investigative leave, and employment ineligibility. During the meeting it was discussed if the procedures of investigation and follow-up would be better placed within the Investigative Leave policy.
- 1/31/23:** *Work Meeting.* Present: David Jordan, Kirby Metoxen, Marie Cornelius, Jennifer Webster, Daniel Guzman, Todd Vanden Heuvel, Matthew Denny, Nicholas Reynolds, Rita Reiter, Joshua Cottrell, Peggy Van Gheem, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Kristal Hill, Rhiannon Metoxen. The purpose of this work meeting was to review final changes and receive final guidance from HRD on all changes – and changes relating to investigations, the scope and coverage of the law, employment eligibility, and next steps. Clarity needed on extending this law to adequately cover incidents of violence that occur outside work hours, the scope of EEO responsibilities related to investigations that don't lead to investigative leave, employment eligibility.
- 10/4/23 LOC:** Motion by Jonas Hill to add the Workplace Violence Law Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.
- 7/29/24:** *Work Meeting.* Present: Jameson Wilson, Carolyn Salutz, Clorissa Leeman (Microsoft Teams), Jennifer Webster (Microsoft Teams), Maureen Perkins (Microsoft Teams), Kristal Hill (Microsoft Teams), Todd Vanden Heuvel (Microsoft Teams), Rita Reiter (Microsoft Teams), Laura Laitinen-Warren (Microsoft Teams). The purpose of this work meeting was to review the draft, we did a line-by-line review of the entire draft. One issue left to consider: how involved do we want supervisors to be in determining the final resolution? Should supervisors be involved in deciding the final resolution with EEO/HRD or not involved but able to dispute the final resolution or not involved or able to dispute. A suggestion was to invite managers, supervisors, etc., to next work meeting to discuss.
- 9/4/24 LOC:** Motion by Jonas Hill to accept the request for amendments to the Workplace Violence law as information, noting the Workplace Violence law is already on the Active Files List; seconded by Marlon Skenandore. Motion carried unanimously.
- 10/18/24:** *Work Meeting.* Present: Matthew Denny, Todd Vanden Heuvel, Laura Laiten-Warren, Peggy Van Gheem, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Fawn Cottrell, Kristal Hill, Maureen Perkins, Jameson Wilson, Kirby Metoxen, Marlon Skenandore. The purpose of this work meeting was to review the draft, we did a line-by-line edit. No major suggestions for edits were brought up, the work group was satisfied with the current amendments; there were minor suggestions for changes; wording, more inclusion of the law office in workplace violence investigations. There was a lot of discussion on the supervisor's role in the investigation and discipline.
- 1/13/25:** *Work Meeting.* Present: Laura Laiten-Warren, Marie Cornelius, Peggy Van Gheem, Grace Elliott, Carolyn Salutz, Maureen Perkins, Fawn Billie, Jameson Wilson, Marlon Skenandore, Jonas Hill, Jennifer Webster, Kirby Metoxen. The purpose of this work meeting was to continue to review edits. We did a line-by-line review of the entire draft. The group was still satisfied with the amendments and no major suggestions were made; most suggestions were to clarify processes or definitions. Carolyn will summarize notes and send to attendees, work on newest amendments, and then schedule the next work meeting.

- 2/14/25:** *Work Meeting.* Present: Laura Laiten-Warren, Matthew Denny, Peggy Van Gheem, Kristal Hill, Fawn Cottrell, Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster. The purpose of this meeting was to review the latest amendments. There was a brief back-and-forth between Matt Denny and Peggy about when the EEO Office should notify the law office – Peggy said immediately when an investigation is started, Matt said EEO should be required to notify them immediately. This is an issue the LOC will decide and consider. Other issues involved clarifying some language and making sure all reporting goes to EEO, but that EEO will communicate with HRD and vice versa if needed – but not many other issues.
- 2/19/25:** *Work Session.* Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Kirby Metoxen, Jennifer Webster, Kristal Hill, Fawn Cottrell, Carolyn Salutz, Clorissa Leeman, Grace Elliott. The purpose of this work meeting is to review and decide on an issue that came up during the work meeting on 2/14/25: should the law require EEO to report to the law office at the start of every investigation. By majority, LOC decided they do want to require EEO to report to the law office at the start of every investigation.
- 3/5/25:** *Work Session.* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Grace Elliott, Kristal Hill, Fawn Billie, Fawn Cottrell. The purpose of this work meeting was for Carolyn to review her reasoning on why it may not be necessary for the law to require EEO to report to the law office at the start of each investigation. Jenny was, at first, still in favor of requiring reporting but eventually LOC did arrive at a consensus to not require it but instead allow it. So, EEO reporting to the law office at the start of each investigation will not be required.
- 5/2/25:** *Work Meeting.* Present: Matthew Denny, Ria Reiter, Whitney Wheelock, Jameson Wilson, Jonas Hill, Kirby Metoxen, Jennifer Webster, Fawn Billie, Fawn Cottrell, Kristal Hill, Clorissa Leeman, Carolyn Salutz. The purpose of this work meeting is to review the newest edits to the draft. The work group reviewed the entire draft, No discussion was needed, the group was satisfied with the amendments.
- 5/7/25 LOC:** Motion by Jennifer Webster to approve the draft of proposed amendments to the Workplace Violence Law and direct that a legislative analysis be completed; seconded by Marlon Skenandore. Motion carried unanimously.
- 5/21/25 LOC:** Motion by Jennifer Webster to accept the updated draft and legislative analysis and defer to a work meeting to address the potential conflict before a public meeting is held; seconded by Kirby Metoxen. Motion carried unanimously.
- 7/25/25:** *Work Meeting.* Present: Rita Reiter, Whitney Wheelock, Marlon Skenandore, Fawn Billie, Kristal Hill, Carolyn Salutz. The purpose of this work meeting is to discuss the discrepancy between the proposed amendments and the Oneida Nation Personnel Policies and Procedures; where the proposed amendments require all complaints and investigations of alleged workplace violence be made to and handled by the Equal Employment Opportunity Department but the Personnel Policies and Procedures require all complaints and investigations, except sexual harassment, be made to and handled by the employee's immediate supervisor. The work group agreed that they like the proposed amendments, and the Equal Employment Opportunity department is best suited to manage complaints and investigations. Work group suggested adding in the ability to appeal; and look at Section VI Health and Safety of Personnel Policies and Procedures – it may be what would allow this law to supersede.

**8/6/25:** *Work Session.* Present: Jameson Wilson, Marlon Skenandore, Jonas Hill, Jennifer Webster, Clorissa Leeman. Grace Elliott, Carolyn Salutz. The purpose of this work session was for the LOC to review and approved the newest amendments which align the proposed amendments with the Oneida Personnel Policies and Procedures. The group approved the changes to the amendments. There are no longer minor conflicts between the proposed amendments and the Oneida Personnel Policies and Procedures and the draft can continue through the legislative process.

**Next Steps:**

- Approve the updated draft of proposed amendments to the Workplace Violence Law, approve the updated Legislative Analysis, and direct the Legislative Reference Office to schedule a public meeting.

**Title 2. Employment – Chapter 223**  
**WORKPLACE VIOLENCE**  
ONEIDA  
TRANSLATION

~~223.1. Purpose and Policy~~  
~~223.2. Adoption, Amendment, Appeal~~  
~~223.3. Definitions~~  
~~223.4. Applicability~~  
~~223.5. Prohibited Behavior~~  
~~223.6. Reporting Workplace Violence~~  
~~223.7. Future Workplace Violence~~

~~223.8. Supervisor Responsibilities~~  
~~223.9. Equal Employment Opportunity Department-  
Responsibilities~~  
~~223.10. Fraudulent Report~~  
~~223.11. Confidentiality~~  
~~223.12. Enforcement~~

223.2. Adoption, Amendment, Appeal  
223.3. Definitions  
223.4. Application  
223.5. Prohibited Behavior  
223.6. Reporting Workplace Violence  
223.7. Reporting Restraining Orders and Injunctions  
223.8. Future Workplace Violence  
223.9. EEO ("Equal Employment Opportunity Department")  
Responsibilities  
223.10. Employment Eligibility  
223.11. Fraudulent Report  
223.12. Confidentiality  
223.13. Enforcement

223.1. Purpose and Policy

**223.1. Purpose and Policy**

223.1-1. ~~-Purpose.-~~ The purpose of this law is to provide all Oneida Nation employees and visitors an environment that is free of violence and the threat of violence.

223.1-2. ~~-Policy.-~~ It is the policy of the Nation to provide a safe and secure environment for employees to work and ~~for conducting~~ conduct business by establishing the procedures by which incidents of workplace violence shall be addressed. -

**223.2. Adoption, Amendment, Repeal**

223.2-1.- This law was adopted by the Oneida Business Committee by resolution BC-06-28-17-E.

223.2-2. ~~-This law may be amended or repealed by the Oneida Business Committee and/or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.~~

223.2-3. ~~-Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.~~

223.2-4. ~~-In the event of a conflict between a provision of this law and a provision of another law, rule, or policy the provisions of this law shall control.~~

223.2-5. ~~-This law is adopted under authority of the Constitution of the Oneida Nation.~~

**223.3. Definitions**

223.3-1. ~~-This section shall govern the definitions of words and phrases as used within this law. All words not defined herein shall be used in their ordinary and everyday sense.~~

(a) ~~"Area Manager" means the person two (2) levels of supervision in the chain of command above an employee, or an individual designated to be the Area Manager by the Division Director.~~

~~"EEO-Department" means the Equal Employment Opportunity Department within the Nation's Human Resource~~ Resources Department.

(b) ~~"EEO Officer" means the employee from within the EEO Department, or the employee the EEO Department assigns as designee, responsible for completing the requirements of section 223.9 of this law.~~

(c) "Employee" means ~~anyone~~ any person employed by the ~~ONEIDA~~ Nation in one of the following ~~employed~~ capacities: full-time, part-time, emergency temporary, limited term, or on a contractual basis.-

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(d) “Final decision” means the ultimate decision issued from the EEO Department, the Nation’s Human Resources Executive Director, and the employee’s supervisor regarding the allegation and investigation of the incident of workplace violence.

(e) “Harassing” means a pattern of conduct composed of a series of acts over a period of time evidencing a continuity of purpose; the purpose being intimidation, or creating a threat, and which serves no legitimate purpose.

(f) “Intimidation” means making others feel afraid or fearful through threatening behavior.

(g) “Nation” means the Oneida Nation.

(h) “Official duties” mean the duties of any employee of the Nation when that employee is actively performing their job requirements.

(i) “Roughhousing” means wildly playful, rough, noisy, or mischievous behavior.

(j) “Stalking” means unwanted or obsessive attention by an individual or group toward another person. Stalking includes a course of conduct directed at a specific person that or more than one person. Stalking involves repeated visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear to feel unsafe.

(k) “Supervisor” means the person or entity responsible for directly overseeing the employee.

(l) “Threat” means the implication or expression of intent to inflict serious physical or emotional harm or actions that a reasonable person would interpret as a threat to physical safety or the safety of a member of their family, or their property.

(m) “Weapon” means a firearm, knife, electric weapon, club, or any other object intended to cause harm to oneself or others. -

(n) “Workplace” means any location owned and operated by the Nation, and any location or event where an employee represents the Nation, including over-the-road travel in the Nation’s owned or rented vehicles and, circumstances where the employee is being reimbursed for expenses for attending, participating, or the time and manner the employee spends traveling to and from the event.

(o) “Workplace Violence” means any intentional act committed by an employee in a workplace that or in a setting or circumstance otherwise reasonably related to employment with the Nation that:

(1) inflicts, attempts to inflict, or threatens to inflict emotional or bodily physical harm on another person; or

(2) inflicts, attempts to inflict, or threatens to inflict, damage to property of the Nation or property of another.

#### 223.4. ~~Applicability~~ Application

223.4-1. -This law applies to all employees in any of the Nation’s workplaces, and covers workplace violence whether or not the employee is operating within the course of his or her employment at the time commits workplace violence during or outside the employee’s normal work hours as long as the incident of workplace violence occurs is reasonably connected to the workplace.

#### 223.5. Prohibited Behavior

223.5-1. -Prohibited Behaviors.- Examples of workplace violence include, but are not limited to, the following prohibited behaviors:

(a) intentionally causing physical injury to another person; which can include;

(1) hitting or shoving; or

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(2) throwing an object at an individual;  
~~(e)(b)~~ fighting or "horseplay" roughhousing that may be dangerous to others;  
~~(d)(c)~~ direct threats or physical intimidation;  
~~(e)(d)~~ implications or suggestions of violence;  
~~(f)(e)~~ stalking;  
~~(g)(f)~~ possession possessing, carrying, or use of weapons using a weapon of any kind, whether in the open or concealed, on property of the Nation, including parking lots, in fleet vehicles, on other exterior premises, or while engaged in activities for the Nation;  
~~(h)(g)~~ physical restraint, or confinement;  
~~(i)(h)~~ an established pattern of loud, disruptive, angry, or abusive language or behavior;  
~~(j)(i)~~ sending ~~of a~~ threatening, harassing, or abusive message by e-mails, letters, faxes mail, letter, fax, phone calls call, text messages message or any other form of electronic media, including all social media platforms;  
~~(k)(j)~~ using the workplace to violate protective restraining orders;  
~~(l)(k)~~ intentionally damaging property of the Nation or property of another; and  
~~(m)~~ throwing an object at an individual; and  
~~(n)(l)~~ any other act that a reasonable person would perceive as constituting a threat of violence, or actual violence.

223.5-2. *Exceptions to Prohibited Behavior.* ~~The following~~ An employee shall ~~be exempt from this law:~~  
~~(a) Law enforcement officials and security staff are not~~ be considered to ~~be in violation of this law when acting in their official capacity;~~ have committed the prohibited behavior of possessing, carrying, or using a weapon under section 223.5-1(f) if the employee is actively:  
(a) performing official duties which require a weapon to be possessed, carried, or used and the weapon is possessed, carried, or used within the normal scope of those official duties;  
(b) Employees required to use knives or other tools owned by participating in cultural activities or ceremonies on property of the Nation that could potentially be used as weapons are not considered which require a weapon to be in violation of this law as long as the tools are possessed, carried, or used and the weapon is possessed, carried, or used within the normal scope of employment and not used the cultural activities or ceremonies;  
(c) hunting, fishing, or trapping on property of the Nation in a way to intimidate, threaten or otherwise harm another person within the workplace; accordance with the Nation's laws and rules governing hunting, fishing, and trapping and the weapon is possessed, carried, or used within the normal scope of hunting, fishing, or trapping; or  
~~(e)(d)~~ Any other action that is consistent with laws of the Nation.

## 223.6. Reporting Workplace Violence

223.6-1. EEO is responsible for investigating complaints, issuing the final decision, and all other duties and responsibilities detailed in section 223.9.

~~223.6-2. Reporting by a Non-Employee-non-employee.~~ Any non-employee is encouraged to report threats ~~of~~ or observed workplace violence that occurs in the Nation's facilities and workplaces. ~~A report of workplace violence given to an employee from a non-employee shall be promptly reported in writing by the employee to the employee's supervisor. The supervisor shall perform the initial assessment of the information pursuant to section EEO 223.8.~~

~~223.6-2-3. Permissive Reporting by an Employee.~~ ~~An~~ Any employee may report workplace violence to ~~his or her supervisor~~ EEO where the employee:

- (a) is the victim of workplace violence; or
- (b) ~~believes he or she~~ has been threatened with workplace violence.

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223.6-~~3~~-4. *Mandatory Reporting by an Employee.* ~~An~~Any employee shall promptly report workplace violence to EEO where the employee witnesses ~~an act or a~~ threat or an incident of workplace violence towards anyone else, or is informed by a non-employee of a threat or an incident of workplace violence.

(a) *Emergency Situation.* - If an emergency exists or the situation is one of immediate danger to the life and safety of a person, the employee shall, if possible, without causing themselves to be in danger, contact the Oneida Police Department or local law enforcement, and facility security, if determined appropriate, and take whatever emergency steps are available and appropriate to protect himself or herself themselves from immediate harm. The employee shall report the incident in writing to the appropriate supervisor EEO as soon as possible.

(b) *Non-Emergency Situation.* - If a non-emergency situation exists or the situation is not one of immediate danger to the life and safety of a person, the employee shall report the incident in writing to the appropriate supervisor to EEO as soon as possible if the situation is not one of immediate danger to life and safety.

~~223.6-5.~~ *223.6-4. Reporting the Behavior of a Supervisor.* - If the EEO and the Nation's Human Resources Department are responsible for communicating and sharing information with each other to ensure that all complaints and investigations are properly and timely handled.

223.6-6. Any employee can be in compliance with this law if the employee contacts or communicates, either verbally or in writing, with either EEO or the Nation's Human Resources Department to report an incident of alleged workplace violence involves the supervisor, the

(a) If an employee shall report the verbally reports an incident to the supervisor's supervisor, or if none exists, to the area manager of workplace violence to either EEO or the Nation's Human Resources Department, whichever department receives the report should instruct that employee to submit a written report to EEO.

~~223.6-5.~~

~~223.7.~~ *Reporting Restraining Orders.* ~~An~~ and Injunctions.

223.7-1. *Voluntary reporting.* Any employee who possesses obtains a current restraining order or injunction against another employee may provide EEO a copy of the signed order.

223.7-2. *Mandatory reporting.* Any employee who is issued a restraining order or injunction regarding another employee, shall immediately supply, upon receipt of the signed order against them, give a copy of the signed order to his or her supervisor. EEO.

(a) ~~The supervisor shall provide~~ (a) Any employee who does not immediately, upon receipt of a restraining order or injunction against them, provide a copy of the restraining order or injunction to EEO may be subject to disciplinary action under the Nation's laws, policies, and rules governing employment, up to and including termination.

223.7-3. EEO shall immediately provide copies of the restraining order or injunction to the area manager employee's supervisor and the EEO Department Nation's Human Resources Executive Director or designee.

~~223.8.~~

~~223.7.~~ *Future Workplace Violence*

223.7-1. - Where an employee has reason to believe that he, she or others, another employee may be victimized sometime in the future, either at the workplace or as a direct result of their employment with the Nation, he or she the employee is encouraged to provide this information in writing to his or her supervisor to EEO as soon as possible for an initial assessment pursuant to section 223.8-19. EEO shall inform the Oneida Police Department, local law enforcement, or facility security if appropriate.

(a) If an employee reports a possibility of future workplace violence to his or her supervisor the supervisor shall inform the EEO Department Director or designee.

[Type here]

(b) ~~The EEO Department Director or designee shall inform the Oneida Police Department or local law enforcement and/or facility security if determined appropriate.~~  
 223.78-2. ~~Anonymous threats or letters.~~ In the event that, If an employee learns of an employee receives anonymous ~~threats or letters~~ threat, the employee shall immediately forward ~~a summary of such~~ the information in a confidential manner to the Chief of the Oneida Police Department in accordance with the Nation's laws, policies, and rules governing anonymous letters. The employee shall ~~then~~ also immediately notify ~~his or her supervisor.~~ The supervisor shall notify the target of the threat, take measures to ensure safety, and ensure that the Oneida Police Department as notified, and notify local law enforcement and/or facility security if determined appropriate. EEO

### **223.8. Supervisor 223.9. EEO ("Equal Employment Opportunity Department") Responsibilities**

223.89-1. ~~Upon receiving a report~~ EEO is responsible for investigating complaints of workplace violence and will delegate such responsibilities to one employee from within EEO, who shall be known as the EEO Officer.

223.9-2. ~~or otherwise becoming aware of a threat~~ When EEO receives a complaint of workplace violence or a workplace violence episode, a, whether verbal or in writing, the EEO Officer shall promptly notify in writing the immediate supervisor ~~shall immediately conduct an assessment of the situation and determine if an emergency exists or if employee being complained about so the situation is one of immediate danger.~~ supervisor:

223.8-2. ~~Emergency Situation.~~ If an emergency situation exists and if possible without causing themselves to be in danger, a supervisor shall immediately contact the Oneida Police Department or local law enforcement, and facility security if appropriate, and take whatever emergency steps are available and appropriate to protect himself or herself, employees and others from immediate harm.

223.8-3. ~~Non-Emergency Situation.~~ If the situation is not creating immediate danger to life and safety, the supervisor shall speak to the person reporting the incident and assess the situation.

(a) ~~If the supervisor deems the episode is not a workplace violence problem then the investigation as a workplace violence matter ends.~~

(a) is aware that the EEO Officer will be investigating the employee;

(b) knows they may assist the EEO Officer in any portion of the investigation; ~~Where the supervisor deems the episode as a workplace violence matter, he or she shall prepare a written Workplace Violence Incident Report detailing the complaint. The supervisor shall then forward this report to the EEO Department Director or designee.~~

223.8-4. ~~(c) knows the EEO Officer~~ Investigative Leave. ~~A supervisor may place an employee alleged to be involved in a workplace violence incident~~ the employee on investigative leave; if the supervisor deems ~~the~~ they determine investigative leave to be necessary ~~and appropriate, in accordance with the Nation's laws, policies and rules governing investigative leave except for the EEO Department Director or designee, not the employee's supervisor, shall conduct the investigation of the alleged workplace violence incident; and~~

223.8-5. ~~A supervisor shall consider the recommendation for disciplinary action provided by the EEO Department Director or designee pursuant to section 223.9-4(b) when carrying out a disciplinary action of an employee. The supervisor shall carry out any disciplinary action of an employee within five (5) days of receiving the recommendation. If the supervisor does not follow the disciplinary action recommendation provided by the EEO Department Director or designee, the supervisor shall provide justification for the deviation from the recommendation to the EEO Department Director and the supervisor's Area Manager.~~

### **223.9. Equal Employment Opportunity Department Responsibilities**

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~~223.9-1. The EEO Department Director, or an individual assigned as designee by the EEO Department Director, shall be responsible for investigating alleged workplace violence. (d) knows they will be responsible, along with the EEO Officer and the Nation's Human Resources Executive Director, for implementing the final decision.~~

223.9-3. The EEO Officer shall promptly conduct a thorough-

~~223.9-2. Upon receipt of a completed Workplace Violence Incident Report, or other acceptable written notice of an allegation of workplace violence, the EEO Department Director or designee shall coordinate with all involved agencies or departments and immediately conduct an investigation which may include the following duties:~~

- ~~(a) Personally~~coordinate with all involved agencies or departments; ~~(b) meet with the employee filing the complaint;~~
- ~~(b) visit the scene of an~~the incident as soon as possible;
- ~~(b) Interview~~(c) interview employees and other witnesses;
- ~~(e) Examine the workplace for security risk factors associated with the incident, including examination of any reports of inappropriate behavior by the perpetrator;~~
- ~~(d) Determine the cause of the incident;~~
- ~~(e) Determine what mitigating action could prevent the incident from recurring;~~
- ~~(f) Record the findings and recommended mitigating actions; and~~
- ~~(g) Contact~~contact the Oneida Police Department ~~and/or~~ any other appropriate law enforcement agency when necessary;
- ~~(h) Review~~(e) send weekly updates to the employee's supervisor;
- ~~(f) review~~ relevant video surveillance footage if available, in accordance with standard operating procedures on the subject; and
- ~~(i) Any~~g) conduct any other investigative methods necessary for a thorough investigation.

~~223.9-3.4. In performing these investigative duties, the EEO Department Director or designee~~Officer shall not interfere in the investigation of any law enforcement agencies. ~~If, at any time, criminal charges are brought against an employee as a result of an incident of workplace violence, then the employee shall be placed on investigative leave in accordance with the Nation's laws, policies, and rules governing investigative leave, except for the EEO Department Director or designee, not the employee's supervisor, shall conduct the investigation of the alleged workplace violence incident.~~

~~223.9-4. Upon completion of 223.9-5. The EEO Officer shall conclude the investigation when the EEO Officer obtains enough verifiable facts and information regarding the incident under investigation in order to make a safe and equitable final decision.~~

223.9-6. Mitigation. During the investigation, the EEO Officer and the Nation's Human Resources Executive Director are encouraged to examine the workplace for security risk factors and record any mitigating actions that could be implemented to prevent a similar occurrence of workplace violence.

223.9-7. Investigative Leave. The EEO Officer may place an employee alleged to be involved in an incident of workplace violence on investigative leave in accordance with the Nation's laws, policies, and rules governing investigative leave.

223.9-8. Final decision. The EEO Officer shall meet with the Nation's Human Resources Executive Director and the employee's supervisor to mutually determine an appropriate final decision.

- (a) Format. The final decision shall be in writing, contain justification, and be signed by the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor.
- (b) Application. If appropriate, the employee's supervisor will be responsible for initiating the final decision.
- (c) Record keeping. The final decision and all supporting documentation, included in the Investigative file, shall be filed with EEO for reporting purposes.

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(d) *Investigative file.* Three business days before the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor meet to determine the final decision, the EEO Officer should share the investigative file with the employee's supervisor.

**223.10.** ~~the investigation, the EEO Department Director or designee shall:~~

- (a) ~~implement any preventive factors within the Nation's Human Resources Department's authority;~~
- (b) ~~provide a written report of the investigation and recommendation for disciplinary action, if any, to the supervisor of the employee;~~
- (c) ~~notify the Oneida Police Department or local law enforcement when a potential criminal act has occurred; and~~
- (d) ~~refer employees to post-event trauma counseling for those employees desiring such assistance.~~

**Employment Eligibility**

**223.10-1.** ~~223.9-5.~~ *Employee Resignation.* An employee who resigns from their position when there is an ongoing workplace violence investigation or in lieu of a termination shall not be eligible for hiring consideration in any position with the Nation. The employee may be eligible for employment in a different position ~~within~~with the Nation ~~for~~ three (3) years from the date of ~~the~~ resignation. ~~The EEO Department Director or designee if the employee receives a pardon from the Nation's Pardon and Forgiveness Committee. The EEO Officer~~ shall remain responsible for completing the investigation in the event an employee resigns during an investigation.

~~223.9-6. In appropriate circumstances, the EEO Department Director or designee shall inform the reporting individual of the results of the investigation which would not compromise the legally protected confidentiality of any other person.~~ **223.10-2.** *Employee Termination.* If, as a result of the completed workplace violence investigation, the employee is terminated, the employee shall not be eligible for hiring consideration in any position with the Nation. The employee may be eligible for employment in a different position with the Nation five (5) years from the date of termination if the employee receives a pardon from the Nation's Pardon and Forgiveness Committee.

**223.10-3.** *Immediate eligibility.* If, as the result of a completed investigation, the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor mutually determine in the final decision that no incident of workplace violence occurred, a copy of the final decision shall be included in the employee's file and, if the employee resigned as a direct result of the workplace violence investigation, the employee shall be immediately eligible for re-hiring consideration with the Nation.

~~**223.10.**~~

**223.11.** **Fraudulent Report**

~~223.10-1-1.~~ If at any time ~~the EEO Department Director or designee, or supervisor~~ is made aware that an employee ~~or supervisor has~~ made a report of workplace violence other than in good faith, the employee ~~or supervisor~~ may be disciplined according to the Nation's laws, policies, and rules governing employment, up to and including termination.

**223.12.**

~~**223.11.**~~ **Confidentiality**

~~223.11-1-1.~~ To the greatest extent possible, the Nation shall maintain the confidentiality of employees and the investigation. However, the Nation may need to disclose results in appropriate circumstances; for example, in order to protect individual safety.

~~223.11-2-2.~~ Information related to the application of this law is strictly confidential. Information shall not be disclosed to third parties unless:

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- (a) the prior written consent of the alleged victim is obtained;
- (b) the release of information ~~is in compliance~~ complies with a court order; ~~and/or~~
- (c) the release of information is pursuant to applicable laws ~~and/or~~ policies.

**223.1213. Enforcement**

223.1213-1. ~~An~~ Any employee ~~or supervisor~~ who violates this law may be subject to disciplinary action under the Nation's laws, policies, and rules governing employment, up to and including termination.

~~223.12 2. An employee who violates this law may be subject to removal from a workplace of the Nation.~~

*End*

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Adopted – BC-06-28-17-E

**Title 2. Employment – Chapter 223**  
**WORKPLACE VIOLENCE**  
**ONEIDA**  
**TRANSLATION**

223.1.	Purpose and Policy	Responsibilities	
223.2.	Adoption, Amendment, Appeal	223.10.	Employment Eligibility
223.3.	Definitions	223.11.	Fraudulent Report
223.4.	Application	223.12.	Confidentiality
223.5.	Prohibited Behavior	223.13.	Enforcement
223.6.	Reporting Workplace Violence		
223.7.	Reporting Restraining Orders and Injunctions		
223.8.	Future Workplace Violence		
223.9.	EEO ("Equal Employment Opportunity Department")		

**223.1. Purpose and Policy**

223.1-1. *Purpose.* The purpose of this law is to provide all Oneida Nation employees and visitors an environment that is free of violence and the threat of violence.

223.1-2. *Policy.* It is the policy of the Nation to provide a safe and secure environment for employees to work and conduct business by establishing the procedures by which incidents of workplace violence shall be addressed.

**223.2. Adoption, Amendment, Repeal**

223.2-1. This law was adopted by the Oneida Business Committee by resolution BC-06-28-17-E.

223.2-2. This law may be amended or repealed by the Oneida Business Committee or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

223.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

223.2-4. In the event of a conflict between a provision of this law and a provision of another law, rule, or policy the provisions of this law shall control.

223.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

**223.3. Definitions**

223.3-1. This section shall govern the definitions of words and phrases as used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "EEO" means the Equal Employment Opportunity Department within the Nation's Human Resources Department.

(b) "EEO Officer" means the employee from within the EEO Department, or the employee the EEO Department assigns as designee, responsible for completing the requirements of section 223.9 of this law.

(c) "Employee" means any person employed by the Nation in one of the following capacities: full-time, part-time, emergency temporary, limited term, or on a contractual basis.

(d) "Final decision" means the ultimate decision issued from the EEO Department, the Nation's Human Resources Executive Director, and the employee's supervisor regarding the allegation and investigation of the incident of workplace violence.

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(e) “Harassing” means a pattern of conduct composed of a series of acts over a period of time evidencing a continuity of purpose; the purpose being intimidation, or creating a threat, and which serves no legitimate purpose.

(f) “Intimidation” means making others feel afraid or fearful through threatening behavior.

(g) “Nation” means the Oneida Nation.

(h) “Official duties” mean the duties of any employee of the Nation when that employee is actively performing their job requirements.

(i) “Roughhousing” means wildly playful, rough, noisy, or mischievous behavior.

(j) “Stalking” means unwanted or obsessive attention by an individual or group toward a specific person or more than one person. Stalking involves repeated visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person to feel unsafe.

(k) “Supervisor” means the person or entity responsible for overseeing the employee.

(l) “Threat” means the implication or expression of intent to inflict serious physical or emotional harm or actions that a reasonable person would interpret as a threat to their safety, the safety of a member of their family, or their property.

(m) “Weapon” means a firearm, knife, electric weapon, club, or any other object intended to cause harm to oneself or others.

(n) “Workplace” means any location owned and operated by the Nation, any location or event where an employee represents the Nation, including over-the-road travel in the Nation’s owned or rented vehicles, circumstances where the employee is being reimbursed for expenses for attending, participating, or the time and manner the employee spends traveling to and from the event.

(o) “Workplace violence” means any intentional act committed by an employee in a workplace or in a setting or circumstance otherwise reasonably related to employment with the Nation that:

(1) inflicts, attempts to inflict, or threatens to inflict emotional or physical harm on another person; or

(2) inflicts, attempts to inflict, or threatens to inflict damage to property of the Nation or property of another.

#### **223.4. Application**

223.4-1. This law applies to all employees in any of the Nation’s workplaces and covers workplace violence whether the employee commits workplace violence during or outside the employee’s normal work hours as long as the incident of workplace violence is reasonably connected to the workplace.

#### **223.5. Prohibited Behavior**

223.5-1. *Prohibited Behaviors.* Examples of workplace violence include, but are not limited to, the following prohibited behaviors:

(a) intentionally causing physical injury to another person; which can include;

(1) hitting or shoving or

(2) throwing an object at an individual;

(b) fighting or roughhousing that may be dangerous to others;

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- (c) direct threats or intimidation;
- (d) implications or suggestions of violence;
- (e) stalking;
- (f) possessing, carrying, or using a weapon of any kind, whether in the open or concealed, on property of the Nation, including parking lots, in fleet vehicles, on other exterior premises, or while engaged in activities for the Nation;
- (g) physical restraint or confinement;
- (h) an established pattern of loud, disruptive, angry, or abusive language or behavior;
- (i) sending a threatening, harassing, or abusive message by e-mail, letter, fax, phone call, text message or any other form of electronic media, including all social media platforms;
- (j) using the workplace to violate restraining orders;
- (k) intentionally damaging property of the Nation or property of another; and
- (l) any other act that a reasonable person would perceive as constituting a threat of violence or actual violence.

223.5-2. *Exceptions to Prohibited Behavior.* An employee shall not be considered to have committed the prohibited behavior of possessing, carrying, or using a weapon under section 223.5-1(f) if the employee is actively:

- (a) performing official duties which require a weapon to be possessed, carried, or used and the weapon is possessed, carried, or used within the normal scope of those official duties;
- (b) participating in cultural activities or ceremonies on property of the Nation which require a weapon to be possessed, carried, or used and the weapon is possessed, carried, or used within the normal scope of the cultural activities or ceremonies;
- (c) hunting, fishing, or trapping on property of the Nation in accordance with the Nation's laws and rules governing hunting, fishing, and trapping and the weapon is possessed, carried, or used within the normal scope of hunting, fishing, or trapping; or
- (d) Any other action that is consistent with laws of the Nation.

## **223.6. Reporting Workplace Violence**

223.6-1. EEO is responsible for investigating complaints, issuing the final decision, and all other duties and responsibilities detailed in section 223.9.

223.6-2. *Reporting by a non-employee.* Any non-employee is encouraged to report threats or observed workplace violence that occurs in the Nation's facilities and workplaces. A report of workplace violence given to an employee from a non-employee shall be promptly reported by the employee to EEO

223.6-3. *Permissive Reporting by an Employee.* Any employee may report workplace violence to EEO where the employee:

- (a) is the victim of workplace violence; or
- (b) has been threatened with workplace violence.

223.6-4. *Mandatory Reporting by an Employee.* Any employee shall promptly report workplace violence to EEO where the employee witnesses a threat or an incident of workplace violence or is informed by a non-employee of a threat or an incident of workplace violence.

- (a) *Emergency Situation.* If an emergency exists or the situation is one of immediate danger to the life and safety of a person, the employee shall, if possible, without causing themselves to be in danger, contact the Oneida Police Department or local law

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enforcement, and facility security, if appropriate, and take whatever emergency steps are available and appropriate to protect themselves from immediate harm. The employee shall report the incident to EEO as soon as possible.

(b) *Non-Emergency Situation*. If a non-emergency exists or the situation is not one of immediate danger to the life and safety of a person, the employee shall report the incident to EEO as soon as possible.

223.6-5. EEO and the Nation's Human Resources Department are responsible for communicating and sharing information with each other to ensure that all complaints and investigations are properly and timely handled.

223.6-6. Any employee can be in compliance with this law if the employee contacts or communicates, either verbally or in writing, with either EEO or the Nation's Human Resources Department to report an incident of workplace violence.

(a) If an employee verbally reports an incident of workplace violence to either EEO or the Nation's Human Resources Department, whichever department receives the report should instruct that employee to submit a written report to EEO.

### **223.7. Reporting Restraining Orders and Injunctions.**

223.7-1. *Voluntary reporting*. Any employee who obtains a restraining order or injunction against another employee may provide EEO a copy of the signed order.

223.7-2. *Mandatory reporting*. Any employee who is issued a restraining order or injunction regarding another employee, shall immediately, upon receipt of the signed order against them, give a copy of the signed order to EEO.

(a) Any employee who does not immediately, upon receipt of a restraining order or injunction against them, provide a copy of the restraining order or injunction to EEO may be subject to disciplinary action under the Nation's laws, policies, and rules governing employment, up to and including termination.

223.7-3. EEO shall immediately provide copies of the restraining order or injunction to the employee's supervisor and the Nation's Human Resources Executive Director.

### **223.8. Future Workplace Violence**

223.8-1. Where an employee has reason to believe that another employee may be victimized sometime in the future, either at the workplace or as a direct result of their employment with the Nation, the employee is encouraged to provide this information to EEO as soon as possible for an initial assessment pursuant to section 223.9. EEO shall inform the Oneida Police Department, local law enforcement, or facility security if appropriate.

223.8-2. *Anonymous threats*. If an employee learns of an anonymous threat, the employee shall immediately forward the information in a confidential manner to the Chief of the Oneida Police Department in accordance with the Nation's laws, policies, and rules governing anonymous letters. The employee shall also immediately notify EEO

### **223.9. EEO ("Equal Employment Opportunity Department") Responsibilities**

223.9-1. EEO is responsible for investigating complaints of workplace violence and will delegate such responsibilities to one employee from within EEO, who shall be known as the EEO Officer.

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223.9-2. When EEO receives a complaint of workplace violence, whether verbal or in writing, the EEO Officer shall promptly notify in writing the immediate supervisor of the employee being complained about so the immediate supervisor:

- (a) is aware that the EEO Officer will be investigating the employee;
- (b) knows they may assist the EEO Officer in any portion of the investigation;
- (c) knows the EEO Officer may place the employee on investigative leave if they determine investigative leave to be necessary; and
- (d) knows they will be responsible, along with the EEO Officer and the Nation's Human Resources Executive Director, for implementing the final decision.

223.9-3. The EEO Officer shall promptly conduct a thorough investigation which may include the following duties:

- (a) coordinate with all involved agencies or departments;
- (b) meet with the employee filing the complaint;
- (c) visit the scene of the incident as soon as possible;
- (d) interview employees and other witnesses;
- (e) contact the Oneida Police Department or any other appropriate law enforcement agency when necessary;
- (f) send weekly updates to the employee's supervisor;
- (g) review relevant video surveillance footage if available, in accordance with standard operating procedures on the subject; and
- (h) conduct any other investigative methods necessary for a thorough investigation.

223.9-4. In performing these investigative duties, the EEO Officer shall not interfere in the investigation of any law enforcement agencies. If, at any time, criminal charges are brought against an employee as a result of an incident of workplace violence, the employee shall be placed on investigative leave in accordance with the Nation's laws, policies, and rules governing investigative leave.

223.9-5. The EEO Officer shall conclude the investigation when the EEO Officer obtains enough verifiable facts and information regarding the incident under investigation in order to make a safe and equitable final decision.

223.9-6. *Mitigation.* During the investigation, the EEO Officer and the Nation's Human Resources Executive Director are encouraged to examine the workplace for security risk factors and record any mitigating actions that could be implemented to prevent a similar occurrence of workplace violence.

223.9-7. *Investigative Leave.* The EEO Officer may place an employee alleged to be involved in an incident of workplace violence on investigative leave in accordance with the Nation's laws, policies, and rules governing investigative leave.

223.9-8. *Final decision.* The EEO Officer shall meet with the Nation's Human Resources Executive Director and the employee's supervisor to mutually determine an appropriate final decision.

- (a) *Format.* The final decision shall be in writing, contain justification, and be signed by the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor.

- (b) *Application.* If appropriate, the employee's supervisor will be responsible for initiating the final decision.

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(c) *Record keeping.* The final decision and all supporting documentation, included in the Investigative file, shall be filed with EEO for reporting purposes.

(d) *Investigative file.* Three business days before the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor meet to determine the final decision, the EEO Officer should share the investigative file with the employee's supervisor.

## **223.10. Employment Eligibility**

223.10-1. *Employee Resignation.* An employee who resigns from their position when there is an ongoing workplace violence investigation or in lieu of termination shall not be eligible for hiring consideration in any position with the Nation. The employee may be eligible for employment in a different position with the Nation three (3) years from the date of resignation if the employee receives a pardon from the Nation's Pardon and Forgiveness Committee. The EEO Officer shall remain responsible for completing the investigation in the event an employee resigns during an investigation.

223.10-2. *Employee Termination.* If, as a result of the completed workplace violence investigation, the employee is terminated, the employee shall not be eligible for hiring consideration in any position with the Nation. The employee may be eligible for employment in a different position with the Nation five (5) years from the date of termination if the employee receives a pardon from the Nation's Pardon and Forgiveness Committee.

223.10-3. *Immediate eligibility.* If, as the result of a completed investigation, the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor mutually determine in the final decision that no incident of workplace violence occurred, a copy of the final decision shall be included in the employee's file and, if the employee resigned as a direct result of the workplace violence investigation, the employee shall be immediately eligible for re-hiring consideration with the Nation.

## **223.11. Fraudulent Report**

223.11-1. If at any time EEO is made aware that an employee made a report of workplace violence other than in good faith, the employee may be disciplined according to the Nation's laws, policies, and rules governing employment, up to and including termination.

## **223.12. Confidentiality**

223.12-1. To the greatest extent possible, the Nation shall maintain the confidentiality of employees and the investigation. However, the Nation may need to disclose results in appropriate circumstances; for example, in order to protect individual safety.

223.12-2. Information related to the application of this law is strictly confidential. Information shall not be disclosed to third parties unless:

- (a) the prior written consent of the alleged victim is obtained;
- (b) the release of information complies with a court order; or
- (c) the release of information is pursuant to applicable laws or policies.

## **223.13. Enforcement**

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252 223.13-1. Any employee who violates this law may be subject to disciplinary action under the  
253 Nation's laws, policies, and rules governing employment, up to and including termination.

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255 *End*

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Adopted – BC-06-28-17-E



Analysis to Draft 2  
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## WORKPLACE VIOLENCE LAW AMENDMENTS LEGISLATIVE ANALYSIS

### SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
<b>Intent of the Legislation or Amendments</b>	<ul style="list-style-type: none"> <li>▪ Clarify that this law applies to all employees, during or outside of any employee's normal work hours and as long as the alleged incident of workplace violence occurs in a setting reasonable connected to the workplace.</li> <li>▪ Clarify what constitutes "prohibited behaviors."</li> <li>▪ Clarify exceptions to "prohibited behaviors."</li> <li>▪ Require that all complaints and investigations of alleged workplace violence be directed to and handled by the Equal Employment Opportunity Department ("EEO") within the Oneida Nation Human Resources Department ("HRD").</li> <li>▪ Clarify that there will be a "final decision" which is the ultimate decision issued from the EEO Department, the Nation's Human Resources Executive Director, and the employee's supervisor regarding the allegation and investigation of the incident of workplace violence.</li> <li>▪ Clarify the responsibilities of the EEO Department. The EEO Department will be responsible for assigning an EEO Officer who will investigate the complaint and be responsible for determining the final decision along with the Nation's Human Resources Executive Director and the employee's supervisor.</li> <li>▪ Clarify that the EEO Department and the Nation's Human Resources Department are responsible for communicating and sharing information with each other to ensure all complaints and investigations are properly and timely handled.</li> <li>▪ Clarify that verbal complaints are acceptable but whichever department receives the verbal complaint should direct that employee to submit a written complaint to the EEO Department.</li> <li>▪ Clarify the reporting of restraining orders and injunctions – when reporting is mandatory and when it is discretionary.</li> <li>▪ Clarify employment eligibility for employees who resign during a workplace violence investigation or are terminated as a result of a workplace violence investigation.</li> <li>▪ Various grammatical changes and other minor changes throughout the law.</li> </ul>
<b>Purpose</b>	The purpose of this law is to provide all Oneida Nation employees and visitors an environment that is free of violence and the threat of violence. [2 O.C. 223.1-1].

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<b>Affected Entities</b>	The Nation's Human Resources Department, the Nation's Equal Employment Opportunity Office, the Oneida Law Office, and all Oneida Nation employees and visitors.
<b>Related Legislation</b>	Investigative Leave law, Code of Ethics, Anonymous Letters Policy, Pardon and Forgiveness law, and Public Peace law
<b>Enforcement</b>	<p>The Workplace Violence law directs the EEO department, specifically the designated EEO Officer, to investigate all allegations of workplace violence. [2 <i>O.C. 223.6-1</i>]. The EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor are responsible for determining the final decision, which is the ultimate conclusion of the investigation and the decision to take disciplinary actions, if any. [2 <i>O.C.223.9-8</i>]. The EEO Officer may place an employee alleged to be involved in an incident of workplace violence on investigative leave pursuant to the Nation's law and policies governing investigative leave. [2 <i>O.C. 223.9-7</i>].</p> <p>Any employee who violates the Workplace Violence law may be subject to disciplinary action under the Nation's laws, policies, and rules governing employment, up to and including termination. [2 <i>O.C 223.13</i>].</p>
<b>Due Process</b>	<p>The Workplace Violence law directs the EEO Officer to promptly conduct a thorough investigation into allegations of workplace violence. [2 <i>O.C. 223.9-3</i>]. The law requires that when the EEO Department receives an allegation of workplace violence and assigns an EEO Officer to investigate, the assigned EEO Officer is required to notify the employee's immediate supervisor, so the immediate supervisor is aware that:</p> <ul style="list-style-type: none"> <li>▪ the EEO Officer will be investigating the employee;</li> <li>▪ the EEO Officer may place the employee on investigative leave; and</li> <li>▪ they will be responsible, along with the EEO Officer and the Nation's Human Resources Executive Director for determining and implementing the final decision. [2 <i>O.C. 223.9-2</i>].</li> </ul> <p>The law requires the EEO Officer to conclude the investigation when they obtain enough verifiable facts and information regarding the incident under investigation to make a safe and equitable final decision. [2 <i>O.C. 223.9-5</i>]. The EEO Officer may to share the investigative file with the employee's supervisor and the Nation's Human Resources Executive Director, three days before they meet to determine the final decision. [2 <i>O.C. 223.9-8(c)</i>]. The EEO Officer is required to meet with the Nation's Human Resources Executive Director and the employee's supervisor to mutually determine a final decision. [2 <i>O.C. 223.9-8</i>].</p> <p>The employee may be eligible for rehiring consideration with the Nation if they receive a pardon from the Nation's Pardon and Forgiveness Committee. [2 <i>O.C. 223.10</i>]. Any employee who resigns while an investigation of workplace violence</p>

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	<p>is pending or who is terminated as a result of the findings of a workplace violence investigation is eligible to re-apply for employment with the Nation, but only after a certain amount of time has passed and only if that employee receives a pardon from the Nation's Pardon and Forgiveness Committee. [2 <i>O.C. 223.10-1</i>; 2 <i>O.C. 223.10-2</i>].</p> <p>If an employee resigned while an investigation of workplace violence was pending and the results of the investigation determine that no incident of workplace violence occurred, the employee shall be immediately eligible for re-hiring. [2 <i>O.C. 223.10-3</i>].</p>
Public Meeting	A public meeting has not yet been held.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not been requested.

## SECTION 2. LEGISLATIVE DEVELOPMENT

- A. **Background.** The Workplace Violence law was originally adopted by the Oneida Business Committee on June 28, 2017, through resolution BC-06-28-17-E. The Workplace Violence law provides mechanisms for ensuring the safety of all employees and visitors to the Nation's workplaces by ensuring all allegations and subsequent investigations of alleged workplace violence are handled by the Equal Employment Opportunity Department of the Nation but that the Equal Employment Opportunity Department and the Nation's Human Resources Department are responsible for sharing information with each other to ensure all complaints and investigations are properly and timely handled. [2 *O.C. 223.6-5*].
- B. **Request for Amendments.** This item was originally added to the Active Files List on February 6, 2019, at the request of the Nation's Human Resources Department to address investigative enforcement and employee ineligibility. This item was readdded to the Active Files list on October 7, 2020. This item was added to the Active Files list for a third time on October 4, 2023. The sponsor of the Workplace Violence law amendments is Councilwoman Jennifer Webster.

## SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - the Equal Employment Opportunity Department, ("EEO");
  - the Nation's Human Resources Department ("HRD"); and
  - Oneida Law Office;
- The following laws and policies of the Nation were reviewed in the drafting of this analysis:
  - Investigative Leave law [2 *O.C. 208*];
  - Whistleblower Protection law [2 *O.C. 211*];
  - Public Peace law [3 *O.C. 309*];
  - Anonymous Letter Policy [3 *O.C. 307*];
  - Pardon and Forgiveness law [1 *O.C. 126*]; and

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- Oneida Personnel Policies and Procedures.

## SECTION 4. PROCESS

- A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
- On October 4, 2023, the Legislative Operating Committee added this Law to its Active Files List for amendments this legislative term.
  - On September 4, 2024, the Legislative Operating Committee accepted HRD's request to amend the Workplace Violence law as information since the law was already on the Active Files List for amendments to be made.
  - On May 7, 2025, the Legislative Operating Committee approved the draft of the Workplace Violence law amendments and directed that a legislative analysis be developed.
  - On May 21, 2025, the Legislative Operating Committee accepted an updated draft and legislative analysis and deferred the draft to another work meeting to address the conflicts between the proposed amendments and the Oneida Personnel Policies and Procedures.
- B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to this law:
- August 29, 2021: LOC work meeting with EEO and HRD.
  - September 7, 2022: LOC work session.
  - September 21, 2022: LOC work session.
  - January 6, 2023: LOC work meeting with EEO and HRD.
  - January 31, 2023: LOC work meeting with EEO and HRD.
  - July 29, 2024: LOC meeting with EEO and HRD.
  - October 18, 2024: LOC work meeting with EEO, HRD, and the law office.
  - January 13, 2025: LOC work meeting with HRD and the law office.
  - February 14, 2025: LOC work meeting with EEO, HRD, and the law office.
  - February 19, 2025: LOC work session.
  - March 5, 2025: LOC work session.
  - May 2, 2025: LOC work meeting with EEO and HRD where the LOC informally approved the final draft.
  - July 25, 2025: LOC work meeting with EEO and HRD to discuss and resolve the discrepancies between the proposed amendments and the Oneida Personnel Policies and Procedures.
  - August 6, 2025: LOC work session to discuss the proposed changes to the draft to align the proposed amendments with the Oneida Personnel Policies and Procedures. LOC approved the changes.

## SECTION 5. CONTENTS OF THE LEGISLATION

- A. *Application of the Law.* The proposed amendments to the Law expand its application to cover all incidents of workplace violence that occur in any of the Nation's workplaces whether the employee commits workplace violence during or outside of the employee's normal work hours and as long as the incident of workplace violence is reasonably connected to the workplace. [2 O.C. 223.4-1.]
- *Effect.* The proposed amendments clarify that this Law covers all employees of the Nation, even if an incident occurs outside of normal work hours. The proposed amendments further clarify that a prohibited behavior can be considered workplace violence as long as the incident

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is reasonably connected to the workplace. This proposed amendment clarifies and expands the scope of this Law and extends the Nation's jurisdiction and the Nation's ability to protect its employees.

**B. Defining the “final decision.”** The proposed amendments require the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor to mutually determine a final decision. [2 O.C. 223.9-8].

- *Effect.* The proposed amendments make clear that there will be one (1), final decision regarding the alleged incident of workplace violence. That one (1), final decision will be mutually decided by the EEO Officer, Nation's Human Resources Executive Director, and the employee's supervisor. This ensures greater accountability for the Nation and ensures the process for deciding disciplinary measures is standardized.

**C. Expanding the definitions of “workplace” and “workplace violence.”** The proposed amendments clarify and expand the definitions of “workplace” and “workplace violence” to include any setting or circumstance, including traveling to or from a work-related event, and any setting or circumstance that is reasonably related to that employee's employment with the Nation. [2 O.C. 223.3(n); 2 O.C. 223.3(o)].

- *Effect.* The proposed amendments to the definitions expand and clarify the application of this law, which expands the Nation's ability to protect its employees.

**D. Redefining prohibited behaviors.** The proposed amendments clarify specific examples of behaviors that can constitute workplace violence. [2 O.C. 223.5]. Currently, prohibited behaviors do not include social media platforms and the proposed amendments also clarify what it can mean to “intentionally caus[e] physical injury” and redefining “horseplay” to mean “fighting or roughhousing that may be dangerous to others” and require “an established pattern of loud, disruptive, angry, or abusive language or behavior.” [2 O.C. 223.5-1.].

- *Effect.* These proposed amendments clarify the types of behaviors the Nation will not tolerate from its employees and will make it easier for the Nation to identify and enforce.

**E. Redefining the exceptions to prohibited behaviors.** The law prohibits possessing, carrying, or using a weapon. [2 O.C. 223.5-1]. However, the law has identified three exceptions to the prohibition of possessing, carrying, or using a weapon. [2 O.C. 223.5-2]. The proposed amendments clarify the exception applies to any employee of the Nation who is required to possess, carry, or use a weapon as part of their official duties. [2 O.C. 223.5-2(a)]. The proposed amendments make an exception for any employee actively engaged in cultural activities or ceremonies. [2 O.C. 223.5-2(b)]. The proposed amendments also make an exception for any employee actively hunting, fishing, or trapping. [2 O.C. 223.5-2(c)]. The proposed amendments allow these three exceptions as long as the employee is required to possess, use, or carry a weapon as part of their employment with the Nation, as part of cultural activities or ceremonies in which they are actively participating, or if the employee is actively hunting, fishing, or trapping according to the Nation's laws and rules on hunting, fishing, or trapping and the employee possess, uses, or carries the weapon within the normal scope of those activities. [2 O.C. 223.5-2].

- *Effect.* This proposed amendment allows the Nation to continue to prohibit an employee from possessing, carrying, or using a weapon but it allows the Nation to make an exception for specific jobs and job-related duties, cultural activities, and hunting, fishing, and trapping.

**F. Redefining the reporting, investigation, and disciplinary procedures.** The proposed amendments clarify the duties of the EEO Department in conducting the investigation into allegations of workplace

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115 violence. [2 O.C. 223.9]. The proposed amendments clarify that when the EEO Department receives a  
116 complaint of workplace violence, the EEO Department will delegate the responsibility to investigate to  
117 one employee from within the EEO Department who will be known as the EEO Officer. [2 O.C. 223.9-  
118 1]. The proposed amendments clarify that all reports of workplace violence must be given to the EEO  
119 Department rather than the employee's supervisor. [2 O.C. 223.6-4]. The proposed amendments allow  
120 the EEO Officer, instead of the employee's supervisor, to place the employee on investigative leave  
121 pursuant to the Nation's Investigative Leave law, policies, and rules if the EEO Officer determines it  
122 will be necessary. [2 O.C. 223.9-7]. The proposed amendments clarify that the EEO Department and  
123 the Nation's Human Resources Department will communicate and share information with each other  
124 to ensure all complaints and investigations are properly and timely handled. [2 O.C. 223.6-5]. The  
125 proposed amendments clarify that the EEO Officer will conclude the investigation when they have  
126 obtained enough verifiable facts and information to make a safe and equitable decision. [2 O.C. 223.9-  
127 5]. The proposed amendments clarify the EEO Officer is responsible for meeting with the Nation's  
128 Human Resources Executive Director and the employee's supervisor to mutually determine a final  
129 decision. [2 O.C. 223.9-8]. The final decision shall be in writing, contain justification, and be signed  
130 by the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor.  
131 [2 O.C. 223.9-8(a)]. The EEO Department is responsible for keeping record of all supporting  
132 documentation included in the investigative file. [2 O.C. 223.9-8(b)]. The EEO Officer should share  
133 the investigative file with the Nation's Human Resources Executive Director and the employee's  
134 supervisor three business days before they meet to determine the final decision. [2 O.C. 223.9-8(c)].

- 135 ■ *Effect.* The proposed amendments simplify the process for the Nation and its employees to  
136 report an incident of workplace violence and then to have that incident be investigated and  
137 managed by standardizing the requirement that all complaints and investigations are handled  
138 by the EEO Department, specifically the EEO Officer. The proposed amendments also make  
139 determining any disciplinary procedures, if any, more equitable by requiring the EEO Officer,  
140 the Nation's Human Resources Executive Director, and the employee's supervisor to meet and  
141 mutually determine disciplinary procedures, if any, and requiring the EEO Officer to share the  
142 investigative file with the Nation's Human Resources Executive Director and the employee's  
143 supervisor before they meet to determine the final decision.

144 **G. Redefining employment eligibility.** The proposed amendments clarify that if an employee resigns  
145 during a workplace violence investigation that employee is not eligible for rehiring consideration with  
146 the Nation. [2 O.C. 223.10-1]. That employee may be eligible for rehiring consideration, in a different  
147 position, three (3) years from the date of resigning, if that employee receives a pardon from the Nation's  
148 Pardon and Forgiveness Committee. [2 O.C. 223.10-1]. The proposed amendments clarify that if an  
149 employee is terminated as the result of a workplace violence investigation, that employee is not eligible  
150 for rehiring consideration with the Nation but may be eligible for rehiring consideration, in a different  
151 position, five (5) years after the date of termination if that employee receives a pardon from the Nation's  
152 Pardon and Forgiveness Committee [2 O.C. 223.10-2]. The proposed amendments clarify that if an  
153 employee resigns during a workplace violence investigation but upon concluding the investigation, the  
154 EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor  
155 mutually determine that no incident of workplace violence occurred, that employee will be immediately  
156 eligible for rehiring consideration. [2 O.C. 223.10-3].

- 157 ■ *Effect.* The proposed amendments allow the Nation to further ensure the safety of its employees  
158 by making certain employees ineligible for employment with the Nation and requiring any

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employee subject to this law to receive a pardon from the Nation's Pardon and Forgiveness Committee before that employee may work for the Nation, even in a different position.

**H. Other amendments.** Overall, a variety of other amendments and revisions were made to the law to address formatting, drafting style, and organization that did not affect the substance of the law.

## SECTION 6. EXISTING LEGISLATION

**A. Related legislation.** The following laws and policy of the Nation are related to the proposed amendments to this law:

- *Investigative Leave Law.* The purpose of the Investigative Leave law is to set forth a process to address investigative leave for employees undergoing work-related investigations. [2 O.C. 208.1-1]. The law's underlying policy is to conduct objective, confidential investigations into alleged employee misconduct. [2 O.C. 208.1-2].
  - According to the Investigative Leave law, the Nation may place an employee on investigative leave when a situation requires an investigation and one of the following occurs:
    - The nature and severity of the alleged violation or alleged illegal activity is significant and can include workplace violence, sexual harassment, theft, arson, bribery, or perjury, or obstruction or interference with an investigation authorized by the Nation. [2 O.C. 208.4-1(a)].
    - The employee's presence in the workplace may result in the destruction of evidence relevant to the investigation, loss or damage to property of the Nation, or otherwise damage a legitimate interest of the Nation. [2 O.C. 208.4-1(b)].
    - The employee's presence in the workplace may pose an unacceptable risk to the life, safety, health, or personal property of other employees, contractors, vendors or visitors. [2 O.C. 208.4-1(c)].
    - The employee allegedly commits an act which would preclude the employee from meeting employment eligibility. [2 O.C. 208.4-1(d)].
  - The law defines workplace to mean any location owned and operated by the Nation, any location where employees are staffing an event sponsored by the Nation, and any location where an employee represents the Nation, including over-the-road travel in vehicles owned or rented by the Nation and any circumstances where an employee is being reimbursed for expenses. [2 O.C. 208.3].
  - The law does not define workplace violence but does identify workplace violence as one reason to place an employee on investigative leave. [2 O.C. 208.4-1(a)].
  - The proposed amendments align with the Investigative Leave law by requiring the EEO Officer to defer to the procedures of investigative leave if the EEO Officer determines investigative leave is necessary. [2 O.C. 223.9-7]. The EEO Officer is responsible for investigating allegations of workplace violence pursuant to the procedures required in the Workplace Violence law; however, the EEO Officer may place an employee on investigative leave pursuant to the Nation's Investigative Leave law.

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- 201     ▪ *Code of Ethics.* The purpose of this law is to promote the highest ethical conduct in all of its  
202     elected and appointed officials and employees. [1 O.C. 103.1].
- 203         ▪ This law expects an employee to report any violation of the Code of Ethics,  
204         as well as any other dishonest or illegal acts of which they become aware in  
205         the workplace. [1 O.C. 103.5-3(c)(1)].
- 206         ▪ This law also protects any employees who, in good faith, makes reports of any  
207         dishonest or illegal act in the workplace. [1 O.C. 103.5-3(c)(1)].
- 208         ▪ This law also prohibits fighting on the job or premises and possession of  
209         unauthorized firearms. [1 O.C. 103.5-3(c)(4)].
- 210         ▪ The proposed amendments align with the Code of Ethics law which expects  
211         an employee to report any violation of the Code of Ethics, as well as any  
212         other dishonest or illegal acts of which they become aware in the workplace,  
213         which would include instances of workplace violence. [1 O.C. 103.5-  
214         3(c)(1)].
- 215     ▪ *Anonymous Letters Policy.* The purpose of this law is to set in place a system where anonymous  
216     information is forwarded to a location best able to verify its reliability and to act on the source  
217     or the accusation. [3 O.C. 307.1-1].
- 218         ▪ This law requires that any employee who receives anonymous information will  
219         forward a summary of that information in a confidential manner to the Chief of the  
220         Oneida Police Department. [3 O.C. 307.4-1]. This law also requires that all  
221         information forwarded will contain information identifying who received it, the  
222         day, date, and time received. [3 O.C. 307.4-2]. This law makes the Chief of the  
223         Oneida Police Department responsible to maintain the files on anonymous  
224         information and to take appropriate action consistent with police investigatory  
225         procedures. [3 O.C. 307.4-3].
- 226         ▪ The proposed amendments align with the Anonymous Letters Policy by  
227         requiring that if an employee learns of an anonymous threat, the employee  
228         shall immediately forward that information to the Chief of the Oneida Police  
229         Department in accordance with the Nation's laws, policies, and rules  
230         governing anonymous letters; meaning if an employee learns of an  
231         anonymous threat they are required to report under the Anonymous Letters  
232         Policy and under the proposed amendments to the Workplace Violence law.  
233         [2 O.C. 223.8-2].
- 234     ▪ *Pardon and Forgiveness Law.* The purpose of the Law is to provide a fair, efficient and formal  
235     process by which a member of the Nation may receive a pardon for the conviction of a crime;  
236     a member of the Nation may receive forgiveness for acts that render him or her ineligible for  
237     housing or other benefits through the Nation; and a member or non-member of the Nation may  
238     receive forgiveness for acts that render him or her ineligible to be employed with the Nation;  
239     receive a Nation-issued occupational license, certification or permit; and/or obtain housing or  
240     other benefits through the Nation [1 O.C. 126.1-1(a)].
- 241         ▪ This law allows a tribal member to apply for a pardon one (1) year after an act is  
242         committed. [1 O.C. 126-1(b)].

- This law allows a tribal member to apply for a pardon or a forgiveness for an act that rendered the Tribal member ineligible for Tribal employment or an occupational license, certification, or permit issued by the Tribe. [1 O.C. 126-1].
- The proposed amendments align with the Pardon and Forgiveness law by requiring the any employee that resigns or is terminated during, or as the result of, a workplace violence investigation must receive a pardon from the Pardon and Forgiveness Committee before the employee is eligible for re-hiring consideration. [1 O.C. 126-1].
- **Public Peace Law.** The purpose of this law is to set forth community standards and expectations which preserve the peace, harmony, safety, health, and general welfare of individuals who live within the boundaries of the Reservation. [3 O.C. 309.1-1]. It is further the policy of the Nation to promote peace and order within the boundaries of the Reservation while also providing an orderly process for addressing civil infractions. [3 O.C. 309.1-2].
  - This law makes certain actions civil infractions subject to a citation, which can include fines or other penalties, by the Oneida Police Department. [3 O.C. 309.11].
  - This law provides protections within the Reservation boundaries. [3 O.C. 309.1]. It would not apply to all instances of workplace violence, unless the workplace violence occurred within the Reservation boundaries.
  - This law applies when “[a] person commits” a civil infraction identified in the law; it does not define or require that a “person” be a tribal member. [3 O.C. 309].
  - This law gives the Oneida Trial Court and the Oneida Police Department the jurisdiction and authority to hear, investigate, and issues citations for any action under this law. [3 O.C. 309.4].
  - The proposed amendments align with the Public Peace law by setting standards and protections for all persons within the Reservation boundaries. [3 O.C. 309.1-1]. The Public Peace law makes certain actions civil infractions subject to a citation, which can include fines or other penalties, by the Oneida Police Department similar to how the proposed amendments make certain actions and behaviors punishable as workplace violence. [3 O.C. 309.11]. This law’s enforcement mechanisms do not conflict with the Workplace Violence law and both laws set similar standards and protections for persons located within the Reservation and all employees and visitors of the Nation.
- **Oneida Personnel Policies and Procedures.** The purpose of this policy is to provide for the Nation’s employee related policies and procedures including recruitment, selection, compensation and benefits, employee relations, safety and health, program and enterprise rules and regulations, and record keeping.
  - This policy has procedures for handling an employee who has a disagreement or complaint with another employee.
  - For employee disagreements with another employee, the employee’s supervisor will investigate and resolve.

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- Any disciplinary actions will be initiated by an immediate supervisor.
- The actions of threatening, attempting, or doing bodily harm to another person is subject to termination.
- The actions of intimidating, interfering with or using abusive language towards customers, clients, co-workers, or others is subject to suspension or termination.
- A variety of other behaviors are subject to disciplinary procedures ranging from a written warning, suspension, or termination, including any violation of an adopted Oneida Nation ordinance.
- The proposed amendments do not conflict with the Oneida Personnel Policies and Procedures. Even though the proposed amendments require all complaints and investigations be made to and handled by the EEO Officer, the proposed amendments make clear the supervisor may still be involved in any portion of the investigation and will be responsible, along with the EEO Officer and the Nation's Human Resources Executive Director, for implementing the final decision. [2 O.C. 223.9-2(b); 223.9-2(d)].

## SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

- A. The Workplace Violence law gives authority to the EEO Department, specifically the EEO Officer, to investigate all complaints of alleged workplace violence. [2 O.C. 223.9-1].
- B. The Workplace Violence law requires that when the EEO Department receives a complaint of workplace violence, the EEO Department will delegate the investigative responsibilities to the EEO Officer who shall promptly inform the immediate supervisor of the employee being complained about so the immediate supervisor is aware:
  - the EEO Officer will be investigating the employee;
  - knows the EEO Officer may place the employee on investigative leave; and
  - knows they will be responsible, along with the EEO Officer and the Nation's Human Resources Director for deciding and implementing the final decision. [2 O.C. 223.9-1; 2 O.C. 223.9-2].
- C. The Workplace Violence law requires that the EEO Officer, the Nation's Human Resources Executive Director and the employee's supervisor mutually determine an appropriate final decision. [2 O.C. 223.9-8].
- D. The Workplace Violence law requires that the final decision be in writing, contain justification, and be signed by the EEO Officer, the Nation's Human Resources Executive Director, and the employee's supervisor. [2 O.C. 223.9-8(a)].
- E. The Workplace Violence law requires that the final decision and all supporting documentation included in the investigative file be filed with the EEO Department for reporting purposes. [2 O.C. 223.9-8(b)].
- F. The Workplace Violence law requires that three (3) business days prior to meeting to mutually determine the final decision, the EEO Officer should share the investigative file with the Nation's Human Resources Executive Director and the employee's supervisor. [2 O.C. 223.9-8(c)].
- G. If the EEO Department is made aware that an employee made a report of workplace violence other than in good faith, that employee may be disciplined according to the Nation's laws, policies, and rules governing employment, up to and including termination. [2 O.C. 223.11].
- H. To the greatest extent possible, the Nation shall maintain the confidentiality of employees and the investigation. [2 O.C. 223.12-1].

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- I. Any employee who violates the Workplace Violence law may be subject to disciplinary action under the Nation's laws, policies, and rules governing employment, up to and including termination. [2 O.C. 223.13-1].
- I. Any employee who violates the Workplace Violence law may be subject to removal from a workplace of the Nation. [2 O.C. 223.13-2].

**SECTION 8. OTHER CONSIDERATIONS**

**Fiscal Impact.** Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-10-28-20-A titled, “Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures Act,” provides further clarification on who the Legislative Operating Committee may direct complete a fiscal impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.

- Conclusion. The Legislative Operating Committee has not yet directed that a fiscal impact be completed.

NOTE

**Commented [CL1]:** Did HRD ever provide any data on how many WPV cases are occurring each year? If they did - it would be good to incorporate into the legislative analysis

**Commented [CL2]:** For the substantive sections - not the titles of each section - make sure font is all the same size - justified - and spaced the same. I always use a 1.15 spacing for analysis



Legislative Operating Committee  
August 20, 2025

# Public Use of Tribal Land Law Amendments

<b>Submission Date:</b> 12/7/22	<b>Public Meeting:</b> N/A
<b>LOC Sponsor:</b> Jonas Hill	<b>Emergency Enacted:</b> N/A

**Summary:** *This item was carried over from last term. On August 10, 2022, the OBC made a motion “to direct the General Manager to complete the assessment regarding the feasibility of the Environmental, Health, Safety, Land, & Agriculture Division taking on the roles of the Environmental Resources Board and for the assessment to be submitted at the second meeting Business Committee meeting in September”. In short, the GM concluded that although changes were necessary to those Oneida laws that delegated the authority and responsibility to the Environmental Resources Board (ERB), those responsibilities that were jointly executed by the ERB and Environmental, Health, Safety, and Land Division (EHSLA), could be assumed by EHSLA. Additionally, for those duties that delegated ERB the power and duty to carry out the intent and purposes of the law, including enforcement, those responsibilities could be delegated to EHSLA and/or the Land Commission.*

*On September 28, 2022, the OBC made a motion to accept the Environmental, Health, Safety, Land, and Agriculture Environmental Resource Board assessment; to recommend the dissolution the Environment Resource Board; and to direct Chief Counsel to bring back a report in 45 days on actions that need to take place in order to complete the dissolution of the Environmental Resource Board including amendments to laws and addressing any background material. The Oneida Law Office provided this report to the Oneida Business Committee on November 29, 2022.*

*This item was then added to the Active Files List on December 7, 2022, in an effort to make amendments to address the dissolution of the Environmental Resources Board, and transition the Board’s responsibilities to the Environmental, Health, Safety, Land and Agriculture Division and/or the Oneida Land Commission.*

**10/4/23 LOC:** Motion by Marlon Skenandore to add the Public Use of Tribal Land Law Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

**1/3/24:** *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Jennifer Webster, Jonas Hill, Kirby Metoxen Clorissa Leeman, Grace Elliott, Kristal Hill, Maureen Perkins, Fawn Cottrell. The purpose of this work meeting was for Jonas Hill to provide an update on a meeting he had with EDSLAD Division Director regarding the division taking on the responsibilities of ERB.

**4/29/25:** *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Jonas Hill, Clorissa Leeman, Krystal John, Eric Boulanger, Joel Maxam, Eric McLester, Nicole Rommel, Fawn Billie, Fawn Cottrell. The purpose of this work meeting was to review the Public Use of Tribal Land law and begin discussing potential comprehensive amendments.

**5/20/25:** *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Krystal John, Joel Maxam, Eric McLester, Nicole Rommel, Kristal Hill, Fawn Billie, Fawn Cottrell. The purpose of this work meeting was to review the initial draft of proposed amendments to the Public Use of Tribal Land law.

**8/11/25:** *Work Meeting.* Kirby Metoxen, Clorissa Leeman, Rhiannon Metoxen, Eric Boulanger, Joel Maxam, Fawn Cottrell, Kristal Hill, Nicole Rommel, Krystal John. The purpose of this work meeting was to review and discuss an update draft of the proposed amendments.

**Next Steps:**

- Approve the draft of the Public Use of Tribal Land law amendments.

## Title 6. Property and Land – Chapter 609

### ~~PUBLIC USE OF TRIBAL LAND~~

Tsi? yuhwatsya'té tewatenhotúkwa? Ukwehuwé'ne  
That of the earth one opens it up Oneida Nation

~~609.1. Purpose and Policy~~  
~~609.2. Adoption, Amendment, Repeal~~  
~~609.3. Definitions~~  
~~609.4. Environmental Resource Board~~  
~~609.5. Land Access Map~~  
~~609.6. Trespass~~  
~~609.7. Violations and Appeals~~

### PUBLIC USE OF TRIBAL LAND

609.1. Purpose and Policy	609.5. Land Access Map for Tribal Lands
609.2. Adoption, Amendment, Repeal	609.6. Assignment and Use of Tribal Land
609.3. Definitions	609.7. Enforcement
609.4. Responsibilities of Land Management	

#### **609.1. Purpose and Policy**

609.1-1. *Purpose.* The purpose of this law is to prevent improper access, use, and trespass to Tribal lands.

609.1-2. *Policy.* It is the policy of the Nation to limit access to Tribal lands to protect and preserve the environment and natural resources including forests, wildlife, air, and waters, through appropriate uses of the land.

#### **609.2. Adoption, Amendment, Repeal**

609.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-15-14-C and amended by BC-12-10-14-A, BC-01-13-16-C and BC-07-26-17-D, and BC- - - - -.

609.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

609.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity does not affect other provisions of this law which are considered to have legal force without the invalid portions.

609.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law controls.

609.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

609.2-6. This law may not be construed to preclude the Nation from pursuing relief for criminal trespass under applicable law.

#### **609.3. Definitions**

609.3-1. This section governs the definitions of words and phrases used within this law. All words not defined herein are to be used in their ordinary and everyday sense.

(a) "Designation" means the term used to describe the type of access granted to certain Tribal lands.

(b) "Fine" means a monetary punishment issued to a person violating this law and/or the rules created pursuant to this law, which is payable to ERB or the Department within the amount of time designated by the rules.

~~(e)-(c)~~ “Land Management” means the entity within the Nation responsible for entering into and administering agricultural and commercial leases on behalf of the Nation, processing trust transactions and land acquisition transactions, and for fulfilling other responsibilities as identified within this law.

~~(d)~~ “Land Use License” means an agreement entered into by the Nation providing a tribal member the right to have gatherings within the reservation boundaries of groups larger than seventy-five (75) people and/or an agreement between the Nation and any third-party granting said party the right to occupy and/or utilize a specified piece of land for a specific purpose and a specific duration.

~~(d)~~ “Lease” means any lease or agreement, including business site leases, entered into by the Nation and any person to allow the use of Tribal lands.

~~(d)-(e)~~ “Nation” means the Oneida Nation.

~~(e)(f)~~ “Person” means any individual, group of individuals, corporation, partnership, limited liability company, or any other form of business organization.

~~(fg)~~ “Penalty” means a punishment, other than a fine, imposed on a person violating this law and/or the rules created pursuant to this law ~~and may include, but is not limited to, the confiscation of equipment, the imposition of a wildlife protection assessment (civil recovery value), and restitution.~~

~~(gh)~~ “Reservation” means all the lands and waters within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the ~~1860~~1809 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

~~(h)~~ “Trespass” means the unauthorized use or entry on Tribal lands, including unauthorized uses under any law, rule, permit or lease of the Nation.

~~(i)~~ ~~(f)~~ “Rule” means a set of requirements, including a Land Access Map, and citation fees and penalty schedules, enacted in accordance with the Administrative Rulemaking law based on authority delegated in this law in order to implement, interpret and/or enforce this law.

~~(j)~~ “Trial Court” means the Trial Court of the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A

~~(k)~~ “Tribal member” means an enrolled member of the Nation.

~~(l)~~ “Tribal Land” means all of the Nation’s trust lands, and any land or interest in land held by the Nation in fee or in any other form on the Reservation.

#### **609.4. — ~~Environmental Resource Board~~ Responsibilities of Land Management**

609.4-1. ~~—The Environmental Resource Board has~~ Land Management shall be delegated the duty and power to carry out the intent and purposes of this law ~~and enforce the provisions of this law. The Environmental Resource Board, or designated staff, shall:~~

609.4-2. *Administrative Rulemaking.* Land Management shall be delegated rulemaking authority in accordance with the Administrative Rulemaking law to develop rules which address:

(a) ~~Develop, approve~~ The development, approval, and ~~maintain~~ maintenance of the Land Access Map;

(b) ~~Hold public hearings on proposed amendments to the Land Access Map.~~

~~(c) Determine which~~ The allocation and assignment of land uses for all Tribal land ~~will be posted and ensure the appropriate signs are posted;~~

(c) Issuance of land use licenses;

- (d) ~~Implement and~~ Issuance of easements;  
(e) A fine and penalty schedule for violations of this law and its corresponding rules; and  
(f) Any other rule needed to implement or interpret the provisions of this law.  
~~(e) As it deems appropriate, prescribe permissible and/or prohibited uses for Tribal land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such permissible and/or prohibited uses may not contradict with the Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or prohibited uses, the Environmental Resource Board shall notify the Oneida Business Committee of the permissible and/or prohibited uses and shall post notice of such uses on the affected Tribal Land.~~

609.4-3. Consultation. Land Management shall consult with the Land Assessment Team on the development of all administrative rules.

(a) Land Assessment Team. The Land Assessment Team shall be comprised of the following professionals employed by the Nation:

- (1) Land Management Senior Management;
- (2) Planning and Development Area Manager;
- (3) Environmental Specialist;
- (4) Tribal Historical Preservation Officer;
- (5) GLIS Specialist;
- (6) Zoning Administrator;
- (7) Other subject matter experts based on the characteristics of the parcel to include:
  - (A) If there is a house, then Comprehensive Housing Division Maintenance and Rehabilitation Area Manager.

## **609.5. Land Access Map for Tribal Lands**

609.5-1. *Designation of Tribal Lands.* A Land Access Map ~~must~~shall be created which designates Tribal land as one (1) of the following:

~~(a) Limited Access: Lands designated as "Limited Access" are open to all persons who are granted land access permission by the Nation through a permit or lease for specified purposes. The Environmental Resource Board.~~

- (1) Land Management may choose to designate a portion of land as Limited Access in order to manage, preserve, and protect that land for environmental, cultural, or other significance.
- (2) Lands designated as Limited Access shall be open to all persons who are granted land access permission by the Nation for specified purposes.

~~(b) Oneida Community Access:~~

- (1) Land Management may choose to designate land as Oneida Community Access in order to manage, preserve, and protect access to locations that have cultural or environmental significance.
- (2) Lands designated as "Oneida Community Access" ~~are~~shall be open to:
  - (A) Tribal members, ~~and their~~;
  - (B) spouses and descendants; of Tribal members;
  - (C) members of other federally recognized Indian tribes, bands or communities;
  - (D) authorized employees of the Nation; and

(E) persons who are accompanied at all times by a Tribal member, the spouse or descendant of a Tribal member, or an authorized employee of the Nation.

~~(1) A Conservation Warden or Oneida Police Officer may require a person to provide proof of eligibility to use Oneida Community Access lands.~~

~~(2) The Environmental Resource Board may choose to designate land as Oneida Community Access in order to manage, preserve and protect access to locations that have cultural or environmental significance.~~

(c) ~~Oneida Tribal Member Access: Lands designated as “Oneida Tribal Member Access” are open to Tribal members only. The Environmental Resource Board.~~

(1) Land Management may designate land as Oneida Tribal Member Access to protect the land for Tribal member use due to the historical, spiritual, cultural, and/or environmental significance of the land.

~~(d) Open:~~ (2) Lands designated as “Open Oneida Tribal Member Access” are generally open to all persons for the land’s designated use and enjoyment. ~~The Environmental Resource Board~~ Tribal members only.

(d) Open.

(1) Land Management may designate land as Open Access where such designation is deemed beneficial to the Nation and where such designation does not pose significant risk of damage to the Nation’s policies and/or the land’s cultural or environmental preservation.

(2) Lands designated as Open Access are generally open to all persons for the land’s designated use and enjoyment.

609.5-2. General Land Designation. Unless otherwise designated, Tribal land is designated as limited access.

609.5-3. Notwithstanding the restrictions of section 609.5-1, nothing in this law may be construed as preventing the following persons from entering Tribal land, regardless of the land designation:

- (a) Employees of the Nation who are performing their job duties;
- (b) Those persons who are performing grant or contractual obligations related to the Tribal land and on behalf of the Nation;
- (c) Emergency personnel who are providing, or attempting to provide, services; and
- (d) Those persons who have been granted access to the land by ~~the Environmental Resource Board~~ Land Management.

~~609.5-3. Development~~ 609.5-4. Accessibility of the Land Access Map. The Environmental Resource Board Land Management shall ~~develop~~ ensure that the Land Access Map is made digitally available on the Nation’s website.

609.6 in coordination. Assignment and Use of Tribal Land

609.6-1. Assignment of Land Uses. Land Management shall be responsible for allocating and assigning land uses to all Tribal land. The purpose of assigning land uses is to set consistent practices and expectations for Land Management’s reviewing and assigning of land uses to Tribal land in a way that incorporates all approved land policies to care for the land while working towards building an autonomous community.

609.6-2. Permissible and Prohibited Uses for Tribal Land. As it deems appropriate, Land Management may prescribe permissible and/or prohibited uses for Tribal land;

(a) Such permissible and/or prohibited uses may not contradict with the Oneida Environmental Health Zoning and Safety Division, the Oneida Division Shoreland Protection Ordinance.

(b) Upon establishment of permissible and/or prohibited uses, Land Management, Geographic Land Information Systems and other shall post notice of such designated agencies of the Nation. The Environmental Resource Board shall adopt the initial Land Access Map uses on the affected Tribal Land.

~~609.5-4. General~~ (1) Any postings of land shall be done in accordance with the requirements of the Real Property law.

~~609.6-3. Land Designation. Unless otherwise designated, Tribal land is designated as limited access.~~

~~609.5-5. Amending the Use License. Land Access Map. The Environmental Resource Board may, from time to time, in the manner hereafter set forth, amend the Land Access Map, provided that due consideration must be made~~ Management shall be responsible for the intent creating a process for accepting, reviewing, and purposes of the designation.

(a) ~~Amendments may be proposed by any person by filing an~~ approving or denying land use license application with the Environmental Resource Board in such format and accompanied by such information as required by the Board. requests.

(b) ~~Public Hearing. The Environmental Resource Board~~ 609.6-4. Easements. Land Management shall hold be responsible for creating a public hearing on each process for accepting, reviewing, and approving or denying easement application requests.

## **609.7. Enforcement**

609.7-1. An Oneida Police Department officer or warden may require a person to amend the Land Access Map provide proof of eligibility to use any designated Tribal lands.

(1) ~~The Environmental Resource Board shall set a date for the public hearing and meet the notice requirements of the public hearing as soon as possible after the filing of the application is complete.~~

(A) ~~Notice. Not less than ten (10) business days and not more than thirty (30) business days prior to the public hearing, notice, including the time, place and purpose of the public hearing, must be:~~

(i) ~~published in the Nation's newspaper; and~~

(ii) ~~mailed to all owners of land located within twelve hundred (1,200) feet of the outer boundaries of the land that is the subject of the public hearing.~~

(B) ~~Any person who cannot attend the public hearing may be represented by an agent, advocate or attorney at the public hearing.~~

(C) ~~In addition to accepting oral comments at the public meeting, the Environmental Resource Board shall also accept written comments, which must be submitted within five (5) business days of the date of the public meeting.~~

(D) ~~The Environmental Resource Board shall issue a decision or recommendation regarding amendments to the Land Access Map within seven (7) business days after the public hearing is held.~~

(2) ~~The Environmental Resource Board together with the Environmental Health and Safety Division shall, after holding a public hearing and reviewing any comments received, make written findings of fact and determine whether to amend the Land Access Map.~~

(3) ~~The Environmental Resource Board shall make findings based upon the evidence presented to it with respect to the following matters:~~

~~(A) Existing uses of the land and buildings within the general area of the land in question.~~

~~(B) Suitability of the land in question to the uses permitted under the existing Land Access Map.~~

~~(4) The Environmental Resource Board may not amend the Land Access Map unless it finds that adopting such amendment is in the Nation's best interest and is not solely for the interest of the applicant.~~

~~(c) The Environmental Resource Board may grant or deny any application to amend the Land Access Map; however, amendments must require a two-thirds (2/3) vote of the Environmental Resource Board if a written protest against any amendment is presented to the Environmental Resource Board and is signed by:~~

~~(1) the lessees, assignees and owners of at least twenty percent (20%) of the acres of land included in such amendment; or~~

~~(2) the lessees, assignees and owners of at least twenty percent (20%) of the land immediately adjacent to the land included in such amendment, extending in a radius of twelve hundred (1,200) feet of the outer boundaries of the land.~~

~~609.6.~~ ~~Trespass~~ 609.7-2. Issuance of a Citation. An individual who violates a provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer or warden.

(a) A citation for a

~~609.6 1.~~ ~~A person trespasses if the person enters or otherwise occupies Tribal land and:~~

~~(a) Refuses to leave land to which the person has no reasonable claim or right of possession when requested to do so.~~

~~(b) Enters upon such land after being noticed by the landowner or occupant that permission for the person to enter such land does not exist, or has been expressly denied or revoked. A person has been noticed that permission by the landowner or occupant for such person to enter such land does not exist if he or she has been notified publicly, by publication of the Land Access Map on the Nation's website and/or in the Nation's newspaper, or if the land is posted. Land is considered to be posted if one (1) of the following requirements is met:~~

~~(1) A sign at least eleven inches (11") square is placed in at least two (2) conspicuous places for every forty (40) acres of land to be protected. The sign shall provide an appropriate notice and the name of the person giving the notice, followed by the word "owner" if the person is the holder of legal title to the land or by the word "occupant" if the person is a lawful occupant of the land, but not the holder of legal title.~~

~~(2) Markings at least one foot (1') long and, in a contrasting color, the phrase "private land" and the name of the owner, are made in at least two (2) conspicuous places for every forty (40) acres of land.~~

~~(c) Does any of the following without proper authorization through a lease, permit or as otherwise required under applicable law:<sup>+</sup>~~

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<sup>+</sup>Current Tribal laws that authorize conduct described in 609.6-1(c): Protection and Management of Archeological and Historical Resources; Oneida Tribal Regulation of Domestic Animals Ordinance; Tribal Environmental Response Law; Wood Cutting Ordinance; Recycling and Solid Waste Disposal; Hunting, Fishing and Trapping Law; All Terrain Vehicle Law; Zoning and Shoreland Protection Law.

- (1) Destroys land, waters, livestock, poultry, buildings, equipment, or any property without consent or permission.
- (2) Cuts or destroys any wood, timber, plant, vegetation, or crop standing on the land, or carries away any wood, timber, plant, vegetation or crop on the land.
- (3) Engages in any act, or attempted act of hunting, trapping or fishing.
- (4) Digs, takes, or carries away earth, soil, minerals, cultural resources, or any other property.
- (5) Erects, puts up, fastens, prints, or paints upon another's property, notices, advertisements, signs or other writing designed to communicate to the general public.
- (6) Parks or drives any vehicle on the land.
- (7) Permits or allows livestock or any domesticated animal to enter upon or remain upon the land.
- (8) Uses or possesses leased or sub-leased lands beyond the possessory rights granted by such lease or sub-lease.
- (9) Dumps, deposits, places, throws, burns, emits or leaves rubbish, refuse, debris, substances, or other objects upon a highway, road, air, waters or any land.

#### **609.7. — Violations, Enforcement and Appeals**

~~609.7 1. — Citations. Citations for the violation of this law and/or any orders issued pursuant to this law may include fines, and other penalties and, as well as conditional and other orders in accordance with the citation schedule applicable to this law. A separate offense shall be deemed committed on each day during or on which made by the Trial Court.~~

~~(b) A citation for a violation occurs or continues. The issuance of a citation or fine under any other law relating to the same or any other matter does not preclude the issuance of a citation under this law of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.~~

~~(a) Any order issued pursuant to this law that is not complied with may be physically enforced by Oneida Police Officers or Oneida Conservation Wardens at the Owner's expense.~~

~~(b) The Oneida Police Department, by means of Oneida Police Officers and Oneida Conservation Wardens, is authorized to take any appropriate action to prevent or remove a violation of this Law.~~

~~609.7 2. — Hearing and Appeals of Contested Actions. All citations, orders and declarations issued pursuant to this law shall include a pre-hearing date with the Judiciary Trial Court which shall be set for the next scheduled monthly prehearing date that is at least thirty (30) days after the citation was issued. Persons wishing to contest a citation shall appear at the prehearing, at which time the Judiciary Trial Court shall accept pleas which either contest or admit committing the act for which the citation was issued. The Judiciary shall schedule a hearing as expeditiously as possible, provided that it shall be scheduled within ninety (90) days of the date of the prehearing, for all persons entering a plea contesting the fact that they committed the act for which a citation was issued. In addition to scheduling requested hearings, the Judiciary may also make conditional orders at the prehearing which are effective until the matter is resolved.~~

~~(a) Community Service. Community service may be substituted for monetary fines at the Judiciary's discretion, provided that, if so substituted, the Judiciary shall use the rate of one (1) hour per ten dollars (\$10) of the fine.~~

~~(b) Allocation of Citation Revenue. All citations shall be paid to the Environmental Resource Board or its designee, the proceeds of which shall be contributed to General Fund.~~

~~(c) Appealing the Decision of the Judiciary Trial Court. Any person wishing to contest the determination of the Judiciary Trial Court may appeal to the Judiciary Court of Appeals in accordance with the Rules of Appellate Procedure.~~

~~(d) Pursuing Payment of a Citation. The Environmental Resource Board may pursue payment from parties who have failed to make the required payments through the garnishment process contained in the Garnishment law and/or by attaching the judgment to Tribal member's per capita payment pursuant to the Per Capita law.~~

*End.*

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Adopted – BC-05-15-14-C

Emergency Amended – BC-07-23-14-C

Amended – BC-12-10-14-A

Emergency Amended – BC 07-08-15-C

Amended – BC-01-13-16-C

Amended – BC-07-26-17-D

Amended – BC- - - -

**Title 6. Property and Land – Chapter 609**  
**Tsi' yuhwatsya'té tewatenhotúkwa' Ukwehuwé'ne**  
*That of the earth one opens it up Oneida Nation*

**PUBLIC USE OF TRIBAL LAND**

609.1.	Purpose and Policy	609.5.	Land Access Map for Tribal Lands
609.2.	Adoption, Amendment, Repeal	609.6.	Assignment and Use of Tribal Land
609.3.	Definitions	609.7.	Enforcement
609.4.	Responsibilities of Land Management		

**609.1. Purpose and Policy**

609.1-1. *Purpose.* The purpose of this law is to prevent improper access, use, and trespass to Tribal lands.

609.1-2. *Policy.* It is the policy of the Nation to limit access to Tribal lands to protect and preserve the environment and natural resources including forests, wildlife, air, and waters, through appropriate uses of the land.

**609.2. Adoption, Amendment, Repeal**

609.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-15-14-C and amended by BC-12-10-14-A, BC-01-13-16-C, BC-07-26-17-D and BC-\_\_-\_\_-\_\_.

609.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

609.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity does not affect other provisions of this law which are considered to have legal force without the invalid portions.

609.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law controls.

609.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

609.2-6. This law may not be construed to preclude the Nation from pursuing relief for criminal trespass under applicable law.

**609.3. Definitions**

609.3-1. This section governs the definitions of words and phrases used within this law. All words not defined herein are to be used in their ordinary and everyday sense.

(a) “Designation” means the term used to describe the type of access granted to certain Tribal lands.

(b) “Fine” means a monetary punishment issued to a person violating this law and/or the rules created pursuant to this law.

(c) “Land Management” means the entity within the Nation responsible for entering into and administering agricultural and commercial leases on behalf of the Nation, processing trust transactions and land acquisition transactions, and for fulfilling other responsibilities as identified within this law.

(d) “Land Use License” means an agreement entered into by the Nation providing a tribal member the right to have gatherings within the reservation boundaries of groups larger than

seventy-five (75) people and/or an agreement between the Nation and any third-party granting said party the right to occupy and/or utilize a specified piece of land for a specific purpose and a specific duration.

(d) “Lease” means any lease or agreement, including business site leases, entered into by the Nation and any person to allow the use of Tribal lands.

(e) “Nation” means the Oneida Nation.

(f) “Person” means any individual, group of individuals, corporation, partnership, limited liability company, or any other form of organization.

(g) “Penalty” means a punishment, other than a fine, imposed on a person violating this law and/or the rules created pursuant to this law.

(h) “Reservation” means all the lands and waters within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1809 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Rule” means a set of requirements, including a Land Access Map, and citation fees and penalty schedules, enacted in accordance with the Administrative Rulemaking law based on authority delegated in this law in order to implement, interpret and/or enforce this law.

(j) “Trial Court” means the Trial Court of the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A

(k) “Tribal member” means an enrolled member of the Nation.

(l) “Tribal Land” means all of the Nation’s trust lands, and any land or interest in land held by the Nation in fee or in any other form on the Reservation.

#### **609.4. Responsibilities of Land Management**

609.4-1. Land Management shall be delegated the duty and power to carry out the intent and purposes of this law.

609.4-2. *Administrative Rulemaking.* Land Management shall be delegated rulemaking authority in accordance with the Administrative Rulemaking law to develop rules which address:

- (a) The development, approval, and maintenance of the Land Access Map;
- (b) The allocation and assignment of land uses for all Tribal land;
- (c) Issuance of land use licenses;
- (d) Issuance of easements;
- (e) A fine and penalty schedule for violations of this law and its corresponding rules; and
- (f) Any other rule needed to implement or interpret the provisions of this law.

609.4-3. *Consultation.* Land Management shall consult with the Land Assessment Team on the development of all administrative rules.

(a) *Land Assessment Team.* The Land Assessment Team shall be comprised of the following professionals employed by the Nation:

- (1) Land Management Senior Management;
- (2) Planning and Development Area Manager;
- (3) Environmental Specialist;
- (4) Tribal Historical Preservation Officer;
- (5) GLIS Specialist;
- (6) Zoning Administrator;
- (7) Other subject matter experts based on the characteristics of the parcel to

include:

- (A) If there is a house, then Comprehensive Housing Division Maintenance and Rehabilitation Area Manager.

**609.5. Land Access Map for Tribal Lands**

609.5-1. *Designation of Tribal Lands.* A Land Access Map shall be created which designates Tribal land as one (1) of the following:

(a) *Limited Access.*

(1) Land Management may choose to designate a portion of land as Limited Access in order to manage, preserve, and protect that land for environmental, cultural, or other significance.

(2) Lands designated as Limited Access shall be open to all persons who are granted land access permission by the Nation for specified purposes.

(b) *Oneida Community Access.*

(1) Land Management may choose to designate land as Oneida Community Access in order to manage, preserve, and protect access to locations that have cultural or environmental significance.

(2) Lands designated as “Oneida Community Access” shall be open to:

- (A) Tribal members;
- (B) spouses and descendants of Tribal members;
- (C) members of other federally recognized Indian tribes, bands or communities;
- (D) authorized employees of the Nation; and
- (E) persons who are accompanied at all times by a Tribal member, the spouse or descendant of a Tribal member, or an authorized employee of the Nation.

(c) *Oneida Tribal Member Access.*

(1) Land Management may designate land as Oneida Tribal Member Access to protect the land for Tribal member use due to the historical, spiritual, cultural, and/or environmental significance of the land.

(2) Lands designated as Oneida Tribal Member Access are open to Tribal members only.

(d) *Open.*

(1) Land Management may designate land as Open Access where such designation is deemed beneficial to the Nation and where such designation does not pose significant risk of damage to the Nation’s policies and/or the land’s cultural or environmental preservation.

(2) Lands designated as Open Access are generally open to all persons for the land’s designated use and enjoyment.

609.5-2. *General Land Designation.* Unless otherwise designated, Tribal land is designated as limited access.

609.5-3. Notwithstanding the restrictions of section 609.5-1, nothing in this law may be construed as preventing the following persons from entering Tribal land, regardless of the land designation:

- (a) Employees of the Nation who are performing their job duties;
- (b) Those persons who are performing grant or contractual obligations related to the Tribal land and on behalf of the Nation;
- (c) Emergency personnel who are providing, or attempting to provide, services; and

(d) Those persons who have been granted access to the land by Land Management.  
609.5-4. *Accessibility of Land Access Map*. Land Management shall ensure that the Land Access Map is made digitally available on the Nation's website.

**609.6. Assignment and Use of Tribal Land**

609.6-1. *Assignment of Land Uses*. Land Management shall be responsible for allocating and assigning land uses to all Tribal land. The purpose of assigning land uses is to set consistent practices and expectations for Land Management's reviewing and assigning of land uses to Tribal land in a way that incorporates all approved land policies to care for the land while working towards building an autonomous community.

609.6-2. *Permissible and Prohibited Uses for Tribal Land*. As it deems appropriate, Land Management may prescribe permissible and/or prohibited uses for Tribal land;

(a) Such permissible and/or prohibited uses may not contradict with the Zoning and Shoreland Protection Ordinance.

(b) Upon establishment of permissible and/or prohibited uses, Land Management shall post notice of such uses on the affected Tribal Land.

(1) Any postings of land shall be done in accordance with the requirements of the Real Property law.

609.6-3. *Land Use License*. Land Management shall be responsible for creating a process for accepting, reviewing, and approving or denying land use license application requests.

609.6-4. *Easements*. Land Management shall be responsible for creating a process for accepting, reviewing, and approving or denying easement application requests.

**609.7. Enforcement**

609.7-1. An Oneida Police Department officer or warden may require a person to provide proof of eligibility to use any designated Tribal lands.

609.7-2. *Issuance of a Citation*. An individual who violates a provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer or warden.

(a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

(b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

*End.*

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Adopted – BC-05-15-14-C  
Emergency Amended – BC-07-23-14-C  
Amended – BC-12-10-14-A  
Emergency Amended – BC 07-08-15-C  
Amended – BC-01-13-16-C  
Amended – BC-07-26-17-D  
Amended – BC-\_\_-\_\_-\_\_-\_\_



**Oneida Nation**  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54155-0365  
 Oneida-nsn.gov



## AGENDA REQUEST FORM

- 1) Request Date: August 20, 2025
- 2) Contact Person(s): Shannon Stone  
 Dept: DPW  
 Phone Number: (920) 869-1059 ext. 2019 Email: sstone@OneidaNation.org
- 3) Agenda Title: Requested Repeal of Disposition of Excess Tribal Property Policy, BC-03-05-97-C
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:  
Please see the attached memorandum. The current law is not functional as written, restricts opportunities to use alternatives to disposing usable property forcing it into landfill, and does not address property that should not be shared to the community for matters of safety.


List any supporting materials included and submitted with the Agenda Request Form

- |   |  |
|---|--|
| 1) <u>Property Disposition Memo</u>       | 3) <u>Property Disposition SOP Draft</u> |
| 2) <u>Emails: Re Property Disposition</u> | 4) _____                                 |

- 5) Please list any laws, policies or resolutions that might be affected:  
Chapter 608 - Disposition of Excess Tribal Property
- 6) Please list all other departments or person(s) you have brought your concern to:  
Oneida Law Office, Ralinda R. Ninham-Lamberies; Shannon J. Stone; Ronald J. Vanschynel; Victoria A. Flowers; Eric McLester; Nicole A. Rommel; Jason W. Duxtator
- 7) Do you consider this request urgent? ☒ Yes ☐ No  
 If yes, please indicate why:  
The current law is non-functional and impacts community health and safety.

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester:  
**Shannon Stone**

 Digitally signed by Shannon Stone  
 Date: 2025.05.27 10:08:49 -05'00'

*Please send this form and all supporting materials to:*

**LOC@oneidanation.org**  
*or*  
**Legislative Operating Committee (LOC)**  
 P.O. Box 365  
 Oneida, WI 54155  
 Phone 920-869-4376

## MEMORANDUM

TO: Legislative Operating Committee

FROM: Shannon Stone, Division of Public Works Director

CC: RaLinda Ninham-Lamberies, Chief Financial Officer  
Krystal John, Oneida Law Office Senior Attorney

DATE: May 21, 2025

RE: Requested Repeal of Disposition of Excess Tribal Property Policy, BC-03-05-97-C

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It has been a long-held goal of the Division of Public Works to achieve less waste while simultaneously giving back to those in our direct and larger communities in need of resources. Currently, the Nation is not able to donate any property that the Nation will no longer use that continues to have a useful life due to the restrictions contained in the Disposition of Excess Tribal Property Policy.

DPW has consulted with the Oneida Law Office to determine what steps would need to be taken to allow the Nation, specifically the Division of Public Works, to donate gently used property to third-parties agreeable to waiving liability arising from use of the donated items. The Law Office reviewed the policies and recommended that DPW seek repeal of the Policy in favor of a tribe-wide SOP on the matter. DPW originally scheduled a meeting to discuss the proposed repeal of the Policy and was informed by both the Chief Financial Officer and the Law Office that the Legislative Reference Office (LRO) and the Legislative Operating Committee (LOC) should be included in the meeting.<sup>1</sup> See Emails RE: Property Disposition (February 10-11, 2025).

DPW is hereby requesting the LOC add the Disposition of Excess Tribal Property Policy to the Active Files List to consider repeal of said Policy with direction that no property be donated by the Nation until a tribe-wide SOP on the subject is in place or, in the alternative, make amendments to the Policy to allow donation of select personal property owned by the Nation.

---

<sup>1</sup> In the same communication, the CFO presented concerns with applicability and enforcement of a tribe-wide SOP which were countered by the Law Office and deferred to the LOC's decision making.

**Krystal L. John**

---

**From:** Krystal L. John  
**Sent:** Tuesday, February 11, 2025 8:10 AM  
**To:** Ralinda R. Ninham-Lamberies; Shannon J. Stone; Ronald J. Vanschyndel; Victoria A. Flowers; Mickenna J. Beach; Bridget E. John; Nicole A. Rommel; Jason W. Doxtator  
**Subject:** RE: Property Disposition

Good morning,

I agree with Ralinda that our discussion and proposal should include the LOC. I believe a simple memo to the LOC with the recommendation and stated reasons for the request would suffice.

While I can appreciate Ralinda's concerns related to enforcement, I disagree that our SOPs are less enforceable as against our employees than our laws. The reason why we would use a law as opposed to an SOP would be if we wanted to control the actions of third parties that we do not have employment control over. My only concern with using an SOP would be identifying the responsible party for overseeing the SOP and ensuring that all appropriate parties have feedback regarding the tribe-wide policy.

At this point, I think getting this onto the LOC's radar and continuing the discussion with them is the best course of action.

Krystal L. John  
 Staff Attorney  
 Oneida Law Office  
 N7210 Seminary Road  
 P.O. Box 109  
 Oneida, WI 54155  
 Tel. (920) 869-4327  
 Fax (920) 869-4065

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---

**From:** Ralinda R. Ninham-Lamberies <rlamberi@oneidanation.org>  
**Sent:** Monday, February 10, 2025 4:44 PM  
**To:** Shannon J. Stone <sstone@oneidanation.org>; Ronald J. Vanschyndel <rvanschy@oneidanation.org>; Victoria A. Flowers <vflowers@oneidanation.org>; Mickenna J. Beach <mbeach@oneidanation.org>; Bridget E. John <BJOHN@oneidanation.org>; Nicole A. Rommel <nrommel@oneidanation.org>; Jason W. Doxtator <JDOXTAT1@oneidanation.org>; Krystal L. John <kjohn4@oneidanation.org>  
**Subject:** RE: Property Disposition

I believe the first step would be to put the law on the LOC agenda for review. I would be opposed to using an S.O.P. for the disposition of property for the Oneida Nation due to lack of enforcement and authority of an S.O.P. Proper authorization of the disposition of Oneida Nation owned property is necessary to maintain effective internal controls. I can provide fraud case studies of businesses that didn't have appropriate controls in place, a few here at Oneida Nation.

-----Original Appointment-----

**From:** Mae K. Cornelius <[mcorne11@oneidanation.org](mailto:mcorne11@oneidanation.org)> **On Behalf Of** Shannon J. Stone

**Sent:** Monday, February 10, 2025 4:13 PM

**To:** Ronald J. Vanschyndel; Victoria A. Flowers; Mickenna J. Beach; Bridget E. John; Nicole A. Rommel; Jason W. Doxtator; Ralinda R. Ninham-Lamberies; Krystal L. John

**Subject:** Property Disposition

**When:** Monday, February 24, 2025 10:30 AM-11:30 AM (UTC-06:00) Central Time (US & Canada).

**Where:** Microsoft Teams Meeting

Purpose: Resolve the law. Krystal has suggested the law could be repealed and replaced with an SOP to direct areas to develop an internal process. It would also better define waste types and what should not be given to the general community as a matter of safety.

---

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---

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Oneida Nation - A good mind. A good heart. A strong fire.

[Org help](#) | [Privacy and security](#)

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 <b>ONEIDA NATION</b> <b>STANDARD OPERATING</b> <b>PROCEDURE</b>	TITLE: SOP/Work Standard Template	ORIGINATION DATE:  REVISION DATE:  EFFECTIVE DATE: One week after last signature
AUTHOR:	APPROVED BY: <i>Title &amp; Signature</i>	DATE:
DEPARTMENT:	APPROVED BY: <i>Title &amp; Signature</i>	DATE
DIVISION:	APPROVED BY: <i>Title &amp; Signature</i>	DATE:
	APPROVED BY: <i>Title &amp; Signature</i>	DATE:
EEO REFERENCE NUMBER:	COMPLIANCE REVIEW BY: <i>EEO</i>	DATE:
PAGE NO: 1 of 2	APPROVED BY: <i>HRD Manager</i> <i>(Layoff SOP/WS need HR Manager signature)</i>	DATE:

## 1.0 PURPOSE

- 1.1 The intent of the Disposition of Excess Oneida Nation Tribal Property work standard is to provide guidance for the dispose of property that is no longer useful the Oneida Nation in a way that respects the Great Law. Within Resolution #10-13-21-E, Proclamation of Rights of Nature we acknowledge our responsibility to honor, respect, protect, nurture and caretake the earth, the creatures, and the people.
- 1.2 It is the policy of the Oneida Nation to provide tribal members opportunity to acquire excess tribeNation property where the property is functional, has a reasonable expectation of usefulness, and does not propose a risk to the safety of the community.

Commented [VF1]: Oneida Nation

## 2.0 DEFINITIONS

- 2.1 **Excess Property** is physical property that is no longer useful to any department or entity of the TribeNation, whether because of property replacement, upgrade to property, or out-of-date property. Excess property shall include confiscated property obtained under the authority of the Oneida TribeNation or other jurisdictions which shall not be returned to the original owner.

Commented [VF2]: Nation

Commented [VF3]: Nation

- 2.1.1 Excess property shall not include

- (a) Real estate, whether leased or owned by the TribeNation.
- (b) Any gaming devices or equipment and/or supplies that are unique to the operation of Class II and/or Class III gaming and are not common to regular TribalNation Operations.
- (c) Digital or IntellectualWaste Property,
- (d) Waste Property,
- (e) Weapons, chemicals, and other property that have a reasonable potential to create a risk to the safety of the community.

Commented [VF4]: Nation

Commented [VF5]: Nation

- 2.2 **Gaming Property** includes that equipment specifically identified as gaming equipment either in the Oneida TribalNation/State Compact, the Comprehensive Gaming Ordinance, or the Indian Gaming Regulatory Act involved in Class I, Class II, or Class III gaming. In addition, any equipment specifically identified by the Oneida Gaming Commission as gaming equipment.

Commented [VF6]: Nation

- 2.3 **Real Estate** is defined as the land and any permanent structures, like a home, or improvements attached to the land, whether natural or man-made.

- 2.4 **Solid Waste** means all collectable, discarded material that includes garbage sludge and other discarded material including solid, liquid, and semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, or community activities.
- 2.5 **Special Waste** includes materials and items that can require special handling and management, including, but not limited to, major appliances, tires, used oil, lead-acid batteries, construction and demolition debris, ash residue, yard waste, biological wastes, electronics, and mercury-containing devices and lamps. Special Waste items shall not be mixed with Solid Waste for disposal.
- 2.6 **Value** as used herein means either the book value or market value, whichever is greater.
- 2.7 **Waste Property** includes items which have no reasonable expectation of usefulness, are broken beyond repair, or would reasonably be identified as trash.

### 3.0 WORK STANDARDS / PROCEDURES

- 3.1 Disposal of excess property.
  - 3.1.1 All property being considered for disposal shall be assessed to determine if it is excess property by the area responsible for it and the method(s) of disposal shall be outlined in their standard operating procedure(s).
  - 3.1.2 If the excess property has potential usefulness, it should be advertised to the Oneida Nation to allow for the continued use and waste prevention.
  - 3.1.3 If after a reasonable amount of time no one has claimed the property, the owner shall consider offering it to the community or other agency that may make use of the property.
  - 3.1.4 Property that continues to remain unclaimed after a reasonable amount of time should be disposed of ~~in accordance with the Recycling and Solid Waste Law, Chapter 405.~~
  - 3.1.5 Methods of disposal may include landfill, sale or auction, donation, or other methods required by law or regulation.
- 3.2 Other waste of the Oneida Nation
  - 3.2.1 Waste property and special waste shall be disposed of in accordance with the ~~Recycling and~~ Solid Waste Law, Chapter 405.

3.2.2 Special waste shall not be mixed with solid waste in accordance with the ~~Recycling and~~ Solid Waste law, chapter 405.

3.2.3 Divisions, departments, and areas within the Oneida Nation that own property such as weapons, chemicals, and other property that have a reasonable potential to create a risk to the safety of the community, also known as Special Waste, will develop standard operating procedures for the safe disposal of these items.

3.2.3.1 Standard operating procedures for special waste must be approved by the Nation's Waste Management team.

~~3.2.3~~3.2.3.2 The disposal of process for special waste shall be determined prior to the purchase the property.

### 3.3 Gaming Equipment

3.3.1 All gaming equipment shall be disposed as set out in this section.

3.3.2 Gaming equipment shall be inventoried by the Department Director and shall be listed in an orderly fashion identifying:

(a) Type of equipment

(b) Asset number - including both ~~Tribal~~ Oneida Nation and manufacturer numbers as well as any other identification number associated with the machine to aid in identification

(c) Value of equipment as listed in ~~Tribal~~ Nation asset listings

(d) Recommended disposition of equipment.

3.3.3 Provided that, during the disposal process, all gaming equipment shall be stored in a secured area.

3.3.4 This list shall be forwarded to the Gaming General Manager, or designated personnel, and to the Gaming Commission. Provided that, no action to dispose of equipment may take place, excluding the identification of an approved licensed manufacturer or distributor, within ten days of notification being sent to the Gaming Commission.

3.3.5 Gaming equipment shall be disposed of in accordance with applicable laws, including the Oneida ~~Tribal~~ Nation/State Compact, the Comprehensive Gaming Ordinance, the Indian Gaming Regulatory Act, or as otherwise specifically designated by the Gaming Commission.

Commented [VF7]: Oneida Nation

Commented [VF8]: Nation

- 3.3.6 Upon disposal, notice of final disposal destination shall be forwarded to the Gaming Commission.

### 3.4 Real Estate and Buildings

## 4.0 Asset Management

- 4.1 Notify the appropriate accounting personnel when a transfer has occurred, or property has been disposed.
- 4.2 Remove all asset tags when disposing of property. Asset tags shall be removed or destroyed on property disposed of through this policy. Prior to removal or destruction, notice will be forwarded to the Accounting Property Management Office with the following information:
- 4.2.1 Description of the asset
- 4.2.2 Asset tag number
- 4.2.3 Amount for which asset was disposed of. Provided that assets donated shall be so noted.

## 5.0 REFERENCES

5.1

## 6.0 FORMS

7.0

8.0

9.0

10.0

## 11.0 FLOW CHART

12.0

13.0



**Oneida Nation**  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54155-0365  
 Oneida-nsn.gov



## AGENDA REQUEST FORM

- 1) Request Date: 7/9/20258
- 2) Contact Person(s): Ronda L. Skenandore  
 Dept: \_\_\_\_\_  
 Phone Number: (920) 606-1676 Email: skenandoreronda@yahoo.com
- 3) Agenda Title: Child Custody, Placement, and Visitation Law Amendments
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC:  
see attached memo  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

List any supporting materials included and submitted with the Agenda Request Form

- |          |          |
|----------|----------|
| 1) _____ | 3) _____ |
| 2) _____ | 4) _____ |

- 5) Please list any laws, policies or resolutions that might be affected:  
 \_\_\_\_\_
- 6) Please list all other departments or person(s) you have brought your concern to:  
 \_\_\_\_\_
- 7) Do you consider this request urgent? ☐ Yes ☐ No  
 If yes, please indicate why:  
 \_\_\_\_\_

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester:

\_\_\_\_\_

*Please send this form and all supporting materials to:*

**LOC@oneidation.org**  
*or*  
**Legislative Operating Committee (LOC)**  
 P.O. Box 365  
 Oneida, WI 54155  
 Phone 920-869-4376

Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365  
 Oneida WI., 54155

RECEIVED  
 AUG 13 2025  
 ONEIDA LAW OFFICE

## AGENDA REQUEST FORM

July 9, 2025

Ronda L. Skenandore [skenandoreronda@yahoo.com](mailto:skenandoreronda@yahoo.com)  
 2521 Fond Du Lac Road  
 Oshkosh WI., 54902  
 920-606-1676

**Agenda Title: Request for Revision of 7 O.C. 705.14 Based on Oneida Family Court Decision**

I am writing to request a revision to Oneida Tribal Code 7 O.C. 705.14, pursuant to 1 O.C. 109.5-1, to include enforcement provisions for physical placement orders when a child's residence is moved within or outside the State of Wisconsin. This request is driven by a Oneida Family Court decision highlighting the absence of enforcement mechanisms in 7 O.C. 705.14, which has left parents unable to maintain court-ordered contact with their children. The revision draws on models from other tribal laws and emphasizes protecting the privacy of all parties, particularly the minor child, in accordance with Oneida Tribal Law, Wisconsin law, and federal laws governing sensitive family matters.

**Detailed Description of the Item and the Reason/Justification It Is Being Brought Before the Legislative Operating Committee**

The Oneida Family Court's decision in a recent case serves as the primary justification for revising 7 O.C. 705.14, which governs the procedure for moving a child's residence but lacks provisions to enforce physical placement orders after such a move. The court explicitly stated

that if a motion to enforce physical placement had been filed, it would have appointed a guardian ad litem and held a contested hearing on custody and placement issues. However, because 7 O.C. 705.14 does not include enforcement mechanisms, parents face significant barriers in upholding court-ordered contact with their child, resulting in prolonged separation.

The court recommended submitting a written request to the Legislative Reference Office to revise 7 O.C. 705.14, as permitted under 1 O.C. 109.5-1, to address this gap. This suggestion does not imply that case details should be disclosed publicly, as family court matters are highly sensitive and protected to safeguard the privacy of all parties, especially children. Public disclosure could violate tribal privacy policies under 1 O.C. 107, court orders, or federal laws like the Indian Child Welfare Act (ICWA).

To inform the revision, other tribal nations, such as the Cherokee Nation and Ho-Chunk Nation, offer models in their family codes, requiring court approval for relocation, notice to the non-relocating parent, and sanctions (e.g., contempt, custody modification) for non-compliance. These laws ensure the child's best interests while maintaining confidentiality through sealed records. Revising 7 O.C. 705.14 to include enforcement provisions, such as court motions, mediation, or tribal law enforcement coordination, will align Oneida Tribal Law with the Family Court's intent, protect parental rights, and promote Tsi? Niyukwaliho T^ (Our Ways).

### **List Any Supporting Materials Included**

To protect the confidentiality of the family court case, as emphasized by the need to avoid public disclosure under 1 O.C. 107, no specific court documents are attached, as such materials could expose sensitive information through the Agenda Request Form process. The request is based on the Oneida Family Court's decision that 7 O.C. 705.14 lacks enforcement provisions, supported by comparative family codes from the Cherokee Nation, Ho-Chunk Nation, and Navajo Nation. If the Legislative Operating Committee requires documentation, I respectfully request guidance on submitting redacted or sealed materials to comply with tribal and federal privacy standards, including those under ICWA and the Family Educational Rights and Privacy Act (FERPA).

## List Any Laws, Policies, or Resolutions That Might Be Affected

- **Primary Law Affected:**

- 7 O.C. 705.14: Governs child relocation but, as noted by the Oneida Family Court, lacks enforcement provisions. The revision would add mechanisms (e.g., notice requirements, court sanctions, mediation) while ensuring privacy protections, drawing on other tribal laws.

- **Related Laws and Policies**

- **Oneida Tribal Law:**

- 7 O.C. 705.10 (Custody) and 7 O.C. 705.13 (Placement): May require review to ensure consistency with enforcement provisions, supporting the Family Court's goal of upholding placement orders.
- 7 O.C. 704 (Child Support): Offers enforcement precedents (e.g., contempt, garnishment) adaptable to placement orders.
- 7 O.C. 708 (Guardianship): Could support enforcement through guardianship motions.
- 1 O.C. 107 (Open Meetings Law): Governs public access to LOC submissions, necessitating anonymized filings to protect privacy.
- 1 O.C. 109 (Legislative Procedures Act): Authorizes revision requests to the Legislative Reference Office, as recommended by the court.

- **Wisconsin Law:**

- Wis. Stat. § 767.481: Requires notice and court approval for child relocation, with enforcement by contempt or custody modification, serving as a model for tribal enforcement.
- Wis. Stat. § 767.41: Protects family court record confidentiality, reinforcing the need for sealed records.

- **Federal Law:**

- ICWA: Mandates confidentiality and tribal jurisdiction in Indian child custody cases, guiding privacy and enforcement standards.

- FERPA: Protects educational records that may appear in custody cases, emphasizing confidentiality.

### **List Departments or Person(s) You Have Brought Your Concern To**

This concern has been raised with:

- **Oneida Family Court:** The court identified the enforcement gap in 7 O.C. 705.14 and recommended submitting a revision request to the Legislative Reference Office, prompting this proposal.

### **Emphasis on Privacy Protection**

The Oneida Family Court's decision underscores the sensitivity of family court cases involving minors, which are protected under Oneida Tribal Law, Wisconsin law, and federal laws to prevent harm to the child and respect all parties' privacy. Other tribal nations, such as the Cherokee and Navajo Nations, seal family court records and anonymize public filings to ensure confidentiality. Public disclosure of case details could violate tribal privacy policies under 1 O.C. 107, court orders, or federal laws like ICWA and FERPA. Wisconsin's Wis. Stat. § 767.41 similarly safeguards family court records to avoid stigmatization.

Given that Agenda Request Form submissions may be public, including specific case details risks exposing sensitive information. This request avoids such disclosures, omitting identifiable details and focusing on the Family Court's call for legislative revision to ensure enforceable court orders while protecting families.

### **Do you consider this request urgent?**

Yes, the request to revise Oneida Tribal Code 7 O.C. 705.14 is urgent because the Oneida Family Court's decision highlights a critical gap in enforcement mechanisms, resulting in prolonged parental separation and potential harm to the child's best interests. This gap undermines court-ordered placement rights, delays resolution of custody disputes, and risks further emotional

and cultural disconnection for Oneida families, necessitating immediate legislative action to protect children and parents.

### **Conclusion**

I respectfully request the Legislative Operating Committee to consider revising 7 O.C. 705.14 to include enforcement provisions for physical placement orders, as prompted by the Oneida Family Court's decision, drawing on models from other tribal laws and ensuring privacy protections in accordance with Oneida Tribal Law, Wisconsin's Wis. Stat. § 767.481 and § 767.41, and federal laws like ICWA. This will strengthen the Oneida Nation's legal framework, honor the court's intent, promote Tsi? Niyukwaliho T^, and safeguard children and families.

Thank you for your attention. I am available to provide further information or assist with redacted submissions if needed.

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Ronda Skenandore      7/9/2005

Ronda L. Skenandore

Date


## August 7, 2025 Legislative Operating Committee E-Poll Approval of the LOC Fiscal Year 2025 Third Quarter Report

E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report

**LOC**  
To: Jameson J. Wilson; Jennifer A. Webster; Jonas G. Hill; Kirby W. Metoxen; Marlon G. Skenandore  
Cc: Fawn J. Billie; Fawn L. Cottrell; Kristal E. Hill; Rhiannon R. Metoxen; David P. Jordan; Clorissa N. Leeman


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Thu 8/7/2025 3:41 PM

 Vote by clicking Vote in the Respond group above.  
This message was sent with High importance.

 LOC FY25 Third Quarter Report.pdf  
384 KB

**Good Afternoon Legislative Operating Committee,**

This e-mail serves as the e-poll for the approval of the Fiscal Year 2025 Legislative Operating Committee Third Quarter Report.

### EXECUTIVE SUMMARY

The Legislative Operating Committee is now prepared to approve its Fiscal Year 2025 Third Quarter Report so that it may be submitted to the Oneida Business Committee. This report details the accomplishments of the Legislative Operating Committee from April 2025 through June 2025.

Attached to this e-mail is the Legislative Operating Committee Fiscal Year 2025 Third Quarter Report.

An e-poll is necessary to approve the Fiscal Year 2025 Legislative Operating Committee Third Quarter Report because the next Legislative Operating Committee meeting is not until August 20, 2025, and the quarterly reports were due to the Oneida Business Committee on August 5, 2025. This report was erroneously left off the August 6, 2025, Legislative Operating Committee meeting agenda.

### REQUESTED ACTION

- Approve the Fiscal Year 2025 Legislative Operating Committee Third Quarter Report and forward to the Oneida Business Committee.

### DEADLINE FOR RESPONSE

**August 8, 2025 at 12:00 p.m.**

All supporting documentation has been attached to this email for your convenience.




A good mind. A good heart. A strong fire.






### E-POLL RESULTS:







This e-poll was approved by Jonas Hill, Kirby Metoxen, Jameson Wilson, Marlon Skenandore, and Jennifer Webster.


Re: E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report








Jonas G. Hill

To  LOC;  Jameson J. Wilson;  Jennifer A. Webster;  Kirby W. Metoxen;  Marlon G. Skenandore

Cc  Fawn J. Billie;  Fawn L. Cottrell;  Kristal E. Hill;  Rhiannon R. Metoxen;  David P. Jordan;  Clorissa N. Leeman


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




Thu 8/7/2025 3:43 PM







Wonderful Job! Approve

RE: E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report



Kirby W. Metoxen

To  LOC;  Jameson J. Wilson;  Jennifer A. Webster;  Jonas G. Hill;  Marlon G. Skenandore

Cc  Fawn J. Billie;  Fawn L. Cottrell;  Kristal E. Hill;  Rhiannon R. Metoxen;  David P. Jordan;  Clorissa N. Leeman




Thu 8/7/2025 3:44 PM

Great Job LRO. Approve






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





**Kirby Metoxen**  
**Councilman**  
**Oneida Business Committee**


Re: E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report






Jameson J. Wilson

To  LOC;  Jennifer A. Webster;  Jonas G. Hill;  Kirby W. Metoxen;  Marlon G. Skenandore

Cc  Fawn J. Billie;  Fawn L. Cottrell;  Kristal E. Hill;  Rhiannon R. Metoxen;  David P. Jordan;  Clorissa N. Leeman


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


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





Approve


Re: E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report



Marlon G. Skenandore

To  LOC;  Jameson J. Wilson;  Jennifer A. Webster;  Jonas G. Hill;  Kirby W. Metoxen

Cc  Fawn J. Billie;  Fawn L. Cottrell;  Kristal E. Hill;  Rhiannon R. Metoxen;  David P. Jordan;  Clorissa N. Leeman


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




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




Approve




RE: E-POLL REQUEST: Approval of the LOC Fiscal Year 2025 Third Quarter Report



Jennifer A. Webster

To  LOC;  Jameson J. Wilson;  Jonas G. Hill;  Kirby W. Metoxen;  Marlon G. Skenandore

Cc  Fawn J. Billie;  Fawn L. Cottrell;  Kristal E. Hill;  Rhiannon R. Metoxen;  David P. Jordan;  Clorissa N. Leeman



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Approve.  
Thanks,  
Jenny



## Legislative Operating Committee Fiscal Year 2025 Third Quarter Report April 2025 – June 2025

### Legislative Operating Committee Strategic Directions

The Legislative Operating Committee completed strategic planning and set forth the following strategic directions to provide clarity and direction on the Legislative Operating Committee's legislative efforts during the 2023-2026 legislative term:

- Improving relationships through communication;
- Improving internal processes and strategy;
- Educating and engaging stakeholders, including youth; and
- Implementing efficient use of technology.

### Legislative Operating Committee Action on Legislative Requests

During the FY25 Third Quarter the Legislative Operating Committee added five (5) legislative items to its Active Files List. The Legislative Operating Committee recognized two (2) additional requests and accepted them as information as the laws were already on the Active Files List. The Legislative Operating Committee denied zero (0) legislative item during the FY25 Third Quarter.

On April 2, 2025, the Legislative Operating Committee accepted the request to add the General Tribal Council Meeting Stipend Payment Policy amendments to its Active Files List as information, since the GTC Government Participation GWE law is already on the Active Files List to accomplish the same purpose.

On May 7, 2025, the Legislative Operating Committee added the Oneida Worker's Compensation law amendments, the Petition: S. Benton – Personnel Policies and Procedures Amendments #2025-01, the Petition: S. Benton – Trial Court Rules Amendments #2025-02, the Judiciary law amendments, and the Data Sovereignty law to the Active Files List.

On May 21, 2025, the Legislative Operating Committee approved the request to process emergency amendments to the Election Law, noting Election Law Amendments are already on the Active Files List.

### FY25 Third Quarter Legislative Accomplishments

During the FY25 Third Quarter the Legislative Operating Committee brought forward the following legislative items for amendment:

### Oneida Nation Law Enforcement Ordinance Amendments

On May 14, 2025, the Oneida Business Committee adopted amendments to the Oneida Nation Law Enforcement Ordinance through the adoption of resolution BC-05-14-25-B. The purpose of the Oneida Nation Law Enforcement Ordinance is to regulate the conduct of the Nation's law enforcement personnel according to the highest professional standards. [3 O.C. 301.1-1]. Amendments to the Oneida Nation Law Enforcement Ordinance were sought to:

- Revise the title of the law from “Oneida Nation Law Enforcement Ordinance” to “Law Enforcement law;”
- Include a new provision providing the policy of the Nation in regard to this law. [3 O.C. 301.1-2];
- Provide that law enforcement operations can take place outside the Reservation when the operations occur pursuant to any other jurisdictional exception that may exist for law enforcement officers. [3 O.C. 301.4-2(c)];
- Remove the Police Sergeant position from the positions in the Oneida Police Department that are required to be held by enrolled members of the Nation. [3 O.C. 301.5-1(a)];
- Require that upon the removal of a Police Chief, in addition to the retirement or resignation, the Oneida Public Safety and Security Commission shall appoint an interim Police Chief. [3 O.C. 301.5-2(b)(4)];
- Clarify that to the extent that Federal Tort Claims Act coverage does not apply, the Nation shall provide professional liability insurance for all law enforcement officers. [3 O.C. 301.5-4];
- Allow for the sworn oath of a law enforcement officer to take place at a special Oneida Business Committee meeting, or at an alternative time and location as determined by the Oneida Business Committee Secretary, in addition to at a regular Oneida Business Committee meeting. [3 O.C. 301.5-6];
- Expand the Oneida Police Commission into the Oneida Public Safety and Security Commission, which will oversee the Internal Security Department and any other public safety operation department of the Nation, in addition to the Oneida Police Department. [3 O.C. 301.6];
- Revise the eligibility qualifications for Oneida Public Safety and Security Commission members. [3 O.C. 301.6-3];
- Revise the responsibilities of the Oneida Public Safety and Security Commission in regard to the Oneida Police Department. [3 O.C. 301.6-4];
- Provide that the responsibilities of the Oneida Public Safety and Security Commission in regard to the Internal Security Department or any other safety operation department of the Nation shall be provided for in the Oneida Public Safety and Security Commission bylaws. [3 O.C. 301.6-5];
- Revise the disciplinary proceedings for law enforcement officers. [3 O.C. 301.9];
- Move all provisions regarding the use of firearms to section 301.11 of the Law, and provide that the Oneida Police Department may allow law enforcement use of service firearms in order to protect life, liberty, property, land, and premises, according to the usual and current accepted law enforcement standards. [3 O.C. 301.11-1]; and
- Make other minor drafting changes throughout the Law.

The amendments to the Oneida Nation Law Enforcement Ordinance will go into effect on August 20, 2025.

**Election Law Emergency Amendments**

On June 25, 2025, the Oneida Business Committee adopted emergency amendments to the Election law through the adoption of resolution BC-06-25-25-B. The Election law governs the procedures for the conduct of orderly elections of the Nation, including pre-election activities such as caucuses and nominations. [1 O.C. 102.1-1]. The emergency amendments to the Election law reduced the number of Election Board members required to sign the election totals from six (6) to three (3). [1 O.C. 102.10-2].

The Oneida Business Committee can temporarily enact legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act. [1 O.C. 109.9-5]. A fiscal impact statement and public meeting are not required for emergency legislation. [1 O.C. 109.9-5(a)].

The emergency amendments to the Election law were necessary for the preservation of the general welfare of the Reservation population to ensure that the 2025 Special Election could occur in an efficient and lawful manner. The 2025 Special Election was scheduled for July 12, 2025. The number of Election Board members required to sign the election totals was reduced from six (6) to three (3) due to the Election Board's concern that there would not be enough Election Board members to meet the original requirement for six (6) members. The Election Board provided that they have not been able to secure an adequate number of alternate positions for the 2025 Special Election.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of the amendments to the Election law were contrary to public interest and the process and requirements of the Legislative Procedures Act could not be completed in time to allow the proposed emergency amendments to be adopted and implemented prior to the July 12, 2025 Special Election.

The adoption of the emergency amendments to the Election law took effect immediately upon adoption by the Oneida Business Committee. The emergency amendments to the Election law will remain effective for six (6) months. The Legislative Procedures Act provides the possibility to extend the emergency amendment for an additional six (6) months, or until the emergency amendment expires or is permanently adopted. [1 O.C. 109.9-5(b)].

**Landlord Tenant Law Amendments**

On June 25, 2025, the Oneida Business Committee adopted amendments to the Landlord Tenant law through the adoption of resolution BC-06-25-25-C. The purpose of the Landlord Tenant Law is to provide mechanisms for protecting the rights of the landlords and tenants on all land owned by the Nation or members of the Nation within the Reservation boundaries. [6 O.C. 611.1-1]. Amendments to the Landlord Tenant Law were sought to:

- Expand the scope of the law to include all land owned by the Nation or members of the Nation within the Reservation boundaries instead of only to the Nation's rental programs. [6 O.C. 611.1-1].

- Expand the Nation’s policy of providing a fair process to landlords and tenants of the Nation’s rental programs to include all residents of the Nation. *[6 O.C. 611.1-2]*.
- Expand the definition of landlord to include any person or entity within the Nation’s jurisdiction, instead of limiting it to the Nation acting in its capacity as the landlord. *[6 O.C. 611.3-1(b)]*.
- Redefine “rule” to grant rulemaking authority solely to the Comprehensive Housing Division instead of jointly to the Land Commission and the Comprehensive Housing Division. *[6 O.C. 611.3-1(g)]*. The Land Commission’s rulemaking authorities are eliminated as follows:
  - Naming programs and providing specific requirements and regulations that apply to said programs. *[6 O.C. 611.10-1]*
  - Disposition of personal property on Tribal land. *[6 O.C. 611.5-2(c)]*.
  - How and when rent shall be decreased due to untenability. *[6 O.C. 611.5-3(c)(2)]*.
  - Governing the selection of applicants for the issuance of rental agreements. *[current 6 O.C. 611.4-3]*.
- Remove rulemaking authority over applicant selection for the issuance of rental agreements from both the Land Commission and the Comprehensive Housing Division. *current 6 O.C. 611.4-3]*.
- Organize the law to flow from general to specific in accordance with the Legislative Procedures Act. *[1 O.C. 109.11-1(d)]*. The Rental Program section is limited to rental programs managed by the Comprehensive Housing Division, these programs now occupy a subset of landlord tenant relationships under the proposed amendments expanded scope of landlord tenant relationships. *[6 O.C. 611.1-1]*. Therefore, the Rental Program section is moved from the beginning of the law to the end. *[current 6 O.C. 611.4]*. *[proposed 6 O.C. 611.10]*.
- Clarify that rental agreements shall state that nothing in the agreement may be considered a waiver of the Nation’s sovereign immunity when the Nation is acting in its capacity as a landlord. *[6 O.C. 611.4-2(a)(5)]*.
- Clarify that all landlords or their staff must keep a written log of the date and the work time expended storing and/or removing personal property and/or removing debris left at the property after the expiration of the timeframe provided in the order to vacate. *[6 O.C. 611.5-2(b)]*.
- Remove language applying any section of this law to leases. *[6 O.C. 611.5-3]*.
- Clarify that a landlord may bring an action for eviction when it is authorized by the Eviction and Termination law based on contacts with an entity for law enforcement services, health services, or safety services. *[6 O.C. 611.4-(b)(1)(C)]*.
- Provide that when the Nation is the landlord, and a property has become untenable due to damage by fire, water or other casualty, or because of any condition hazardous to health, or if there is a substantial violation of 611.5-3(a) materially affecting the health and safety of the tenant, alternative housing shall be provided if it is reasonably available. *[6 O.C. 611.5-3(c)(4)]*.
- Expand protections provided to a child of a tenant to a child of the household when the landlord is presented with documentation of any of the following:
  - An injunction order under Wis. Stat. 813.122 protecting a child from a co-tenant;

- An injunction order or criminal complaint filed under Wis. Stat. 813.125(4) protecting a child from a co-tenant, based on the co-tenant's engaging in an act that would constitute sexual assault under Wis. Stat. 940.225, 948.02 and 948.025;
- A criminal complaint filed under Wis. Stat. 940.32 alleging the co-tenant stalked the child. [6 O.C. 611.6-1(b), (c), (e), and (f)].
- Make other minor drafting changes throughout the Law.

The amendments to the Landlord Tenant law went into effect immediately upon adoption.

### **FY25 Third Quarter Administrative Accomplishments**

During the FY25 Third Quarter the Legislative Operating Committee brought forward the following administrative accomplishments:

#### **Petition S. Benton - Personnel Policies and Procedures Amendments #2025-01**

The Legislative Reference Office provided a statement of effect for the Petition S. Benton - Personnel Policies and Procedures Amendments #2025-01 to the Oneida Business Committee on June 25, 2025.

#### **Petition S. Benton - Trial Court Rules Amendments #2025-02**

The Legislative Reference Office provided a statement of effect for the Petition S. Benton - Trial Court Rules Amendments #2025-02 to the Oneida Business Committee on June 25, 2025.

### **FY25 Third Quarter Community Outreach Efforts**

Focusing on its efforts to enhance community involvement through outreach and communication, during the FY25 Third Quarter the Legislative Operating Committee held two (2) community outreach events.

On April 2, 2025, from 12:00 p.m. through 1:30 p.m. the Legislative Operating Committee held a community work session on the Sanctions and Penalties law in the Norbert Hill Center's Business Committee Conference Room as well as on Microsoft Teams. The purpose of this community work session was to read through the Sanctions and Penalties law line-by-line and collect comments, questions, or suggestions for how to potentially amend the language included in the law.

On June 18, 2025, from 5:30 p.m. through 7:30 p.m. the Legislative Operating Committee held a community meeting in the Norbert Hill Center's cafeteria. Topics discussed during the community meeting included a discussion of the development of the following legislation for the Nation: Ten Day Notice Policy Amendments; Election Law Amendments; and the Renewable Energy law. The purpose of this community meeting was to provide an opportunity for open discussion in which people could share comments, questions, or suggestions on potential issues that should be addressed regarding the topics discussed.

The Legislative Operating Committee intends to hold community outreach events on a quarterly basis and encourages everyone to attend and participate in future community outreach events.

## **FY25 Third Quarter Legislative Highlights**

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY25 Third Quarter:

### **Boards, Committees, and Commissions Law Amendments**

This item is sponsored by Kirby Metoxen. The Legislative Operating Committee held one (1) work meetings during the FY25 Third Quarter regarding this legislative matter.

### **Code of Ethics Amendments**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held four (4) work meetings during the FY25 Third Quarter regarding this legislative matter.

### **Conflict of Interest Law Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meetings during the FY25 Third Quarter regarding this legislative matter

### **Elder Protection Law**

This item is sponsored by Jennifer Webster and Marlon Skenandore. The Legislative Operating Committee held four (4) work meetings during the FY25 Third Quarter regarding this legislative matter.

### **Election Law Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meetings during the FY25 Third Quarter regarding this legislative matter. On May 1, 2025, the Legislative Operating Committee conducted an e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. The requested action of this e-poll was to approve the public meeting packet for the Sanctions and Penalties law and forward the Sanctions and Penalties law to a public meeting to be held on June 13, 2025; and approve the Summer LOC Community Meeting Notice and schedule a community meeting to be held on June 4, 2025. This e-poll was approved by Jennifer Webster, Marlon Skenandore, Jonas Hill, and Kirby Metoxen. On May 7, 2025, the Legislative Operating Committee entered into the record the results of the May 1, 2025, e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. On June 18, 2025, the Election Law Amendments were a topic of discussion included on the Legislative Operating Committee's Summer community meeting. On June 25, 2025, emergency amendments to the Election law were adopted by the Oneida Business Committee through the adoption of resolution BC-06-25-25-B.

### **Furlough Law Amendments**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Higher Education Scholarship Law**

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held two (2) work meetings during the FY25 Third Quarter regarding this legislative matter.

**Hunting, Fishing, and Trapping Law Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meetings during the FY25 Third Quarter regarding this legislative matter. On May 7, 2025, the Legislative Operating Committee approved the draft of proposed amendments to the Hunting, Fishing, and Trapping law and directed that a legislative analysis be completed. On May 21, 2025, the Legislative Operating Committee approved the updated draft and legislative analysis. On June 18, 2025, the Legislative Operating Committee approved the public meeting packet for the proposed amendments to the Hunting, Fishing, and Trapping law and scheduled a public meeting to be held on July 30, 2025. That same day the Legislative Operating Committee conducted an e-poll entitled, Rescheduled Hunting, Fishing, and Trapping Law Public Meeting. The requested action of the e-poll was to approve the updated public meeting packet for the proposed amendments to the Hunting, Fishing, and Trapping law and reschedule the public meeting to be held on August 15, 2025. This e-poll was unanimously approved.

**Independent Contractor Policy Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Indian Preference in Contracting Law Amendments**

This item is sponsored by Jonas Hill and Marlon Skenandore. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Landlord Tenant Law Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter. On May 7, 2025, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred this item to a work meeting for further consideration. The Legislative Operating Committee reviewed and considered the public comments that same day. On May 21, 2025, the Legislative Operating Committee approved the updated public comment review memorandum, draft, and legislative analysis for the proposed amendments to the Landlord Tenant law. The Legislative Operating Committee also approved the fiscal impact statement request memorandum and forwarded the materials to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by June 6, 2025. Finance provided the Legislative Operating Committee with the fiscal impact statement on June 2, 2025. On June 18, 2025, the Legislative Operating Committee approved the adoption packet for the proposed amendments to the Landlord Tenant Law and forwarded this item to the Oneida Business Committee for consideration, with noted change to the resolution. On June 25, 2025, the Oneida Business Committee adopted amendments to the Landlord Tenant law through the adoption of resolution BC-06-25-25-C.

**Law Enforcement Ordinance Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter. On April 2, 2025, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred this item to a work meeting for further consideration. The Legislative Operating Committee reviewed and considered those comments that same day. On April 16, 2025, the Legislative Operating Committee accepted the updated public comment review memorandum, draft, and legislative analysis. The Legislative Operating Committee also approved the fiscal impact statement request memorandum and forwarded the request to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by April 30, 2025. Finance provided the Legislative Operating Committee with the fiscal impact statement on April 30, 2025. On May 7, 2025, the Legislative Operating Committee approved the adoption packet for the Oneida Nation Law Enforcement Ordinance Amendments and forwarded this item to the Oneida Business Committee for consideration. On May 14, 2025, the Oneida Business Committee adopted amendments to the Oneida Nation Law Enforcement Ordinance through the adoption of resolution BC-05-14-25-B.

**Oneida Personnel Policies and Procedures Amendments**

This item is sponsored by all members of the Legislative Operating Committee. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Probate Law**

This item is sponsored by Kirby Metoxen, Jameson Wilson, Marlon Skenandore. The Legislative Operating Committee held five (5) work meetings during the FY25 Third Quarter regarding this legislative matter.

**Public Use of Tribal Land Law Amendments**

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meetings during the FY25 Third Quarter regarding this legislative matter.

**Real Property Law Amendments**

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Recycling and Solid Waste Disposal Law Amendments**

This item is sponsored by Kirby Metoxen and Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Renewable Energy Law**

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held three (3) work meetings during the FY25 Third Quarter regarding this legislative matter. On June 18, 2025, the Renewable Energy law was a topic of discussion included on the Legislative Operating Committee's Summer community meeting.

**Sanctions and Penalties Law**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter. On April 2, 2025, the Legislative Operating Committee held a community work session in which the Sanctions and Penalties law was a topic of discussion. On May 1, 2025, the Legislative Operating Committee conducted an e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. The requested action of this e-poll was to approve the public meeting packet for the Sanctions and Penalties law and forward the Sanctions and Penalties law to a public meeting to be held on June 13, 2025; and approve the Summer LOC Community Meeting Notice and schedule a community meeting to be held on June 4, 2025. This e-poll was approved by Jennifer Webster, Marlon Skenandore, Jonas Hill, and Kirby Metoxen. On May 7, 2025, the Legislative Operating Committee entered into the record the results of the May 1, 2025, e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. On June 13, 2025, the Legislative Operating Committee held a public meeting regarding the Sanctions and Penalties law. No individuals provided oral comments during the public meeting. The public comment period was then held open until June 20, 2025. Zero (0) individuals provided written comments during the public comment period.

**Ten Day Notice Policy Amendments**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held three (3) work meetings during the FY25 Third Quarter regarding this legislative matter. On May 1, 2025, the Legislative Operating Committee conducted an e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. The requested action of this e-poll was to approve the public meeting packet for the Sanctions and Penalties law and forward the Sanctions and Penalties law to a public meeting to be held on June 13, 2025; and approve the Summer LOC Community Meeting Notice and schedule a community meeting to be held on June 4, 2025. This e-poll was approved by Jennifer Webster, Marlon Skenandore, Jonas Hill, and Kirby Metoxen. On May 7, 2025, the Legislative Operating Committee entered into the record the results of the May 1, 2025, e-poll entitled, Approval of the Sanctions and Penalties Law Public Meeting Packet and Summer LOC Community Meeting Notice. On June 18, 2025, the Ten Day Notice Policy Amendments were a topic of discussion included on the Legislative Operating Committee's Summer community meeting.

**Tribal Sovereignty in Data Research Law**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held four (4) work meetings during the FY25 Third Quarter regarding this legislative matter.

**Two Spirit Inclusion Law**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

**Uniform Commercial Code**

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter.

### **Workplace Violence Law Amendments**

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY25 Third Quarter regarding this legislative matter. On May 7, 2025, the Legislative Operating Committee approved the draft of proposed amendments to the Workplace Violence Law and directed that a legislative analysis be completed. On May 21, 2025, the Legislative Operating Committee accepted the updated draft and legislative analysis and deferred this matter to a work meeting to address the potential conflict before a public meeting is held.

### **FY25 Third Quarter Legislative Operating Committee Meetings**

All Legislative Operating Committee meetings are open to the public and held on the first and First Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center's Business Committee Conference Room and on Microsoft Teams.

The Legislative Operating Committee held the following meetings during the FY25 Third Quarter:

- April 2, 2025 – Regular meeting;
- April 16, 2025 – Regular meeting;
- May 7, 2025 – Regular meeting;
- May 21, 2025 – Regular meeting; and
- June 18, 2025 – Regular meeting.

The June 4, 2025, Legislative Operating Committee meeting was canceled.

In addition to attending the Legislative Operating Committee meetings in person, individuals provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. Anyone who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to [LOC@oneidanation.org](mailto:LOC@oneidanation.org) by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting.

For those who may be unable to attend the Legislative Operating Committee meeting either in person or on Microsoft Teams, an audio recording of the Legislative Operating Committee meeting is made available on the Nation's website after the meeting concludes.

### **Goals for FY25 Fourth Quarter**

During the FY25 Fourth Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

- Hold an additional LOC community meeting and community work session.
- Adoption of the Hunting, Fishing, and Trapping Law Amendments.
- Hold a public meeting for the Workplace Violence Law Amendments.
- Approve the adoption packet for the Sanctions and Penalties law.

## Legislative Reference Office

The Legislative Reference Office's mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation's values, builds upon the Nation's strong foundation, and reaffirms our inherent sovereignty.

In addition to the assisting the Legislative Operating Committee with the development of legislation, the Legislative Reference Office also:

- Drafts statements of effect for Oneida Business Committee and General Tribal Council resolutions;
- Drafts statements of effect for General Tribal Council resolutions petitions;
- Drafts and provides other assistance to various department and entities of the Nation with administrative rulemaking;
- Manages all other administrative duties and recordkeeping for the Legislative Operating Committee.

During the FY25 Third Quarter the Legislative Reference Office was staffed by the following individuals:

- Clorissa N. Leeman, Senior Legislative Staff Attorney.
  - Contact: [cleeman@oneidanation.org](mailto:cleeman@oneidanation.org)
- Carolyn Salutz, Legislative Staff Attorney.
  - Contact: [csalutz@oneidanation.org](mailto:csalutz@oneidanation.org)
- Grace Elliott, Legislative Staff Attorney.
  - Contact: [gelliott@oneidanation.org](mailto:gelliott@oneidanation.org)

## Legislative Operating Committee Contact Information

Feel free to contact the LOC at [LOC@oneidanation.org](mailto:LOC@oneidanation.org) with any questions or comments, or individual LOC members at the following:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>▪ Jameson Wilson, LOC Chairman<br/><a href="mailto:jwilson@oneidanation.org">jwilson@oneidanation.org</a></li> <li>▪ Kirby Metoxen, LOC Vice-Chairman<br/><a href="mailto:kmetox@oneidanation.org">kmetox@oneidanation.org</a></li> <li>▪ Jennifer Webster, LOC Member<br/><a href="mailto:jwebstel@oneidanation.org">jwebstel@oneidanation.org</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ Jonas Hill, LOC Member<br/><a href="mailto:jhill1@oneidanation.org">jhill1@oneidanation.org</a></li> <li>▪ Marlon Skenandore, LOC Member<br/><a href="mailto:mskenan1@oneidanation.org">mskenan1@oneidanation.org</a></li> </ul> |
|---|---|

*The Legislative Operating Committee  
from left to right: Kirby Metoxen,  
Jameson Wilson, Jennifer Webster,  
Marlon Skenandore, Jonas Hill.*



# August 2025

August 2025

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September 2025

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MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Jul 28	29	30	31	Aug 1 10:00am Research Review Law (Microsoft Teams Meeting) - Grace L. Elliott
4 10:00am Furlough + Layoff work meeting (Microsoft Teams Meeting) - Carolyn A. Salutz	5	6 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm Canceled: LOC Work Session	7	8
11 10:00am Public Use of Tribal Land Law Amendments Work Meeting (Microsoft Teams Meeting) - Clorissa N. Leeman	12	13	14 12:00pm LOC @ Oneida Farmers Market (Oneida Farmers Market) - Clorissa N. Leeman	15 10:00am Higher Education Law Read Through (Microsoft 12:15pm PUBLIC MEETING: Hunting, Fishing, and Trapping 1:15pm Eviction and Termination Law
18 8:30am Budget and Finances Law Work Meeting (Microsoft Teams Meeting) - Clorissa N. Leeman	19 10:00am Vendor Licensing - work meeting with LOC (Microsoft Teams Meeting) - Carolyn A. Salutz	20 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm LOC Work Session (Microsoft	21 3:30pm Real Property Law Amendments (Microsoft Teams Meeting) - Grace L. Elliott	22 1:30pm Renewable Energy Law Work Meeting (Microsoft Teams Meeting) - Clorissa N. Leeman
25 9:00am Law/Legislative Update Meeting (Microsoft Teams Meeting) - Clorissa N. 11:00am Data Sovereignty Law Work Meeting (Microsoft Teams Meeting) - Clorissa N.	26	27	28 12:00pm LOC @ Oneida Farmers Market (Oneida Farmers Market) - Clorissa N. Leeman	29