

Oneida Nation

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Oneida, WI 54155

BC Resolution # 10-22-25-B

Withholding Pay – Oneida Business Committee Council Member Marlon Skenandore

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** members of the Oneida Business Committee are elected to office by the members for three (3) year terms in accordance with the Constitution and the Election Law; and
- WHEREAS,** the General Tribal Council has adopted three (3) actions which provide direction regarding the expectations of members of the Oneida Business Committee –
- Position Descriptions setting responsibilities and expectations;
 - Salary identifying compensation for carrying out responsibilities and expectations;
 - Removal Law identifying how members can address issues of failure to meet the responsibilities and expectations;]; and
- WHEREAS,** the position description for a Council Member identifies that they “must at all times act in the best interests of the Oneida [Nation],” Position Description (1), and are required “to keep themselves informed on the department’s problems and progress,” Position Description (3); and
- WHEREAS,** pursuant to Article III, Section 3 of the Tribal Constitution which provides that “Regular meetings of the Business Committee may be established by resolution of the Business Committee”, the Oneida Business Committee has adopted resolutions which set forth the regular meeting and executive session discussion schedule for the Oneida Business Committee at which each member is required to be present unless on approved travel, at an approved meeting, or an pre-approved time off, Resolution # BC-11-13-24-K, Setting the Oneida Business Committee Regular Meeting and Executive Session Discussion Schedule; and
- WHEREAS,** pursuant to Section 117.6. of the Oneida Business Committee Meetings law which provides that the annual schedule for regular meetings of the Oneida Business Committee be presented by the Secretary for approval by the Oneida Business Committee, OBC November 13, 2024, meeting minutes, p. 12; and
- WHEREAS,** the Oneida Business Committee has adopted schedules each year for Work Sessions, Nation Building Schedules among other regular activities, OBC November 13, 2024, meeting minutes, p. 12; and

- WHEREAS,** the Legislative Procedures Act creates a Legislative Operating Committee and delegates duties and responsibilities to that entity which is made up of Council Members of the Oneida Business Committee, Legislative Operating Committee, 1 O.C. 109.4; and
- WHEREAS,** the Legislative Operating Committee has adopted meeting schedules as well as schedules for Public Meetings to receive public comment on proposed legislation, community meetings to receive input from members on subjects, work sessions to go over proposed legislation with legal counsel, community work sessions to discuss specific issues on legislation, among other meetings related to their duties under the Legislative Procedures Act; and
- WHEREAS,** the Oneida Business Committee has agreed to utilizing the opportunity of meeting and discussion, listening to others and expressing one's own viewpoints as a method of coming to one-mind regarding decision-making and failure to participate in this process as an elected official leaves a voice out of the decision-making process and those ideas or concerns that are an integral part of coming to agreement on an action; and
- WHEREAS,** the Oneida Business Committee has determined that the General Tribal Council did not intend to provide a salary for Oneida Business Committee members who fail to be present at meetings, work sessions, Legislative Operating Committee meetings, work meetings and community meetings; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-04-03-25-A, *Withholding Pay – Oneida Business Committee Council Member – Marlon Skenandore*, as a result of failure to participate in the meetings scheduled by the Oneida Business Committee and Legislative Operating Committee; and
- WHEREAS,** Council Member Marlon Skenandore has utilized the leave of absence process to notify the Oneida Business Committee that he is unable to work and to identify that he has no work days eligible for pay during the pay period; and
- WHEREAS,** Council Member Marlon Skenandore has not been present for any scheduled meetings for the week of October 12, 2025, and has not submitted a leave of absence form to identify he would not be performing his responsibilities; and
- WHEREAS,** that this is an ongoing matter affecting the Oneida Business Committee's ability conduct its responsibilities on behalf of the Nation which requires ongoing action for the remainder of this term; and
- WHEREAS,** the Oneida Business Committee has determined that administrative staff should not be responsible for managing this process of determining the payroll of elected officials and has determined that the Secretary should be assigned this responsibility in accordance with the processes set forth in this resolution;

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee directs that the salary of Council Member Marlon Skenandore shall be withheld for the pay period beginning October 12, 2025, as he failed to meet his duties and responsibilities as an elected member of the Oneida Business Committee.

BE IT FURTHER RESOLVED, that the following process shall be approved for the remainder of the current Oneida Business Committee term regarding Council Member Marlon Skenandore absence from duties.

1. The Government Administrative Office shall notify Secretary of the pay period in which the Council Member was not present and for which a leave of absence was not filed.
2. The Secretary shall authorize that the pay for that payroll period shall be withheld in accordance with the processes in this resolution. Such authorization is for the purposes of confirming that the Council Member was not present during that pay period.
3. The Government Administration Office shall submit a memo of pay periods where pay was withheld to the Oneida Business Committee agenda as an open session item for information only.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 22nd day of October, 2025; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

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