

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 01-28-26-E Amendments to the Independent Contractor Policy**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Independent Contractor Policy ("the Law") was adopted by the Oneida Business Committee by motion 7-27-94, and then amended through resolutions BC-2-15-95-A, BC-7-5-95-B, BC-04-25-12-E, BC-10-10-12-B, and BC-02-27-13-A; and
- WHEREAS,** the purpose of the Law is to ensure proper classification of employees and independent contractors for federal labor and tax law purposes; ensure the use of contract forms approved by the Oneida Law Office and Purchasing; ensure contracting with a current employee does not create a conflict of interest or unintended tax consequences; and ensure independent contractors have appropriate insurance coverages; and
- WHEREAS,** the amendments to the Law require the Nation to properly classify all individuals as either employees or independent contractors and sets standards for how an independent contractor will be approved to perform services for the Nation, the proper form of a contract for those services, and the proper classification of independent contractors to ensure the Nation remains in compliance with Federal law; and
- WHEREAS,** the amendments to the Law clarify when the Nation may contract with an employee or employee-owned business entity as an independent contractor; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Oneida Purchasing Department, Oneida Finance Administration, Oneida Licensing Department, and the Oneida Law Office; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and
- WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed amendments to the Law on October 15, 2025, with no individuals providing oral comments, and the public comment period for the amendments to this Law was held open until October 22, 2025, with one (1) submission of written comments received; and

**WHEREAS,** the Legislative Operating Committee accepted the public comments on November 5, 2025; and

**WHEREAS,** the Legislative Operating Committee reviewed and considered the public comments on December 3, 2025; and

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the amendments to the Independent Contractor Policy, which shall become effective on February 25, 2026.

#### **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 28<sup>th</sup> day of January, 2026; 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.

  
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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."