



Moved to
Open Session
04/15/15

Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution #09-0429-115

*Ratifying Band-Union Election Procedures Agreement with United Steel, Paper and Forestry,
Rubber, Manufacturing, Energy, Allied Industrial and Service
Workers International Union, AFL-CIO, CLC*

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is vested with the authority, under Article IV, Section 7(a), to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is vested with the authority, under Article IV, Section 7(a), to ratify agreements between the Tribe and other governmental entities; and

WHEREAS, the Tribal Council previously entered into an Agreement with the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC (the "Union") which governs union activities at the Little River Casino Resort with respect to the Security Department and the Slot technician Unit; and

WHEREAS, the Tribe has completed negotiations with the Union and reached an agreement on Election Procedures with respect to the Hotel and Grounds Unit;; and


WHEREAS, the Tribal Council believes it is in the best interests of the Tribe to approve and ratify the Agreement in order to protect the sovereignty of the Little River Band and the rights of its citizens and employees; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves and ratifies the attached Band-Union Election Procedures Agreement which will govern election procedures with the Hotel and Grounds Unit.

IT IS FURTHER RESOLVED THAT Tribal Council authorizes a limited waiver of sovereign immunity allowing for arbitration of claims that may arise in connection with the Agreement in accordance with Article VIII, governing dispute resolution and to have the agreement to arbitrate judicially enforced, and to have any award entered in such arbitration judicially enforced.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on April 29, 2009, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.



Kimberly Alexander, Council Recorder



Don Koon, Council Speaker

Attest:

Distribution: Council Records
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