

Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 03-0611-168

Amending the Government Operations Personnel Manual Authorizing Limited Access to Personnel Files

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new 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 Tribal Council is authorized 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 Government Operations Personnel Manual was adopted by the Tribal Council in 1997 and has been amended from time to time thereafter, and reaffirmed on August 7, 2002; and

WHEREAS, the Government Operations Personnel Manual identifies the following access to personnel files in section 3.1 -

All employee information is strictly confidential and access to personnel files is limited to the Accounting, the employee's supervisor, the Ogema and the Tribal Council.

Any disclosures from the employee's personnel records will not be provided without the employee's written authorization, except as required; and

WHEREAS, the Tribal Council has determined that the personnel files of the Tribe should be accessible by limited personnel in order to provide for the protection of the privacy of the employee; and

WHEREAS, the Tribal Council has further determined that there are external and internal requests for personnel records that should be allowed in order to comply with federal law, in very limited circumstances state law, and reasonably related Tribal governmental needs; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby amends section 3.1 of the Government Operations Personnel Manual to include the following sentence.

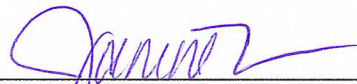
Personnel records may be accessed by presentation of written authorization by the Ogema. Such authorization shall be for a limited purpose, shall specifically identify the individual to whom the records shall be released, and shall include a confidentiality statement, signed by the individual seeking access to the file, that the individual is bound to maintain the records in a confidential fashion, unless applicable law dictates otherwise. The Ogema shall forward a copy of the authorization to the Tribal Council Recorder, and the original shall be placed in the file with an identification of the records released under this authorization.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that this amendment shall be effective immediately, and that notice to all employees shall be given by the Ogema in a reasonable manner.


CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 11, 2003, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.

Attest:



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department