



Little River Band of Ottawa Indians

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

Resolution # 05-0622-281

*Adoption of Amendments to Government Operations Personnel Manual (GOPM) Policies
6.5 and 6.8 Regarding Short-Term Disability (STD)*

WHEREAS, the status of the *Gaá Čhing 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 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 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 Tribal Council, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

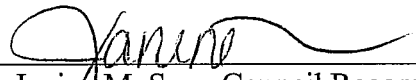
WHEREAS, the addition of STD as a Tribal Government employee benefit necessitates changes to current GOPM Policy 6.5 referencing eligibility for STD (proposed wording example attached); and

WHEREAS, the addition of STD as a Tribal Government employee benefit necessitates deletion of language in current GOPM Policy 6.8 referencing STD in relationship to Annual Leave (proposed wording example attached);

NOW THEREFORE IT IS RESOLVED THAT, effective July 1, 2005, the Tribal Council of the Little River Band of Ottawa Indians does hereby approve the proposed changes to the GOPM regarding Policies 6.5 and 6.8.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, 0 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 22, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department

Draft

Government Operations Personnel Manual

Chapter VI. Benefits, Holidays and Leave

6.5 SHORT-TERM DISABILITY

All eligible regular full-time employees may be provided with short-term disability insurance coverage after 7 days absence from the work place in accordance with the requirements of the Tribe's *short term disability* insurance IN place at that time. Employees are required to exhaust all Personal and Annual Leave accrued prior to utilizing this insurance.

The Tribe offers this insurance benefit to eligible employees who choose to accept by filing with the Human Resource Department the appropriate signed and dated insurance accepted forms. An employee is eligible for the short-term disability insurance benefit if he or she is *a regular full-time employee with 120 days of continuous service*.

- a. ~~a regular full-time employee; and~~
- b. ~~employed in continuous service with the Tribe for 12 months.~~

~~The Tribe pays 50% of the cost of the short term disability insurance benefit. Employees who elect to participate will have the remaining cost deducted from the employee's payroll.~~

If an employee qualifies for a Family Medical Leave, according to Sec. 6.18, that leave and short-term disability will run concurrently upon the inception of short term disability benefits.

DRAFT

Government Operations Personnel Manual

Chapter VI. Benefits, Holidays and Leave

6.8 ANNUAL LEAVE

Regular full-time and regular part-time employees are eligible for annual leave benefits as described below. ~~Annual leave shall be utilized, after exhaustion of available personal leave, until exhausted by employees requesting Family Medical Leave during the time off requested by the employee. Annual leave shall be exhausted, after exhaustion of available personal leave, by employees prior to utilizing short term disability insurance or other insurance benefit provided by the Tribe.~~

Up to 80 hours of annual leave can be carried over from year to year. Unused annual leave in excess of 80 hours expires without compensation.

Employees requesting annual leave for more than one day at a time are required to notify and obtain the approval of their supervisor at least one week prior to the anticipated annual leave. Employees requesting annual leave for one day or less are required to obtain the approval of their supervisor at least 48 hours in advance of the anticipated annual leave. No annual leave will be taken in less than 4-hour blocks of time. If a holiday falls within an annual leave period, it will be considered as a vacation day. Annual leave shall not accrue during an employee's leave of absence.

Upon separation either by lay-off, firing, quitting or other separation, the Tribe will pay cash value for accrued annual leave at the employee's current rate of pay.

In the event a Little River Band program is phased out, employees shall be notified by the Ogema of the effective date the program ends in order that the employee can use all accrued annual leave before the program ends. It shall be the responsibility of the program director or supervisor to notify the affected employees of any such project termination date and the amount of annual leave the employees have accrued.

Regular full-time employees shall earn annual leave based upon their continuing length of service with the Little River Band. Annual leave shall be earned according to the following schedule.

- a. Regular full-time employees with up to one year of service shall accrue annual leave at a rate of one (1) hour per forty (40) hours paid. Accrual begins from the first day of employment. However, no annual leave will be granted to a new employee until he/she has satisfactorily completed the probationary period.
- b. Regular full-time employees with one (1) to seven (7) years of service shall accrue annual leave at a rate of two (2) hours per forty (40) hours paid.
- c. Regular full-time employees with seven (7) or more years of service shall accrue annual leave at a rate of three (3) hours per forty (40) hours paid.

Regular full-time and regular part-time employees who are paid less than 40 hours per week will receive annual leave on a prorated basis.